

## MEMORANDUM

**TO:** William T. Lichter, Village Manager

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

**DATE:** September 15, 2005

**SUBJECT: Further Extension of Ordinances 5358 and 5550 (PC 03-27; 240 Progress Road)**

The Board of Trustees approved Ordinance 5358 (PC 03-27) on September 18, 2003 which granted conditional use approval for a planned development for the property at 240 Progress Road. An extension to this ordinance was granted on September 16, 2004 (Ordinance 5550). Per the conditional use provisions, 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.

After being advised that the conditional use was about to expire, the petitioner is requesting an extension of the conditional use. Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adhere to conditions incorporated in the original approval Ordinances.

For the Board's reference, a new developer is proposing to move forward with the project and they are now proceeding with engineering review for the project and is seeking to proceed with the project essentially as it was approved in 2003.

### **Recommendation**

Staff recommends that the Village Board approve an Ordinance extending the time period for construction of the conditional use an additional twelve months, until September 15, 2006, with a waiver of first reading. A copy of Ordinances 5358 and 5550 are also attached.