

ARTICLE 6  
PLANNED DEVELOPMENTS

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6.1 PURPOSE:

- A. The purpose of the planned development provisions which follow is to promote efficient land patterns which preserve natural resources, provide public amenities, and secure large parcels of permanent open space which will implement the Village's Comprehensive Plan.
- B. These provisions are intended to encourage and accommodate more creative and imaginative design for land development than would otherwise be possible under the strict application of Village's conventional provisions in this Zoning Code and Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code.
- C. It is the purpose of this Article that the land use patterns which result from these standards will:
  - (1) Foster quality development by allowing flexibility in land use and design standards, thereby encouraging innovative site planning;
  - (2) Promote more efficient land patterns in keeping with the Comprehensive Land Use Plan, which not only preserves open space and natural resources, but also provide for more economical networks of utilities, streets and other facilities;
  - (3) Promote diverse, high-quality, residential environments;
  - (4) Provide for the possibility of a land use pattern with a mixture of residential and non-residential uses that will mutually support each other;
  - (5) Provide for the permanent preservation of open space for the continued use and enjoyment of the residents of each subdivision;
  - (6) Provide for usable and suitably located public and private recreational facilities;
  - (7) Encourage developers to provide amenities that enhance the quality of life, both within the planned development, as well as within the community as a whole;

- (8) Encourage a land use pattern which promotes the public health, safety, comfort, morals and welfare; and
- (9) Allow more than one principal building per zoning lot without necessarily requiring processing as a zoning variance or a subdivision when the above purposes can be achieved more efficiently through the planned development process.

6.2 SPECIAL USE:

- A. Planned developments are of such substantially different character from conventional subdivisions or development on individual zoning lots that they require administrative processing as a special use, under the provisions of Section 9.13.
- B. Because planned developments are complex and of a different character than other special uses, the Village has established more specific procedures, standards, and criteria for exceptions from the standards of the underlying zoning district than those included in Article 5, District Regulations. The procedures, standards and criteria for exceptions which follow are intended to guide the recommendations of the Village Board during their review of preliminary and final plans.

6.3 PERMITTED USES AND CRITERIA -- Planned developments may include uses and structures not otherwise permitted in the underlying Zoning District, provided landscape screening is employed between dissimilar land uses, and the petitioner shows that the planned development accomplishes the standards set forth in this Article, achieves the planning goals and objectives of the Village, as defined in the Comprehensive Land Use Plan, and is compatible with adjacent land uses.

A. Residential Planned Developments:

- (1) A residential planned development may be processed for only one type of dwelling unit, but is intended to allow a mixture of dwelling unit types, thereby offering a choice in lifestyle to residents of the development. Non-residential land uses of a religious, institutional, cultural, recreational, or commercial character may be permitted in a residential planned development, to the extent that they can be integrated with the residential land use. Where provided, non-residential uses in a residential planned development shall:
  - (a) Not exceed fifteen (15) percent of the total developable acreage of the development, excluding lakes, streams, floodplains, wetlands and other natural features that will be set aside as open space.
  - (b) Be compatible in appearance and scale with the residential structures.
- (2) Residential developments shall be processed as planned developments when any of the following apply:

- (a) More than one dwelling unit type is proposed. For the purpose of this Article, dwelling unit type shall mean:
  - (i) Single-family detached
  - (ii) Single-family attached
  - (iii) Two-family, or duplex
  - (iv) Patio House
  - (v) Townhome
  - (vi) Quadraplex (four units)
- (b) More than one principal building is proposed on a zoning lot.
- (c) More than one land use is proposed for the development.
- (d) A cluster subdivision, or zero lot line arrangement, is proposed.
- (e) A multi-family development, consisting of three (3) or more acres is proposed.

B. Commercial Planned Developments:

- (1) A commercial planned development may include any of the permitted or special uses listed in Section 5.11, B Business District, and Section 5.12, IT Industrial Transition District.
- (2) Commercial developments shall be processed as planned developments when any of the following apply:
  - (a) More than one building is proposed on a zoning lot.
  - (b) Development exceeds three (3) acres in area, and includes more than one type of business use, such as retail, office and/or service uses.
  - (c) A commercial development includes residential dwelling units.
  - (d) Commercial planned developments shall also be required for all properties falling within the areas designated on the adopted Comprehensive Plan as a “unified planned development.”
- (3) Commercial developments shall meet the requirements of Section 5.9, General Provisions for All Non-Residential Uses.

