

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MARCH 9, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
A one-year extension of a Planned Development Amendment and Special Use for 1200 75 th Street	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared to grant a one-year extension to Planned Development Ordinance No. 5047 and Special Use Ordinance No. 5048 for the construction of a service station with a convenience store and car wash.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2014 identified *Strong, Diverse Local Economy*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the March 2, 2010 meeting. Staff recommends approval on the March 9, 2010 active agenda.

BACKGROUND

The petitioner is requesting the Village Council grant a one-year extension of the Planned Development Amendment and Special Use associated with this development. Due to the economic slowdown and a new franchisee for the proposed site, the petitioner is proposing to obtain building permits in the spring of 2010 with construction commencing in the summer of 2010.

On March 3, 2009, the Village Council approved a Planned Development Amendment to Planned Development #9 and a Special Use for the construction of a service station with a convenience store and car wash at 1200 75th Street. The property is zoned B-2, General Retail Business.

Section 28.1609(b)(2) of the Zoning Ordinance identifies specific time limitations with respect to Planned Development approvals. Specifically, Planned Developments are valid for a period of one year from the date of the adoption of the ordinance unless construction is diligently pursued. One year extensions may be granted at the sole discretion of the Village Council.

Staff Analysis

Staff recognizes the current economic hardships and the change of the franchisee and how these factors affected this development. Staff believes the project can be a vital component of the Village in the future. Given the current factors and the amount of time necessary to start construction, staff believes a one-year extension to March 3, 2011 is warranted.

ATTACHMENTS

Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant **DATE:** March 9, 2010
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** PC-02-09
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AUTHORIZING THE EXTENSION OF A PLANNED DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #9 AND AUTHORIZING THE EXTENSION OF THE SPECIAL USES FOR 1200 75TH STREET TO MARCH 3, 2011", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance will authorize the extension of a planned development amendment to Planned Development #9 and authorize the extension of the special uses for 1200 75th Street to March, 3, 2011.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE EXTENSION OF A PLANNED DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #9 AND AUTHORIZING THE EXTENSION OF THE SPECIAL USES FOR 1200 75TH STREET TO MARCH 3, 2011

WHEREAS, on March 3, 2009, the Village of Downers Grove approved Ordinance No. 5047 entitled "An Ordinance Approving a Planned Development Amendment to Planned Development #9, for the Construction of a Service Station with Convenience Store and Car Wash" and Ordinance No. 5048 entitled "An Ordinance Authorizing Special Uses for 1200 75th Street to Permit a Service Station with Convenience Store and Car Wash"; and

WHEREAS, pursuant to the Downers Grove Zoning Ordinance, Section 26-1609(c), "One year extensions of the time period for seeking final planned development approval, or the construction schedule, may be granted by the Village Council as provided herein."; and

WHEREAS, pursuant to the Downers Grove Zoning Ordinance, Section 28-1904(b), "Prior to or subsequent to the expiration of the approved time period for construction of a Special Use, or any extension thereof, the petitioner may request in writing that the time for commencement of such construction be extended for a period of one to two years. Such extensions shall be granted at the sole discretion of the Village Council for an additional period or periods of one to two years each"; and

WHEREAS, the owner of the Property has made a request for an extension of the improvements authorized under Ordinance No. 5047 and Ordinance No. 5048; and

WHEREAS, the Village Council has considered such request and has determined that it is in the best interest of the Village of Downers Grove to extend the Planned Development Amendment and Special Use approvals as requested.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Downers Grove as follows:

SECTION 1. That the Special Uses and Planned Development Amendment to Planned Development #9 approvals as set forth in Ordinance No. 5047; Ordinance No. 5048, permitting construction of a service station with convenience store and car wash for 1200 75th Street, are hereby extended to March 3, 2011.

SECTION 2. That this ordinance shall be in full force an effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk