



12 South Center Street
Bensenville, IL 60106

Office: 630.350.3404
Fax: 630.350.3438
www.bensenville.il.us

VILLAGE BOARD

May 9, 2017

Board of Trustees

Rosa Carmona
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Village Manager
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Mr. Paul De Michele
17W275 Rodeck Lane
Bensenville, Illinois 60106

Re: May 1, 2017 FOIA Request

Dear Mr. De Michele:

I am pleased to help you with your May 1, 2017 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on May 2, 2017. You requested copies of the items indicated below:

"1. Any and all minutes of Community Development Commission meeting and minutes of Zoning Committee Meetings regarding the CDC Case 2016-09.

2. Any and all correspondence between Village Staff and any agent of Mobile Truck Repair between April 13, 2016 and May 1, 2017, including but not limited to faxes and emails.

3. Any notice of violation regarding Mobile Truck Repair."

Enclosed are the records responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville

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

MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION

July 11, 2016

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

ROLL CALL: Upon roll call the following Commissioners were present:
Moruzzi, Pisano, Rowe, Rodriguez, Tellez
Absent: Lomax
A quorum was present.

STAFF PRESENT: S. Viger, C. Williamsen, Village Attorney, Mary Dickson

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of June 20, 2016 were presented.

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

All were in favor. Motion carried.

Chairman Moruzzi had a mass swearing in for those who planned to speak during the meeting.

Public Hearing: CDC Case Number 2016-09

Petitioner: MTR LLC

Location: 900-930 County Line Road

Request: Planned Unit Development (Section 10-9A-3) to Allow for a Truck Facility, Outdoor Storage Not to Exceed 25% of the Lot Area (Section 10-9A-3) and Outdoor Sales Display (Section 10-11-2(C)), and in Relation to Said Requests, for the Approval of Exception Within the Planned Unit Development.

Motion: Commissioner Rowe made a motion to open CDC Case No. 2016-09. Commissioner Pisano seconded the motion.

ROLL CALL: Upon roll call the following Commissioners were present:
Moruzzi, Pisano, Rowe, Rodriguez, Tellez
Absent: Lomax
A quorum was present.

Chairman Moruzzi opened the Public Hearing at 6:32 p.m.

Director of Community and Economic Development, Scott Viger, was present and previously sworn in by Chairman Moruzzi. Mr. Viger stated a Legal Notice was published in the Bensenville Independent on June 23, 2016. Mr. Viger stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Viger stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on June 24, 2016. Mr. Viger stated on June 24, 2016 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Viger stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. Mr. Viger stated the applicant is seeking a Planned Unit Development (PUD) to allow development of a Mitsubishi Fuso truck facility at 900 County Line Road to complement their existing MTR truck facility at 920 County Line Road. Mr. Viger stated the PUD will encompass both uses, along with the demolition of the small residential structure at 930 County Line Road and various exceptions/departures from the strict interpretation of the Zoning Ordinance as allowed under the PUD regulations.

Mark Daniel of Daniel Law Office, P.C. was present and previously sworn in by Chairman Moruzzi. Mr. Daniel stated he was present on behalf of the petitioner. Mr. Daniel stated his client set up a neighborhood meeting at Mamma Maria's in Bensenville to gather the input of the neighbors abutting the proposed property and invited all neighbors on the notice list (with plans enclosed with the invitation). Mr. Daniel stated his client did not receive any negative comments regarding the proposed use of the property. Mr. Daniel stated the proposed plans allow for two separate buildings. Mr. Daniel reviewed the plans associated with Lot 1. Mr. Daniel reviewed the process that will occur on site. Mr. Daniel stated box

assembly to the chassis of the truck will occur off-site and not interfere with the Residents adjacent to the property.

Mr. Daniel stated trees will be planted along the west side of the property to separate the Residential properties from the proposed building. Mr. Daniel stated his client is working with the Residents to the west of the property regarding their preference of the type of tree(s) that will be planted. Mr. Daniel stated once a tree is agreed upon, his client will confirm with the Village the type of tree(s) allowed. Mr. Daniel stated his client had received a request from a Resident to increase the height of the proposed fence from eight feet to ten feet. Mr. Daniel stated his client has no objection to the Resident's request and will make the fence ten feet tall. Mr. Daniel stated his client agrees with the conditions as proposed and subject to some clarification, edits, and additional conditions addressed with staff in email. Mr. Daniel asked that Staff's recommendation of condition number three (*Street trees be provided in accordance with the Municipal Code*) be removed and not required. Mr. Daniel stated his client will have covenants and an access agreement between lots one and two.

Commissioner Rodriguez asked what type of activity would take place in the loading zone. Mr. Daniel stated parts and chassis delivery will occur in the proposed loading zone along with the area acting as a turning area for trucks.

Commissioner Rodriguez asked what the purpose was for the proposed exhaust fans on the west side of the lot 1 building. Mr. Daniel stated the proposed exhaust fans are required by code.

Commissioner Rodriguez asked if the proposed exhaust fans could be re-located to the roof and properly covered. Upon consultation with the architect, Mr. Daniel stated his client had no objections to Commissioner Rodriguez's request.

Commissioner Pisano asked what the proposed hours of operation would be on site. Mr. Daniel stated the property will be active Monday through Friday from 7:00am – 7:00pm; Saturday 7:00am – 1:00pm; closed Sunday.

Commissioner Rowe asked if there would be idling of trucks on the property. Mr. Daniel stated trucks will not be idling on the property for more than 40 minutes a day, which is currently below that allowed by State Statute. Idling will only occur east of the central fence line.

Commissioner Lomax entered the meeting at 6:57 p.m.

Commissioner Tellez asked how trucks will enter and exit the two properties. Mr. Daniel stated the entering and exiting of trucks will be at the central entrance by design, placing it as far away from Residential properties as possible.

Commissioner Rodriguez asked for an explanation of the proposed exhaust system. Ray Fang, architect for the proposed project, was present and previously sworn in by Chairman Moruzzi. Mr. Fang stated the proposed system will meet code requirements and that there are no hazardous materials being released into the air as part of the proposed operation. Mr. Fang also stated that no painting operations are planned at this time.

Commissioner Rodriguez asked if a noise study was completed. Mr. Daniel stated there was not a noise study completed but with the proposed ten-foot fence, closed doors, and trees being planted, he does not see noise being an issue to the Residents.

Commissioner Rodriguez asked what will happen to trucks sitting on site that have been involved in a crash that are awaiting an insurance claim. Mr. Daniel stated his client will follow the Village Code pertaining to junk vehicles, but that they would be in the outdoor storage area (west) on Lot 2.

Mr. Daniel reviewed the proposed use for lot two. Mr. Daniel stated the lot would remain the same and that new signage will be installed and an additional sign would be installed as well. Mr. Daniel stated the lot will be re-striped. Mr. Daniel stated all DuPage County storm water requirements will be met. Mr. Daniel stated his client is aware of the Village's plans for a future bike/walking path on the frontage of his property and will work with the Village in the future regarding the path.

Joseph Abel, Planning Consultant, hired by the petitioner, was present and previously sworn in by Chairman Moruzzi. Mr. Abel read the approval criteria for the proposed Planned Unit Development into the record. Mr. Abel reviewed plans and standards, highlighted a staff visit with him to a sister facility and stated the project meets the code.

Commissioner Rodriguez asked what the current tire storage plan was on site. Mr. Daniel stated tires on site will be handled properly with new tires stored in a container along the west face of the building and used tires would be hauled off site.

Commissioner Rodriguez asked how often sprinklers on site would be tested. Mr. Daniel stated the sprinkler system will be tested as per Village Code and acknowledged work was in progress with respect to sprinklers.

Commissioner Rodriguez asked for a review of the towing operation. Mr. Daniel stated off hours tows only occur for customers of the company and that off hours towed trucks will remain on the east side of central fence or east of buildings away from the Residential properties until normal hours. He also described the tow truck parking plan to include several areas away from homes or in the Lot 1 building.

Commissioner Pisano asked how many employees will be hired. Mr. Daniel provided a breakdown of current and planned employees by category and stated there could be roughly 24-26 employees.

Mr. Pisano asked for the annual sale projections for the company. Mr. Daniel stated the projected sales were provided to Staff for their review and highlighted these numbers.

Commissioner Lomax asked if there was concern for additional traffic in the area as part of the proposed plans. Mr. Daniel stated his client does not foresee an increase in traffic as part of the proposed design on the building and explained the process of selling these types of trucks. He stated that it is a destination use and that the nature of new Lot 1 operations did not justify the generation of a report given patterns on County Line Road.

Chairman Moruzzi asked how many tow trucks would be on site. Mr. Daniel stated there would be three or four tow trucks on site, but there are two now.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regard to CDC Case No. 2016-09.

Frank Picicco – 314 Gloria Jean Drive

Mr. Picicco was present and sworn in by Chairman Moruzzi. Mr. Picicco asked if there would be a provision in the approval criteria for the maintenance of the proposed trees that are being planted next to Residential properties; if the proposed dumpster area could be re-located; and why the proposed detention pond on site two is smaller than the detention pond on site one.

Mr. Abel stated the proposed trees that are being planted next to the Residential properties are 3" diameter that will grow a foot a year. Mr. Abel stated his client will be responsible for the maintenance of the trees. Mr. Abel also stated the proposed dumpster will not be an issue to the Residential properties and will be picked up during hours of operation of the site. Jiun-Guang Lin (civil engineer) stated the detention pond on site two is smaller because the south (Lot 2) property is already developed and meets all required codes. They are providing required detention and that is primarily for new impervious areas.

Bill Perry – 814 John Street

Mr. Perry was present and sworn in by Chairman Moruzzi. Mr. Perry asked if other areas within the I-1 District will be allowed to use similar operations as the proposed use. Village Attorney, Mary Dickson stated each case would have to go in front of the Village Board and that the type of use is not allowed in the Village Code. Mr. Daniel also stated why the PUD requested is special to the land within the application.

Mr. Viger reviewed the Village Staff Report and stated Staff recommends the approval of the Planned Unit Development with the following conditions:

1. The Conditional Use Permit be granted solely to MTR, LLC. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
2. The property shall be developed in substantial compliance with the plans submitted with the application, including:
 - a. Boundary & Topographic Survey & Demolition Plan, Preliminary Grading Plan and preliminary Site Utility Plan prepared by Ridgeline Consultants LLC. dated 04.11.16

- b. Combined preliminary & Final Plan of Planned Unit development of MTR Plaza prepared by Ridgeline Consultants, LLC dated 04.11.16
- c. Preliminary Landscape Plan prepared by Gary R. Weber Associates Inc. Architectural Plans prepared by Ray Fang & Associates dated 11.15.15 Last revised 06.16.16 dated 01.16.16 last revised 04.13.16
3. Street trees be provided in accordance with the Municipal Code.
4. Cross access easement agreement for and between Lots One and Two.
5. Applicant shall Multi – Use path shall be installed along County Line Road.
6. General hours of operation shall be 7:00 AM to 7:00 PM.
7. Service bay doors shall be closed at all times that operational repair or mechanical assembly activity occur.
8. All operational repair or mechanical assembly activity shall occur indoors; no such activities are allowed out of doors.
9. Motion sensors shall be installed on the exterior lighting on Lot One.
10. A Declaration of Covenants shall be submitted to, reviewed and approved by the Village Attorney and staff.
11. A Phasing Plan for the Two Phases shall be submitted.

Chairman Moruzzi asked that Staff and the petitioner work on condition number three prior to this matter being presented to the Committee. There were no objections from the Commission.

Motion: Commissioner Pisano made a motion to close CDC Case No. 2016-09. Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rowe, Rodriguez, Tellez, Lomax

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing at 8:25 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of fact for the Planned Unit Development (Section 10-9A-3) to Allow for a Mitsubishi Fuso Truck Facility, Outdoor Storage Not to Exceed 25% of the Lot Area (Section 10-9A-3) and Outdoor Sales Display (Section 10-11-2(C)), and in Relation to Said Requests, for the Approval of Exception Within the Planned Unit Development. 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.
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.
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.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare.
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.

6. **Natural Features:** The design of the PUD is as consistent and practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character.
7. **Circulation:** Streets, sidewalks, pedestrian ways, 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.
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.
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.

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.

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.

Commissioner Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rowe, Rodriguez, Tellez, Lomax

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Planned Unit Development (Section 10-9A-3) to Allow for a Mitsubishi Fuso Truck Facility, Outdoor Storage Not to Exceed 25% of the Lot Area (Section 10-9A-3) and Outdoor Sales Display (Section 10-11-2(C)), and in Relation to Said Requests, for the Approval of Exception Within the Planned Unit Development with the following conditions:

1. The Conditional Use Permit be granted solely to MTR, LLC. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion,

shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.

2. The property shall be developed in substantial compliance with the plans submitted with the application, including:
 - a. Boundary & Topographic Survey & Demolition Plan, Preliminary Grading Plan and preliminary Site Utility Plan prepared by Ridgeline Consultants LLC. dated 04.11.16
 - b. Combined preliminary & Final Plan of Panned Unit development of MTR Plaza prepared by Ridgeline Consultants, LLC dated 04.11.16
 - c. Preliminary Landscape Plan prepared by Gary R. Weber Associates Inc. Architectural Plans prepared by Ray Fang & Associates dated 11.15.15 Last revised 06.16.16 dated 01.16.16 last revised 04.13.16
3. Street trees be provided in accordance with the Municipal Code.
4. Cross access easement agreement for and between Lots One and Two.
5. Applicant shall Multi – Use path shall be installed along County Line Road.
6. General hours of operation shall be 7:00 AM to 7:00 PM.
7. Service bay doors shall be closed at all times that operational repair or mechanical assembly activity occur.
8. All operational repair or mechanical assembly activity shall occur indoors; no such activities are allowed out of doors.
9. Motion sensors shall be installed on the exterior lighting on Lot One.
10. A Declaration of Covenants shall be submitted to, reviewed and approved by the Village Attorney and staff.
11. A Phasing Plan for the Two Phases shall be submitted.
12. Relocate the exhaust fans from the west side of the building to the roof and cover them property.
13. No idolizing of trucks on the western side of the property.
14. No truck safety test lane.
15. Fence along the north property line extending to the east to the face of the building.
16. Fence on west lot line to be installed at ten (10) feet and MTR to reasonably cooperate with west neighbors on selection of trees.

Commissioner Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rowe, Rodriguez, Tellez, Lomax

Nays: None

All were in favor. Motion carried.

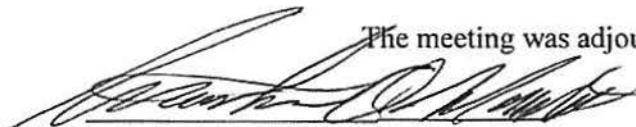
Report from Community Development

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

ADJOURNMENT:

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

All were in favor. Motion carried.


The meeting was adjourned at 8:31 p.m.

Mike Moruzzi, Chairman
Community Development Commission

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

MINUTES OF THE COMMUNITY & ECONOMIC DEVELOPMENT
COMMITTEE MEETING
August 16, 2016

CALL TO ORDER: Chairman O'Connell called the meeting to order at 6:43 p.m.

PRESENT: Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

Chairman O'Connell, Carmona DeSimone, Jaworska, Majeski, Wesseler

Absent: President Soto

Village Clerk, Ilsa Rivera-Trujillo, was also present.

A quorum was present.

Staff Present: E. Summers, J. Caracci, F. Kosman, M. Martella, A. Thakkar, S. Viger, C. Williamsen

Public Comment: There was no public comment.

Approval of Minutes: The June 21, 2016 Community & Economic Development Committee minutes were presented.

Motion: Chairman O'Connell made a motion to approve the minutes as presented. Trustee DeSimone seconded the motion.

All were in favor. Motion carried.

Minutes of the Community & Economic Development Committee Meeting
August 16, 2016 Page 2

600 W. Devon: Village Manager, Evan K. Summers, presented to the Committee an Ordinance Rescinding the Grant of Conditional Use Permit to Allow a Fleet Fueler Facility and Associated Variances at 600 West Devon Avenue for Transfuel.

There were no questions from the Committee.

Motion: Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Majeski seconded the motion.

All were in favor. Motion carried.

350 N. York Rd.: Village Manager, Evan K. Summers, presented to the Committee an Ordinance Approving a Site Plan and Variances to Allow the Development of a Warehouse/Distribution Facility at 350 N. York Road.

There were no questions from the Committee.

Motion: Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Wesseler seconded the motion.

All were in favor. Motion carried.

1410 W. Irving Park Road: Village Manager, Evan K. Summers, presented to the Committee an Ordinance Authorizing a Conditional Use Permit to Allow an Electronic Message Center sign at Asti Deli 1410 West Irving Park Road.

There were no questions from the Committee.

Motion: Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee DeSimone seconded the motion.

All were in favor. Motion carried.

Minutes of the Community & Economic Development Committee Meeting
August 16, 2016 Page 3

900-930 County

Line Road:

Village Manager, Evan K. Summers, presented to the Committee an Ordinance Authorizing a Planned Unit Development (PUD) and Various Exceptions/Departures from the Strict Interpretation of the Zoning Ordinance to Allow Development of a Truck Facility and an Existing Truck Facility at 900 - 930 County Line Road.

There were no questions from the Committee.

Motion:

Trustee DeSimone made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Majeski seconded the motion.

All were in favor. Motion carried.

IGA BSD2

Mohawk Park:

Village Manager, Evan K. Summers, presented to the Committee an Ordinance Authorization of an Intergovernmental Cooperation Agreement Between the Village of Bensenville and Bensenville Elementary School District No. 2.

There were no questions from the Committee.

Motion:

Chairman O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Jaworska seconded the motion.

All were in favor. Motion carried.

INFORMATIONAL

ITEMS:

There was no information items.

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

All were in favor. Motion carried.

Chairman O'Connell adjourned the meeting at 6:52 p.m.

Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 20th day September 2016.

From: Ray Fang <hcfang003@aol.com>
Sent: Tuesday, February 28, 2017 1:45 PM
To: Dean Lawrentz
Subject: Re: 920 County Line

Hi, dean:
Many thanks..
Ray

Sent from my iPhone

On Feb 28, 2017, at 9:48 AM, Dean Lawrentz <DLawrentz@bensenville.il.us> wrote:

Ray, FYI- Resubmitted building plans are approved. Resubmitted engineering plans were received this morning and are being sent to the Village engineer.

*Dean Lawrentz, MCP
Building Plan Reviewer/Inspector
Village of Bensenville
Office- 630-350-3410
Cell- 847-306-2699
dlawrentz@bensenville.il.us*

From: hcfang003@aol.com
Sent: Thursday, December 08, 2016 8:05 AM
To: Dean Lawrentz
Subject: Re: 920 County Line Rd - Review #1

Hi, Dean:
Thanks.
Ray

-----Original Message-----

From: Dean Lawrentz <DLawrentz@bensenville.il.us>
To: hcfang003 <hcfang003@aol.com>
Sent: Wed, Dec 7, 2016 2:20 pm
Subject: FW: 920 County Line Rd - Review #1

Ray, See attached Engineering Comments.

*Dean Lawrentz, MCP
Building Plan Reviewer/Inspector
Village of Bensenville
Office- 630-350-3410
Cell- 847-306-2699
dlawrentz@bensenville.il.us*

From: Mehul Patel
Sent: Wednesday, December 07, 2016 7:37 AM
To: Scott Viger <SViger@bensenville.il.us>
Cc: Dean Lawrentz <DLawrentz@bensenville.il.us>; Joseph Caracci <JCaracci@bensenville.il.us>
Subject: 920 County Line Rd - Review #1

Good morning,

Attached are the 1st set of review comments.

Mehul T. Patel - P.E., CFM
Assistant Director of Public Works - Engineering



717 East Jefferson Street, Bensenville, Illinois 60106
Phone: (630) 594-1196 Fax: (630) 594-1148
Email: mpatel@bensenville.il.us

From: Ray Fang <hcfang003@aol.com>
Sent: Monday, November 28, 2016 6:45 PM
To: Dean Lawrentz
Subject: Re: 920 County Line

Ok, thanks.

Ray

Sent from my iPhone

On Nov 28, 2016, at 11:55 AM, Dean Lawrentz <DLawrentz@bensenville.il.us> wrote:

Ray, Attached are the building plan review comments. Please contact me with any questions.

*Dean Lawrentz, MCP
Building Plan Reviewer/Inspector
Village of Bensenville
Office- 630-350-3410
Cell- 847-306-2699
dlawrentz@bensenville.il.us*

<920 County Line Rd - #6625 - 1st Rev....pdf>

From: Ray Fang <hcfang003@aol.com>
Sent: Friday, April 28, 2017 12:44 PM
To: Scott Viger
Cc: loya.eric@yahoo.com
Subject: Fwd: Mobile Truck Repair - revised plans

Hi, Scott / Ed:

FYI

Ray

Sent from my iPhone

Begin forwarded message:

From: "Ed Peterson" <epeterson@ridgelineconsultantsllc.com>
Date: April 27, 2017 at 11:50:05 AM CDT
To: "Ray Fang" <hcfang003@aol.com>
Cc: "Jiun-Guang Lin" <cjin@ridgelineconsultantsllc.com>
Subject: Mobile Truck Repair - revised plans
Reply-To: <epeterson@ridgelineconsultantsllc.com>

Hi Mr. Fang,

I was able to discuss your project with Lin this morning. We sincerely regret the delays which you have experienced to date on this project. I have been assigned to complete the plans, however I will need until Monday to make that happen.

Sincerely,

Ed



Ed Peterson – Project Manager
Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Mobile: 630-742-1278
Email: epeterson@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Ray Fang <hcfang003@aol.com>
Sent: Friday, April 28, 2017 12:41 PM
To: Scott Viger
Subject: Re: MTR on County Line Road

Hi, Scott:

I received email from his firm and they assured us Monday they are going to release the drawing.

Thanks

Ray

Sent from my iPhone

On Apr 28, 2017, at 11:01 AM, Scott Viger <SViger@bensenville.il.us> wrote:

Good morning Ray –

I wanted to get in touch with you on the above – cited development proposal.

I heard a rumor that the engineer met with some sort of unfortunate incident and the client may need to locate a new engineer?!

We of course are hoping this is not accurate. Can you shed any light on this for me? Is there anything the Village can do to get the engineering resubmitted?

Scott R. Viger A.I.C.P.

<image001.png>

From: hcfang003@aol.com
Sent: Thursday, January 05, 2017 9:35 AM
To: Scott Viger
Cc: loya.eric@yahoo.comh
Subject: Re: 900 - 930 South County Line Road / MTR

Hi, Scot:
Engineer is incorporating all necessary responses to Mr. Patel and other governing agencies.
As soon as I have a firm idea, I will submit my response at the same time for approval.
Thanks.
Ray

-----Original Message-----

From: Scott Viger <SViger@bensenville.il.us>
To: hcfang003 <hcfang003@aol.com>
Sent: Wed, Jan 4, 2017 9:13 am
Subject: 900 - 930 South County Line Road / MTR

Top of the morning Ray –
Any update on the Building permit resubmittal for the MTR project?
As you know, this exciting business expansion is important to the Village.
If there is anything I can do, to assist just let me know.

Scott R. Viger A.I.C.P.



From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Friday, August 19, 2016 10:47 AM
To: Scott Viger
Cc: Jiunguang Lin; Ray Fang; Mobile Truck Repair; Joe Abel; Mary Dickson
Subject: Re: 900 - 930 County Line Road

Thanks Scott. I met with Eduardo and Ray to discuss transitioning this beyond zoning today. Ray and Lin may be in touch with staff on that front. Eduardo and I will be at the meeting a few minutes before it starts so we can privately convey our appreciation for the staff and attorney efforts (since nothing was said at committee).

Mark

On Thursday, August 18, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

The Ordinance approving the PUD etc. at the above – cited property is on the Village Board Consent Agenda Tuesday 08.23.16. The meeting begins at 6:30 PM. The agenda is available on the Village website.

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

630.350.3411 Direct

630.670.3206 Mobile



BENSENVILLE
COMMUNITY & ECONOMIC DEVELOPMENT

--

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, August 09, 2016 1:36 PM
To: Scott Viger
Cc: Mary Dickson; Joe Abel
Subject: Re: 900 - 930 County Line Road

It's the use of "tree lawn portion" in the landscape chapter on street trees.

F. Street Trees: All uses require street trees to be planted **in the tree lawn portion** of street rights of way abutting lots developed for any use, with a maximum spacing of no more than forty feet (40'), or in front and corner side yards no less than two feet (2') nor more than ten feet (10') from the right of way, shall have a minimum two and one-half inch (21/2") caliper at one foot (1') above grade at time of installation. Recommended and prohibited street trees shall be as set out in section 8-10-5 of this code.

On the matter of the triangles: "The Director of Community Development may fully or partially waive or defer this requirement in any instance in which the specific use of the premises, and therefore the parking, loading or other requirements on which the requirements herein are based, are not yet determined, such as in the case of a rezoning for an industrial subdivision the future uses within which are not yet known. The landscape plan shall conform to the requirements of Section 10-3-6 of this Title." We asked the CDC to OK this as part of a PUD and they deferred to you working something out with us. We think the tree trunks and planted trees in their early years cause an issue for a driver situated well above the normal car or truck driver. If you stick to code, you are correct under "C" but we have asked you to look at it particularly in light of the bike path.

Copying to Mary (since I cannot really chime in without ethically letting her know) and to Joe so you do not have to have a repeat discussion.

How many trees do we have as the gap once you remove the driveways?

Mark

Mark W. Daniel
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mark@thedaniellawoffice.com

On Tue, Aug 9, 2016 at 1:11 PM, Scott Viger <SViger@bensenville.il.us> wrote:

Not trying to beat a dad horse but, can you and/or Joe supply the Code Citation regarding the frontage dimension for street tree calcualtins beieng reduced by the curbcut width. I am not aware of it. Also tree trunks are exempt from the Vision clearance triangle

Scott R. Viger, AICP
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Director/Community &
Economic Development
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From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, August 04, 2016 11:38 AM
To: Scott Viger; Mary Dickson; Joe Abel
Subject: COW Correspondence
Attachments: Planned Unit Development.pdf; MTR CONDITIONS.docx

Hi Scott,

Please see the attached correspondence which is sent in care of you for the COW to consider. The conditions have not changed since our last real communications on this. The redline format in the letter is followed by a clean version of conditions in the exhibit. The letter is in the mail as of today, the Word file for the clean revision of the conditions is also attached.

I hope that you understand that I am just working to make sure that there is clarity and I did note that two conditions need some work due to the review of the new landscape plan.

Please give me a call if necessary. Joe Abel is also available at (630) 207-4256 if you need to address the trees.

Thank you again for your work on this.

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Daniel Law Office, P.C.

August 4, 2016

Hon. Frank Soto, Mayor, and
Members of the Board of Trustees
c/o Mr. Scott Viger, AICP
Village of Bensenville
12 South Center Street
Bensenville, IL, 60106

Re: MTR Plaza Planned Unit Development with Exceptions
900-930 S. COUNTY LINE ROAD (PINs 03-24-406-037, 038, 076, 072)
BENSENVILLE, DUPAGE COUNTY, ILLINOIS

Dear Mayor Soto and Trustees:

As you may be aware, I represent MTR, LLC in relation to its application for planned unit development (with exceptions) for the above-referenced property. MTR, LLC greatly appreciates the time and effort by staff and counsel for the Village, as well as the attention paid by area neighbors. MTR, met with neighbors at Mamma Maria's in Bensenville on June 23, 2016 and understands their support and their need for some minor adjustments described at the zoning hearing on July 11, 2016. MTR also heard and understands staff concerns throughout all of the preliminary meetings and at hearing.

MTR thanks the Community Development Commission's recommendation of MTR Plaza and the related exceptions and the time that went into the development of a list of conditions approved by the CDC on July 11, 2016. As I mentioned to the CDC, there was some discussion of staff's recommended conditions with staff and with counsel prior to the hearing. Some conditions were proposed as a response to comments before the hearing, others were added to respond to neighbor concerns (such as fence adjustments and tree selection) and others were edited for clarity of purpose and language.

Following hearing, staff provided me with a Word version of the conditions that were approved by the CDC on July 11, 2016. Subject to discussion at the August 16, 2016 Committee of the Whole meeting and even in advance thereof with staff and counsel, below are the conditions that MTR asks that the City approve as part of its ordinance (reflecting redlines where changes were made. A clean version of the conditions is attached with this letter.

1. The Conditional Use Permit be granted solely to MTR, LLC., and an entity in which MTR, LLC and/or its owners are more than 50% owners and shall be transferred only after a review by the Community

Hon. Frank Soto, Mayor, and
Members of the Board of Trustees
c/o Mr. Scott Viger, AICP

August 4, 2016

Development Commission (CDC) and approval of the Village Board to confirm that an operator other than the class mentioned above is capable of operating within the terms of the ordinance. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor cannot meet the standards of the ordinance or contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.

2. The property shall be developed in substantial compliance with the plans submitted with the application, including:
 - a. Boundary & Topographic Survey & Demolition Plan, Preliminary Grading Plan and preliminary Site Utility Plan prepared by Ridgeline Consultants LLC. dated 04.11.16
 - b. Combined preliminary & Final Plan of Panned Unit development of MTR Plaza prepared by Ridgeline Consultants, LLC dated 04.11.146
 - c. Preliminary Landscape Plan prepared by Gary R. Weber Associates Inc. Architectural Plans prepared by Ray Fang & Associates dated 11.15.15 Last revised 06.16.16dated 01.16.16 last revised 04.13.16 and to be finally revised according to resolution of the street trees concern if possible.
3. Street trees be provided in accordance with the Municipal Code which will be addressed with staff.
4. Cross access easement and operational agreement for and between Lots One and Two.
5. Applicant shall install or provide for the deposit with the Village of the expense of the Multi – Use path shall to be installed along County Line Road.
6. General hours of operation shall be 7:00 AM to 7:00 PM weekdays and 7:00 AM to 1:00 PM on Saturdays.
7. Service bay doors shall be closed at all times that any operational repair or mechanical assembly activity occurs.
8. All operational repair or mechanical assembly activity shall occur indoors; no such activities are allowed out of doors.
9. Motion sensors shall be installed on the exterior lighting on Lot One.
10. A Declaration of Covenants shall be submitted to, reviewed and approved by the Village Attorney and staff.
11. A Phasing Plan for the Two Phases shall be submitted.

Hon. Frank Soto, Mayor, and
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August 4, 2016

12. Relocate the exhaust fans from the west side of the building to the roof and cover them properly.
13. No ideling of trucks on the western side of the property (shall only occur east of central fence line).
14. No truck safety test lane certification program.
15. Fence along the north property line extending to a point directly north of the east to the face of the Lot 1 building at a height of eight (8) feet (adjustable down to six (6) feet) according to north neighbor preference.
16. Fence on west lot line to be installed at ten (10) feet and MTR to reasonably cooperate with west neighbors on selection of trees.
- 15.17. Decorative fencing (straight line permitted) to be installed according to code where necessitated by detention basins.

Please note that Condition Nos. 2(c)(revision date to be added) and 3 (street tree plan) are under review with staff and counsel for the Village. A revised landscape plan was submitted in July and MTR is hopeful that the landscape plan meets staff expectations for the lawn areas of the County Line Road frontage while respecting safety concerns for sight triangles and also providing for enhanced landscaping on the east side of the detention area as committed to during the zoning hearing. We are hopeful that the plan will be in finalized form by the time packets circulate to you the week prior to the August 16, 2016 meeting.

On behalf of MTR and the Loya family, thank you for the time and attention to this important project. I look forward to seeing you on August 16th.

Yours very truly,

DANIEL LAW OFFICE, P.C.



Mark W. Daniel

Encl.

cc: Evan K. Summers
Mary Dickson, Esq.
MTR, LLC

MTR CONDITIONS – CLEAN (August 4, 2016)

1. The Conditional Use Permit be granted solely to MTR, LLC., and an entity in which MTR, LLC and/or its owners are more than 50% owners and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board to confirm that an operator other than the class mentioned above is capable of operating within the terms of the ordinance. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor cannot meet the standards of the ordinance or contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
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12. Relocate the exhaust fans from the west side of the building to the roof and cover them property.
13. No idling of trucks on the western side of the property (shall only occur east of central fence line).
14. No truck safety test certification program.
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1. The Conditional Use Permit be granted solely to MTR, LLC., and an entity in which MTR, LLC and/or its owners are more than 50% owners and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board to confirm that an operator other than the class mentioned above is capable of operating within the terms of the ordinance. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor cannot meet the standards of the ordinance or contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
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17. Decorative fencing (straight line permitted) to be installed according to code where necessitated by detention basins.

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 3:00 PM
To: Mary Dickson
Cc: Joe Abel; Scott Viger
Subject: Re: Discussion with Scott

Mary,

I spoke to Scott. Some of the conditions work is certainly yours, but we seem to have an understanding. The only decision point seems to be on the path where Ed could build it or deposit an engineer's estimate. I think the question that arises is how the Village might continue the path if other owners never do and whether an SSA is an option. Being in the middle of the block, Ed is more likely to make a deposit and have it returned if you do an SSA so as not to cause a break in the district. I think that is the one question you and I may need to address. I think the path exists well north of us, so the Village would not have had that problem with the newer development on County Line that might be in the I-2 area.

Feel free to call me at (312) 927-0177, but nothing seems urgent.

Mark

Mark W. Daniel
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mark@thedaniellawoffice.com

On Mon, Jul 11, 2016 at 1:10 PM, Mark Daniel <mark@thedaniellawoffice.com> wrote:
Hi Mary,

I am back and still feeling a bit like I am on vacation... However, in keeping things clear, I wanted to make sure that you were OK with my discussing conditions with Scott:

1. The grant only to MTR is fine, but I would like to insert a standard of review that requires the proposed new beneficiary of the PUD to establish that it can meet the terms of the ordinance and I would like to expand the beneficiaries to MTR or another entity in which MTR or its members are more than 50% owners. These provisions are understandable but, as written, they can create issues for lenders, estate planning and business succession planning. The new user would not have to re-establish all of the standards or face amendments that could affect expectancy.
2. On idling, I think location makes sense and it is easier to enforce (internally and from the Village's perspective).
3. Some clarification is needed on the detention decorative fence location (is it all sides or just the sides within 15 feet of pavement?), but the conditions is acceptable.

4. On the CL Road path. The path was proposed by others, and we only showed that we could accommodate that path. If the condition were to maintain the space for the path, that would be fine, but it is on public property. As far as construction of the path is concerned, is it immediate or something that is accomplished when one side or the other will abut another path? I do worry about having a condition on the path in the ordinance because we do not know what the Village or County will want or do in the future. It could be that there is a dispute over preferences that develops. I suppose one point of discussion might be a deposit prior to issuance of a certificate of occupancy, to be refunded if the path is not pursued in five years. We also discussed whether an SSA might be an option for funding the path and how that might affect the deposit--this also affects timing of construction. (This explains a bit more about why we were only showing that the path would fit inasmuch as both the Village and MTR have their hands tied a little if we are required to build the path.)

5. I still need to ask for the street tree relief, though I think you expected this. One note in this regard. Scott refers in the staff report to the rear trees as a transition strip when those trees are not required under the ordinance. One trade relating to the street trees was the attention paid to the rear line, so this would be another part of the call.

6. Alternates.... I wanted to discuss Condition 2 with Scott so that we knew how much flexibility could be built in for neighbor preferences. One neighbor wants the fence stepped up to ten feet which is fine with us, but other neighbors may prefer different trees (so far we know of none). An adjustment of the fence height to ten feet on request of a neighbor might be allowed in the ordinance itself, but I want to confirm that Scott has the ability to accept alternate plantings if there are discussions following final approval.

Hopefully, that is all we have to discuss. I have asked if Scott might be available at 2. I actually called him and dropped the call when I realized that I should get you in the loop on this one.

Thanks again.

Mark

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mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 2:39 PM
To: Scott Viger; Dennis McAbery; Joe Abel; Mary Dickson
Subject: MTR Fencing (last note)

Scott and Dennis,

We have been discussing "board on board" wood fencing. In reviewing for today, Joe Abel recalled a discussion with a neighbor and we agreed the fence would be a wood fence with the boards next to each other (or flat). This is a better maintenance option and avoids gaps (sound if any won't pass through).

Mark

--
Mark W. Daniel
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Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 12:54 PM
To: Scott Viger
Cc: dmcabery@gmail.com; Joe Abel; Mary Dickson
Subject: MTR North Fencing

Scott,

I spoke to the owner of the lot north of the development site (Dennis McAbery is copied). MTR will agree to extend the fence from its current depicted location easterly to a point directly north of the northeast corner of the proposed new building. The height of the fence will be up to eight (8) feet, with flexibility allowed to drop the fence to six (6) feet if Dennis prefers. This would avoid a fence in the actual front yard, leave only two new trucks visible (nothing other than new trucks will be in those seven spaces). The spaces are angled and head-in spaces, so Dennis would be looking at the cabs and not the rear of the trailer.

I do have a few things to address with you on the conditions. MTR is amenable to presenting conditions that meet your proposed conditions with some clarification on Items 1, 3, 5 and additions for the fence changes and on the topic of idling (suggesting a location limitation rather than stepping into the idling regulations at the state level, i.e., no idling in new truck outdoor display areas or west of our east fence between the buildings except for deliveries and tow trucks and leaving state law to apply to the remainder of the property). This avoids you having to consult with meteorologists and consider duration of idling in dealing with enforcement.

Is there a chance that you are available at 2 PM? I am copying this to Mary Dickson but figured that I would leave this

Mark W. Daniel
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From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Friday, June 24, 2016 8:59 AM
To: Scott Viger; Mary Dickson
Cc: Joe Abel
Subject: Meeting

Met for about 90 minutes to discuss all elements of the project more owners on County Line than along John. Linda was there and there was a lot of discussion about the new comp plan and change. We discussed at length how the PUD operates as a more specific regulation than the zoning ordinance and that Ed's reduction of building size for outdoor area is what made the project different than others the might be permit/as of right (outdoor use). Discussed how the PUD drives the west lot line improvements, how Village or a neighbor could enforce failed trees, a broken fence. When through hours of operation. Reported outside range was 7-7 with occasional weekend likely 9-1, no Sunday's planned. Discussed lighting, sound etc.

Joe let Linda know we didn't mind changing trees or adjusting fence height according to neighbor preferences.

We left the meeting with an understanding that neighbors could call me or Joe. She has our contact. Split of industrial owners was one directly south, one two lots north and one at other locations north.

Mark

--
Mark W. Daniel
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(630) 833-3311
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mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, June 23, 2016 3:00 PM
To: Scott Viger
Cc: Mary Dickson; Joe Abel; Jiunguang Lin; Ray Fang
Subject: MTR Plaza Sales Tax Analysis
Attachments: TAX ANALYSIS.pdf; TAX ANALYSIS.xlsx

Scott (and Mary),

As you know, there are firms that perform sales tax analyses who take many factors into account and put a long report together. In this instance, I am not going that route and touching on economic factors, demand constraints, etc. or on secondary economic impact to the Village.

