

## **MEMORANDUM**

**TO:** David A. Hulseberg, Village Manager

**FROM:** William J. Heniff, AICP  
Director of Community Development

**DATE:** August 20, 2009

**SUBJECT: PC 05-42: 218-226 West St. Charles Road (The Pointe at Lombard) – Request for a Fourth Time Extension**

The Board of Trustees approved Ordinance 5816 (PC 05-42) on March 2, 2006 which granted approval for a planned development with deviations, variations and companion conditional uses for the property at 218 & 226 West St. Charles Road. Per the conditional use provisions (Section 155.103(F)(11) of the Zoning Ordinance), if construction has not begun within one year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees. An initial time extension was granted by the Village Board on January 4, 2007 (Ordinance 5973) which required construction to commence by March 2, 2008. A six-month time was granted by the Village Board (Ordinance 6141) which required construction to commence by September 2, 2008. A third extension was granted by the Village Board on September 18, 2008 (Ordinance 6237) which required construction to commence by September 18, 2009).

After being advised that the approved zoning relief would expire prior to their latest anticipated construction start, the petitioner has submitted the attached letter requesting a further time extension of the conditional use approval granted by the Village Board. The attached correspondence cites a slowdown in the economy and the housing market as factors in requesting another time extension.

A copy of Ordinances 5816, 5973, 6141 and 6237 are attached for your reference.

### **ACTION REQUESTED**

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional twelve-month period (i.e., until September 18, 2010).