



BENSENVILLE
VILLAGE CLERK'S OFFICE

12 South Center Street
Bensenville, IL 60106

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

VILLAGE BOARD

August 22, 2023

President
Frank DeSimone

Board of Trustees

Rosa Carmona
Amy Franz
Moriah Frey
McLane Lomax
Nicholas Pancola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers

Mr. Bernard Citron
55 East Monroe Street, 37th Floor
Chicago, Illinois 60603

Re: August 21, 2023 Commercial FOIA Request

Dear Mr. Citron:

I am pleased to help you with your August 21, 2023 Commercial Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on August 21, 2023. You requested copies of the items indicated below:

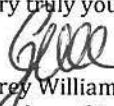
"Any permits relating to the property at 700-770 Larsen Court including any zoning approvals. We are interested in any approvals relating to truck maintenance and the operation of a truck terminal on the property. Any records as to when the facility was constructed."

After a search of Village files, the following documents are enclosed to fulfill your request:

- 1) Village of Bensenville Ordinance No. 47-2022. (13 pgs.)
- 2) Village of Bensenville Ordinance No. 445-2014. (8 pgs.)

These are all of the documents that can be discovered responsive to your request.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville



VILLAGE OF BENSENVILLE FREEDOM OF INFORMATION ACT REQUEST FORM

BENSENVILLE
VILLAGE CLERK'S OFFICE

TO: COREY WILLIAMSEN

FROM:

Name Bernard Citron

*Freedom of Information Officer
Village of Bensenville
12 S. Center Street
Bensenville, IL 60106*

14/102

Address 55 E. Monroe 37th Floor

Phone 3126367656

E-Mail bcitron@thompsoncoburn.com

TITLES OR DESCRIPTION OF RECORDS REQUESTED (Please Include Date of Birth and Case Number for Police Records):

Any permits relating to the property at 700-770 Larsen Court including any zoning approvals. We are interested in any approvals relating to truck maintenance and the operation of a truck terminal on the property. Any records as to when the facility was constructed.

THIS REQUEST IS FOR A COMMERCIAL PURPOSE (*You must state whether your request is for a commercial purpose.* A request is for a "commercial purpose" if all or any part of the information will be used in any form for sale, resale, or solicitation or advertisement for sales or services. Failure to disclose whether a request is for a commercial purpose is a prosecutable violation of FOIA.)

Would like your request delivered via: E-Mail U.S. Mail Pick-Up*

**Pick-Up is available by appointment at Village Hall Monday thru Friday; between 8:00 a.m. – 5:00 p.m.*

I understand that any payment need be received before any documents are copied and/or mailed.

8.21.23

Date

Signature

All FOIA responses are posted on the Village's website. Name and address of the requestor will be made public.

The first fifty (50) pages of the request are free. The fee charge is fifteen (15) cents after the first fifty (50) pages.

Unless otherwise notified, your request for public records will be compiled within five (5) working days.

Unless otherwise notified, any request for commercial purposes will be compiled within twenty-one (21) days working days.

COREY WILLIAMSEN, FREEDOM OF INFORMATION OFFICER

Telephone: (630) 350-3404 Facsimile: (630) 350-3438

E-mail Address: FOIArequest@bensenville.il.us

For Freedom of Information Officer Use Only

8/21/23
Date Request Received

9/20/23
Date Response Due

10/19/23
Date Extended Response Due

40-
Total Charges

8/22/23
Date Documents Copied or Inspected

Received by Employee: _____

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 47-2022

**An Ordinance Granting Approval of a Special Use Permit for Truck Repair and
Variations for a New Distribution Business at 700 Larsen Lane, Bensenville, Illinois**

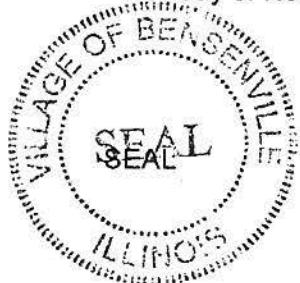
**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 15th DAY OF NOVEMBER 2022**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 16th day of November, 2022

STATE OF ILLINOIS)
COUNTIES OF COOK)
SS AND DUPAGE)

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 47-2022 entitled An Ordinance Granting Approval of a Special Use Permit for Truck Repair and Variations for New Distribution Business at 700 Larsen Lane, Bensenville, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this
16th day of November 2022.