The sales tax numbers appearing in the attached spreadsheet (provided in Excel and PDF) extend through 2022, assume construction is wrapped up in 2017, anticipate a market change with truck lines that will be beneficial in 2018 and thereafter. Mr. Loya provided ranges and the hard number selected arose somewhere in that range and was considered before I sent this. Despite a possibly lower range provided for 2022, I thought it was important to assume 300 in 2022 but it may prove that it only serves as a collection of data. Slightly over 250 for that year is possible, but I wanted you to see the 300 number since that was the next increment.

Also, there are a handful of notes. Ordinary exemptions apply, but the vehicle and fleet field involves additional sales tax exemptions beyond the ones you see regularly. I provided Scott a link to an article about ICC trucks. I called D & S and learned that the number of ICC exempt trucks are limited in comparison to the large majority that are non-exempt. They follow ordinary sales tax protocols for reporting.

As you would expect, the 2017 number for truck sales is speculative, reliant on an efficient path to occupancy and an immediate marketing effort. The confluence of these three occurrences to allow an opening before the end of August is speculative. Additionally, the 75 sales might not be of the larger trucks, but rather of smaller trucks with a lower sales price (\$60,000+) as a result of the ramping up that is necessary before the sales operation is moving along following construction. Project phasing intends to preserve the parts sales operation, and I did not see as much in flux for that part of the table.

There is one issue that has not been cleared up. For this work, I relied on the same 8% rate for sales of trucks and sales of parts. On the Illinois Department of Revenue website ("MyTaxIllinois"), there is a different rate provided for vehicle sales (7%). I could not explain this in reviewing the Village's business ordinances that impose the sales and use taxes. As a result, I relied on 8%.

For a frame of reference, MTR expects that D & S sells as many trucks down the road (combination of demand for a modern line and the location of MTR in the heart of an area where these trucks are in far greater demand than down south). Nevertheless, the size of the repair operation is much larger in Hodgkins and we have not suggested that we would reach sales of parts in relation to repairs at the level they down there.

The work I performed on this arose following calls with D & S, Eduardo Loya, Joe Abel and review of the different tax regulations in Illinois, Bensenville, the County, at RTA and DWC. 80% of the material is publicly available, but if you need to see some of the summaries of regulations please let me know. The initial source for tax rate information was the 2016 Illinois General Assembly Legislator's Tax Summary.

Please call or email if you have questions. My cell will be best until July 11 (312) 927-0177.

Thank you.

Mark W. Daniel
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TRUCK SALES

Agency	Rate	Current	2017	2018	2019	2020	2021	2022	5-Year	Local Benefit
State*	0.0625	0.00	239,062.50	828,750.00	1,147,500.00	1,402,500.00	1,593,750.00	1,912,500.00	7,124,062.50	1,424,812.50
Village	0.01	0.00	51,000.00	132,600.00	183,600.00	224,400.00	255,000.00	306,000.00	1,152,600.00	1,152,600.00
County	0.0075	0.00	38,250.00	99,450.00	137,700.00	168,300.00	191,250.00	229,500.00	864,450.00	Indirect
RTA	0.0075	0.00	38,250.00	99,450.00	137,700.00	168,300.00	191,250.00	229,500.00	864,450.00	Indirect
DuPage Water**	0.0025	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trucks Sold***		0	75	130	180	220	250	300		

PARTS SALES

Agency	Rate	Current	2017	2018	2019	2020	2021	2022	5-Year	Local Benefit
State*	0.0625	31,250.00	31,250.00	62,500.00	93,750.00	125,000.00	187,500.00	250,000.00	750,000.00	150,000.00
Village	0.01	5,000.00	5,000.00	10,000.00	15,000.00	20,000.00	30,000.00	40,000.00	120,000.00	120,000.00
County	0.0075	3,750.00	3,750.00	7,500.00	11,250.00	15,000.00	22,500.00	30,000.00	90,000.00	Indirect
RTA	0.0075	3,750.00	3,750.00	7,500.00	11,250.00	15,000.00	22,500.00	30,000.00	90,000.00	Indirect
DuPage Water**	0.0025	625.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Parts Volume***		500,000.00	500,000.00	1,000,000.00	1,500,000.00	2,000,000.00	3,000,000.00	4,000,000.00		

* The state distributes 1.25% of the sale to the Village.

** DuPage Water Commission Sales Tax expired on May 31, 2016.

*** Applied average per truck price of \$102,000.00. Range is \$96,000.00 to \$130,000.00-plus.

**** Some sales will be exempt: sales to charities, government, railroads.

OTHER INFORMATION

Tax rates may vary or not always reach Bensenville. Cook County has an overall 8.25% tax rate and a municipality may at 1% or more.

Where certain transactions are exempt, state license and vehicle fees typically apply.

Parts purchasers may be grandfathered into certain rolling stock exemptions.

Owners of trucks over 16,000 pounds and registered with as Interstate Common Carriers are exempt in IL and 28 other states (RUT-7, ST-556).

This summary does not consider funds from licenses and fees.

I.C.C. Example

An ArtVan sale would not be exempt if sold to an Illinois location because they are not I.C.C. registered trucks.

From: Mary Dickson <marydickson@bond-dickson.com>
Sent: Tuesday, June 14, 2016 12:28 PM
To: Mark Daniel
Cc: Joe Abel; Jiuguang Lin; Victoria Benham; Mobile Truck Repair; Scott Viger
Subject: Re: MTR Communications

Mark: I have no objection to staff working directly with you on the issues you have raised. Mary

On Tue, Jun 14, 2016 at 11:20 AM, Mark Daniel <mark@thedaniellawoffice.com> wrote:

Hi Mary,

Are you OK with me talking to Scott and/or Victoria about the submission of the revised narrative, findings, etc. and finalizing the legal notice?

A few things for discussion...

1. The narrative will be ready tomorrow with the changes discussed, accepting staff's thoughts so far (but we have no staff comments or reports other than oral discussions).
2. As far as the narrative is concerned, I would like to go final on it, but I have multiple pages of findings drafted in relation to the standards for a PUD and conditional use that tie to particular matters (such as the new Comp Plan) and I would like to know how staff prefers the submissions. For convenience only, they presently lie in a distinct document in the form of recitals that might attend a recommendation or an ordinance following the procedural recitals ("WHEREAS...").
3. I would like to re-confirm with Scott and Victoria that the Village is fine with an enclosure of an invitation to an informational meeting (likely at Mama Maria's) remains appropriate. I will be clear that this is not Village-sponsored or Village-required. I also do not think it will be a meeting that I attend. Likely something for Joe and our civil to attend with Eduardo.
4. We will send the notice out by regular and certified U.S. mail. Preference is to aim for June 22 as our target date.
5. I always ask staff whether there are any notable changes that might suggest we send legal notice to someone in the area that they know has a particular interest in land but who might not be shown in the public records we rely on for the list of recipients (which we will review and update due to the passage of time sometime this week).

I think it is safe to limit the discussion to these issues, but I wanted to make sure you were fine with the call or determine your preference otherwise.

Hope all is well there. If you feel that I should plan to head over to your office, please let me know so I can plan accordingly. You are also welcome here if you happen to be in the area.

Mark

Mark W. Daniel

DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
[\(630\) 833-3311](tel:(630)833-3311)
Fax: [\(630\) 833-3511](tel:(630)833-3511)
mark@thedaniellawoffice.com

--

Mary E. Dickson
BOND, DICKSON & ASSOCIATES, P.C.
400 S. Knoll Street, Unit C
Wheaton, Illinois 60187
(630) 681-1000
(630) 681-1020 (fax)

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, May 31, 2016 10:02 AM
To: Mary Dickson
Cc: Scott Viger; Victoria Benham; Joe Abel
Subject: MTR

Mary,

I am copying this to Scott and Victoria only for convenience and not in an effort to obtain a response.

I hope you enjoyed your long weekend. I spent some of the down time looking into some the skepticism concerning classification of MTR as assembly with sales of premanufactured items assembled on site. This is despite the 20% option under the PUD regulations, which I believe allows substantial comfort if that indeed proves to be a limitation imposed as a condition of PUD approval.

I reviewed similar truck operations and regulatory schemes in Illinois, Indiana, Michigan and Pennsylvania. If Scott has others in mind, please mention these states to me. I took jurisdictions that use permitted, conditional, special exception and nonconforming uses. I also reviewed ordinances that were your customary cumulative zoning regulations and ones that were not cumulative as to the industrial districts and proved to be more strict on commercial in the I-1 or I-2.

A dive into a dozen or two of these shows that the uses are primarily zoned light industrial. Some codes do not allow sales, some have allowed them by special exception. Jim Torre and Jeff Plyman (Joliet) handled it as light industrial with "repair to new trucks" which is our assembly component plus sales and a few other ancillary uses which are similar to ours. In largest part, assembly of premanufactured parts into a final item sold on site was permitted. In many cases involving cumulative zoning, sales was permitted. In still other cases, some could only rely on assembly or a special exception use because, like Bensenville, there was no use defined to include these trucks--in some, for example, autos by definition only included passenger vehicles or otherwise excluded trucks.

Despite my fascination and frustration with how many townships in PA have zoning regulations (nearly every one in areas I reviewed--even dense metro areas), I did get to the point where assembly and sales is supported by the history. While I have not found cause to call staff on many of these, of the six zoning officials I spoke to, none of them were concerned about a text amendment due to use lists in force at the time of review. This includes Springfield, Joliet (email exchange) and Hodgkins as well as three jurisdictions in Pennsylvania.

It seems that in all instances, the assembly component is allowed. There might be 2-3 commercial zoning classifications that apply but repair is permitted or conditional use or a special exception as is the sales component. In a few, I did confirm that a portion of the use was handled through entitling a nonconforming use to become conforming (Hodgkins (by phone), Joliet (per email)). Springfield has one in an area that bars commercial and it was entitled as I-1 Light Industrial.

If Scott and Victoria decided to review any of this, you might let them know I have looked into the four states noted.

Give me a call when you have a chance. Cell is (312) 927-0177. I am moving into final preparation of the revised narrative to encompass staff concerns and hope to have this out within the next two days.

Joe, Scott and Victoria,

I am copying you on this but not asking for a response. I think Mary and I need to have a discussion about the regulations and believe I have already stated my belief that the Bensenville ordinance permit approval of the use in the context I have discussed.

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: marydickson@bond-dickson.com
Sent: Friday, May 27, 2016 7:58 PM
To: Mark Daniel
Cc: Scott Viger; Victoria Benham; Joe Abel; Mobile Truck Repair; Ray Fang
Subject: Re: Field Trip

Happy Memorial Day and happy touring the light assembly facility😊

Sent from my iPhone

On May 27, 2016, at 2:20 PM, Mark Daniel <mark@thedaniellawoffice.com> wrote:

Happy Memorial Day everyone... Let's plan on Thursday, June 2, 2016 at 3 PM. Again, Mary and I will not be there and you are all invited to talk. Since our architect on this one did the design in Hodgkins, I am leaving it to Ed and Ray to discuss Ray's attendance, but Ed and Joe will be there.

D&S Trucks info:

Address: 6042 Lenzi Ave, Hodgkins, IL 60525
Phone:(708) 352-5551
www.dandstruckcenter.com/

Property info: zoned C, and when I called the City to ask for someone in charge of zoning, I apparently got the right person who informed me that the use was allowed under automobile sales though they know it is trucks and they know of all the assembly components. View was used and new truck sales area dominated and that they would not limit based on the use of the term automobile in the ordinance. I have attached what I reviewed from the Internet, though I do note that the zoning map is 2010 and the online zoning ordinance has many errors in it.

Webster's definition of automobile (not defined in code): "Full Definition of automobile: a usually four-wheeled automotive vehicle designed for passenger transportation"

I suppose we could allow a more flexible term. You cannot find anything similar to Bensenville's use lists etc. and definitions in Hodgkins, but I attached an aerial, a part of the zoning map (see the south end, west side of Lenzi) and the C zoning regs.

The use is more expansive and older, but a building similar in some respects to what is proposed in Bensenville has been constructed on the west side of the property. (see aerial)

Mark

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181

(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

On Thu, May 26, 2016 at 5:37 PM, <marydickson@bond-dickson.com> wrote:
I'm good with staff touring w/o counsel.

Sent from my iPhone

On May 26, 2016, at 1:19 PM, Mark Daniel <mark@thedaniellawoffice.com> wrote:

Joe,

Let's focus on the anytime on June 2 or June 3. This way Ed can be there too. I don't mind inquiries or discussion if Mary and I are not there as long as Mary is good with the idea.

Mark

On Thursday, May 26, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

Tuesday 05.31.16 Morning

Wednesday 06.01.16 Afternoon

Thursday 06.02.16 Any time

Friday 06.03.16 anytime

Just let me know what works for your group

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

[630.350.3411](tel:630.350.3411) Direct

[630.670.3206](tel:630.670.3206) Mobile

<image003.png>

From: Mark Daniel [mailto:mark@thedaniellawoffice.com]
Sent: Thursday, May 26, 2016 12:46 PM
To: Victoria Benham <VBenham@bensenville.il.us>; Scott Viger <SViger@bensenville.il.us>
Cc: Mary Dickson <marydickson@bond-dickson.com>; Joe Abel <jlabel@ameritech.net>; Mobile Truck Repair <mobiletruck2000@gmail.com>
Subject: Field Trip

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mark@thedaniellawoffice.com

<aerial.jpg>
<Chapter 5 Commercial C Zone Section 9-5-1 thru 9-5-5.pdf>
<LOC HODGKINS_ZONING_ATLAS_MAP_10-20-10.pdf>

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Subject: Re: Field Trip
Attachments: aerial.jpg; Chapter 5 Commercial C Zone Section 9-5-1 thru 9-5-5.pdf; LOC HODGKINS_ZONING_ATLAS_MAP_10-20-10.pdf

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Tuesday 05.31.16 Morning

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Just let me know what works for your group

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

[630.350.3411](tel:630.350.3411) Direct

[630.670.3206](tel:630.670.3206) Mobile

<image003.png>

From: Mark Daniel [mailto:mark@thedaniellawoffice.com]
Sent: Thursday, May 26, 2016 12:46 PM
To: Victoria Benham <VBenham@bensenville.il.us>; Scott Viger <SViger@bensenville.il.us>
Cc: Mary Dickson <marydickson@bond-dickson.com>; Joe Abel <jlabel@ameritech.net>; Mobile Truck Repair <mobiletruck2000@gmail.com>
Subject: Field Trip

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Thanks

Mark

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Mark W. Daniel

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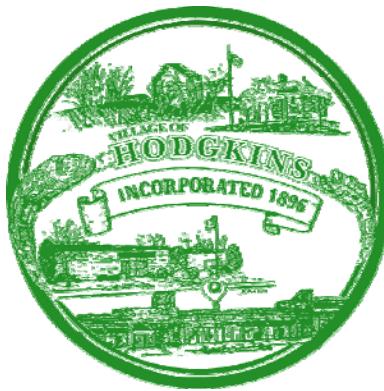
mark@thedaniellawoffice.com

4/30/2015

N



Imagery Date: 4/30/2015 41°46'49.96" N 87°51'28.11" W elev 651 ft eye alt 1295 ft



9-5-1

9-5-1

CHAPTER 5

COMMERCIAL C ZONE

SECTION:

- 9-5-1: Uses Permitted
- 9-5-2: Site and Structure Requirements
- 9-5-3: Performance Standards
- 9-5-4: Yard Areas
- 9-5-5: Handicapped Accessibility

9-5-1: **USES PERMITTED:** The following uses shall be permitted in the Commercial C Zone:

Agricultural implement sales and service conducted wholly within completely enclosed buildings.

Auction rooms.

Auditoriums.

Automobile sales rooms for sale of new and used cars (where display and sale of new and used cars are under roof).

Beverage distributors, but not including bottling plants.

Business and professional offices.

Clubs, lodges or fraternal organizations when not operated for a profit.

Dwelling units; provided they are located above the first floor and above a business use permitted in this District; and provided further, no more than two (2) dwelling units are

constructed; and provided further, each dwelling unit shall meet the minimum square foot requirements provided in subsection 9-4B-2C1 of this Code.

Hotels.

Launderettes and Laundromats.

Meat market or poultry stores, if no slaughter or stripping is involved.

Motels.

Printing and bookbinding.

Restaurants.

Retail commercial business.

Schools.

Signs: One for sale or lease sign not exceeding twenty (20) square feet in area, or a sign advertising the occupant's business and not exceeding one hundred (100) square feet in area.

Taverns or retail sale of alcoholic liquors, subject to the regulations of other provisions of this Municipal Code.¹

Temporary buildings incidental only to construction of a permitted use.

Theaters, indoor (not including outdoor theaters)(Special use only: Ord 97-9)

Undertaking establishments.

9-5-1

9-5-4

Wholesale commercial business.

(Ord. 69-1, 2-10-69; amd. Ord. 72-2, 5-8-72)

9-5-2: SITE AND STRUCTURE REQUIREMENTS:

A. Building Height: No building or structure shall be erected or structurally altered in the Commercial C Zone to exceed a height of three (3) stories, nor shall it exceed forty five feet (45') in height.

B.Yards: (Repealed. Ord. 89-5)

¹See Title 3, Chapter 3 of this Municipal Code.

9-5-3: **PERFORMANCE STANDARDS:** Buildings, premises and uses permitted in this District are subject to the applicable performance standards in Section 9-3-5 of this Code. (Ord. 69-1, 2-10-69)

9-5-4: **YARD AREAS:** Yards shall be provided in accordance with the following regulations:

- A. No building shall be erected or enlarged unless a front yard of not less than twenty five feet (25') is provided and maintained.
- B. Where lots in a C Zone front on the street and at least eighty percent (80%) of the frontage directly across the street between two (2) consecutive intersecting streets is in a residence district, the front yard regulations for the residence district shall apply to said lots in the business district.
- C. In a C Zone, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this Title for a residential use on the adjacent property in the residence district.
- D. In a C Zone, where a rear lot line coincides with a side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this Title for a residential use on the adjacent property in the residence district.
- E. In a C Zone, where a rear lot line coincides with a rear lot line of property in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be twenty feet (20') in depth, but may begin at a height of fifteen feet (15') or one story above grade, whichever is lower.

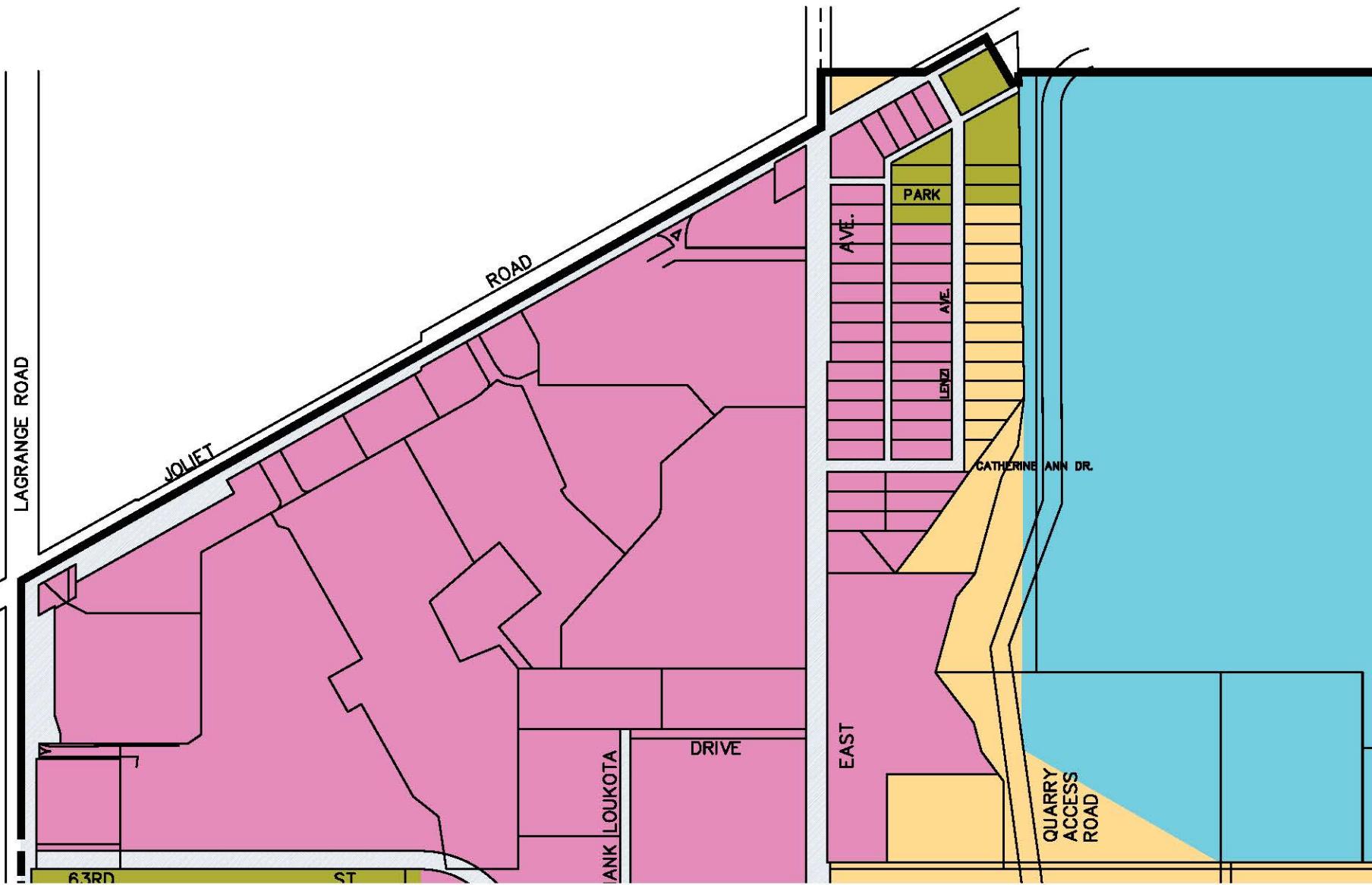
9-5-4

9-5-5

- F. In a C Zone, where the extension of a front or side lot line coincides with the front lot line of an adjacent lot located in a residence district, a yard of not less than ten (10') shall be provided.
- G. All yards shall be unobstructed from lowest level to sky, except as allowed under this Title. (Added. Ord. 89-5)

9-5-5: **HANDICAPPED ACCESSIBILITY:** Any commercial or industrial facility either constructed or altered after the effective date of Ordinance No. 92-21 shall comply with the federal and state laws in effect regarding handicapped accessibility.

CITY OF
HODGKINS



From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, May 26, 2016 1:19 PM
To: Scott Viger
Cc: Victoria Benham; Mary Dickson; Joe Abel; Mobile Truck Repair
Subject: Re: Field Trip

Joe,

Let's focus on the anytime on June 2 or June 3. This way Ed can be there too. I don't mind inquiries or discussion if Mary and I are not there as long as Mary is good with the idea.

Mark

On Thursday, May 26, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

Tuesday 05.31.16 Morning

Wednesday 06.01.16 Afternoon

Thursday 06.02.16 Any time

Friday 06.03.16 anytime

Just let me know what works for your group

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

630.350.3411 Direct

630.670.3206 Mobile



From: Mark Daniel [mailto:mark@thedaniellawoffice.com]

Sent: Thursday, May 26, 2016 12:46 PM

To: Victoria Benham <VBenham@bensenville.il.us>; Scott Viger <SViger@bensenville.il.us>

Cc: Mary Dickson <marydickson@bond-dickson.com>; Joe Abel <ilabel@ameritech.net>; Mobile Truck Repair <mobiletruck2000@gmail.com>

Subject: Field Trip

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Once I have staff dates, I will get matches from Joe and email Eduardo.

Thanks

Mark

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Mark W. Daniel

DANIEL LAW OFFICE, P.C.

17W733 Butterfield Road

Unit F

Oakbrook Terrace, Illinois 60181

(630) 833-3311

Fax: (630) 833-3511

mark@thedaniellawoffice.com

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Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, May 26, 2016 1:10 PM
To: Scott Viger
Cc: Victoria Benham; Mary Dickson; Joe Abel; Mobile Truck Repair
Subject: Re: Field Trip

Joe,

Please let me know if any of the dates below in Scott's email DO NOT work for you. I will then call and email Eduardo.

Thank you

On Thursday, May 26, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

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(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Scott Viger
Sent: Thursday, May 26, 2016 1:06 PM
To: Mark Daniel; Victoria Benham
Cc: Mary Dickson; Joe Abel; Mobile Truck Repair
Subject: RE: Field Trip

Tuesday 05.31.16 Morning
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Thursday 06.02.16 Any time
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Just let me know what works for your group

Scott R. Viger, AICP
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Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, May 23, 2016 1:04 PM
To: Victoria Benham
Cc: Mary Dickson; Scott Viger; Joe Abel; Ray Fang; Jiunguang Lin
Subject: MTR

Hi Victoria,

I put Joe Abel off about as long as I could (we meet tomorrow at 1 PM). After the communications last week, we were aiming for a meeting this Thursday late morning or in the afternoon. I was also hoping that I would have the long-anticipated staff comments so that I could review them when I meet with Joe tomorrow. Please let me know about the meeting on Thursday and provide the staff comments at your earliest convenience.

Thank you.

Mark W. Daniel
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(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, May 17, 2016 12:26 PM
To: Scott Viger; Victoria Benham
Cc: Mary Dickson; Joe Abel
Subject: Truck Weight

12,000 was empty
Loaded with furniture is 24,000. Ed sent that text after we resumed and I missed it until now.

Mark

--
Mark W. Daniel
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17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, May 12, 2016 1:40 PM
To: Scott Viger; Mary Dickson; Victoria Benham
Cc: Mobile Truck Repair; Ray Fang; Jiunguang Lin; Joe Abel
Subject: MTR Meeting

Scott, Victoria and Mary,

Let's plan on meeting in the second floor conference room on Tuesday, May 17, 2016 at 10 AM. I am moving a deposition in order to be there. Joe is due at a County meeting, so you will have me and other members of our team who can be present attending.

Thank you for the heads up on July 11, 2016 as the hearing date. It helps to coordinate.

If you can send PDF scans of the staff and consultants' comment, we should be able to prepare a bit better for the meeting--even if the production is incomplete. My email will be best and I will insure that our team receives them.

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>
Sent: Wednesday, February 01, 2017 1:21 PM
To: Mehul Patel
Subject: RE: 920 County Line Rd - MTR

Will do.
Thanks, Mr. Patel.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Mehul Patel [mailto:MPatel@bensenville.il.us]
Sent: Wednesday, February 01, 2017 1:09 PM
To: jlin@ridgelineconsultantsllc.com
Subject: 920 County Line Rd - MTR

Mr. Lin,

I got your voicemail regarding the sanitary sewer permit application. If you are ready to submit the revised plans, I would suggest submit the application with the revised plans. I will have Joe Caracci sign when he is available and inform you when it is ready for pick up.

Mehul T. Patel - P.E., CFM
Assistant Director of Public Works - Engineering



717 East Jefferson Street, Bensenville, Illinois 60106
Phone: (630) 594-1196 Fax: (630) 594-1148
Email: mpatel@bensenville.il.us

From: Mehul Patel
Sent: Wednesday, February 01, 2017 1:09 PM
To: jlin@ridgelineconsultantsllc.com
Subject: 920 County Line Rd - MTR

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Assistant Director of Public Works - Engineering



717 East Jefferson Street, Bensenville, Illinois 60106
Phone: (630) 594-1196 Fax: (630) 594-1148
Email: mpatel@bensenville.il.us

From: Scott Viger
Sent: Wednesday, February 01, 2017 8:15 AM
To: jlin@ridgelineconsultantsllc.com; 'Mobile Truck Repair'
Cc: hcfang003@aol.com
Subject: RE: 900 - 930 South County Lien Road

That is great news. As you know we are all on board with the Loya's achieving their vision.

Scott R. Viger A.I.C.P.



From: Jiun-Guang Lin [mailto:jlin@ridgelineconsultantsllc.com]
Sent: Wednesday, February 01, 2017 8:13 AM
To: Scott Viger <SViger@bensenville.il.us>; 'Mobile Truck Repair' <mobiletruck2000@gmail.com>
Cc: hcfang003@aol.com
Subject: RE: 900 - 930 South County Lien Road

Scott:

Thanks for your reaching out.

Plans and Stormwater Report are almost completely revised with the exception of BMP narratives and planting plan on the bottom of two detention basins which we are in the process of wrapping up.

I will hand deliver the revised package to you definitely by the end of this week.

Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Scott Viger [mailto:SViger@bensenville.il.us]
Sent: Monday, January 30, 2017 11:02 AM
To: jlin@ridgelineconsultantsllc.com; 'Mobile Truck Repair' <mobiletruck2000@gmail.com>
Cc: hcfang003@aol.com
Subject: RE: 900 - 930 South County Lien Road

Good morning –

It's been a few weeks and I thought I would circle back and see how you were coming on the submittal for MTR here in Bensenville.

And if there is anything the Village can do to assist you.

Scott R. Viger A.I.C.P.
630.350.3411



From: Jiun-Guang Lin [<mailto:jlin@ridgelineconsultantsllc.com>]

Sent: Wednesday, January 04, 2017 9:09 PM

To: 'Mobile Truck Repair' <mobiletruck2000@gmail.com>; Scott Viger <SViger@bensenville.il.us>

Cc: hcfang003@aol.com

Subject: RE: 900 - 930 South County Lien Road

Hello Scott:

Thanks for the email.

We are diligently working towards resubmitting the permitting package to the Village including the revised Engineering Plan, Stormwater Management Packet and Plat of Subdivision.

In the meantime, we are working on permitting with IEPA Notice of Intent, IEPA Sanitary, Cook County Transportation and Highways.

At this point, I don't have a good estimate on the time frame as there are few moving targets depending on others such as acquiring title reports on these 4 parcels and dealing with Village's requirements on the pre-treatment system.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Mobile Truck Repair [<mailto:mobiletruck2000@gmail.com>]

Sent: Wednesday, January 04, 2017 9:28 AM

To: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>

Subject: Fwd: 900 - 930 South County Lien Road

Hello JiunGuang,

Can you take care of this?

Ed

----- Forwarded message -----

From: **Scott Viger** <SViger@bensenville.il.us>
Date: Wed, Jan 4, 2017 at 9:17 AM
Subject: 900 - 930 South County Lien Road
To: "mobiletruck2000@gmail.com" <mobiletruck2000@gmail.com>

Good morning and Happy New Year gentlemen –

I wanted to touch base with you on your Building Permit resubmittal and see if there is a timeframe for it to come to the Village.

As you know, the expansion of your business is a priority for the Village so if there is anything I can do to facilitate please let me know.

Scott R. Viger A.I.C.P.



--
MTR TRUCK CENTER INC
Ph. [630-238-3380](tel:630-238-3380) fax. [630-238-3381](tel:630-238-3381) | 920 County Line Rd Bensenville, IL 60106

From: Scott Viger
Sent: Monday, January 30, 2017 11:02 AM
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Montgomery, IL 60538
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MTR TRUCK CENTER INC

Ph. [630-238-3380](tel:630-238-3380) fax. [630-238-3381](tel:630-238-3381) | 920 County Line Rd Bensenville, IL 60106

From: Penny F. Bouchard <PBouchard@baxterwoodman.com>
Sent: Thursday, January 19, 2017 5:13 PM
To: jlin@ridgelineconsultantsllc.com; Mehul Patel
Subject: RE: FW: reference

Jiun-Guang

This simplifies things immensely. If you are only talking two trucks a week, it probably makes sense.

Penny

From: Jiun-Guang Lin [mailto:jlin@ridgelineconsultantsllc.com]
Sent: Thursday, January 19, 2017 11:06 AM
To: Penny F. Bouchard <PBouchard@baxterwoodman.com>; 'Mehul Patel' <MPatel@bensenville.il.us>
Subject: FW: FW: reference

Penny and Mehul:

Please see the response from my client below.

As the project engineer, should I proceed without this truckwash issue in play?

We will still have a triple basin outdoor and a inspection manhole.

Please advise.

Thank you.



Jiun-Guang Lin, P.E., CFM

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1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Mobile Truck Repair [mailto:mobiletruck2000@gmail.com]

Sent: Thursday, January 19, 2017 10:47 AM

To: Jiunguang Lin <jlin@ridgelineconsultantsllc.com>

Subject: Re: FW: reference

Jiunguang,

We talk over with Ed and Dan here and come to a conclusion that truck wash will be done at a truck wash place about a mile away. Forget about the truck wash permits.

Terry
MTR

630-238-3380

On Thu, Jan 19, 2017 at 10:35 AM, Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com> wrote:

Ed and Ray:

Please see the email from Penny below regarding the environmental professional who might be able to help on this carwash filing.

My conversation with Ray yesterday left me an impression that you will target your supplier to assist on this matter, which I agreed.

If that is the case, please put these two contacts in your pocket in case we still need them.

Thanks



Jiun-Guang Lin, P.E., CFM

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1661 Aucutt Road

Montgomery, IL 60538

Tel: [630-801-7927](tel:630-801-7927)

Fax: [630-701-1385](tel:630-701-1385)

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Penny F. Bouchard [mailto:PBouchard@baxterwoodman.com]
Sent: Thursday, January 19, 2017 9:14 AM
To: jlin@ridgelineconsultantsllc.com
Subject: reference

Jiun-Guang –

I talked with Bensenville. As a result I am giving you two references.

You need to determine how many gallons it takes to wash a truck.

Then you need to determine if it is stronger than domestic waste or not – I would think polluted but not more than domestic. You will need BOD, TSS, ammonia and phosphorus analyses or estimates plus pH for this to complete schedule N.

Also I would like to see copper, lead and zinc analyses or estimates.

If estimates are used, they should be based on data from another similar type location or could be an average from a trade association.

The first reference is Paul Mathews at Admiral Environmental. Paul is an environmental specialist. This firm also has PE that can sign IEPA permits. Their number is [847-228-5355](tel:847-228-5355).

The second reference is Gregg Denny from EMT which is an environmental laboratory. They also work with engineering firms on a number of forms.

Either of these men should be helpful to provide you their services. I am sure both have experience with IEPA permits. Hope this helps. Please call if you have questions.

Best regards,

Penny

Penny F. Bouchard
Environmental Specialist



main: [815.459.1260](tel:815.459.1260) | direct [815.444.3317](tel:815.444.3317)

email: pbouchard@baxterwoodman.com

www.baxterwoodman.com

8430 W Bryn Mawr Avenue, St 400 Chicago, IL 60631

This email and any attachments are confidential and are intended solely for the use of the intended addressee(s). If you have received this email in error, please notify the sender immediately or call [815-459-1260](tel:815-459-1260) and delete this email. If you are not the intended recipient(s), any use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited. The integrity and security of this message cannot be guaranteed on the Internet. Thank You.

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MTR TRUCK CENTER INC

Ph. [630-238-3380](tel:630-238-3380) fax. [630-238-3381](tel:630-238-3381) | 920 County Line Rd Bensenville, IL 60106

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>
Sent: Thursday, January 19, 2017 11:06 AM
To: 'Penny F. Bouchard'; Mehul Patel
Subject: FW: FW: reference

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Please see the response from my client below.
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Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
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--
MTR TRUCK CENTER INC

Ph. [630-238-3380](tel:630-238-3380) fax. [630-238-3381](tel:630-238-3381) | 920 County Line Rd Bensenville, IL 60106

From: Penny F. Bouchard <PBouchard@baxterwoodman.com>
Sent: Monday, January 16, 2017 8:25 AM
To: Jiunguang Lin
Cc: Mehul Patel; Mark Swayne
Subject: RE: 920 County Line Road-MTR Plaza

Good Afternoon Lin –

Thank you for calling me back. At least the phone tag is over. Per our discussion, the following has been identified:

I have reviewed the latest information and also consulted with Dan Bounds, our MS4 specialist.

Bottom line, MTR cannot wash a truck outside and discharge to the storm sewer even if it is a new truck and no chemicals are used unless they get an NPDES discharge permit which will be a real hassle.

MTR should wash the trucks inside and discharge that waste to the sanitary sewer. They will have to revise the IEPA permit to show the volume from an individual wash – what the plant will see when a truck is washed, not averaged over the 5 days.

MTR will get a discharge permit as a new non-domestic source from IEPA. It will cost them \$1000 I think but will be less expensive than the NPDES permit. They will need a modified Schedule A to show the PE of the wash water plus the domestic waste you have already identified. You will also need to provide a Schedule N –Waste Characteristics at minimum. I would think the chemical supplier or a truck washing association could help you with those numbers.

Please also provide a sampling/inspection manhole on the discharge line between the building and the village's sanitary sewer.

The industrial staff will confirm that this site need not be in the industrial surcharge program once it is operational. Please note that if trucks are washed daily, the classification would likely be changed to a permitted surcharge industry. In that case, the volume and chemicals used may cause the need for pretreatment – something that does not appear to be needed at the present time. Routine quarterly monitoring would also be required.

Should you have any further questions, do not hesitate to call.

Best regards on behalf of the Village of Bensenville,
Penny Bouchard
815-482-6974

From: Jiunguang Lin [mailto:jlin@ridgelineconsultantsllc.com]
Sent: Monday, January 09, 2017 4:29 PM
To: Penny F. Bouchard <PBouchard@baxterwoodman.com>
Cc: Mehul Patel <MPatel@bensenville.il.us>; MSwayne@bensenville.il.us
Subject: Fwd: 920 County Line Road-MTR Plaza

Hello penny: please find attached doc for your review and determination. Hope that works for you. Please call if you have any questions or comments. Thank you.

Sent from my iPhone

Begin forwarded message:

From: Mobile Truck Repair <mobiletruck2000@gmail.com>
Date: January 9, 2017 at 1:36:40 PM CST
To: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>, "To: hcfang003" <hcfang003@aol.com>
Subject: Re: 920 County Line Road-MTR Plaza

Hello Ray and Jiun-Guang,

Here is the Safety Data Sheet (See attachment). This is what we use to wash our trucks.

Terry
MTR
630-238-3380

On Mon, Jan 9, 2017 at 1:25 PM, Eric <loya.eric@yahoo.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: hcfang003@aol.com
Date: January 5, 2017 at 9:31:08 AM CST
To: loya.eric@yahoo.com
Subject: Fwd: 920 County Line Road-MTR Plaza

Hi, Ed:

Need an written affidavit for trench drains along the garage door and triple basin.

Sample as follows:

1.) **Exterior truck cleaning:**

On site cleaning of new trucks anticipated. Possibly twice a week. Clean water used from exterior hose bibb. 95% of cleaning are at exterior of building.

2.) **Interior new truck cleaning:**

... Purpose for interior trench drain is for winter as the snow from truck may melting inside the sale warehouse/show room area.

... minor cleaning for sold trucks, simple water hose used. No chemical anticipated.

... Do not anticipate oil leakage from new trucks preparation or inspections. But as a safety measure, provide this triple basin for any possible situation.

ray

-----Original Message-----

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>
To: hcfang003 <hcfang003@aol.com>
Sent: Tue, Jan 3, 2017 9:10 am
Subject: FW: 920 County Line Road-MTR Plaza

Dear Ray:

Please see the email string below.

I will call to discuss.

