

Section 28-9 Planned Unit Development.

9.1 Intent. Planned Unit Developments permit site plans and designs which would not be possible under strict application of zoning district regulations. Consequently, Planned Unit Developments shall offer more benefits than a conventional development because of comprehensive design and adherence to high standards. Improved features include but are not limited to the following:

- a. efficient land utilization;
- b. innovative design;
- c. preservation of natural areas;
- d. diversified land use and architectural treatment;
- e. compatibility with adjacent and nearby land developments.

9.2 Qualifications Required for a Planned Unit Development. The following are the projects that will be considered to be a Planned Unit Development:

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~~(Ord. #06-070)~~

~~9.2-1 a.~~ Any development with more than one principal building on a zoning lot or lot of record ~~shall be a Planned Unit Development.~~

~~(Ord. #04-013)~~

~~9.2-2 b.~~ Planned Unit Developments in the following districts shall have a minimum lot size of one acre: R-E, R-1, R-2, R-3, R-4, R-5, R-6, B-1, B-2, B-3, and B-4, S.

~~9.2-3 c.~~ Any development ~~in~~ the B-5 Zoning District ~~of~~, any new building or additions of 500 square feet ~~sq. ft.~~ or more to existing buildings ~~shall be a Planned Unit Development.~~

~~9.2-4 d.~~ Any development of four or more acres ~~in~~ the M-1 and M-2 Districts, ~~any development of four or more acres shall be a Planned Unit Development.~~

~~9.2-5 e.~~ Any All developments in the R-7, O-T, O-R, I and P-L Districts, ~~shall be a Planned Unit Development.~~

~~9.2-6~~ Planned Unit Development Sites ~~shall be under single ownership and/or unified control until fully developed.~~

~~9.2-7 f.~~ Any residential development using private roadways or private drives to provide vehicular access on the lot, ~~subject to the requirements in Section 9.3, shall be a Planned Unit Development.~~

9.3 General Requirements for Planned Unit Developments. Planned Unit Development Sites shall be under single ownership and/or unified control until fully developed and shall be governed by all applicable zoning requirements of this Chapter.

~~9.3-1~~ Yards along the periphery of Planned Unit Developments shall be provided as required by the regulations of the district in which said development is located.

~~9.3-2~~ Parking in a Planned Unit Development shall not be less than required for the same uses in Section 11 of Chapter 28.

~~9.3-3~~ Minimum lot size and lot area per dwelling unit shall be computed according to the standards of the district in which said development is located.

~~9.3-4~~ Whenever possible, vehicular and pedestrian traffic shall be separated from each other.

~~9.3-5~~ Adequate provision shall be made to minimize both external and internal traffic hazards and congestion.

~~9.3-6~~ 9.4 –Requirements for Planned Unit Developments Using Private Roadways. A Planned Unit Development for a residential development using private roadways may be approved in the following circumstances:

- a. The size and shape of the parcel is such that strict application of public street standards would cause development of the parcel to be impractical;
- b. The proposed development is enhanced by exceptional site design features not ordinarily possible under the strict application of the Zoning Ordinance and Subdivision Control Regulations;
- c. The development will provide amenities and improvements that would be materially beneficial to the adjacent neighborhood;
- d. The developer demonstrates to the reasonable satisfaction of the Plan Commission and the Village Board that the private roadways will be adequately maintained, including the execution and recording of a ~~and the owner shall execute and record a~~ covenant, binding all successors in title, ensuring that the private roadways will be maintained in a condition safe for vehicular travel;

~~e. The developer execute an agreement with the Village for traffic enforcement on private roadways; and~~

(Ord. # 04-059)

~~f. c. The development conforms with the following criteria:~~

~~1. Private roadways are constructed in accordance with Village construction standards for public roadways.~~

~~2f.~~ Private roadways are not planned or expected to serve property outside the proposed development.

~~g3.~~ Private roadways are not used to fill gaps in the existing thoroughfare system, connect two collector or arterial streets, or laid out to encourage through traffic.

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h4. Private roadways shall provide a minimum of two 12-foot wide driving lanes, excluding curb and gutter dimensions.

5-i. Only parallel parking is permitted on a private roadway provided the pavement width is increased by eight feet for each parking lane.

~~(Ord. #04-059)~~

6j. Signs indicating building addresses and directing motorists through the development are provided, the size, number and location of such signs to be determined by the Director of Building.

