



12 South Center Street

Bensenville, IL 60106

Office: 630.350.3404

Fax: 630.350.3438

www.bensenville.il.us

VILLAGE BOARD

August 22, 2024

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Ms. Kelly Yakes

3224 Moonlight Drive

Charleston, South Carolina 29414

Re: August 20, 2024 FOIA Request

Dear Ms. Yakes:

I am pleased to help you with your August 20, 2024 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on August 20, 2024. You requested copies of the items indicated below:

"ETS National is conducting a Phase I Environmental Site Assessment for the property located at 800 W. Irving Park Road, Bensenville, IL (PIN 03-14-118-001). The purpose of this assessment is to serve as an official request for public records maintained by the Building Department. Records include building permits, plans for the construction/development of the above property, certificates of occupancy, UST/AST permits."

After a search of Village files, the following information was found responsive to your request:

- 1) Village of Bensenville Permits Issued to 800 West Irving Park Road Since January 1, 2010. (1 pg.)
- 2) Village of Bensenville Ordinance No. 25-2023. (9 pgs.)

These are all the records found responsive to your request.

In regards underground/aboveground storage tanks and hazardous materials; please check with the Illinois Fire Marshal's Office to conduct a search of their files.

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 FREEDOM OF INFORMATION ACT REQUEST FORM

BENSENVILLE
VILLAGE CLERK'S OFFICE

TO: COREY WILLIAMSEN

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

FROM:

Name Kelly Yakes

Address 3224 Moonlight Drive
Charleston, SC 29414
Phone 843-367-0566
E-Mail kelly@etsnational.com

16604

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

ETS National is conducting a Phase I Environmental Site Assessment for the property located at 800 W. Irving Park Road, Bensenville, IL (PIN 03-14-118-001). The purpose of this assessment is to serve as an official request for public records maintained by the Building Department. Records include building permits, plans for the construction/development of the above property, certificates of occupancy, UST/AST permits.

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.

8/20/2024

Date

Kelly Yakes
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

8/20/24
Date Request
Received

8/27/24
Date Response
Due

9/4/24
Date Extended
Response Due

\$0
Total Charges

8/22/24
Date Documents
Copied or Inspected

Received by Employee: _____

PROJ DESCRIPTOR	STATUS	LOCATION	TOWN-CITY	APPLIC DATE
RE-ROOF	CLOSED BY INSPECTOR	800 WEST IRVING PARK ROAD	BENSENVILLE	10/26/2017
SPR & VARIATIONS	ACTIVE	800 WEST IRVING PARK ROAD	BENSENVILLE	05/04/2023

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

Ordinance No. 25-2023

**An Ordinance Granting Approval of Site Plan Review and Variations to
Construct a New 6-Story Mixed-Use Residential Building at
800 W Irving Park Road, Bensenville, Illinois**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 20th DAY OF JUNE 2023**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 21st day of June, 2023

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. 25-2023 entitled An Ordinance Granting Approval of Site Plan Review and Variations to Construct a New 6-Story Mixed-Use Residential Building at 800 W Irving Park Road, Bensenville, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this
21st day of June 2023.





Corey Williamsen
Deputy Village Clerk

ORDINANCE # 25-2023

**AN ORDINANCE GRANTING APPROVAL OF SITE PLAN REVIEW AND
VARIATIONS TO CONSTRUCT A NEW 6-STORY MIXED-USE RESIDENTIAL
BUILDING AT 800 W IRVING PARK ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Village of Bensenville ("Owner") of 12 S Center Street, Bensenville, IL 60106 and A&E Luxury Apartments, LLC ("Applicant") of 9610 Franklin Avenue, Unit 1, Franklin Park, IL 60131, filed an application for Site Plan Review, Municipal Code Section 10-3-2, Variation, Maximum Impervious Coverage, Municipal Code Section 10-6-18-1, Variation, Maximum Corner Side Setback, Municipal Code Section 10-6-18-1, Variation, Required Bicycle Parking, Municipal Code Section 10-8-5, Variation, C-2 District Parking Row Standard, Municipal Code Section 10-8-6L, Variation, Frontage Sidewalk Width, Municipal Code Section 10-8-7E-4, Variation, Driveway Location, Municipal Code Section 10-8-8A, Variation, Driveway Intersection Distance, Municipal Code Section 10-8-8B, Variation, Tree Preservation Replacement Rate, Municipal Code Section 10-9-2B-1a, Variation, Street Tree Requirements, Municipal Code Section 10-9-4, Variation, Parking Lot Landscaping, Municipal Code Section 10-9-5, and Variation, Buffer Yard Requirements, Municipal Code Section 10-9-6, of the Bensenville Village Zoning Ordinance ("Zoning Ordinance") for the property located at 800 W Irving Park Road, 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 Site Plan Review and Variations sought by the Applicant was published in the Bensenville Independent on Thursday, May 18, 2023 by the Village of Bensenville, and notice was also given via posting of two Public

