

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

Resolution or Ordinance (Blue) 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 : July 10, 2018 **(BOT) Date:** July 19, 2018

SUBJECT: PC 17-08: 1005 & 1027 E. Division Street – Time Extension Request

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

BACKGROUND/POLICY IMPLICATIONS:

The Board of Trustees approved Ordinance 7357 (PC 17-08) on April 20, 2017, which granted approval of a conditional use for a planned development with companion variations and deviations, and granted site plan approval authority to the Lombard Plan Commission for the property at 1005 and 1027 E. Division Street. 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 three-month period (i.e., until October 19, 2018). Please put this on the July 19, 2018 Board of Trustees agenda, with a waiver of first reading requested by staff.

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: July 19, 2018

SUBJECT: **PC 17-08: 1005 & 1027 E. Division Street – Time Extension Request**

The Board of Trustees approved Ordinance 7357 (PC 17-08) on April 20, 2017, which granted approval of a conditional use for a planned development with companion variations and deviations, and granted site plan approval authority to the Lombard Plan Commission for the property at 1005 and 1027 E. Division Street. 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.

At the request of the petitioner, on April 19, 2018, the Village Board approved Ordinance 7510, extending the approvals granted by Ordinance 7357 to July 19, 2018.

After being advised that the approved zoning relief and extension would expire prior to their slated construction start, the property owner has submitted the attached communication requesting a second extension of the approval granted by the Village Board.

A copy of Ordinance 7357 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 three-month period (i.e., until October 19, 2018).

Please put this on the July 19, 2018 Board of Trustees agenda, with a waiver of first reading requested by staff.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SECOND TIME EXTENSION
TO ORDINANCE 7357 GRANTING CONDITIONAL USE
APPROVAL FOR A PLANNED DEVELOPMENT WITH
COMPANION VARIATIONS AND DEVIATIONS FROM THE
LOMBARD ZONING ORDINANCE; AND GRANTING SITE
PLAN APPROVAL AUTHORITY TO THE LOMBARD PLAN
COMMISSION**

(PC 17-08: 1005 AND 1027 E. Division Street)

WHEREAS, on April 20, 2017, the President and Board of Trustees of the Village of Lombard adopted Ordinance 7357 which granted approval of a conditional use for a planned development with companion variations and deviations, and granted site plan approval authority to the Lombard Plan Commission; 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, at the request of the petitioner, on April 19, 2018, the Village Board approved Ordinance 7510, extending the approvals granted by Ordinance 7357 to July 19, 2018;

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinance 7357 and extended by Ordinance 7510; and

WHEREAS, the Village has received a letter from the owner requesting a second time extension of Ordinance 7357, for an additional three months; 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 7357 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 three (3) months of the expiration date of Ordinance 7510 (i.e., October 19, 2018).

SECTION 2: That all other provisions associated with Ordinance 7357 not amended by this Ordinance shall remain in full force and effect.

SECTION 3: That this Ordinance is limited and restricted to the property generally located at 1005 and 1027 E. Division Street, Lombard, Illinois, and legally described as follows:

LOT 2 IN THE WEST SUBURBAN ASSOCIATION FOR RETARDED CHILDREN INC. RESUBDIVISION OF LOT 1 IN WEST SUBURBAN ASSOCIATION FOR RETARDED CHILDREN INC. ASSESSMENT PLAT IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 2, 1980 AS DOCUMENT NO. R80-19267, IN DUPAGE COUNTY, ILLINOIS.

LOT 3 IN CASA BELLA RESUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 7, 2000 AS DOCUMENT NO. R2000-018834, IN DUPAGE COUNTY, ILLINOIS.

1005 E. Division Street: 06-09-309-054
1027 E. Division Street: 06-09-309-053

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 _____, 2018.

First reading waived by action of the Board of Trustees this _____ day of _____, 2018.

Ordinance No. _____
Re: PC 17-08 – Second Time Extension
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Passed on second reading this ____ day of _____, 2018, pursuant to a roll call vote as follows:

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this ____ day of _____, 2018.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2018.

Sharon Kuderna, Village Clerk

Papke Anna

From: Liz Reyes <liz@lightengalegroup.com>
Sent: Thursday, June 28, 2018 2:58 PM
To: Papke Anna
Cc: To: Eric Huffman; Les Russo; From: Steve D. Friedland
Subject: Diecke - Arboretum West - Zoning Approval Extension

Hello Anna,

Over the Rainbow has been making good progress towards a closing and construction start for the Diecke Home (Arboretum West Apartments). Our original closing date is being moved from June 29th to July 12, 2018 to accommodate the approval of the few remaining closing items and the 4th of July holiday.

We understand our zoning entitlements and approvals will expire on July 19th and we are therefore requesting a three month extension in the event the closing is delayed past July 12. It is very unlikely we will need this long of an extension but we want to be prepared and avoid having to request an additional extension.

Thank you for your help and we look forward to starting work on this important project.

Sincerely, Liz Reyes

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Liz Reyes | Senior Project Manager
Lightengale Group | (312) 999-9460

140 South Dearborn St, Suite 1500A
Chicago, IL 60603

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