

EXHIBIT GArticle 20A - REGIONAL PLANNED UNIT DEVELOPMENTS

## Sec. 20A-1 PURPOSE AND OBJECTIVES

The purpose of the Regional Planned Unit Development is to encourage and allow more creative, flexible and imaginative design for land developments than is possible under the more conventional zoning regulations. The Regional Planned Unit Development also provides for more efficient use of the land and thus results in more economical land development consistent with the preservation of natural site qualities, better urban amenities, and a higher quality project, all in general conformity with the goals and planning objectives of the Comprehensive Plan of the Village existing as of the date of approval of the Conceptual Land Use Plan by the Village Board of Trustees.

Regional Planned Unit Developments are permitted only for large tracts of land of 125 acres or more under single ownership or unified control and having unique site characteristics for which it is possible to determine, at the time of application, a broad range of possible uses, the specific location of which, however, cannot be determined at the time of application because of uncertainties surrounding the development of uses on the site and on adjacent properties and because of the anticipated duration of development. The procedures and standards set forth herein are intended to afford the Corporate Authorities an opportunity to review each proposed Conceptual, Preliminary and Final Plan to assure that it meets or promotes the following criteria and objectives:

- (a) 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.
- (b) 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.
- (c) To combine and coordinate architectural styles, building forms and building relationships with a possible mixing of different urban uses in an innovative design.

- (d) To encourage a pattern of development to preserve natural vegetation, topographic and geological features and environmentally appropriate features.
- (e) To provide for the prevention and/or control of soil erosion and surface flooding.
- (f) To provide, where residential development is to occur, for more usable and suitably located recreation facilities, schools and other public and private facilities.
- (g) To promote the more efficient use of the land resulting in more economic networks of utilities, streets and other facilities.
- (h) To encourage a land use which promotes public health, safety, comfort, morals, and welfare.

The Regional 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. Such development may consist of conventionally subdivided lots to be sold, unsubdivided single ownership, separate condominium ownership of structures, or other ownership methods, and shall provide for development by means of preliminary and/or final development plans which establish the location and extent of the uses within of the Regional Planned Unit Development in keeping with the purpose of the Conceptual Plan.

A Regional Planned Unit Development may depart from strict conformance with the required density, dimension, area, height, bulk, use, and other regulations for the standard zoning districts and other provisions of this Ordinance and the other codes and other ordinances of the Village to the extent specified in the documents authorizing the Regional Planned Unit Development or to the extent specified in any ordinance or resolution approving a Preliminary or Final Plan.

Sec. 20A-2 LOCATION AND PERMITTED USES

The Regional Planned Unit Development is authorized as a special use in each of the Zoning Districts of this Ordinance. Any permitted or special use available under any of the various zoning district classifications of the Village, whether singly or in combination, and any other use permitted by law, may be allowed as either a permitted or special use within a Regional Planned Unit Development upon approval thereof by the Village Board of Trustees.

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The Village Board of Trustees, in connection with its consideration of a Conceptual Plan, may determine, for any such Regional Planned Unit Development, that special provisions, restrictions or considerations are required in order to adequately provide for public health, safety and welfare or to meet the needs of other units of local government. In the event such determination is made as part of the approval of a Conceptual Plan for a Regional Planned Unit Development, the development of said Regional Planned Unit Development shall be consistent with such special provisions, restrictions or considerations as determined by the Village Board.

Sec. 20A-3                      PROCEDURE

A Regional Planned Unit Development shall be granted as a special use in accordance with the procedures and standards of this Article 20A. Applications shall be made on forms provided by the Village and shall be accompanied by the required plans and documents. The plans, drawings and other information required for each STEP, as hereinafter set forth, shall be furnished sufficiently in advance of the various meetings and hearings associated with each STEP to permit staff review prior to the time of such meetings and hearings.

(a) STEP 1 - Pre-Application Procedure (Optional)

Pre-Application Conference

Prior to the filing of an application for approval of a Regional Planned Unit Development, the developer may request of the Village an informal meeting to discuss the development of its land in conjunction with Village planning and zoning objectives and the Village Comprehensive Plan. The request for a Pre-Application Conference shall be made to the Village Clerk who shall submit such application to the Village Manager for processing.

The Pre-Application Conference is not mandatory and does not require formal application, fee or filing of a Regional Planned Unit Development Conceptual Plan.

The Pre-Application Conference may also be employed by the developer of a portion of a Regional Planned Unit Development in connection with a proposed revision to a Conceptual Plan, a proposed Preliminary Plan and/or a proposed Final Plan.

(b) STEP 2 - Conceptual Plan Procedure

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1. Purpose

The purpose of the Conceptual Plan submission is to obtain the Village's approval of a plan of development for one or more parcels of land which is in accordance with the criteria and objectives of Section 20A-1 and which establishes the permissible uses of such land. It is intended that following approval of the Conceptual Plan, the development of the Regional Planned Unit Development may be undertaken in separate phases or stages pursuant to detailed preliminary and final site plans for each such separate phase or stage which are to be submitted and processed in accordance with the procedures set forth in STEP 3 and STEP 4 hereof. The Conceptual Plan review process allows for approval of an overall land use concept without the necessity of anticipating long-range markets or preparing precise plans for unknown quantities of development.

2. Procedure

A request for the approval of a Conceptual Plan, as a step in the Regional Planned Unit Development procedure, shall be submitted to the Village Clerk who shall refer the same to the Planning and Zoning Commission for public hearing, report and recommendation to the Village Board. The required procedure for review of the Conceptual Plan shall be:

a. Submission of the following:

- (i) Written application or petition for review of a Conceptual Plan shall be made on forms and in the manner prescribed by rules of the Village.
- (ii) The application or petition shall be accompanied by a fee which shall be established by the Village Board.
- (iii) 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 20A-4(a) and (b) of this Ordinance shall be submitted with the application. Twenty (20) copies of all required information shall be submitted.

b. The Planning and Zoning Commission shall hold a public hearing on the application for a Regional Planned Unit Development in accordance with the

notice and publication requirements for planned unit developments, which hearing may be continued from time to time by said Planning and Zoning Commission.

- c. Following the public hearing and review of the Conceptual Plan and supporting data, the Planning and Zoning Commission, within thirty (30) days, shall recommend approval, modification or disapproval of the Conceptual Plan, and the reasons therefor, to the president and the Village Board. Such recommendation shall include findings of fact as required by Section 20A-6.
- d. The president and Village Board, within thirty (30) days after receipt of the Conceptual Plan and the Planning and Zoning Commission's report and recommendations, shall approve, modify or disapprove the Conceptual Plan and shall, at that time, authorize or disapprove the special use for the Regional Planned Unit Development. In the case of approval, or approval with modification, the Village Board shall pass an ordinance or resolution approving the Conceptual Plan and granting the special use and arrange zoning map modifications as necessary.
- e. The granting of the special use for the Regional Planned Unit Development by the Village Board shall constitute an acceptance of the content of the Conceptual Plan, and shall confirm the Village's commitment to approve preliminary and final site plans that carry out, refine and implement the concepts expressed in the Conceptual Plan and the intent of the Conceptual Plan and which are determined by the Corporate Authorities to comply with the standards set forth in Section 20A-5. The preliminary and final site plans shall be submitted to and processed by the Village in accordance with the requirements of this Section 20A-3 and Section 20A-4.

(c) STEP 3 - Preliminary Plan Approval

1. Purpose .

The purpose of the preliminary plan submission process is to obtain approval from the Village of preliminary site plans (a "Preliminary Site Plan") that further the development of the Regional Planned Unit Development and which are determined by the Corporate Authorities to comply

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with the standards set forth in Section 20A-5. Said process also enables the developer of any portion of the Regional Planned Unit Development to obtain assurances that his plans, design and program substantially satisfy the standards of Section 20A-5(b) and that the developer can reasonably proceed into final detailed architecture, engineering, surveying and landscape architecture with the knowledge that his Final Plan will be approved by the Village if it substantially conforms to the Preliminary Plan.

2. Procedure

A request for approval of a Preliminary Plan shall be submitted to the Village Clerk who shall refer the same to the Planning and Zoning Commission for public meeting and report to the Village Board.

The required procedure for review of a Preliminary Plan shall be:

a. Submission of the following:

- (1) Written application for review of a Preliminary Plan shall be made on forms and in the manner prescribed by rules of the Village.
- (2) The application shall be accompanied by a fee which shall be established by the Village Board.
- (3) Sufficient supporting data, plans and information to indicate the extent and nature of the proposal. Detailed data in accord with Section 20A-4(c) shall be submitted with the application. Twenty (20) copies of all required information shall be submitted.

b. The Planning and Zoning Commission shall review the Preliminary Plan and supporting data for conformity to these regulations, and shall recommend approval, modification or disapproval of the Preliminary Plan, and the reasons therefor, to the Village Board.

c. The Village Board, after receipt of the Preliminary Plan and the report and recommendations of the Planning and Zoning

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Commission, shall approve, modify or disapprove the Preliminary Plan. In the case of approval, or approval with modification, the Village Board shall indicate its approval upon the Preliminary Plan.