Corey Williamsen
Deputy Village Clerk

ORDINANCE # 47-2022

**AN ORDINANCE GRANTING APPROVAL OF A SPECIAL USE PERMIT FOR TRUCK
REPAIR AND VARIATIONS FOR A NEW DISTRIBUTION BUSINESS AT 700 LARSEN
LANE, BENSENVILLE, ILLINOIS**

WHEREAS, Larsen Enterprise, LP ("Owner") of 760 Larsen Lane, Bensenville, IL 60106 and GGF Inc. ("Applicant") of 700 Larsen Lane, Bensenville, IL 60106, filed an application for Special Use Permit, Municipal Code Section 10-7-2-1 of the Bensenville Village Zoning Ordinance ("Zoning Ordinance"), Variation, Outdoor Storage Area Height, Municipal Code Section 10-7-3X-2, of the Bensenville Village Zoning Ordinance ("Zoning Ordinance"), and Variation, Outdoor Storage Area Screening Requirements, Municipal Code Section 10-9-7B-2, of the Bensenville Village Zoning Ordinance ("Zoning Ordinance"), for the property located at 700 Larsen Lane, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the Special Use Permit (Truck Repair), Variation (Outdoor Storage Area Height), and Variation (Outdoor Storage Area Screening Requirements), as sought by the Applicant was published in the Daily Herald on Thursday, October 13, 2022 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Friday, October 14, 2022, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Thursday, October 13, 2022, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on November 1, 2022, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously (5-0) to recommend approval with conditions of the Special Use Permit (Truck Repair), Municipal Code Section 10-7-2-1, Variation (Outdoor Storage Area Height), Municipal Code Section 10-7-3X-2, and Variation (Outdoor Storage Area Screening Requirements), Municipal Code Section 10-9-7B-2, and forwarded its recommendations, including the Staff Report and findings relative to the request, to the President and Board of Village Trustees, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on November 15, 2022, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the requested Special Use Permit (Truck Repair), Municipal Code Section 10-7-2-1, Variation (Outdoor Storage Area Height), Municipal Code Section 10-7-3X-2, and Variation (Outdoor Storage Area Screening Requirements), Municipal Code Section 10-9-7B-2, as recommended by the Community Development Commission, are consistent with the Zoning Ordinance.

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

Section 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned under the Zoning Ordinance as I-2 General Industrial District, which zoning classification shall remain in effect subject to the Special Use Permit and Variations approved herein.

Section 3. That the Staff Report and Recommendations to approve with conditions the Special Use Permit (Truck Repair), Variation (Outdoor Storage Area Height), and Variation (Outdoor Storage Area Screening Requirements), as allowed by the Zoning Ordinance, Sections 10-7-2-1, 10-7-3X-2, and 10-9-7B-2, as adopted by the Community Development Commission as shown in Exhibit "B", is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said Special Use Permit and Variations are proper and necessary.

Section 4. That the Special Use Permit, Truck Repair, Municipal Code Section 10-7-2-1, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) The Special Use Permit be granted solely to GGF, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- 2) Applicant must coordinate with staff to obtain permit and install triple catch basin within subject property primary structure; and
- 3) All repair work shall be performed inside of the primary structure.

Section 5. That the Variation, Outdoor Storage Area Height, Municipal Code Section 10-7-3X-2, as sought by the Applicant of the Subject Property, is hereby approved.

Section 6. That the Variation, Outdoor Storage Area Screening Requirements, Municipal Code Section 10-9-7B-2, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant must obtain a permit to complete striping of proposed outdoor storage area. Applicant must coordinate with staff to create a striping plan that adheres to village code standards; and
- 2) All trucks awaiting repair must be stored within the rear yard south of the south façade of the primary structure.

Section 7. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Special Use Permit and Variations approved herein.

Section 8. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

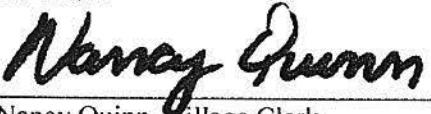
PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 15th day of November 2022, pursuant to a roll call vote, as follows:

APPROVED:



Frank DeSimone, Village President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Franz, Frey, Lomax, Panicola

NAYES: None

ABSENT: Carmona, Perez

Ordinance # 47 - 2022
Exhibit "A"

The Legal Description is as follows:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LAWRENCE AVENUE AND THE EAST LINE OF LOT 8; THENCE NORTHWESTERLY ALONG SAID CENTERLINE 64.96 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY PARALLEL WITH SAID EAST LINE, A DISTANCE OF 187.60 FEET; THENCE SOUTHWESTERLY PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 100.00 FEET; THENCE NORTHWESTERLY PARALLEL TO SAID EAST LINE TO THE CENTERLINE OF LAWRENCE AVENUE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, EXCEPT THAT PART LYING NORTHERLY OF THE SOUTH LINE OF STATE AID ROUTE 26, PER DOCUMENT NO. 746022 RECORDED FEBRUARY 11, 1955, ALL IN THE ADDISON TOWNSHIP SUPERVISOR ASSESSMENT PLAT NO. 3, RECORDED AS DOCUMENT NO. 46108 DATED APRIL 15, 1944 IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1 AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11 IN TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

Commonly known as 700 Larsen Lane, Bensenville, IL 60106.