Thanks

From: Penny F. Bouchard <PBouchard@baxterwoodman.com>
Sent: Thursday, January 12, 2017 1:45 PM
To: Jiunguang Lin
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Subject: Fwd: 920 County Line Road-MTR Plaza
Attachments: image001.png; ATT00001.htm; image001.png; ATT00002.htm; image001.png; ATT00003.htm; 55(1).pdf; ATT00004.htm

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Sent from my iPhone

Begin forwarded message:

From: hcfang003@aol.com
Date: January 5, 2017 at 9:31:08 AM CST
To: loya.eric@yahoo.com
Subject: Fwd: 920 County Line Road-MTR Plaza

Hi, Ed:

Need an written affidavit for trench drains along the garage door and triple basin.

Sample as follows:

1.) **Exterior truck cleaning:**

On site cleaning of new trucks anticipated. Possibly twice a week. Clean water used from exterior hose bibb. 95% of cleaning are at exterior of building.

2.) **Interior new truck cleaning:**

... Purpose for interior trench drain is for winter as the snow from truck may melting inside the sale warehouse/show room area.

... minor cleaning for sold trucks, simple water hose used. No chemical anticipated.

... Do not anticipate oil leakage from new trucks preparation or inspections. But as a safety measure, provide this triple basin for any possible situation.

ray

-----Original Message-----

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>

To: hcfang003 <hcfang003@aol.com>

Sent: Tue, Jan 3, 2017 9:10 am

Subject: FW: 920 County Line Road-MTR Plaza

Dear Ray:

Please see the email string below.

I will call to discuss.

Thanks

Safety Data Sheet

WASH-WAX

UNCONTROLLED DOCUMENT

Version 1.0010
Revision Date 02/17/2015
Print Date 02/17/2015

#55 Page 1 of 7

Section 1. Chemical product and company identification

Product Name: WASH-WAX

Product use: Hand car wash

Contact Information: 1st Ayd Corporation
1325 Gateway Drive
Elgin, IL 60124
847-622-0001

Emergency Phone: 800-255-3924

Section 2. Hazards identification

GHS Classification:

Serious eye damage/eye irritation (Category 2B)

Pictogram(s):



Signal Word: WARNING

Hazard Statements:

H320 Causes eye irritation

Precautionary Statement(s):

Safety Data Sheet

WASH-WAX

UNCONTROLLED DOCUMENT

Version 1.0010
Revision Date 02/17/2015
Print Date 02/17/2015

#55 Page 2 of 7

Section 3. Composition/information on ingredients

Name	CAS number	% Less Than
Dye	2321-07-5	0.1000
Polyethylene Glycol	25322-68-3	2.0000
Surfactant	68439-57-6	8.0000

The chemical identity of some or all components is confidential business information (trade secret) and is being withheld as permitted by 29CFR19191200 (i). No other ingredients known to be hazardous.

Section 4. First aid measures

Eye contact: Check for and remove contact lenses. Immediately flush eyes with plenty of water for at least 15 minutes, occasionally lifting the upper and lower eyelids. Get medical attention immediately.

Skin contact: Wash skin surfaces thoroughly after contact. Wash clothing and clean shoes thoroughly before reuse. Get medical attention if irritation develops.

Inhalation: Move exposed person to fresh air. If breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. Loosen clothing. Get medical attention immediately.

Ingestion: Wash out mouth with water. Do not induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Get medical attention immediately.

General: Physicians: No specific treatment. Treat symptomatically. Contact poison treatment specialist if large quantities have been inhaled or ingested.

See Section 11 for exposure symptoms.

Safety Data Sheet

WASH-WAX

UNCONTROLLED DOCUMENT

Version 1.0010
e Revision Date 02/17/2015
Print Date 02/17/2015

#55 Page 3 of 7

Section 5. Fire-fighting measures

Flammability: In a fire or if heated, a pressure increase will occur and the container may burst.

Extinguishing Media: Use an extinguishing agent suitable for the surrounding fire.

Protective Equipment: Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with full face-piece operated in positive pressure mode.

Additional Information: Thermal decomposition products-carbon monoxide, sulfur oxides, metal oxide/oxides, halogenated compounds.

Section 6. Accidental release measures

Personal Precautions: No action should be taken involving individual risk or without suitable training. Isolate area. Avoid contact with material. Do not breath vapors. Provide adequate ventilation. Wear proper personal protective equipment.

Environmental: Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Inform relevant authorities if the product reaches sewers, waterways or soil.

Containment/Cleanup: Stop leak if without risk. Move containers from spill area. Contain or absorb with inert dry material. Dispose of according to local regulations. See Section 1 for emergency contact information and 13 for waste disposal.

Section 7. Handling and storage

Safe Handling: Wear appropriate personal protective equipment (see Section 8). Eating drinking and smoking should be prohibited. Do not get into eyes or on skin. Do not ingest. Keep containers tightly closed. Do not reuse container.

Safe Storage: Store in accordance with local regulations. Store in original container away from foods, drink and incompatible materials. Keep container tightly closed. Do not store unlabeled. Use appropriate containment.

Safety Data Sheet

WASH-WAX

UNCONTROLLED DOCUMENT

Version 1.0010
Revision Date 02/17/2015
Print Date 02/17/2015

#55 Page 4 of 7

Section 8. Exposure controls/personal protection

Engineering Controls: Apply technical measures to comply with occupational exposure limits. Mechanical ventilation, eyewash stations, showers where necessary.

Eye Protection: Safety eyewear/face shield complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists or dusts.

Respiratory Protection: Use a properly fitted air-purifying or air-fed respirator complying with an approved standard if a risk assessment indicates necessity. Respirator selection must be based on known or anticipated exposure levels, the hazards of the product & the safe working limits of the chosen respirator.

Hand Protection: Chemical resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary.

Skin Protection: Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

COMPONENT	ACGIH TWA ppm	OSHA/NIOSH STEL ppm	OSHA/ACGHI STEL mg/m3
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Section 9. Physical and chemical properties

Physical State:	Liquid
Color:	Yellow
Odor:	Surfactant
Odor Threshold:	N/E
pH:	8.0-9.0
Melting Point:	30°
Freezing Point:	30°
Boiling Point:	N/E
Flash Point:	Nonflammable
Evaporation Rate:	N/E
Flammability:	Nonflammable
Upper Explosive Limits:	N/A
Lower Explosive Limits:	N/A
Vapor Pressure:	N/E
Vapor Density:	N/E
Relative Density:	N/E
Solubility:	Complete
Partition coefficient:	N/E
Auto-Ignition Temperature:	N/E
Decomposition Temperature:	N/E
Specific Gravity:	1.184
% Volatile:	3.9%

Safety Data Sheet

WASH-WAX

EMERGENCY RESPONSE DOCUMENT

Version 1.0010
Revision Date 02/17/2015
Print Date 02/17/2015

#55 Page 5 of 7

Section 10. Stability and reactivity

Reactivity: Stable under normal conditions

Chemical stability: Stable under normal conditions

Possibility of hazardous reactions: None known

Conditions to avoid: None Known

Incompatible materials: Strong acids and oxidizers.

Hazardous Decomposition Products: Material does not decompose at ambient temperatures.

Section 11. Toxicological information

Routes of entry: Inhalation Absorption Ingestion

Acute Exposure Hazards:

Eye contact: Irritation

Dermal: None expected

Oral: Nausea, diarrhea

Inhalation: Minimally toxic based on test data for structurally similar materials.

COMPONENT	Result	Species	Dose	Exposure
Dye	LD50 INTRAVENOUS	Mouse	300 mg/kg	
Polyethylene Glycol	LD50 ORAL	Rat	28g/kg	
Surfactant	LD50 ORAL	Rat	500-5000 mg/kg	
	LC50	Fish	1-10 mg/kg	

Safety Data Sheet

WASH-WAX

UNCONTROLLED DOCUMENT

Version 1.0010
Revision Date 02/17/2015
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#55 Page 6 of 7

Section 12. Ecological information

Ecotoxicity: No data available.

Persistence & degradability: No data available.

Bioaccumulative potential: No data available.

Mobility in soil: No data available.

Other adverse effects: No data available.

Component	Result	Species	Dose	Exposure
-----------	--------	---------	------	----------

Section 13. Disposal considerations

Material that cannot be saved for recovery or recycling should be managed in an appropriate and approved waste facility. Processing, use or contamination of this product may change the waste management options. Waste generators must decide if discarded material is a hazardous waste. State and local disposal regulations may differ from federal disposal definitions. Dispose of container and unused contents in accordance with federal, state and local requirements.

Section 14. Transport information

DOT (US)

Hazard Class:

UN Number: N/A

Packing Group: N/A

Shipping Name:

Section 15. Regulatory information

SARA 313 Components	CAS No.	% Less Than
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California Prop. 65 Components	CAS No.	% Less Than
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Safety Data Sheet

WASH-WAX

UNCONTROLLED DOCUMENT

Version 1.0010
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#55 Page 7 of 7

Section 16. Other information

Hazardous Material Information System (U.S.A.)

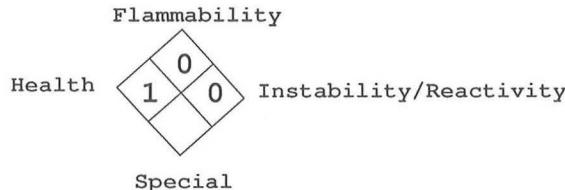
Health Hazard	(1)
Fire Hazard	(0)
Reactivity	(0)
Personal Protection	(A)

Caution: HMIS ratings are based on a 0-4 rating scale, with 0 representing minimal hazards or risks and 4 representing significant hazards or risks.

PERSONAL PROTECTION INDEX

A	Safety Glasses
B	Safety Glasses, Gloves
C	Safety Glasses, Gloves, Apron
D	Face Shield, Gloves, Apron
E	Safety Glasses, Gloves, Dust Respirator
F	Safety Glasses, Gloves, Apron, Dust Respirator
G	Safety Glasses, Gloves, Vapor Respirator
H	Splash Goggles, Gloves, Apron, Dust & Vapor Respirator
I	Safety Glasses, Gloves, Dust & Vapor Respirator
J	Splash Goggles, Gloves, Apron, Dust & Vapor Respirator
K	Airline Hood or Mask, Gloves, Full Suit, Boots
X	Consult your supervisor for special handling directions

National Fire Protection Association (U.S.A.)



NFPA warning system is intended to be interpreted and applied only by properly trained individuals to identify fire, health and reactivity hazards of chemicals.

Information on this form is furnished solely for the purpose of compliance with the Occupational Safety and Health Act of 1970 and shall not be used for any other purpose. Use or dissemination of all or any part of this information can be grounds for legal action.

To the best of our knowledge, the information provided in this Safety Data Sheet is accurate as of the date of its issue. However, NOTHING HEREIN IS TO BE CONSTRUED AS A WARRANTY, EXPRESS OR OTHERWISE. The information this Safety Data Sheet contains is being given for safety guidance purposes and relates only to the specific material and uses described in it. This information does not necessarily apply to that material when combined with other material(s) or when used otherwise than as described herein.

In all cases, it is the responsibility of the user to determine the applicability of such information and recommendations and the suitability of any product for its own particular purpose. All materials may represent unknown hazards and should be used with caution.

From: Scott Viger
Sent: Wednesday, January 04, 2017 9:44 PM
To: <jlin@ridgelineconsultantsllc.com>
Cc: Mobile Truck Repair; hcfang003@aol.com
Subject: Re: 900 - 930 South County Lien Road
Attachments: image002.png; image003.png

Thank you for the update!

Scott R. Viger
Sent from my iPhone

On Jan 4, 2017, at 9:08 PM, Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com> wrote:

Hello Scott:

Thanks for the email.

We are diligently working towards resubmitting the permitting package to the Village including the revised Engineering Plan, Stormwater Management Packet and Plat of Subdivision.

In the meantime, we are working on permitting with IEPA Notice of Intent, IEPA Sanitary, Cook County Transportation and Highways.

At this point, I don't have a good estimate on the time frame as there are few moving targets depending on others such as acquiring title reports on these 4 parcels and dealing with Village's requirements on the pre-treatment system.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Mobile Truck Repair [mailto:mobiletruck2000@gmail.com]

Sent: Wednesday, January 04, 2017 9:28 AM

To: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>

Subject: Fwd: 900 - 930 South County Lien Road

Hello JiunGuang,

Can you take care of this?

Ed

----- Forwarded message -----

From: **Scott Viger** <SViger@bensenville.il.us>
Date: Wed, Jan 4, 2017 at 9:17 AM
Subject: 900 - 930 South County Lien Road
To: "mobiletruck2000@gmail.com" <mobiletruck2000@gmail.com>

Good morning and Happy New Year gentlemen –

I wanted to touch base with you on your Building Permit resubmittal and see if there is a timeframe for it to come to the Village.

As you know, the expansion of your business is a priority for the Village so if there is anything I can do to facilitate please let me know.

Scott R. Viger A.I.C.P.



--

MTR TRUCK CENTER INC
Ph. [630-238-3380](tel:630-238-3380) fax. [630-238-3381](tel:630-238-3381) | 920 County Line Rd Bensenville, IL 60106

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>
Sent: Wednesday, January 04, 2017 3:32 PM
To: Mehul Patel
Subject: RE: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

Thank you, Mr. Patel



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Mehul Patel [mailto:MPatel@bensenville.il.us]
Sent: Wednesday, January 04, 2017 3:17 PM
To: jlin@ridgelineconsultantsllc.com
Subject: RE: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

1. Addison Creek
2. Driveway apron should be PCC/Parking lot HMA

Mehul T. Patel – PE, CFM

Assistant Director of Public Works-Engineering

Village of Bensenville

(630) 594-1196

From: Jiun-Guang Lin [<mailto:jlin@ridgelineconsultantsllc.com>]
Sent: Wednesday, January 04, 2017 1:31 PM
To: Mehul Patel <MPatel@bensenville.il.us>
Subject: FW: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

Hello Mehul:

I need your help on two matters.

First of all, please see the email string below between IEPA and I on NOI filing.

I filled in "Bensenville Ditch" when asked the "name of closest receiving water body to which you discharge" on NOI form.

IEPA came back with the email on the very bottom of the string here.

Can you help answer the question?

Secondly, You asked to attach VOB driveway details on the plan sheet at the very end of your review letter.

However, the entire driveway/parking lot is proposed to be on bituminous pavement, not concrete pavement as called out on the details.

Does the Village allow for bituminous driveway/parking lot?

Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Parrott, Melissa [<mailto:Melissa.Parrott@Illinois.gov>]

Sent: Wednesday, January 04, 2017 12:54 PM

To: jlin@ridgelineconsultantsllc.com

Subject: RE: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

It has to be a water of the state – the **closest** stream, river, creek etc. Thanks.

From: Jiun-Guang Lin [<mailto:jlin@ridgelineconsultantsllc.com>]

Sent: Wednesday, January 04, 2017 12:47 PM

To: Parrott, Melissa

Subject: [External] RE: Construction Sotrm Water Aplication for Mobile Truck Repair - Bensenville - ILR10X892

Hi Melissa:

How about I say " Existing Storm Sewer in County Line Road right of way" which is the case?

Please advise.

Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Parrott, Melissa [<mailto:Melissa.Parrott@Illinois.gov>]

Sent: Wednesday, January 04, 2017 11:16 AM

To: jlin@ridgelineconsultantsllc.com

Subject: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

Good Morning, I need to know what the closest receiving water body is to the above mentioned project – it cannot be a ditch. Thanks.

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

From: Mehul Patel
Sent: Wednesday, January 04, 2017 3:17 PM
To: jlin@ridgelineconsultantsllc.com
Subject: RE: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

1. Addison Creek
2. Driveway apron should be PCC/Parking lot HMA

Mehul T. Patel – PE, CFM
Assistant Director of Public Works-Engineering
Village of Bensenville
(630) 594-1196

From: Jiun-Guang Lin [mailto:jlin@ridgelineconsultantsllc.com]
Sent: Wednesday, January 04, 2017 1:31 PM
To: Mehul Patel <MPatel@bensenville.il.us>
Subject: FW: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

Hello Mehul:

I need your help on two matters.

First of all, please see the email string below between IEPA and I on NOI filing.

I filled in " Bensenville Ditch" when asked the "name of closest receiving water body to which you discharge" on NOI form.

IEPA came back with the email on the very bottom of the string here.

Can you help answer the question?

Secondly, You asked to attach VOB driveway details on the plan sheet at the very end of your review letter.
However, the entire driveway/parking lot is proposed to be on bituminous pavement, not concrete pavement as called out on the details.
Does the Village allow for bituminous driveway/parking lot?
Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Parrott, Melissa [<mailto:Melissa.Parrott@Illinois.gov>]
Sent: Wednesday, January 04, 2017 12:54 PM

To: jlin@ridgelineconsultantsllc.com

Subject: RE: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

It has to be a water of the state – the **closest** stream, river, creek etc. Thanks.

From: Jiun-Guang Lin [<mailto:jlin@ridgelineconsultantsllc.com>]

Sent: Wednesday, January 04, 2017 12:47 PM

To: Parrott, Melissa

Subject: [External] RE: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

Hi Melissa:

How about I say “ Existing Storm Sewer in County Line Road right of way” which is the case?

Please advise.

Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com

From: Parrott, Melissa [<mailto:Melissa.Parrott@Illinois.gov>]

Sent: Wednesday, January 04, 2017 11:16 AM

To: jlin@ridgelineconsultantsllc.com

Subject: Construction Sotrm Water Application for Mobile Truck Repair - Bensenville - ILR10X892

Good Morning, I need to know what the closest receiving water body is to the above mentioned project – it cannot be a ditch. Thanks.

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>
Sent: Tuesday, January 03, 2017 1:47 PM
To: 'Penny F. Bouchard'; Mehul Patel
Cc: Mark Swayne; 'Jennifer R. Sorensen'
Subject: RE: 920 County Line Road-MTR Plaza

Hello Penny:
Thanks for the information which I have forwarded to the project architect who is more resourceful in answering your questions.
Either he (Ray Fang) or I will get back to you once we discuss the matter.
Thank you.

Jiun-Guang Lin, PE, CFM
Ridgeline Consultants, LLC
1661 Aucutt Road
Montgomery, IL 60538
Phone: (630) 801-7927
Fax: (630) 701-1385
Mobil: (630) 915-1747
Email: jlin@ridgelineconsultantsllc.com

-----Original Message-----

From: Penny F. Bouchard [mailto:PBouchard@baxterwoodman.com]
Sent: Tuesday, January 03, 2017 1:00 PM
To: Mehul Patel <MPatel@bensenville.il.us>
Cc: Mark Swayne <MSwayne@bensenville.il.us>; Jennifer R. Sorensen <jsorensen@baxterwoodman.com>;
jlin@ridgelineconsultantsllc.com
Subject: Re: 920 County Line Road-MTR Plaza

Mehul

Happy New Year. I will email you back if I do not hear from him in a couple of days.

Best regards
Penny

Sent from my iPhone

On Jan 3, 2017, at 9:53 AM, "Mehul Patel" <MPatel@bensenville.il.us<mailto:MPatel@bensenville.il.us>> wrote:

Good morning Penny,

Per my conversation with the design engineer, there will be a truck repair and wash component inside the building. My understanding is the washing component will be limited to the exterior of the trucks. They already plan to install a triple basin inside the facility. I have copied the design engineer on this email and he can confirm the nature of the facility. Please advise him which schedules of the IEPA permits are necessary. thanks.

Mehul T. Patel - PE, CFM
Assistant Director of Public Works-Engineering Village of Bensenville

(630) 594-1196

From: Penny F. Bouchard [mailto:PBouchard@baxterwoodman.com]
Sent: Sunday, January 01, 2017 5:07 PM
To: Mark Swayne
<MSwayne@bensenville.il.us<mailto:MSwayne@bensenville.il.us>>
Cc: Jennifer R. Sorensen
<jsorensen@baxterwoodman.com<mailto:jsorensen@baxterwoodman.com>>; Mehul Patel
<MPatel@bensenville.il.us<mailto:MPatel@bensenville.il.us>>
Subject: RE: 920 County Line Road-MTR Plaza

Good day Mehul -

I did a quick review of the application. It would appear they are only discharging domestic waste from employees.

This is opposite the idea that they are washing trucks. Are they or are they not washing trucks?

If they are washing a truck exterior, they will have to identify how often and how much flow. We will have to review the Safety Data Sheets of the wash chemicals. They will need a schedule N for IEPA.
We will need to determine if they need any pretreatment other than a triple catch basin.

If they are washing the interior of tank trucks, they are federally regulated and would likely needed a pretreatment system and a schedule J from IEPA. There would be a lot of other forms for that regulation but will hold on that idea because I do not think that is what they are talking about.

Call or email if you have more questions.

Best regards,
Penny

From: Mark Swayne
<mailto:MSwayne@bensenville.il.us>mailto:MSwayne@bensenville.il.us]
Sent: Thursday, December 29, 2016 3:18 PM
To: Penny F. Bouchard
<<mailto:PBouchard@baxterwoodman.com>PBouchard@baxterwoodman.com<mailto:PBou
chard@baxterwoodman.com>>
Cc: Jennifer R. Sorensen
<<mailto:jsorensen@baxterwoodman.com>jsorensen@baxterwoodman.com<mailto:jsor
ensen@baxterwoodman.com>>; Mehul Patel
<<mailto:MPatel@bensenville.il.us>MPatel@bensenville.il.us<mailto:MPatel@ben
enville.il.us>>
Subject: FW: 920 County Line Road-MTR Plaza

Please read this info from Mehul about a proposed new business. Please respond to Mehul directly if you are able to answer the question in my absence.
I will return to work Jan. 9, 2017.

From: Mehul Patel
Sent: Thursday, December 29, 2016 11:00 AM
To: <mailto:jlin@ridgelineconsultantsllc.com>
jlin@ridgelineconsultantsllc.com<mailto:jlin@ridgelineconsultantsllc.com>
Cc: Mark Swayne

<<mailto:MSwayne@bensenville.il.us>MSwayne@bensenville.il.us<mailto:MSwayne@

bensenville.il.us>>

Subject: RE: 920 County Line Road-MTR Plaza

Mark,

As per our phone discussion yesterday, the subject proposed development will have a truck repair and wash component inside the building. It is my understanding that this business will have to be included in the Village's industrial pre-treatment program. The subject development is in the process of applying for a IEPA Sanitary permit for their new connection. There is a separate schedule form for industrial pretreatment as part of the application. Can you please consult with Village's pre-treatment consultant Baxter & Woodman to verify if the applicant needs to submit this form to the IEPA as part of their application or not? Thanks.

Please reply to this email once you have received a response. The applicant's engineer is copied on this email as well.

Mehul T. Patel - PE, CFM

Assistant Director of Public Works-Engineering Village of Bensenville

(630) 594-1196

From: Mehul Patel

Sent: Wednesday, December 28, 2016 10:02 AM

To:

'jlin@ridgelineconsultantsllc.com<mailto:jlin@ridgelineconsultantsllc.com>'

<<mailto:jlin@ridgelineconsultantsllc.com>jlin@ridgelineconsultantsllc.com<mailto:jlin@ridgelineconsultantsllc.com>>

Subject: RE: 920 County Line Road-MTR Plaza

Please see attached for comments. As discussed, please find out the proposed business nature of this facility. If there is any sort of mechanical repair being done at the facility then a triple basin is required. All floor drains should route through the triple basin. Furthermore, if any sort of truck washing will be done at this facility then a pretreatment schedule need to be filled out and submitted as the business will be required to enroll in the Village's pretreatment program.

Mehul T. Patel - PE, CFM

Assistant Director of Public Works-Engineering Village of Bensenville

(630) 594-1196

From: Jiun-Guang Lin

[<mailto:jlin@ridgelineconsultantsllc.com>mailto:jlin@ridgelineconsultantsllc.com]

Sent: Tuesday, December 27, 2016 5:47 PM

To: Mehul Patel

<<mailto:MPatel@bensenville.il.us>MPatel@bensenville.il.us<mailto:MPatel@bensenville.il.us>>

Subject: RE: 920 County Line Road-MTR Plaza

Mr. Patel:

Please find attached IEPA Sanitary forms for your review and comments.

Please let me know if there are forms missing or mistakes in any fields.

Thank you.

<image001.png>
Jiun-Guang Lin, P.E., CFM
Ridgeline Consultants, LLC
1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: <mailto:jlin@ridgelineconsultantsllc.com>
jlin@ridgelineconsultantsllc.com<mailto:jlin@ridgelineconsultantsllc.com>
Web: <http://www.ridgelineconsultantsllc.com>
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From: Mehul Patel
[<mailto:MPatel@bensenville.il.us>mailto:MPatel@bensenville.il.us]
Sent: Thursday, December 08, 2016 11:15 AM
To: <mailto:jlin@ridgelineconsultantsllc.com>
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Cc: <mailto:hcfang003@aol.com> hcfang003@aol.com<mailto:hcfang003@aol.com>;
Mobile Truck Repair
<<mailto:mobiletruck2000@gmail.com>mobiletruck2000@gmail.com<mailto:mobiletr
uck2000@gmail.com>>; Kurtis Pozsgay
<<mailto:KPozsgay@bensenville.il.us>KPozsgay@bensenville.il.us<mailto:KPozsg
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Web: <<http://www.ridgelineconsultantsllc.com>>

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From: Penny F. Bouchard <PBouchard@baxterwoodman.com>
Sent: Tuesday, January 03, 2017 1:00 PM
To: Mehul Patel
Cc: Mark Swayne; Jennifer R. Sorensen; jlin@ridgelineconsultantsllc.com
Subject: Re: 920 County Line Road-MTR Plaza
Attachments: image001.png

Mehul

Happy New Year. I will email you back if I do not hear from him in a couple of days.

Best regards
Penny

Sent from my iPhone

On Jan 3, 2017, at 9:53 AM, "Mehul Patel" <MPatel@bensenville.il.us<mailto:MPatel@bensenville.il.us>> wrote:

Good morning Penny,

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Assistant Director of Public Works-Engineering Village of Bensenville
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From: Penny F. Bouchard [mailto:PBouchard@baxterwoodman.com]
Sent: Sunday, January 01, 2017 5:07 PM
To: Mark Swayne <MSwayne@bensenville.il.us<mailto:MSwayne@bensenville.il.us>>
Cc: Jennifer R. Sorensen <jsorensen@baxterwoodman.com<mailto:jsorensen@baxterwoodman.com>>; Mehul Patel <MPatel@bensenville.il.us<mailto:MPatel@bensenville.il.us>>
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Call or email if you have more questions.

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Sent: Thursday, December 29, 2016 3:18 PM
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I will return to work Jan. 9, 2017.

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From: Mehul Patel
Sent: Tuesday, January 03, 2017 8:53 AM
To: Penny F. Bouchard; Mark Swayne
Cc: Jennifer R. Sorensen; jlin@ridgelineconsultantsllc.com
Subject: RE: 920 County Line Road-MTR Plaza

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Sent: Thursday, December 08, 2016 11:15 AM

To: jlin@ridgelineconsultantsllc.com

Cc: hcfang003@aol.com; Mobile Truck Repair <mobiletruck2000@gmail.com>; Kurtis Pozsgay

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Sent: Thursday, December 29, 2016 11:24 AM
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Thanks Mr. Patel and Mark for your help.



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<KPozsgay@bensenville.il.us>

Subject: RE: 920 County Line Road-MTR Plaza

1. I have copied Kurtis Pozsgay the Village Planner on this email to assist you with examples of plat languages and easements. I do not have those. Kurtis, please see attached comment memo, general comments 1.
2. It is required for a new industrial/commercial buildings where maintenance responsibility of the new sewer is not of the municipality.

Mehul T. Patel – PE, CFM

Assistant Director of Public Works-Engineering

Village of Bensenville

(630) 594-1196

From: Jiun-Guang Lin [<mailto:jlin@ridgelineconsultantsllc.com>]

Sent: Thursday, December 08, 2016 10:39 AM

To: Mehul Patel <MPatel@bensenville.il.us>

Cc: hcfang003@aol.com; Mobile Truck Repair <mobiletruck2000@gmail.com>

Subject: 920 County Line Road-MTR Plaza

Hello Mr. Patel:

Upon reviewing your comment letter dated 11/30/16, I have the following questions/request:

1. Comment No. 1 regarding the preparation of Plat of Consolidation: can you furnish me a sample Plat which provides the easement provision and signature blocks for our reference?
2. Why does the project require an IEPA Sanitary permit, is it because it exceeds 15 PE or it is a new industrial bldg. which involves triple basin?

Thanks a lot.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road

Montgomery, IL 60538

Tel: 630-801-7927

Fax: 630-701-1385

Email: jlin@ridgelineconsultantsllc.com

Web: www.ridgelineconsultantsllc.com



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Application for Permit or Construction Approval WPC-PS-1

For IEPA Use Only

This form must be typewritten or printed legibly. This form may be completed manually or online using Adobe Reader, a copy of it saved locally, printed, and signed before it is submitted to:

Illinois Environmental Protection Agency
Permit Section, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Report Deficiencies

Repair

1. Owner Name: Mobile Truck Repair Name of Project: Site Improvement Plans of Mobile Truck

Project Location Address (include nearest street and city address): 900, 910, 920 & 930 County Line Rd.

City: Bensenville Zip Code: 60106

Township: Elmhurst Addison County: DuPage

2. Brief Description of the Project:

Installation of 6" PVC to service prop. Commercial bldg approx. 9,300sf

3. Documents being Submitted: If the Project involves any of the items listed below, submit the corresponding schedule, and check the appropriate boxes

	Schedule		Schedule
Private Sewer Connection/Extensions	A/B <input checked="" type="checkbox"/>	Spray Irrigation	H <input type="checkbox"/>
Sewer Extension Construction Only	C <input type="checkbox"/>	Septic Tanks	I <input type="checkbox"/>
Sewage Treatment Works	D <input type="checkbox"/>	Industrial Treatment/Pretreatment	J <input type="checkbox"/>
Excess Flow Treatment	E <input type="checkbox"/>	Waste Characteristics	N <input type="checkbox"/>
Lift Station/force Main	F <input type="checkbox"/>	Erosion Control	P <input checked="" type="checkbox"/>
Fast Track Service Connection	FTP <input checked="" type="checkbox"/>	Trust Disclosure	T <input type="checkbox"/>
Sludge Disposal	G <input type="checkbox"/>	→ Read if truck washing is part of the facility.	

Plans:

Title: Site Improvement Plans of Mobile Truck Repair No. of Pages: 6

Specifications:

Title: Construction Specifications & Details No. of Books/Pages: 526 of 6

Other Documents: _____
(Please specify)

3.1 Illinois Historic Preservation Agency approval letter Yes No

(If you have a copy of the IHPA approval letter, please send in with the Permit Application Package)

4. Land Trust: Is the project identified in item Number 1 therein, for which a permit is requested, to be constructed on land which is the subject of a trust? Yes No

If yes, Schedule T (Trust Disclosure) must be completed and item 7.1.1 must be signed by a beneficiary trustee or trust officer.

5. This is an application for (Check appropriate box):

A. Joint Construction and Operating Permit

B. Authorization to Construct (See Instructions) NPDES Permit No. IL00: _____ Issuance Date: _____

C. Construction Only Permit (Does Not Include Operations)

D. Operate Only Permit (Does Not Include Construction)

E. Supplemental Permit Request to Existing State Construction or Operating Permit No.: _____

Issuance Date: _____

6. Certifications and Approval

6.1 Certificate by Design Engineer (When required: refer to instructions)

I hereby certify that I am familiar with the information contained in this application, including the attached schedules indicated above, and that to the best of my knowledge and belief such information is true, complete and accurate. The plans and specifications (specifications other than Standard Specifications or local specifications on file with this Agency) as described above were prepared by me or under my direction.

Licensed Professional Engineer's Name: Jiun-Guang Lin

Licensed Professional Engineer's Title: Project Engineer

Registration Number: 062-057024 License Expiration Date: 11/30/2017

Company: Ridgeline Consultants, LLC

Street Address: 1661 Arcutt Rd.

PO Box: _____

City: Montgomery State: IL

Zip + 4: 60538 + 1124

Email Address: jlin@ridgelineconsultantsllc.com

Phone: (630) 801-7927

Printed Name: Jiun-Guang Lin

Licensed Professional Engineer's Seal

Original Signature

Reg'd

Reg'd

12/27/16

Date

7. Certifications and Approvals for Permits:

7.1 Certificate by Applicant(s):

I/We hereby certify that I/we have read and thoroughly understand the conditions and requirements of this Application, and am/are authorized to sign this application in accordance with the Rules and Regulations of the Illinois Pollution Control Board. I/we hereby agree to conform with the Standard conditions and with any other Special Conditions made part of this Permit.

7.1.1 Name of Applicant for Permit to Construct: Eduardo Loya

Title: _____ Organization: Mobile Truck Repair

Street Address: 920 County Line Rd.

PO Box: _____

City: Bensenville State: IL

Zip + 4: 60106 + 3265

Email Address: mobiletruck2000@gmail.com

Phone: (630) 238-3380

Printed Name: Eduardo Loya

Original Signature

Reg'd

Date

7.1.2 Name of Applicant for Permit to Own and Operate:

Eduardo Loya

Title:

Organization:

Street Address: 930 County Line Rd.

Mobile Truck Repair

City:

State: IL

PO Box:

Email Address: mobiletruck2000@gmail.com

Zip + 4: 60106-3265

Printed Name: Eduardo Loya

Phone: (630) 338-3380

Req'd

Original Signature

Date

7.2 Attested (Required When Applicant is a Unit of Government)

Title: _____

City clerk, Village Clerk, Sanitary District Clerk, etc.)

Original Signature

Date

7.3 Applications from non-governmental applicants which are not signed by the owner, must be signed by a principal executive officer of at least the level of vice president, or a duly authorized representative.

7.4 Certificate by Intermediate Sewer Owner

I hereby certify that (Please check one):

1. The sewers to which this project will be tributary have adequate reserve capacity to transport the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or

2. The Illinois Pollution Control Board, in PCB _____ dated _____ granted a variance from Subtitle C, Chapter I to allow construction of facilities that are the subject of this application.

Name and location of sewer system to which this project will be tributary: Ex. 8" Sanitary Sewer in County Line Rd

Village of Bensenville, Ex. Sanitary sewer running northerly on West parking

Sewer System Owner: Bensenville Public Works Dept. Village of Bensenville of County Line Road.

Address: 717 E. Jefferson St.

City: Bensenville

State: IL

Zip + 4: 60106-3160

Email Address: mpatel@bensenville.il.us

Phone: (630) 350-3435

Printed Name: Mehnul Patel, PE

Original Signature

Date

→ Icaracci@bensenville.il.us
 → Joseph M. Caracci, P

7.4.1 Additional Certificate by Intermediate Sewer Owner

I hereby certify that (Please check one):

- 1. The sewers to which this project will be tributary have adequate reserve capacity to transport the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or
- 2. The Illinois Pollution Control Board, in PCB dated granted a variance from Subtitle C, Chapter I to allow construction of facilities that are the subject of this application.
- 3. Not applicable.

Name and location of sewer system to which this project will be tributary:

Sewer System Owner: _____

Address: _____

City: _____ State: _____ Zip + 4: _____

Email Address: _____ Phone: _____

Printed Name: _____

Original Signature

Date

7.5 Certificate by Waste Treatment Works Owner

I hereby certify that (Please check one):

- 1. The wastewater treatment plant to which this project will be tributary has adequate reserve capacity to treat the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or
- 2. The Illinois Pollution Control Board, in PCB dated granted a variance from Subtitle C, Chapter I to allow construction and operation of the facilities that are the subject of this application.
- 3. I also certify that, if applicable, the industrial waste discharges described in the application are capable of being treated by treatment works.
- 4. Not applicable.

Name of Waste Treatment Works: Bensenville Wastewater Treatment Plant
Waste Treatment Works Owner: Bensenville Public Works Village of Bensenville

711

Address: 717 E. Jefferson Street

City: Bensenville State: IL Zip + 4: 60106-3160

Email Address: mpatel@bensenville.il.us Phone: (630) 350-3425

Printed Name: Mehul Patel update same as section 7.4

Original Signature

Date

Save to My Account

Print Form



Illinois Environmental Protection Agency

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

Schedule A/B

This form must be typewritten or printed legibly. This form may be completed manually or online using Adobe Reader, a copy of it saved locally, printed, and signed before it is submitted to:

Illinois Environmental Protection Agency
Permit Section, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

[Reset All Fields](#)

Application for Sanitary Sewer: (please check one or both boxes as applicable)

Service Connection - Schedule A Publicly Owned or Regulated Extensions - Schedule B

1. Name of Project: Site Improvement Plans of Mobile Truck Repair
2. Type of Service(s): Residential Commercial Light Industrial (Domestic Waste Only)
(Check all that apply) Manufacturing Recreational Other
3. Nature of Project - Project Consists of: Sewer Extension Trunk Sewer Replacement Sewer New Sanitary Sewer
(Check all that apply) Sewer Connection Relief Sewer Interceptor Sewer
4. Project Location, Service Area and Population: Submit map(s) of the service area that include the following:
 - 4.1 An 8 1/2 X 11 inch detailed project location map or USGS map or USGS map showing the project with respect to major roadways. In lieu of this map, a letter from the Illinois Historic Preservation Agency indicating compliance with the Illinois Historic Preservation Act for this project may be submitted.
 - 4.2 The proposed sewer layout and project location.
Township: 40N Section: 24 Range: 11E
 - 4.3 Residential and/or non-residential areas and their associated waste loads to be immediately served by the sewers of this project.
 - 4.4 Potential residential and/or non-residential areas and their associated loads must be included in the overall design of the sewers of this project.

5. Facilities Planning Area (FPA):

This project is is not being constructed entirely within the Facilities Planning Area (FPA) boundaries.

Name of FPA: Bensenville

6. Type of Development: The following design criteria should be used in estimating the population equivalent (P.E.) of a residential building:

Efficiency or Studio Apartment	= 1 person
1 Bedroom Apartment	= 1.5 persons
2 Bedroom Apartment	= 3 people
3 Bedroom Apartment	= 3 people
Single Family Home	= 3.5 people
Mobile Home	= 2.25 people

6.1 Residential Buildings

Number of Building(s): 1 9 Number of Single Family Dwelling Building(s): 0

Number of Multiple Family Dwelling Building(s): 0

Estimated Total Population Equivalent: **P.E.**

*Please provide an itemized list for each multiple dwelling building including: Number of 1, 2, and 3 bedroom units; the total P.E. for each building and the total P.E. for multiple family dwellings.

6.2 Non-Residential Buildings: Describe use of building(s) - This box will expand as needed

General Sale Office, Car Hardware & Parts Sale, Internal Sales Area & Parts Storage @ Mezzanine Area, Total Employees: 10,

Principal product(s) or activities - This box will expand as needed

List the principal use of the building

Number of non-residential building(s) to be served under this Permit: /

Non domestic liquid waste is (see Section 6.5) is not produced inside the building(s). If liquid wastes other than domestic are produced, submit Schedule N.

