



Village of Oak Park

STAFF REPORT

TO: Plan Commission

REVIEW DATE: October 27, 2020

FROM: Village Staff

PREPARED BY: Craig Failor, Village Planner

P R O J E C T T I T L E

PC 20-09: Zoning Ordinance Text Amendment – Planned Development Timelines. The Applicant (Village of Oak Park) seeks an amendment to Article 14 (“Zoning Approvals”), Section 14.5 (“Planned Developments”), Sub-section G (“Effect of Approval or Denial and Expiration”) of the Oak Park Zoning Ordinance regarding timelines for approved planned development permit submittal and construction phases.

A P P L I C A N T I N F O R M A T I O N

APPLICANT Village of Oak Park
 123 Madison Street
 Oak Park, IL 60302

A n a l y s i s

Description

The Oak Park Economic Development Corporation (Oak Park EDC) introduced this amendment to their Board of Directors and then to the Village Board of Trustees. The Village Board of Trustees referred this matter to the Plan Commission for public hearing, review and recommendation. The Oak Park EDC has provided a memorandum detailing their reasoning and position on the proposed Zoning Ordinance text amendment (see attachment). They have also provided research from other nearby municipalities relative to their recommendation.

The Oak Park Zoning Ordinance established three (3) milestones for approved planned developments as stated below. The amendment request is to eliminate the first, extend the second and discuss the third. These milestones are as follows;

1. A building permit must be submitted within nine (9) months from planned development approval,
2. The planned development construction must start within (18) months from planned development approval, and
3. The planned development must be completed within thirty-six (36) months from planned development approval.

There have been numerous occasions when an applicant has required an extension of time when they were not going to meet one or more of these milestones and have had to ask permission from the Village Board. The proposed text amendment is to remove the timeframe requirement for submitting a building permit, to extended the timeframe for a construction start date from eighteen (18) months to twenty-four (24) months, and to create a reliance on the Plan Commission to review and recommend a completion date based on a suggested time submitted by the Applicant. The agreed upon date would be incorporated as a condition in the Planned Development Ordinance. The completion date could be variable (more or less time) depending on the development proposal. If, after approvals, the applicant finds they may need to modify their approved milestones, they will still be required to seek Village Board approval on the changes. However, we anticipate the proposed text amendments should allot more time for development with fewer time extension requests.

Z o n i n g O r d i n a n c e

ARTICLE 14. ZONING APPROVALS

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14.5 PLANNED DEVELOPMENTS

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G. Effect of Approval or Denial and Expiration

1. Approval of the planned development by the Village Board authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy, and other required permits. The Zoning Administrator will review applications for these permits for compliance with the terms of the planned development approval. No building permit will be issued for development that does not comply with the terms of the planned development approval.

2. ~~An approval of a planned development by the Village Board becomes be null and void if the recipient does not file an application for a building permit for the proposed development within nine months after the date of adoption of the ordinance approving the planned development.~~

2 3. An approval of a planned development by the Village Board becomes null and void if construction has not commenced within ~~24~~ 18 months and is not completed *as identified in the construction schedule exhibit or in the Findings of Fact exhibit* to within 36 months after the date of adoption of the ordinance approving the planned development.

3 4. Notwithstanding the above, an approval of a planned development with a phasing plan will expire if construction has not commenced or is not completed in accordance with the terms of that phasing plan.

4 5. An extension of the time requirements may be granted by the Village Board for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline, whenever practicable.

5 6. Following approval, the Zoning Administrator will revise the Official Zoning Map to reflect the existence and boundaries of the approved planned development. Designation of a planned development on the Zoning Map is for administrative and reference purposes only and does not indicate a zoning district change. The presence or absence of a planned development on the Zoning Map does not validate or invalidate an approved planned development.

Recommendation

Staff supports this Zoning Ordinance text amendment as it will help to reduce the need for extension requests and allow additional time for development activities to occur.

End of Report.

C. Plan Commission
Greg Smith; Klein, Thorpe & Jenkins / Plan Commission Attorney
Tammie Grossman, Development Customer Services Director
Michael Bruce, Zoning Administrator
