

SECTION 25

PLANNED DEVELOPMENTS

25.1 PURPOSE:

The regulations contained in this Section 25 are established to encourage imaginative design of coordinated land uses and to provide relief from the subdivision and zoning requirements that are designed for conventional developments, but that may inhibit innovation and cause undue hardship with regard to the use of parcels which present technical development problems.

These regulations also are established to provide safe and desirable areas characterized by unified building and site development programs, to preserve natural features of sites, and to provide adequate open space for recreation and other community purposes.

25.2 WHERE PERMITTED:

A planned development may be located in the zoning districts as outlined in Section 11 and subject to the procedures and standards established by this Section and the conditions, if any, of the conditional use permit approving the planned development.

25.3 PLANNED DEVELOPMENT STANDARDS:

A Planned Development shall conform to the following standards:

- A. Any use maybe permitted in a planned development provided it complies with the provisions of Section 25.4.
- B. The number of dwelling units proposed shall not exceed the number permitted by the regulations of the district in which it is located.
- C. The yards and open spaces adjoining the boundaries of the project shall not be less than the yard requirements of the district in which it is located.
- D. If a building is permitted to exceed the height limit of the district in which it is located, the yards and open spaces around such building shall be increased by an amount equal to the height that the building exceeds the height limit of the district measured in feet.

25.4 EXCEPTIONS:

In the case of any Planned Development, the Planning and Zoning Commission may recommend, and the Village Board may authorize, exceptions to the applicable bulk regulations of this Zoning Code within the boundaries of such development, provided that the Planning and Zoning Commission shall find:

- A. That such exception shall be solely for the purpose of encouraging a desirable living environment no less beneficial to the residents or occupants of such development, as well as of neighboring properties, than would be obtained under the bulk regulations of this Ordinance for buildings developed on separate zoning lots.
- B. That along the periphery of planned developments, yards shall be provided as required by the regulations of the district in which said development is located.
- C. Other standards for height, density, yard regulations, signage, parking, loading and screening for a planned development shall be governed by the standards of the zoning district in which it is located or which is most similar in nature and function to the proposed planned development as determined by the Planning and Zoning Commission. Standards for public improvements shall be governed by the applicable Ordinances and laws of the Village's Subdivision Control Ordinance. Exceptions to these standards by the Planning and Zoning Commission and the Village Board are possible when these bodies find that such exceptions are warranted in terms of the total proposed development.

25.5 APPLICATION PROCESS:

Before submitting a development plan for a planned development, the applicant is encouraged to present a Sketch Plan to the Village pursuant to the Lake in the Hills Subdivision Control Ordinance.

A Development Plan must be prepared and submitted for any Planned Development and should contain the following:

- A. A reproducible survey of the property showing existing features of the property, including specimen trees, structures, streets, easements, utility lines and existing land use.
- B. A reproducible development plan showing:

1. Proposed land uses, population densities and building intensities.
 2. Proposed circulation pattern, indicating both public and private streets and off-street parking spaces.
 3. Proposed parks, playgrounds, school sites and other open spaces.
 4. A market analysis and fiscal impact analysis of any proposed commercial use, if the property is not zoned for commercial purposes at the time of submittal of the preliminary development plan.
 5. Delineation of the units to be constructed in progression, if any.
 6. Traffic impact analysis of the immediate and surrounding property.
- C. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of total number of acres in the project and the percent thereof designated for various uses; the number of dwelling units proposed by type of dwelling for each unit of the development; estimated residential population by type of dwelling for each unit of the development; proposed retail sales by unit and economic justification; anticipated timing for each unit and standards for height; open space, parking area and parking spaces, lot coverage, land in streets, gross floor area, population density and public improvements proposed for each unit of the development whenever the applicant proposes an exception from the standard zoning district or other ordinance regulations governing development. The applicant shall provide an itemized list of exceptions by unit and by zoning district, when exceptions are requested by the applicant from the standard zoning district.
- D. Signage details including design, location, height and size.
- E. A schedule for development concerning the proposed parks, playgrounds, school sites and other open spaces; and the party or parties responsible for developing the proposed parks, playgrounds, school sites and other open spaces.