Estimated number of employees: 10 Estimated number of occupants (transients): _____

Flow P.E. 1.5 BOD P.E. 0.26 pb Suspended Solids P.E. 0.30 pb

6.3 Total Loading for project (sum of 6.1 and 6.2)

Design Average Flow: 150 GPD P.E. 0.26 (pb) BOD

Design Max. Flow: 600 GPD P.E: 0.30 (pb) Suspended Solids

6.4 Commencing July 1, 2003, Section 12.2 of the Environmental Protection Act (415 ILCS 5/12.2, as amended by P.A. 93-32) requires the Agency to collect a fee for certain applications for the installation of sanitary sewer connections and extensions. Except for the conditions listed below, the following fee schedule shall apply:

Fee Dollars	Population Equivalents
100	1
400	2 - 20
800	21 - 100
1200	101 - 499
2400	500 or more

Please send the appropriate fee based upon section 6.4 or 6.5; certified or cashiers check made out to: "Treasurer, State of Illinois, Environmental Protection Permit and Inspection Fund" with the applicant's Federal Employee Identification Number (FEIN) appearing on the face of the check and submit along with this schedule. Any fee remitted to the Agency shall not be refunded at any time or for any reason, either in whole or in part.

The Sewer Permit fee does not apply to:

- a) Any Department, Agency or Unit of State Government
- b) Any unit of local government where all of the following conditions are met:
 - 1) The cost of the installation or extension is paid wholly from monies of the unit of local government, state grants or loans, federal grants or loans, or any combination thereof;
 - 2) The unit of local government is NOT given monies, reimbursed or paid, either in whole or in part, by another person (except for State grants or loans or federal grants or loans);
- c) 1) Include a certified copy of the budget item or the board or council minutes which authorize the construction of this project with only local funds; and
- 2) I/we hereby certify that subsections (b)(1), (b)(2) and (c)(1) have been met.

(Original Signature for Unit of Government)

- 6.5 A \$1,000 fee shall be required for any industrial wastewater source that does not require pretreatment of the wastewater prior to discharge to the publicly owned treatment works or publicly regulated treatment works.
7. **DEVIATION FROM DESIGN CRITERIA:** The design criteria for sewers are contained in the "Illinois Recommended Standards for Sewage Works", Current Edition. This submittal does does not include deviations from said criteria. If deviations are included, justification for said deviations must be attached.
8. **INFILTRATION/EXFILTRATION LIMITS:** 200 gallons per inch diameter of sewer pipe per mile per day.
9. **SUMMARY OF SEWERS:**
Submit plan and profile drawings for all sanitary sewer extensions and for all sanitary sewer connections where either the domestic wastewater source serves more than one building, where the domestic wastewater source is 15 P.E. or more, where non-domestic waste is produced or where the connection is not direct to either a publicly-owned or publicly-regulated sewer.

	Service Connections	Publicly Owned or Regulated Extensions			
Pipe size - inches	6"				
Total Length - feet	187				
Min. slope used - %	1.00%				
Max. slope used - %	100% at 45° riser				
Min. cover over sewers - feet (3' minimum)	3.5'				
Pipe Material & Specs.	PVC SPR26				
Joint Material & Specs.	ASTM D3212				
Total Manholes	2				
Max. Distance Between Manholes	143'				
Bedding Class for Rigid Pipe (A, B, or C per ASTM C12)					
Bedding Class for Flexible Pipe (IA, IB, II, or III per ASTM D2321-89)	II				

9.1 Is the project located in a flood plain? Yes No If yes, contact the Illinois Department of Natural Resources, Division of Water Resources Management for further permit requirements.

9.2 Are watertight manhole covers used on all manholes where the manhole tops are below cover or where the tops may be flooded by surface runoff or high water? Yes No *N/A*

10. EROSION CONTROL:

The design criteria for Erosion Control are contained in the "Illinois Urban Manual" Current Edition, distributed by the National Resource Conservation Service. This submittal does not include deviation from said criteria. If deviations are included, justification for said criteria must be attached. (See instructions for Schedule P to determine if Schedule P must be submitted.)

11. EXISTING SEWER SYSTEM:

A. This project will connect to one of the following:

1. Existing sanitary sewer
2. Existing combined sewer
3. Permitted sanitary sewer
4. Permitted combined sewer
5. Proposed sanitary sewer
6. Proposed combined sewer

If permitted but not constructed and operational provide permit number _____

B. Size and location of downstream sewer(s): - This box will expand as needed

*12" San. Sewer running northerly in west parkway of County Line Rd
9"*

Is air testing included in plans, specifications, or special provisions?

Leakage testing for manholes included in plans, specifications, or special provisions?

14. FLEXIBLE PIPE TESTING:

Is deflection test included in plans, specifications, or special provisions in accordance with the Illinois Recommended Standards for Sewage Works, Current Edition? Yes No N/A

15. MISCELLANEOUS REQUIREMENTS

The following requirements should be included on the plan sheets where so indicated. For items where this is not specified, the requirements may be on the plan sheets, in the specifications, or in the special provisions:

- 15.1 Standard Specifications for Water and Sewer Main Construction in Illinois, Current Edition, govern the construction of this project. Yes No if no, provide specifications.
- 15.2 Pipe and joint ASTM/AWWA designation included on plan sheets. Yes No
- 15.3 All flexible gravity sewer pipe installed in accordance with ASTM D2321-89; embedment materials for bedding, haunching, and initial backfill to at least 6 inches over the top of the pipe with Class IA or IB or II or III; processed material produced for highway construction used in the project classified according to particle size, shape, and gradation in accordance with ASTM D2321-89, Section 9 and Table 1. Yes No N/A
- 15.4 All rigid gravity sewer pipe installed in accordance with ASTM C12 and bedding material Class A, B, or C. Yes No N/A
- 15.5 Pickholes in all manholes likely to be flooded not larger than 1 inch in diameter and of the concealed type. Yes No N/A
- 15.6 All manholes numbered. Yes No N/A
- 15.7 Match lines shown on all plan sheets. Yes No N/A

Pipe-Cameras

Site Plan with New Name

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

For IEPA Use:

LOG #

DATE RECEIVED:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF WATER POLLUTION CONTROL
PERMIT SECTION
Springfield, Illinois 62794-9276

Schedule P - Erosion Control

1. Name of Project Site Improvement Plans of Mobile Truck Repair
2. Total area disturbed by excavation: 3.3 Ac.
3. Summary of erosion control practices:

	Area Controlled (Sq. Ft.)	Permanent (P) or Temporary (T)
Vegetative Control	(Sq. Feet)	
Interceptor Ditches	(Feet)	
Berms	(Feet)	
Sediment Basins	(Cu. Yd.)	
Debris Basins	(Cu. Ft.)	
Desilting Basins	(Cu. Ft.)	
Silt Traps	(Cu. Ft.)	
Mulching and Matting	<u>10,000 SF</u> (Cu. Ft./Sq. Ft.)	<u>10,000 SF</u> P
Other	<u>Inlet Protection Basket</u> (Indicate)	<u>3.3 Ac.</u> T
	<u>Silt Fence</u>	<u>3.3 Ac.</u> T

4. Attach topographical or plan maps of construction area and indicate erosion control practices.

5. Drainage area (above and including construction site) 3.5 Ac

6. Slope categories of construction site:

	Area (acres)	Disposition of collected sediment
6.1 0 - 2% slope	<u>1.5 Ac.</u>	<u>Relocated to fill Area A Reseeded</u>
6.2 2 - 4% slope	<u>1.5 Ac.</u>	"
6.3 4 - 6% slope		
6.4 6% slope or greater	<u>0.3 Ac.</u>	"

Please check one below.

Erosion control practices identified above will be constructed in accordance with Illinois Urban Manual, 1995.

OR

Plans or specifications for the above referenced erosion control practices are attached.

From: Mehul Patel
Sent: Wednesday, December 28, 2016 10:02 AM
To: jlin@ridgelineconsultantsllc.com
Subject: RE: 920 County Line Road-MTR Plaza
Attachments: Permit Application MTP Comments 12-28-16.pdf

Please see attached for comments. As discussed, please find out the proposed business nature of this facility. If there is any sort of mechanical repair being done at the facility then a triple basin is required. All floor drains should route through the triple basin. Furthermore, if any sort of truck washing will be done at this facility then a pretreatment schedule need to be filled out and submitted as the business will be required to enroll in the Village's pretreatment program.

Mehul T. Patel – PE, CFM
Assistant Director of Public Works-Engineering
Village of Bensenville
(630) 594-1196

From: Jiun-Guang Lin [mailto:jlin@ridgelineconsultantsllc.com]
Sent: Tuesday, December 27, 2016 5:47 PM
To: Mehul Patel <MPatel@bensenville.il.us>
Subject: RE: 920 County Line Road-MTR Plaza

Mr. Patel:
Please find attached IEPA Sanitary forms for your review and comments.
Please let me know if there are forms missing or mistakes in any fields.
Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

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Sent: Thursday, December 08, 2016 11:15 AM
To: jlin@ridgelineconsultantsllc.com
Cc: hcfang003@aol.com; Mobile Truck Repair <mobiletruck2000@gmail.com>; Kurtis Pozsgay <KPozsgay@bensenville.il.us>
Subject: RE: 920 County Line Road-MTR Plaza

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2. It is required for a new industrial/commercial buildings where maintenance responsibility of the new sewer is not of the municipality.

Mehul T. Patel – PE, CFM

Assistant Director of Public Works-Engineering

Village of Bensenville

(630) 594-1196

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Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Application for Permit or Construction Approval WPC-PS-1

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Permit Section, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Revised Application

Repair

1. Owner Name: Mobile Truck Repair Name of Project: Site Improvement Plans of Mobile Truck

Project Location Address (include nearest street and city address): 900, 910, 920 & 930 County Line Rd.

City: Bensenville Zip Code: 60106

Township: Elmhurst Addison County: DuPage

2. Brief Description of the Project:

Installation of 6" PVC to service prop. Commercial bldg approx. 9,300sf

3. Documents being Submitted: If the Project involves any of the items listed below, submit the corresponding schedule, and check the appropriate boxes

	Schedule		Schedule
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Sewer Extension Construction Only	C <input type="checkbox"/>	Septic Tanks	I <input type="checkbox"/>
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Sludge Disposal	G <input type="checkbox"/>	→ Read if truck washing is part of the facility.	

Plans:

Title: Site Improvement Plans of Mobile Truck Repair No. of Pages: 6

Specifications:

Title: Construction Specifications & Details No. of Books/Pages: 526 of 6

Other Documents: _____
(Please specify)

3.1 Illinois Historic Preservation Agency approval letter Yes No

(If you have a copy of the IHPA approval letter, please send in with the Permit Application Package)

4. Land Trust: Is the project identified in item Number 1 therein, for which a permit is requested, to be constructed on land which is the subject of a trust? Yes No

If yes, Schedule T (Trust Disclosure) must be completed and item 7.1.1 must be signed by a beneficiary trustee or trust officer.

5. This is an application for (Check appropriate box):

A. Joint Construction and Operating Permit

B. Authorization to Construct (See Instructions) NPDES Permit No. IL00: _____ Issuance Date: _____

C. Construction Only Permit (Does Not Include Operations)

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Issuance Date: _____

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Licensed Professional Engineer's Name: Jiun-Guang Lin

Licensed Professional Engineer's Title: Project Engineer

Registration Number: 062-057024 License Expiration Date: 11/30/2017

Company: Ridgeline Consultants, LLC

Street Address: 1661 Arcutt Rd.

PO Box: _____

City: Montgomery State: IL

Zip + 4: 60538 + 1124

Email Address: jlin@ridgelineconsultantsllc.com

Phone: (630) 801-7927

Printed Name: Jiun-Guang Lin

Original Signature

12/27/16

Date

Licensed Professional Engineer's Seal

Reg'd

7. Certifications and Approvals for Permits:

7.1 Certificate by Applicant(s):

I/we hereby certify that I/we have read and thoroughly understand the conditions and requirements of this Application, and am/are authorized to sign this application in accordance with the Rules and Regulations of the Illinois Pollution Control Board. I/we hereby agree to conform with the Standard conditions and with any other Special Conditions made part of this Permit.

7.1.1 Name of Applicant for Permit to Construct: Eduardo Loya

Title: _____ Organization: Mobile Truck Repair

Street Address: 920 County Line Rd.

PO Box: _____

City: Bensenville State: IL

Zip + 4: 60106 + 3265

Email Address: mobiletruck2000@gmail.com

Phone: (630) 238-3380

Printed Name: Eduardo Loya

Original Signature

Date

Reg'd

7.1.2 Name of Applicant for Permit to Own and Operate:

Eduardo Loya

Title:

Organization:

Street Address: 930 County Line Rd.

Mobile Truck Repair

City:

State: IL

PO Box:

Email Address: mobiletruck2000@gmail.com

Zip + 4: 60106-3265

Printed Name: Eduardo Loya

Phone: (630) 338-3380

Req'd

Original Signature

Date

7.2 Attested (Required When Applicant is a Unit of Government)

Title: _____

City clerk, Village Clerk, Sanitary District Clerk, etc.)

Original Signature

Date

7.3 Applications from non-governmental applicants which are not signed by the owner, must be signed by a principal executive officer of at least the level of vice president, or a duly authorized representative.

7.4 Certificate by Intermediate Sewer Owner

I hereby certify that (Please check one):

1. The sewers to which this project will be tributary have adequate reserve capacity to transport the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or

2. The Illinois Pollution Control Board, in PCB _____ dated _____ granted a variance from Subtitle C, Chapter I to allow construction of facilities that are the subject of this application.

Name and location of sewer system to which this project will be tributary: Ex. 8" Sanitary Sewer in County Line Rd

Village of Bensenville, Ex. Sanitary sewer running northerly on West parking

Sewer System Owner: Bensenville Public Works Dept. Village of Bensenville of County Line Road.

Address: 717 E. Jefferson St.

City: Bensenville

State: IL

Zip + 4: 60106-3160

Email Address: mpatel@bensenville.il.us

Phone: (630) 350-3435

Printed Name: Mehnul Patel, PE

Original Signature

Date

→ Icaracci@bensenville.il.us
 → Joseph M. Caracci, P

7.4.1 Additional Certificate by Intermediate Sewer Owner

I hereby certify that (Please check one):

- 1. The sewers to which this project will be tributary have adequate reserve capacity to transport the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or
- 2. The Illinois Pollution Control Board, in PCB dated granted a variance from Subtitle C, Chapter I to allow construction of facilities that are the subject of this application.
- 3. Not applicable.

Name and location of sewer system to which this project will be tributary:

Sewer System Owner: _____

Address: _____

City: _____ State: _____ Zip + 4: _____

Email Address: _____ Phone: _____

Printed Name: _____

Original Signature

Date

7.5 Certificate by Waste Treatment Works Owner

I hereby certify that (Please check one):

- 1. The wastewater treatment plant to which this project will be tributary has adequate reserve capacity to treat the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or
- 2. The Illinois Pollution Control Board, in PCB dated granted a variance from Subtitle C, Chapter I to allow construction and operation of the facilities that are the subject of this application.
- 3. I also certify that, if applicable, the industrial waste discharges described in the application are capable of being treated by treatment works.
- 4. Not applicable.

Name of Waste Treatment Works: Bensenville Wastewater Treatment Plant
Waste Treatment Works Owner: Bensenville Public Works Village of Bensenville

711

Address: 717 E. Jefferson Street

City: Bensenville State: IL Zip + 4: 60106-3160

Email Address: mpatel@bensenville.il.us Phone: (630) 350-3425

Printed Name: Mehul Patel update same as section 7.4

Original Signature

Date

Save to My Account

Print Form



Illinois Environmental Protection Agency

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

Schedule A/B

This form must be typewritten or printed legibly. This form may be completed manually or online using Adobe Reader, a copy of it saved locally, printed, and signed before it is submitted to:

Illinois Environmental Protection Agency
Permit Section, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

[Reset All Fields](#)

Application for Sanitary Sewer: (please check one or both boxes as applicable)

Service Connection - Schedule A Publicly Owned or Regulated Extensions - Schedule B

1. Name of Project: Site Improvement Plans of Mobile Truck Repair
2. Type of Service(s): Residential Commercial Light Industrial (Domestic Waste Only)
(Check all that apply) Manufacturing Recreational Other
3. Nature of Project - Project Consists of: Sewer Extension Trunk Sewer Replacement Sewer New Sanitary Sewer
(Check all that apply) Sewer Connection Relief Sewer Interceptor Sewer
4. Project Location, Service Area and Population: Submit map(s) of the service area that include the following:
 - 4.1 An 8 1/2 X 11 inch detailed project location map or USGS map or USGS map showing the project with respect to major roadways. In lieu of this map, a letter from the Illinois Historic Preservation Agency indicating compliance with the Illinois Historic Preservation Act for this project may be submitted.
 - 4.2 The proposed sewer layout and project location.
Township: 40N Section: 24 Range: 11E
 - 4.3 Residential and/or non-residential areas and their associated waste loads to be immediately served by the sewers of this project.
 - 4.4 Potential residential and/or non-residential areas and their associated loads must be included in the overall design of the sewers of this project.

5. Facilities Planning Area (FPA):

This project is is not being constructed entirely within the Facilities Planning Area (FPA) boundaries.

Name of FPA: Bensenville

6. Type of Development: The following design criteria should be used in estimating the population equivalent (P.E.) of a residential building:

Efficiency or Studio Apartment	= 1 person
1 Bedroom Apartment	= 1.5 persons
2 Bedroom Apartment	= 3 people
3 Bedroom Apartment	= 3 people
Single Family Home	= 3.5 people
Mobile Home	= 2.25 people

6.1 Residential Buildings

Number of Building(s): 1 Number of Single Family Dwelling Building(s): 0

Number of Multiple Family Dwelling Building(s): 0

Estimated Total Population Equivalent: **P.E.**

*Please provide an itemized list for each multiple dwelling building including: Number of 1, 2, and 3 bedroom units; the total P.E. for each building and the total P.E. for multiple family dwellings.

6.2 Non-Residential Buildings: Describe use of building(s) - This box will expand as needed

General Sale Office, Car Hardware & Parts Sale, Internal Sales Area & Parts Storage @ Mezzanine Area, Total Employees: 10,

Principal product(s) or activities - This box will expand as needed

List the principal use of the building

Number of non-residential building(s) to be served under this Permit: _____

Non domestic liquid waste is (see Section 6.5) is not produced inside the building(s). If liquid wastes other than domestic are produced, submit Schedule N.

Estimated number of employees: 10 Estimated number of occupants (transients): _____

Flow P.E. 1.5 BOD P.E. 0.26 pb Suspended Solids P.E. 0.30 pb

6.3 Total Loading for project (sum of 6.1 and 6.2)

Design Average Flow: 150 GPD P.E. 0.26 (pb) BOD

Design Max. Flow: 600 GPD P.E: 0.30 (pb) Suspended Solids

6.4 Commencing July 1, 2003, Section 12.2 of the Environmental Protection Act (415 ILCS 5/12.2, as amended by P.A. 93-32) requires the Agency to collect a fee for certain applications for the installation of sanitary sewer connections and extensions. Except for the conditions listed below, the following fee schedule shall apply:

Fee Dollars	Population Equivalents
100	1
400	2 - 20
800	21 - 100
1200	101 - 499
2400	500 or more

Please send the appropriate fee based upon section 6.4 or 6.5; certified or cashiers check made out to: "Treasurer, State of Illinois, Environmental Protection Permit and Inspection Fund" with the applicant's Federal Employee Identification Number (FEIN) appearing on the face of the check and submit along with this schedule. Any fee remitted to the Agency shall not be refunded at any time or for any reason, either in whole or in part.

The Sewer Permit fee does not apply to:

- a) Any Department, Agency or Unit of State Government
- b) Any unit of local government where all of the following conditions are met:
 - 1) The cost of the installation or extension is paid wholly from monies of the unit of local government, state grants or loans, federal grants or loans, or any combination thereof;
 - 2) The unit of local government is NOT given monies, reimbursed or paid, either in whole or in part, by another person (except for State grants or loans or federal grants or loans);
- c) 1) Include a certified copy of the budget item or the board or council minutes which authorize the construction of this project with only local funds; and
- 2) I/we hereby certify that subsections (b)(1), (b)(2) and (c)(1) have been met.

(Original Signature for Unit of Government)

- 6.5 A \$1,000 fee shall be required for any industrial wastewater source that does not require pretreatment of the wastewater prior to discharge to the publicly owned treatment works or publicly regulated treatment works.
7. **DEVIATION FROM DESIGN CRITERIA:** The design criteria for sewers are contained in the "Illinois Recommended Standards for Sewage Works", Current Edition. This submittal does does not include deviations from said criteria. If deviations are included, justification for said deviations must be attached.
8. **INFILTRATION/EXFILTRATION LIMITS:** 200 gallons per inch diameter of sewer pipe per mile per day.
9. **SUMMARY OF SEWERS:**
Submit plan and profile drawings for all sanitary sewer extensions and for all sanitary sewer connections where either the domestic wastewater source serves more than one building, where the domestic wastewater source is 15 P.E. or more, where non-domestic waste is produced or where the connection is not direct to either a publicly-owned or publicly-regulated sewer.

	Service Connections	Publicly Owned or Regulated Extensions			
Pipe size - inches	6"				
Total Length - feet	187				
Min. slope used - %	1.00%				
Max. slope used - %	100% at 45° riser				
Min. cover over sewers - feet (3' minimum)	3.5'				
Pipe Material & Specs.	PVC SPR26				
Joint Material & Specs.	ASTM D3212				
Total Manholes	2				
Max. Distance Between Manholes	143'				
Bedding Class for Rigid Pipe (A, B, or C per ASTM C12)					
Bedding Class for Flexible Pipe (IA, IB, II, or III per ASTM D2321-89)	II				

9.1 Is the project located in a flood plain? Yes No If yes, contact the Illinois Department of Natural Resources, Division of Water Resources Management for further permit requirements.

9.2 Are watertight manhole covers used on all manholes where the manhole tops are below cover or where the tops may be flooded by surface runoff or high water? Yes No *N/A*

10. EROSION CONTROL:

The design criteria for Erosion Control are contained in the "Illinois Urban Manual" Current Edition, distributed by the National Resource Conservation Service. This submittal does not include deviation from said criteria. If deviations are included, justification for said criteria must be attached. (See instructions for Schedule P to determine if Schedule P must be submitted.)

11. EXISTING SEWER SYSTEM:

A. This project will connect to one of the following:

1. Existing sanitary sewer
2. Existing combined sewer
3. Permitted sanitary sewer
4. Permitted combined sewer
5. Proposed sanitary sewer
6. Proposed combined sewer

If permitted but not constructed and operational provide permit number _____

B. Size and location of downstream sewer(s): - This box will expand as needed

*12" San. Sewer running northerly in west parkway of County Line Rd
9"*

Is air testing included in plans, specifications, or special provisions?

Leakage testing for manholes included in plans, specifications, or special provisions?

14. FLEXIBLE PIPE TESTING:

Is deflection test included in plans, specifications, or special provisions in accordance with the Illinois Recommended Standards for Sewage Works, Current Edition? Yes No N/A

15. MISCELLANEOUS REQUIREMENTS

The following requirements should be included on the plan sheets where so indicated. For items where this is not specified, the requirements may be on the plan sheets, in the specifications, or in the special provisions:

- 15.1 Standard Specifications for Water and Sewer Main Construction in Illinois, Current Edition, govern the construction of this project. Yes No if no, provide specifications.
- 15.2 Pipe and joint ASTM/AWWA designation included on plan sheets. Yes No
- 15.3 All flexible gravity sewer pipe installed in accordance with ASTM D2321-89; embedment materials for bedding, haunching, and initial backfill to at least 6 inches over the top of the pipe with Class IA or IB or II or III; processed material produced for highway construction used in the project classified according to particle size, shape, and gradation in accordance with ASTM D2321-89, Section 9 and Table 1. Yes No N/A
- 15.4 All rigid gravity sewer pipe installed in accordance with ASTM C12 and bedding material Class A, B, or C. Yes No N/A
- 15.5 Pickholes in all manholes likely to be flooded not larger than 1 inch in diameter and of the concealed type. Yes No N/A
- 15.6 All manholes numbered. Yes No N/A
- 15.7 Match lines shown on all plan sheets. Yes No N/A

Pipe-Cameras

Site Plan with New Name

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

For IEPA Use:

LOG #

DATE RECEIVED:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF WATER POLLUTION CONTROL
PERMIT SECTION
Springfield, Illinois 62794-9276

Schedule P - Erosion Control

1. Name of Project Site Improvement Plans of Mobile Truck Repair
2. Total area disturbed by excavation: 3.3 Ac.
3. Summary of erosion control practices:

	Area Controlled (Sq. Ft.)	Permanent (P) or Temporary (T)
Vegetative Control	(Sq. Feet)	
Interceptor Ditches	(Feet)	
Berms	(Feet)	
Sediment Basins	(Cu. Yd.)	
Debris Basins	(Cu. Ft.)	
Desilting Basins	(Cu. Ft.)	
Silt Traps	(Cu. Ft.)	
Mulching and Matting	<u>10,000 SF</u> (Cu. Ft./Sq. Ft.)	<u>10,000 SF</u> P
Other	<u>Inlet Protection Basket</u> (Indicate)	<u>3.3 Ac.</u> T
	<u>Silt Fence</u>	<u>3.3 Ac.</u> T

4. Attach topographical or plan maps of construction area and indicate erosion control practices.

5. Drainage area (above and including construction site) 3.5 Ac

6. Slope categories of construction site:

	Area (acres)	Disposition of collected sediment
6.1 0 - 2% slope	<u>1.5 Ac.</u>	<u>Relocated to fill Area A Reseeded</u>
6.2 2 - 4% slope	<u>1.5 Ac.</u>	"
6.3 4 - 6% slope		
6.4 6% slope or greater	<u>0.3 Ac.</u>	"

Please check one below.

Erosion control practices identified above will be constructed in accordance with Illinois Urban Manual, 1995.

OR

Plans or specifications for the above referenced erosion control practices are attached.

From: Jiun-Guang Lin <jlin@ridgelineconsultantsllc.com>
Sent: Tuesday, December 27, 2016 5:47 PM
To: Mehul Patel
Subject: RE: 920 County Line Road-MTR Plaza
Attachments: CCF12272016.pdf

Mr. Patel:
Please find attached IEPA Sanitary forms for your review and comments.
Please let me know if there are forms missing or mistakes in any fields.
Thank you.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Mehul Patel [mailto:MPatel@bensenville.il.us]
Sent: Thursday, December 08, 2016 11:15 AM
To: jlin@ridgelineconsultantsllc.com
Cc: hcfang003@aol.com; Mobile Truck Repair <mobiletruck2000@gmail.com>; Kurtis Pozsgay <KPozsgay@bensenville.il.us>
Subject: RE: 920 County Line Road-MTR Plaza

1. I have copied Kurtis Pozsgay the Village Planner on this email to assist you with examples of plat languages and easements. I do not have those. Kurtis, please see attached comment memo, general comments 1.
2. It is required for a new industrial/commercial buildings where maintenance responsibility of the new sewer is not of the municipality.

Mehul T. Patel – PE, CFM
Assistant Director of Public Works-Engineering
Village of Bensenville
(630) 594-1196

From: Jiun-Guang Lin [<mailto:jlin@ridgelineconsultantsllc.com>]
Sent: Thursday, December 08, 2016 10:39 AM
To: Mehul Patel <MPatel@bensenville.il.us>
Cc: hcfang003@aol.com; Mobile Truck Repair <mobiletruck2000@gmail.com>
Subject: 920 County Line Road-MTR Plaza

Hello Mr. Patel:

Upon reviewing your comment letter dated 11/30/16, I have the following questions/request:

1. Comment No. 1 regarding the preparation of Plat of Consolidation: can you furnish me a sample Plat which provides the easement provision and signature blocks for our reference?
2. Why does the project require an IEPA Sanitary permit, is it because it exceeds 15 PE or it is a new industrial bldg. which involves triple basin?

Thanks a lot.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Application for Permit or Construction Approval WPC-PS-1

For IEPA Use Only

This form must be typewritten or printed legibly. This form may be completed manually or online using Adobe Reader, a copy of it saved locally, printed, and signed before it is submitted to:

Illinois Environmental Protection Agency
Permit Section, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Revised Application

Repair

1. Owner Name: Mobile Truck Repair Name of Project: Site Improvement Plans of Mobile Truck
Project Location Address (include nearest street and city address): 909, 910, 920 & 930 County Line Rd.
City: Bensenville Zip Code: 60106
Township: Elmhurst County: DuPage

2. Brief Description of the Project:

Installation of 6" PVC to service prop. Commercial bldg approx.
9300sf

3. Documents being Submitted: If the Project involves any of the items listed below, submit the corresponding schedule, and check the appropriate boxes

	Schedule		Schedule
Private Sewer Connection/Extensions	A/B <input checked="" type="checkbox"/>	Spray Irrigation	H <input type="checkbox"/>
Sewer Extension Construction Only	C <input type="checkbox"/>	Septic Tanks	I <input type="checkbox"/>
Sewage Treatment Works	D <input type="checkbox"/>	Industrial Treatment/Pretreatment	J <input type="checkbox"/>
Excess Flow Treatment	E <input type="checkbox"/>	Waste Characteristics	N <input type="checkbox"/>
Lift Station/force Main	F <input type="checkbox"/>	Erosion Control	P <input checked="" type="checkbox"/>
Fast Track Service Connection	FTP <input checked="" type="checkbox"/>	Trust Disclosure	T <input type="checkbox"/>
Sludge Disposal	G <input type="checkbox"/>		

Plans:

Title: Site Improvement Plans of Mobile Truck Repair No. of Pages: 6

Specifications:

Title: Construction Specifications & Details No. of Books/Pages: 5 & 6 of 6

Other Documents: _____
(Please specify)

3.1 Illinois Historic Preservation Agency approval letter Yes No

(If you have a copy of the IHPA approval letter, please send in with the Permit Application Package)

4. Land Trust: Is the project identified in item Number 1 therein, for which a permit is requested, to be constructed on land which is the subject of a trust? Yes No

If yes, Schedule T (Trust Disclosure) must be completed and item 7.1.1 must be signed by a beneficiary trustee or trust officer.

5. This is an application for (Check appropriate box):

A. Joint Construction and Operating Permit

B. Authorization to Construct (See Instructions) NPDES Permit No. IL00: _____ Issuance Date: _____

C. Construction Only Permit (Does Not Include Operations)

D. Operate Only Permit (Does Not Include Construction)

E. Supplemental Permit Request to Existing State Construction or Operating Permit No.: _____

6. Certifications and Approval Issuance Date: _____

6.1 Certificate by Design Engineer (When required: refer to instructions)

I hereby certify that I am familiar with the information contained in this application, including the attached schedules indicated above, and that to the best of my knowledge and belief such information is true, complete and accurate. The plans and specifications (specifications other than Standard Specifications or local specifications on file with this Agency) as described above were prepared by me or under my direction.

Licensed Professional Engineer's Name: Jiun-Guang Lin

Licensed Professional Engineer's Title: Project Engineer

Registration Number: 062-057024 License Expiration Date: 11/30/2017

Company: Ridgeline Consultants, LLC

Street Address: 1661 Aucutt Rd. PO Box: _____

City: Montgomery State: IL Zip + 4: 60538 + 1124

Email Address: jlin@ridgelineconsultantsllc.com Phone: (630) 801-7727

Printed Name: Jiun-Guang Lin

Licensed Professional Engineer's Seal

Original Signature

12/27/16

Date

7. Certifications and Approvals for Permits:

7.1 Certificate by Applicant(s):

I/We hereby certify that I/we have read and thoroughly understand the conditions and requirements of this Application, and am/are authorized to sign this application in accordance with the Rules and Regulations of the Illinois Pollution Control Board. I/we hereby agree to conform with the Standard conditions and with any other Special Conditions made part of this Permit.

7.1.1 Name of Applicant for Permit to Construct: Eduardo Loya

Title: _____ Organization: Mobile Truck Repair

Street Address: 920 County Line Rd. PO Box: _____

City: Bensenville State: IL Zip + 4: 60106 + 3265

Email Address: mobiletruck2000@gmail.com Phone: (630) 228-3380

Printed Name: Eduardo Loya

Original Signature

Date

7.1.2 Name of Applicant for Permit to Own and Operate:

Eduardo Loya

Title:

Organization:

Street Address: 920 County Line Rd.

Mobile Truck Repair

PO Box:

City: Bensenville

State: IL

Zip + 4: 60106-3265

Email Address: mobiletruck2000@gmail.com

Phone: (630) 338-3380

Printed Name: Eduardo Loya

Original Signature

Date

7.2 Attested (Required When Applicant is a Unit of Government)

Title:

City clerk, Village Clerk, Sanitary District Clerk, etc.)

Original Signature

Date

7.3 Applications from non-governmental applicants which are not signed by the owner, must be signed by a principal executive officer of at least the level of vice president, or a duly authorized representative.

7.4 Certificate by Intermediate Sewer Owner

I hereby certify that (Please check one):

1. The sewers to which this project will be tributary have adequate reserve capacity to transport the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or

2. The Illinois Pollution Control Board, in PCB _____ dated _____ granted a variance from Subtitle C, Chapter I to allow construction of facilities that are the subject of this application.

Name and location of sewer system to which this project will be tributary:

Village of Bensenville, Ex. Sanitary Sewer running northerly on West parking of County Line Road.

Sewer System Owner: Bensenville Public Works Dept

Address: 717 E. Jefferson St.

City:

Bensenville

State: IL

Zip + 4: 60106-3160

Email Address: mpatel1@bensenville.il.us

Phone: (630) 350-3435

Printed Name: Mehnul Patel, P.E.

Original Signature

Date

7.4.1 Additional Certificate by Intermediate Sewer Owner

I hereby certify that (Please check one):

- 1. The sewers to which this project will be tributary have adequate reserve capacity to transport the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or
- 2. The Illinois Pollution Control Board, in PCB _____ dated _____ granted a variance from Subtitle C, Chapter I to allow construction of facilities that are the subject of this application.
- 3. Not applicable.

Name and location of sewer system to which this project will be tributary:

Sewer System Owner: _____

Address: _____

City: _____ State: _____ Zip + 4: _____

Email Address: _____ Phone: _____

Printed Name: _____

Original Signature

Date

7.5 Certificate by Waste Treatment Works Owner

I hereby certify that (Please check one):

- 1. The wastewater treatment plant to which this project will be tributary has adequate reserve capacity to treat the wastewater that will be added by this project without causing a violation of the Illinois Environmental Protection Act or Subtitle C, Chapter I, or
- 2. The Illinois Pollution Control Board, in PCB _____ dated _____ granted a variance from Subtitle C, Chapter I to allow construction and operation of the facilities that are the subject of this application.
- 3. I also certify that, if applicable, the industrial waste discharges described in the application are capable of being treated by treatment works.
- 4. Not applicable.

Name of Waste Treatment Works: Bensenville Wastewater Treatment Plant

Waste Treatment Works Owner: Bensenville Public Works

Address: 717 E. Jefferson Street

City: Bensenville State: IL Zip + 4: 60106-3160

Email Address: mpatel@bensenville.il.us Phone: (630) 350-3425

Printed Name: Mehul Patel

Original Signature

Date

Save Form with New Name

Print Form



Illinois Environmental Protection Agency

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

Schedule A/B

This form must be typewritten or printed legibly. This form may be completed manually or online using Adobe Reader, a copy of it saved locally, printed, and signed before it is submitted to:

Illinois Environmental Protection Agency
Permit Section, Division of Water Pollution Control
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Application for Sanitary Sewer: (please check one or both boxes as applicable)

Service Connection - Schedule A Publicly Owned or Regulated Extensions - Schedule B

1. Name of Project: Site Improvement Plans of Mobile Truck Repair

2. Type of Service(s): Residential Commercial Light Industrial (Domestic Waste Only)
(Check all that apply) Manufacturing Recreational Other

3. Nature of Project - Project Consists of: Sewer Extension Trunk Sewer Replacement Sewer New Sanitary Sewer
(Check all that apply) Sewer Connection Relief Sewer Interceptor Sewer

4. Project Location, Service Area and Population: Submit map(s) of the service area that include the following:

4.1 An 8 1/2 X 11 inch detailed project location map or USGS map or USGS map showing the project with respect to major roadways. In lieu of this map, a letter from the Illinois Historic Preservation Agency indicating compliance with the Illinois Historic Preservation Act for this project may be submitted.

4.2 The proposed sewer layout and project location.

Township: 40N Section: 24 Range: 11E

4.3 Residential and/or non-residential areas and their associated waste loads to be immediately served by the sewers of this project.

4.4 Potential residential and/or non-residential areas and their associated loads must be included in the overall design of the sewers of this project.

5. Facilities Planning Area (FPA):

This project is is not being constructed entirely within the Facilities Planning Area (FPA) boundaries.

Name of FPA: _____

6. Type of Development: The following design criteria should be used in estimating the population equivalent (P.E.) of a residential building:

Efficiency or Studio Apartment = 1 person

1 Bedroom Apartment = 1.5 persons

2 Bedroom Apartment = 3 people

3 Bedroom Apartment = 3 people

Single Family Home = 3.5 people

Mobile Home = 2.25 people

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039.

IL 532-DD11 Disclosure of this information is required under that Section. Failure to do so may prevent this form from being processed and
WPC 151 4/2015 could result in your application being denied.

6.1 Residential Buildings

Number of Building(s): / Number of Single Family Dwelling Building(s): 0

Number of Multiple Family Dwelling Building(s): 0

Estimated Total Population Equivalent: _____ P.E. _____

*Please provide an itemized list for each multiple dwelling building including: Number of 1, 2, and 3 bedroom units; the total P.E. for each building and the total P.E. for multiple family dwellings.

6.2 Non-Residential Buildings: Describe use of building(s) - This box will expand as needed

General Sale Office, Car Hardware & Parts Sale, Internal Sales Area & Parts Storage @ Mezzanine Area, Total Employees: 10,

Principal product(s) or activities - This box will expand as needed

11. *What is the name of the author of the book you are reading?*

Number of non-residential building(s) to be served under this Permit: /

Non domestic liquid waste is (see Section 6.5) is not produced inside the building(s). If liquid wastes other than domestic are produced, submit Schedule N.

Estimated number of employees: **10** Estimated number of occupants (transients): **10**

Estimated population equivalent (one population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids).

6.3 Total Loading for project (sum of 6.1 and 6.2)

Design Average Flow: 150 GPD PE 0.26 (P_B) BOD

Design Max. Flow: 600 GPD P.E: 8.30 (P6) Suspended Solids

6.4 Commencing July 1, 2003, Section 12.2 of the Environmental Protection Act (415 ILCS 5/12.2, as amended by P.A. 93-32) requires the Agency to collect a fee for certain applications for the installation of sanitary sewer connections and extensions. Except for the conditions listed below, the following fee schedule shall apply:

Fee Dollars	Population Equivalents
100	1
400	2 - 20
800	21 - 100
1200	101 - 499
2400	500 or more

Please send the appropriate fee based upon section 6.4 or 6.5; certified or cashiers check made out to: "Treasurer, State of Illinois, Environmental Protection Permit and Inspection Fund" with the applicant's Federal Employee Identification Number (FEIN) appearing on the face of the check and submit along with this schedule. Any fee remitted to the Agency shall not be refunded at any time or for any reason, either in whole or in part.

