

Ordinance 17.05
Procedure for Inclusion of Specific Land Within Planned Unit Development District
(R82.4)

THE VILLAGE BOARD OF THE VILLAGE OF PARK RIDGE ORDAINS AS FOLLOWS:

Section I. PROCEDURE FOR INCLUSION OF SPECIFIC LAND WITHIN PLANNED UNIT DEVELOPMENT DISTRICT

1. **Pre-Petition Conference.** Prior to official submittal of a petition the property owner or an authorized agent shall meet with the Village Zoning Committee for a preliminary discussion of the proposed scope and nature of the contemplated development, and the intention to submit a petition for either a General or Detailed Approval.

2. **Petition.** Following the pre-petition conference, petition may be made to the Village Clerk by the owner or agent of property proposed for such development to be placed in this district in order to permit the application of the provisions of this section to such development. Such petition shall be accompanied by a fee payable to the Village in the amount of \$750, and information in appropriate detail as to the type of approval, General or Detailed, desired. Additionally, the owner or its agent shall be obligated to reimburse the Village for professional expenses actually incurred by the Village in evaluating and processing the petition. The Village shall be reimbursed within a reasonable time of notice to the owner or agent, and in no event shall any petition be given approval until such reimbursement has been made. The total of such expenses to be reimbursed shall not exceed one (1) percent of the total anticipated project development cost specified in response to item (D) below. For General Approval, the following information items must accompany the petition:
 - A. A legal description of the property.
 - B. A statement describing the general character of the intended development and the desirability of applying the requirements of this district rather than those ordinarily applicable through basic zoning.
 - C. Statistical data on total size of the project area, area of open space, residential density computation and proposed number of units, population analysis, impact upon traffic and municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.
 - D. A general summary of financial factors such as value of structures, estimated improvement costs, amount proposed for landscaping and special features, estimated sale or rental price and total anticipated development cost of the project.
 - E. General outline of intended organizational structure related to property owner's association, deed restrictions, and provision of private services.
 - F. An accurate map of the project area including its relationship to surrounding properties.
 - G. The pattern of proposed public and private roads, driveways and parking facilities, and intended design standards.
 - H. Studies relative to the traffic pattern and parking demands as they would affect the development and the surrounding area.
 - I. The size, arrangement, and location of lots or of proposed building groups.
 - J. The location of recreational and open space area and areas reserved or dedicated for public uses such as road, school, park, etc.

- K. The type, size, and location of typical structures.
 - L. General landscape treatment.
 - M. A feasibility study relating to all necessary utilities.
 - N. Existing topography and storm drainage pattern and proposed storm draining system showing basic topographic changes.
 - O. Such other information as the Village Zoning Committee may request.
3. For Detailed Approval the following additional items must be submitted, either in conjunction with the items specified above, or at a date subsequent to the granting of General Approval:
- A. A precise plan of development.
 - B. Proof of financing capability.
 - C. A scale map of the area.
 - D. A final plat of the entire development area showing detailed lot layout and the intended use of each lot or parcel of land, public dedications, public and private streets, driveways, walkways, and parking facilities.
 - E. The location and treatment of open space areas and recreational or other special amenities.
 - F. The arrangement of building groups, other than single-family residences, and all final landscape plans.
 - G. Architectural drawings and sketches illustrating the design and character of proposed structures.
 - H. Location of all utility installations.
 - I. A development schedule indicating (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin; (3) the anticipated rate of development; (4) the approximate date when the development of each of the stages will be completed; and (5) the area and location of open space that will be provided at each stage.
 - J. Agreements, by-laws, provisions, or covenants which govern the organizational structure, use, maintenance, and continued protection of the Planned Unit Development and any of its common services, open areas, or other facilities.
 - K. Any other plans, documents, or schedules required by the Village Zoning Committee.
4. **Referral to Village Zoning Committee.** Such petition shall be referred to the above group and processed as a zoning change. Upon completion of necessary study and investigation, said group shall make its recommendation to the Village Board in the form of findings which address the points under (6), Basis for Approval, listed below.
5. **Public Hearing.** Upon receipt of the Zoning Committee's recommendation, the Village Board, before taking affirmative action to approve such petition, shall hold a public hearing pursuant to Section Fourteen and statutory provisions for zoning amendments. Notice for such hearing shall include reference to the consideration of the proposed project development plans coincident with the requested zoning change.
6. **Basis for Approval.** The Zoning Committee in making its recommendation and findings, and the Village Board in making its determination, shall give consideration and satisfy themselves as to the following:

- A. That the proposed development is consistent in all respects with the purpose of this Section and with the spirit and intent of this Ordinance, would not be contrary to the general welfare and economic prosperity of the Village or of the immediate neighborhood, that the specific development plans have been prepared with competent professional advice and guidance, and that the benefits and improved design of the resultant development justifies the variation from the normal requirements of this Ordinance through the inclusion of the subject property within the Planned Unit Development District.
- B. In the case of proposed residential developments:
- i. That such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain and existing vegetation, consideration of safe pedestrian flow, adequate parking, ready access to recreation space and coordination with the overall neighborhood.
 - ii. That the population composition of the development will not result in substantial adverse effect upon the community's capacity to provide needed municipal services, including educational facilities.
 - iii. That adequate guarantee is provided for permanent retention as "open area" of open land area shown on the project plan either by private reservation or by dedication to the public. In the case of private reservation, the open area to be reserved shall be protected against building development by conveying to the Village as part of the conditions for project approval an open space easement over such open areas restricting the area against any future building or use except as consistent with the providing of landscaped open space for the esthetic and recreational satisfaction of the surrounding residences.
 - iv. That care and maintenance of such open space reservations will be assured by establishment of an appropriate management organization for the project. The manner of assuring maintenance and assessing such cost to individual properties shall be included in any contractual agreement with the Village and shall be included in the title to each property.
 - v. That ownership and tax liability of private open space reservation will be established in a manner acceptable to the Village and made a part of the conditions of the plan approval.
 - vi. That proponents of the Planned Unit Development have submitted a reasonable schedule for the implementation of the development including suitable provisions for assurance that each stage could be brought to completion in a manner which would not result in adverse effect upon the community as a result of termination at that point.
- C. In the case of proposed commercial developments:
- i. That the architectural design, landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with and not adversely affecting the property values of the surrounding neighborhood.
 - ii. That the proposed development will be adequately served by off-street parking and truck service facilities.
 - iii. That the locations for entrances and exits have been designed to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets, and that the development will not create an adverse effect on the general traffic pattern of the area.
- D. In the case of mixed developments (in addition to B & C above):
- i. That the proposed mixture of uses produces a unified composite which is compatible within itself and which, as a total development entity, is compatible with the surrounding neighborhood.

7. **Determination.** The Village Board after due consideration, may deny the petition as submitted or approve the petition, or approve the petition subject to additional conditions. The General or Detailed Approval of a petition to have the property placed in this District shall be based on and include as conditions thereto, the building, site, and operational plans for the development as petitioned and as approved by the Board.
 - A. **General Approval.** Plans submitted for such an approval need not necessarily be completely detailed at the time of District zoning provided they are of sufficient detail to satisfy the Village Board as to the general character, scope, and appearance of the proposed development. Such preliminary project plan shall at least designate those items numbered A through O in subsection (2) above. The approval of such preliminary project plan shall be conditioned upon the subsequent submittal and approval of more specific and detailed plans as the development progresses, so that all detailed approvals are completed before an Occupancy Certificate is required.
 - B. **Detailed Approval.** Plans submitted for detailed approval shall be sufficiently precise that all factors that need to be identified for application of a Building Permit are presented, and that any approvals given are all that would be necessary prior to issuance of an Occupancy Permit.
8. Upon Detailed Approval, and before any building permit shall be issued, the developer and owner shall enter into an appropriate contract with the Village to guarantee the implementation of the development according to the terms and conditions established as a part of the Detailed Approval process. Such contract shall be recorded by the developer in the Portage County Register of Deeds office within ten (10) days after its execution.
9. Before any building permit shall be issued, the developer, if required by the Zoning Committee or the Village Board, shall furnish acceptable security (performance bond, irrevocable letter of credit, or other similar security) in an amount equal to 150% of the total estimated cost of the municipal improvements, including but not limited to streets, sidewalks, curbs, gutter, water, sanitary and storm sewers, and fire protection installations to assure completion of all phases of such development in the specified time as indicated in the Planned Unit Development petition. If such specified dates are not kept, such security shall be forfeited to the Village for completion of such improvements.
10. Any subsequent change or addition to the plans or use shall first be submitted for approval to the Zoning Committee and if, in the opinion of said group such change or addition constitutes a substantial alteration of the original plan, a public hearing before the Village Board shall be required and notice thereof be given pursuant to Section Fourteen, and the amendment, if approved by the Village Board, made part of the Approved Project Plan file.

Section II. EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Village Board of the Village of Park Ridge on this first day of January, 1996.