

MEMORANDUM

TO: William T. Lichter, Village Manager

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

DATE: October 25, 2005

**SUBJECT: BOT 04-10: 100 Yorktown Mall – Repeal of Ordinance No. 5530
Regarding a Stormwater Detention Fee Variation**

Please present the attached items to the Board of Trustees for their review and approval at their November 3, 2005 meeting. The Board of Trustees had approved Ordinance No. 5530 on August 19, 2004. That Ordinance approved a variation from Chapter 151: “Flood Control”; Subsection 151.55 “Retention/Detention Basins” to accept a fee in lieu of providing on-site detention for the development at 100 Yorktown Center.

The subject 1.88-acre property is the former location of the Ward’s Auto Center. The owner has constructed the site improvements for a new restaurant called Claim Jumpers. Village Code requires 0.315 ac-ft of detention for the project. The Village and County Codes were amended after the variation was approved to only require 2-yr detention rather than 100-yr detention for such redevelopments. This new volume is 0.10 ac-ft.

Furthermore, an arrangement has been reached between the owners of the Mall, Cinema and Hotel/Convention Center to raise the weir in the existing detention pond. This will create the additional detention volume required for the subject site as well as the other developments around the Mall. Therefore, the variation approved by Ordinance No. 5530 is no longer necessary.

Recommendation:

Staff recommends that the Board of Trustees approve the attached ordinance in order to repeal Ordinance No. 5530.

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cc: David P. Gorman, P.E., Development Engineer