

ARTICLE 20

PLANNED UNIT DEVELOPMENT

20-100. PURPOSE:

The purpose of the Planned Unit Development regulations is to encourage and allow more creative and imaginative design for land developments than is possible under the more conventional zoning regulations. The Planned Unit Development also provides for more efficient use of the land and thus results in more economical land development. Preservation of natural site qualities, better urban amenities, more open space and a higher quality project are the normal results of the Planned Unit Development process.

The following objectives may be obtained through the use of the Planned Unit Development procedure:

TO permit a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the other sections of this Ordinance.

TO promote a creative approach to the use of land and related physical facilities that results in better design and development, with the inclusion of aesthetic amenities.

TO combine and coordinate architectural styles, building forms and building relationships with a possible mixing of different urban uses in an innovative design.

TO encourage a pattern of development to preserve natural vegetation, topographic and geological features and environmentally appropriate features.

TO provide for the prevention and/or control of soil erosion, surface flood and the preservation of subsurface water.

TO create a method for the permanent preservation of common open space for the continued use and enjoyment of the residents of the development.

TO provide for more usable and suitably located recreation facilities, schools and other public and private facilities.

TO promote the more efficient use of the land resulting in more economic networks of utilities, streets and other facilities.

TO encourage a land use which promotes the public health, safety, comfort, morals and welfare.

TO create a method for the permanent preservation of architectural and/or historic landmarks.

The Planned Unit Development is intended to provide for projects incorporating a single type or a variety of related uses which are planned and developed as a unit. The Planned Unit Development should provide amenities not otherwise required by law and often establishes facilities and open space greater than the minimum required by law.

Such development may consist of conventionally subdivided lots to be sold, un-subdivided single ownership, separate condominium ownership of structures or other ownership methods, and shall provide for development by means of a Planned Unit Development Plat which establishes the location and extent of the features of the Planned Unit Development in keeping with the purpose of the plan.

The unique and substantially different character of Planned Unit Developments requires their administrative processing as a "Special Use" under this Ordinance. Planned Unit Developments are more complex and of a different character than other specific and additional procedures, standards and exceptions to govern the recommendations of the Zoning Board and the action of the Board of Commissioners.

20-101. PROCEDURE:

A Planned Unit Development shall be granted as a Special Use in accord with the procedures and standards of this section and may depart from the normal procedures, standards and other requirements of the other sections of this Ordinance.

Applications shall be made on forms provided by the Village and shall be accompanied by the required plats and documents. Detailed plans, drawings and other information as specified by this Ordinance shall be required at the time of the various meetings and hearings. Each step shall be reviewed and certified by the Zoning Administrator as being in accordance with the Planned Unit Development requirements.

20-101.1. Step 1 -- Conceptual Plan Procedure (Optional)

20-101.1.1. Purpose.

The purpose of the Conceptual Plan Submission is to obtain approval of the Village for the development of a parcel of land in accord with the plans, programs and a schedule submitted as part of the Planned Unit Development application. It is intended that the proposal submitted will be in preliminary conceptual form and that, following the anticipated approval, the developer will proceed with preparing detailed plans for all or a portion of the site for submission as a Preliminary Plan (Step 2). This procedure allows for approval of an overall concept without the necessity of prejudging long-range markets and preparing precise plans for unknown quantities and allows the developer to complete long-range commitments knowing he has a viable and acceptable project. This procedure pertains principally to large size projects and therefore has been provided for in the Planned Unit Development procedure as an additional optional step.

The "conceptual plan" procedure is not mandatory and the developer may select to proceed directly to the "preliminary plan" procedure.

20-101.1.2. Procedure.

A request for the approval of a Conceptual Plan, as a step in the Planned Unit Development procedure, shall be submitted to the Zoning Administrator who shall refer same to the Plan Commission for public hearing, report and recommendation as to whether or not the Board of Trustees should approve the Conceptual Plan. The required procedure for review of the Plan shall be:

(a) Submission of the following:

Written application for review of a Planned Unit Development shall be made on forms and in the manner prescribed by rules of the Village.

