



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION STAFF REPORT

PROJECT NUMBER: PLN23-0016
PROJECT NAME: Temporary Planned Development Process & Special Use Standards
REQUEST: TEXT AMENDMENTS - ZONING CODE
APPLICANT: VILLAGE OF HOFFMAN ESTATES
PZC MEETING DATE: MARCH 15, 2023
PUBLIC HEARING: YES
STAFF ASSIGNED: PHIL GREEN, AICP, TRANSPORTATION & LONG-RANGE PLANNER

REQUESTED MOTION

Text Amendments adding Section 9-1-18A and amending Sections 9-1-18, 9-7-6, 9-8-2, 9-8-4, 9-8-5, and 9-9-1 of the Hoffman Estates Municipal Code (Temporary Planned Development Process and Special Use Standards).

BACKGROUND

Staff periodically proposes text amendments to the Village's Zoning Code to keep the code aligned with current business practices and development trends. Prior to advancing efforts to amend the Zoning Code, staff first receives direction from the Planning, Building and Zoning Committee of the Village Board. Late last year the Committee directed staff to proceed with drafting text amendments as follows:

- ◆ Add a temporary Planned Development process to the Zoning Code (proposed new Section 9-1-18A).
- ◆ Amend Section 9-1-18-I of the Zoning Code to add a new special use standard requiring all special uses to conform to the Village's economic development goals as conveyed through the Village's Comprehensive Plan, or other relevant adopted sub area or strategic plans.

STAFF ANALYSIS

Zoning and Development Code Update

As the Commission is aware, last fall the Village entered into an agreement with the consultant team of Teska Associates and Ancel Glink to undertake a comprehensive update of the Village's Zoning (Chapter 9) and Subdivision (Chapter 10) Codes. The goal is to create a user friendly code with updated development standards which support the Village's economic development goals, including implementation of the Western Area and Barrington Road I-90 Sub Area Plans.

As part of the code update process, the consultant team will evaluate and recommend regulatory means to accommodate Village development objectives, including modern multi-family projects, mixed-use developments, and large scale industrial developments. The consultant's recommendation may include the creation of new or modified

zoning districts, planned development process, overlay districts, or other zoning tools that offer the Village a proper balance of flexibility and control. The full code update project is expected to be completed by spring 2024.

Multi-Family Development Interest

Over the past year, the Village has received significant interest for various multi-family proposals. The Seasons at Hoffman Estates project that was approved last year is currently under construction and will add approximately 300 modern apartment units to the Village's housing stock. Preliminary concept approval was also recently granted for up to 300 apartments at Bell Works. Additionally, there are presently four active multi-family development concepts under Village staff review.

In light of the multi-family development interest, the Village hired a consultant in an effort to better understand the multi-family market and provide additional insights and data. In January, the Village Board reviewed a study completed by Tracy Cross & Associates that concluded that there is significant pent up demand for Class A rental apartments within Hoffman Estates. The study noted that Hoffman Estates, because of its sheer size and the lack of apartment development over the last 20+ years, can accommodate multiple Class A rental housing communities without creating significant competitive overlaps. Higher-density luxury apartments in Hoffman Estates would capture the full breadth of renter profiles including Millennials and Centennials (i.e. younger singles and couples without children), together with empty nesters and non-traditional households such as divorcees, middle-age singles, never-nested couples, singles living together as couples in a roommate condition, transitional families, etc. The study concluded that Hoffman Estates could absorb between 325 and 400 new apartments *annually* over the next 5+ years.

As noted above, there are four active multi-family development concepts under Village staff review. However, all four concepts are located in the B-2 Community Business District, which does not permit multi-family residential uses. Existing zoning districts that allow for multi-family uses are either inappropriate for these properties due to the location or size restrictions (TN Traditional Neighborhood District and C-MU Commercial Mixed Use District) or unable to be utilized due to the legislative intent of these districts which precludes them from being expanded or applied to other areas of the Village (A-1 Apartment District and RPD Residential Planned Development District).

To enable desirable projects to proceed concurrently as the code update process is underway, the Planning, Building and Zoning Committee directed staff to put into place a temporary Planned Development process by which modern multi-family and mixed use developments could proceed through an approval process prior to completion of comprehensive zoning code update.

Planned Development Concept

The Planned Development concept is utilized in many communities as a regulatory process to allow greater flexibility in the configuration of buildings and/or uses on a site than is allowed in standard zoning ordinances. Planned Developments are popular because they allow for a good amount of municipal control over the approval process and final development, while developers feel that they are being given flexibility to build a desirable product when compared to traditional zoning requirements.

Establishment of a Planned Development process does not provide zoning entitlements to any particular property; rather, it establishes a regulatory process for the Village to guide developers in a manner that will meet a community's land use goals without being bound by rigid zoning requirements of the underlying zoning district.

Generally, Planned Development approvals work similarly to the Village's existing site plan process in that a developer will submit a series of plans to the Village to be reviewed by staff, and ultimately considered for final recommendation and approval by the Planning and Zoning Commission and Village Board. Any amendments thereafter are subject to a formal amendment process that will be outlined in the code.

PROPOSED TEXT AMENDMENTS

The draft text amendment language is included in Exhibit A for the Commission's review.

Planned Development Process – New Section 9-1-18A of the Zoning Code

Staff has worked closely with the consultant team of Teska and Ancel Glink and the Village's Corporation Counsel to draft a temporary Planned Development process that will enable desirable multi-family projects to proceed. It is important to emphasize that the proposed Planned Development process is intended to be temporary and, as currently drafted, only valid for 12 months after adoption. The following is a summary of the key points of the draft language:

- ◆ Planned Developments would be authorized via a special use and required to follow the special uses requirements as outlined in Section 9-1-18 of the Zoning Code, including a public hearing before the Planning and Zoning Commission, followed by final consideration before the Village Board.
- ◆ A Planned Development would be permitted as a special use only in the following zoning districts:
 - B-2 Community Business District
 - B-3 Business District
 - B-4 Business District
 - O-5 Office District
 - M-1 Manufacturing District
- ◆ The only primary use authorized as part of Planned Development is multi-family residential. Commercial uses will only be permitted as accessory to a multi-family development.
- ◆ To be eligible for a special use for a Planned Development, a property must be a minimum of 2 acres and under single ownership or unified control.
- ◆ The site development standards (landscaping, parking lot design, street design, etc.) mirror those required for site plans in the Chapter 10 of the Municipal Code.
- ◆ Planning and Zoning Commission recommendations are subject to the proposal meeting the same standards of approval as any special use.
- ◆ Bulk regulations of the underlying zoning district of the subject property will not apply. Rather, the following will apply to all Planned Developments (these are similar to multi-family standards currently in the CMU and TN Zoning Districts):
 - Maximum Building Height for Residential Uses – 125'
 - Maximum Building Height for All Other Uses – 25'
 - Maximum Floor Area Ratio – 2.0
- ◆ The Village Board may approve exceptions from the bulk regulations or other pertinent site design requirements, provided the applicant specifically identifies each exception and demonstrates compatibility with surrounding development; is in furtherance of the stated objectives of this section; and is necessary for proper development of the site.
- ◆ Any Planned Development proposal involving Subdivision and/or Easements will be required to also complete that process.
- ◆ School and park donations are required per current code requirements.
- ◆ The applicant will be required to provide evidence that their proposed parking shall be sufficient, using data found within the *ITE Parking Generation Manual* as well as studies from similar developments.
- ◆ A separate Master Sign Plan will not be required for Planned Developments, although the same signage standards must be met. Signage will be approved as part of the special use for a Planned Development.
- ◆ Once an Ordinance for a special use for a Planned Development is approved by the Village Board, the applicant will submit final plans, in substantial conformance with the Ordinance, for review through the building permit process.
- ◆ Amendments to approved Planned Developments will follow the same process as amendments to approved site plans, and will be processed as a *Staff Level, Administrative, Minor* or *Major* amendment

depending on the nature of the changes being proposed. Major amendments will also require amendment to the special use and trigger a public hearing before the Planning and Zoning Commission.

Note that the proposal is for a **temporary** Planned Development process. Corporation Counsel is finalizing proper sunset language that will address grandfathering and timeliness of applications which will be incorporated into the final text amendment language for Village Board consideration.

Amended Sections 9-7-6, 9-8-2, 9-8-4, 9-8-5, and 9-9-1 of the Zoning Code

As contemplated in the new Section 9-1-18A, Planned Developments would be permitted as a special use in the following zoning districts:

- ◆ B-2 Community Business District
- ◆ B-3 Business District
- ◆ B-4 Business District
- ◆ O-5 Office District
- ◆ M-1 Manufacturing District

Special Use Standards – Amended Section 9-1-18-I

A permitted use is considered appropriate for the zoning district in which it is permitted, and thus (excluding any other approvals such as a site plan requirement) is allowed “by right.” A special use is also considered appropriate for the zoning district in which it is permitted. However, it is also considered that some extra care may be required when siting that particular special use, and thus an extra layer of review (the required special use approval) is added.