C. Industrial Planned Developments:

- (1) An industrial planned development may include any of the permitted or special uses listed in Section 5.11, B Business District, and Section 5.12, IT Industrial Transition District.
- (2) A proposed industrial development shall be processed as a planned development when any of the following apply:
  - (a) The development consists of ten (10) or more acres.
  - (b) More than one building is proposed on a zoning lot.
  - (c) The planned development includes other commercial or support services that warrant special consideration by the Board to assure that potential hazards associated with dissimilar land uses are minimized and involve an acceptable level of potential conflict.
- (3) Industrial developments shall meet the requirements of Section 5.9, General Provisions for All Non-Residential Uses.

#### 6.4 GENERAL PROVISIONS:

##### A. General:

- (1) Traditional development controls, as set forth in this Zoning Code and Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, may restrict imaginative development. Therefore, it is the intent of these provisions to permit review of integrated site proposals on their own merits, where they afford the Village amenities and benefits which enhance the quality of life due to unified planning and design.
- (2) These provisions are not intended as a means to circumvent the procedures or standards of this Zoning Code and Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, and thereby allow a lower standard of development than would otherwise be permitted under the strict interpretation of these ordinances. Rather, they are intended to take advantage of particular site characteristics, to increase the flexibility and originality of design in large scale projects, to provide more open space and public amenities than would otherwise be required, to promote the protection of high-quality natural resources, and to establish better transitions between dissimilar land uses.
- (3) Unless otherwise recommended by the Village Board, the following standards shall apply. The Village Board may recommend exceptions from these standards when determined appropriate to achieve the objectives set forth in Section 6.1, above.
  - (a) Ownership -- The proposed planned development shall be under the unified control of the petitioner.

- (b) Comprehensive Plan -- The proposed planned development shall conform to the land uses, planning and design guidelines, and intent of the Comprehensive Plan and other planning objectives established for the Village.
- (c) Compatibility -- Uses permitted in a planned development shall be compatible with surrounding land uses.
- (d) Subdivided -- Unless otherwise approved by the Village Board, a plat of subdivision shall be required in accordance with procedures set forth in Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, as may be amended from time to time.
- (e) Yards -- The required yards along the periphery of a planned development shall be at least equal in depth to those of the underlying zoning district, or the adjacent zoning district, whichever is greater. The Village Board may recommend greater setbacks from the boundary line of a planned development when determined to be necessary to protect the privacy of residents within both existing and proposed subdivisions adjacent to the planned development.
- (f) Sidewalks -- Sidewalks shall be constructed on both sides of all streets in residential, business, and office planned developments unless an alternative system is provided internal to the development which provides adequate connection between the development and adjacent properties and activity areas. In addition, walks shall be planned to provide convenient access for pedestrians between residential blocks and from cul-de-sacs to adjacent blocks and public activity areas. When a planned development is adjacent to IL Route 31 and IL Route 176, a parallel pedestrian system, internal to the planned development, may substitute for walks along this highway.
- (g) Public Streets:
  - (i) All streets shall be publicly dedicated, and constructed in accordance with applicable standards contained in Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, as may be amended from time to time.
  - (ii) The Commission may recommend and Village Board approve, reduced rights-of-way or pavement width in residential subdivisions, if it is determined appropriate for maintaining the character of the area, or for preserving natural features.
- (h) Vehicular Access -- Points of vehicular ingress and egress to the site shall be minimized to maintain the safety and operational effi-

ciency of Village's major roadways and collector roadways. Where possible, cross-access between properties shall be provided.

- (i) Screening -- Where a non-residential use abuts, or is across the street from a residential or institutional use, screening shall be provided in accordance with requirements of Section 5.9-B(5).
- (j) Underground Utilities -- All utilities (including electric, telephone, gas and cable TV) shall be installed underground including overhead wires along the perimeter of the site.
- (k) Tree Replacement -- Where determined appropriate by the Village Board, trees greater than six (6) inches in caliper, as measured twelve (12) inches above grade, which are identified to be removed for construction, shall be replaced in accordance with a tree replacement plan that is subject to review and approval by the Village Board.
- (l) Performance Standards -- All activities associated with a business, office, or mixed use planned development, shall conform with the standards established by Article 10, Performance Standards.
- (m) Preliminary Plan Approval -- Preliminary approval of a planned development by the Village Board shall be null and void, in the event that the petitioner has failed to obtain final planned development approval for a least the first phase of the development within twenty-four (24) months of the date of the preliminary approval.
- (n) Final Plan Approval -- A valid application for final plan approval shall be submitted within eighteen (18) months of the date of Village board approval of a preliminary plan.
- (o) Recording of Plat -- Within thirty (30) days of the date of approval of any final plan, for all of a development, or a single phase, the petitioner shall record a plat, approved by the Village as being consistent with the approved planned development, with the County Recorder.
- (p) Building Permits -- The developer shall submit an application for building permits within eighteen (18) months of the approval of the final plan of any phase of a planned development.
- (q) Completion -- The planned development shall be initiated within two (2) years of final planned development approval, and shall be substantially completed within the period of time specified by the petitioner, unless an extension is requested by the petitioner and approved by the Village Board.

