

# ORIGINAL

## ORDINANCE

### **AN ORDINANCE GRANTING AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION OF THE PLANNED DEVELOPMENT AT 715-717 SOUTH BOULEVARD (RESIDENCES OF SOUTH BOULEVARD) TO NOVEMBER 30, 2023**

**WHEREAS**, the Village Board adopted Ordinance Number 17-174 which granted a special use permit for a planned development to 717 South Boulevard LLC ("Applicant") for the South Boulevard Condominium Planned Development Project titled "Residences of South Boulevard" ("Planned Development") located at 715-717 South Boulevard on March 6, 2017; and

**WHEREAS**, the Village Board adopted Ordinance Number 18-398 which granted an extension of time to March 30, 2019 to commence construction of the Planned Development; and

**WHEREAS**, the required completion date for construction of the Planned Development was March 6, 2020 per Ordinance Number 18-398; and

**WHEREAS**, the Village Board adopted Ordinance Number 20-022 which granted an extension of time to March 9, 2021 to complete construction of the Planned Development and waived and suspended the right-of-way obstruction permit fee and parking meter obstruction fee for the planned development; and

**WHEREAS**, the Village Board adopted Ordinance Number 21-28 which granted an extension of time to March 1, 2022 to complete construction of the Planned Development; and

**WHEREAS**, the Village Board adopted Ordinance Number 22-15 which granted an extension of time to August 31, 2022 to complete construction of the Planned Development; and

**WHEREAS**, the Village Board adopted Ordinance Number 22-53 which granted an extension of time to May 31, 2023 to complete construction of the Planned Development; 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 Applicant has requested an additional six (6) months to complete construction of the Planned Development to November 30, 2023 as set forth in the Applicant's April 17, 2023 correspondence to the Village Planner attached hereto and incorporated herein by reference; and

**WHEREAS**, the Village Board supports an additional six (6) month extension to complete construction of the Planned Development to November 30, 2023.

**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 May 31, 2023 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.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

**ADOPTED** this 15<sup>th</sup> day of May, 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 Straw	✓			
Trustee Wesley				✓

**APPROVED** this 15<sup>th</sup> day of May, 2023.

*Vicki Scaman*  
Vicki Scaman, Village President

**ATTEST**

*Christina M. Waters*  
Christina M. Waters, Village Clerk

Published in pamphlet form this 15<sup>th</sup> day of May, 2023.

*Christina M. Waters*  
Christina M. Waters, Village Clerk

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

**APPLICANT – 717 SOUTH BOULEVARD LLC**

By: Art Gurevich  
Its: Manager

Dated: \_\_\_\_\_, 2023