7k. Unimpeded circulation and travel for emergency vehicles is provided on private roadways in the development.

8l. Curbs are provided along private roadways and driveways.

9m. Street lights and sidewalks shall be installed along all private roadways in compliance with Village standards.

9.4 9.5 Variations.

~~9.4.1~~ In the case of any Planned Unit Development, the Plan Commission may recommend and the Village Board of Trustees may authorize ~~exceptions~~ variations to the applicable bulk regulations of this ordinance and such other variations from the zoning regulations as may be required within the boundaries of such development without referring the matter to the Zoning Board of Appeals.

~~9.4.2~~ ~~Qualifications for Granting Variations.~~ Such variations may be granted as long as it is demonstrated that they exceptions shall will not exercise a detrimental influence on the surrounding neighborhood. ~~Exceptions Variations~~ shall be justified when other characteristics of the development exceed the minimum standards of the ~~m~~Municipal eCode. All recommendations shall be based on the standards for appeals as stated in Section 6-201 of the Arlington Heights Municipal Code. Special consideration shall be given to:

~~9.4.2.1~~ a. The provision for indoor and outdoor recreation facilities, which ~~These facilities~~ should be proportional to the size and density of the Planned Unit Development.

~~9.4.2.2~~ b. The conservation of natural resources such as flood plains, wet lands and wooded areas.

~~9.4.2.3~~ c. As much as possible, ~~The~~ preservation, ~~as much as possible,~~ of the natural drainage and floodwater retention.

~~9.4.2.4~~ ~~All recommendations shall be based on the standards for appeals as stated in Section 6-202 of the Arlington Heights Municipal Code.~~

9.65 Procedures for Approval of Planned Unit Development. Application shall be made on

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forms supplied by the Planning Department and shall be complete with all supporting data, documents, plans, maps and other documents as specified below.

The Village review and approval of the Planned Unit Development may be performed in ~~four~~ three stages:

- a. Review of the Conceptual Plan by the Staff Development Committee and Conceptual Plan Review Committee of the Plan Commission.
- b. Review and approval ~~of the Preliminary Plan by the Plan Commission.~~
- c. Review and approval by the Village Board, including adoption of the Ordinance approving the Planned Unit Development, of the Final Plan.
- d. ~~Approval of the Planned Unit Development Ordinance.~~

~~In some circumstances review and approval of the Preliminary and Final Plan could be considered at the same time requiring only Plan Commission and Village Board Hearings. A petitioner, intending to combine the hearings must make such request at the time of filing the application.~~

9.5.1.7 Conceptual Planned Unit Development Submission and Review. Should a Petitioner desire, the Village will review a Conceptual Plan for a Planned Unit Development.

~~**9.5.1.1**~~ In order for the Village to review the Conceptual Plan, the following items must be submitted: must include three copies of the following items:

- a. ~~Location plan;~~
- b. ~~Current Plat of Survey of the subject parcel;~~
- c. ~~Current proof of ownership or petitioner interest in the property;~~
- d. ~~Topographical map of the subject property;~~
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- ea. Sketch Conceptual Development Plan including the site layout of buildings, roadways, access drives, and floor plans as necessary. Conceptual architectural elevations and landscape plans may also be submitted, indicating in a general form proposed land uses, the natural features of the site, the approximate location of roadways, streets, and structures, the density of dwellings, the parking and the natural drainage of the terrain;
- fb. A brief written statement explaining the character of the development and its main features should accompany the plan.

~~**9.5.1.2**~~ As quickly as possible from the date of submission of the Conceptual Plan, the Village Planning Department and the Staff Development Committee and Engineering Departments

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~~assisted by other Departments if necessary, will review the submitted materials, after which -and a meeting of the Plat and Subdivision- Conceptual Plan Review Committee of the Plan Commission will be set. The notes of the Committee will be sent to the Plan Commission. If the Conceptual Plan Review Committee has an In a case of an unfavorable recommendation, the petitioner can revise the Conceptual Plan and resubmit material for Staff and Committee review. The Petitioner can also choose to move forward to the Plan Commission with the negative recommendation from the Conceptual Plan Review Committee.~~

~~**9.5-2 Preliminary Planned Unit Development Submission, Review and Approval.** The petitioner applying for approval of the Planned Unit Development may petition for Preliminary Plan approval even if the staff and Plan Commission recommendation is negative.~~