The Sewer Permit fee does not apply to:

- a) Any Department, Agency or Unit of State Government
- b) Any unit of local government where all of the following conditions are met:
 - 1) The cost of the installation or extension is paid wholly from monies of the unit of local government, state grants or loans, federal grants or loans, or any combination thereof;
 - 2) The unit of local government is NOT given monies, reimbursed or paid, either in whole or in part, by another person (except for State grants or loans or federal grants or loans);
- c) 1) Include a certified copy of the budget item or the board or council minutes which authorize the construction of this project with only local funds; and
 - 2) I/we hereby certify that subsections (b)(1), (b)(2) and (c)(1) have been met.

(Original Signature for Unit of Government)

- 6.5 A \$1,000 fee shall be required for any industrial wastewater source that does not require pretreatment of the wastewater prior to discharge to the publicly owned treatment works or publicly regulated treatment works.
- 7. **DEVIATION FROM DESIGN CRITERIA:** The design criteria for sewers are contained in the "Illinois Recommended Standards for Sewage Works", Current Edition. This submittal does does not include deviations from said criteria. If deviations are included, justification for said deviations must be attached.
- 8. **INFILTRATION/EXFILTRATION LIMITS:** 200 gallons per inch diameter of sewer pipe per mile per day.
- 9. **SUMMARY OF SEWERS:**
Submit plan and profile drawings for all sanitary sewer extensions and for all sanitary sewer connections where either the domestic wastewater source serves more than one building, where the domestic wastewater source is 15 P.E. or more, where non-domestic waste is produced or where the connection is not direct to either a publicly-owned or publicly-regulated sewer.

	Service Connections	Publicly Owned or Regulated Extensions				
Pipe size - inches	6"					
Total Length - feet	187					
Min. slope used - %	1.00%					
Max. slope used - %	100% off 45° riser					
Min. cover over sewers - feet (3' minimum)	3.5'					
Pipe Material & Specs.	PVC SDR 26					
Joint Material & Specs.	ASTM D3212					
Total Manholes	2					
Max. Distance Between Manholes	143'					
Bedding Class for Rigid Pipe (A, B, or C per ASTM C12)						
Bedding Class for Flexible Pipe (IA, IB, II, or III per ASTM D2321-89)	II					

9.1 Is the project located in a flood plain? Yes No If yes, contact the Illinois Department of Natural Resources, Division of Water Resources Management for further permit requirements.

9.2 Are watertight manhole covers used on all manholes where the manhole tops are below cover or where the tops may be flooded by surface runoff or high water? Yes No *N/A*

10. EROSION CONTROL:

The design criteria for Erosion Control are contained in the "Illinois Urban Manual" Current Edition, distributed by the National Resource Conservation Service. This submittal does does not include deviation from said criteria. If deviations are included, justification for said criteria must be attached. (See instructions for Schedule P to determine if Schedule P must be submitted.)

11. EXISTING SEWER SYSTEM:

A. This project will connect to one of the following:

1. Existing sanitary sewer
2. Existing combined sewer
3. Permitted sanitary sewer
4. Permitted combined sewer
5. Proposed sanitary sewer
6. Proposed combined sewer

If permitted but not constructed and operational provide permit number _____

B. Size and location of downstream sewer(s): - This box will expand as needed

12" San. Sewer running northerly in west parkway of County Line Rd

Is air testing included in plans, specifications, or special provisions?

Leakage testing for manholes included in plans, specifications, or special provisions?

14. FLEXIBLE PIPE TESTING:

Is deflection test included in plans, specifications, or special provisions in accordance with the Illinois Recommended Standards for Sewage Works, Current Edition? Yes No N/A

15. MISCELLANEOUS REQUIREMENTS

The following requirements should be included on the plan sheets where so indicated. For items where this is not specified, the requirements may be on the plan sheets, in the specifications, or in the special provisions:

15.1 Standard Specifications for Water and Sewer Main Construction in Illinois, Current Edition, govern the construction of this project. Yes No if no, provide specifications.

15.2 Pipe and joint ASTM/AWWA designation included on plan sheets. Yes No

15.3 All flexible gravity sewer pipe installed in accordance with ASTM D2321-89; embedment materials for bedding, haunching, and initial backfill to at least 6 inches over the top of the pipe with Class IA or IB or II or III; processed material produced for highway construction used in the project classified according to particle size, shape, and gradation in accordance with ASTM D2321-89, Section 9 and Table 1. Yes No N/A

15.4 All rigid gravity sewer pipe installed in accordance with ASTM C12 and bedding material Class A, B, or C. Yes No N/A

15.5 Pickholes in all manholes likely to be flooded not larger than 1 inch in diameter and of the concealed type. Yes No N/A

15.6 All manholes numbered. Yes No N/A

15.7 Match lines shown on all plan sheets. Yes No N/A

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

For IEPA Use:

LOG #

DATE RECEIVED:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF WATER POLLUTION CONTROL
PERMIT SECTION
Springfield, Illinois 62794-9276

Schedule P - Erosion Control

1. Name of Project Site Improvement Plans of Mobile Truck Repair

2. Total area disturbed by excavation: 3.3 Ac.

3. Summary of erosion control practices:

	Area Controlled (Sq. Ft.)	Permanent (P) or Temporary (T)
Vegetative Control	(Sq. Feet)	
Interceptor Ditches	(Feet)	
Berms	(Feet)	
Sediment Basins	(Cu. Yd.)	
Debris Basins	(Cu. Ft.)	
Desilting Basins	(Cu. Ft.)	
Silt Traps	(Cu. Ft.)	
Mulching and Matting	<u>1,000 SF</u> (Cu. Ft./Sq. Ft.)	<u>P</u>
Other	<u>Inlet Protection Basket</u> (Indicate)	<u>T</u>
	<u>Silt Fence</u>	

4. Attach topographical or plan maps of construction area and indicate erosion control practices.

5. Drainage area (above and including construction site) 3.5 Ac

6. Slope categories of construction site:

	Area (acres)	Disposition of collected sediment
6.1 0 - 2% slope	<u>1.5 Ac.</u>	<u>Relocated to fill Area A Resealed</u>
6.2 2 - 4% slope	<u>1.5 Ac.</u>	<u>"</u>
6.3 4 - 6% slope		
6.4 6% slope or greater	<u>0.3 Ac.</u>	<u>"</u>

Please check one below.

Erosion control practices identified above will be constructed in accordance with Illinois Urban Manual, 1995.

OR

Plans or specifications for the above referenced erosion control practices are attached.

From: Mehul Patel
Sent: Thursday, December 08, 2016 11:15 AM
To: jlin@ridgelineconsultantsllc.com
Cc: hcfang003@aol.com; Mobile Truck Repair; Kurtis Pozsgay
Subject: RE: 920 County Line Road-MTR Plaza
Attachments: Review Comments #1 113016.pdf

1. I have copied Kurtis Pozsgay the Village Planner on this email to assist you with examples of plat languages and easements. I do not have those. Kurtis, please see attached comment memo, general comments 1.
2. It is required for a new industrial/commercial buildings where maintenance responsibility of the new sewer is not of the municipality.

Mehul T. Patel – PE, CFM
Assistant Director of Public Works-Engineering
Village of Bensenville
(630) 594-1196

From: Jiun-Guang Lin [mailto:jlin@ridgelineconsultantsllc.com]
Sent: Thursday, December 08, 2016 10:39 AM
To: Mehul Patel <MPatel@bensenville.il.us>
Cc: hcfang003@aol.com; Mobile Truck Repair <mobiletruck2000@gmail.com>
Subject: 920 County Line Road-MTR Plaza

Hello Mr. Patel:

Upon reviewing your comment letter dated 11/30/16, I have the following questions/request:

1. Comment No. 1 regarding the preparation of Plat of Consolidation: can you furnish me a sample Plat which provides the easement provision and signature blocks for our reference?
2. Why does the project require an IEPA Sanitary permit, is it because it exceeds 15 PE or it is a new industrial bldg. which involves triple basin?

Thanks a lot.



Jiun-Guang Lin, P.E., CFM

Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Tel: 630-801-7927
Fax: 630-701-1385
Email: jlin@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com



Village of Bensenville Department of Public Works

717 E. Jefferson Street
Bensenville, IL 60106
Phone (630) 350-3435 Fax (630) 594-1148

Date: November 30, 2016

To: Scott Viger, Director of Community Development

From: Mehul T. Patel, P.E., CFM – ADPW-Eng

Copy: Joseph Caracci, P.E. - Director of Public Works

Subject: **920 County Line Rd- MTR Plaza; DuPage SMC # 16-05-0020
Review Comments # 1**

The Engineering Division within Public Works Department received the following material on November 9, 2016.

- Engineering Site Plans (6-sheets) titled “900- 30 County Line Rd-Mobile Truck Repair” dated 9-15-2016 prepared by Ridgeline Consultants, LLC of Montgomery, IL
- Stormwater Management Tabular Report prepared by Ridgeline Consultants, LLC of Montgomery, IL dated September 2016.

The applicant is seeking to develop the approximate 3.3 acre site for a proposed Mitsubishi truck dealership. The site consists of 4 lots. One of the lots has an existing building (to remain) with associated parking, one is vacant and the other two have small accessory buildings. The vacant lot is to receive a new building along with associated parking.

The following review comments are regarding general civil site improvements. Four revised set of plans, engineer’s estimate for entire civil site improvements along with a disposition of comment letter shall be submitted to us for further review and/or approval.

The Stormwater portion of the review for this project has been provided by the Village’s consultant Engineering Resource Associates, Inc. under separate comment letter. Provide a separate disposition of comment letter for their review comments.

General Comments

1. The applicant is combining 4 parcels into 2 parcels. A plat of consolidation is required. The proposed parking lot stormwater storage shall be identified on this plat as a stormwater management easement area. A cross access easement shall be identified over the center driveway entrance.

2. County Line Road is under the jurisdiction of Cook County Department of Transportation and Highways (CCDTH). Is the 17-feet ROW dedication along Lot 2 to given to CCDTH?
3. A plat of consolidation is required to be submitted to the Village for review and comments.

Cover Page Sheet # 1

- 1) Revise the permit box. Permits required for this project are DuPage County Stormwater Management Certification (16-05-0020), IEPA-NOI, IEPA-SANITARY, Cook County Department of Transportation and Highways (CCDTH), Village of Bensenville, and IEPA-NOT at the completion of the project. IDOT permit for this project is not required. Please furnish proper permits for Village signatures with next submittal.
- 2) Please correct the typo in the permit box. The heading of last column should read "Date of Issuance"

Existing Condition/Demolition Plan Sheet # 2

- 1) Please depict all the existing lot lines.
- 2) Village records indicate the existing sanitary sewer main in the project vicinity is 12-inch in diameter.
- 3) It is my understanding the site contained buildings on it one time. If the existing water and sewer services for those homes were not disconnected at the main during demolition then those will need to be disconnected as part of this PUD.

Site/Utility Plan Sheet #4

1. Village of Bensenville doesn't permit water pressure connections. It must be a cut-in-tee. The shutdown must be scheduled with the Village of Bensenville Public Works 48-hours in advance. Water shutdowns are not permitted on Holidays, weekends, Monday and Fridays.
2. The domestic water line must split from the fire suppression line outside of the building. The domestic water service must be equipped with a shut off valve outside of the building. Minimum domestic water service size outside of the building is 1.5-inch Ty K copper.
3. IEPA-Sanitary permit will be required for the new sanitary service for the proposed building. A dog house manhole will be required to be built over the existing sanitary sewer where proposed service connects to the main. This comment was made previously during a CDC review.
4. A triple basin will be required for any truck repairs facilities proposed on site which shall be connected to the sanitary sewer. This comment was made previously during a CDC review.
5. All proposed sidewalk on this site shall be ADA compliant.
6. The proposed HMA path along County Line Rd must meet all applicable ADA requirements including detectable warning as necessary for driveway crossings.

7. All downspouts shall have a minimum 4-inch air gap prior to discharging into storm sewers.
8. All flared end section shall be installed with a toe block along with rip-rap.

Details Sheet #5 and 6

1. Include the following details.
 - VOB B-Box
 - VOB Driveway

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Friday, August 19, 2016 10:47 AM
To: Scott Viger
Cc: Jiunguang Lin; Ray Fang; Mobile Truck Repair; Joe Abel; Mary Dickson
Subject: Re: 900 - 930 County Line Road

Thanks Scott. I met with Eduardo and Ray to discuss transitioning this beyond zoning today. Ray and Lin may be in touch with staff on that front. Eduardo and I will be at the meeting a few minutes before it starts so we can privately convey our appreciation for the staff and attorney efforts (since nothing was said at committee).

Mark

On Thursday, August 18, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

The Ordinance approving the PUD etc. at the above – cited property is on the Village Board Consent Agenda Tuesday 08.23.16. The meeting begins at 6:30 PM. The agenda is available on the Village website.

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

630.350.3411 Direct

630.670.3206 Mobile



BENSENVILLE
COMMUNITY & ECONOMIC DEVELOPMENT

--

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Ray Fang <hcfang003@aol.com>
Sent: Friday, April 28, 2017 12:44 PM
To: Scott Viger
Cc: loya.eric@yahoo.com
Subject: Fwd: Mobile Truck Repair - revised plans

Hi, Scott / Ed:

FYI

Ray

Sent from my iPhone

Begin forwarded message:

From: "Ed Peterson" <epeterson@ridgelineconsultantsllc.com>
Date: April 27, 2017 at 11:50:05 AM CDT
To: "Ray Fang" <hcfang003@aol.com>
Cc: "Jiun-Guang Lin" <cjin@ridgelineconsultantsllc.com>
Subject: Mobile Truck Repair - revised plans
Reply-To: <epeterson@ridgelineconsultantsllc.com>

Hi Mr. Fang,

I was able to discuss your project with Lin this morning. We sincerely regret the delays which you have experienced to date on this project. I have been assigned to complete the plans, however I will need until Monday to make that happen.

Sincerely,

Ed



Ed Peterson – Project Manager
Ridgeline Consultants, LLC

1661 Aucutt Road
Montgomery, IL 60538
Mobile: 630-742-1278
Email: epeterson@ridgelineconsultantsllc.com
Web: www.ridgelineconsultantsllc.com

From: Scott Viger
Sent: Thursday, January 05, 2017 9:37 AM
To: hcfang003@aol.com
Cc: loya.eric@yahoo.comh
Subject: RE: 900 - 930 South County Line Road / MTR

Thank you Ray.
I also received an email from Ridgeline last night.
As you know we will do what we can to get this important development moving forward.

Scott R. Viger A.I.C.P.



From: hcfang003@aol.com [mailto:hcfang003@aol.com]
Sent: Thursday, January 05, 2017 9:35 AM
To: Scott Viger <SViger@bensenville.il.us>
Cc: loya.eric@yahoo.comh
Subject: Re: 900 - 930 South County Line Road / MTR

Hi, Scot:
Engineer is incorporating all necessary responses to Mr. Patel and other governing agencies.
As soon as I have a firm idea, I will submit my response at the same time for approval.
Thanks.
Ray

-----Original Message-----

From: Scott Viger <SViger@bensenville.il.us>
To: hcfang003 <hcfang003@aol.com>
Sent: Wed, Jan 4, 2017 9:13 am
Subject: 900 - 930 South County Line Road / MTR

Top of the morning Ray –
Any update on the Building permit resubmittal for the MTR project?
As you know, this exciting business expansion is important to the Village.
If there is anything I can do, to assist just let me know.

Scott R. Viger A.I.C.P.



From: hcfang003@aol.com
Sent: Thursday, January 05, 2017 9:35 AM
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Cc: loya.eric@yahoo.comh
Subject: Re: 900 - 930 South County Line Road / MTR

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As soon as I have a firm idea, I will submit my response at the same time for approval.
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As you know, this exciting business expansion is important to the Village.
If there is anything I can do, to assist just let me know.

Scott R. Viger A.I.C.P.



From: Eric <loya.eric@yahoo.com>
Sent: Tuesday, October 04, 2016 12:30 PM
To: Scott Viger
Subject: Re: MTR TRUCK CENTER - ERIC LOYA

Will do Thanks!

Sent from my iPhone

On Oct 4, 2016, at 10:41 AM, Scott Viger <SViger@bensenville.il.us> wrote:

Stop by anytime and I will sign it for you!

Scott R. Viger, AICP
Village of Bensenville
Director/Community &
Economic Development
12 S. Center Street
Bensenville, IL 60106
630.350.3411 Direct
630.670.3206 Mobile
<image003.png>

From: Eric Loya [<mailto:loya.eric@yahoo.com>]
Sent: Tuesday, October 04, 2016 10:28 AM
To: Scott Viger <SViger@bensenville.il.us>
Subject: MTR TRUCK CENTER - ERIC LOYA

Good morning Mr Viger, We are currently working with Mitsubishi Fuso Trucks on the franchise. Since we got the approval from the village, can you please sign off on the "Notice of Proper Zoning Form", to start the process with the state to obtain our license, I can mail you the form or i can stop by your office to get it signed, whatever is more convenient for you, just let me know.

Thanks Eric

MTR TRUCK CENTER
ERIC LOYA
CELL- (312)618-9564

From: Scott Viger
Sent: Tuesday, October 04, 2016 10:42 AM
To: Eric Loya
Subject: RE: MTR TRUCK CENTER - ERIC LOYA

Stop by anytime and I will sign it for you!

Scott R. Viger, AICP
Village of Bensenville
Director/Community &
Economic Development
12 S. Center Street
Bensenville, IL 60106
630.350.3411 Direct
630.670.3206 Mobile



From: Eric Loya [mailto:loya.eric@yahoo.com]
Sent: Tuesday, October 04, 2016 10:28 AM
To: Scott Viger <SViger@bensenville.il.us>
Subject: MTR TRUCK CENTER - ERIC LOYA

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Thanks Eric

MTR TRUCK CENTER
ERIC LOYA
CELL- (312)618-9564

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, June 14, 2016 8:21 PM
To: Mary Dickson; Frank Soto; Scott Viger; Victoria Benham; Evan Summers
Subject: MTR Neighbor Meeting

Hi everyone,

As noted in a prior discussion of the County Line project, we are hosting a meeting for neighbors at Mamma Maria's on Thursday, June 23, 2016, at 7 PM (pizza and salad available for attendees). The meeting will occur in the generally private rear room of the restaurant and it is intended to allow review of plans, Q&A and a fairly open discussion.

Please note that I am sending this as a courtesy now that the date is set. There is no expectation that someone from the Village attend, but we will be happy to reconvene at a distinct meeting with Mayor Soto and Evan Summers if Scott believes it would be productive in bringing people up to speed. If you receive any inquiries from people who are not invited (we are limiting the neighbor meeting to people within 300 feet), please feel free to pass along my office number at (630) 833-3311.

Thank you,
Mark

--
Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, July 26, 2016 11:35 AM
To: Scott Viger
Cc: Mary Dickson
Subject: Quick Call?

Scott,

Was hoping that you could spend five minutes reviewing that July 15 or so email from me with the new landscape plan and give me a call on my cell at 312-927-0177. Joe happens to be out with family for the week, but I would like to keep our discussions moving along so that this is not something that we are adjusting too much, if at all, once he gets back.

Thank you. (Copying Mary as a courtesy so she is aware of the discussion.)

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Wednesday, July 20, 2016 3:40 PM
To: Scott Viger
Subject: Fwd: MTR PLAZA
Attachments: AB15142_A05_02LP_REV.pdf

Please take a look at this and try giving Joe a call tomorrow or Friday? The plan looks pretty good. Drives and vision clearance seem to be covered, fences adjusted as well. He also kept the commitment to beef up the detention landscaping.

Joe's cell is 630-207-4256.

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

----- Forwarded message -----

From: **Tim Cotie** <tcotie@grwainc.com>
Date: Wed, Jul 20, 2016 at 2:50 PM
Subject: MTR PLAZA
To: Mark Daniel <mark@thedaniellawoffice.com>

Mark,

Attached is the revised site / landscape plan for MTR Plaza.

Tim Cotie

Landscape Designer

Gary R. Weber Associates, Inc.

212 S. Main Street, Wheaton, IL 60187

OFFICE: [\(630\) 668-7197](tel:(630)668-7197) FAX: [\(630\) 668-9693](tel:(630)668-9693)

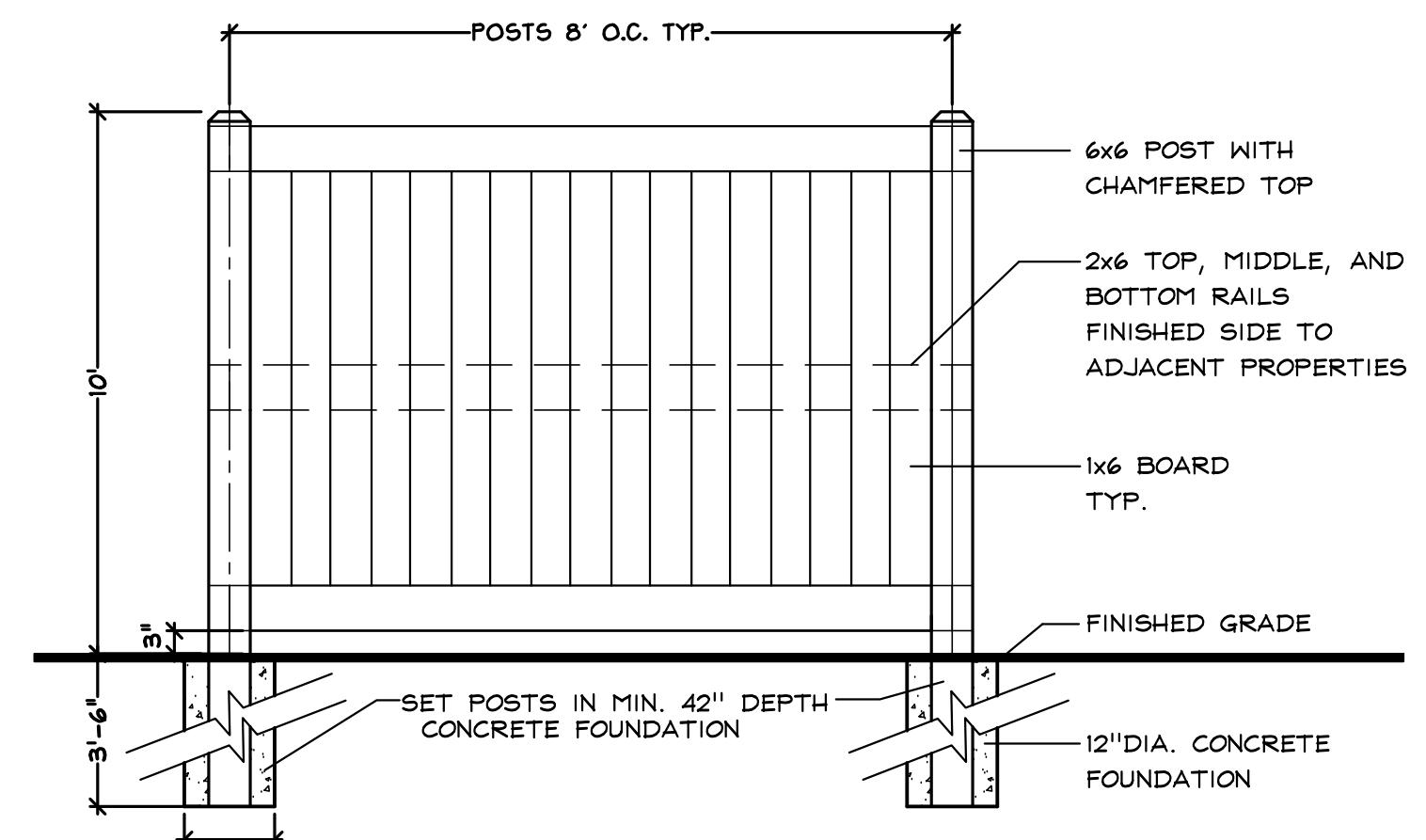
tcotie@grwainc.com | www.grwainc.com



LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE

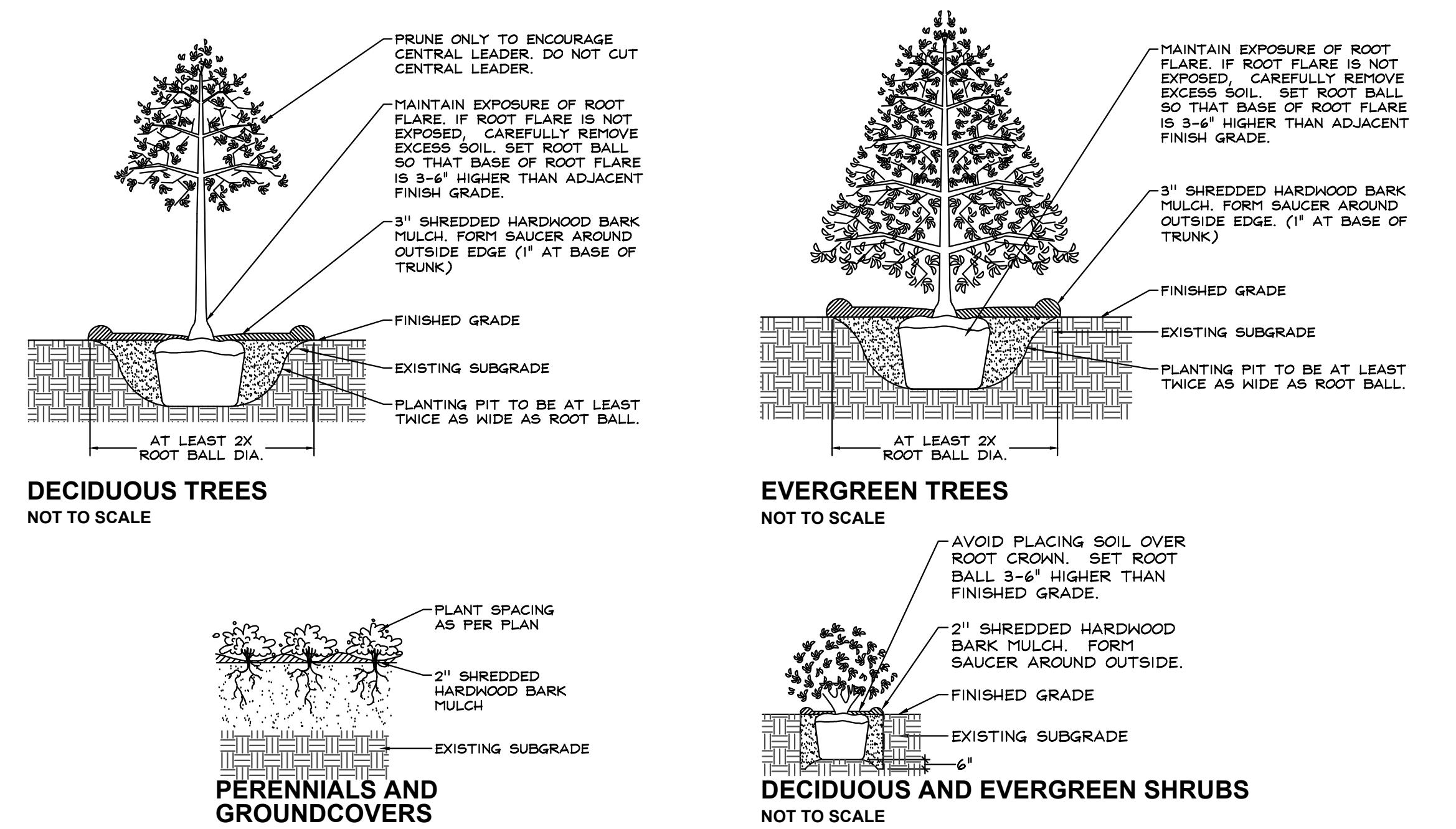
REPRESENTATIVE PLANT LIST

Key	Botanical/Common Name	Size	Remarks	Key	Botanical/Common Name	Size	Remarks
SHADE TREES				DECIDUOUS SHRUBS			
Acer x freemanii	AUTUMN BLAZE MAPLE	3" Cal.		Cotoneaster acutifolia	36" Tall	4' O.C.	
Celtis occidentalis	COMMON HACKBERRY	3" Cal.		Spirea betulifolia 'Tor'	24" Tall	3' O.C.	
Gleditsia triacanthos inermis 'Skyline'	SKYLINE HONEYLOCUST	3" Cal.		BIRCHLEAF SPIREA			
Pyrus calleryana 'Redspire'	REDSPIRE PEAR	3" Cal.		Syringa meyeri 'Purpurin'	24" Tall	4' O.C.	
Quercus bicolor	SHAMPOO WHITE OAK	3" Cal.		DWARF KOREAN LILAC			
Tilia americana 'MacKenzie'	SENTRY AMERICAN LINDEN	3" Cal.		Viburnum dentatum	36" Tall	5' O.C.	
Ulmus carpinifolia 'Regal'	REGAL SMOOTHLEAF ELM	3" Cal.		ARROWWOOD VIBURNUM			
Amelanchier alnifolia	APPLE SERVICEBERRY	6' Tall	Clump Form	Viburnum trilobum 'Hahn'	36" Tall	4' O.C.	
Betula nigra	RIVER BIRCH	6' Tall	Clump Form	HAWTHORN CRANBERRY VIBURNUM			
Corus mas	CORNELIANCHERRY DOGWOOD	6' Tall	Clump Form	EVERGREEN SHRUBS			
Crataegus crus-galli inermis	THORNLESS COCKSPUR HAWTHORN	6' Tall	Clump Form	Juniperus chinensis v. sargentii 'Viridis'	24" Wide	5' O.C.	
Malus 'Prinzipal'	PRAIRIE CRABAPPLE	6' Tall	Clump Form	GREEN SARGENT JUNIPER	24" Wide	4' O.C.	
EVERGREEN TREES				Juniperus chinensis 'Seagreen'	24" Wide	4' O.C.	
Abies concolor	WHITE FIR	8' Tall		KALRAY COMPACT PITTZER JUNIPER	24" Wide	4' O.C.	
Picea glauca 'Densata'	BLACK HILLS SPRUCE	8' Tall		Texia x media 'Densiformis'	24" Wide	4' O.C.	
Picea pungens	GREEN COLORADO SPRUCE	8' Tall		DENSE YEW			
Thuja occidentalis 'Techny'	MISSION ARBORVITAE	6' Tall		PERENNIALS AND ORNAMENTAL GRASSES			
				Calamagrostis x acutiflora 'Karl Foerster'	36" O.C.		
				FEATHER REED GRASS			
				Hemerocallis 'Happy Returns'	18" O.C.		
				HAPPY RETURN DAYLILY	#1		
				Miscanthus sinensis 'Gracillimus'	#3	36" O.C.	
				Pennisetum alopecuroides 'Hameln'	#1	24" O.C.	
				DAIRY FOUNTAIN GRASS			
				Rudbeckia fulgida 'Goldsturm'	#1	18" O.C.	
				BLACK-EYED SUSAN			
				Salvia nemorosa 'East Friesland'	#1	18" O.C.	
				EAST FRIESLAND SALVIA			
				Sporobolus heterolepis	#1	24" O.C.	
				PRairie Dropseed			



10' SOLID FENCE DETAIL
NOT TO SCALE
(NORTH FENCE 8' OR 6' HT., NEIGHBOR PREFERENCE)

PLANTING DETAILS



LEGEND

	WET MEADOW SEED MIXTURE
	LOW-PROFILE PRAIRIE SEED MIXTURE
	EXISTING TREE

GENERAL NOTES

- Contractor shall verify underground utility lines and is responsible for any damage.
- Contractor shall verify all existing conditions in the field prior to construction and shall notify landscape architect of any variance.
- Material quantities shown are for contractor's convenience only. The Contractor must verify all material and supply sufficient materials to complete the job per plan.
- The landscape architect reserves the right to inspect trees and shrubs either at place of growth or at site before planting, for compliance with requirements of variety, size and quality.
- Work shall conform to American Standard for Nursery Stock, State of Illinois Horticultural Standards, and Local Municipal requirements.
- Contractor shall secure and pay for all permits, fees, and inspections necessary for the proper execution of this work and comply with all codes applicable to this work.
- See General Conditions and Specifications for landscape work for additional requirements.



From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Friday, July 15, 2016 3:41 PM
To: Scott Viger
Subject: Fwd: MTR-Landscape Plan
Attachments: AB15142_A04_02LP.pdf

Scott,

I have attached the rendered landscape plan that Joe used at hearing. He is in the process of changing the fence to 10 feet on west and 8 feet (poss. 6 per neighbor preference) on the north. He is also working on the street tree issue and should be in touch on that at some point.

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

----- Forwarded message -----

From: **Tim Cotie** <tcotie@grwainc.com>
Date: Thu, Jun 23, 2016 at 1:19 PM
Subject: MTR-Landscape Plan
To: Mark Daniel <mark@thedaniellawoffice.com>

Mark,

Attached is the rendered landscape plan, for your use and review.

Tim Cotie

Landscape Designer

Gary R. Weber Associates, Inc.

212 S. Main Street, Wheaton, IL 60187

OFFICE: [\(630\) 668-7197](tel:(630)668-7197) FAX: [\(630\) 668-9693](tel:(630)668-9693)



LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE

The logo for the Getty Research Institute, featuring the letters 'GR' stacked above 'WA' in a bold, serif font, all contained within a black square frame.

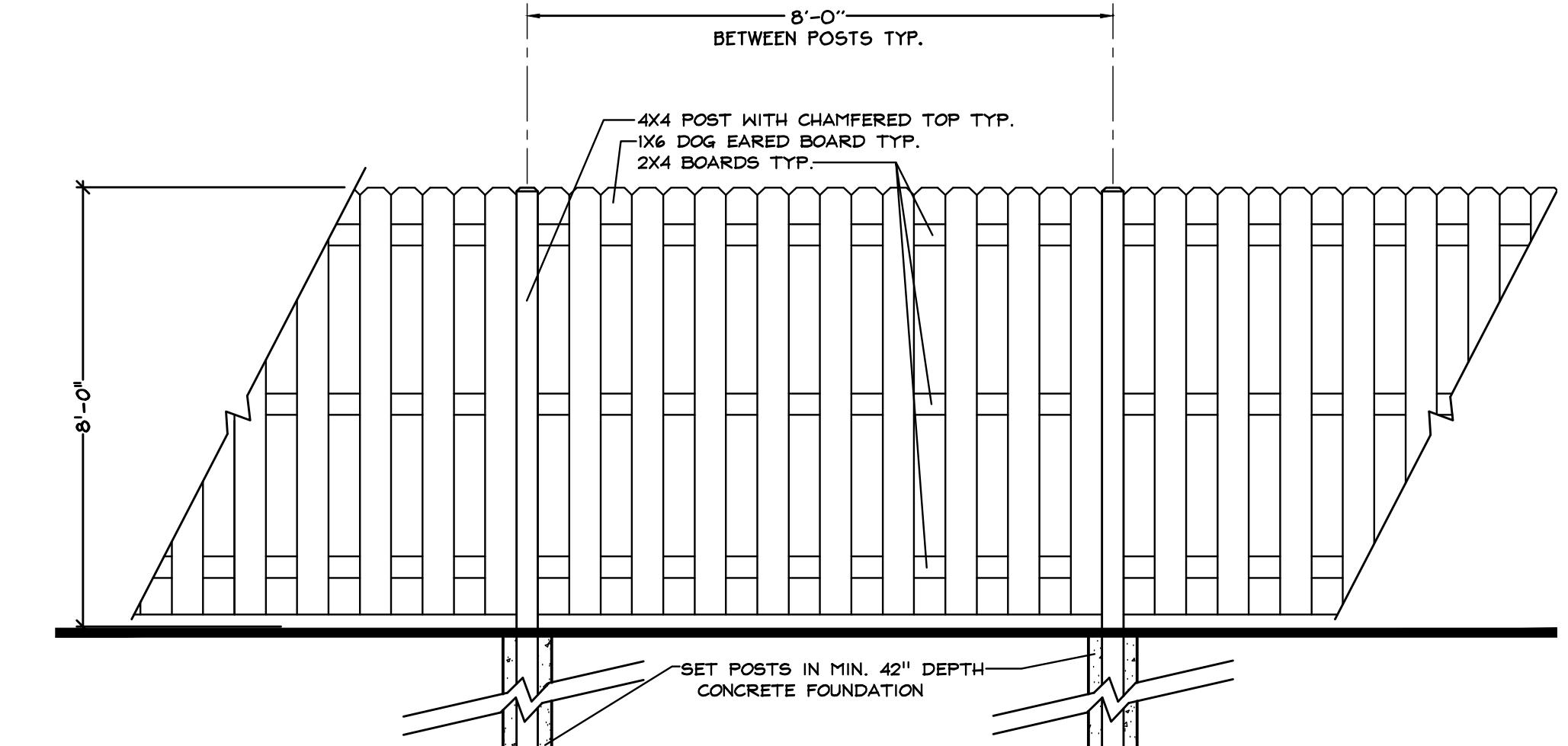
GARY R. WEBER
ASSOCIATES, INC.
LAND PLANNING
ECOLOGICAL CONSULTING
LANDSCAPE ARCHITECTURE
2 SOUTH MAIN STREET
HEATON, ILLINOIS 60187
PHONE: 630-668-7197

IL ENGINEER:
GELINE CONSULTANTS
1661 AUCUTT ROAD
MONTGOMERY, IL 60538

ANNER:
**JOSEPH H. ABEL
& ASSOCIATES**
200 FOREST AVENUE
GLEN ELLYN, IL 60137

REPRESENTATIVE PLANT LIST

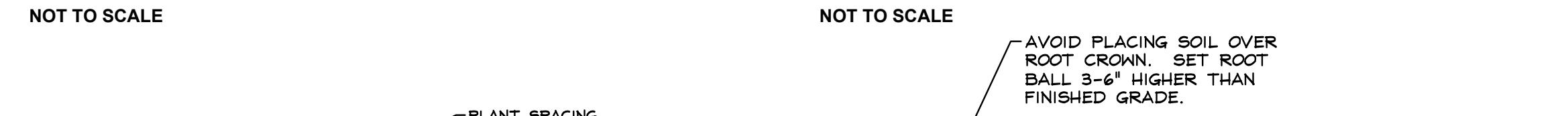
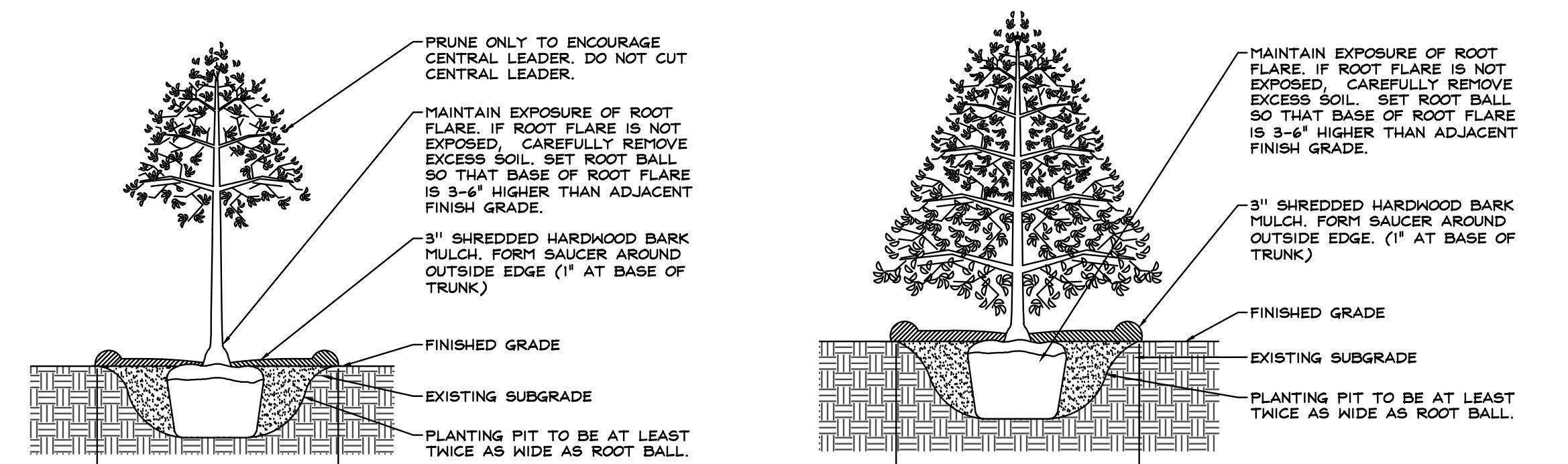
Key	Botanical/Common Name	Size	Remarks	Key	Botanical/Common Name	Size	Remarks
	SHADE TREES				DECIDUOUS SHRUBS		
	<i>Acer x freemanii</i> AUTUMN BLAZE MAPLE	3" Cal.			<i>Cotoneaster acutifolia</i> PEKING COTONEASTER	36" Tall	4' O.C.
	<i>Celtis occidentalis</i> COMMON HACKBERRY	3" Cal.			<i>Spiraea betulifolia</i> 'Tor' BIRCHLEAF SPIREA	24" Tall	3' O.C.
	<i>Gleditsia triacanthos inermis</i> 'Skyline' SKYLINE HONEYLOCUST	3" Cal.			<i>Syringa meyeri</i> 'Palibin' DWARF KOREAN LILAC	24" Tall	4' O.C.
	<i>Pyrus calleryana</i> 'Redspire' REDSPIRE PEAR	3" Cal.			<i>Viburnum dentatum</i> ARROWWOOD VIBURNUM	36" Tall	5' O.C.
	<i>Quercus bicolor</i> SWAMP WHITE OAK	3" Cal.			<i>Viburnum trilobum</i> 'Hah's' HAH'S CRANBERRYBUSH VIBURNUM	36" Tall	4' O.C.
	<i>Tilia americana</i> 'McSentry' SENTRY AMERICAN LINDEN	3" Cal.			EVERGREEN SHRUBS		
	<i>Ulmus carpinifolia</i> 'Regal' REGAL SMOOTHLEAF ELM	3" Cal.			<i>Juniperus chinensis</i> v. <i>sargentii</i> 'Viridis' GREEN SARGENT JUNIPER	24" Wide	5' O.C.
	ORNAMENTAL TREES				<i>Juniperus chinensis</i> 'Seagreen' SEA GREEN JUNIPER	24" Wide	4' O.C.
	<i>Amelanchier grandiflora</i> APPLE SERVICEBERRY	6' Tall	Clump Form		<i>Juniperus chinensis</i> 'Kallays Compact' KALLAY COMPACT PFITZER JUNIPER	24" Wide	4' O.C.
	<i>Betula nigra</i> RIVER BIRCH	6' Tall	Clump Form		<i>Taxus x media</i> 'Densiformis' DENSE YEW	24" Wide	4' O.C.
	<i>Cornus mas</i> CORNELIANCHERRY DOGWOOD	6' Tall	Clump Form		PERENNIALS AND ORNAMENTAL GRASSES		
	<i>Crataegus crus-galli</i> inermis THORNLESS COCKSPUR HAWTHORN	6' Tall	Clump Form		<i>Calamagrostis x acutiflora</i> 'Karl Foerster' #3 FEATHER REED GRASS	36" O.C.	
	<i>Malus</i> 'Prairifire' PRAIRIFIRE CRABAPPLE	6' Tall	Clump Form		<i>Hemerocallis</i> 'Happy Returns' HAPPY RETURNS DAYLILY	#1	18" O.C.
	EVERGREEN TREES				<i>Miscanthus sinensis</i> 'Gracillimus' MAIDEN GRASS	#3	36" O.C.
	<i>Abies concolor</i> WHITE FIR	8' Tall			<i>Pennisetum alopecuroides</i> 'Hamelin' DWARF FOUNTAIN GRASS	#1	24" O.C.
	<i>Picea glauca</i> 'Densata' BLACK HILLS SPRUCE	8' Tall			<i>Rudbeckia fulgida</i> 'Goldsturm' BLACK-EYED SUSAN	#1	18" O.C.
	<i>Picea pungens</i> GREEN COLORADO SPRUCE	8' Tall			<i>Salvia nemorosa</i> 'East Friesland' EAST FRIESLAND SALVIA	#1	18" O.C.
	<i>Thuja occidentalis</i> 'Techny' MISSION ARBORVITAE	6' Tall			<i>Sporobolus heterolepis</i> PRAIRIE DROPSEED	#1	24" O.C.



