



October 6, 2015

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## **MEMORANDUM**

To: Lake County Planning, Building and Zoning Committee

From: Patrick S. Tierney, Principal Planner  
Lake County Department of Planning, Building and Development

Subject: **Bull Creek Drive Subdivision – Libertyville Township**  
**Request to extend and amend a subdivision agreement**

### **Background:**

The Committee approved the Final Plat for Bull Creek Drive on June 26, 2006 and accepted performance assurances to ensure the completion of subdivision improvements. With the downturn in the economy, it became apparent to Collodi Builders, Inc. (the developer) that completion of the subdivision improvements was not fiscally possible until market conditions improved. In an effort to maintain the viability of the subdivision and enable the County to release the assurances, an agreement was entered into between Collodi Builders, Inc. and Lake County. The agreement temporarily suspended the Committee's approval of the final plat and set terms to control the marketing and development of the subdivision over the time of the suspension. It also enabled Collodi Builders, Inc. to develop the subdivision in accordance with the ordinance standards in effect at the time of final plat approval. The initial agreement was approved on August 3, 2010 and subsequently amended on July 31, 2012, and again on August 5, 2014, extending the term of the agreement until November 6, 2015. Action taken by the Committee on August 5, 2014, amended the terms of the agreement to require compliance with State and Federal floodplain, floodway and wetland regulations that were previously exempted under the original agreement.

### **Request:**

Collodi Builders, through their attorney, Mark Eiden (see attached letter), has submitted a written request to extend the terms of the agreement until December 31, 2017. Staff has been in contact with the applicant in anticipation of constructing the improvements in the subdivision; however, the developer has indicated it will not be prepared to fulfill its obligations under the agreement prior to the expiration date and would like to preserve its development rights at this time.

### **Recommendation:**

Staff recommends that the Committee approve the amended agreement and grant the requested extension until December 31, 2017.