

# ROSCOE PUD AMENDMENT

## Section 15-723 *Procedures*

The following steps are provided to ensure the orderly review of every planned development application in a timely and equitable manner:

(1) *Pre-filing review and transmittal of application.*

a. *Conference.*

1. A prospective applicant, prior to submitting a formal application for a planned development, shall meet for a pre-filing conference with the zoning administrator and the development review team, assembled at the discretion of the zoning administrator. If in the opinion of the zoning administrator the village does not have the requisite expertise on staff to complete the review of any application for a planned unit development, the zoning administrator shall notify the applicant before acquiring the services of consultants and/or attorneys as may be necessary for the proper review and preparation of the report and/or opinion. The developer shall, within five calendar days, either formally withdraw its application or provide written acknowledgement that the developer is responsible for all fees incurred by the village for the review.
2. The purpose of the conferences is to help the applicant understand the comprehensive plan, zoning regulations, site development allowances, standards by which the application will be evaluated, and the application requirements.
3. After reviewing the planned development process, the applicant may request a waiver of any application requirement which in the applicant's judgment should not apply to the proposed planned development. Such request shall be made in writing prior to the submission of the formal application documents.
4. All requests for waiver shall be reviewed by the zoning administrator. A final determination regarding the waiver shall be given to the prospective applicant following the decision. Denied requests may be appealed to the village board.
5. The applicant, prior to submitting a formal application for a planned development, shall, at the discretion of the zoning administrator, be required to schedule a meeting to discuss the proposed planned development and its impact on adjoining properties and area residents. The applicant shall send a written notice of the meeting via mail to all taxpayers of record and residents for all property within 300 feet of the proposed planned development. Such notice shall be mailed by the village not less than 15 days prior to the date of the meeting. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.

b. *Filing of application.* Following the completion of the pre-filing conferences, the applicant shall file an application for a planned development in accordance with this section. The

zoning administrator shall deliver copies of the application to other appropriate village departments for review and comment.

c. *Deficiencies.* The zoning administrator shall determine whether the application is complete. If the zoning administrator determines that the application is not complete, he shall notify the applicant in writing of any deficiencies and shall take no further steps to process the application until the deficiencies are remedied.

d. *Application review.* The zoning administrator shall work with the development review team and the applicant to review and revise the application.

e. *Report on compliance.* A copy of the complete application and a written report incorporating the comments of village staff and other agencies regarding the compliance of the proposed planned development with the requirements and standards of this section shall be delivered to the zoning board of appeals prior to the public hearing.

f. *Determination not binding.* Neither the zoning administrator's determination that an application is complete nor any comment made by the zoning administrator or village staff at a pre-filing conference or as part of the review process shall be intended or construed as a formal or informal recommendation for the approval of a planned development for the proposed planned development, or component part thereof, nor shall be intended or construed as a binding decision of the village, the zoning board of appeals, or any staff member.

(2) ~~Zoning board of appeals review~~General Development Plan (GDP).

a. Upon receiving the report from the zoning administrator, the zoning board of appeals shall hold at least one public hearing on the proposed ~~planned development~~General Development Plan. Notice of the public hearing shall be provided and the public hearing shall be conducted in accordance with the provisions of this section, state law and rules of procedure adopted by the zoning board of appeals. The applicant shall provide the Zoning Administrator with a draft GDP plan submittal packet for a determination of completeness prior to placing the proposed GDP on the Zoning Board of Appeals agenda for GDP review. This submittal packet shall contain all of the following items, prior to its acceptance by the Zoning Administrator and placement of the item on a Zoning Board of Appeals agenda for GDP review:

1. A location map of the subject property and its vicinity in the Village of Roscoe, appropriately showing property lines and buildings and structures on the parcel;

2. A map of the subject property showing all lands for which the Planned Development is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Winnebago County (as provided by the Village of Roscoe). Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale which is not less than one inch equals 800

feet. All lot dimensions of the subject property, a graphic scale, and a North arrow shall be provided;

3. A general written description of the proposed Planned Development, including:

i. General project themes and images;

ii. The general mix of dwelling unit types and/or land uses;

iii. Approximate residential densities and nonresidential intensities as described by dwelling units per acre, floor area ratio, and impervious surface ratio.

iv. The general treatment of natural features;

v. The general relationship to nearby properties and public streets;

vi. The general relationship to any applicable comprehensive or area plans.

vii. A statement of rationale as to why Planned Development zoning is proposed. This shall identify barriers that the applicant perceives in the form of requirements of standard zoning districts and opportunities for the highest and best use of the property the applicant suggests are available through the proposed PD zoning;

viii. A complete list of ordinance standards which will not be met by the proposed Planned Development and the location(s) in which they apply and a complete list of standards which will be more than met by the proposed Planned Development and the location(s) in which they apply shall be identified.

ix. A written description of potentially requested exemption from the requirements of the underlying zoning district, in the following order:

1. Land use exemptions;

2. Density and intensity exemptions;

3. Bulk exemptions;

4. Landscaping exemptions;

5. Parking and loading requirements exemptions;

6. Engineering exemptions.

x. A general development plan drawing at a minimum scale of one inch equals 100 feet of the proposed project showing at least the following information in sufficient detail to make an evaluation criteria for approval:

1. A conceptual plan drawing of the general land use layout and the general location of major public streets and/or private drives;

2. Location of recreational and open space areas and facilities and specifically describing those that are to be reserved or dedicated for public acquisition and use;

3. Statistical data on minimum lot sizes in the development, the approximate areas of large development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or Common Council; and

4. Notations relating the written information provided in the previous standards to specific areas on the GDP drawing.

b. Notice of the required public hearing shall be published not more than 30 nor less than 15 days before the scheduled hearing in a newspaper published in the village or if there is none, then in a newspaper of general circulation in the village and shall contain the following information:

1. The application case number;
2. The date and time of the public hearing;
3. The location of the public hearing; and
4. The general location of the property and its common street address, if applicable, and a short description of the proposed planned development and purpose of the public hearing.

c. Notice of the required public hearing shall also be provided by posting a sign or signs on the property no less than 15 days prior to the public hearing. Failure to post such signs and/or the removal or knocking down (by the village or others) of the sign after posting but before the public hearing shall not invalidate, impair, or otherwise impact any planned development subsequently granted following such public hearing.

d. Notice of the required public hearing shall also be provided by the village by U.S. mail to the taxpayers of record and owners of record of the property which is the subject of the application (if different than the applicant), and the taxpayers of record of all property within 300 feet of the subject property. Such notice shall contain the information as is required in this section and shall be mailed by the village not more than 30 nor less than 15 days prior to the date of the public hearing. The notice shall also include the name of the applicant for the planned development.

e. The zoning board of appeals shall review the application, the standards and requirements established by this section, the report of the zoning administrator, and any and all evidence and testimony received by the zoning board of appeals at the public hearing. Following the close of the public hearing and at a regular meeting, the zoning board of appeals shall present its findings addressing each of the standards set forth in this section and transmit such findings, together with a recommendation of approval, approval with conditions, or denial to the village board.

(3) ~~Review and action by the village board.~~Precise Implementation Plan (PIP).

a. After the effective date of the rezoning to PD/GDP, the applicant may file an application for a proposed precise implementation plan (PIP) with the Zoning Board of Appeals. This submittal packet shall contain all of the following items, prior to its acceptance by the

Zoning Administrator and placement of the item on a Zoning Board of Appeals agenda for PD review.

1. A location map of the subject property and its vicinity.
2. A general written description of the proposed PIP, including:
  - a. Specific project themes and images;
  - b. The specific mix of dwelling unit types and/or land uses;
  - c. Specific residential densities and nonresidential intensities as described by dwelling units per acre, floor area ratio, and impervious surface area ratio;
  - d. The specific treatment of natural features;
  - e. The specific relationship to nearby properties and public streets;
  - f. A statement of rationale as to why PD zoning is proposed. This shall identify barriers that the applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment the applicant suggests are available through the proposed PD zoning;
  - g. A complete list of zoning standards which will not be met by the proposed PIP and the location(s) in which they apply and a complete list of zoning standards that will be more than met by the proposed PIP and the location(s) in which they apply shall be identified. Essentially, the purpose of this listing shall be to provide the Zoning Board of Appeals with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit
3. Any more specific relevant information to the approval of the PIP, including:
  - a. The names and addresses of the owner of the subject property, the applicant, and all persons having an ownership or beneficial interest in the subject property and proposed planned development.
  - b. A statement from the owner of the subject property, if not the applicant, approving of the filing of the application by the particular applicant.
  - c. A survey of, and legal description and street address for the subject property.
  - d. A statement indicating compliance of the proposed planned development with the comprehensive plan and evidence of the proposed project's compliance in specific detail with each of the standards for review for planned developments.
  - e. A scaled site plan showing the existing contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation, and utilities.
  - f. A scaled site plan of the proposed planned development showing lot area, the required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.
  - g. Schematic drawings illustrating the design and character of the building elevations, building materials, types of construction, and floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type, and floor area of all uses or combinations of uses, and the floor area of the entire development.

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6. A series of building elevations for the entire exterior of all buildings in the Planned Development, including detailed notes as to the materials and colors proposed.
7. A general signage plan for the project, including all project identification signs, concepts for public fixtures and signs (such as street light fixtures and/or light poles or street sign faces and/or poles), and group development signage themes which are proposed to vary from City standards or common practices.
8. A general outline of the intended organizational structure for a property owners association, if any; deed restrictions and provisions for private provision of common services, if any;
9. A written description which demonstrates the full consistency of the proposed PIP with the approved GDP.
10. Any variations between the requirements of the applicable PD/GDP zoning district and the proposed PIP development; and,
11. The Precise Implementation Plan (PIP) submission may include site plan and design information, allowing the Zoning Board of Appeals to combine Design Review and review of the PIP.
12. The Precise Implementation Plan (PIP) may include final plat drawings and information, allowing the Zoning Board of Appeals to combine Final Plat review and review of the PIP.
13. The Zoning Board of Appeals or Village Board may specify other plans, documents or schedules that must be submitted prior to consideration or approval of the PIP, as such may be relevant to review.
14. The process for review and approval of the PD shall be identical to that for Special Use Permits in Section 15-780. The approval of a PD/PIP shall formally establish the PD overlay zoning district and any such land uses and site plans included in the approved PIPs.
- 4-15. The Village may require the applicant to provide surety, with the approval of Village staff, to ensure the development of public and private improvements.