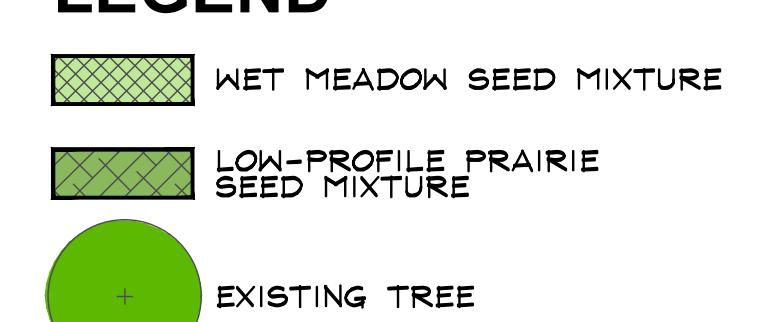
8' BOARD ON BOARD FENCE DETAIL

NOT TO SCALE

PLANTING DETAILS



LEGEND



GENERAL NOTES

1. Contractor shall verify underground utility lines and is responsible for any damage.
2. Contractor shall verify all existing conditions in the field prior to construction and shall notify landscape architect of any variance.
3. Material quantities shown are for contractors convenience only. The Contractor must verify all material and supply sufficient materials to complete the job per plan.
4. The landscape architect reserves the right to inspect trees and shrubs either at place of growth or at site before planting, for compliance with requirements of variety, size and quality.
5. Work shall conform to American Standard for Nursery Stock, State of Illinois Horticultural Standards, and Local Municipal requirements.
6. Contractor shall secure and pay for all permits, fees, and inspections necessary for the proper execution of this work and comply with all codes applicable to this work.
7. See General Conditions and Specifications for landscape work for additional requirements.

MIRPLAZA

900-930 SOUTH COUNTY LINE ROAD
BENSEVILLE, ILLINOIS

PRELIMINARY LANDSCAPE PLAN

4/13/2016
4/05/2016
3/17/2016
2/29/2016

TE	1.18.16
JECT NO.	<u>AB15142</u>
AWN	TRC
ECKED	JCT
EET	

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Wednesday, July 13, 2016 2:25 PM
To: Scott Viger
Subject: Re: 900 - 930 County Line

Have a 2:30 conference call and will call once that wraps up. Thanks for setting the USB aside.

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

On Wed, Jul 13, 2016 at 2:18 PM, Scott Viger <SViger@bensenville.il.us> wrote:

I wanted to touch base with you on the CDC recommendation.

Can you give me a call?

Scott R. Viger, AICP
Village of Bensenville
Director/Community &
Economic Development
12 S. Center Street
Bensenville, IL 60106
[630.350.3411](tel:630.350.3411) Direct
[630.670.3206](tel:630.670.3206) Mobile



From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 3:00 PM
To: Mary Dickson
Cc: Joe Abel; Scott Viger
Subject: Re: Discussion with Scott

Mary,

I spoke to Scott. Some of the conditions work is certainly yours, but we seem to have an understanding. The only decision point seems to be on the path where Ed could build it or deposit an engineer's estimate. I think the question that arises is how the Village might continue the path if other owners never do and whether an SSA is an option. Being in the middle of the block, Ed is more likely to make a deposit and have it returned if you do an SSA so as not to cause a break in the district. I think that is the one question you and I may need to address. I think the path exists well north of us, so the Village would not have had that problem with the newer development on County Line that might be in the I-2 area.

Feel free to call me at (312) 927-0177, but nothing seems urgent.

Mark

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
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(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

On Mon, Jul 11, 2016 at 1:10 PM, Mark Daniel <mark@thedaniellawoffice.com> wrote:
Hi Mary,

I am back and still feeling a bit like I am on vacation... However, in keeping things clear, I wanted to make sure that you were OK with my discussing conditions with Scott:

1. The grant only to MTR is fine, but I would like to insert a standard of review that requires the proposed new beneficiary of the PUD to establish that it can meet the terms of the ordinance and I would like to expand the beneficiaries to MTR or another entity in which MTR or its members are more than 50% owners. These provisions are understandable but, as written, they can create issues for lenders, estate planning and business succession planning. The new user would not have to re-establish all of the standards or face amendments that could affect expectancy.
2. On idling, I think location makes sense and it is easier to enforce (internally and from the Village's perspective).
3. Some clarification is needed on the detention decorative fence location (is it all sides or just the sides within 15 feet of pavement?), but the conditions is acceptable.

4. On the CL Road path. The path was proposed by others, and we only showed that we could accommodate that path. If the condition were to maintain the space for the path, that would be fine, but it is on public property. As far as construction of the path is concerned, is it immediate or something that is accomplished when one side or the other will abut another path? I do worry about having a condition on the path in the ordinance because we do not know what the Village or County will want or do in the future. It could be that there is a dispute over preferences that develops. I suppose one point of discussion might be a deposit prior to issuance of a certificate of occupancy, to be refunded if the path is not pursued in five years. We also discussed whether an SSA might be an option for funding the path and how that might affect the deposit--this also affects timing of construction. (This explains a bit more about why we were only showing that the path would fit inasmuch as both the Village and MTR have their hands tied a little if we are required to build the path.)

5. I still need to ask for the street tree relief, though I think you expected this. One note in this regard. Scott refers in the staff report to the rear trees as a transition strip when those trees are not required under the ordinance. One trade relating to the street trees was the attention paid to the rear line, so this would be another part of the call.

6. Alternates.... I wanted to discuss Condition 2 with Scott so that we knew how much flexibility could be built in for neighbor preferences. One neighbor wants the fence stepped up to ten feet which is fine with us, but other neighbors may prefer different trees (so far we know of none). An adjustment of the fence height to ten feet on request of a neighbor might be allowed in the ordinance itself, but I want to confirm that Scott has the ability to accept alternate plantings if there are discussions following final approval.

Hopefully, that is all we have to discuss. I have asked if Scott might be available at 2. I actually called him and dropped the call when I realized that I should get you in the loop on this one.

Thanks again.

Mark

Mark W. Daniel
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[\(630\) 833-3311](tel:(630)833-3311)
Fax: [\(630\) 833-3511](tel:(630)833-3511)
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 2:39 PM
To: Scott Viger; Dennis McAbery; Joe Abel; Mary Dickson
Subject: MTR Fencing (last note)

Scott and Dennis,

We have been discussing "board on board" wood fencing. In reviewing for today, Joe Abel recalled a discussion with a neighbor and we agreed the fence would be a wood fence with the boards next to each other (or flat). This is a better maintenance option and avoids gaps (sound if any won't pass through).

Mark

--
Mark W. Daniel
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17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 1:11 PM
To: Mary Dickson
Cc: Joe Abel; Scott Viger
Subject: Discussion with Scott

Hi Mary,

I am back and still feeling a bit like I am on vacation... However, in keeping things clear, I wanted to make sure that you were OK with my discussing conditions with Scott:

1. The grant only to MTR is fine, but I would like to insert a standard of review that requires the proposed new beneficiary of the PUD to establish that it can meet the terms of the ordinance and I would like to expand the beneficiaries to MTR or another entity in which MTR or its members are more than 50% owners. These provisions are understandable but, as written, they can create issues for lenders, estate planning and business succession planning. The new user would not have to re-establish all of the standards or face amendments that could affect expectancy.
2. On idling, I think location makes sense and it is easier to enforce (internally and from the Village's perspective).
3. Some clarification is needed on the detention decorative fence location (is it all sides or just the sides within 15 feet of pavement?), but the conditions is acceptable.
4. On the CL Road path. The path was proposed by others, and we only showed that we could accommodate that path. If the condition were to maintain the space for the path, that would be fine, but it is on public property. As far as construction of the path is concerned, is it immediate or something that is accomplished when one side or or the other will abut another path? I do worry about having a condition on the path in the ordinance because we do not know what the Village or County will want or do in the future. It could be that there is a dispute over preferences that develops. I suppose one point of discussion might be a deposit prior to issuance of a certificate of occupancy, to be refunded if the path is not pursued in five years. We also discussed whether an SSA might be an option for funding the path and how that might affect the deposit--this also affects timing of construction. (This explains a bit more about why we were only showing that the path would fit inasmuch as both the Village and MTR have their hands tied a little if we are required to build the path.)
5. I still need to ask for the street tree relief, though I think you expected this. One note in this regard. Scott refers in the staff report to the rear trees as a transition strip when those trees are not required under the ordinance. One trade relating to the street trees was the attention paid to the rear line, so this would be another part of the call.
6. Alternates.... I wanted to discuss Condition 2 with Scott so that we knew how much flexibility could be built in for neighbor preferences. One neighbor wants the fence stepped up to ten feet which is fine with us, but other neighbors may prefer different trees (so far we know of none). An adjustment of the fence height to ten feet on request of a neighbor might be allowed in the ordinance itself, but I want to confirm that Scott has the ability to accept alternate plantings if there are discussions following final approval.

Hopefully, that is all we have to discuss. I have asked if Scott might be available at 2. I actually called him and dropped the call when I realized that I should get you in the loop on this one.

Thanks again.

Mark

Mark W. Daniel
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Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 12:54 PM
To: Scott Viger
Cc: dmcabery@gmail.com; Joe Abel; Mary Dickson
Subject: MTR North Fencing

Scott,

I spoke to the owner of the lot north of the development site (Dennis McAbery is copied). MTR will agree to extend the fence from its current depicted location easterly to a point directly north of the northeast corner of the proposed new building. The height of the fence will be up to eight (8) feet, with flexibility allowed to drop the fence to six (6) feet if Dennis prefers. This would avoid a fence in the actual front yard, leave only two new trucks visible (nothing other than new trucks will be in those seven spaces). The spaces are angled and head-in spaces, so Dennis would be looking at the cabs and not the rear of the trailer.

I do have a few things to address with you on the conditions. MTR is amenable to presenting conditions that meet your proposed conditions with some clarification on Items 1, 3, 5 and additions for the fence changes and on the topic of idling (suggesting a location limitation rather than stepping into the idling regulations at the state level, i.e., no idling in new truck outdoor display areas or west of our east fence between the buildings except for deliveries and tow trucks and leaving state law to apply to the remainder of the property). This avoids you having to consult with meteorologists and consider duration of idling in dealing with enforcement.

Is there a chance that you are available at 2 PM? I am copying this to Mary Dickson but figured that I would leave this

Mark W. Daniel
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mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, July 11, 2016 10:45 AM
To: Scott Viger
Subject: Re: C DC tonight

Just left you long voice mail... Gut cut off because I was likely getting into something that you didn't need to hear until later when we talked anyway.

Please try my cell at 312-927-0177 when you can.

Thank you.

Mark

Mark W. Daniel
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17W733 Butterfield Road
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Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

On Mon, Jul 11, 2016 at 8:58 AM, Scott Viger <SViger@bensenville.il.us> wrote:

Good morning Mark –

For your presentation at tonight's Special CDC meeting, do you have a PowerPoint or other electronic type of presentation?

I want to be sure I know how to run our system.

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

[630.350.3411](tel:630.350.3411) Direct

[630.670.3206](tel:630.670.3206) Mobile



From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Sunday, July 03, 2016 2:01 PM
To: Scott Viger
Subject: Re: 900 - 930 County Line Road

Thank you Scott. Happy Fourth

On Thursday, June 30, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

Good afternoon Mark –

The staff report virtually completed and will get it to you ASAP.

I have heard from two member of the public on your client's proposal.

1. The non – residential property owner to the north inquired if the North property line fence could be extended to the east to screen the display area from his building. I mentioned to him to call you.
2. And I heard from a resident abutting the property (of course to the west) who was concerned with the trash enclosure location “right on the property line” next to his rear yard.

Thought I would pass these comments along and allow you to see if you could accommodate either or both of these concerns.

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

630.350.3411 Direct

630.670.3206 Mobile



BENSENVILLE
COMMUNITY & ECONOMIC DEVELOPMENT

--

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mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, June 27, 2016 2:29 PM
To: Scott Viger
Cc: Mary Dickson
Subject: Re: CDC#2016 - 09 900 - 930 County Line Road

It should end with "light pollution; and", and it is at six pages.

On Monday, June 27, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

The Appendix "A" Proposed Recitals of Findings of Fact copies your fellow dropped off the other day

ends on page A – 6 seemingly mid-sentence. Is that correct?

Scott R. Viger, AICP

Village of Bensenville

Director/Community &

Economic Development

12 S. Center Street

Bensenville, IL 60106

630.350.3411 Direct

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--

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(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Monday, June 27, 2016 2:24 PM
To: Scott Viger
Cc: Mary Dickson
Subject: Re: CDC#2016 - 09 900 - 930 County Line Road

Guys,

I will check the one I emailed you. It should not have been any different.

Mark

On Monday, June 27, 2016, Scott Viger <SViger@bensenville.il.us> wrote:

The Appendix “A” Proposed Recitals of Findings of Fact copies your fellow dropped off the other day

ends on page A – 6 seemingly mid-sentence. Is that correct?

Scott R. Viger, AICP

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--

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Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Friday, June 24, 2016 8:59 AM
To: Scott Viger; Mary Dickson
Cc: Joe Abel
Subject: Meeting

Met for about 90 minutes to discuss all elements of the project more owners on County Line than along John. Linda was there and there was a lot of discussion about the new comp plan and change. We discussed at length how the PUD operates as a more specific regulation than the zoning ordinance and that Ed's reduction of building size for outdoor area is what made the project different than others the might be permit/as of right (outdoor use). Discussed how the PUD drives the west lot line improvements, how Village or a neighbor could enforce failed trees, a broken fence. When through hours of operation. Reported outside range was 7-7 with occasional weekend likely 9-1, no Sunday's planned. Discussed lighting, sound etc.

Joe let Linda know we didn't mind changing trees or adjusting fence height according to neighbor preferences.

We left the meeting with an understanding that neighbors could call me or Joe. She has our contact. Split of industrial owners was one directly south, one two lots north and one at other locations north.

Mark

--
Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, June 23, 2016 11:14 AM
To: Scott Viger
Subject: Re: Taxes

States and Village's cannot tax trucks used in interstate commerce and registered for use with the ICC. In essence, if Artvan or a beer distributor buys a truck, the exemption does not apply. If the a trucking company that ships in interstate commerce or a distributor in Interstate commerce (possibly a Wal-Mart?) buys a truck, then an exemption kicks in so that the sales taxes do not apply and ICC registration fees kick in (licenses, tags, etc.). See discussion of "Interstate Common Carriers" at <http://www.bkd.com/articles/2012/sales-tax-exemptions-for-interstate-common-carriers.htm>

I am informed that for the trucks MTR will sell the ICC exemption is a minority of transactions. Small enough that it would not ordinarily be considered.

Please let me know about the other taxes so I can get the information to you today. I suppose I would be more concerned about the Village's 1% question on vehicle sales involving the ST-556 form because you might be losing a percent if it really is supposed to be 8% and not 7%

Local Government

:

Bensenville

County

:

DuPage

Location Code

:

022 0003 1

Rate as of

:

6/23/2016

Tax Rates

Sales Taxes (retailers' and service occupation taxes)

General Merchandise

8.000%

Qualifying Food and Drugs

1.750%

Vehicle (ST-556 and ST-556-LSE)

7.000%

If the vehicle or trailer is titled and registered to a Chicago address, a Chicago Home Rule Tax of 1.250% is imposed in addition to the vehicle rate listed above, making the rate 8.250%.

If the vehicle or trailer is titled and registered to an out-of-state location, you (the dealer) may be required to collect tax. Refer to ST-58, Reciprocal - Non-Reciprocal Vehicle Tax Rate Chart.

Use Taxes (use and service use taxes)

General Merchandise

6.250%

Qualifying Food and Drugs

1.000%
Vehicle (RUT-25) and RUT-25-LSE
7.000%
Other Related Sales Taxes
County Motor Fuel Tax
\$0.04 per gallon
Automobile Renting Taxes
Automobile Renting Tax (occupation)
6.000%
Automobile Renting Tax (use)
5.000%
Telecommunication Taxes
Telecommunication Taxes
13.000%

Mark W. Daniel
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On Thu, Jun 23, 2016 at 10:29 AM, Scott Viger <SViger@bensenville.il.us> wrote:

Can you please explain the ICC exemption?

Scott R. Viger, AICP
Village of Bensenville
Director/Community &
Economic Development

12 S. Center Street
Bensenville, IL 60106
[630.350.3411](tel:630.350.3411) Direct
[630.670.3206](tel:630.670.3206) Mobile



From: Mark Daniel [mailto:mark@thedaniellawoffice.com]
Sent: Thursday, June 23, 2016 10:24 AM
To: Scott Viger <SViger@bensenville.il.us>; Victoria Benham <VBenham@bensenville.il.us>
Cc: Mary Dickson <marydickson@bond-dickson.com>; Joe Abel <jlabel@ameritech.net>
Subject: Taxes

Scott,

In the tax analysis I am near final. There are a number of exemptions that could kick in that are the ones you could expect, but I.C.C. carriers are exempt and subject to other laws (federal interstate commerce).

The tax rates I have identified are:

State: 6.25%, of which 16% reaches Bensenville

County: 0.75%

Village: 1%

RTA: 0.75%

On the RTA side of things, I am a tad confused but it does not affect Bensenville other than indirectly. Scott and I discussed an 8% rate, but the RTA rate would add to that. Also, the DuPage Water Commission rate of 0.75% expired or was repealed on May 31, 2016.

I am reviewing this with Joe Abel and Eduardo, but please let me know if you are aware of other tax rates. The MyTaxIllinois website provided me with different numbers (8% general and 7% for vehicle (SST-556 which is

the form that MTR would be completing, possibly with an RUT-7 for ICC vehicles). Do you know why this distinction exists? I cannot see where the Village's 1% falls off under 3-2-1, et seq of the municipal code, so I am still using the 8% overall tax rate..

Mark W. Daniel

DANIEL LAW OFFICE, P.C.

17W733 Butterfield Road

Unit F

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mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, June 23, 2016 10:24 AM
To: Scott Viger; Victoria Benham
Cc: Mary Dickson; Joe Abel
Subject: Taxes

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From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Friday, June 17, 2016 10:21 AM
To: Scott Viger
Cc: Mary Dickson
Subject: Re: Legal Notice MTR

From what I understand, you are sending notice to the list folks, posting and handling the paper. Please correct me if I am mistaken.

All I want to do is insure that the notice meets the needs of the Village and Applicant. Please give me a call if you have any needs on that front.

Mark W. Daniel
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On Fri, Jun 17, 2016 at 7:41 AM, Scott Viger <SViger@bensenville.il.us> wrote:

Top of the morning Mark –

Forgive me but I have forgotten.

The legal Notice goes to the Bensenville Independent on Monday 06.20.16. Normally staff handles that and are prepared to do so. I wanted to double-check that you will NOT send the legal to the paper.

Scott R. Viger, AICP

Village of Bensenville

Director/Community &
Economic Development

12 S. Center Street

Bensenville, IL 60106

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[630.670.3206](#) Mobile



From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, June 16, 2016 4:16 PM
To: Mary Dickson; Scott Viger; Victoria Benham
Subject: June 16 Narrative Revision
Attachments: REVISED NARRATIVE FINAL.pdf

All,

I am attaching the June 16 revision to the MTR Plaza narrative. As noted previously, I will drop off signed versions of the narrative with the appendix sent earlier. I will bring 17 copies by Village Hall unless I hear from you.

It is possible that I might be able to stop in at 1 PM if Scott or Victoria wishes to address the legal notice. I would also retrieve any available staff or parallel agency reports.

Thank you.

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NARRATIVE IN SUPPORT OF APPLICATION & PETITION
MTR PLAZA
900-930 SOUTH COUNTY LINE ROAD (PINs 03-24-406-037, 038, 076, 072)
BENSENVILLE, DUPAGE COUNTY, ILLINOIS

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SUMMARY OF APPLICANT'S REQUESTS
(Revised Following Initial Staff Review¹)

MTR, LLC, directly and as authorized by landowners, and acting through MARK DANIEL of DANIEL LAW OFFICE, P.C., respectfully seeks approval of a planned unit development with departures and exceptions from the Zoning Ordinance² so that it may proceed with development of 900-930 South County Line Road (the “Subject Property”) for a newly constructed truck sales and assembly center (on Lot 1) and a modification to the existing truck repair use (on Lot 2). The sales component of the use on Lot 1 will not occupy more than 20% of the area of Lot 1 and it will occur on the interior of the building and where depicted on the north and east portions of Lot 1, with no sales activity occurring west of the rear

¹ Applicant submits this revision following initial staff review in order to allow convenience in reviewing the narrative in one document rather than in its original form with a supplement. The changes herein are responsive to staff comments and not to be taken as suggestions from staff.

² Applicant seeks approval of the proposed two-lot planned unit development with authorized uses and exceptions from the Zoning Ordinance. The departures are identified in the proposed legal notice and depicted in the Combined Preliminary and Final PUD Plan for MTR Plaza as well as the MTR Landscape Plan. Applicant believes the Zoning Ordinance allows a slightly modified development as of right, but it pursues a planned unit development in order to apply the flexible planning mechanism for the benefit of the Village, neighbors and MTR itself. Nothing in this request operates as any form of abandonment of the right to use the existing building and property as a truck repair facility.

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building wall. Lot 2 will host a truck repair, service and parts facility--an existing use that is intended to continue with modifications that will occur over two phases. Through these approvals, the Village will authorize development on two distinct parcels within a single PUD. The resulting ordinance should contemplate the independent regulation of Lot 1 and Lot 2 so that they are capable of operation and regulation as distinct units.

Applicant respectfully asks that the Community Development Commission recommend and that the Village Board approve those ordinances and resolutions necessary to permit the development of Lot 1 and Lot 2 as depicted in the plans submitted. Applicant requests that the Village Board approve a planned unit development plat suitable for recording, but which also allows for future adjustments for either lot without creating potential clouds on title or future regulatory difficulties that would prevent independent regulation or review of each lot.

Attached to this narrative is a recitation of proposed findings that reflect compliance with the standards of the zoning ordinance (proposed in a format that should be more efficient to staff and notwithstanding the reflection of many of them in this narrative or the plans). At hearing, witnesses will present evidence supporting the application and be available for examination and questions from the Community Development Commission and others. Approval of the requests will support the improvement of land in an area that has recently undergone planning for new and redeveloped uses. The development of the Subject Property in accordance with the requests will have no undue detrimental impact on nearby uses or on the general welfare of the Village, its residents and its visitors. The development of the Subject Property to a vibrant light industrial use with a retail sales component not only meets the Village's planning objectives in the area, but it also significantly improves economic and quality of life expectations in an area comprised of mixed uses that will benefit from regulation as a planned unit development.

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Applicant addresses the application in the narrative below and does so in each topical area where relief is necessary before touching on the standards and suggesting proposed findings. Applicant appreciates the forthcoming effort of the Community Development Commission and the Village Board as they consider this new and modified development in the context of a planned unit development.

ABOUT THE APPLICANT

MTR, LLC owns what will essentially become Lot 2 and owners of Applicant own the currently vacant area that will comprise Lot 1. Applicant's key players and a number of its employees are happy to call Bensenville their home. MTR, LLC operates a truck repair and service business on the land planned for Lot 2. Prior to the transfer of the Lot 2 land, Applicant operated a towing and repair business in Cook County. Applicant wishes to develop a new truck dealership that will engage in sales and assembly of trucks on Lot 1. Applicant intends to develop the Subject Property so that it can continue operations in Bensenville rather than at one of the vacant auto dealer or vehicle repair sites that dot other portions of Cook County and DuPage County.

Applicant will develop the Subject Property and initiate a series of controls that allow the Village assurances that the PUD ordinance, recorded PUD plat, easements and covenants will continue to operate in a unified fashion even though distinct owners or occupants may be involved on zoning lots that will be capable of independent regulation. A declaration of covenants will address property maintenance and repair, fences, security, the waste enclosure, cross access, parking and, dependent upon final engineering, stormwater management. Applicant and its principal owners have been in communication with an international manufacturer of trucks and will negotiate a franchise agreement. The resulting terms of the franchise agreement will affect business planning as well as land use; however, Applicant believes the PUD will support a thriving business in this part of the Chicago metropolitan area while also providing comfort in its development at the location from a planning perspective.

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DEVELOPMENT OF THE SUBJECT PROPERTY

General Development

Applicant proposes to use the existing 3.3 acres to widen County Line Road, provide for three entrances (consolidated from four that would likely exist under other circumstances and six that previously existed) and two operations that share areas of the PUD in a fashion that shifts the active operations to the east, north and south while creating a substantial screen for neighbors to the west, creating visual separation from County Line Road and placing less active use areas in the west outdoor storage areas. Stormwater management planning, waste planning, loading, and division of use areas allow for clear separation of responsibility for much of what occurs within the PUD tract. Shared obligations primarily relate to access, screening and tow truck parking—all matters that arise in the larger effort to create additional benefit for the Village and neighbors.

The development enhances the County Line Road right of way and contemplates the eventual extension of the bike/pedestrian path inasmuch as Applicant proposes the relocation of street trees away from the route of the path and also proposes to remove the existing sign. A portion of each lot will host a stormwater management area that should offer distance and side yard green space. The depth of the actual front yard, substantial landscaping and decorative fencing on Lot 1 will draw primary attention to the Lot 1 use and the new truck display areas which will be isolated from residences to the west. Applicant proposes that the area for sales and display of new trucks occur inside the new building and north and east of the new building. The outdoor storage area on Lot 1 will not be used for sales activity but will be used for the storage of trucks before and during the assembly and delivery process. The appearance of outdoor storage and authorized outdoor sales will, in aggregate area, comply with the 25% lot coverage rule even if the outdoor sales areas north and east of the building are included. In other words, by appropriately

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limiting its request for relief to allow certain outdoor activities to 25% of the lot area--5% for outdoor sales and display and 17% for outdoor storage, Applicant is not compounding the outdoor use allowances.

The proposed development within the I-1 Light Industrial District preserves the public right of way by way of dedication, consolidation of locations for ingress and egress, removal of the existing monument sign, deep driveways and a blend of driveway widths and return radii that will promote access to and from all directions of traffic. There are no opposing driveways on the east side of County Line Road. The continuous left turn lane offers ample space for a truck of 30-32 feet in length (sales) or 60 feet in length (towing and some deliveries) to make a lawful turn from northbound and southbound traffic.

The overall profile of the development will remain minimalist in character, inasmuch as the development falls far below the maximum 2.0 floor area ratio and meets height requirements. The interior side yards within the PUD will have an appearance similar to other abutting I-1 yards, and the building spacing is actually much greater than the prevailing conditions between other I-1 properties. While Applicant initially thought that placement of a single detention facility in the southwest corner of Lot 2 might work, the planning team firmly believes that the stationary nature of property stored in the westerly Lot 2 outdoor storage area will serve as a better buffer from sound from doors opening or closing or doors slamming. Applicant also plans for a far more substantial buffer than that which is required for the rear yard.

In further consideration of neighbors, Applicant has accepted staff reviews relating to the use of motion sensors on Lot 1 (in order to dim or turn off lights in the actual west yard area). Motion sensors cannot be used on Lot 2 because the actual west yard must be under continuous surveillance for security and client insurance purposes. Applicant has also eliminated wall signage on the north face of the Lot 1 building or the south face of the Lot 2 building.

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Some additional operational controls will prevail throughout the development. First, no noise generating operational repair or mechanical assembly activity will occur in the bays of either building unless all bay doors are closed. Second, the fenced areas will be secured during all non-operational hours and all fences will be eight feet tall, with the height of the rolling gates to be determined during permitting. Third, there will be a reciprocal access easement agreement over and between Lot 1 and Lot 2. Fourth, wall signage bearing trade names, logos and service marks will only be situated on the east faces of the buildings. Fifth, activity in the actual rear yards shall occur in areas east of the outdoor storage areas in order to maintain a greater distance between the activity and the rear lot lines. Sixth, the fences, trees landscaping will be the subject of the Village's right to direct enforcement in the event of a failure to maintain. Seventh, the design intent of the middle entrance is to have that location serve as the principal point of access, and during operational hours, no owner will have the ability to obstruct the depth of drive aisles.

The initial staff review led to inquiries that generally related to the use of both parcels and the resulting commitments of the Applicant are as follows:

1. Hours of operation will be between 7:00 AM and 7:00 PM, and any off-hours deliveries of trucks will be to an area east of the fenced portions of the lots (longstanding hours of 8:00 AM until 5:30 PM are intended to continue, but staging for the day would also continue before and after these hours though not earlier than 7:10 AM or later than 7:00 PM);
2. Applicant reduces the number of tow trucks for which it seeks permission to park flexibly within the site from six (6) to (4) and commits that it will not allow another operator's trucks to park on site for purposes other than delivery or retrieval of a truck;
3. Applicant will comply with Illinois idling laws, but notes that the outdoor idling of trucks averages 30-40 minutes per day in aggregate and Applicant must plan for sufficient

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ventilation from inside the buildings, as has been accomplished on Lot 2 previously and is proposed on Lot 1;

4. Within the site, truck spaces are drawn to a depth of 32 feet which is sufficient for a 35-foot truck because Applicant backs the trucks into spaces, against a rear axle stop that will leave 10-14 feet of the truck box extending to the rear and possibly overhanging the curb by 2.5 to 3 feet (if these operations change there is room for an extension of striping);
5. The trucks are eight (8) feet wide and the 10-foot wide spaces are sufficient;
6. The larger trucks sold or serviced by Applicant weigh roughly 12,000 pounds and one of the trucks filled with furniture could weigh 24,000 pounds (these weights are less than most of the existing truck traffic along County Line Road or elsewhere in the Village's industrial areas); and
7. At all times when work involving machinery or power tools is in progress, garage bays will remain closed.

Applicant and staff engaged in substantial discussion of the use characterization on the Subject Property. The application properly seeks approval of a planned unit development for the uses on Lot 1 and on Lot 2. No portion of the Village's ordinance lists the sale of trucks over 8,000 pounds in any district as a permitted or conditional use, and the use of Lot 1 for light assembly of pre-manufactured items into the final form of the truck sold as well as the sale of trucks over 12,000 pounds in an area not to exceed 20% of the Lot 1 area is proper. The Lot 2 use is permitted as a currently non-conforming use and conversion of the Lot 2 use to one that is approved as part of a planned unit development is also appropriate. Both of these issues are addressed in more detail below.

Lot 1 (North) of MTR Plaza

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On Lot 1, Applicant proposes the assembly-retail component that offers truck sales and truck parts sales. Truck sales of this type are different than automobile sales. The Village identifies the sale of trucks up to 8,000 pounds as a permitted use (allowable or conditional) but does not do so for sales of trucks over 8,000 pounds. Unlike what frequently occurs with respect to trucks under 8,000 pounds³, no single truck is sold and delivered without assembly occurring on Lot 1. A truck sale could occur on Lot 1, by telephone or through in-person meetings that occur off-site. An order placed by a client leads to the delivery of the chassis of the truck to Lot 1. The chassis is stored in the storage area so that it can be modified according to the needs of the client to fit the box component (compare the needs of a client for a furniture delivery box chassis to one that needs a beverage delivery truck or another box design that requires a chassis modification so allow a side door or low step rear door), to add an additional fuel tank, or to allow for a shorter or longer length. Once the chassis is modified, the chassis is transported to another location so the box can be attached. Box attachments do not occur on site. Before or after the box is attached, there could also be work on the cab to add or relocate a fuel tank, add or modify seats (furniture trucks often require three seats), add a sleeper component (longer distance trucks), add ventilation or add spot mirrors or other components. This work occurs on Lot 1. Additionally, the application of client decals will occur when the assembled chassis and box are returned to Lot 1. 100% of the trucks require some final assembly work. While the overall work to modify the chassis to allow for a refrigerated beverage delivery box could amount to ten percent of the assembly on Lot 1, it could be that an order of 100 or more trucks leads to a significant period where assembly work is far more common and comprises a much greater percentage of the work, the same rule applies for other chassis modifications. Assembling new seats and adding sleepers

³ Trucks under 8,000 pounds typically include vans, minivans, sports utility vehicles and pickup trucks that arrive fully installed upon delivery. Trucks over 12,000 pounds are typically box trucks, local delivery trucks, beverage trucks, furniture trucks, walk-in trucks and mid-range trucks—few of which are ever delivered in their assembled form. As noted herein, 100% of MTR's trucks require on site assembly.

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falls in the same category. Wheel base or chassis extensions or reductions are slightly less common, but this work can fluctuate depending on the availability of the length of truck needed and the immediacy of the client's demand.

The definition of "planned unit development" does not mention the "use" of the property inasmuch as a PUD is more focused on the integral unit being developed. Section 10-10-3(E) addressed mixed land uses as follows: "Land uses other than those allowed as permitted or conditional uses in the applicable zoning district may be permitted on up to ten percent (10%) of the net site area of a planned unit development in residential districts and twenty percent (20%) in other districts." A permitted use includes "allowable uses" and "nonconforming uses." See Section 10-2-3 (Use, Permitted: A use allowable generally within a zoning district without a conditional use permit). Section 10-2-3 and the I-1 allowable use listing in Section 10-9A-2 define "light assembly" as "[t]he assembly of premanufactured parts into finished products by use of small power tools and/or hand tools and such jigs and fixtures as are necessary, but specifically excluding any forging, metal stamping, bending, shearing or casting operations." As noted above, MTR will receive premanufactured parts and assemble them within Lot 1. The I-1 allowable use listing also identifies "Repair, rental, servicing, sales and showrooms (indoors only) of any items produced or sold on the premises as an allowable use." Whether one refers to MTR's work as described above as "servicing" or "sales" of items produced on the premises, the use fits the light assembly description while not otherwise falling within any other use category of the Village.

