

MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development

DATE: November 17, 2005

SUBJECT: Extension of Ordinance 5586 (PC 04-28: 615 and 617 W. Pleasant Lane - Buckingham Orchard townhouse development)

The Board of Trustees approved Ordinance 5586 (PC 04-28) on November 18, 2004 which granted approval of a planned development for the proposed Buckingham Orchard townhouse development. Per Section 155.103(F)(11) of the Zoning Ordinance, if construction has not begun within one (1) year from the date of approval, the conditional use would be null and void unless further action is taken by the Board of Trustees. A copy of Ordinance 5586 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. As stated in the attached correspondence, the petitioner has performed a substantial amount of work on the property including removing the structures on the property and clearing the existing vegetation. The developer has been issued a grading permit and the final engineering permit is nearly ready to be issued.

Staff believes that granting an extension is in the best interest of the Village. Should the relief expire, any future property owner or petitioner would need to go through the entire public hearing process to build on the property. As the petitioner's plans were deemed to be desirable and acceptable by the Village, staff believes that granting the extension would provide the possibility of development to occur on the property in a more timely manner. Moreover, it will also allow the developer to start construction on the project this construction season.

RECOMMENDATION:

Staff recommends that the Village Board approve a first reading of an Ordinance extending the time period for the previously approved conditional use for an additional year.