- (r) Compliance with Zoning or Other Ordinances -- Where there is a conflict, or difference between the provisions of this Article and those of other Articles of this Ordinance, or other ordinances, the provisions of this Article shall prevail. Except as otherwise set forth herein, all other applicable Village ordinance provisions shall apply.
- (s) Exceptions -- The Village Board may recommend and approve, exceptions to standards and criteria when determined necessary to achieve the planning objectives set forth in this Article.

## 6.5 RESIDENTIAL STANDARDS:

- A. Open Space/Greenbelt -- Open space shall be provided for Village residents in the form of parks, greenbelts, open space and recreational facilities, consistent with regulatory and policy directives of the Village and the provisions of this Article.
  - (1) Unless otherwise recommended and approved by the Village Board, not less than twenty-five (25) percent of the gross land area within a single family residential planned development shall be reserved and designated as open space, greenbelt and/or recreational facilities. This percent shall be increased to thirty (30) percent for planned developments with thirty (30) percent or more of the dwelling units other than single family detached.
  - (2) Where parks and greenbelts illustrated on the comprehensive Land Use Plan pass through a proposed residential subdivision, land in lieu of cash shall be provided pursuant to Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code.
  - (3) Designated open space, greenbelts or public recreational facilities reserved under a planned development shall be held and maintained by a homeowners' association, unless conveyed to a public authority approved by the Village Board.
  - (4) All designated open space, greenbelts and/or recreational facilities shall be dedicated as open space in perpetuity, and shall be so designated in the final plat of subdivision(s) recorded for the planned development.
  - (5) The cost for improving open space or greenbelts, or constructing recreational facilities proposed as part of a planned development, shall be included in the letter of credit or other surety required for the public or quasi-public improvements as described in Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code.
  - (6) Open space shall be suitably improved for its intended use. However, open space containing natural features worthy of preservation, including traditional agricultural uses, may be left unimproved.

- (7) No portion of a planned development shall be conveyed or dedicated as public open space, greenbelt or recreation to any public body until such conveyance or dedication is reviewed and approved by the Village Board.
- B. Minimum Lot Size -- Minimum lot size shall be pursuant to this Zoning Code unless 25 percent of the total gross acres has been set aside for: active recreational areas and/or facilities, open space, or preservation of major stands of trees, or other natural areas. The Village finds that flexibility in its standards is warranted only when such amenities are proposed as part of a planned development.
  - (1) For the purpose of this Article, recreational facilities and open space provided as part of the planned development shall include but not be limited to the following:
    - (a) Parks
    - (b) Greenbelts
    - (c) Golf course
    - (d) Swimming pools
    - (e) Community center
    - (f) Health club
    - (g) Tennis courts
    - (h) Jogging trails
    - (i) Physical fitness courses
  - (2) At the discretion of the Village Board, the following may be included as open space or recreational facilities:
    - (a) Ponds required for stormwater retention or detention basins, provided they are developed with trails, benches, and other substantial landscape features.
    - (b) Land for parks, greenbelts, or preservation of natural features such as floodplains, steep slopes, wetlands, high quality native plant communities, major stands of trees, or riparian zones.
- C. Building Separation-- Residential structures shall be separated and arranged to protect the privacy of each dwelling unit and provide adequate space for emergency access and maintenance. Townhomes shall contain no more than five (5) units without a separation, side to side, of at least twenty (20) feet. Separation of townhomes front to front, or front to rear, shall be at least sixty (60) feet and front or rear to sides shall be at least forty (40) feet.

