



## Agenda Item Summary

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**File #:** ORD 20-022, **Version:** 1

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### **Submitted By**

Tammie Grossman, Director, Development Customer Services

### **Reviewed By**

LKS

### **Agenda Item Title**

**An Ordinance Granting an Extension of Time to Complete Construction of the Planned Development at 715-717 South Boulevard (Residences of South Boulevard) and Waiving and Suspending the Right-of-way Obstruction Permit Fee and Parking Meter Obstruction Fee for the Planned Development**

### **Overview**

717 South Boulevard, LLC is requesting approval of an extension of its planned development ordinance deadline to allow additional time to finish construction of the multi-unit residential condominium building constructed at 715-717 South Boulevard. In addition, the developer seeks an extension of the waiver and a suspension of the right-of-way and parking meter obstruction fees adjacent to the development site. This is its second request for these items.

### **Recommendation**

Approve the Ordinance to allow an extension of time for the completion of construction for an additional twelve (12) months from March 6, 2020 to March 6, 2021 and waive the construction fees for the right of way and parking from January 1, 2020 through the end of construction.

### **Fiscal Impact**

The Village will not collect the fees associated with an obstruction permit and parking meter fees due to the planned development ordinance requirement that all construction staging and traffic occur along the South Boulevard parking area adjacent the development site. This waiver and suspension was approved by the Village Board for the previous year 2019.

### **Background**

Article 14; Section 14.5(G)2&3 of the Zoning Code provides that an approval of a planned development permit by the Board of Trustees shall 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 Zoning Ordinance approving the development permit; commence construction within eighteen (18) months, and complete the project within thirty-six (36) months. Article 14; Section 14.5(G)5 of the Zoning Code allows the Village Board to grant an extension of time, provided the applicant shows good cause in writing.

The Applicant has indicated that additional time is necessary, as stated in the attached letter dated February 15, 2020 (See attached "Letter with Attachments"). Ordinance Number 17-174, approved by the Village Board

on March 6, 2017, authorized the construction of a multiple-unit residential development with private parking. As of this writing, the development of the site is underway. A building permit application was submitted, per the deadline. A request was approved by the Village Board at its September 4, 2018 meeting for an extension of time to begin construction by March 30, 2019, which the Developer met. The Developer is now requesting a twelve (12) month extension for the completion date associated with the planned development. The Developer's letter indicates that there were foundation issues associated with the abutting office building, to the east, that severely delayed construction of the project in 2019.

### **Alternatives**

The alternative would be to deny the request, which could make the planned development ordinance null and void.

### **Previous Board Action**

On June 3, 2019, the Village Board approved ORD 19-49 waving and suspending the obstruction permit fees and parking meter fees for fiscal year 2019.

On September 4, 2018, the Village Board approved ORD 18-398 permitting an extension of time to begin construction of the project. Originally, the project was to begin by September 6, 2018 and approval of ORD 18-398 extended that deadline date to March 30, 2019.

On March 6, 2017, the Village Board approved ORD 17-174 permitting the construction of the Residence of South Boulevard condominium planned development project at 715-717 South Boulevard.

### **Citizen Advisory Commission Action**

Plan Commission hearings were held on December 15, 2016 and January 19, 2017.

### **Anticipated Future Actions/Commitments**

N/A.

### **Intergovernmental Cooperation Opportunities**

Zoning and land use matters are unique to Village government within the corporate limits of Oak Park and therefore, intergovernmental cooperation opportunities do not exist.