The application shall be accompanied by a fee which shall be established by the Board of Trustees.

Sufficient supporting data, plans or information to indicate the extent and nature of the proposal and that the project is ready for public hearing. Detailed data in accord with **Section 20-103.1** of this Ordinance will be required at the public hearing or may be submitted with the application. Ten (10) copies of all required information shall be submitted.

(b) Copies of the Conceptual Plan and supporting data shall be submitted to the Zoning Administrator. The Zoning Administrator shall examine the Plan to determine conformity with these regulations; and may make recommendations and suggestions to the Plan Commission regarding the Plan.

(c) Copies of the Conceptual Plan and supporting data shall be submitted to the Village Manager, who will seek the review and recommendations of Village officials and departments responsible for public works and public safety.

(d) The Plan Commission shall hold a public hearing on the application for a Planned Unit Development, in accord with the procedures of **Section 26-108**.

(e) Following the conclusion of the public hearing and review of the Conceptual Plan and supporting data for conformity to these regulations, the Plan Commission shall, within thirty (30) days, unless an extension is requested by the petitioner, recommend approval, modification or disapproval, and the reasons therefor, or indicate why a report and recommendation cannot be rendered to the Board of Trustees.

The Plan Commission shall set forth in a separate communication to the Board of Trustees findings of fact, in accord with **Section 20-105**, on which they base their recommendation and describing how the proposal meets the standards of **Section 20-104**.

(f) The Board of Trustees, after receipt of the Conceptual Plan from the Plan Commission, shall approve, modify or disapprove the Plan within a period of sixty (60) days, unless an extension is requested by the petitioner. In the case of disapproval of the Plan, the Board of Trustees may disapprove by appropriate motion and a roll call vote. In the case of approval, or approval with modification, the Board of Trustees shall pass a resolution approving the Plan. However, the Zoning Map shall not be amended at this stage. The Board of Trustees may require such special conditions as they may deem necessary to insure conformance with the intent of the planning

objectives of the Village and the stated purposes of the Planned Unit Development provisions of this Ordinance. An agreement to conditions by the petitioner shall be executed by the petitioner and the Village in a form and manner required by the Village Attorney.

(g) The approval of the Conceptual Plan portion of the Planned Unit Development by the Board of Trustees shall constitute an acceptance of the specific content of the Conceptual Plan, and shall indicate the general acceptance by the Board of Trustees to approve a preliminary plat that carries out, refines and implements the concept expressed in the Conceptual Plan. The preliminary plat and final plats shall be submitted in accord with requirements of **Section 20-103**. Submission of a Preliminary Plan for a part or all of the Planned Unit Development shall be made within a period of not to exceed one (1) year from the date of approval of the Conceptual Plan.

(h) No building permit shall be issued for any structure until the final plan has been approved by the Board of Trustees.

20-101.2. Step 2 -- Preliminary Plan Procedure (Mandatory).

20-101.2.1. Purpose.

The purpose of the Preliminary Plan submission, which is mandatory, is to obtain tentative approval and/or commitments from the Village that the plans, design and program that the developer intends to build and follow are acceptable, and that the developer can reasonably proceed into final detailed architecture, engineering, surveying and landscape architecture in anticipation of Final Plan approval and subsequent construction. This is a relatively detailed submission to offer the developer assurance that the Final Plan will be accepted if it substantially conforms to the Preliminary Plan. It is at this stage that final modifications, adjustments and interpretations are made to the Conceptual Plan.

20-101.2.2. Procedure.

A request for preliminary approval of the Planned Unit Development shall be submitted to the Zoning Administrator who shall refer same to the Plan Commission for public hearing, report and recommendation as to whether or not the Board of Trustees should issue the Special Use permit applied for. The required procedure for review of the Preliminary Plan shall be:

(a) Submission of the following:

Written application for review of a Planned Unit Development shall be made on forms and in the manner prescribed by rules of the Village. The application shall be accompanied by a fee which shall be established by the Board of Trustees. Sufficient supporting data, plans or information to indicate the extent and nature of the proposal and that the project is ready for public hearing. Detailed data in accord with **Section 20-103.2** of this Ordinance will be required at the public hearing or may be submitted with the application. Ten (10) copies of all required information shall be submitted.

(b) Copies of the Preliminary Planned Unit Development Plan and supporting data shall be submitted to the Zoning Administrator. The Zoning Administrator shall examine the Plan to determine conformity with these regulations; and may make recommendations and suggestions to the Plan Commission regarding the Plan.

(c) Copies of the Preliminary Planned Unit Development Plan and supporting data shall be submitted to the Village Manager, who will seek the review and recommendations of Village officials and departments responsible for public works and public safety.

(d) The Plan Commission shall hold a public hearing on the application for a Planned Unit Development in accord with the procedures of **Section 26-108.3**.

(e) Following the conclusion of the public hearing and review of the Preliminary Planned Unit Development Plan and supporting data for conformity to these regulations, the Plan Commission shall, within thirty (30) days, unless an extension is requested by the petitioner, recommend approval, modification or disapproval, and the reasons therefor, or indicate why a report and recommendation cannot be rendered to the Board of Trustees. The Plan Commission shall set forth in a separate communication to the Board of Trustees findings of fact, in accord with **Section 20-105**, on which they base their recommendation and describing how the proposal meets the standards of **Section 20-104**.

(f) The Board of Trustees, after receipt of the Preliminary Planned Unit Development Plan from the Plan Commission, shall approve, modify or disapprove the Preliminary Plan within a period of sixty

(60) days, unless an extension is requested by the petitioner. In the case of disapproval of the Preliminary Plan, the Board of Trustees may disapprove by appropriate motion and roll call vote. In the case of approval, or approval with modification, the Board of Trustees shall pass an ordinance granting the Special Use and indicate their approval upon the plat and amend the Zoning Map as necessary. The Board of Trustees may require such special conditions as they may deem necessary to insure conformance with the intent of the planning objectives of the Village and the stated purposes of the Planned Unit Development provisions of this Ordinance. An agreement to conditions by the petitioner shall be executed by the petitioner and the Village in a form and manner required by the Village Attorney.

(g) Approval of a Preliminary Planned Unit Development Plan shall not constitute approval of the Final Plat. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plan as a guide to the preparation of the Final Plat which will be submitted for approval of the Village and subsequent recording upon the fulfillment of the requirements of these regulations and conditions of the preliminary approval, if any. The Final Plat shall be approved if it conforms with the Preliminary Plan. The Preliminary Plan and Final Plat may be filed and approved simultaneously or the Final Plat may be filed and approved without a Preliminary Plan if all of the land is to be developed at one time, and if all requirements hereof are met.

(h) No building permit shall be issued for any structure until the Final Plat has been filed and approved by the Board of Trustees.

20-101.3. Step 3 -- Final Plat Procedure.

20-101.3.1. Purpose.

The purpose of the Final Plat is to designate with precision the land subdivided into conventional lots as well as the division of other lands, not so subdivided, into common open space and building sites. The Final Plat is intended as a document to be recorded. The Final Plat shows the exact location of facilities while the Preliminary Plan shows the general location of the same facilities.

20-101.3.2. Procedure.

The Final Plat shall be submitted as a Planned Unit Development Plat and shall conform substantially to the Preliminary Plan as approved and, if desired by the developer, may be submitted in stages with each stage reflecting the approved preliminary plan which is proposed to be recorded and developed; provided, however, that such portion conforms to all requirements of these regulations. The required procedure for approval of a Final Plat shall be:

(a) A Final Planned Unit Development Plat and other supporting data required for approval shall be submitted to the Zoning Administrator in accord with the provisions of **Section 20-103**. Final Plats and supporting data show in detail the design, location and use of all buildings, facilities and site improvements, as well as such additional information as the Plan Commission may require.

(b) The Final Plat and supporting data shall be submitted to the Zoning Administrator for certification that the Final Plat is in conformity with these regulations and in agreement with the approved Preliminary Plan.

