

Village of Wadsworth, Illinois

Petition for a Planned Unit Development (PUD)

To be completed by applicant; please type or print legibly

Full Name of Petitioner: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Status of Petitioner:

- _____ Title Holder
- _____ Contract Purchaser
- _____ Agent or Attorney
- _____ Lessee
- _____ Other (Please Specify) _____

Approval Stage:

- _____ Date of Pre-Application Conference
- _____ Preliminary Development Plan (Date of Approval)
- _____ General Development Plan (Date of Approval)
- _____ Final Development Plan

Title Holder

Name: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Surveyor

Name: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Engineer

Name: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Land Planner

Name: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Landscape Architect

Name: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Legal Consultant

Name: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number(s): _____

Street Address or General Location of Property: _____

Legal Description of Subject Property (use additional pages, if necessary): _____

Lake County Permanent Identification Number(s) (P.I.N.) – Please List All: _____

Existing Zoning Classification: _____

Proposed Zoning Classification: _____

Property Data:	Site Area	_____	_____
		(Square Feet)	(Acres)
	Site Width	_____	
	Site Depth	_____	

I (we) _____ certify that I (we) have read the relevant sections of the
 (Print Name)
 Village of Wadsworth Zoning, Subdivision and Landscape Ordinances and I (we) understand the requirements and procedures for a *Planned Unit Development*. Further, I (we) certify that all of the above statements and any other documents or drawings submitted herewith are true to the best of my knowledge and belief.

_____	_____	_____
Name of Applicant (Print Name)	Signature	Date

_____	_____	_____
Name of Title Holder (Print Name)	Signature	Date

Note: If title holder does not sign this application, a separate writing will be required indicating he or she concurs and joins in the application.

Subscribed and sworn to before _____, a Notary Public in and for
 _____ County, State of _____, this _____ day of _____,
 20____.

This application, application fees, professional fees escrow account and any other required submittals must be submitted complete thirty (30) days prior to the public hearing.

Submittal Requirements

Twenty (20) copies of the following required information per Section 10-5-6 of the Village Zoning Ordinance.

10-5-6: PLANNED UNIT DEVELOPMENT (ORDINANCE AS OF 11.8.2011)

- A. Purpose: The regulations contained in this section are established to encourage creative and imaginative design of coordinated land uses and to provide relief from the subdivision and zoning district requirements which are designed for conventional developments, but which may inhibit innovation and cause undue hardship with regard to the use of parcels which present technical development problems. Planned unit developments are intended to allow substantial flexibility in planning and designing a project. This flexibility often occurs in the form of relief from compliance with conventional zoning and subdivision requirements. Ideally, this flexibility results in a development that is better planned, that contains more amenities, and ultimately a development that is more desirable to live in than one produced in accordance with typical zoning ordinance and subdivision controls. These regulations are established to provide a safe and desirable living environment for residential areas characterized by a unified building and site development program, to preserve natural features of the site and to provide adequate open space for recreation and other community purposes. Further, these standards and regulations are established to provide for the design, review and approval of any development of land within the wastewater management overlay district as shown on figure 8 of the Wadsworth comprehensive plan update of 2000.
- B. Districts: A planned unit development may be located in any zoning district as shown in section 10-5-14, table 8 of this chapter, subject to the procedures and standards set forth in this section.
- C. Permitted Uses: Unless expressly modified pursuant to subsection E of this section, the uses permitted in a planned unit development shall be: 1) those listed as permitted uses in the underlying zone and any overlay district in which the property is located, or 2) those uses approved as conditional uses in accordance with this title, or 3) such other uses as may be approved pursuant to subsection E of this section.
- D. Standards: A planned unit development shall comply with the following standards, unless expressly modified pursuant to subsection E of this section:
1. Lot Size, Yard, And Bulk Regulations: The planned unit development shall comply with the standards established in section 10-5-14, table 8, "Lot Size, Yard And Bulk Regulations For Planned Unit Developments", of this chapter.
 2. Minimum Site Area: The minimum land area to be included in a planned unit development shall be ten (10) acres.
 3. Basic Density: The basic density (dwelling units per acre of land) permitted in any planned unit development shall be as shown in section 10-5-14, table 7, "Site Capacity And Environmental Performance Standards", of this chapter.
 4. Number Of Dwelling Units Permitted: The number of dwelling units permitted in a planned unit development shall be determined by using the site capacity calculations shown in section 10-5-3, "Site Capacity Regulations", of this chapter.

5. Open Space: Open space shall be provided for recreational and other outdoor benefits and activities. The minimum open space requirements for particular zoning districts are set forth in section 10-5-14, table 7 of this chapter, but in no event shall less than twenty percent (20%), and in the AG district not less than eighty percent (80%), of the gross site be developed for active or passive recreation, stormwater detention and other open space uses including 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.
6. Separation Of Traffic: A planned unit development shall provide maximum separation of vehicular traffic from pedestrianways and play areas.
7. Unified Design: A planned unit development shall provide a unified design based upon significant architectural features, compatible building materials and a distinctive arrangement of structures and open spaces.
8. Nonresidential Uses: Adequate sites for retail shopping and service areas, schools, places of worship and other community services may be provided where the development is large enough to support these services in accordance with the standards established in this section.
9. Surrounding Uses And Property; Relationship Of Development To: Existing residential developments shall be buffered from all uses in a planned unit development other than single-family homes and permanent open space. Such permanent open space including recreational areas shall have an average width of at least two hundred feet (200') provided that no portion of such a buffer shall have a minimum width of less than one hundred feet (100').
10. Stormwater Detention: Surface drainage and stormwater detention facilities shall be designed in accordance with the standards of title 11 of this code.
11. Flooding: The floodplain regulations of section 10-5-2 of this chapter shall apply to all planned unit developments.
12. Parking: The off street parking requirements of section 10-5-9 of this chapter shall apply to all planned unit developments.
13. Street Improvements: All streets and street improvements shall be designed by a registered professional engineer. The width of streets and the design of the pavement and other structures shall be based upon their intended use and shall be related to the overall design of the planned unit development. Any street dedicated to the public shall be designed and constructed to the standards of title 11 of this code.
14. Required Setbacks: All structures located on the perimeter of a planned unit development shall be set back from the property line or street right of way a distance equal to the required setback in the adjacent zone. Interior yards and setbacks shall conform to the regulations established in section 10-5-14, table 8 of this chapter.
15. Height Restriction: Any principal structure within a planned unit development may extend up to thirty five feet (35') in height. Further, a planned unit development may approve a structure in excess of thirty five feet (35') in height provided it does not exceed a height determined by a plane extending inward from a grade at the perimeter of the planned unit development at an angle of thirty degrees (30°) above the horizontal and provided further that no structure shall exceed a height of fifty feet (50').

E. Departure From Standards: The planned unit development may depart from strict conformance with the required density, dimension, area, height, bulk, use and specific content regulations of this title, as well as standards required by title 11 of this code, but only to the extent specified in the preliminary development plan and documents authorizing the planned unit development so long as the planned unit development provides tangible benefits to the neighborhood or community in which it is located. Benefits to the community of the planned unit development and the improved design of the planned unit must justify the intended variation from the normal requirements of this title. These benefits shall be in the form of provisions of exceptional amenities, design excellence, etc. The waiver of any requirement shall be the direct cause of accrual of positive benefits to the residents of the development as well as to the general community (e.g., waiver of yard requirements might result in more usable open space). Departure from any requirement specified in this title or other village ordinances and regulations is a privilege, and shall be granted only upon recommendation of the zoning board of appeals and approval by the village board.

F. Preapplication Process (Step One): Before submitting an application for a planned unit development, the applicant shall request a preapplication meeting with the village administrator to meet with the preapplication committee. After the preapplication meeting the applicant shall submit a sketch plan and make an oral presentation of the proposed planned unit development to the village board. The purpose of this presentation shall be to inform the village board of the proposed development and the manner in which it has been planned to take advantage of the regulations of this section.

G. Preliminary Development Plan Process (Step Two):

1. Application: After the preapplication procedure of subsection F of this section has been completed, the applicant shall submit a completed preliminary development plan application and reimbursement of fees agreement with appropriate monetary deposit. The preliminary development plan application shall include, at a minimum, the following:
 - a. A boundary survey of the site prepared by a registered land surveyor.
 - b. A topographic map of the site with a contour interval of not more than two feet (2').
 - c. A map drawn to scale showing streets, lots, parcels and sites for all uses in the planned unit development including areas to be conveyed, dedicated or reserved for parks, parkways, playgrounds, conservation areas, detention facilities, school sites, public buildings and similar uses or for common areas for the use of the residents.
 - d. A site plan drawn to scale showing the approximate location of all buildings, structures and improvements other than single-family homes.
 - e. A preliminary resource protection plan as required in subsection 10-5-3-E of this chapter.
 - f. Site capacity calculations in conformance with section 10-5-3 of this chapter.
 - g. All preliminary engineering as required by title 11 of this code. The village engineer shall review and approve the preliminary engineering and shall report his recommendations to the plan commission and village board in writing.
 - h. A preliminary plat of subdivision when a subdivision of land subject to the village's subdivision ordinance is proposed in connection with a planned unit development. Review of the tentative plat of the proposed subdivision shall be carried out simultaneously with review of the preliminary development plan.
 - i. A preliminary landscape plan prepared in conformance with title 12 of this code.

- j. Natural resource opinion from the Lake County soil and water conservation district.
- k. A consultation report from the Illinois department of natural resources concerning endangered species protection and natural areas preservation.
- l. Correspondence from the Illinois historic preservation agency in regards to historic, architectural or archaeological sites.
- m. Correspondence from the Illinois department of transportation (IDOT) or the Lake County division of transportation (LCDOT) where the planned unit development has access to roads under the jurisdiction of these agencies indicating that access will be permitted and the location of the access.
- n. Correspondence from the Lake County health department indicating they have reviewed the preliminary development plan and soils information for septic systems on the planned unit development site.
- o. Draft agreements, bylaws, provisions or covenants which govern the use, maintenance and continued protection of the planned unit development and any of its common open areas, streets, parking facilities or other facilities and improvements.
- p. Elevation and/or perspective drawings in sketch form of all proposed structures and improvements except single-family residences and their accessory buildings. The drawings need not be the result of final architectural decisions, but shall be in sufficient detail to accurately portray the buildings proposed.
- q. A written narrative statement containing a detailed explanation of the size and character of the planned unit development and the manner in which it has been planned, including:
 - (1) Description of the site.
 - (2) Description of the proposed development.
 - (3) Discussion of any proposed rezoning, which is part of the project.
 - (4) Request for approval of a conditional use permit for the planned unit development.
 - (5) Discussion of the specific ways in which the planned unit development departs from the zoning and subdivision regulations.
 - (6) Discussion of the ways in which the planned unit development is related to the natural features of the site and any conservation features incorporated into the design of the planned unit development.
 - (7) A statistical summary including detailed information on land use, proposed development, population, traffic generation and assessed valuation.
 - (8) A development schedule including:
 - (A) The approximate date when construction of the project can be expected to begin.
 - (B) The phases in which the project will be built and the approximate date when construction of each stage can be expected to begin.
 - (C) The anticipated rate of development.

- r. Any other information or documentation requested by the village.
2. Consultant Report: Within thirty (30) days of submittal of a complete preliminary development plan application and supporting documents the village planner, village engineer, and village attorney will provide a written report with recommendations to the village plan commission, zoning board of appeals, and the village board.
 3. Zoning Board Of Appeals Review And Recommendation:
 - a. Hearing: The zoning board of appeals shall conduct a public hearing on the application for a conditional use permit for a planned unit development, any requested departures under subsection E of this section, and the proposed preliminary development plan in accordance with the procedures established for conditional use permits in this section. In addition to the notice required by state statute, notice of the application for preliminary development plan approval shall be given by the petitioner by registered or certified first class mail, at least fifteen (15) days before the date of the ZBA meeting at which it will be considered, to the owners of record of all parcels of land to a depth of three (3) separate owners but not to exceed within one thousand three hundred twenty feet (1,320') from the perimeter of the proposed planned unit development; provided, however, that nothing herein shall require a developer to give notice to the owners of property located outside the village.
 - b. Decision: Following the public hearing and review of the application for approval of the preliminary development plan, the zoning board of appeals shall, within thirty (30) days, unless an extension is requested by the applicant, recommend approval, modification, or disapproval of the conditional use permit for a planned unit development, requested departures, and approval of a preliminary development plan, and the reasons therefor, or indicate why a report and recommendation cannot be rendered to the village board. The zoning board of appeals may recommend such special conditions as it may deem necessary to ensure conformance with the objectives and standards established in this section. The failure of the zoning board of appeals to act within thirty (30) days, or such further time to which the applicant may agree, shall be deemed a recommendation for the denial of the conditional use permit, requested departures, and proposed preliminary development plan as submitted.
 4. Plan Commission Review And Recommendation:
 - a. Meeting: The application for preliminary development plan approval shall be submitted to the plan commission for review at a public meeting.
 - b. Decision: Following a public meeting and review of the application for approval of the preliminary development plan, the supporting documents, and village consultants' review letters, the plan commission shall review the preliminary development plan and within thirty (30) days, unless an extension is requested by the applicant, recommend approval, modification, or disapproval of the preliminary development plan, and the reasons therefor, or indicate why a report and recommendation cannot be rendered to the village board. The plan commission may recommend such special conditions as it may deem necessary to ensure conformance with the objectives and standards established in this section. The failure of the plan commission to act within thirty (30) days, or such further time to which the applicant may agree, shall be deemed a recommendation for the denial of the preliminary development plan as submitted.
 5. Village Board Decision: Within sixty (60) days following the receipt of the recommendations of the plan commission and the zoning board of appeals, or their failure to act as above provided, the board of trustees shall either: a) deny the application for approval of the preliminary development plan; b) refer it back to the plan commission and/or zoning board of appeals for further consideration of specified matters; or c) approve by ordinance the preliminary development plan, conditional use permit, and departures under subsection E of this section, with or without modifications and conditions to be accepted by the applicant as a condition of such approval, to permit development of the planned unit development as approved; provided, however, that every such ordinance and conditional use permit shall be expressly conditioned

upon approval of the final development plan in accordance with subsection H of this section upon the applicant's compliance with all provisions of this code and the ordinance granting the conditional use permit. The failure of the board of trustees to act within sixty (60) days, or such further time to which the applicant may agree, shall be deemed to be a decision denying approval of the preliminary development plan.

