



Memorandum

To: Chair Dawson and Members of the Plan Commission

CC: Charles Witherington-Perkins, Director of Planning and Community Development

From: Sam Hubbard, Development Planner

Date: 3/8/2024

Re: Request for Zoning Entitlement Extensions – Arlington 425 Development (PC #21-002)

Project Background:

On May 3, 2021, the Village Board adopted Ordinance #21-013, which granted an amendment to the Arlington 425 Planned Unit Development (PUD) approvals to allow modifications to the previously approved development plan for the site. As required by the Municipal Code, the PUD approval was valid for 24 months. Additionally, the Preliminary Plat of Resubdivision approval was set to expire 24 months after approval of Ordinance #21-013. In sum, both of these zoning entitlements were set to expire on May 3rd of 2023.

Pursuant to Village Code, an initial 12-month extension of both the PUD and Preliminary Plat can be granted directly by the Village Board. On April 17 of 2023, the petitioner requested a one-year extension of the both the PUD and Preliminary Plat of Subdivision, as well as a one-year extension to the deadline for submission of a building permit for the Chestnut Building (from April 30, 2028 to April 30, 2029), all of which was granted by the Village Board (minutes attached). Accordingly, the approvals are set to expire on May 3rd of this year. Any subsequent request for extension must be heard first by the Plan Commission and then by the Village Board.

Request

At the recommendation of staff, the petitioner has requested a 6-month extension to the PUD and Preliminary Plat of Resubdivision approvals, which would extend expiration until November 3rd of 2024. They have outlined the reasons for this request in a letter included within the packet provided to the Plan Commission.

Staff notes that the petitioner has undertaken several steps demonstrating continued efforts towards finalizing the zoning entitlements and commencing construction of this project:

- On November 14th and November 28th of 2023, the petitioner appeared before the Design Commission to authorize modifications to the design and architecture of the Campbell Building, which were ultimately approved by the Design Commission subject to one condition of approval.
- On December 12th of 2023 and January 9th of 2024, the petitioner appeared before the Design Commission to authorize modifications to the design and architecture of the Highland Avenue garage. These modifications were also approved by the Design Commission subject to several conditions of approval.
- In order to complete the subdivision entitlements, the petitioner submitted Final Engineering plans and a Final Plat of Subdivision to the Village on February 20th. These documents are currently under review.
- On March 4th, the petitioner applied for a building permit to allow construction of the Campbell Building, Highland Avenue garage, and sitework necessary to prepare the site for construction.

Given the complexity of this development, the Village informed the petitioner it is unlikely that Final Plat would be approved by the Village Board on April 15th (the last Board meeting prior to the May 3rd expiration date), and the issuance of a building permit was unlikely to occur prior to the May 3rd deadline. The building permit will take several layers of review beyond Village staff, which will likely prolong the permit issuance process, such as MWRD review, ComEd review for removal of the utility lines, and structural review by an outside consultant to ensure no damage will occur to the Village-owned Vail Avenue garage. Given that the petitioner has demonstrated that they are proactively working towards finalizing the zoning entitlements and obtaining a building permit, the Staff Development Committee is supportive of the requested 6-month extension.

Recommendation

It is recommended that the Village Board approve the following:

1. A 6-month extension to the PUD and Preliminary Plat of Resubdivision expiration deadline, from May 3, 2024 to November 3, 2024.