## 6.6 APPLICATION AND APPROVAL:

### A. Administrative:

Applications for planned developments shall be made on forms provided by the Village, and shall be accompanied by plans, drawings, documents and other information required by this Article. Applications and other required documentation



shall be reviewed by the Village staff for compliance with submittal requirements set forth herein for pre-application, preliminary or final plan review, before forwarding these materials to the Plan Review Committee, the Commission or Village Board.

B. Pre-Application Procedure (Mandatory):

- (1) Prior to the filing of an application for approval of a planned development, the petitioner shall contact the Village Clerk to arrange an informal meeting with the Plan Review Committee (Committee). The Committee may request the presence of the Village consultants, as determined appropriate by the Village Clerk or Village President.
- (2) The purpose of the pre-application meeting is to discuss the proposed development in conjunction with Village planning and zoning objectives, as expressed in the Comprehensive Plan, and as set forth within this Article.
- (3) Not less than fifteen (15) days before the pre-application meeting, the petitioner shall provide eight (8) copies of:
  - (a) Concept Plan -- A concept plan shall be submitted at a scale necessary to describe the proposed development and surrounding area in sufficient detail to demonstrate the relationship of the planned development to adjoining uses, both existing and proposed, and to the topography and natural features of the adjoining land uses. The concept plan shall include:
    - (i) North arrow, scale and date of preparation.
    - (ii) Name, address and profession of the person or firm who prepared the plan.
    - (iii) Proposed name of the planned development.
    - (iv) Proposed land uses.
    - (v) Total acreage, and percent of the site devoted to each land use.
    - (vi) Proposed layout of streets, lots and blocks.
    - (vii) Proposed school and park sites, if applicable.
    - (viii) Proposed greenbelt, if applicable, and other open space or developed recreation areas.
    - (ix) Proposed building footprints and estimated floor area for all non-residential structures, if any.

- (x) Wetlands, floodplains, floodways and surface waters, including lakes ponds, streams and drainage swales.
  - (xi) Any other data reasonably necessary to provide an accurate overview of the proposed development as determined by the Village Clerk.
- (4) The Plan Review Committee shall evaluate the proposed concept plan and other documentation and shall advise the petitioner as to the compatibility of the planned development with the Comprehensive Plan, the Zoning Code, Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, and the development goals and policies of the Village. Recommendations relative to a pre-application review are advisory only, and shall not constitute a waiver from the requirements contained in applicable ordinances.
- (5) The Plan Review Committee may, at its discretion, require plans and support documentation to be revised before referring the proposed planned development to the Village Board. This may require additional meetings between the petitioner and the Committee, to assure that the proposed planned development conforms, to the maximum extent possible, with the applicable ordinance provisions, goals, and policies of the Village.
- (6) When determined desirable by the Committee, Village staff or its consultants shall prepare a written report, which shall be forwarded to the Village Board. The report shall:
  - (a) Evaluate the compatibility of the planned development with the Village's Comprehensive Plan;
  - (b) Identify and comment on exceptions from applicable ordinances which have been requested by the petitioner;
  - (c) Summarize recommendations by the Plan Review Committee regarding the proposed planned development; and
  - (d) Summarize the petitioner's proposed schedule for submitting preliminary and final plans in accordance with procedures set forth herein.

C. Preliminary Plan:

- (1) Purpose:
  - (a) The purpose of the preliminary plan is to obtain a recommendation and preliminary approval by the Village Board indicating that all plans and programs which the petitioner intends to build and follow are acceptable, and that the petitioner can reasonably proceed

with preparation of detailed architecture, engineering, site and landscape plans.

- (b) The preliminary plan is more detailed than the concept plan required for pre-application. This plan is meant to assure the petitioner that final plans will be approved by the Village Board, provided these plans substantially conform to the approved preliminary plans.

(2) Procedure:

- (a) A request for preliminary plan approval, signed by the owner of record of the land proposed for a planned development, shall be submitted to the Village Clerk, who will forward the request to the Village Board. The Village Board will refer the matter to the Commission for public hearing, report, and recommendation.
- (b) Preliminary and final plans must be filed and processed consecutively, and not simultaneously, unless specifically exempted from this requirement by the Village Board.
- (c) Preliminary plats of subdivision may be processed along with the preliminary plan submittal, according to procedures and submittal requirements set forth in Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code, as may be amended from time to time.

