

ORIGINAL

ORDINANCE

AN ORDINANCE GRANTING AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION OF THE PLANNED DEVELOPMENT AT 640-728 MADISON STREET (PETE'S MARKET) TO JUNE 30, 2024

WHEREAS, the Village Board adopted Ordinance Number 21-16 on February 16, 2021 which granted a special use permit for a planned development to Oak Park Madison Street LLC ("Applicant") for the Planned Development ("Planned Development") located at 640-728 Madison Street (Pete's Market); and

WHEREAS, Section 14.5(G)(3) of the Village's Zoning Ordinance requires completion of planned developments within thirty-six (36) months after the date of adoption of the ordinance granting a planned development; and

WHEREAS, the required completion date for construction of the Planned Development is February 16, 2024; and

WHEREAS, the Applicant requires additional time to complete construction of the Planned Development to June 30, 2024 as set forth in Ordinance 23-7 ("An Ordinance approving a Fifth Amendment to the Redevelopment Agreement for the 700-728 Madison Street Redevelopment Project between the Village of Oak Park, Jupiter Realty Company, LLC, Oak Park Madison Street LLC (Pete's) and AH Oak Park LLC and Authorizing Its Execution") incorporated herein by reference as though fully set forth.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

Section 2. Extension of Time Granted. The Applicant is granted an extension of time to June 30, 2024 to complete construction of the Planned Development.

Section 3. Extensions Subject to Fees. The extension of time for the completion of the construction of the planned development approved herein is subject to the time limits set forth in Section 14.5(G)(2)-(3) of the Village's Zoning Ordinance. If the Applicant submits a subsequent request to extend the applicable time limit for completion of construction of the planned development, the Applicant shall pay the following fees in order to reimburse the Village for its costs in processing any such extension request(s) and in order to enforce the applicable provisions of the Village's Zoning Ordinance: (1) no fee shall be applicable for this extension request; (2) if the Applicant applies for a second extension, the Applicant shall pay to the Village an additional planned development application fee; (3) if the Applicant applies for a third extension request, the Applicant shall pay to the Village two (2) times the applicable planned

development fee; and (4) for each extension request thereafter, the Applicant shall pay to the Village three (3) times the applicable planned development fee.

Section 4. Agreement to Terms of Ordinance. As a condition of the extension granted herein, this Ordinance shall be signed by an authorized officer of the Applicant to signify its agreement to the terms hereof.

Section 5. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 17th day of January, 2023, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman	✓			
Trustee Buchanan	✓			
Trustee Enyia	✓			
Trustee Parakkat	✓			
Trustee Robinson		✓		
Trustee Taglia	✓			
Trustee Wesley	✓			

APPROVED this 17th day of January, 2023.


 Vicki Scaman, Village President

ATTEST


 Christina M. Waters, Village Clerk

Published in pamphlet form this 17th day of January, 2023.


 Christina M. Waters, Village Clerk

ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE CONDITIONS OF THIS ORDINANCE:

APPLICANT – OAK PARK MADISON STREET LLC

_____ Dated: _____, 2023
By:
Its: