



MEMORANDUM

TO: David A. Hulseberg, Village Manager

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

DATE: June 2, 2011

SUBJECT: PC 08-13: Lombard Crossing Planned Development – Request for Time Extension

The Board of Trustees approved Ordinance 6211 (PC 08-13) on June 19, 2008 which granted a conditional use for a planned development with companion variations and deviations, conditional use for a bank/financial institution, a multiple tenant retail center, a drive thru establishment, outdoor dining/service area and a use exception for a storage center. In addition, the Village Board approved an annexation agreement for the development.

Previous time extensions were granted on June 18, 2009 (Ordinance 6344) and June 17, 2010 (Ordinance 6495). Per the provisions of Sections 155.103 (F)(11) and (C)(10) of the Zoning Ordinance, 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.

Since the last extension, the eastern 3.5 acres of the property had been foreclosed upon by PNC Bank. The western 1.1 acres is still controlled by William Chrisos, original property owner. After being advised that the relief was about to expire, both Mr. Chrisos and PNC Bank submitted letters requesting an extension for an additional year. In their letters, they indicated that they are close to entering into a contract with a purchaser. Staff can confirm that there is a retail user interested in acquiring the entire site. While the proposed purchaser may submit a different land plan requiring an amendment to the original development rights, staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in the Ordinance 6211 and the annexation agreement.

Please note that pursuant to the annexation agreement, if the Village Board decides not to extend the conditional use approvals, a public hearing before the Plan Commission would be required, in order to revoke the conditional use approvals. In the event that the conditional use was revoked, the developer would still maintain its development rights, as outlined in the approved annexation agreement.

RECOMMENDATION:

Staff recommends that the Village Board approve an Ordinance extending the time period for the previously approved conditional use for an additional twelve month period, with a waiver of first reading of the aforementioned Ordinance.