- d. Review and approval or disapproval of Preliminary Plans shall be undertaken pursuant to a schedule to be agreed upon by the petitioner and Village Manager at the time of application, provided, however, that, in any event, the Village Board shall approve the Preliminary Plan, disapprove the same or approve the same with modifications, within sixty (60) days of the petitioner's submittal of the last of the documents required to be submitted pursuant to the terms of Section 20A-4C.
- e. Approval of a Preliminary Plan shall not constitute approval of a Final Plan. Rather, it shall be deemed an expression of approval of the layout and other matters submitted on the Preliminary Plan as a guide to the preparation of the Final Plan which will be submitted to the Village for approval upon the fulfillment of the requirements of these regulations and the conditions of the preliminary approval, if any. A Final Plan shall be approved if it substantially conforms with the Preliminary Plan.

A Preliminary and Final Plan may be filed and approved simultaneously or a Final Plan may be filed and approved without a Preliminary Plan if all submittal requirements for Preliminary Plan approval are substantially satisfied.

(d) STEP 4 - Final Plan Approval

1. Purpose

The purpose of the final plan submission process is to obtain final approval from the Village of a final site plan (a "Final Plan") for a specific construction phase of the Regional Planned Unit Development. A Final Plan shall indicate with particularity the land subdivided into conventional lots as well as the division of other lands, not so subdivided, into common open space and building sites. A Final Plan should

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show the exact location of all facilities within the portion of the Regional Planned Unit Development contemplated by said Final Plan while a Preliminary Plan need only show the general location of the same facilities.

2. Procedure

A Final Plan shall conform substantially to the Preliminary Plan as approved and, if desired by the developer, may be submitted in phases with each phase reflecting the approved Preliminary Plan, or part thereof, which is proposed to be developed.

The required procedure for approval of a Final Plan shall be:

- a. A Final Plan and other supporting data required for approval shall be submitted to the Village Clerk for transmittal to the Planning and Zoning Commission. Final Plans and supporting data shall show in detail the design, location and use of all buildings, facilities, and site improvements, as well as such additional information as the Planning and Zoning Commission may require.
- b. The Planning and Zoning Commission shall recommend approval, disapproval or approval with modification of the Final Plan, and the reasons therefor, to the Village Board.
- c. The Village Board, after receipt of the Final Plan and the report and recommendations of the Planning and Zoning Commission, shall approve or disapprove the Final Plan, and, if approved, shall pass an ordinance or resolution approving the Final Plan.
- d. Review and approval or disapproval of Final Plans shall be undertaken pursuant to a schedule to be agreed upon by the petitioner and Village Manager at the time of application, provided, however, that, in any event, the Village Board shall approve the Final Plan, disapprove the same or approve the same with modifications, within sixty (60) days of the petitioner's submittal of the last of the documents required to be submitted pursuant to the terms of Section 20A-4D.

(e) Changes in the Regional Planned Unit Development Conceptual Plan

The Regional Planned Unit Development shall be developed only according to the approved Conceptual Plan. The Conceptual Plan, together with all amendments thereto, shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of land in the Regional Planned Unit Development.

Changes to the Conceptual Plan may be made only by submission and approval of a revised Conceptual Plan following the Step 2 - Conceptual Plan Procedure [See 20A-3(b)].

(f) Changes in Preliminary and Final Plans

1. Major Changes

Changes to a Preliminary or Final Plan including increases in density or increases in the height of buildings, may be approved only by submission of a new Preliminary or Final Plan and supporting data following the procedures set forth above.

2. Minor Changes

The Village Manager or other person authorized by the Village Board may approve minor changes in a Preliminary or Final Plan which do not change the concept or intent of the proposed development. Minor changes shall be any change not defined as a major change. In the event of conflict, the Village Board shall determine whether a change is major or minor.

(g) Notwithstanding anything to the contrary herein contained, changes in any Conceptual Plan, Preliminary Plan, Final Plan or Subdivision Plat may be processed, reviewed and considered simultaneously.

Sec. 20A-4 SPECIFIC CONTENT

(a) Pre-Application Stage (For Conceptual Plan and Preliminary and Final Site Plans)

1. General Site Information - Data regarding site conditions, land characteristics, available community facilities and utilities, existing covenants and other related information.

2. Sketch Plan - A drawing in simple sketch form showing the proposed location and extent of the land uses, streets, lots and other features.
3. Legal Description - A complete property survey and legal description of the site proposed for development.

(b) Conceptual Plan Stage

1. A diagrammatic representation depicting the following:
  - a. Boundary Lines - Approximate distances.
  - b. Easements - General location and purpose, if known.
  - c. Existing Public Rights-of-Way Adjacent to the property, if any.
  - d. Proposed Land Uses - A general description of land uses proposed for development on the property.
  - e. Map Data - Name of development, name of site planner, north point, scale, date of preparation and acreage of site.
2. Site Data - A written explanation of the elements of the Conceptual Plan, which may include:
  - a. A Description of the permissible land uses within the Regional Planned Unit Development and the bulk regulations that are to control the development of said uses (including, without limitation, building setbacks, building coverages, building height and floor area ratios); and
  - b. The Total Number of Dwelling Units which may be constructed, if any.
3. Fiscal Impact - An estimate of the revenues projected to accrue to the Village and the various other major governmental bodies serving the development.
4. Ownership - A statement disclosing ownership of all land within the Regional Planned Unit Development.

5. Environment - A statement describing the existing topography, flood plains and vegetation on the property.

(c) Preliminary Plan Stage

1. Preliminary Plan - With respect to the development of any portion of the Regional Planned Unit Development, a Preliminary Plan shall be prepared at a scale of not less than 1"=100' and shall show such designations as proposed streets, all proposed building locations and the proposed use of said buildings, common open space, recreation 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 shall include:
  - a. Boundary Lines - Bearings and distances.
  - b. Easements - Location, width and purpose.
  - c. Streets On and Adjacent to the proposed development (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 proposed development (location, size and invert elevation of sanitary and storm 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 proposed development showing invert elevation of sewers).
  - e. Ground Elevations On the proposed development - Indicate spot elevations, with minimum one foot contours, of major features and changes in elevations and adjoining land based upon existing and proposed uses.
  - f. Other Conditions On the proposed development - 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 on the proposed

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development and their relationship to adjoining land.

- g. Zoning - Show zoning districts on and adjacent to the proposed development.
  - h. Proposed Public Improvements and Lands - Highways or other major improvements planned by public authorities for future construction on or near the proposed development.
  - i. Map Data - Name of development, name of site planner, north point, scale, date of preparation and acreage of site.
2. Description of Development - Explanation of the nature of the development and the manner in which it has been planned to take advantage of the flexibility of these regulations.
  3. Density - If Applicable, a description of on the density of residential uses to be provided, including the number of dwelling units per acre, the number of dwelling units by type, the number and height of buildings by type and the number of bedrooms in each dwelling unit and building.
  4. Service Facilities - A description of all service facilities and off-street parking facilities to be provided.
  5. Architectural Plans - Preliminary architectural plans for all primary buildings shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the building, and the number, size and type of dwelling units. Also, provide floor area of building types and total ground coverage of buildings.
  6. Landscape Plans - Preliminary plans for plant materials, earth sculpturing, berming and aesthetic features shall be submitted.
  7. 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).

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- b. Sanitary sewers.
  - c. Storm drainage.
  - d. Water supply system.
8. Traffic Study - Upon request of the Village, a traffic study shall be prepared and provided by the applicant indicating expected traffic to be generated by the development and describing the improvements suggested to assure adequate ingress and egress and internal vehicular circulation.

(d) Final Plan Stage

1. Final Plan - Before any construction phase of the Regional Planned Unit Development is developed pursuant to an approved Preliminary Plan, a Final Plan shall be prepared. The purpose of the Final Plan is to designate with particularity 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 Plan shall include, with respect to said portion of the Regional Planned Unit Development being developed:
- a. An accurate legal description of the entire area under development.
  - b. If applicable, subdivision plat of all lands to be subdivided in the same form and meeting all the requirements of a normal subdivision plat including (i) a statement that all special assessments and delinquent taxes have been paid and (ii) certificates, seals and signatures required for the dedication of lands and the recording of the document.
  - 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. Tabulation of separate unsubdivided use area, including land area, number of buildings, number of dwelling units and dwelling units per acre.