(3) Distribution of Plans and Required Documentation:

- (a) Subsequent to referral by the Village Board, the petitioner shall file eighteen (18) copies of plans and other support documentation, as identified below, with the Village Clerk.
- (b) Once all required drawings and information have been received, the Village Clerk shall distribute the preliminary plan submittal to the Commission, and to other reviewers designated by the Village Clerk. This shall include, but not be limited to the following:
  - (i) Commission members and recording Secretary.
  - (ii) Village Board.
  - (iii) Zoning Official.
  - (iv) Village Clerk.
  - (v) Village Engineer.
  - (vi) Village Planner.
  - (vii) Fire Protection District.
  - (viii) Village Attorney.
  - (ix) All local school districts.

- (c) Required plans and support documentation shall be submitted no later than fifteen (15) working days before the next scheduled meeting of the Commission, to assure adequate time for review.
- (4) Required Submittals – Unless specific submittal requirements are waived by the Commission, the following plans and drawings, as applicable, shall be submitted at the scale necessary to clearly indicate what is planned for the property:
  - (a) Location map.
  - (b) Site Plan -- The proposed site plan shall contain all the information required at the pre-application stage, as well as the following:
    - (i) Location of the subject site by section, town and range, or by other approved legal description.
    - (ii) Name and address of the site planner, engineer, architect and landscape architect.
    - (iii) Name and address of the owner and/or trust beneficiary.
    - (iv) Site data, including as applicable:
      - Total acreage, and acreage of each proposed lot, outlot, and open space, greenbelt or recreation areas.
      - Acres and percent of the planned development devoted to each land use.
      - Percent of land devoted to streets and public rights-of-way.
      - Percent of land covered by buildings and parking.
      - Percent of the site devoted to usable open space.
      - Minimum lot size.
      - Existing zoning on and adjacent to the site.
    - (v) Existing topography and proposed grading.
    - (vi) Existing and proposed zoning.
    - (vii) Municipal and school districts within which the project is located.

- (viii) Utility easements.
  - (ix) Proposed lotting and footprints of all non-residential structures.
  - (x) Maximum lot coverage by buildings and other impervious surfaces, for all uses within the planned development.
  - (xi) Off-Street parking and loading areas, including number and dimensions of parking spaces, drive aisles, and loading zones.
  - (xii) Configuration and acreage of all land proposed to be dedicated as open space or greenbelts, and all sites to be conveyed, dedicated, or reserved for parks, playgrounds, school sites, public buildings, and similar public and quasi-public uses.
  - (xiii) Pedestrian and/or bicycle circulation systems.
  - (xiv) Greenbelt or other open space systems, and submittal requirements for these systems.
  - (xv) Proposed phasing.
  - (xvi) Location of trash bins and enclosures for all multiple-family residential and non-residential uses, if any.
  - (xvii) All other information determined necessary by the Commission to clearly show the proposed elements of the planned development.
- (c) Grading Plan -- The grading plan shall show both existing and proposed contours and elevations and shall identify all areas proposed for excavation and/or filling of the property.
- (d) Landscape Plan -- The landscape plan shall be superimposed on the grading plan, and shall include:
- (i) Any proposed fences, walls, berms and entry monuments.
  - (ii) Contours for any landscaped berms.
  - (iii) One or more sections through the site to illustrate the relationship between the landscape materials, the land form, proposed buildings, and nearby properties.

- (iv) Location of all trees and shrubs, keyed into a plant list, which identifies species, sizes and quantities for proposed plantings.
  - (v) Method of screening trash collection facilities and enclosures.
- (e) Photometric Plan -- The photometric plan shall be superimposed on the site plan, for all non-residential planned development, and shall:
- (i) Identify the location and heights of all light standards.
  - (ii) Identify footcandle intensities on the site of the planned development, and ten (10) feet beyond proposed property lines.
  - (iii) Include specifications for proposed lighting, including wattage, method of illumination, and color of light standards and luminaries.
- (f) Development Schedule -- A development schedule shall be submitted which addresses:
- (i) Approximate dates for initiating project construction.
  - (ii) Phasing, and anticipated date of completion for public improvements for each phase.
  - (iii) The area and location of open space and/or greenbelt areas to be provided with each phase.
  - (iv) The mix of uses proposed for implementation within each phase of a mixed use planned development.
- (g) Architectural Drawings -- Preliminary architectural drawings for all primary buildings shall be submitted which include:
- (i) Typical elevations (front, rear and side) for proposed residential and non-residential buildings, which identify materials and color styling proposed for all exterior elements of the building.
  - (ii) Gross floor area for all non-residential buildings.
  - (iii) Minimum habitable floor areas for residential buildings, excluding garages, basements, porches and patios.
  - (iv) Proposed building heights.