~~**9.5-2-18 Submission for Planned Unit Development Approval.** The following items are required for submission to the Plan Commission for approval of a Planned Unit Development, in the quantity set forth in the Plan Commission application: materials required for Preliminary Plan approval shall include 10 copies for Department Heads and 10 copies for Plan Commission.~~

- ~~a. The previously submitted and updated items required for Conceptual Plan approval; A legal description of the entire Planned Unit Development;~~
- ~~b. A current plat of survey or Alta Survey of the subject property;~~
- ~~c. Proof of ownership or other legal interest of the petitioner in the property;~~
- ~~db. A Master Plan showing streets, lots, parcels and sites for all uses included in the Planned Unit Development, including areas proposed to be conveyed, dedicated or reserved for public uses including parks, playgrounds and parkways, as well as a brief written statement describing the Planned Unit Development;~~
- ~~ee. A site plan indicating exterior and interior roadways and streets, pedestrian walkways, fire lanes, parking lots including parking spaces for handicapped persons, areas reserved for landscaping and screening, all proposed structures, free standing signs, outdoor lighting, trash storage areas and loading areas, including a chart with all relevant zoning data such as FAR, land coverage ratios, density, setbacks, etc.;~~
- ~~df. Preliminary architectural floor plans and one typical building elevations. The plans for single family dwellings do not require submittal of floor plans and building elevations;~~
- ~~eg. A preliminary tree preservation plan and a detailed landscaping plan indicating approximate location of the planting material with general description like shade trees, bushes, flower beds, foundation planting, etc. with all of the planting materials common and Latin names, sizes and quantities.~~
- ~~fh. A preliminary engineering development plan indicating storm sewer lines, sanitary sewer lines, water mains and storm water detention or retention facilities and topographic plans.~~

- gi. A preliminary development schedule indicating:
 - 1. The approximate date of construction start.
 - 2. The number of construction phases and the date of starting each phase.
 - 3. The date of completion of each phase.
 - 4. A construction staging plan.
- hj. A draft of all proposed bylaws, covenants, easements, maintenance and other agreements, wherever applicable.
- i. ~~For residential Planned Unit Development a letter stating compliance with the required land or cash contribution in accordance with Chapter 29 of the Arlington Heights Municipal Code.~~
- jk. A ~~preliminary~~ traffic analysis in accordance with Section 6.12 of this Chapter.
- kl. Preliminary Plat of Subdivision (if required) in accordance with Chapter 29 of the Municipal Code.

~~9.5-2.29 The Review of the Preliminary Plan material. Once a complete Plan Commission application has been received, Village Staff will review the~~

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- ~~a. As quickly as possible the Village Administration will review the submitted material, prepare written comments and submit the material to the Plat and Subdivision Committee of the Plan Commission for a public hearing in accordance with the requirements of this Chapter. The Committee will schedule the meeting with the petitioner as quickly as possible after the Department Heads review.~~
- ~~b. The Chairman of the Plan Commission will schedule the Plan Commission Hearing date.~~
- ~~c. The petitioner is responsible for proper notifications in accordance with Section 17.~~

~~9.5-2.310. Public Hearing before the Plan Commission. At tThe Ppublic Hhearing, the Plan Commission may make shall include, but need not be limited to, the following findings which shall be if fully supported by reference to the specific evidence presented by the petitioner.:-~~

- a. The reasons why extent to which the proposed Planned Unit Development departs the departures from the Village Zoning and Subdivision regulations; and the Village Comprehensive Plan and the reasons why such departures proposed for the Planned Unit Development are or are not deemed to be in the public interest.
- b. The extent to which reasons why the proposed design does or does not make adequate provision for public services, public utilities and services, for vehicular and pedestrian traffic or provide for common open space and recreation.

- c. The physical and economic benefits of the proposed development to the entire community.
- d. The impact of the proposed development on the adjoining traffic network.

