

# Village of Lake Villa



**VILLAGE OF LAKE VILLA**  
DISCOVER THE OPPORTUNITIES

## Summary of Planned Unit Development Procedures

**Preliminary Plan Procedures**

**Changes in a Preliminary Plan**

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\*packet is a summary of the Planned Unit Development Procedures. All Planned Unit Development requirements are included in the Village Code Section 10-3A-2.

## Preliminary Plan Procedures

### Preliminary Plan Procedures:

1. Purpose. The preliminary plan or plat is intended to provide the applicant an opportunity to submit a plan showing the basic scope, character, and nature of the entire proposed Planned Development. The preliminary plan or plat is the basis on which the required public hearing is held, thus permitting public consideration of and comments on the proposal at the earliest possible stage. A preliminary plan or plat shall contain the following basic elements of the proposed development:
  - a. Categories of uses to be permitted.
  - b. General location of residential and nonresidential land uses.
  - c. Overall maximum density of residential uses and intensity of nonresidential uses.
  - d. The general architectural design and building materials of the proposed development must be in compliance with the applicable architectural design standards of the Village.
  - e. General location and extent of public and private open space, including recreational amenities.
  - f. General location of vehicular and pedestrian circulation systems.
  - g. General location of existing natural areas, floodplains, wetlands and buffers, both on site and adjacent to the site.
  - h. General location and supporting information for storm water conveyance and management facilities.
  - i. Nature, scope and extent of public dedications, improvements, or contributions to be provided by the applicant.
  - j. Phasing of development.
2. Application: Applications for approval of a Preliminary Plan or Plat shall be filed on forms provided by the Village' s Zoning Official.
3. Preliminary Plan or Plat Submissions: The applicant shall prepare and submit plans and other documents in conformance with this Chapter and the application forms provided by the Zoning Official.

## Changes in the Preliminary Plat

**Changes in a Preliminary Plan:** Changes to a preliminary plan or plat shall be classified as follows:

- a. **Major Changes:** Major changes shall require submission and approval of a new preliminary plan or plat and all required or requested supporting data in accordance with the requirements of this Chapter. Major changes are those which would:
  - i) Alter the overall concept or intent; or
  - ii) Change the uses and/ or their general location; or
  - iii) Change by more than twenty (20) percent of any housing type; or
  - iv) Decrease the separation between buildings; or
  - v) Increase the density, building coverage, or building height; or
  - vi) Change the architectural design or building materials; or
  - vii) Reduce the open space; or
  - viii) Change the standards of locations of roads or utilities; or
  - ix) Reduce natural areas, wetlands, or buffers; or
  - x) Change proposed drainage; and/ or
  - xi) Amend the Ordinance granting the Conditional Use Permit for the Planned Development; or
  - xii) Change the development schedule by more than six months.
  
- b. **Minor Changes:** Minor changes to an approved preliminary plan or plat shall not require the submission of a new preliminary plan or plat, but shall require the identification of the minor changes on the final plan or plat documents for review by the Plan Commission and Village Board. Minor changes are those which are not 25 major, as determined by the Zoning Official.

## Final Plat Procedures

### Final Plan or Plat Procedure:

1. Purpose: The final plan or plat is intended to refine and implement the preliminary plan or plat and to serve as a complete, thorough and permanent public record of the Planned Development and the manner in which it is to be developed.
2. Application: Within one (1) year after the date of approval of the preliminary plan or plat, or within such other time period as agreed to in an approved phasing plan, the applicant shall file an application for final plan or plat approval in accordance with the requirements of this Section. The application may include the entire area included in the approved preliminary plan or plat or one (1) or more phases or units thereof in accordance with the phasing plan, if any, approved as part of the preliminary plan or plat. The application shall refine, implement and be in substantial conformity with the approved preliminary plan or plat.
3. Final Plan Submissions: The applicant shall prepare and submit plans and other documents in conformance with this Chapter for review by the Plan Commission.
4. Coordination with Subdivision Regulations: When a subdivision of land subject to the Village Subdivision Regulations is proposed in connection with a Planned Development, application for approval of, and review of, the final plat of the proposed subdivision shall be carried out simultaneously with an application for approval and review of the final Planned Development plan.
5. Recommendation by Plan Commission: Within thirty (30) days after the Zoning Official has certified the completeness of an application for approval of a final plan, the Plan Commission shall hold a public hearing, and with such aid and advice of the Village staff, review the plan and transmit to the Village Board its findings and recommendation whether the final plan be either approved, approved subject to modifications, or not approved. Such review shall consider:
  - a. Whether the final plan is in substantial conformity with the approved preliminary plan.
  - b. The merit, or lack of merit, of any departure of the final plan from substantial conformity with the approved preliminary plan.
  - c. Whether the final plan complies with any and all conditions imposed by approval of the preliminary plan.
  - d. Whether the final plan complies with the provisions of this Chapter and these Zoning Regulations and other applicable ordinances and regulations of the Village.
6. Action by Village Board of Trustees: The Village Board of Trustees shall approve or disapprove the final plan or plat within sixty (60) days from the date of submission thereof to the Village by the applicant or by the developer of the last item of required and/ or requested supporting documents and/ or of information requested by the Village Board of Trustees document(s), whichever date is later, unless such time is extended with the

