

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda


X  Resolution or Ordinance (Blue)       X  Waiver of First Requested  
    Recommendations of Boards, Commissions & Committees (Green)  
    Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : January 30, 2019 (BOT) Date: February 2, 2019

SUBJECT: PC 18-02: Holiday Inn Express, 2100 St. Regis Drive – Time Extension Request

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

The Board of Trustees approved Ordinance 7472 (PC 18-02) on February 15, 2018, which granted approval of a conditional use for a hotel, major changes to a planned development, and companion variations for the property at 2100 St. Regis Drive. Per the provisions of the Zoning Ordinance (Section 155.103(F)), if construction has not begun within twelve (12) months from the date of approval, the zoning relief granted is null and void unless an extension is granted by the Board of Trustees.

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional twelve-month period (i.e., until February 15, 2020). The petitioner is requesting a waiver of first reading of the Ordinance.

**Fiscal Impact/Funding Source:**

Review (as necessary):


Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

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

**MEETING DATE:** February 7, 2019

**SUBJECT:** **PC 18-02: Holiday Inn Express, 2100 St. Regis Drive – Time Extension Request**

The Board of Trustees approved Ordinance 7472 (PC 18-02) on February 15, 2018, which granted approval of a conditional use for a hotel, major changes to a planned development, and companion variations for the property at 2100 St. Regis Drive. Per the provisions of the Zoning Ordinance (Section 155.103(F)), if construction has not begun within twelve (12) months from the date of approval, the zoning relief granted is null and void unless an extension is granted by the Board of Trustees.

After being advised that the approved zoning relief would expire prior to their slated construction start, the property owner has requested an extension of the approval granted by the Village Board. The extension will allow the property owner to work through some issues related to private easements that impact the property.

A copy of Ordinance 7472 is attached for your reference.

### **ACTION REQUESTED**

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed project for an additional twelve-month period (i.e., until February 15, 2020). The petitioner is requesting a waiver of first reading of the Ordinance.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A TIME EXTENSION TO  
ORDINANCE 7472 APPROVING A CONDITIONAL USE FOR A  
HOTEL PURSUANT TO SECTION 155.415(C)(11) OF THE  
LOMBARD ZONING ORDINANCE; GRANTING MAJOR  
CHANGES TO A PLANNED DEVELOPMENT PURSUANT TO  
SECTION 155.504 OF THE LOMBARD ZONING ORDINANCE;  
APPROVING COMPANION VARIATIONS FOR THE  
PROPERTY AT 2100 ST. REGIS DRIVE IN THE ST. REGIS  
PLANNED DEVELOPMENT, AS ESTABLISHED BY  
ORDINANCE 2249 AND AMENDED BY ORDINANCES 4409,  
4470 AND 4596; AND APPROVING A MAJOR PLAT OF  
RESUBDIVISION**

(PC 18-02: Holiday Inn Express – 2100 St. Regis Drive)

WHEREAS, on February 15, 2018, the President and Board of Trustees of the Village of Lombard adopted Ordinance 7472 which approved a conditional use for a hotel; granted major changes to a planned development; and approved companion variations; and,

WHEREAS, pursuant to Section 155.103(F) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, a conditional use shall become null and void unless work thereon is substantially underway within twelve (12) months from the date of issuance, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 7472; and

WHEREAS, the Village has received a request from the owner for a time extension of said Ordinance; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: Ordinance 7472 is hereby further amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the expiration date of this Ordinance (i.e., February 15, 2020).

SECTION 2: That all other provisions associated with Ordinance 7472 not amended by this Ordinance shall remain in full force and effect.

SECTION 3: That this ordinance is limited and restricted to the subject property generally located at 2100 St. Regis Drive, Lombard, Illinois, and more specifically legally described as set forth below:

PARCEL 1:

THAT PART OF LOTS S, T, U AND V OF YORK TOWNSHIP SUPERVISOR'S ASSESSMENT PLAT NO. 1 (ALSO KNOWN AS HIGHLAND ROAD FARMS) OF THE EAST ½ OF THE SOUTHWEST ¼, THE WEST ½ OF THE SOUTHEAST ¼ AND THE SOUTH 1332 FEET OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT A POINT ON THE NORTH LINE OF 22<sup>ND</sup> STREET, WHICH IS 430.54 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST ¼ (SAID POINT BEING THE SOUTHWEST CORNER OF LOT 5 OF JAY C. BENNETT, SR., COUNTY CLERK, ST. REGIS ASSESSMENT PLAT RECORDED AS DOCUMENT R80-49897) AND RUNNING THENCE NORTH, ALONG THE WEST LINE OF SAID LOT, 251.35 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, ON A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 130.0 FEET, AN ARC DISTANCE OF 62.02 FEET FOR A POINT OF BEGINNING (SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 5); THENCE SOUTH 89 DEGREES, 56 MINUTES, 57 SECONDS EAST PARALLEL WITH THE NORTH LINE OF 22<sup>ND</sup> STREET, 24.25 FEET; THENCE NORTH 155.29 FEET; THENCE NORTH 49 DEGREES, 00 MINUTES, 00 SECONDS EAST 80.0 FEET; THENCE NORTH 73 DEGREES, 00 MINUTES, 00 SECONDS EAST 100.0 FEET; THENCE NORTH 88 DEGREES, 43 MINUTES, 01 SECONDS EAST 132.20 FEET; THENCE NORTHWESTERLY ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, AN ARC DISTANCE OF 271.22 FEET (THE CHORD BEARING NORTH 69 DEGREES, 11 MINUTES, 05 SECONDS WEST 267.91 FEET) TO A POINT OF REVERSE CURVE; THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ON A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 225.0 FEET,

AN ARC DISTANCE OF 311.38 FEET TO A POINT OF COMPOUND CURVE; THENCE SOUTHERLY AND SOUTHEASTERLY, ON A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 25.0 FEET, AN ARC DISTANCE OF 37.55 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 39 DEGREES, 00 MINUTES, 00 SECONDS EAST, ON THE TANGENT TO SAID CURVE, (BEING ALSO AN EASTERLY LINE OF LOT 2 OF SAID ST. REGIS ASSESSMENT PLAT), 337.80 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY, ON A TANGENTIAL CURVE TO THE RIGHT, HAVING A RADIUS OF 130.0 FEET, AN ARC DISTANCE OF 26.47 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

(ALSO KNOWN AND DESCRIBED AS:

LOT 3 IN JAY C. BENNETT, SR., COUNTY CLERK, ST. REGIS ASSESSMENT PLAT NO. 3 OF PART OF THE SOUTH ½ OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN DU PAGE COUNTY, ILLINOIS)

AND:

PARCEL 2:

THAT PART OF LANDS COMMONLY DESCRIBED AS LOT 4 OF JAY C. BENNETT SR. COUNTY CLERK ST. REGIS ASSESSMENT PLAT NO. 3 AS PLATTED BY DOCUMENT R84-39243 AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN COMMENCING AT THE INTERSECTION OF THE EAST LINE OF ST. REGIS DRIVE (AS DEDICATED BY DOCUMENT R2006-064796) WITH THE NORTH LINE OF 22<sup>ND</sup> STREET; THENCE N0°00'34"E ALONG SAID EAST LINE, 251.15 FEET; THENCE NORTHWESTERLY ALONG A TANGENTIAL CIRCULAR CURVE HAVING A RADIUS OF 130.0 FEET CONCAVE TO THE SOUTHWEST, 66.18 FEET TO THE SOUTHWEST CORNER OF LANDS COMMONLY DESCRIBED AS LOT 3 OF SAID JAY C. BENNETT SR. COUNTY CLERK ST. REGIS ASSESSMENT PLAT NO. 3; THENCE N89°37'25"E ALONG THE MOST SOUTHERLY LINE OF SAID LOT 3, 24.25 FEET TO A SOUTHEAST CORNER, THEREOF; THENCE N2°23'38"W ALONG AN EAST LINE OF SAID LOT 3, 155.29 FEET; THENCE N46°36'22"E ALONG A SOUTHERLY LINE OF SAID LOT 3, 80.00 FEET; THENCE N70°26'22"E ALONG SAID SOUTHERLY LINE, 100.00 FEET;

THENCE N86°19'23"E ALONG SAID SOUTHERLY LINE, 36.92 FEET;  
THENCE S70°36'22"W, 128.49 FEET; THENCE S46°36'22"W, 86.17 FEET;  
THENCE S2°23'38"E, 143.74 FEET TO THE EASTERLY EXTENSION OF  
SAID MOST SOUTHERLY LINE OF SAID LOT 3; THENCE S87°39'25"W  
ALONG SAID EASTERLY EXTENSION, 5.00 FEET TO THE POINT OF  
BEGINNING IN DU PAGE COUNTY, ILLINOIS.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Ordinance No. \_\_\_\_\_  
Re: PC 18-02 – Time Extension  
Page 5

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Sharon Kuderna, Village Clerk