Mr. Arquette reviewed the Findings of Fact for the proposed Special Use in the Staff Report consisting of:

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

Applicant's Response: The proposed special use does not represent a health, safety, comfort, convenience, or general welfare concern for the public. All neighbors are already accustomed to this type of activity at the property, and it is at the end of a "dead end" street so it will not affect neighbors whatsoever.

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

Applicant's Response: The proposed special use is compatible with the character of adjacent and nearby properties. There are already similar uses on the same multi-property parcel and all of the surrounding parcels are zoned for and used by industrial users.

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

Applicant's Response: The proposed special use will not impede the development and improvement of adjacent properties. The property is located at the end of a dead-end street and does not interfere whatsoever with neighboring properties.

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

Applicant's Response: None of these will be required. The property has been used as a truck terminal for many years with similar traffic

patterns and number of personnel. The only change will be the repair activity and the necessary plumbing to be code compliant.

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

Applicant's Response: Given the I-2 zoning and Special Use (if awarded), we are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or the land use policies of the Village.

Mr. Arquette reviewed the Findings of Fact for the proposed Variances in the Staff Report consisting of:

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

Applicant's Response: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. Trailers will be parked in a safe manner, consistent with industry practices and according to village code.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: Many of the neighboring properties also have outside storage yards and the property has been used in this manner for many years without issue from the neighboring properties.

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

Applicant's Response: If the Applicant is not granted the variation, it will have to park dozens of trailers offsite at a cost of +/- \$450 per trailer per month. This is an economic hardship that the Applicant cannot afford.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The property has been used as a truck terminal and trailer parking yard for many years. The property will have little use without the proposed variation.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation does indeed represent the minimum deviation from the regulations of this title.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: We are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or other land use policies of the Village. The property has been used in this manner for many years and without substantial redevelopment it has no practical use without outside storage.

Mr. Arquette stated:

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Special Use Permit, Truck Repair, at 700 Larsen Lane with the following conditions:

1. The Special Use Permit be granted solely to GGF, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
2. Applicant must coordinate with staff to obtain permit and install triple catch basin within subject property primary structure; and
3. All repair work shall be performed inside of the primary structure.

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow for a deviation from the Outdoor Storage Area Height Requirements.

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow for a deviation from the Outdoor Storage Area Screening Requirements with the following conditions:

1. Applicant must obtain a permit to complete striping of proposed outdoor storage area. Applicant must coordinate with staff to create a striping plan that adheres to village code standards; and
2. All trucks awaiting repair must be stored within the rear yard south of the south façade of the primary structure.

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2022-32. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2022-32 at 7:14 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval of the Special Use Permit, Truck Repair, Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Outdoor Storage Area Height, Municipal Code Section 10-7-3X-2 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Outdoor Storage Area Screening Requirements, Municipal Code Section 10-9-7B-2 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Ronald Rowe, Chairman
Community Development Commission

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 45-2014

**An Ordinance Concerning the Grant of a Conditional Use Permit to Allow a
Medical Cannabis Cultivation Center at 770 Larsen Lane, Bensenville, Illinois**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 9th DAY OF SEPTEMBER, 2014**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 10th day of September 2014

STATE OF ILLINOIS)
COUNTIES OF COOK)
SS AND DUPAGE)

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 45-2014 entitled an ordinance concerning the grant of a conditional use permit to allow a Medical Cannabis Cultivations Center at 770 Larsen Lane, Bensenville, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this
10th day of September, 2014.




Corey Williamsen
Deputy Village Clerk

ORDINANCE NO. 45-2014

**AN ORDINANCE CONCERNING THE GRANT OF A CONDITIONAL USE PERMIT
TO ALLOW A MEDICAL CANNABIS CULTIVATION CENTER AT
770 LARSEN LANE, BENSENVILLE, ILLINOIS**

WHEREAS, Larsen Enterprises LP ("Owner") and Progressive Treatment Solutions ("Applicant"), filed an application seeking a conditional use permit to allow a Medical Cannabis Cultivation Center in an I-2 Light Industrial Zoning District pursuant to Sections 10 – 9B -3 of *The Village of Bensenville Zoning Ordinance* ("Zoning Ordinance") at property commonly known as 770 Larsen Lane, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, the Applicant seeks a conditional use permit to allow a Medical Cannabis Cultivation Center at the Subject Property; and