## Final Plat Procedures

agreement of the applicant. Such required and/or requested document(s) shall include a written recommendation from the Plan Commission relative to such proposed final plan. If such final plan or plat is disapproved, then within said sixty (60) day period, the Village shall furnish to the applicant a written statement setting forth the reason for disapproval and specifying with particularity the aspects in which the proposed plan or plat fails to comply with the applicable ordinances of the Village. Within said sixty (60) day period, the Village Board shall either ( 1) approve the final plan or plat, with or without modifications and conditions which 26 modifications shall be accepted in writing by the applicant as condition( s) of such approval or, ( 2) reject the final plan or plat and refer the final plan or plat back to the Plan Commission for further consideration of specified matters or, ( 3) deny the final plan or plat, and in the event of such rejection, the Village Board shall furnish to the developer a written statement setting forth the reason( s) for such disapproval and specifying with particularity the aspects in which the proposed plan fails to comply with the applicable ordinances of the Village.

- a. Conditions on Final Plan Approval. The approval of any final plan may be granted by ordinance with or without modifications and conditions which modifications and/ or conditions shall be accepted in writing by the applicant as condition(s) of such approval.
- b. Failure to Act. The failure of the Village Board to timely act within sixty (60) days, as required by this Section or such extended time to which the applicant may agree, shall be deemed to be a decision of disapproval.

## Changes in the Final Plat

### Changes in the Final Plat or Plan:

The development of a Planned Development shall be in conformance with the approved and recorded final plat or plan documents. The approved documents shall be binding on the applicants, and their successors, grantees and assignees and shall limit and control the use, improvement, and development of the Planned Development. Changes in the final plat or plan are subject to the following restrictions:

- a. Major Changes: Major changes shall require submission of a revised preliminary plan and a revised final plan or plat for the proposed development in accordance with this Chapter. Major changes are those which:
    - i. Alter the overall concept or intent, or
    - ii. Change the uses and/ or their general location, or
    - iii. Change by more than twenty (20) percent any housing type, or
    - iv. Decrease the separation between buildings, or
    - v. Increase the density, building coverage, or building height, or
    - vi. Change the architectural design or building materials, or
    - vii. Reduce the open space, or viii) Change the standards of locations of roads or utilities, or
    - viii. Reduce natural areas, wetlands, or buffers, or
    - ix. Change proposed drainage, or
    - x. Amend the Ordinance granting the Conditional Use Permit Development, or
    - xi. Change the development schedule by more than six (6) months.
  - b. Minor Changes: A final plat or plan may be changed, subject to the Village Board's prior written approval without modifying the preliminary plan. Minor changes are 27 those which are not major, as determined by the Zoning Official or by the Village Board.
  - c. Authorized Administrative Changes: Changes in the location of buildings, streets and parking lots of one (1) foot or less may be approved by the Zoning Official when such changes are requested pursuant to obtaining a building permit. However, such changes shall not decrease a peripheral yard or peripheral open space.
- D. Revocation of Conditional Use Permit.