(c) The Final Plat and supporting data shall be submitted to the Village Manager who will seek the review and recommendations of Village officials and departments responsible for public works and public safety.

(d) The Plan Commission shall hold a public hearing on the application for a Planned Unit Development in accord with the procedures of **Section 26-108.3**.

(e) Following the conclusion of the public hearing and review of the Final Plat, the Plan Commission shall, within thirty (30) days, unless extension is requested by the petitioner, recommend approval or disapproval, and the reasons therefor, to the Board of Trustees.

(f) The Board of Trustees, after receipt of the Final Plat from the Plan Commission, shall approve or disapprove the Final Plat within a period of sixty (60) days, unless an extension is requested by the petitioner, and if approved, shall pass an ordinance authorizing the Planned Unit Development and allowing the issuance of all necessary permits.

In the case of disapproval of the Final Plat, the Board of Trustees may disapprove by appropriate motion and roll call vote.

20-101.4. Recording the Final Plat. The Ordinance authorizing construction of the Planned Unit Development shall require recording of the Final Planned Unit Development Plat and supporting documents with the County Recorder of Deeds or Registrar of Titles. The recording or registration of the Final Plat shall constitute notice to all who deal with the Planned Unit Development of the restrictions placed upon the land.

21-101.5. Changes in the Planned Unit Development. The Planned Unit Development project shall be developed only according to the approved and recorded Final Plat and all supporting data.

The final site plan and supporting data together with all recorded amendments shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises and location of structures in the Planned Unit Development project as set forth therein.

Changes to the recorded Planned Unit Development may be made as follows:

20-101.5.1. Major Changes. Changes which alter the concept or intent of the Planned Unit Development including increases in density, increases in the height of buildings, reductions of proposed open space, increases in total bedroom counts, changes in the development schedule, changes in road standards or changes in the final governing agreements, provisions or covenants, or other changes, may be approved only by submission of a new Preliminary Plan and/or Final Planned Unit Development Plat and supporting data and following the Preliminary Plan procedure.

If major changes are proposed, a new public hearing shall be required during resubmission of the Preliminary Plan or Final Plat.

All changes to the original Final Plat shall be recorded with the County Recorder of Deeds or the Registrar of Titles as amendments to the Final Plat or reflected in the recording of a new corrected Final Plat.

20-101.5.2. Minor Changes. The Zoning Administrator may approve minor changes in the Planned Unit Development which do not change the concept or intent of the development. Minor changes shall be any change not defined as a major change.

20-101.6. Submission Requirements. The Final Plat must be submitted for approval in accordance with agreed scheduling. The first Final Plat must be submitted not later than three (3) years from the approval of the Preliminary Plan and construction as authorized by the issuance of a building permit must begin within two (2) years of the date of the filing of the Final Plat dealing with such construction; in the event that same is not done, the Planned Unit Development Special Use shall be null and void and the Corporate Authorities shall initiate such zoning changes as it deems necessary to protect the public interest. If construction falls more than three (3) years behind the building schedule filed with the Final Plat, the Corporate Authorities shall either extend the schedule period or initiate action to revoke the Planned Unit Development Special Use. Extensions in the building schedule for up to two (2) year periods may be recommended by the Plan Commission and granted by the Corporate Authorities.

20-101.7. Occupancy. Upon the completion of the Planned Unit Development, a portion thereof, or an individual building or element of the Planned Unit Development in full compliance with the final Planned Unit Development site plan, supporting data and the recorded Final Plat, then and only then can an Occupancy Certificate be issued by the Zoning Administrator to allow the use of a building or facility.

20-102. LOCATION:

The Planned Unit Development is authorized as a Special Use in each of the Residential Zoning Districts of this Ordinance.

20-103. SPECIFIC CONTENT:

The Planned Unit Development Site Plan, supporting data and documentation shall include at least the following information, unless waived by the Plan Commission:

20-103.1. Conceptual Plan Stage.