WHEREAS, Notice of Public Hearing with respect to the conditional use permit sought by the Applicant was published in the Daily Herald on August 2, 2014 in the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the property and via personal mail, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing commencing on August 18, 2014 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts submitted by staff recommending approval of the application, which findings are attached hereto and incorporated herein by reference as Exhibit "B;" and

WHEREAS, upon said findings of facts, the Community Development Commission voted (3 – 2) and thereby did not meet the required number of affirmative votes which resulted in the Community Development Commission not recommending approval of the proposed conditional use permit to allow a Medical Cannabis Cultivation Center, specifically within the Subject Property; and

WHEREAS, the Community Development Commission then forwarded its recommendation to not approve the application, to the President and Board of Trustees on August 26, 2014; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the permit should be granted, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

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

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

SECTION TWO: That the application for a Conditional Use Permit to allow the Applicant to operate a Medical Cannabis Cultivation Center of the Subject Property is hereby granted, subject to the following conditions:

1. The Conditional Use Permit be granted solely to Progressive Treatment Solutions 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; and
2. The operation of the subject property shall be granted upon receipt of the State issued Medical Cannabis Cultivation license and a copy submitted to the Village; and

3. 24 hour surveillance shall be implemented at the property in question; and
4. No exterior signage of any kind shall be erected on the building.
5. A professional environmental survey be conducted to evaluate odors and the applicant abide by any odor mitigation recommendations made therein.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 9th day of September, 2014.



Frank Soto, Village President

ATTEST:



Ilsa Rivera-Trujillo, Village Clerk

AYES: JANOWIAK, JARECKI, O'CONNELL, RIDDER, WESSELER

NAYES: BARTLETT

ABSENT: NONE

Ordinance # 45- 2014
Exhibit "A"

The Legal Description of the property is as follows:

PARCEL 1: THAT PART OF LOT 8 IN ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NUMBER 3, OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, ALL IN TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LAWRENCE AVENUE WITH THE EAST LINE OF SAID LOT 8, BEING ALONG THE NORTHEAST CORNER OF SAID LOT 8, THENCE NORTH 59 DEGREES 02 MINUTES WEST ALONG SAID CENTER LINE, 64.96 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES EAST, PARALLEL WITH THE EAST LINE OF SAID LOT 8, 187.60 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES WEST, 100.0 FEET THENCE SOUTH 00 DEGREES 10 MINUTES EAST PARALLEL WITH THE EAST LINE OF SAID LOT 8, 1,503.85 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11; THENCE NORTH 88 DEGREES 53 MINUTES EAST ALONG SAID SOUTH LINE, 155.52 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8, THENCE NORTH 00 DEGREES 10 MINUTES WEST ALONG THE EAST LINE OF SAID LOT 8, 1,654.05 FEET TO THE PLACE OF BEGINNING, CONTAINING 5.581 ACRES, MORE OR LESS AND BEING SITUATED IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: LOT 8 IN ADDISON TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 3, BEING THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE EAST 28.0 FEET THEREOF LYING NORTH OF THE CENTER LINE OF LAWRENCE AVENUE) (EXCEPT THE EAST 25.0 FEET LYING SOUTH OF THE CENTER LINE OF LAWRENCE AVENUE) DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 64.96 FEET NORTHWEST OF THE NORTHEAST CORNER OF SAID LOT 8: THENCE SOUTH PARALLEL TO THE EAST LINE TO THE EAST LINE OF SAID LOT 8, 248.0 FEET; THENCE SOUTHEASTERLY 116.83 FEET TO THE POINT OF BEGINNING; IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 770 Larsen Lane, Bensenville, Illinois.

Ordinance # 45 - 2014

Exhibit "B"

Findings of Fact

Motion:

Commissioner Weldon made a motion to approve the findings of facts for the conditional use permit request to operate a medical cannabis cultivation center consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. The applicant has indicated there will be no adverse impact to volumes of types of traffic extraordinary than others in the I-2 Light Industrial District.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. The application as proposed does not generate any noise, glare, odor, dust, waste, or blockage of light of a type or degree not characteristic of allowed uses in the I-2 Light Industrial District. The operations are to be contained within the existing facility and require no outdoor usage. The proposed use generates no harmful byproducts from the cultivation process.
3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use will fit harmoniously with the existing character of existing allowed uses in its environs. The proposed cultivation operation is similar in nature to other manufacturing facilities in the area.
4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. The proposed business will not use a disproportionate amount of services and facilities. As indicated, the proposed use will use public services and facilities similarly to any other indoor manufacturing facility.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. The proposed cultivation

and production facility will provide the Village of Bensenville with new cultivation and manufacturing jobs.

6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. Other factors are subject to the Commission's judgment.

Chairman Moruzzi seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Rodriguez, Weldon

Nays: Pisano

Motion carried.