While Applicant understands an outsider may view the main operation as a truck dealership because this is the primary private and public economic benefit, the benefit cannot be had without the light assembly component. With this in mind, Applicant is voluntarily limiting the sales area to 20% of the area of Lot 1 under Section 10-10-3(E) of the Village's PUD standards. Applicant's operations on Lot 1 cannot proceed in the absence of the light assembly work on the chassis and cabs. Sales activity will be limited to

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the interior of the building and the north and east lines of the property—an area that will not exceed 20% of the area of Lot 1. The use is authorized and lawful under the existing standards in the Zoning Ordinance. Notwithstanding this commitment, referring to the proposed use merely as a dealership ignores the critical assembly component of the use which dominates operations when analyzed according to staffing, operational expense, on-site capital investment, hours of time dedicated and areas of Lot 1 dedicated to the assembly process.

During discussions with staff, there was inquiry into whether other communities handled similar uses by entitling them in a district that allowed assembly. In order to address this, Applicant and staff visited a Mitsubishi Fuso facility in Hodgkins, Illinois, at which staff observed the use of the types of tools and fixtures that will be used on Lot 1 (which are similar to those in use on Lot 2 where repairs occur). Hodgkins' zoning ordinance frankly does not align with the use and operations on site and it was apparent that the regulatory side was quite flexible in handling the use whether or not it was permitted or lawfully nonconforming. While the Hodgkins site, operations and regulation cannot be considered indicative of any norm, the observation of interior truck assembly and repair work, tools and fixtures used and remains somewhat relevant; however, the norm in Illinois places these uses in locations that are different from locations that merely engage sales or sales and repair.

Additionally, Applicant reviewed the handling of Mitsubishi Fuso truck operations in California, Florida, Georgia, Illinois, Indiana, Michigan, Ohio, Pennsylvania, Texas, Tennessee, and Washington. Strictly from a use perspective, some of the locations sold other brands, some sold the trucks at issue in addition to semi-tractors and trailers and some sold the trucks at issue in addition to vehicles in a class more akin to passenger vehicles. The analysis focused only on operations that included sales and assembly, service and repair. With the exception of Hodgkins, all Illinois uses were in industrial or light industrial districts. In Springfield, the use operated in a more modern industrial park under regulations that

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allowed assembly and sales of items assembled on site but did not permit “new commercial.” When prompted with a discussion of the use, staff in Springfield noted that the use would likely not be deemed “new commercial” in light of the existing operations that included the work on trucks prior to delivery. In Joliet, the City annexed a similar use in 2009 and allowed the assembly and repair as well as sales under the I-1 zoning classification when truck sales were a special use in the B-3 zoning classification.

Nationally, it is difficult to draw conclusions without enormous effort because states have rather different mechanisms for zoning such as staff-authorized or committee-approved use adjustments, interpretations, varied non-conforming use regulations, conditional or special use authorizations, and use variance approvals. Additionally, some communities used cumulative zoning use lists (i.e., a list in the I-1 might permit all uses in lower classification districts) while most abandoned this practice. Following reviews of aerial photography, applicable zoning maps, available zoning regulations and telephone conferences with necessary and staff was available, some trends developed:

1. All Indiana businesses engaged in assembly and sales of the same trucks were zoned in an industrial classification with the exception of a location within Indianapolis’ C7 High Intensity Commercial District (near the airport) which allowed light manufacturing and truck sales as different permitted uses. Ft. Wayne relied on its assembly and sales of assembled components in a district that did not allow automobile sales. The use, though older, showed recent signs of site modifications but it may have been a lawful nonconforming use.
2. All Ohio businesses engaged in assembly and sales of the same trucks were zoned in an industrial classification with the exception of a location within Avon’s C-4 General Business District which did not permit assembly but allowed auto sales and auto repair.
3. All Michigan operations businesses engaged in assembly and sales of the same trucks were zoned in an industrial classification;

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4. Most Pennsylvania businesses engaged in assembly and sales of the same trucks were zoned in an industrial classification with the exception of (a) a location near Red Lion (a rural area where the use appeared to be a lawful nonconforming use in the C-1 General Commercial District), (b) a location in an old mixed commercial and industrial area in Williamsport (staff reported they would view the use as permitted) and (c) a site with no zoning in Duncansville.
5. In California, of the 17 businesses engaged in assembly and sales of the same trucks, all but the following three were zoned in an industrial classification: (a) a location zoned "Urban Neighborhood" for which the Santa Ana regulations or staff proved to be unavailable, (b) a location in Los Angeles where sales was permitted but "incidental repair" could not be aligned with assembly, and (c) a location in Stockton zoned general commercial with permitted uses that included heavy auto repairs, truck sales and transportation services.
6. In Florida, Georgia, Texas, Tennessee, Washington and Wisconsin, more businesses engaged in assembly and sales of the same trucks were zoned industrial or business park but a handful (primarily in Georgia or Florida and near highways) were zoned in more expansive commercial classifications and operated as authorized uses (some commercial classifications authorized "assembly" or "light manufacturing" and/or sales) or lawful nonconforming uses.

No single zoning ordinance is identical to another. While definitions, application of use lists and treatment of nonconformities may well differ, the clear trend is that these uses are situated in areas and zoning districts that are very similar to County Line Road. Some uses have nearby residences as neighbors, others do not, but most are on properties that provide for ample analogies to the proposed site.

The building will be 32 feet tall with a gross floor area of roughly 12,000 square feet and a footprint of roughly 9,382 square feet. The main entrances will be situated on the east elevation and secondary entrances will be located on the north and south elevations. Three pairs of truck bays are

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proposed with garage doors on the north and south sides of the building. The six (6) truck bays on Lot 1 will handle new-vehicle display, readiness and assembly. The building will contain the display and assembly bays, a first floor sales office for parts (1,110 s.f.) and a first floor truck sales office (1,034 s.f.). There will be a roughly 2,689 square foot mezzanine for storage.

New truck display will occur on a non-exclusive basis in the six bays. Truck display will also occur in Outdoor Storage Area "B" (seven (7) 32' or smaller trucks) and in Outdoor Storage Area "C" (six (6) 19' or smaller trucks). New truck display and sales is the only activity planned for Outdoor Storage Areas "B" and "C." A 12' x 60' loading zone is situated along the west building face and the 60-foot wide Outdoor Storage Area "A" lies west of the west Lot 1 drive aisle. Even though there is no parking requirement for assembly bays or truck display bays under the Zoning Ordinance, there is room for the parking of at least twelve (12) 32' trucks in Outdoor Storage Area "A." Outdoor Storage Area "A" will not be striped.

A masonry or wood enclosure will screen the outdoor refuse area. The enclosure will allow water to drain from the enclosure and two sets of doors will open to the east. Ordinary refuse operations will occur in the enclosure. The enclosure will be divided roughly equally between the Lot 1 and Lot 2 parcels and there will be a party wall between the two distinct refuse areas. Each operation will maintain its own side of the larger enclosure, and the party wall will be addressed in the reciprocal easement agreement.

Parking within Lot 1 is sufficient for the operations on Lot 1. As reflected in the Site Parking Analysis and in the Site Plan and Parking Calculation Exhibit, 19 passenger vehicle spaces are provided when only 13 are required. Ample room for the storage of trucks exists inasmuch as 13 spaces are planned for Outdoor Storage Areas "B" and "C" and Outdoor Storage Area "A" can hold at least a few dozen 32' trucks if necessary.

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All uses on Lot 1 are lawful permitted uses or lawful conditional uses. New trucks will be on display in at least a few of the bays and Section 10-9A-2 identifies “sales and showrooms (indoors only) of any items produced or sold on the premises as an allowable use” as a permitted use. The new trucks arrive at Lot 1 for preparation before delivery to the buyer. Preparation of the trucks for delivery includes the tasks described earlier, but preparation *does not* include forging (making or shaping by heating metal in a fire or furnace and beating or hammering), stamping (pressing and shaping of metal), bending (the compressive or tensile alteration of the form of metal to a new shape), shearing (die cutting or metal cutting by force that causes the metal to fail), or casting (the pouring of hot metal into a form). The work done to prepare a sold truck for delivery qualifies as “light manufacturing” under Sections 10-2-3 and 10-9A-2 of the Zoning Ordinance (defined as “The assembly of premanufactured parts into finished products by use of small power tools and/or hand tools and such jigs and fixtures as are necessary, but specifically excluding any forging, metal stamping, bending, shearing or casting operations”). As such, the sale of new trucks that Applicant finally assembles on site prior delivery is permitted under Section 10-9A-2.

Section 10-9A-3 provides that a planned unit development is a conditional use in the I-1 zoning classification. Within a planned unit development, outdoor storage may be approved for an area not to exceed 25% of the lot area under Section 10-9A-3. Additionally, under Section 10-10-3(E), a land uses other those permitted or conditional uses in the I-1 classification may be permitted on up to twenty percent (20%) of the PUD. Between allowing outdoor storage on up to 25% of Lot 1 and allowing outdoor display and sales on up to 20% of Lot 1, there is more than ample room for Applicant’s operations proposed with 17% of the Lot 1 areas dedicated to outdoor storage and 5% dedicated to sales and display that may occur outdoors. Applicant proposes legal notice that allows the Village to continue to evaluate the best legal option, but Applicant’s uses could be permitted with three “Outdoor Storage Areas” defined as follows:

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(A) "Outdoor Storage Area A" (12,479 s.f.) for the storage of trucks and parts waiting for assembly or for delivery; (B) "Outdoor Storage Area B" (2,788 s.f.) for the outdoor display for sale of trucks not greater than 32 feet in length; and (C) "Outdoor Storage Area C" (1,000 s.f.) for the outdoor display for sale of trucks not greater than 19 feet in length. Applicant's draft legal notice includes a request for a PUD exception to avoid any screening requirements for Outdoor Storage Areas "B" and "C." The Village could, in aggregate, efficiently insure that the combined area of outdoor storage or display does not exceed 25%. Alternatively, the Village could determine that the provision of 13 outdoor truck parking spaces is in keeping with the two trucks per bay requirement under Section 10-11-11(E) and authorize sales display within the actual north side yard (Outdoor Storage Area "B") and the actual east front yard (Outdoor Storage Area "C").

Applicant addresses Zoning Ordinance compliance and satisfaction of the conditional use and planned unit development standards later in this narrative, but it respectfully submits that the Lot 1 planning as described above is strongly supportive of the application and merits approval.

Lot 2 (South) of MTR Plaza (Two Phases)

Applicant proposes to entitle Lot 2 for a continuing truck repair and parts sales use. As noted above, the term "planned unit development" does not relate to use, and the most direct mention of use in the PUD context is Section 10-10-3(E) which states as follows: "Land uses other than those allowed as permitted or conditional uses in the applicable zoning district may be permitted on up to ten percent (10%) of the net site area of a planned unit development in residential districts and twenty percent (20%) in other districts." A permitted use includes "allowable uses" and "nonconforming uses." See Section 10-2-3 (Use, Permitted: A use allowable generally within a zoning district without a conditional use permit). The Zoning Ordinance authorizes allowable uses, conditional uses and non-conforming uses. As such the use

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of a planned unit development to authorize the Lot 2 use is entirely authorized and lawful under the Zoning Ordinance.

Additionally, all uses on Lot 2 are lawful permitted uses or lawful conditional uses. New trucks with their final assembly occurring on Lot 1 will be sold on Lot 1. There may be occasions when there is a demand for a quick turnaround and a truck needs to be prepared on Lot 2. Repair and service of the same classes of trucks will occur on Lot 2. Repair and service on Lot 2 is permissible under Section 10-9A-2 which identifies “repair... servicing. . . of any items produced or sold on the premises as an allowable use” as an allowable use. The second legal justification is available to the Village and could well form a basis for the allowance of the use on Lot 2.

Site improvements will proceed with the work on Lot 1, all of which is planned to occur in Phase One. Building modifications to add bays on the north and south elevations and the addition of parking on the north side of the building will occur during Phase Two. Applicant presently plans for removal of the Lot 2 freestanding sign at the start of Phase Two. Additionally, Applicant’s draft legal notice includes relief from paving requirements so as to allow property phasing and avoid waste. This is a matter for staff and engineering discussion.

Lot 2 has generally been improved in its current format since at least March 2002, at which time aerial photography captured the improved building and ample outdoor storage, including zero-lot line storage in the rear yard. The repair use has continued to the present, with some intermittent expansion of use onto the southernmost portion of the proposed Lot 2. Applicant is aware of the issue and has been in periodic communication with staff as it plans to correct any pending issues. Applicant does not engage in truck certification or testing that once occurred on the Subject Property. Applicant is not seeking approval for truck certification or testing as part of this use and the prior use will not return to Lot 2 without specific approval from the Village as a result of the planned unit development. In the absence of a limitation in

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the PUD approval, MTR or a subsequent owner could continue this operation. Removing this option would solidify confidence that prior complaints have not been resolved.

The Lot 2 building is roughly 30 feet tall with a gross floor area of roughly 12,637 square feet and a footprint of roughly 11,360 square feet. The main entrance is situated on the east elevation and secondary entrances are on the north, west and south elevations. Three pairs of truck bays and an additional bay exist on the interior of the structure, all of which gain access from garage doors on the west (2) and east (1) elevations. Phase Two plans call for the addition of three garage bay doors on the north and south elevations. The seven (7) truck bays on Lot 2 handle truck (and will continue to handle) repairs for trucks of a variety of sizes, most of which are 32 feet or shorter. The building contains a first floor sales office for service and for ancillary parts sales (roughly 867 s.f.) and a mezzanine storage area (roughly 1,100 s.f.). Various portions of the garage and bay area contain restrooms and rooms for other repair. The existing configuration of interior operations will not change.

Ample area for the storage of trucks for insurance review is provided in a single Lot 2 Outdoor Storage Area comprised of 9,630 square feet in the actual rear yard. South of the building and inside a sliding gate there are 17 truck parking spaces. The Lot 2 Outdoor Storage Area and these parking spaces is less than 25% of the area of Lot 2. Storage of materials, including trucks that will be in place for a longer duration (typically the result of insurance adjuster planning and determinations), will be situated on the west side of Lot 2. The striped parking spaces south of the Lot 2 building can host trucks up to 32 feet in length. Fourteen of the seventeen spaces are reserved for trucks waiting for service or repair, thus meeting the requirement of Section 10-11-11(E) while an additional three (3) spaces are reserved for trucks waiting for pickup. The westerly portion of the Lot 2 Outdoor Storage Area could host trucks waiting for repair or, in rare cases, trucks waiting for pickup. However, this area has historically been the location where those

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trucks pending insurance determinations are held. Some of these trucks might be set up for repair on site and occasionally elsewhere while others are designated for junk and removed.

A 12' x 60' loading zone is situated along the across the drive aisle from the sprinklered and vented container for tire storage next to the west building wall. The southern half of the 8-foot or taller masonry or wood enclosure serves as the refuse area for Lot 2. The design and maintenance of the Lot 2 portion of the refuse area will be as described above for the Lot 1 portion.

Parking within Lot 1 is sufficient for the operations on Lot 1. As reflected in the Site Parking Analysis and in the Site Plan and Parking Calculation Exhibit, well over 14 truck parking spaces are available for the seven (7) repair bays on Lot 2. Additionally, 18 passenger vehicle spaces are provided when only 14 are viewed as required. The Village's repair calculation for parking assumes one employee space and the maximum number of employees on site does not exceed 14. This is the same figure that results from bifurcating the areas of use into office or repair. The additional four (4) spaces provide for some level of flexibility for those times when more employees might be needed.

Section 10-9A-3 provides that a planned unit development is a conditional use in the I-1 zoning classification. As a lot within a planned unit development, outdoor storage may be approved for an area not to exceed 25% of the lot area under Section 10-9A-3. Additionally, under Section 10-10-3(E), land uses other than those permitted or conditional uses in the I-1 classification may be permitted on up to twenty percent (20%) of the PUD. This could drive a decision to abandon inclusion of the seventeen truck parking spaces in the Lot 2 Outdoor Storage Area, but Applicant proposes that the Village consider approval of an aggregate area of not greater than 25% that will serve as outdoor storage or truck parking. There is more than ample room for Applicant's Lot 2 operations under whatever method the Village prefers. Applicant proposes legal notice that allows the Village to continue to evaluate the best legal option, but Applicant's uses could be permitted with a single "Lot 2 Outdoor Storage Area" with an area

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of 15,500 square feet and defined as the area depicted on the plans for the storage of property and parking of trucks waiting for repairs, service or pickup. As noted with respect to Lot 1, the Village could efficiently insure that the combined area of outdoor storage and parking of trucks waiting for repair or service does not exceed 25% of the area of Lot 2. Alternatively, the Village could determine that the provision of 17 outdoor truck parking spaces is in keeping with the two trucks per bay requirement under Section 10-11-11(E). Indeed, the latter option is required and would proceed as of right.

Applicant addresses Zoning Ordinance compliance and satisfaction of the conditional use and planned unit development standards later in this narrative, but it respectfully submits that the Lot 2 planning as described above is strongly supportive of the application and merits approval.

Uses Outside of Principal Buildings

Applicant proposes to use outdoor areas on the property for several purposes beyond open space, landscaping, passenger vehicle parking, loading and stormwater management. First, Applicant will park trucks in a collection of designated parking spaces that qualify as off street parking spaces on Lot 1 (north and east) and on Lot 2 (south). Second, Applicant may park trucks in the areas identified as the Outdoor Storage Area "A" on Lot 1 and the Lot 2 Outdoor Storage Area. These trucks may or may not have full licenses and permissions to operate, but they will all be capable of operation or repair. The truck display areas can be characterized as off street parking since the trucks will all be operable, but they also fall within the definition of "outdoor sales and display area" without necessarily becoming outdoor storage because the trucks are intended to move each day the business is open. Third, there is a single existing container tied to the ground in a roughly 400 square foot area on Lot 2 that serves as a ventilated and sprinklered tire storage area (this container has a low profile and is situated between the two garage doors on the west elevation of the building and it qualifies as an accessory building or outdoor storage.

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Lot 2 will park or store trucks that have been damaged or that have suffered a casualty of some type. These trucks will be parked in areas closer to the west line of Lot 2 because they move less frequently. Many of these trucks are in operating condition but some may not be operable. Applicant understands that it cannot store more than two (2) inoperable trucks outdoors for longer than thirty (30) days. Applicant does not store parts in the open (parts are stored on the interior of the principal building on Lot 2 but it needs to store tires in the container). Applicant's practice is to allow insurance adjusters a reasonable period to evaluate the condition of vehicles. Typically, the periods fall short of thirty (30) days, and if there is a special circumstance that extends this, the situation typically involves more evaluation of a truck that leads to the truck being stored inside for a period.

Operations on Lot 1 and Lot 2 will entail the receipt of or disposition of large truck components. Received products or truck parts for disposition will occasionally be stored in Outdoor Storage Area "A" on Lot 1 or in the Lot 2 Outdoor Storage Area. The outdoor storage areas west of the building might also be a location for empty shipping or freight containers and crates, a water tank, oil collection or other receptacles. While the waste enclosure is large enough to service Lot 1 and Lot 2, there will be occasions when materials for off-site disposal need to be stored outside for a period prior to hauling.

Applicant operates two tow trucks relating to the Lot 2 business. Parking for these tow trucks would ordinarily be situated in the actual rear yard, but Applicant seeks permission to vary the locations where up to four (4) tow trucks might park and to allow these locations to include the spaces on the south side of the principal building or drive aisles north, south and west of the principal building on Lot 2. Tow trucks operate when needed, so a disabled truck call from an MTR client could lead to use of a tow truck during the early morning hours or during the evening hours. Allowing tow trucks to park at these locations, rather than near the rear lot line, will afford neighbors even more confidence that they will not be disturbed in the enjoyment of their properties as a result of towing operations.

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Signage

Due to the importance of area traffic circulation and visibility of the operations on the Subject Property, Applicant initially proposes to install one freestanding, ground-mounted monument business sign on Lot 1 and eventually construct a new such sign for Lot 2 along County Line Road. Staff expressed some concerns over preserving the existing sign and Applicant now proposes to remove the existing sign and rely on one ground mounted sign until Applicant determines to construct a ground-mounted monument sign of similar appearance to the Lot 1 sign at a new compliant location on Lot 2. Applicant proposes to maintain the first new sign on Lot 1 and asks the City to allow the existing monument sign to remain until the initiation of Phase Two. The second monument sign on Lot 2 could arise at any time, regardless of phasing. This opens up additional space for the bike/pedestrian.

Additionally, signage on Lot 1 will involve three wall signs on the east elevation (one main and two subsidiary nine (9) square foot logo signs), occasional window signs and directional or other commonplace signs for the intended use. There will be an “MTR” building marker on Lot 1. Lot 2 will have three wall signs on the east wall of a type and character similar to those on the Lot 1 building, occasional window signage and other signs that are typical for the use at issue. These signs are intended to remain outside of view from the residential area to the west while still insuring that signage is sufficient to allow clients to understand which building offers which service.

HISTORY AND CHARACTERISTICS OF THE SUBJECT PROPERTY

The Subject Property lies on the west line of the County Line Road right of way (a southern 17-foot wide portion has already been dedicated to Cook County Highway Department and the northern 17-foot wide segment will be dedicated as part of this project). The Subject Property lies in the Village’s I-1 Office/Research/ Assembly/Industrial zoning classification. Properties to the north and south lie in the same I-1 ORAI zoning district. Two lots north of the Subject Property are developed for light industrial

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use and the zoning lot to the south is developed for light industrial use. The southern end of the block has been the subject of some scrutiny due to its blend of residential structures and outdoor operational uses. Further south, there has been redevelopment activity of a commercial nature. Properties to the west are zoned RS-4 Medium High Density Single Family. These parcels contain detached single family homes that are 201-205 feet west of the shared lot line. The parcels are capable of use at a density of up to 5.8 dwelling units per acre and of development as a planned unit development. Lots along John Street are on the perimeter of a larger residential area and John Street contains a mix of residential, religious and institutional uses. Properties east of the Subject Property are zoned Franklin Park I-2 General Industrial and operations on these properties, including the Nestle plant, dwarf any operations on the west side of County Line Road. I-294 is immediately behind the Franklin Park developments on the east side of County Line.

The Subject Property is comprised of four tax parcels and a collection of zoning lots at present. The northernmost portion of the Subject Property has been vacant since at least Spring 2006. The parcel directly north of the existing use on the southern portion has been vacant since at least 2008 when an outdoor storage, and contractor's operation closed. The use on the mid-southern portion of the Subject Property (truck repairs and service that once included truck safety testing and inspections) has long been in existence. The use on the narrower far southern end of the Subject Property is has fluctuated from contractor's yard and storage, to ancillary office, to storage, to vacant and to occasional storage and parking. The ongoing use of the southern portion of the Subject Property for truck repair and service is lawful.

Presently, there is no buffer of any kind on the Subject Property. The southern portion features a metal chain link fence that reaches at least eight feet and one can see right through the fence into the outdoor storage and parking area. There is some stormwater management on site and the existing use

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relies on concrete that is much thicker than required. The site requires substantial landscape work on unpaved areas in order to meet the terms of the Landscape Plan. A garage and cement pad on the north end of the Subject Property will be demolished as part of Phase One and the new Lot 1 development.

Historically, the Subject Property had access at six points along County Line Road (one south of proposed Lot 2) and it had no competing access drives across County Line Road in Franklin Park. The development contemplates access from three drives, with the central driveway being the busiest of the three.

Neighboring parcels to the west feature single family homes with a diversity of rear yard uses and structures. Some of these parcels have dense rear lot landscaping (such as part of 903 S. John St. and all of 915 and 917 S. John St.) while others have no rear lot landscaping (such as 921 S. John St.). 919 S. John St. and 923 S. John St. have rear yard landscaping at locations that vary. Accessory structures range from sheds and garages to swimming pools (two) and a garden. Structures on these lots vary in their age and design as well as in their condition. Many of the homes reach two stories and will benefit from the upper and lower screening on the west property line of the Subject Property.

The homes along John Street and west gain access from multiple directions, but the intersections of Belmont Avenue with County Line Road (roughly 335 feet south of the Subject Property) and of George Street with County Line Road (roughly 1,200 feet north of the Subject Property) are disconnected from the residential area geographically, physically and from a planning perspective. The true draw to the residential area west lies in the amenities of a large single family residential neighborhood that is uninterrupted from one side to the other. The transition from residential to industrial would naturally occur at the rear lot line, as it does for the largest Bensenville stretch of County Line Road. The residential area immediately west of the Subject Property has entrances of a residential character along George Street and at points further west of John Street, but its access character along County Line Road has and will remain industrial due to the Bensenville uses and the sprawling Nestle complex—not to mention I-294.

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The proposed development furthers the Village's interest in redevelopment by modernizing the site, screening storage areas, adding landscaping and setting buildings back from the street. The development allows for a wider County Line Road and takes into account the future extension of a bike/pedestrian path. Applicant notes that street trees will be of minimal value in this stretch of County Line Road inasmuch as the immediate vicinity lies near I-294 and next to the Nestle plant.

The immediate I-1 uses on the block offer relatively small rear yard buffer areas when compared to the Applicant's proposal of a fenced and screened buffer ranging from 10 feet to 33.7 feet along the west line of the Subject Property. Historically, large tracts of the block have been utilized for outdoor storage and contractors' yards and for development with little or no buffering. In this instance, Applicant is improving the longstanding condition along 420 feet of its rear lot line by installing a buffer that averages 20 feet or more and contains large trees and an eight foot tall fence.

SUMMARY OF PUD AUTHORIZATIONS AND DEPARTURES

As with many planned unit developments, the development contemplates a number of authorizations that include exceptions and departures from the Zoning Ordinance and Comprehensive Plan—occasionally termed variations under the Zoning Ordinance even though the flexibility is not governed by the standards governing variations. Exercise of regulatory flexibility in this instance is justified by the Applicant's extra efforts given the location of the property in an area of town that contains a mix of several uses. The proposed legal notice identifies the collection of exceptions from the Zoning Ordinance and the vast majority of these exceptions serve the public interest more than that of the Applicant.

CONDITIONAL USE AUTHORIZATIONS

Through the PUD authorization, the Village will approve a planned unit development that includes the cooperative use of Lot 1 and Lot 2, all as described above. The PUD will also authorize conditional

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uses that are the subject of Village approval and other uses (similar uses, outdoor display and sales) that would be the subject of staff approval or Village Board approval. The intent behind the PUD will be one development with two uses on distinct zoning lots that remain capable of independent regulation in the future. The Village's zoning standards will continue to consider the impact of a change on one lot upon the adjoining and area lots, so the planned development approval will continue to guide future decisions.

EXCEPTIONS OR DEPARTURES CONCERNING USE

With respect to Lot 1, Applicant asks the Village to authorize the outdoor display of trucks available for sale in the required and actual east front yard. Under Section 10-11-2(C), the Village Board has the authority to approve the display of goods for sale in parking spaces, so this authorization is technically not a departure or an exception concerning the use of the Lot 1. Applicant proposes legal notice that encompasses approval of outdoor display of trucks for sale in an area that is less than 6% of the area of Lot 1—far less than the 20% authorized by ordinance even if such display were viewed as not permitted. Applicant will also display trucks available for sale in the six (6) bays. It is possible that trucks that are technically still available for sale (not closed or delivered), will be parked in the larger Lot 1 outdoor storage area and shown to clients or potential clients. The principal intent of the outdoor storage area west of the building is to store trucks as they are delivered for assembly according to client specifications, during assembly and prior to client delivery. Any display of these vehicles would be nominal, and the Village can be reasonably assured of this inasmuch as the thirteen (13) outdoor spaces and six (6) indoor bays allow for nineteen trucks that can be displayed in immediately accessible areas of Lot 1.

YARD AND SETBACK FLEXIBILITY

Except with respect to the existing six (6) parking spaces in the required front yard of Lot 2, Applicant does not seek any relief from perimeter yard requirements. Applicant will remove a sign that

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was previously permitted to remain in the right-of-way following the 17-foot expansion of County Line Road (such taking being the operative event that caused the parking spaces of concern to become situated in the required front yard). The size of the spaces will not be reduced.

With respect to the interior yards within the PUD, no exceptions are necessary to authorize cross easements for access and consolidated entrances. Applicant also proposes a single screened area for refuse and the consolidation of two refuse areas into one area is best accomplished through a zero-lot line design with a party wall dividing each waste area. The waste area will be designed to avoid ponding of storm water on the interior of the waste area. Moreover, all facilities that handle used tires must comply with Title XIV of the Environmental Protection Act and the regulations governing used tire management standards found in 35 Ill. Adm. Code Part 848. Applicant currently removes tires on a weekly basis. Additionally, while Applicant considered designating an area for used tire storage, it determined that a flexible approach was best with all indications being that a centralized disposal area near the masonry enclosure would be best. Tires in the enclosure are not optimal because they may obstruct drainage. However, tires stored in the open can be managed through practices that keep the tires dry and with the use of insecticides. Applicant has not had an issue with mosquitos in the past. Nevertheless, Applicant remains willing to work with Village, County and regional officials when necessary.

Applicant meets building separation requirements, but the Village's definition of "structure" led Applicant to seek an exception for the continued use of a container along the west face of the Lot 2 building. Not only have containers become an acceptable form for storage and other operations (this container is ventilated and sprinklered), but the use of the container for new tire storage is safer from several perspectives. During certain times of the year, the addition of a second container may be utilized in the Lot 2 Outdoor Storage Area, but Applicant requires at least one container next to the Lot 2 building

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for new tire storage. The proximity of the container to the principal building on Lot 2 requires an exception from the Zoning Ordinance.

SIGN EXCEPTIONS

Applicant seeks two additional wall signs on the east elevations of its principal buildings in order to provide for logo signs that will not exceed nine (9) square feet. Wall signs on the east elevations will otherwise comply with the Zoning Ordinance. Applicant also requests additional perimeter wall signs (north elevation on Lot 1, south elevation on Lot 2) so that the building services are more readily identifiable to the public. Applicant also asks the Village to authorize two monument signs for the same purpose. Applicant proposes to remove the existing monument sign to make room for the pedestrian/bike path. Applicant would then have the opportunity to install a second monument sign (on Lot 2). The additional wall signs and the additional monument sign support better access through the middle entrance with fewer truck movements required before a truck finds the proper location on site. This serves as further protection against the unnecessary generation of noise and possible congestion on County Line Road. Advance notice provided by adequate signage avoids misdirected traffic (resulting in a multiplicity of trips) and avoids immediate deceleration hazards that occasionally arise when signage is inadequate or confusing. The planned unit development contemplates the creation of envelopes for signage that will appear in the typical locations. Applicant does not provide a sign package because it believes it can design appropriate signage within the above relief and otherwise under the Zoning Ordinance.

APPLICATION OF THE LANDSCAPE REGULATIONS

Applicant plans for 21 trees, an eight (8) foot tall fence and a buffer that ranges from ten (10) feet to thirty-three (33) feet and averages roughly twenty (20) feet. No transition strip is required for the rear (west) lot line and no transition strip exists today. Nevertheless, Applicant proposes a buffer that will effectively serve not only to screen but also mitigate sound.

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The Village requires street trees along County Line Road at certain locations, but Applicant will experience a loss of landscaping in the right of way and it is already removing a monument sign situated in the right of way in order to permit space for a bike/pedestrian path. Applicant has proposed to maintain and slightly improve landscaping on Lot 2 while providing an actual front yard that carries the appearance of the new Keeley Construction effort well north of the site, but on a smaller scale. In doing so, Applicant requests that the Village allow credit for a handful of street trees that are not within the required 2-10 feet from the edge of the right of way (specifically, three (3) trees in the northeast corner of Lot 1, one (1) tree in the southeast corner of Lot 1, and one (1) tree in the northeast corner of Lot 2).

Applicant believes that it has met the intent of the landscaping standards within the Zoning Ordinance and asks that the Village authorize development according to the Landscape Plan. In the event that there remains a deficiency in street trees on along County Line Road (required trees less trees reflected on the plan and noted at the end of the preceding paragraph), Applicant will deposit the present value of the deficiency with the Village for use at a location along County Line Road and south of the Subject Property. Inasmuch as Applicant has buffered the west lot line so significantly in the absence of a requirement to do so, Applicant believes strong justification for planned unit development approval with exceptions also arises from the abundance of additional landscaping.

ZONING REVIEW STANDARDS

CONDITIONAL USE STANDARDS

Applicant respectfully submits that it meets the conditional use standards.

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.

Applicant has operated a repair facility on the area that will be Lot 2, and it has done so without difficulty except on a few occasions when Applicant was providing truck inspection and certification

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services. These services are no longer offered. On Lot 1, Applicant intends to operate a truck dealership that serves a market of mid-sized, single chassis truck with most sales involving trucks of 32 feet in length. While there is space for semi-tractor trailers on site, these trucks are not planned to be part of the dealership; rather, semi-tractor trailers will visit the site for deliveries and loading purposes. County Line Road is a three lane right-of-way, with one lane in each direction and a dedicated central turn lane. Applicant plans to consolidate access points from six to three (3), with the central drive serving as the busiest of the three drives. There is no opposing entrance on the east side of County Line Road.

Directly north of the Subject Property, there is a neighboring driveway, but Applicant has taken precautions to insure the minimum 20-foot return radius exists at the north entrance. There is ample depth in each aisle connected to an exit, and the central aisle has ample space between improvements in the event that multiple trucks appear at once. Indeed, Applicant provides both loading zones at full size even though only one of this size is needed. Applicant also provides for an unobstructed path of 271 feet from the central driveway to the trash enclosures on Lot 1 and Lot 2 and nearly as much depth from the south driveway to the outdoor storage area on Lot 2. Similarly, ample radius in a curve preserves the ability of a truck to use the north entrance and travel to a depth of at least 250 feet.

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.

Applicant's proposed buffer combines distance, lower-level screening (a fence) and upper level screening (trees) with westerly planning for outdoor storage areas where less activity typically occurs. Applicant has, in essence, planned to utilize the south yard of Lot 2 for the more active movement of trucks waiting for repairs and to be picked up while planning to store trucks planning for repairs or in the midst of insurance review in the rear yard of Lot 2. Applicant provides for a unitary refuse enclosure. Applicant also proposes to engage in outdoor sales activity in the areas of Lot 1 that are furthest from

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residences. In addition, Applicant will not operate any tools or mechanical devices without closing all bay doors. Applicant plans to create new bay doors on the Lot 2 building (that align with the planned bay doors on Lot 1). The end result is that Applicant has made an exceptional effort to mitigate impacts of its operations from sound.

Many of Applicant's proposed exceptions from the Zoning Ordinance relate specifically to minimizing or eliminating risk to nearby uses: (a) Applicant proposes relief that will allow it to park tow trucks in more transitory locations and in drive aisles that are more removed from the RS-4 zoning district to the west; (b) Applicant proposes outdoor sales only in the northwest area of Lot 1 while planning to conduct display and sales activity on the interior and keeping display of vehicles very limited in the west outdoor storage area; (c) Applicant proposes that the Village regulate its outdoor activity areas under a maximum umbrella type of requirement that will not exceed 25% of the lot area; and (d) Applicant proposes the unitary refuse area. Further, while Applicant admittedly manages the risk of theft with the container west of the Lot 2 building, the continuation of this tire storage container serves to benefit neighbors as well. Finally, while Applicant is not required to establish twelve spaces for trucks on Lot 1, Applicant has shown that it can manage to park twelve new trucks in the process of being assembled for final delivery in the west Outdoor Storage Area "A" rather than in parking spaces so that Applicant has the discretion to park trucks on a more permanent basis as it readies them in the Lot 1 use or repairs them as part of the Lot 2 use. The intent is to plan for less movement and operation of trucks in these west storage areas than occurs in the drive aisles or in the parking areas.

Applicant meets Illinois Environmental Protection Agency requirements governing waste oil, tires and operations (sound, particulates and other matters). Applicant presently has tires for disposal retrieved from the Lot 2 area on a weekly basis. Applicant has also managed waste oil appropriately. Applicant's commitment (and requirement) that bay doors be closed avoids the intermittent sound of mechanical

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equipment that can serve as an annoyance for some. Additionally, the minimum 500 feet of separation between the driveways and the homes to the west operates to mitigate sound when so many structures (buildings, fences, stored trucks, and trees) lie in the path of the source of any sound.

Illinois' anti-idling laws affect Applicant's operations. Applicant plans to fully ventilate buildings so that trucks that run during diagnostics can run inside with the bays closed. Applicant's busiest day is typically on a Monday during the winter. Hours are generally daytime hours, but business can open as early as 5 AM and run until 7 PM or later depending on the weather. In any event, the Applicant does not add to County Line Road truck trips in a fashion that should cause concern. First, Applicant has ample room to allow trucks to enter the site without occupying County Line Road. Second, Applicant's new dealership operates differently than a car dealership and it is not as though any person can test drive a truck. Third, Applicant is a destination business, but most traveling to Applicant's site will already know what style of truck they are interested in purchasing, and those in need of repairs are towed (in a fashion that has not yet interfered with traffic) or drive in since they are part of the area truck traffic in any event.

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.

Ample testimony will be provided at hearing on this subject. However, the area is principally one that is affected by its industrial surroundings, proximity to O'Hare and location near I-294. Massive industrial facilities dominate the east side of County Line Road. The I-1 zoning district serves as a reasonable feathering buffer between the Franklin Park industrial uses and the single family homes to the west. In fact the properties in the block at issue have ample depth, typically longer than a football field. Transitioning from I-1 to RS-4 at the rear lot lines is perfectly reasonable planning and, in this particular

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case, allows Village staff and elected officials to insist on ample screening along this particular property line for this use and others.

The uses proposed for the Subject Property are, for the most part, permitted uses. A planned unit development is a conditional use and outdoor storage is a conditional use. The use of parking areas for sales or display of goods can be approved by the Village Board. Under the Zoning Ordinance, portions of Applicant's use are permitted as of right and could occur on site without the buffering contemplated by the Landscape Plan. Additionally, the enhanced rear yard space, deep drive aisles and consolidated access effort would not be required if Lot 1 and Lot 2 were developed separately. Some studios (a permitted use) have a large fleet of trucks, including much larger trucks and trucks with domes on their trailers and these could be parked without a hint of the screen proposed by Applicant.

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.

Applicant generates less traffic than virtually any use within 500 feet and on the east side of County Line Road. Applicant's intensity of use is greater than lots to the south only as a result of lot owner preferences and attempts at rezoning. Applicant's repair business is heavily dependent on seasons and weather—with the busiest season during the winter. Applicant's sales and truck assembly business on Lot 1 will generate deliveries and truck traffic, but does not do so in a volume or at an intensity that becomes problematic because all trucks will be able to safely enter and exit the property.

Applicant will dedicate 4,080 square feet (an additional 17 feet) of the area abutting the right of way and adjacent to Lot 1. Applicant is removing a valuable sign for the sake of allowing extension of a bike/pedestrian path. Applicant has planned for consolidated driveways and for safe passage of vehicles over the driveways with a clear view of the path. Where Applicant faces difficulty in avoiding loss of the

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line of sight to its buildings and pressure to place trees on the interior of the property resulting from the planned path. Applicant plans trees at locations beneficial to the public. Where Applicant falls short on the number of trees, Applicant will contribute the present value of these trees for use at a location nearby. Applicant is not seeking economic assistance from the Village.