- (v) Roof plan for all non-residential structures, which shows the proposed location and top elevation of all roof-mounted mechanical equipment.
  - (vi) Cross-sections of all non-residential structures which show the relation of the roof structure and/or parapet wall to the proposed roof-mounted mechanical equipment.
- (h) Protective Covenants -- Proposed covenants shall be prepared and submitted which include:
- (i) Architectural controls for residential dwellings, including:
    - Minimum floor area, excluding garages, basements, porches and patios.
    - Maximum lot coverage.
    - Minimum yards.
    - Materials.
    - Anti-monotony ordinance.
    - Landscaping for individual lots.
    - Maintenance of common facilities.
  - (ii) Tenant sign controls for all non-residential, multi-tenant developments.
  - (iii) Provisions for dedication and maintenance of all open space, greenbelt and recreation areas.
- (i) Utility Plan -- A proposed utility plan shall be superimposed on the proposed site plan, and shall show:
- (i) Approximate location and dimensions of all sanitary sewer, storm sewer, and water lines.
  - (ii) Drainage ditches, culverts, water retention areas, and utility easements.
  - (iii) Statement from the petitioner's engineer attesting to the capability of existing water and sewer systems to service the proposed development.
- (j) Traffic Impact Study -- A traffic study, prepared by a professional engineer licensed in the State of Illinois shall be submitted to:
- (i) Identify anticipated volumes of traffic to be generated by each phase of the planned development.

- (ii) Identify required public roadway improvements and/or traffic regulation devices needed to insure the proper safety of traffic to, through and around the planned development.
- (k) Written Statement -- A written statement shall be submitted by the petitioner which describes:
  - (i) Why the petitioner is processing the project as a Planned Development.
  - (ii) How the proposed planned development meets the objectives of the Comprehensive Plan and the Planned Development purposes noted in Section 6.1.
  - (iii) How the project is compatible with adjacent development or planned land uses.
  - (iv) How the project will economically benefit or otherwise affect the Village, including information regarding additional public facilities and/or services that will be needed as a result of the proposed project.
  - (v) A comprehensive list of all requested exceptions to applicable ordinances.
- (l) School/Park -- The petitioner shall prepare an estimate of land and/or cash that will be required for the development, based on the current Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code.
- (m) Other -- The Commission may require preparation and submittal of the following for review and evaluation:
  - (i) Tax impact study, detailing the estimated cost which the planned development will have on all taxing bodies, and anticipated revenues which will be realized from each phase of development.
  - (ii) A projected school population study estimating the number of students by age group, which will be generated by the development.
  - (iii) Other information that is deemed necessary for evaluation of the proposed development against Village plans, policies, ordinances and existing conditions.
- (5) Public Hearing:
  - (a) Scheduling:



- (i) Prior to scheduling the public hearing the petitioner shall submit eighteen (18) copies of the required submittals for preliminary plan review, as set forth in item 4, above.
  - (ii) Upon receipt of all required documentation, the Village Clerk shall coordinate the time, date and place of the public hearing with the petitioner and the Commission.
- (b) Content of Notice -- The notice of public hearing shall, at a minimum, include:
- (i) A legal description of the subject property.
  - (ii) The address or common name of the subject property.
  - (iii) The name of the petitioner.
  - (iv) A description of the petitioner's request including, but not limited to, the requested zoning, acreage of the subject property, proposed mix of uses, and number and types of dwelling units, if any, and square footage of non-residential uses.
  - (v) Identification of requested exceptions from applicable ordinances.
  - (vi) The time, place and purpose of the public hearing.
- (c) Notice to the Public -- The petitioner shall give notices of the public hearing as follows:
- (i) Property owners:
    - The petitioner shall, by certified mail, return receipt requested, notify all property owners within two hundred fifty (250) feet in all directions of the petitioner's property. Said notices shall be mailed out not more than thirty (30), nor less than fifteen (15) days in advance of such hearing.
    - The petitioner shall file a sworn affidavit with the Village Clerk, which confirms that notices have been sent as required, and include a copy of the notice and the names and addresses of all to whom notices have been sent, and the certified mailing return receipts.