- F. Lighting details including a photometric plan.
- G. Preliminary building plans, including floor plans, exterior elevations and outline specifications of type of building materials, type of wall and roof construction, type of pavement and surfacing materials including proposed colors.
- H. Landscaping plans including type and size of plant materials and their arrangement.
- I. Engineering plans, including site grading, street improvements, drainage and public water, sanitary sewer and storm sewer extensions, as necessary.
- J. A development schedule indicating:
 - 1. The approximate date when construction of the project is expected to begin;
 - 2. The stages in which the project will be built and the approximate date when construction of each stage is expected to begin;
 - 3. The anticipated rate of development;
 - 4. The approximate date when the development of each stage will be completed; and
 - 5. The area and location of common open space that will be provided at each stage of development.
- K. An inventory and evaluation of all significant environmental features of the site including, but not limited to, lakes, streams, ponds, marshes, soil conditions, mineral deposits, including sand and gravel, floodplains and wooded areas. The evaluation shall include any limitation resulting from natural conditions on the site that would restrict the development of the site permitted generally under this Zoning Code.
- L. A written statement containing a detailed explanation of the size and character of the planned development and the manner in which it has been planned to:
 - 1. Take advantage of the provisions of this Section 25;
 - 2. Conserve the significant natural features of the site; and

3. Avoid, or otherwise overcome, any natural limitations of the site.
- M. Agreements, bylaws, provisions and/or covenants that will govern the use, maintenance and continued protection of the planned development and any of its common open areas, streets, parking facilities or other facilities and improvements.

25.6 DEVELOPMENT PLAN STANDARDS:

In preparing the development plan, particular consideration shall be given to the following:

- A. The provision of open space for recreational and other outdoor benefits and activities.
- B. The conservation of significant natural features of the site, such as floodplains, wetlands, forests, scenic areas and vistas. All such areas shall be considered recreational open space whether or not they are developed for recreational use or left in a natural state.
- C. A unified design based upon significant architectural features, compatible building materials and a distinctive arrangement of structures and open space.
- D. The provision of adequate sites for retail shopping and service areas, schools, places of worship and other community services where the development is large enough to support these services.
- E. The relationship of the development to surrounding uses and property.
- F. Surface drainage and stormwater detention shall be designed pursuant to the Lake in the Hills Municipal Code.

25.7 APPROVAL OF DEVELOPMENT PLAN:

- 25.8-1 *Planning and Zoning Commission Review:* The Planning and Zoning Commission shall conduct a public hearing on the proposed planned development as provided in this Zoning Code and after the required fees have been paid. A copy of the development and required supporting information shall be available at the Village Hall at the time the public hearing notice is published and be available at the public hearing.

The Planning and Zoning Commission shall recommend to the President and Board of Trustees approval or disapproval of the development plan or, in response to testimony and/or objections voiced at the public hearing, approval of the development plan with modifications or conditions.

25.8-2 *Board of Trustees:* The Board of Trustees shall, by ordinance, approve or disapprove the development plan, with or without modifications and/or conditions, or additional specific standards. Upon approval of the development plan, the Board of Trustees shall order the issuance of a conditional use permit, by ordinance, authorizing the planned development in conformance to the approved development plan.

25.8-3 *Final Plats, Plans:* It shall be the duty of the Planning and Zoning Commission to review all final plans and plats for general conformity with the approved development plan and the Lake in the Hills Subdivision Control Ordinance. No plat shall be recorded and no building permit shall be issued except in accordance with final plats and plans approved and signed in accordance with the Lake in the Hills Subdivision Control Ordinance.

25.8 MINOR MODIFICATION OF DEVELOPMENT PLANS:

The Director of Community Development may, from time to time, approve minor changes within a planned development, but any changes shall not be of such a nature that would affect the character and standards of the planned development.

25.9 FAILURE TO BEGIN PLANNED DEVELOPMENT:

If no substantial construction has begun or no use established within two years after approval of the development plan by the Village Board, the conditional use permit for the planned development shall be declared null and void and the project shall not be initiated unless it is resubmitted and re-approved in the same manner that it was approved in the first instance.

The Board of Trustees may, however, extend the period for initiating construction after conducting a public hearing. Notice of such hearing shall be published as provided in Section 21.6 of this Zoning Code. Notice shall also be sent by regular mail to property owners contiguous to the subject property. It shall be

the responsibility of the owner/developer to comply with the notice provisions.