6. **Effect Of Preliminary Development Plan Approval:** Approval of a preliminary development plan shall not constitute approval of the final development plan. Rather it shall be deemed an expression of approval to the layout submitted on the preliminary development plan as a guide to the preparation of the final development plan 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. No building or construction, excluding public improvements, may take place within the proposed planned unit development, and no permits may be issued, until the final development plan and accompanying data has been submitted, approved, and recorded.
7. **Limitation On Preliminary Development Plan Approval:** Subject to an extension of time granted by the village board, unless a final development plan covering at least the area designated in the preliminary development plan as the first phase or unit of the planned unit development has been filed within two (2) years from the date the board of trustees grants preliminary development plan approval, or in any case where the applicant fails to file the final development plan and to proceed with development in accordance with the provisions of this code, the preliminary development plan approval shall automatically expire and be rendered void.

H. Final Development Plan Process (Step Three):

1. **Application:** Within two (2) years of the approval of a preliminary development plan in accordance with subsection G of this section, the applicant shall submit a completed final development plan application. The final development plans may be filed in phases in accordance with the development schedule. The final development plan application shall include, at a minimum, the following:
 - a. All final engineering documents as required by the subdivision regulations, title 11 of this code, or as otherwise required by the conditional use permit.
 - b. A final plat prepared in accordance with the regulations of title 11 of this code showing thereon all easements for utilities, stormwater management, the protection of landscaping, scenic easement and resource protection as required by village ordinance.
 - c. Final landscape plan prepared in conformance with title 12 of this code.
 - d. Final resource protection plan in conformance with subsection 10-5-3-E of this chapter.
 - e. Agreements, bylaws, provisions or covenants which govern the use, maintenance and continued protection of the planned unit development and any of its common open areas, streets, parking facilities or other facilities and improvements in final form as approved by the village attorney.
 - f. Signed copies of all agreements covering school, park, library and fire protection donations as approved by the village attorney.
 - g. Receipts for the payment of all fees required by the village.
2. **Consultant Report:** Within thirty (30) days of submittal of a complete final development plan application and supporting documents the village planner, village engineer, and village attorney will provide a written report with recommendations to the village plan commission and the village board.

3. **Plan Commission Review And Recommendation:** The plan commission shall review the final development plan at a public meeting. Within thirty (30) days after the conclusion of the plan commission's review of the final development plan, the plan commission shall make a report and recommendation to the village board as to whether the final development plan conforms to the requirements of the applicable ordinances and is in substantial conformance with the approved preliminary development plan. The failure of the plan commission to act within thirty (30) days, or such further time to which the owner may agree, shall be deemed to be a decision recommending denial of the preliminary development plan.
4. **Village Board Decision:** Within sixty (60) days of receipt of the recommendation of the plan commission, the village board shall approve, approve with conditions, or disapprove the final development plan. Any approval or approval with conditions shall be in the form of an ordinance. The failure of the board of trustees to act within sixty (60) days, or such further time to which the applicant may agree, shall be deemed to be a decision denying approval of the final development plan.

I. **Modification Of Plan:**

1. The village board may, from time to time, approve minor changes within a planned unit development. Such changes:
 - a. Shall not increase the density or number of dwelling units permitted in the planned unit development.
 - b. Shall not abrogate any design or development standard governing the development of the planned unit whether established by ordinance, by variance or by the issuance of a conditional use permit.
 - c. Shall not establish a use not otherwise permitted by this title as a part of the planned unit development.
 - d. Shall not reduce any required yard setback from a street or property line that adjoins property that lies outside the planned unit development.
 - e. Shall not reduce any open space areas on the property.
2. Any modification of a final plan contrary to the above standards shall be a major change and must follow the procedures for approval of a preliminary development plan as set forth in subsection G of this section, including the issuance of a new conditional use permit.

J. **Failure To Complete Improvements:** All public improvements shall be completed within two (2) years of final approval. At its discretion and for good cause, the village board may extend, for one additional year, the period for the completion of public improvements.

K. **Fire District Review Fee:** At the time of final development plan approval, and prior to recording of the final plat, the developer shall pay a fire district review fee of five hundred dollars (\$500.00) per dwelling unit or such other amount as may be established from time to time by the village board or such other amount as may be specifically approved by the village board for a particular planned unit development. For commercial and all other nonresidential lots within a planned unit development, the developer shall pay a fire district review fee as determined by the village board for the particular development. Upon receipt by the village, the fire district review fees shall be remitted to the fire district within which the property is located.