



Agenda Item Summary

File #: ORD 20-119, **Version:** 1

Submitted By

Plan Commission, through Tammie Grossman, Director, Development Customer Services

Reviewed By

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Agenda Item Title

Concur with the Plan Commission's Recommendation and Adopt an Ordinance Amending 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 the Filing of an Application for a Building Permit After Approval of a Planned Development and the Commencement of Construction

Overview

The 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 as follows: 1. Elimination of the building permit submittal requirement of 9 months from the date of Village Board Approval. 2. Extend the construction start date from 18 months to 24 months. 3. Eliminate the end of construction milestone for 36 months to a timeframe that the developer established in the planned development application.

Recommendation

The Plan Commission Recommends Approval of the Zoning Ordinance Text Amendments as modified below and within the attached Ordinance.

Staff Recommendation

Staff Supports the Plan Commission's Recommendation

Fiscal Impact

Cost of Legal Advertisement (\$280) Account # 1001.46202.101.550652

Background

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.

There have been numerous occasions when an applicant has requested an extension of time when they were not able to meet one or more of these planned development timeframe requirements and have had to ask permission from the Village Board to extend the timeframe. The proposed text amendment is to modify the timeframe within the Zoning Ordinance. If, after approvals, the applicant finds they may need to modify their approved timeline, they will still be required to seek Village Board approval on the extension. However, we anticipate the proposed text amendments should allot more time for development to occur with fewer time extension requests.

Alternatives

Deny the Zoning Ordinance Text Amendments.

Approve the Zoning Ordinance Text Amendments with modifications.

Previous Board Action

The Village Board referred the Text Amendment to the Plan Commission for public hearing at their February 18, 2020 meeting. MOT 20-003

Citizen Advisory Commission Action

The Plan Commission recommended modifications to the timeline changes that were originally proposed by the Oak Park Economic Development Corporation regarding approved planned development applications.

Current Zoning Ordinance requires: 1. A building permits shall be submitted within 9 months from Village Board approval for a planned development application. 2. The developer shall commence construction within 18 months of Village Board approval. 3. The development shall be completed within 36 months from the date of Village Board approval.

The Oak Park EDC recommended: 1. Elimination of the building permit submittal requirement of 9 months from the date of Village Board Approval. 2. Extend the construction start date from 18 months to 24 months. 3. Eliminate the end of construction milestone for 36 months to a timeframe that the developer established in the planned development application.

The Plan Commission recommends: 1. Extend the building permit submittal requirement from 9 months to 12 months. 2. Eliminate the construction start requirement. 3. Keep the construction completion date of 36 months from the date of Village Board Approval.

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.