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.

Applicant has operated in Bensenville and its owners and many of its employees call Bensenville home. They have all witnessed the changes in Bensenville and the efforts of staff and elected officials to steer the Village in the right direction after expansion of O'Hare and through the planning for western access. Despite the Village's losses along and near Irving Park Road, there remains an area vital to employment and transportation on the east side of the Village and in the I-1 district at issue. Applicant's success in the repair business at the Subject Property speaks volumes of the necessity and service to public convenience. The repair operation alone generates jobs, creates direct and secondary revenue and brings folks to town (albeit for repairs). Addition of a sales and assembly component as a result of Applicant's qualifications and standing with the franchisee under consideration not only offers to improve the Village's and other taxing bodies' bottom lines, but also allows Applicant to remain in Bensenville rather than seek out one of the several vacant dealership sites scattered around Cook County and DuPage County (perhaps with the inducements offered by the Village's immediate neighbors). Maintaining the repair operation and allowing the new assembly and sales operation in Bensenville strongly supports the general welfare.

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.

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Analysis of the planned unit development standards (addressed below) strongly favors Applicant's project in its proposed form. In addition, the Village should consider its comprehensive plan and the *LaSalle-Sinclair Pipeline* factors. Joseph Abel will appear at hearing and testify concerning this analysis, but a review of development activity amid the mix of uses that prevails on John Street and adjacent to the I-1 district indicates that the continuing planning for appropriate I-1 use has not adversely affected the area. Historical aerial photographs reflect that the Village has forced a lengthy transition from outdoor storage and contractors yards to other uses. The continued use of the area that will be Lot 2 and the proposal for the development of a sales and assembly use on Lot 1 is a result of this effort.

PLANNED UNIT DEVELOPMENT STANDARDS

In the context of a planned unit development, the Village has the ability to apply its Zoning Ordinance and Comprehensive Plan with a level of flexibility that preserves adequate space, light, air and other objectives of its land use regulations relating to the public health, safety and welfare. In this instance, the amenities offered the public by the project include a rear yard that has substantial screening and landscaping, deep drive aisles, ample spacing between buildings and an opportunity to generate local sales taxes without abandoning the light assembly intent behind the Zoning Ordinance. Indeed, the relief necessary to meet project objectives is minimal and does not abandon the detailed zoning, subdivision and sign regulations otherwise applicable.

The Subject Property faces special constraints (the need for sensitivity to nearby homeowners) and the development includes infill parcels north and south of the existing use. Encouragement of development in a fashion planned to provide adequate assurance as to the result not only for the Village but also for neighbors justifies a more flexible approach. In no instance would the west buffer be required for as-of-right development. Similarly, in the absence of the flexibility offered by the planned unit

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development, relocating the outdoor sales and display to the northeast portion of Lot 1 locates an activity that the Village regulates carefully as far from residences as possible.

The Subject Property is planned for development as an integrated unit. A reciprocal easement agreement will address cross-access, the sharing of the refuse enclosure and its compartments, as well as the responsibility for repairs and replacements. Yet, each parcel will be capable of standing on its own and amenable to independent regulation in the future—without forcing the Village to abandon its respect for neighbors and the planning objectives for the area. Through this planned unit development the Village will have approved exceptions to otherwise applicable regulations for the primary benefit of the landowners in the area and the Village itself. The Village will have converted a use that had the potential for as-of-right development to one that merited PUD approval in light of special improvements that would not normally have been available in an ordinary development setting at the Subject Property.

Approval as a planned unit development arises from Applicant's effort in creating a unified development that serves multiple private interests while also serving the public need and welfare. Exceptions are available upon the requisite finding that "they will be of benefit to the Village." Features within the development plans well exceed the minimum requirements of the Zoning Ordinance.

CONDITIONAL NATURE OF ORDINANCES

While it seems to make sense to reinforce statutory code enforcement powers by requiring owners to record zoning ordinances, the requirement that certain plats and ordinances be recorded may lead to reliance by parties other than the particular applicant benefitting from the entitlement. These third parties may then have cause, albeit minimal, to interfere with the Village's planning discretion and intentions and cause the Village and landowners problems down the road. The Village has qualified legal counsel and Applicant hopes to work in conjunction with the Village Attorney in addressing this concern. However,

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Applicant requests that all ordinances be very clear in their terms concerning an effective date that arises following the issuance of a permit on the same day the PUD plan is recorded.

CONCLUSION

Applicant presents Bensenville with a solid economic development. The planned unit development governing the Subject Property improves conditions and enhances buffering well beyond the levels required by ordinance if development proceeded as of right under the Zoning Ordinance.

Bensenville stands to benefit substantially from a development that offers parts sales and sales of new trucks. Additionally, the repair and service component offers Bensenville an employment base following a period where many businesses left or closed voluntarily or as a result of circumstances that the Village could not have prevented. There is a need for a commercial development with the proposed uses at this location. The location may be reasonably and properly developed according the plans and with the authorizations and departures from Zoning Ordinance without affecting other light industrial tracts along the west side of County Line Road, interfering with the large manufacturing uses on the east side of County Line Road or disturbing the residential uses to the west.

Applicant appreciates the Village's attention to its request. It respectfully seeks the Community Development Commission's favorable recommendation and the Village Board's approval of the zoning and land development entitlements addressed above.

Dated: April 13, 2016

Respectfully submitted,

Revised: June 16, 2016

MTR, LLC

Mark W. Daniel
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(630) 833-3311

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Thursday, June 16, 2016 3:38 PM
To: Victoria Benham; Scott Viger; Mary Dickson
Subject: Findings
Attachments: PROPOSED FINDINGS OF FACT FINAL.pdf

I have attached the Appendix to the revised narrative in PDF format. Please let me know if you have trouble accessing the document. I will be sending the narrative shortly. Since I am in Champaign, I cannot deliver printed versions of the entire document until Monday, at which time you will have a signed version of the revised narrative.

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APPENDIX "A"

PROPOSED RECITALS OF FINDINGS OF FACT

WHEREAS, the Village has determined that it can obtain more adequate space, light, and air as well as and better meet other objectives of Village land use regulations relating to the public health, safety and welfare without the literal application of the detailed zoning, subdivision and sign regulations otherwise applicable to the Lot 1 and Lot 2 of MTR Plaza, specifically: (a) Lot 1 will be developed with greatly enhanced building spacing when compared to a possible as of right I-1 light industrial development with a 32-foot tall building closer to the west lot line than called for in the plans; (b) use on Lot 2 can be conformed to avoid burdens arising from the previous zero lot line development that exists today along the west lot line; (c) a PUD for two buildings under the MTR Plaza PUD allows for development that is far below the allowable floor area ratio for the combined development of Lot 1 and Lot 2 and for each lot individually; and (d) allowances of certain exceptions from the Zoning Ordinance promote the use of outdoor areas for allowable purposes rather than continuing the use of Lot 2 near the west lot line; and

WHEREAS, special amenities and benefits to the Village beyond those required by this and other village ordinances can be achieved through the MTR Plaza design inasmuch as transitional landscape planning is not required along the west lot line but MTR Plaza provides for trees every twenty (20) feet and a wider than required landscape area as a result of the application of more flexible design standards on other lot lines; and

WHEREAS, portions of the MTR Plaza, specifically the south portion of Lot 2 and most of Lot 1, include properties that could be considered bypassed infill parcels (some of the territory is reflected in the 2015 Comprehensive Plan as underutilized and/or vacant despite its longstanding I-1 zoning classification) and a more flexible approach to land use control to make possible development that is sensitive to such constraints in the southern portion of County Line Road; and

WHEREAS, MTR Plaza is an area of land is planned for development as an integrated unit; and

WHEREAS, inasmuch as certain light industrial allowable and conditional uses, as the existing lawful nonconforming use, within MTR Plaza could proceed without such detailed design and not be subject to more detailed review and approval by the Village, the Village and the light industrial and residential neighbors stand to benefit from more flexible but still more detailed planning than is normally required; and

WHEREAS, MTR Plaza is best governed by a specific plan rather than by generally applicable zoning and subdivision regulations that contain purely quantitative standards; and

WHEREAS, MTR Plaza reflects a higher level of design and amenity than could have been achieved under the usual land development requirements; and

WHEREAS, MTR Plaza has achieved special amenity and the Village has determined to grant the applicant a desirable flexibility that not only protects but enhances the welfare of the residents, intended users of MTR Plaza and rest of the community; and

WHEREAS, MTR Plaza benefit the Village, not only through its economic impact of maintaining and creating well-paying jobs and maintaining and improving the Village's tax base, but also through site amenities that include fencing and tree planting along the west property line, continuity of signage, alignment of the County Line Road right of way, continuation of the pedestrian and bicycle path, reduction of building size below the allowable floor area ratio, use of coordinated drive aisles to reduce the number of entrances onto County Line Road, and additional matters that do more than simply meet the minimum requirements of the Zoning Ordinance; and

WHEREAS, through this Ordinance, the Village approves an industrial planned unit development for which sales could be approved as of right for the entirety of the site but does so with a limitation of sales activity to an area not to exceed 20% of the planned unit development while affording the applicant the right to engage in sales on the interior of the building on Lot 1 or in two limited areas on the north side and east side of Lot 1, away from the residential uses; and

WHEREAS, the MTR planned unit development is at least one (1) acre in size, contains two (2) or more detached principal buildings, and is under the same ownership or control; and

WHEREAS, the superior level of design and amenity in MTR Plaza justifies exceptions to standards for yard dimensions, off street parking and loading, and landscaping and screening, relaxation of dimensional and design standards for subdivisions and subdivision improvements, such as for streets, blocks, sidewalks and parkways, additional logo signs on the east faces of the planned buildings, and a mix of land uses between the two lots that include authorizing the Lot 1 use as a light industrial use that includes truck sales that may occur on not more than 20% of Lot 1 (and not on Lot 2) as well as the Lot 2 use that conforms a lawful nonconforming use to a lawful planned unit development use; and

WHEREAS, MTR Plaza includes a design that appropriately buffers residential uses which are at a higher elevation to the west by providing for 20 additional trees, an eight (8) foot tall fence, distancing of buildings and outdoor active use areas from the west lot line as well as lighting which is sensitive to community need; and

WHEREAS, MTR Plaza has situated open space that includes landscaped areas, decorative fencing and retaining walls for stormwater on the visible east lot lines of Lot 1 and Lot 2 rather than in areas isolated from public view and it has done so in a fashion consonant with recent new development north of MTR Plaza on County Line Road; and

WHEREAS, the buffering provided on the west lot line is far superior than that which would result from development in the absence of a planned unit development;

WHEREAS, the I-1 and RS-4 zoning classifications have been previously determined to be compatible adjoining zoning districts in the area of MTR Plaza but the Village has found

conflict in handling changes in existing uses or new uses in this area, but, nevertheless, the Village finds that MTR Plaza has recognized the need for sensitivity to residential areas to the west by providing for such spacing, buffering and design limits as are reflected in the plans so that the rear lot line transition from I-1 to RS-4 is accomplished in a fashion that exceeds that required by the Zoning Ordinance; and

WHEREAS, MTR Plaza allows the Village to continue the pedestrian and bicycle path in a form that is separated from County Line Road and, in the absence of any dominating drainageways or other natural features, MTR Plaza provided for visual amenity near the planned pedestrian and bicycle path; and

WHEREAS, MTR Plaza reflects a creative adaptation of a territory that includes bypassed infill of recent date to a use that has the character of its environs; and

WHEREAS, MTR Plaza provided for successive substantial rear building setbacks and slightly differentiated front building setbacks in a fashion that reduces monotony in design;

WHEREAS, the Village finds that, based on hearing evidence of visit to a use that includes some of the operations of applicant, and based on a broad study of the means of classifying applicant's use, the best area of this use in the Village is on lots that are deeper, I-1 Light Industrial parcels with sufficient area to handle on-site activities while providing a buffer for areas outside the development; and

WHEREAS, MTR Plaza reflects a minimum horizontal separation between all buildings of at least 50 feet, internally and externally, and there are no proposed obstructions for accessory uses in any required yards; and

WHEREAS, MTR Plaza proposes superior design and a more creative approach to the unified planning of a development by incorporating (a) substantial plantings and buffering in excess of that which is required under the Zoning Ordinance, (b) a phased development of Lot 1 and Lot 2 improvements that will align garages in a north and south direction that provides for convenience of use to the owner but also avoids unnecessary operations west of the buildings on each lot if landscaped yards were planned between Lot 1 and Lot 2, (c) reduced access points along a widened County Line Road so as to reduce interruptions to the planned Village pedestrian and bicycle path from as many as six to three, (d) spreading operations to the north and south rather than providing for higher intensity along the west lot line (in the case of Lot 2), (e) allowing for the location of tow trucks at locations that will be flexible but not immediate to the west lot lines, and (f) consolidating the refuse area to one location rather than two; and

WHEREAS, the Village finds that MTR Plaza offers an opportunity to use Lot 1 for the light assembly and sales of trucks over 8,000 pounds and that the allowance of sales in the areas which do not exceed 20% of the lot area on Lot 1 as well as the area for outdoor storage on Lot 1 not only meet requirements for planned unit developments but no modification concerning current use or design standards otherwise applicable is necessary to allow the Lot 1 use;

WHEREAS, the Village finds that MTR Plaza offers an opportunity to use Lot 2 as an authorized use subject to additional controls than currently exist for regulation of a lawful

nonconforming use while continuing the repair and maintenance of trucks of a type similar to those assembled and sold on Lot 1 while better meeting the requirements for planned unit developments and without modification to the use or design standards otherwise applicable; and

WHEREAS, MTR Plaza is consistent with the objectives of the Village's general development plan as viewed in light of any changed conditions since its January 2015 adoption and in light of the terms of the Zoning Ordinance which the Village has enacted as the means of carrying out its general development plan as follows:

- A. MTR Plaza lies in the Eastern Business District which is currently zoning I-1 with several intermittent underutilized parcels and which is planned for "Commercial/Industrial Flex" or a use that is industrial in character but has a retail or office component attached to it and lower environmental impacts and smaller footprints than those associated with heavy industry (Plan, at 20-22, 24, 67);
- B. The MTR Plaza planned unit development is one step in the Village's implementation of policies and programs that allow its industrial sector to continue to flourish and expand within the community, create new jobs for the local population, and support growth in other sectors of the Village's economy inasmuch as existing Bensenville companies rely on MTR's services and new and additional business will see convenience if MTR remains in operation in the Village at a location that is convenient (Plan, at 57);
- C. MTR Plaza provides separation between traffic on County Line Road and the planned pedestrian/bicycle path and continues a variety of retail, office, and light industrial facilities intended for the Eastern Business District and allowed under the current Zoning Ordinance (Plan, at 67, 80-81);
- D. While not specifically mentioned in the Plan (see itemization of need on 67), there is a need for a uniform right of way width along County Line Road, and MTR provides the additional necessary width in its plans;
- E. MTR Plaza contemplates significant improvements to aesthetics along County Line Road not only through spacing and landscaping, but also through new signage and a principal building with an attractive façade (Plan, at 71);
- F. MTR Plaza is situated sufficiently north of the intersection of Grand Avenue and County Line Road, and even further south of the intersection of Green Street and County Line Road, that it will not interfere with any improvements relating to I-294 modifications or the Elgin-O'Hare Western Access efforts (Plan, at 74-75); and
- G. MTR Plaza provides for unified stormwater management across what was previously four County Line Road frontages that had almost no stormwater planning, and the project contemplates compliance with modern County BMP and PCBMP practices (Plan, at 85).

WHEREAS, the planned unit development will not be detrimental to the public health, safety or general welfare because MTR Plaza meets Village ordinances and state codes,

including those regulating outdoor storage of materials and other operations and the activities, if any, that touch upon the Village's performance standards; and

WHEREAS, MTR Plaza and the uses and use areas contemplated therein avoid injury to the use and enjoyment of other properties in its vicinity through proper planning along a rear yard change in zoning classification and land use, by providing for ample building spacing (one could place the entire depth of either Lot 1 or Lot 2 between the west wall of the building on either Lot 1 or Lot 2 and the east wall of the nearest residence), and by limiting floor area ratio, all in a fashion that serves to maintain expectations in maintenance of property values and environmental quality in the neighborhood; and

WHEREAS, because the west lot line improvements enhance the buffer currently existing between MTR Plaza and the homes to the west and because MTR Plaza contemplates sufficient driveway spacing and shared access to County Line Road, MTR Plaza will not impede the orderly development of surrounding property; and

WHEREAS, MTR Plaza does not affect on-site or off-site natural features such as floodplains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character; and

WHEREAS, MTR Plaza improves circulation of persons within the Village by providing for a uniform width of the County Line Road right of way, separation of the planned pedestrian/bicycle path from the pavement and sufficient off street parking and with more than adequate depths of drive aisles from County Line Road for loading and, as a result, the planned unit development ensures safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, firetrucks, garbage trucks and snowplows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic or unduly interfering with the safety or capacity of adjacent streets and

WHEREAS, MTR Plaza provides for substantial tree plantings on the west lot line that will be common to the owner of Lot 1 and of Lot 2 inasmuch as both will rely on the plantings and fence for the purpose of buffering regardless of the extent of any buffer that currently exists off-site, and these amenities will be the subject of a reciprocal easement agreement that provides for the continuation of this benefit to the community; and

WHEREAS, other open spaces planned for MTR Plaza are in view of the public and reflect the higher standards of design and amenity required of the Village for far more substantial developments to the north along County Line Road; and

WHEREAS, MTR Plaza could accomplish a single large facility but it has provided for substantial open space between all buildings on site and between MTR Plaza buildings and buildings off site and there is ample room for access by fire-fighting equipment; and

WHEREAS, the aforementioned reciprocal easement agreement will contain adequate provision for sharing, maintenance, repair and replacement of drives, drive aisles, parking, fences and refuse disposal screens, landscaping and stormwater improvements; and

WHEREAS, MTR Plaza contemplates improvements and uses that are of a scale that the Village and parallel governmental agencies have ample ability 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; and

WHEREAS, MTR Plaza contemplates two phases with the second phase occurring only as to building modifications on Lot 2 that will provide for six new garage bays that will align with the bays on the Lot 1 building and each phase will be capable of independent operation and maintenance even if no subsequent phase should ever be completed because the first phase contemplates all improvements necessary to the operation of both parcels and no phasing involved any improvement of public or common area improvements, open spaces or amenities; and

WHEREAS, MTR Plaza contemplates the use of not greater than 20% of the area of Lot 1 for sales and display, which areas will include the interior of the bays on Lot 1, the display area along the north property line and the display area south of the north entrance along County Line Road and this display area is completely shielded from residential areas to the west, to be utilized for new trucks only, and landscaped sufficiently where necessary without causing an obstruction to views from or across rights of way or abutting properties; and

WHEREAS, MTR Plaza will not host assembly activities outdoors and all doors providing access to indoor bays or other indoor service areas will remain closed when mechanized equipment is in use; and

WHEREAS, MTR Plaza will not utilize outdoor loudspeakers unless allowed through a special event permit authorized by the Village under its generally applicable ordinances; and

WHEREAS, hours of operation within MTR Plaza will be within the hours of 7:00 AM and 7:00 PM, provided that there will be occasional traffic only on the east side of the buildings between 7:00 PM and 7:00 AM; and

WHEREAS, the type of trucks sold, assembled, maintained and repaired within MTR Plaza may have varying gross vehicle weights, but only delivery trucks may exceed a gross vehicle weight of those sold, assembled or serviced on site and all will be at or below the typical gross vehicle weight of trucks currently using County Line Road; and

WHEREAS, truck sales from MTR Plaza can arise through a visit to the site, phone call and resulting correspondence or meeting that occurs off site, but MTR Plaza is a destination use that involves only passive use of outdoor areas, 5% on Lot 1 for sales and display, 17% on Lot 1 for outdoor storage and 23% on Lot 2 for outdoor storage and this outdoor storage is justified by the circumstance that outdoor storage has long existed without screening on Lot 2 and screening will be installed and planted the entire length of the west lot line, outdoor storage will not exceed the height of the top of the fence and the owners within MTR Plaza will cooperate with the Village in establishing site lighting that meets safety needs while adjusting to the needs of neighbors by avoiding glare and light pollution; and

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Wednesday, June 15, 2016 2:15 PM
To: Scott Viger; Victoria Benham; Mary Dickson
Subject: MTR Neighbor Invitation
Attachments: Neighbors Signed Letter.pdf

I have attached the correspondence portion of the invitation to neighbors that was mailed today in case you receive inquiries. Hopefully, Scott or Victoria will be able to contact me today. I am working from Champaign tomorrow, but I have determined to attach proposed findings as an appendix in light of the fact that we have not talked. The narrative reflecting responses to the staff comments that we have received thus far will be delivered tomorrow whether or not the discussion occurs.

Thank you.

Mark W. Daniel
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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

GINA P. STOLARCYK
861 BRENTWOOD CT
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Stolarczyk:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

A number of months ago, I mentioned that MTR had an opportunity to present a plan that met the demands of the Village's zoning regulations and certain expectations of neighbors. With this letter, I am enclosing the following items which I ask that you review and consider as MTR's reflection of how key goals are now reflected in plans that the Village is reviewing:

1. One (1) 11x17 neighborhood aerial photograph;
2. One (1) 11x17 copy of the Combined Preliminary and Final Plan of Planned Unit Development for MTR Plaza;
3. One (1) 11x17 copy of the preliminary engineering plans, including grading information; and
4. One (1) 11x17 copy of the Landscape Plan

Please RSVP by email or telephone (including whether you require gluten free) so that we can plan for pizza, salad and soda which will be available at the meeting. The Village is not sponsoring this meeting and it serves no purpose other than to allow communication concerning the proposed development. This meeting is limited to those neighbors within 250-300 feet of the property because we want to insure efficient communication and allow questions and answers for

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Oakbrook Terrace, IL 60181
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Fax: (630) 833-3511

Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

BRENTWOOD CT LAND TR
863 BRENTWOOD CT
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Sir or Madam:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

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Mark W. Daniel, Esq.
mark@thedaniellawoffice.com

17W733 Butterfield Road, Unit F
Oakbrook Terrace, IL 60181
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Fax: (630) 833-3511

Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

GINA G STOLARCZYK
565 SARAH DR
WOOD DALE IL 60191

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Stolarczyk:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

NINA S. ENGEL
867 JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Engel:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

PAUL M POPLAWSKY
14845 S WOODCREST AVE
HOMER GLEN IL 60491

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. Poplawsky:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

CHESTER WDOWIAK
877 JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. Wdowiak:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

ELIZABETH J YOO
881 JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Yoo:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

AUGUST & MARY SIGNORELLI
903 S JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. and Mrs. Signorelli:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

LINDA BRATLAND
915 JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Bratland:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

NICOLINA PICICCO
917 S JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Picicco:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

GERARDO & LUZ MORA
919 S JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. and Mrs. Mora:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

JAGDISH & PALLAVI JOSHI
921 S JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. and Mrs. Joshi:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

DEUTSCHE BANK NATIONAL TR
P O BOX 24737
WEST PALM BEACH FL 33416

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

CHAD G PHILLIPS
925 JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. Phillips:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

ALVAROR SERRANO
931 JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. Serrano:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

ROSA SERRANO
931 S JOHN ST
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Serrano:

As some of the residents near MTR on County Line Road may recall, I am an attorney assisting MTR, LLC with a zoning application that will be in front of Village of Bensenville Community Development Commission for hearing on July 11, 2016. The purpose of this letter is to invite you to an informational meeting hosted by MTR in the rear dining area at Mamma Maria's (438 South York Road, Bensenville) at 7:00 PM on June 23, 2016. I am also providing advance information about improvements proposed as MTR Plaza at the above-identified properties. While the Village does not require an applicant to meet with neighbors, the design team remained committed to such a meeting in advance of a zoning hearing.

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Mark W. Daniel, Esq.
mark@thedaniellawoffice.com

17W733 Butterfield Road, Unit F
Oakbrook Terrace, IL 60181
(630) 833-3311
Fax: (630) 833-3511

Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

VINCENZO & ANN L RENDINA
1041 MARTHA ST
ELK GROVE VILL IL 60007

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. and Mrs. Rendina:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

SIMON BRADLEY
4240 LACEY RD
DOWNERS GROVE IL 60515

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. Simon:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

PASQUA RUBINO
816 E BELMONT
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Ms. Rubino:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

GRAHAM GLOBAL PROP LLC
950 COUNTY LINE RD
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

GUARDSMAN LLC
884 S COUNTY LINE RD
BENSENVILLE IL 60106

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

SALVATORE & E URSINO
328 S CHESTER
PARK RIDGE IL 60068

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

Dear Mr. and Mrs. Ursino:

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

W. FILOSA
2940 COMMERCE
FRANKLIN PARK IL 60131

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

UNITED STATES TOBACCO
TAX DEPT 6603 W BROAD
RICHMOND, VA 23230

Re: MTR Plaza
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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

NESTLE USA INC
1 CHECKERBOARD SQUARE
ST LOUIS, MO 63164

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

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June 15, 2016

Via U.S. Mail

TAX DEPARTMENT 4C
1 CHECKERBOARD SQUARE
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Daniel Law Office, P.C.

June 15, 2016

Via U.S. Mail

NATIONAL LIFT TRUCK
3333 MT PROSPECT RD
FRANKLIN PK, IL 60131

Re: MTR Plaza
900-930 South County Line Road, Bensenville, DuPage County, Illinois
Permanent Index Nos.: 03-24-406-037, '406-038, '406-076, '406-072

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Village of Bensenville
Immediate Area Residents Invitation

June 15, 2016

those in the immediate area. If you cannot make the meeting, please feel free to pose questions to me by electronic mail and I will best attempt to provide a response.

The project will manage stormwater in a fashion that continues present drainage patterns in the area. Detention will be situated on the eastern portion of the property. A large rear setback, an eight-foot board on board fence and a substantial line of trees (none of which has existed at the location previously) will offer effective screening. Efforts have resulted in a plan that spreads operations to the east and allows for less intensive operations closer to the rear lot line. Eventually, garage bays will be added to the existing building so that trucks may pull into and out of the building on the north and south sides. Specific controls will require that doors be closed at times when mechanical equipment is in use. There will be no outdoor speakers for general use. Hours of operation will remain consistent with what you experience today.

With respect to the use of MTR Plaza, the northern portion (Lot 1) will host operations that include final assembly and sales of trucks that are generally the same box trucks that appear on site now, with final assembly and sales of smaller trucks possible. The southern portion (Lot 2) will be used for repair operations. The form of the approval sought from Bensenville (a conditional use authorizing planned unit development) allows the Village to impose and enforce strict regulations in addition to those in the zoning ordinance such as those noted above, but also limiting the area of Lot 1 that can be used for sales to not more than 20% (while also fixing the sales areas to specific locations on the interior of a building or along the eastern portion of the north lot line and the northern portion of the east lot line). The Village can also limit outdoor storage to 25% of the lot area on each lot. In essence, the planned unit development authorizes more creative development which provides amenities to the area that might not otherwise arise under the ordinary application of the zoning ordinance. Hopefully, the plans provided with this invitation and informational letter confirm MTR's dedication to best meeting needs expressed by some residents months ago and as expressed by the Village.

While I understand that certain disputes exist at the south end of the block, this letter intends to allow for a line of communication that is efficient and informational. I am still the attorney for MTR and I cannot advise anyone else. Nothing in this letter seeks to supplant your interest in otherwise looking into the project. Rather, the letter intends to add to your knowledge in advance of the zoning hearing on July 11, 2016. Legal notice of the hearing should be delivered shortly.

Yours very truly,

DANIEL LAW OFFICE, P.C.



Mark W. Daniel

Encls.

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Wednesday, June 15, 2016 9:36 AM
To: Victoria Benham; Scott Viger
Cc: Mary Dickson
Subject: MTR Legal Notice List
Attachments: Neighbor List FINAL.docx

All information provided in our notice list contained within the application submittal remains accurate according to today's review of the treasurer's records. If you happen to know anyone in the notice area that should receive notice, for example, due to a transaction that may not have been processed to the point of a new tax bill recipient, please let me know and add them to the list.

A Word version of the list is attached.

Thank you.

Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

Parcel Number: 03-24-406-061
Parcel Address: 861 BRENTWOOD CT, BENSENVILLE, 60106
Billing Address: STOLARCZYK, GINA P
861 BRENTWOOD CT
BENSENVILLE IL 60106

Parcel Number: 03-24-406-062
Parcel Address: 863 BRENTWOOD CT, BENSENVILLE, 60106
Billing Address: BRENTWOOD CT LAND TR
863 BRENTWOOD CT
BENSENVILLE IL 60106

Parcel Number: 03-24-406-063
Parcel Address: 865 BRENTWOOD CT, BENSENVILLE, 60106
Billing Address: STOLARCZYK, GINA G
565 SARAH DR
WOOD DALE IL 60191

Parcel Number: 03-24-406-064
Parcel Address: 867 JOHN ST, BENSENVILLE, 60106
Billing Address: ENGEL, NINA S
867 JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-014
Parcel Address: 873 S JOHN ST, BENSENVILLE, 60106
Billing Address: POPLAWSKY, PAUL M
14845 S WOODCREST AVE
HOMER GLEN IL 60491

Parcel Number: 03-24-406-015
Parcel Address: 877 JOHN ST, BENSENVILLE, 60106
Billing Address: WDOWIAK, CHESTER
877 JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-016
Parcel Address: 881 JOHN ST, BENSENVILLE, 60106
Billing Address: YOO, ELIZABETH J
881 JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-017
Parcel Address: 903 S JOHN ST, BENSENVILLE, 60106
Billing Address: SIGNORELLI, AUGUST & MARY
903 S JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-018
Parcel Address: 915 JOHN ST, BENSENVILLE, 60106
Billing Address: BRATLAND, LINDA
915 JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-019
Parcel Address: 917 S JOHN ST, BENSENVILLE, 60106
Billing Address: PICICCO, NICOLINA
917 S JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-090
Parcel Address: 919 S JOHN ST, BENSENVILLE, 60106
Billing Address: MORA, GERARDO & LUZ
919 S JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-091
Parcel Address: 921 S JOHN ST, BENSENVILLE, 60106
Billing Address: JOSHI, JAGDISH & PALLAVI
921 S JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-021
Parcel Address: 923 JOHN ST, BENSENVILLE, 60106
Billing Address: DEUTSCHE BANK NATIONAL TR
P O BOX 24737
WEST PALM BEACH FL 33416

Parcel Number: 03-24-406-022
Parcel Address: 925 JOHN ST, BENSENVILLE, 60106
Billing Address: PHILLIPS, CHAD G
925 JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-023
Parcel Address: 931 JOHN ST, BENSENVILLE, 60106
Billing Address: SERRANO, ALVARO R
931 JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-051
Parcel Address: 933 S JOHN ST, BENSENVILLE, 60106
Billing Address: SERRANO, ROSA
931 S JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-052
Parcel Address: 933 S JOHN ST, BENSENVILLE, 60106
Billing Address: SERRANO, ROSA
931 S JOHN ST
BENSENVILLE IL 60106

Parcel Number: 03-24-406-059
Parcel Address: 816 E BELMONT, BENSENVILLE, 60106
Billing Address: RUBINO, PASQUA
816 E BELMONT
BENSENVILLE IL 60106

Parcel Number: 03-24-406-045
Parcel Address: 15W024 BELMONT, BENSENVILLE, 60106
Billing Address: RENDINA, VINCENZO & ANN L
1041 MARTHA ST
ELK GROVE VILL IL 60007

Parcel Number: 03-24-406-046
Parcel Address: 4N020 COUNTY LINE RD, BENSENVILLE, 60106
Billing Address: RENDINA, VINCENZO
1041 MARTHA ST
ELK GROVE VILL IL 60007

Parcel Number: 03-24-406-050
Parcel Address: 970 COUNTY LINE RD, BENSENVILLE, 60106
Billing Address: BRADLEY, SIMON
4240 LACEY RD
DOWNERS GROVE IL 60515

Parcel Number: 03-24-406-048
Parcel Address: 960 COUNTY LINE RD, BENSENVILLE, 60106
Billing Address: BRADLEY, SIMON
4240 LACEY RD
DOWNERS GROVE IL 60515

Parcel Number: 03-24-406-042
Parcel Address: 950 COUNTY LINE RD, BENSENVILLE, 60106
Billing Address: GRAHAM GLOBAL PROP LLC
950 COUNTY LINE RD
BENSENVILLE IL 60106

Parcel Number: 03-24-406-041
Parcel Address: 940 COUNTY LINE, BENENVILLE, 60106
Billing Address: PICICCO, NICOLINA
917 S JOHN ST
BENENVILLE IL 60106

Parcel Number: 03-24-406-036
Parcel Address: 884 S COUNTY LINE RD, BENENVILLE, 60106
Billing Address: GUARDSMAN LLC
884 S COUNTY LINE RD
BENENVILLE IL 60106

Parcel Number: 03-24-406-074
Parcel Address: 870 COUNTY LINE RD, BENENVILLE, 60106
Billing Address: URSINO, SALVATORE & E
328 S CHESTER
PARK RIDGE IL 60068

Parcel Number: 03-24-406-034
Parcel Address: 856 COUNTY LINE RD, BENENVILLE, 60106
Billing Address: FILOSA, W
2940 COMMERCE
FRANKLIN PARK IL 60131

Parcel Number: 12-19-300-018
Parcel Address: 11601 Copenhagen Court, Franklin Park, IL 60131
Billing Address: UNITED STATES TOBACCO
TAX DEPT 6603 W BROAD
RICHMOND, VA 23230

Parcel Number: 12-19-300-019
Parcel Address: 11601 Copenhagen Court, Franklin Park, IL 60131
Billing Address: NESTLE USA INC
1 CHECKERBOARD SQUARE
ST LOUIS, MO 63164

Parcel Number: 12-19-300-005
Parcel Address: 3401 Mt. Prospect Road, Franklin Park, IL 60131
Billing Address: TAX DEPARTMENT 4C
1 CHECKERBOARD SQUARE
ST LOUIS, MO 63164

Parcel Number: 12-19-300-021
Parcel Address: 3333 Mt. Prospect Road, Franklin Park, IL 60131
Billing Address: NATIONAL LIFT TRUCK
3333 MT PROSPECT RD
FRANKLIN PK, IL 60131

Parcel Number: 12-30-100-022
Parcel Address: 3333 Mt. Prospect Road, Franklin Park, IL 60131
Billing Address: NATIONAL LIFT TRUCK
3333 MT PROSPECT RD
FRANKLIN PK, IL 60131

Parcel Number: 12-30-100-023
Parcel Address: 3333 Mt. Prospect Road, Franklin Park, IL 60131
Billing Address: NATIONAL LIFT TRUCK IN
3333 MT PROSPECT RD
FRANKLIN PK, IL 60131

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, June 14, 2016 8:21 PM
To: Mary Dickson; Frank Soto; Scott Viger; Victoria Benham; Evan Summers
Subject: MTR Neighbor Meeting

Hi everyone,

As noted in a prior discussion of the County Line project, we are hosting a meeting for neighbors at Mamma Maria's on Thursday, June 23, 2016, at 7 PM (pizza and salad available for attendees). The meeting will occur in the generally private rear room of the restaurant and it is intended to allow review of plans, Q&A and a fairly open discussion.

Please note that I am sending this as a courtesy now that the date is set. There is no expectation that someone from the Village attend, but we will be happy to reconvene at a distinct meeting with Mayor Soto and Evan Summers if Scott believes it would be productive in bringing people up to speed. If you receive any inquiries from people who are not invited (we are limiting the neighbor meeting to people within 300 feet), please feel free to pass along my office number at (630) 833-3311.

Thank you,
Mark

--
Mark W. Daniel
DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mary Dickson <marydickson@bond-dickson.com>
Sent: Tuesday, June 14, 2016 12:28 PM
To: Mark Daniel
Cc: Joe Abel; Jiuguang Lin; Victoria Benham; Mobile Truck Repair; Scott Viger
Subject: Re: MTR Communications

Mark: I have no objection to staff working directly with you on the issues you have raised. Mary

On Tue, Jun 14, 2016 at 11:20 AM, Mark Daniel <mark@thedaniellawoffice.com> wrote:

Hi Mary,

Are you OK with me talking to Scott and/or Victoria about the submission of the revised narrative, findings, etc. and finalizing the legal notice?

A few things for discussion...

1. The narrative will be ready tomorrow with the changes discussed, accepting staff's thoughts so far (but we have no staff comments or reports other than oral discussions).
2. As far as the narrative is concerned, I would like to go final on it, but I have multiple pages of findings drafted in relation to the standards for a PUD and conditional use that tie to particular matters (such as the new Comp Plan) and I would like to know how staff prefers the submissions. For convenience only, they presently lie in a distinct document in the form of recitals that might attend a recommendation or an ordinance following the procedural recitals ("WHEREAS...").
3. I would like to re-confirm with Scott and Victoria that the Village is fine with an enclosure of an invitation to an informational meeting (likely at Mama Maria's) remains appropriate. I will be clear that this is not Village-sponsored or Village-required. I also do not think it will be a meeting that I attend. Likely something for Joe and our civil to attend with Eduardo.
4. We will send the notice out by regular and certified U.S. mail. Preference is to aim for June 22 as our target date.
5. I always ask staff whether there are any notable changes that might suggest we send legal notice to someone in the area that they know has a particular interest in land but who might not be shown in the public records we rely on for the list of recipients (which we will review and update due to the passage of time sometime this week).

I think it is safe to limit the discussion to these issues, but I wanted to make sure you were fine with the call or determine your preference otherwise.

Hope all is well there. If you feel that I should plan to head over to your office, please let me know so I can plan accordingly. You are also welcome here if you happen to be in the area.

Mark

Mark W. Daniel

DANIEL LAW OFFICE, P.C.
17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
[\(630\) 833-3311](tel:(630)833-3311)
Fax: [\(630\) 833-3511](tel:(630)833-3511)
mark@thedaniellawoffice.com

--

Mary E. Dickson
BOND, DICKSON & ASSOCIATES, P.C.
400 S. Knoll Street, Unit C
Wheaton, Illinois 60187
(630) 681-1000
(630) 681-1020 (fax)

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, June 14, 2016 11:47 AM
To: Mary Dickson; Victoria Benham; Scott Viger
Subject: Legal Notice

Please note that I have a few of these in progress... In that last email to Mary, I mentioned enclosure of an invitation to an information meeting before the hearing. I stand corrected by my paralegal... The Village sends the notice out. So, I believe we will be updating/reconfirming the notice list tomorrow and getting it over to the Village and that we likely should not rely on the Village to include our invitation which my office will send. I just need to coordinate the timing.

Sorry about that.

Mark W. Daniel
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17W733 Butterfield Road
Unit F
Oakbrook Terrace, Illinois 60181
(630) 833-3311
Fax: (630) 833-3511
mark@thedaniellawoffice.com

From: Mark Daniel <mark@thedaniellawoffice.com>
Sent: Tuesday, June 14, 2016 11:21 AM
To: Mary Dickson
Cc: Joe Abel; Jiunguang Lin; Victoria Benham; Mobile Truck Repair; Scott Viger
Subject: MTR Communications

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Mark

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