20-103.1.1. Concept Plan: A drawing of the Planned Unit Development shall be prepared at a scale that provides for clear understanding of the way in which the property is intended to be developed. The Plan shall indicate the overall land use pattern, general circulation system, open space or park system and major features of the development. This does not require a detailed site plan of buildings, roads, walks, etc. The Plan should include:

- (a) Boundary lines - approximate distances;

- (b) Streets on and adjacent to the tract - circulation system;
- (c) Land use patterns - proposed; and
- (d) Map data - name of development, name of site planner, north point, and scale, date of preparation and acreage of site.

20-103.1.2. Site Data: A written explanation of the graphic elements of the Plan, including:

- (a) Description and quantity of land uses;
- (b) Description of residential units by type;
- (c) Number of dwelling units and density data;
- (d) Estimated population; and
- (e) Description of the development standards and design criteria.

20-103.1.3. Objectives: A statement of planning objectives to be achieved by the Planned Unit Development. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices of the developer.

20-103.1.4. Ownership: A statement of present and proposed ownership of all land within the project.

20-103.1.5. Environment: A preliminary statement identifying existing natural and environmental resources and the method to protect the physical amenities of the site, including information on:

- (a) Topography;
- (b) Flood Plains and Surface Hydrology;
- (c) Vegetation and Natural Coverage;
- (d) Significant Visual Features; and
- (e) Erosion Control.

20-103.1.6. Utilities: Preliminary engineering information on existing and proposed sanitary, storm, water and other utilities necessary to adequately service the development.

20-103.1.7. Traffic: A preliminary traffic analysis providing information on existing streets and future improvements deemed necessary to service the development.

20-103.1.8. Structures: Preliminary architectural concepts that describe the proposal for the development will be presented to indicate the character of the buildings.

20-103.2. Preliminary Plan Stage:

20-103.2.1. Detailed Plan: A drawing of the Planned Unit Development shall be prepared at a scale of not less than 1" = 100' and shall show such designations as proposed streets (public and private), all buildings and their use, common open space, recreation facilities, parking areas, service areas and other facilities, parking areas, service areas and other facilities to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and include:

- (a) Boundary lines - bearings and distances;
- (b) Easements - location, width and purpose;
- (c) Streets on and adjacent to the tract - street name, right-of-way width, existing or proposed center line elevations, pavement type, walks, curbs, gutters, culverts, etc.;
- (d) Utilities on and adjacent to the tract - location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and

telephone lines, and street lights; direction and distance to and size of nearest usable water mains and sewers adjacent to the tract showing invert elevation of sewers;

(e) Show one foot contours for entire site; also show spot elevations at all breaks in grades, along all drainage channels or swales, and at points of special significance;

(f) Subsurface conditions on the tract (if required by the Plan Commission) - location and results of tests made to generally ascertain subsurface soil, rock and ground water conditions; and depth of ground water;

(g) Other conditions on the tract - water courses, flood plains, marshes, rock outcrop, wooded areas, isolated preservable trees one (1) foot or more in diameter, houses, barns, accessory buildings and other significant features;

(h) Other conditions on adjacent land - approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of major buildings, railroads, power lines, towers and other non-residential land uses or adverse influences; owners of adjacent unplatted land; for adjacent platted land refer to subdivision plat by name, and show approximate per cent developed typical lot size and dwelling type;

(i) Zoning - show zoning districts on and adjacent to the tract;

(j) Proposed public improvements - highways or other major improvements planned by public authorities for future construction on or near the tract;

(k) Open space - all parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated;

(l) Structures - general location, purpose and height, in feet or stories, of each building other than single-family residences on individually platted lots;

(m) Map data - name of development, name of site planner, north point, scale, date of preparation and acreage of site; and

(n) Miscellaneous - such additional information as may be required by the Plan Commission.

20-103.2.2. Objectives: A statement of planning objectives to be achieved by the Planned Unit Development. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices of the developer.

20-103.2.3. Character: Explanation of the character of the Planned Development, and the manner in which it has been planned to take advantage of the flexibility of these regulations and referencing the general benefits that will accrue to the public as a result of the Planned Unit Development.