- f. Location of all structures, easements, street rights-of-way and set back lines.
  - g. Location of all walks, driveways and curblines.
  - h. Layout and location of all parking areas, including location and dimensions of all spaces, circulation aisles, islands and curbs.
  - i. Layout and location of all off-street loading areas.
  - j. Layout and location of all outside storage areas (including identification and size of the material to be stored) and location and dimensions of all fencing and/or screening.
  - k. All landscaping, including locations, heights, type and number of trees and shrubs and location and type of all ground cover and lawn material.
  - l. Location, height, intensity, and fixture type of all exterior lighting.
  - m. Architectural building elevation drawings of each building face including, without limitation, materials to be used and their proper locations.
  - n. Building material and color information.
  - o. Site coverage data and calculations.
  - p. Parking data and calculations.
  - q. Site drainage plans, data and calculations (confirming the adequacy of site drainage on the site, as approved by the Village Engineer).
  - r. Descriptions of proposed use.
  - s. Topographical map of the site (and, to the extent possible, the land within two hundred and fifty (250) feet of the site) at one (1) foot contour levels.
2. Construction Plans - Detailed plans shall be submitted for the design, construction or

installation of site amenities, including landscaping, lakes and other site improvements, which may be done on a phased or staged basis, for that portion of the Regional Planned Unit Development then being developed.

3. Covenants - Final agreements, provisions or covenants which will govern the use, maintenance and continued protection of that portion of the Regional Planned Unit Development then being developed shall be recorded prior to issuance of any building permits.

Sec. 20A-5      STANDARDS

Any Regional Planned Unit Development must meet the following standards:

- (a) Comprehensive Plan - A Regional Planned Unit Development should be in general conformity with the intent and spirit of the goals, objectives, policies, plans and development guidelines of the Village as set forth, as of the date of approval of the Conceptual Plan by the Village Board, in the Village's Comprehensive Plan and Section 20A-1 of this Ordinance.
- (b) Size and Ownership - At the time of approval of of the Conceptual Plan, the land to be included within a Regional Planned Unit Development must be not less than one-hundred twenty-five acres in area and must be under single ownership and/or unified control. For purposes hereof, "unified control" shall be defined as the combination of two (2) or more tracts of land wherein each owner has agreed that his tract of land shall be developed as part of a Regional Planned Unit Development and shall be subject to the control applicable to the Regional Planned Unit Development.
- (c) Compatibility - The uses permitted in a Regional Planned Unit Development and the location of said uses shall be compatible with uses in surrounding properties, or in the alternative, shall have adequate buffers interposed between them and said properties.

Except as specifically provided for in the ordinance or resolution authorizing the special use for the Regional Planned Unit Development and except as may be otherwise permitted by law, a Regional Planned Unit Development shall comply with all rules, regulations, resolutions and ordinances of the Village in force at the time of Conceptual Plan approval and as from time to time enacted, amended or modified thereafter.

20A-6 FINDINGS

(a) Conceptual Plan Approval

The Planning and Zoning Commission shall, after the public hearing required by STEP 2 (See Section 20A-3(b)2.d), set forth in its report to the Village Board the reasons for the recommendation, and said recommendation shall set forth with particularity other reasons for its determination, that the Regional Planned Unit Development would or would not be in the public interest, including but not limited to findings of fact on the following:

1. In what respects the proposed Conceptual Plan is consistent with the stated purpose and objectives of the Regional Planned Unit Development.
2. The extent to which the proposed Conceptual Plan and Regional Planned Unit Development depart from the zoning, use, bulk and subdivision regulations otherwise applicable to the subject property.
3. The relationship and compatibility of the proposed Conceptual Plan to adjacent properties, or, in the alternative, the extent to which adequate buffers have been provided.
4. The conformity with the intent and spirit of the goals, objectives, policies, plans and development guidelines of the Village as embodied in the Village's Comprehensive Plan as of the date of approval of the Conceptual Plan.

(b) Preliminary Plan Approval

The Planning and Zoning Commission shall, after the public meeting required by STEP 3 (See Section 20A-3(b)2d), set forth in its report to the Village Board the reasons for the recommendation, and said recommendation shall set forth with particularity other reasons for its determination that the proposal would or would not be in the public interest, including but not limited to findings of fact on the following:

1. In what respects the development proposed by the Preliminary Plan is consistent with the Conceptual Plan.
2. The extent to which the proposed development departs from the zoning and subdivision regulations otherwise applicable to the subject

property, including but not limited to density, dimension, area and bulk regulations.

3. The method by which the proposed Preliminary Plan makes adequate provision for public services, provides adequate control over the ingress and egress of vehicular traffic so as to minimize traffic congestion in the public streets and provides for and protects the public health, safety and welfare.
4. The relationship and compatibility of uses and structures proposed by the Plan to adjacent properties, or, in the alternative, the extent to which adequate buffers are to be provided.

(e) Final Plan Approval

The Planning and Zoning Commission, after the public meeting required herein, shall set forth in its report for the Village Board its findings that the proposed Final Plan is in substantial conformity with the approved Preliminary Plan.