



MEMORANDUM

TO: David A. Hulseberg, Village Manager

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

DATE: August 19, 2010

SUBJECT: **Further Extension of Ordinances 5358, 5550, 5717, 5918, 6236 and 6355 (PC 03-27; 240 Progress Road)**

The Board of Trustees approved Ordinance 5358 (PC 03-27) on September 18, 2003 which granted conditional use approval for a planned development for the property at 240 Progress Road. Since the approvals, five (5) time extensions have been granted. To date, construction on the project has not commenced. Per the conditional use provisions, if construction has not begun within one (1) year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees.

After being advised that the conditional use was about to expire, the petitioner is requesting a further time extension of the conditional use, as stated in the attached letter. It should be noted that staff is working with the School of Expressive Arts and Learning who is interested in relocating to the site for a new school.

Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in the original Ordinance. Moreover, staff believes it is in the best interest of the Village to extend the previous approvals, as it ties future development proposals to the approved planned development site plans and will allow the property owner to be able to market a "pre-approved" plan to prospective developers that addresses Village concerns. Without such an extension, the property would revert to its underlying I District zoning, which would allow for any permitted use and plan, provided that the plan met code provisions.

Recommendation

Staff recommends that the Village Board approve an Ordinance extending the time period for construction of the conditional use an additional twelve (12) months, until August 19, 2011 with a waiver of first reading. A copy of Ordinances 5358, 5550, 5717, 5918, 6236 and 6355 are also attached.