When reviewing a request for a special use, the Planning and Zoning Commission and the Village Board must consider the request in the context of the standards as set forth in Section 9-1-18 of the Zoning Code. By adding a requirement that the proposed special use furthers the goals of an adopted sub area plan, the Village would be further able to manage development in a manner consistent with the adopted goals of the plans. Combining this approach with the proposed Planned Development process strengthens the Village’s ability to support proposals in line with these goals, while rejecting those that are not.

Language adding a new standard for special use has been included in Exhibit A, and reads as follows:

“That the special use shall support the economic development goals of the Village as conveyed through the Village’s Comprehensive Plan, or other relevant adopted sub area or strategic plans.”

TEXT AMENDMENT STANDARDS - Section 9-1-17

The Planning and Zoning Commission shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the petitioner.

Text amendments to the Zoning Code involve changes to the regulations that apply to all properties in the zoning district being amended. The proposed text amendments meet the Standards set forth in the Zoning Code.

NOTIFICATION

The public notice was published in the Daily Herald 15 days prior to the hearing. No objections have been received.

REQUESTED ACTION

Staff is seeking feedback from the Commission on the proposed text amendments outlined in Exhibit A.

The Commission may make the following motion:

Motion to approve Text Amendments adding Section 9-1-18A and amending Sections 9-1-18, 9-7-6, 9-8-2, 9-8-4, 9-8-5, and 9-9-1 of the Hoffman Estates Municipal Code (Temporary Planned Development Process and Special Use Standards) as outlined in Exhibit A, and subject to review and modifications by Village Corporation Counsel.

In the event the Commission desires additional time for review and possible minor changes to the proposed text, this hearing could be continued to the April 5, 2023 Planning and Zoning Commission meeting. It is expected the Commission recommendation will be scheduled for Village Board consideration on April 17, 2023.

Attachments:

Exhibit A: Proposed Text Amendments

**Exhibit A – Draft Text Amendments to the Zoning Code
Planned Development Process and Special Use Standards**

1. Sec. 9-1-18A. – Planned Developments.

Add new Section 9-1-18A:

“Sec. 9-1-18A. – Planned Developments.

- A. *Authority.* The Village Board may, in accordance with the procedures and standards set out in this section, and by ordinance duly adopted, grant special use authorizing the development of Planned Developments, but only in the districts where such developments are listed as an authorized special use.
- B. *Legislative Intent:* It is the intent of the Village Board that the provisions within this section are to be valid for no more than 12 months from the date of adoption, by which point they will be replaced by a permanent Planned Development process.
- C. *Purpose.* Planned Developments are included in this section as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses. The Planned Development is intended to allow the flexible application of substantive requirements of Chapters 9 and 10 of the Municipal Code for developments that meet certain criteria as outlined in this section. This special regulatory approach is included in this Chapter in recognition of the fact that traditional regulations, which may be useful in protecting the character of substantially developed and stable areas, may impose inappropriate regulations and rigidities upon the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach. Through the flexibility of the Planned Development process, the village seeks to achieve the following specific objectives:
 - 1. Creation of a more desirable environment than would be possible through strict application of other village land use regulations.
 - 2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
 - 3. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation, and geologic features, and the prevention of soil erosion.
 - 4. Combination and coordination of architectural styles, building forms, and building relationships.
 - 5. Provision for the preservation and beneficial use of open space.
 - 6. Encouragement of land uses that promote the public health, safety, and general welfare.
 - 7. Support the economic development goals of the Village, as conveyed through the Village’s Comprehensive Plan, or other relevant adopted sub area or strategic plans.
- D. *Authorized Districts.* A special use for a Planned Development will only be allowed in the following zoning districts:
 - 1. B-2 Community Business District
 - 2. B-3 Business District

- 3. B-4 Business District
- 4. O-5 Office District
- 5. M-1 Manufacturing District

E. *Authorized Uses.*

1. *Primary Uses*

- a. Dwelling-Multiple

2. *Accessory uses* including, but not limited to, the following:

- a. Club houses, pools, patios, decks, gazebos, parks, sports courts, and other structures designed to provide support amenities for the multi-family use.
- b. Home occupations.
- c. Those uses listed as permitted uses within the B-1 Neighborhood Business District.

F. *Parties Entitled to Seek Planned Development Approval.* An application for a special use for a Planned Development may be filed by the owner of, or any person having a contractual interest in, the subject property.