~~9.5.2.4 The Preliminary Plan application material with Plan Commission minutes and findings shall be submitted to the Village Board of Trustees for their approval. The Village Board shall accept, modify, or reject the Plan Commission recommendation. The preliminary acceptance of the Planned Unit Development shall not constitute a commitment by the Village that final approval will be granted.~~

~~9.5.3 Final Development Plan Review and Approval:~~

~~9.5.3.1 Within 12 months after the approval of the Preliminary Plan the petitioner shall file all the following materials with the Planning Department required for Final Plan approval:~~

- ~~a. A final land use plan suitable for recording. The purpose of the Final Land Use Plan is to designate the land subdivided into lots as well as the division of other land into common open areas and building areas.~~
- ~~b. A legal description of the entire Planned Unit Development and a legal description of each separate unsubdivided use, including common open space.~~
- ~~c. If subdivided lands are included in the Planned Unit Development, a Final Plat of subdivision must be submitted. (Refer to Chapter 29 Subdivision Control Regulations)~~
- ~~d. Detailed final site plan with all dimensions, details, designation and location of all buildings to be constructed and designation of the uses for which each building is designed.~~
- ~~e. Properly executed land dedication ordinances and recording documents.~~
- ~~f. Detailed project data including number of dwelling units per net acre; parking computation, land coverage, F.A.R. and land use breakdown by area and percentage.~~
- ~~g. Detailed landscaping plan with all the planting materials common and Latin names, sizes and quantities.~~
- ~~h. Final engineering plans and feasibility study for all utilities, water retention and drainage.~~
- ~~i. Final traffic report (if required).~~
- ~~j. Final agreements, bylaws, maintenance and continued protection of the Planned Unit Development, common areas and other facilities.~~
- ~~k. Final development and construction schedule.~~

~~l. Any bond or escrow agreements.~~

~~m. A written commitment to contribute land or money as determined in Chapter 29 of the Arlington Heights Municipal Code.~~

~~Items “d” through “k” may substitute for preliminary plan in case of simultaneous Preliminary and Final plan submission.~~

~~**9.5-3.2 Approval of Final Development Plan.** The petitioner shall file all the above described plans and documents with the Planning Department. As soon as possible the Planning Department and other Village Departments will review the submitted materials and prepare written comments and forward the material to the Plat and Subdivision Committee of the Plan Commission.~~

~~Satisfactory submission will be forwarded to the Plan Commission, which will approve or disapprove the petition at their regular meeting. As soon as possible all the material, with the recommendation of the Plan Commission, will be forwarded to the Village Board which will accept, modify, or reject the Plan Commission recommendation.~~

~~**9.5-4-11 Approval of Planned Unit Development Ordinance.** If, after review of the recommendation from the Plan Commission, After the Village Board approves the Planned Unit Development, -action a Planned Unit Development- an appropriate Ordinance shall be prepared if required. Upon approval of the Planned Unit Development Ordinance, ~~said~~the ordinance and with exhibits shall be recorded by the Village Clerk with the County Recorder of Deeds. The Village Zoning Map and the Village Comprehensive Plan shall be amended to include the approved Planned Unit Development. -The final approval and recording is required for the issuance of the building permit.~~

~~**9.612 Enforcement of Development Schedule.** The ~~final~~Planned Unit Development approval shall be effective for no more than 24-months from the date the ordinance was adopted granting the approval. Unless a building permit has been issued and construction commenced within this time period, all ordinances approving the Planned Unit Development, including any other conditions and approvals, shall be void. An extension of up to 12-months can be obtained by submitting a detailed request to the Planning Department. After appropriate review, the Planning Department will transmit the request and its recommendation to the Village Board ~~of Trustees~~ for final determination.~~

~~In the event that an additional request for extension is made, ~~said- that~~ request will also be reviewed by the Plan Commission and the Plan Commission will transmit the request with its recommendation to the Village Board of Trustees.~~

~~(Ord. #12-055)~~

~~**9.7 Amending of the Final Plan.** The Development shall take place in substantial compliance with the Planned Unit Development Ordinance. The procedures for amending, approval and recording of an amended Planned Unit Development are the same as the procedures for approval of a Planned Unit Development as outlined in Section 9.5. The amended final Planned Unit Development must be recorded by the Village Clerk with the County Recorder of Deeds.~~

9.13 Permit Requirements for Planned Unit Developments. The following items shall be required as part of a submittal for a building permit, in addition to all other permit requirements:

- a. Final Engineering Plans and Details for all utilities, storm water retention, and drainage;
- b. Final Construction staging plan, including a construction schedule; and
- c. Final copy of all bylaws, covenants, easements, and maintenance agreements, including bonds and escrow agreements, as requested by the Village.

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