20-103.2.4. Ownership: Statement of present and proposed ownership of all land within the project, including present tract designation according to official records in offices of the County Recorder of Deeds or Registrar of Titles. Where title is held in a land trust or in a corporate name, the beneficiaries of said trust or the shareholders of said corporation shall also be disclosed. A certificate shall be furnished that there are no delinquent general taxes or special assessments constituting a lien on the whole or any part of the property.

20-103.2.5. Schedule: Development schedule indicating:

(a) Stages in which project will be built with emphasis on area, density, use and public facilities such as open space to be developed with each stage. Overall design of each stage shall be shown on the plat and through supporting graphic material.

(b) Approximate dates for beginning and completion of each stage.

(c) If different land use types are planned to be included within the Planned Unit Development, the schedule must include the mix of uses to be built in each stage.

20-103.2.6. Covenants: Proposed agreements, provisions or covenants which will govern the use, maintenance and continued protection of the Planned Development and any of its common open space.

20-103.2.7. Density: Provide information on the density of residential uses, including the number of dwelling units per acre, the number of dwelling units by type, the number of buildings by type and the number of bedrooms in each building and dwelling unit type.

20-103.2.8. Non-Residential Use: Provide information on the type and amount of ancillary and non-residential uses, including the amount of common open space.

20-103.2.9. Service Facilities: Provide information on all service facilities and off-street parking facilities.

20-103.2.10. Architectural Plans: Preliminary architectural plans for all primary buildings shall be submitted in sufficient details to permit an understanding of the style of the development, the design of the building and the number, size and type of dwelling units. Plans shall also provide floor area of building types and total ground coverage of buildings.

20-103.2.11. Landscape Plans: Preliminary plans for plant materials, earth sculpturing, berming and aesthetic features shall be submitted.

20-103.2.12. Facilities Plans: Preliminary plans or information, adequate to indicate that the proposed development can be serviced, shall be submitted for:

- (a) Roads including classification, width of right-of-way, width of pavement and typical construction details;
- (b) Sanitary sewers;
- (c) Storm drainage;
- (d) Water supply system;
- (e) Lighting program; and
- (f) Sidewalks, paths and cycle trails.

20-103.2.13. School Impact Study: Provide information on the student load and financial impact on the local school districts, including expected scheduling of potential students.

20-103.2.14. Tax Impact Study: Provide information on the taxes to be generated by the proposed project and the cost to the various taxing bodies to provide the necessary services to the project.

20-103.2.15. Traffic Analysis: Provide information on the adequacy of the local transportation and thoroughfare system to handle anticipated traffic volumes generated by the Planned Unit Development. Also, an analysis should be made of the adequacy of the internal vehicular circulation pattern.

20-103.2.16. Market Study: Provide an economic feasibility study of the proposed development, including information on land utilization and marketing potential. Evidence should be presented showing the need and feasibility of the proposed development. Evidence should be presented demonstrating the financial ability of the developer to complete the proposed development.

20-103.3. FINAL PLAT STAGE:

20-103.3.1. Final Detailed Plat: A Final Planned Unit Development plat, suitable for recording with the County Recorder of Deeds or Registrar of Titles, shall be prepared. The purpose of the Final Plat is to designate with precision the land subdivided into conventional lots as well as the division of other land, not so treated, into common open areas and building areas. The Final Plat shall include, but not be limited to:

- (a) An accurate legal description of the entire area under immediate development within the planned development;
- (b) A subdivision plat of all subdivided lands in the same form and meeting all the requirements of a normal subdivision plat;
- (c) An accurate legal description of each separate unsubdivided use area, including common open space;

- (d) Designation of the exact location of all buildings to be constructed;
- (e) Certificates, seals and signatures required for the dedication of lands and recording of the document; and
- (f) Tabulation of separate unsubdivided use area, number of buildings, number of dwelling units and dwelling units per acre.

