

## MEMORANDUM

**TO:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP, Assistant Village Manager

**DATE:** December 6, 2007

**SUBJECT: PC 07-05: 201-285 W. Roosevelt Road (Sportmart Shopping Center Planned Development)**

The above mentioned petition is advertised and scheduled for the December 6, 2007 Village Board meeting. As part of the approved Staff Report for the petition, condition of approval 6c stated that the existing north/south water main is to be re-routed because it currently is located directly below the strip center building. As the proposed Starbuck's is serviced from a separate water main, counsel recommends that condition 6c be amended, as it only imposes sanctions that were not created under this petition. Counsel recommends that a separate agreement be created to establish an easement along the easterly twenty (20) feet of the property where the water main would be free of any structures. The completion of this agreement shall be added as a condition of approval in lieu of the original condition, which required the water main to be re-routed.

### **RECOMMENDATION:**

The President and Board of Trustees make a motion to **replace condition 6c** to reflect the appropriate revisions made by counsel to the PC 07-05 approval during December 6, 2007 Village Board Meeting.