- (ii) Publication -- Notice of said hearing shall be published, by the Village at the petitioner's expense, at least once in a newspaper of general circulation with the Village, not less than fifteen (15), nor more than thirty (30) days before the date of the hearing.
- (iii) Posting:
  - The petitioner shall post and maintain, for a period of not less than fifteen (15) days prior to the hearing, the notice of public hearing.
  - Said notice shall be erected not more than fifteen (15) feet from the front lot line, and not less than four (4) feet above ground, nor more than six (6) feet above ground, and be placed and sized in such a manner so the words "Notice of a Public Hearing" shall be visible from the adjacent street.
- (iv) Other -- Supplemental or additional notices may be distributed, published or posted as the Village Board may require.
- (d) Conduct of Hearing:
  - (i) The petitioner shall enter all plans, drawings and other support documentation into the record as official exhibits, and shall demonstrate compliance with the notice of public hearing, notice of surrounding property owners, and posting of the property.
  - (ii) The hearing may be continued by the Commission from time to time, during which time drawings and support documentation may be revised and resubmitted.
- (6) Commission's Recommendation -- After the close of the public hearing, the Commission shall recommend approval or denial of the proposed planned development. The recommendation may include conditions of approval intended for incorporation into final plans and supporting documentation.
- (7) Statement of Findings of Fact -- The Chairperson shall have prepared a written Statement of Findings of Fact, which shall be submitted to the Village Board with the Commission's recommendation:
  - (a) The Commission's Statement of Findings of Fact shall include but not be limited to:
    - (i) Name and address of the petitioner, and the petitioner's attorney.

- (ii) The petitioner's request.
  - (iii) A description of the project.
  - (iv) A list of requested exceptions from zoning or planned development standards, if any, and the basis for recommending approval or denial of each exception.
  - (v) A list of exhibits upon which the Commission's recommendation is based, including title, author and date of preparation or revision.
  - (vi) Recommendation of the Commission, including conditions of approval, if any.
  - (vii) The roll call vote.
- (b) The Statement of Findings of Fact shall also specify in what respects the proposal would, or would not be in the public interest, and shall, at a minimum, address:
- (i) The extent to which the proposed planned development departs from the zoning, subdivision regulations or planned development standards otherwise applicable to the subject property and the reasons why such departures are in the public interest.
  - (ii) Compatibility of the proposed planned development with adjacent properties and neighborhoods.
  - (iii) The desirability of the proposed planned development, or lack thereof, for the Village's tax base and economic well-being.
  - (iv) The adequacy of the physical design and methods by which the proposed planned development would:
    - Make provision for public utilities and services.
    - Provide adequate control over vehicular traffic.
    - Provide for and protect designated open space and drainage systems.
  - (v) Compatibility with the Comprehensive Plan and the goals and policies for planning within the Village.

(8) Village Board Review:

- (a) Subsequent to receiving the Commission's Statement of Findings of Fact, the Village Clerk shall schedule the proposed planned development for review by the Village Board.
- (b) The petitioner shall present all exhibits and testimony applicable for review and action by the Village Board.
- (c) The Village Board shall approve, approve with modifications, or disapprove the preliminary plan for the proposed planned development.

(9) Action by the Village Board:

- (a) The preliminary plan may be disapproved or referred back to the Commission for additional review of specified items, by motion of the Board.
- (b) If the preliminary plan is approved, the Village Board shall prepare an ordinance that shall identify all applicable exhibits and support documentation upon which Village Board action is based, and shall include any conditions of approval.

D. Final Plan:

(1) Process:

- (a) Within eighteen (18) months of the adoption of the preliminary plan, the petitioner shall file all required final plan submittals for applicable phases of construction with the Village Clerk. The submittal shall address all conditions of approval that are set forth in the preliminary plans.
- (b) The request for final approval of a planned development shall be submitted to the Village Clerk who, upon receipt of all required submittals, will forward the request to the Commission for its review and recommendation. Final plan approval may be obtained in phases, in accordance with the petitioner's development schedule.
- (c) Final plats of subdivision may be processed along with the final plan submittal in accordance with Chapter 22, Subdivision Regulations, of the Prairie Grove Municipal Code.
- (d) Final plan submittals shall demonstrate compliance with the preliminary plan. The petitioner shall file eighteen (18) copies of plans and other required supporting documentation with the Village Clerk. Once all required drawings and information have been received, the Village Clerk shall distribute the final plan submittal to the Commission and to other designated reviewers.