20-103.3.2. Common Open Space Documents: All common open space shall be either conveyed to a municipal or public corporation, conveyed to a not-for-profit corporation or entity established for the purpose of benefiting the owners and residents of the planned development or retained by the developer with legally binding guarantees, in a form approved by the Village Attorney, that the common open space will be permanently preserved as open area. All land conveyed to a not-for-profit corporation or like entity shall be subject to the right of said corporation to impose a legally enforceable lien for maintenance and improvement of the common open space.

20-103.3.3. Public Facilities: All public facilities and improvements made necessary as a result of the Planned Unit Development shall be constructed in accordance with the Village Subdivision Regulations, as amended. These regulations may require guarantees and bonds.

20-103.3.4. Construction Plans: Detailed plans shall be submitted for the design, construction or installation of site amenities, including buildings, landscaping, lakes and other site improvements.

20-103.3.5. Construction Schedule: A final construction schedule shall be submitted for that portion of the Planned Unit Development for which approval is being requested.

20-103.3.6. Covenants: Final agreements, provisions or covenants which will govern the use, maintenance and continued protection of the Planned Unit Development shall be recorded at the same time as the Final Planned Unit Development Plat.

20-104. STANDARDS:

The Planned Unit Development must meet the following standard in lieu of the standards specified for Special Uses in **Section 26-108:**

20-104.1. Comprehensive Plan: A Planned Unit Development must conform with the intent and spirit of the planning objectives of the Village.

20-104.2. Size and Ownership: The site of the Planned Unit Development must be under single ownership and/or unified control.

20-104.3. Compatibility: The uses permitted in a Planned Unit Development must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties.

20-104.4. Need: The Planned Unit Development must be of a character and contain such uses that are clearly needed in the service area of the proposed project.

20-104.5. Space between Residential Buildings: The minimum horizontal distance between buildings shall be:

20-104.5.1. Fifteen (15) feet between one story, two story, two and one-half story buildings or combinations thereof.

20-104.5.2. Equal to the height of the taller buildings in the case of freestanding, unattached buildings other than one, two or two and one-half story buildings.

20-104.6. Business Uses: Up to twenty (20) per cent of the land area of a planned development in an **R-7 Residential District** may be devoted to business uses if need and compatibility are demonstrated. The business area shall comply with the substantive and procedural standards of the **B-3 District**.

20-104.7. Parking Requirements: Adequate parking shall be provided in accordance with Article 23 of this Ordinance.

20-104.8. Design Standards: The provisions of the Subdivision Regulations of the Village shall apply to all planned developments.

20-104.9. Other Standards: The Planned Unit Development may depart from strict conformance with site and structure requirements and other regulations for the standard zoning districts and other provisions of

this Ordinance to the extent specified in the preliminary plat and documents authorizing the Planned Unit Development so long as the Planned Unit Development will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. However, the density of the zoning district in which the planned development is located shall not be exceeded.

20-105. FINDINGS:

The Plan Commission shall, after the required public hearing, submit a report to the Board of Trustees. Said report shall state specifically in which respects the proposed plan would or would not be in the public interest, and shall include but not be limited to, findings of fact on the following:

20-105.1. In what respects the proposed plan is consistent with the stated purpose of the Planned Unit Development regulations.

20-105.2. The extent to which the proposed plan meets the requirements and standards of the Planned Unit Development regulations.

20-105.3. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to the density, dimension, area and bulk, and the reason why such departures are deemed to be in the public interest.

20-105.4. The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.

20-105.5. The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.

20-105.6. The desirability of the proposed plan as regards physical development, tax base and economic well-being of the Village.

20-105.7. The impact of the proposed plan on the environment.

20-105.8. The conformity with the intent and spirit of the planning objectives of the Village.

20-106. CONDITIONS AND GUARANTEES:

Prior to the granting of any Planned Unit Development, the Plan Commission may recommend, and the Board of Trustees may stipulate, such conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation and other elements of the Planned Unit Development as deemed necessary for the protection of the public interest, improvement of the development and protection of the adjacent area. In all cases in which Planned Unit Developments are granted, the Board of Trustees may require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection with the approval of the Planned Unit Development are being, and will be, complied with.