

MEMORANDUM

TO: David A. Hulseberg, Village Manager

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

DATE: June 18, 2009

SUBJECT: PC 08-13: Lombard Crossing Planned Development – Request for Time Extension

The Board of Trustees approved Ordinance 6211 (PC 08-13) on June 19, 2008 which granted a conditional use for a planned development with companion variations and deviations, conditional use for a bank/financial institution, a multiple tenant retail center, a drive thru establishment, outdoor dining/service area and a use exception for a storage center. In addition, the Village Board approved an annexation agreement for the development.

Per the provisions of Sections 155.103 (F)(11) and (C)(10) of the Zoning Ordinance, if construction has not begun within one (1) year from the date of approval, a conditional use is null and void unless an extension is granted by the Board of Trustees. A copy of Ordinance 6211 is attached for your reference.

After being advised that the relief was about to expire, the petitioner submitted a letter requesting an extension of the relief for an additional year. Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in the Ordinance 6211 and the annexation agreement.

Please note that pursuant to the annexation agreement, if the Village Board decides not to extend the conditional use approvals, a public hearing before the Plan Commission would be required, in order to revoke the conditional use approvals. In the event that the conditional use was revoked, the developer would still maintain its development rights, as outlined in the approved annexation agreement.

RECOMMENDATION:

Staff recommends that the Village Board approve an Ordinance extending the time period for the previously approved conditional use for an additional twelve month period, with a waiver of first reading of the aforementioned Ordinance.