- (e) Required plans and documentation shall be submitted no later than fifteen (15) working days before the next scheduled meeting of the Commission to assure adequate time for review.
- (2) Submittals -- Required submittals shall include, but not necessarily be limited to the following, as applicable:
- (a) An accurate legal description of the entire area under immediate development within the planned development.
  - (b) A final site plan which includes:
    - (i) Identification of all use areas, including open space greenbelts and recreation areas;
    - (ii) Approved building setbacks and separation;
    - (iii) Footprints of all non-residential buildings.
  - (c) An accurate legal description of each separate unsubdivided use area, such as open space and greenbelts.
  - (d) Tabulations of each use area, including land area, and number of dwelling units per acre, if any.
  - (e) Final landscape plan, superimposed on a grading plan.
  - (f) Final utilities and drainage plan.
  - (g) Final agreements, by-laws, provisions, or covenants which govern the use, maintenance, and continued protection of the planned development and its open space, greenbelts, or other recreational facilities.
  - (h) Final development and construction schedule.
  - (i) Detailed elevations of buildings.
  - (j) Final engineering drawings.
  - (k) A certificate from the County which documents that no delinquent taxes exist, and that all special assessments constituting a lien on the whole or any part of the property of the planned development have been paid.
- (3) The final plan shall be processed as follows:

- (a) The Commission shall review the final plan and plat submittal at a public meeting, and shall recommend approval if it is in substantial compliance with the preliminary plan. Their recommendation may include such additional conditions as may be appropriate, based on the final documentation submitted.
- (b) If the final plan and plat are substantially different from the approved preliminary plan, the Commission shall either:
  - (i) Recommend disapproval of the final plan submittal; or
  - (ii) Recommend to the Village Board that a new public hearing be held in conformance with the procedures established for approval of a preliminary plan.
- (c) With a recommendation of approval, the Commission shall submit to the Village Board, a written Statement of Findings of Fact and Recommendations which:
  - (i) Confirms that final plan submittals are in conformity with the preliminary plan; and
  - (ii) Identifies any additional conditions of approval.
- (4) If the Village Board decides to approve the final development plan, it shall prepare an ordinance. If the Village Board determines that the final development plan shall be disapproved, it shall do so by a motion of the Board. In lieu of denial, the Village Board may grant the petitioner additional time to remedy any deficiencies.
- (5) No plats shall be recorded, and no building permits issued, until final plan submittals have been approved by the Village Board. Final plats shall be recorded by the petitioner within thirty (30) days of the date of final plan approval.
- E. Guarantees -- In all cases where special use permits for a planned development are granted, the Village Board shall require such evidence and guarantees as it may determine necessary as proof that the conditions stipulated in connection with the planned development are being, and will be complied with.

6.7 CHANGES IN THE PLANNED DEVELOPMENT:

- A. The planned development shall be implemented only according to the approved final plan and recorded final plats of subdivision recorded for the planned development. The recorded final plats and supporting data, together with all recorded documents and amendments, if any, shall be binding on the owners, successors, heirs, and assigns.
- B. Changes to a planned development may be made as follows:

- (1) Major Changes:
  - (a) Changes which alter the concept or intent of the planned development may be approved by the Village Board only by submission of a new final plan and final plats of subdivision for the planned development. All revisions shall be reviewed by the Commission at a public hearing.
  - (b) Major changes include, but are not limited to, the following:
    - (i) Increases in density.
    - (ii) Increases in the heights of buildings.
    - (iii) Reductions in approved open space, greenbelts, or preservation areas.
    - (iv) Modifications to the approved uses, and a change by more than ten (10) percent in the acreage allocated to each use.
    - (v) Rearrangement of lots, blocks, and building tracts.
- (2) Minor Changes -- Minor changes may be approved by the Village Board, after review and recommendation of the Commission at a public meeting, provided said changes do not alter the spirit and intent of the approved planned development. Minor changes include:
  - (a) Minor modifications to the location of buildings, provided all setbacks established for the planned development are met.
  - (b) Minor changes to the location and configuration of streets and rights-of-way, which are made to preserve natural features.
  - (c) Minor changes to the location and configuration and size of approved open space, greenbelts and recreational facilities, due to circumstances that were not foreseen at the time the final plans were approved.
- (3) Incidental Field Changes -- Incidental field changes may be approved by the Zoning Official, after review by appropriate staff.
- (4) Recording -- Major changes which are approved for the final planned development shall be recorded as amendments to the recorded final plat of subdivision(s).