Hearing Signs on the Subject Property on Friday, May 19, 2023, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Friday, May 19, 2023, 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 June 6, 2023, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, on June 6, 2023, after hearing the application, the Community Development Commission agreed with the findings of fact submitted by the Applicant, and thereafter, voted unanimously (6-0) to recommend approval with conditions of Site Plan Review, Municipal Code Section 10-3-2, Variation, Maximum Impervious Coverage, Municipal Code Section 10-6-18-1, Variation, Maximum Corner Side Setback, Municipal Code Section 10-6-18-1, Variation, Required Bicycle Parking, Municipal Code Section 10-8-5, Variation, C-2 District Parking Row Standard, Municipal Code Section 10-8-6L, Variation, Frontage Sidewalk Width, Municipal Code Section 10-8-7E-4, Variation, Driveway Location, Municipal Code Section 10-8-8A, Variation, Driveway Intersection Distance, Municipal Code Section 10-8-8B, Variation, Tree Preservation Replacement Rate, Municipal Code Section 10-9-2B-1a, Variation, Street Tree Requirements, Municipal Code Section 10-9-4, Variation, Parking Lot Landscaping, Municipal Code Section 10-9-5, and Variation, Buffer Yard Requirements, Municipal Code Section 10-9-6, and forwarded its recommendations, including the Staff Report and findings relative to the requests, 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 June 20, 2023, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the requested Site Plan Review, Municipal Code Section 10-3-2, Variation, Maximum Impervious Coverage, Municipal Code Section 10-6-18-1, Variation, Maximum Corner Side Setback, Municipal Code Section 10-6-18-1, Variation, Required Bicycle Parking, Municipal Code Section 10-8-5, Variation, C-2 District Parking Row Standard, Municipal Code Section 10-8-6L, Variation, Frontage Sidewalk Width, Municipal Code Section 10-8-7E-4, Variation, Driveway Location, Municipal Code Section 10-8-8A, Variation, Driveway Intersection Distance, Municipal Code Section 10-8-8B, Variation, Tree Preservation Replacement Rate, Municipal Code Section 10-9-2B-1a, Variation, Street Tree Requirements, Municipal Code Section 10-9-4, Variation, Parking Lot Landscaping, Municipal Code Section 10-9-5, and Variation, Buffer Yard Requirements, Municipal Code Section 10-9-6, as recommended by the Community Development Commission, is 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 C-2: Commercial District, which zoning classification shall remain in effect subject to the Site Plan Review and Variations approved herein.

Section 3. That the Staff Report and Recommendations to approve with conditions the Site Plan Review, Variation, Maximum Impervious Coverage, Variation, Maximum Corner Side

Setback, Variation, Required Bicycle Parking, Variation, C-2 District Parking Row Standard, Variation, Frontage Sidewalk Width, Variation, Driveway Location, Variation, Driveway Intersection Distance, Variation, Tree Preservation Replacement Rate, Variation, Street Tree Requirements, Variation, Parking Lot Landscaping, and Variation, Buffer Yard Requirements, as sought by the Applicant, as allowed by the Zoning Ordinance, Sections 10-3-2, 10-6-18-1, 10-8-5, 10-8-6L, 10-8-7E-4, 10-8-8A, 10-8-8B, 10-9-2B-1a, 10-9-4, 10-9-5, and 10-9-6, 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 Site Plan Review and Variations are proper and necessary.

Section 4. That the Site Plan Review, Municipal Code Section 10-3-2, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) A National Pollutant Discharge Elimination System (NPDES) permit is required for discharge of storm water;
- 2) A traffic study must be completed showing the proposed impacts of the development on the Irving Park Road and Eastview intersection;
- 3) The existing driveways leading to Irving Park Road shall be maintained. Cross access to the adjacent parcel at the northeast corner of the property shall be maintained;
- 4) Access to rear parking lot shall be available for commercial uses. Access may not be restricted to resident only parking within the rear (south) parking lot;
- 5) Anticipated sanitary flows shall be provided to confirm the sewer system has the capacity to handle the proposed development;
- 6) A 5' sidewalk within the Eastview Avenue right-of-way must be provided when this site develops to connect the sidewalk at the SW corner of the property to Irving Park Road;
- 7) Sidewalk improvements along Irving Park Road must conform to the Village's Irving Park Road streetscape corridor stamped concrete standards;
- 8) Provide AutoTurn for site circulation and ingress/egress at all driveways in addition to the provided turning templates showing the AASHTO design vehicle that will be utilizing the site (WB-55, SU, Passenger Cars, etc.);
- 9) Final architectural design of the principal structure to be approved by Zoning Administrator prior to permit approval;
- 10) Final Landscape plan to be approved by zoning administrator prior to permit approval;
- 11) The property be developed in general compliance, except as amended and requested herein, with the plans submitted by Agama Designs Architecture, dated 12/23/2022, Ridgeline Consultants, LLC, dated 05/26/2023, and all other Village Code Requirements.

Section 5. That the Variation, Maximum Impervious Coverage, Municipal Code Section 10-6-18-1, as sought by the Applicant of the Subject Property, is hereby approved.

Section 6. That the Variation, Maximum Corner Side Setback, Municipal Code Section 10-6-18-1, as sought by the Applicant of the Subject Property, is hereby approved.

Section 7. That the Variation, Required Bicycle Parking, Municipal Code Section 10-8-5, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant shall provide long-term bicycle storage parking within the building along with the proposed storage units available for rent;
- 2) Short term bicycle parking spaces shall be incorporated on the property during permitting.

Section 8. That the Variation, C-2 District Parking Row Standard, Municipal Code Section 10-8-6L, as sought by the Applicant of the Subject Property, is hereby approved.

Section 9. That the Variation, Frontage Sidewalk Width, Municipal Code Section 10-8-7E-4, as sought by the Applicant of the Subject Property, is hereby approved.

Section 10. That the Variation, Driveway Location, Municipal Code Section 10-8-8A, as sought by the Applicant of the Subject Property, is hereby approved.

Section 11. That the Variation, Driveway Intersection Distance, Municipal Code Section 10-8-8B, as sought by the Applicant of the Subject Property, is hereby approved

Section 12. That the Variation, Tree Preservation Replacement Rate, Municipal Code Section 10-9-2B-1a, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant shall attempt to preserve the existing trees on the north side of the property. If the Tree Preservation Replacement Rate cannot be fully met, then the applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.

Section 13. That the Variation, Street Tree Requirements, Municipal Code Section 10-9-4, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant shall plant the required number of street trees per code within the Eastview Right-of-Way.

Section 14. That the Variation, Parking Lot Landscaping, Municipal Code Section 10-9-5, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant shall provide trees within each landscape island and within landscape areas terminating parking rows whenever feasible;
- 2) Rear lot middle parking row shall be terminated with curbed landscape islands on each side and trees shall be planted within the landscape islands;
- 3) Furthest north parking row shall incorporate parking lot islands and trees to provide tree canopy along the Irving Park Road frontage.

Section 15. That the Variation, Buffer Yard Requirements, Municipal Code Section 10-9-6, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant shall install a 6' opaque fence along the south property line to screen from the south adjacent properties;
- 2) Applicant shall provide landscaping plantings within the east buffer yard south of the proposed building to be approved by Zoning Administrator in final landscape plan.

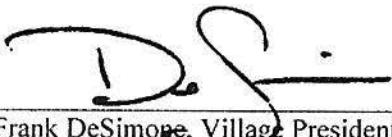
Section 16. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Site Plan Review and Variations approved herein.

Section 17. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 18. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

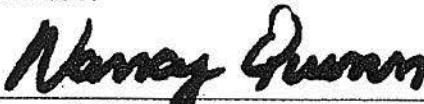
PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 20th day of June 2023, pursuant to a roll call vote, as follows:

APPROVED:



Frank DeSimone, Village President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Carmona, Franz, Frey, Lomax, Panicola

NAYES: None

ABSENT: Perez