Construction of an approved Planned Development shall commence in accordance with the approved final plan, or in the case of phased developments, in accordance with the development schedule of an approved phasing plan. If construction falls one (1) year behind the approved schedule, the Village Board may, unless an extension of time is granted by the Village Board, initiate an appropriate application to revoke the Conditional Use Permit for all affected portions of the Planned Development. The developer of the Planned Development shall be notified prior to any proposed revocation of the respective Conditional Use Permit and be given an opportunity to be heard by the Village Board prior to revocation of the respective Conditional Use Permit.

## **Changes in the Final Plat**

Notification mailed to the developer and/ or applicant for the Conditional Use Permit by registered mail or certified mail, return receipt requested, shall be considered adequate notice.

E. Amendments to Final Plat or Plan Following Completion of Development.

After completion of a Planned Development, an approved final plat or plan may be amended, varied or altered in the same manner and subject to the same limitations, as provided for major changes in this Section. The respective amended final plat or plan shall be recorded by the Village with the Lake County Recorder of Deeds.

## Submission Requirements

### Submission Requirements

All plans and supporting data for Planned Development applications shall include the documentation listed below. In developing plans and specifications for all required improvements, the applicant shall also conform to the standards set forth in the Village's Subdivision Regulations and other applicable ordinances.

A. Preliminary Plan Stage: The submission requirements for a preliminary Planned Development plan shall include the following submittals, unless waived by the Zoning Official:

1. Plan Commission:

- a. A written letter of intent from the applicant describing the applicant's intention for developing the site.
- b. A topographic survey.
- c. A location map.
- d. General Site Information. Data regarding site conditions, land characteristics, general land use, zoning, available community facilities and utilities, existing covenants, and other related general information about land -uses within one- quarter (1/4) mile of the proposed site perimeter.
- e. Conceptual Plan. A scaled drawing of the site, in simple sketch form, showing the proposed location and extent of the land uses, major streets, lots, and other features as they are related to the site.
- f. Conceptual Structures. Sketches depicting the general architecture and massing of 28 buildings and structures on the site, and information depicting the architecture and massing of buildings and structures adjacent to the site.
- g. Legal Description. A plat of survey and legal description of the site proposed for development prepared by a land surveyor licensed by the State of Illinois.
- h. Tentative plans for water supply, sewage disposal, surface drainage, open space, and other public facilities and improvements.
- i. Fiscal impact study comparing the projected tax revenue generated by the project and the added costs for services as they will affect local government jurisdictions.
- j. School impact study indicating the number of new students generated by the project. This information will be used in the fiscal impact study above to determine the project's impact on local school districts.
- k. Traffic impact study indicating the daily and peak traffic generation by the project.
- l. Market study to evaluate the economic feasibility of the proposed development, including market acceptance of the proposed development products, comparative alignment and market absorption. The market study shall be prepared by a qualified, independent market research firm.
- m. A construction activities plan indicating how construction activity will be controlled by addressing contractor ingress/ egress, construction parking, street cleaning and pest control.
- n. Financial information including a copy of lender's commitment; MAI appraisals on the existing site and after development completion, certificate of no delinquent taxes; and financial pro forma.



## Submission Requirements

- o. Proposed covenants to govern the use and maintenance of the development and ensure the continued observance of the provisions of the Planned Development.
- p. A narrative description of the Planned Development describing: the intent and desired effect of the development; the manner in which the development has been planned to take advantage of the flexibility of the Planned Development regulations; the superior benefits that would accrue to the residents/users of the development; all relief sought from the standard application of district requirements in conjunction with project.
- q. Proof of ownership or control of the site.
- r. A development schedule indicating:
  - i. A description of the development phases including the public facilities to be constructed with each phase, the density and/ or floor area of buildings, open space, and mix of uses in each phase.
  - ii. The approximate dates of the beginning and end of each phase.
  - iii. The area and general content of each stage shall be shown on a plat and supporting graphics.
- s. Submission and approval of all applicable plans and materials required in the Village' s Watershed Development Regulations and Tree Preservation Regulations.
- t. A description of the materials to be used in the construction of buildings and structures.

### C. Final Plan Stage:

The final plan or plat of the Planned Development shall be prepared by a land surveyor licensed by the State of Illinois and accurately drawn in ink on material capable of producing clear and legible contact prints or photostatic copies and shall show the following:

- 1. Identification and Description:
  - a. Name of developer.
  - b. Street names.
  - c. Location by section, township, and range by legal description.
  - d. Graphic scale and north arrow.
- 2. Planned Development Plan or Plat: The developer shall provide to the Village a final detailed planned development plan or plat of subdivision prepared by a land surveyor licensed by the State of Illinois, suitable for recording with the County Recorder of Deeds. The purpose of the Planned Development final plan or plat is to designate with particularity the land subdivided into conventional lots, as well as the division of other lands into common open and building areas and any dedicated areas and/ or easements, and to designate and limit the number and use of structures and land areas within the planned development. The final Planned Development plat or plan and supporting data shall include the following:
  - a. All information for a final plan or plat as required by Title 1 I of this Village Code, the Village' s Subdivision Regulations.

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- b. Designation of the exact location of all buildings to be constructed, and a designation of the specific internal uses for which each building will be utilized, including construction details; centerline elevations; pavement type; curbs, gutters, culverts, any dedicated areas and/ or easements within the Planned Development, etc.; and a street numbering designation shall be furnished for each building.
- c. Documents relative to the common area(s) and/ or open space shall be provided including, at the election of the Village, the following information:
  - i. Preservation. Adequate safeguards, including recorded covenants or dedication of development rights, shall be provided where appropriate to prevent the subsequent use of common area(s) and/ or open space for any use, structure, improvement, or development other than that shown on the approved final plan or plat. The restrictions shall be permanent, and not for a given period of years, and shall run with the land.
  - ii. Ownership and Maintenance. The final plan or plat shall include such provisions for the ownership and maintenance of common area( s) and/ or open space, including all improvements thereto, as are reasonably necessary to ensure their continuity, care, conservation, maintenance, and operation in good condition in accordance with pre -determined standards and to ensure that remedial measures will be available to the Village if such common area( s) and/or open space or improvements are permitted to deteriorate or are not maintained in a condition consistent with the best interests of the Planned Development or the Village.
  - iii. Property Owners' Association Information. Where the ownership or maintenance of such common area(s) and/ or open space or improvements to any part thereof is proposed to be by a property owners' association, such association shall meet each of the following standards:
    - a) The by-laws and rules of the association and all declarations, covenants and restrictions to be recorded shall be approved in advance in writing by the Village as part of the final plat or plan prior to becoming effective.
    - b) The by-laws and rules of the association and all declarations, covenants, and restrictions shall be recorded with the County Recorder of Deeds and shall each provide that it shall not be amended in any manner that would result in it being in violation of the requirements of this Chapter and/ or any other provision of the Village Code. 30
    - c) The association shall be incorporated and registered with the Illinois Secretary of State by the applicant and/ or developer prior to the

## Submission Requirements

Village' s approval of any final plan or plat for the planned development, and all covenants and restrictions relative to the planned development shall be in writing, approved by the Village, and recorded prior to the sale of any property within the Planned Development.

- d) The association shall be responsible to obtain, carry, pay for, and maintain casualty and liability insurance, taxes, and the maintenance of the open space, common areas and/or elements, and improvements to be deeded to it.
  - e) Membership in the association shall be mandatory for each property owner and any successive owner having a right to the use, enjoyment or benefit of such open space, common areas and/ or elements, or improvements.
  - f) Every property owner having a right to the use, enjoyment or benefit of such open space or improvements shall pay its pro rata share of the cost of the association by means of an assessment to be levied by the association that meets the requirements for becoming a lien on the property in accordance with statutes of the State of Illinois.
  - g) The association shall have the right to periodically adjust the assessment to be paid by each property owner to meet changed needs by a membership vote of no more than a majority of the members authorized to vote on the issue.
  - h) The Village shall be given the right, but not the obligation, to enforce the covenants of the respective planned development.
  - i) The Village shall be given the right, after ten (10) days written notice to the association, to perform any maintenance or repair work that the association has a duty to perform, to assess the membership for such work and to have a lien against the property of any member failing to pay such assessment and, for this purpose alone, all the rights and powers of the association and its governing body under the agreements and declarations creating the association.
- d. Final Landscape Plan. A final landscape plan shall be prepared in substantial conformance to the approved preliminary landscape plan. The form and content of the final landscape plan shall conform to the requirements of these Zoning Regulations.