G. *General Requirements for Planned Development.* The following are required for all Planned Developments:

1. *Unified Ownership Required.* A Planned Development shall be under single ownership or unified control to ensure that the entire property will be developed, constructed, and maintained as a unified whole. No conveyance of any portion of the property within the Planned Development shall occur without approval of a minor amendment to the special use for a Planned Development as outlined in Section 9-1-18A-K-3

2. *Minimum Area.* The minimum area for a proposed Planned Development is two-acres; provided, however, that the applicant shall have the burden of establishing that the property is of sufficient size and shape for the proposed Planned Development and to be planned and developed as a unified whole capable of meeting the objectives for which Planned Developments may be established pursuant to this section.

3. *Covenants and Restrictions Required.* In the event of multiple parcels not under single ownership, unified control will be required in the form of covenants, deed restrictions, easements, and similar restrictions to be recorded in connection with the Planned Development to provide for maintenance of common areas, shared access, parking and other site operational requirements as applicable.

4. *Public Open Space and Contributions.* Donations shall be provided in accordance with Section 10-9-1.

H. *Procedure for Approval of Planned Development:* The procedure to be followed in considering applications for a special use for a Planned Development shall be as follows:

1. *Special Use.* Applications for Planned Developments shall follow the process outlined in Section 9-1-18 to obtain a special use. No special use for a Planned Development shall be

granted unless the standards found in Section 9-1-18-I are met. In conjunction with this application, all documents as outlined in Section 9-1-18A-I-2 shall be submitted as part of the application submittal.

2. *Plat of Subdivision and/or Easement.* All Planned Developments involving the subdivision of land or granting of easements shall submit all documents and follow all requirements for preliminary and final plats in accordance with Section 10-6-3 of the Subdivision Code.
3. *Building Permit.* Following approval of an ordinance granting a special use for a Planned Development, a building permit shall be required. Building permit applications shall be made in accordance with requirements of Chapter 11 of the Municipal Code and the requirements of Section 9-1-18A-J.

I. *Submission for Planned Development.*

1. *Staff Pre-Application Meeting.* A formal meeting to review the proposed Planned Development shall be held with Village staff for discussion of the proposed development relative to the requirements of this Chapter 9 and other sections of the Municipal Code. The petitioner, along with all consultants responsible for preparing plans, studies and documents for the Planned Development plan; shall be present at the pre-application meeting. Prior to this meeting, the applicant shall submit the following materials and any other items that may be required by Village staff to provide useful background for the review team:

- a. A scaled drawing in sketch form showing the proposed location and extent of the land uses, major streets, lots, environmental areas, stormwater management facilities, and other features as needed to convey the proposed form of development.
- b. A general description of the proposed Planned Development, the planning objectives to be achieved by it, including the rationales and assumptions of the applicant supporting the proposed Planned Development, and the market it is intended to serve.

2. *Development Documents for Planned Development.* The following items are required for submission for approval of a Planned Development:

- a. Completion of an application in a form as determined by the Development Services Department.
- b. Legal description.
- c. Plat of Survey.
- d. Proof of ownership or interest in property, including current Title Report.
- e. A written statement addressing the following matters:
 - (1) A general description of the proposed Planned Development, the planning objectives to be achieved by it, including the rationales and assumptions of the applicant supporting the proposed Planned Development, and the market it is intended to serve.
 - (2) How the proposed Planned Development is to be designed, arranged and operated so as not to adversely affect the development and use of

neighboring property in accordance with applicable regulations of this title.

- (3) A summary of existing natural and environmental resources and features on the subject property, including its topography, vegetation, soils, geology, and scenic view, and the impact of the proposed Planned Development on such resources and features, including proposals to preserve or protect such resources and features.
 - (4) Applicant's intent with respect to the ownership, sale and leasing of the various completed units, structures, spaces and areas within the proposed Planned Development.
 - (5) A development schedule for each and every stage of construction stating the approximate beginning and completion date, proportion of total public or common open space to be provided for each use and with each development stage.
 - (6) A summary of density of residential uses, including the number of dwelling units by type, the number of buildings by type and the number of bedrooms in each building and dwelling unit type.
 - (7) Information on the type and amount of primary and accessory uses, including the amount of open space.
 - (8) A detailed summary of existing bicycle, pedestrian, and transit improvements serving the site and what improvements will be made to enhance or maintain connectivity within the Planned Development and surrounding network.
 - (9) Economic impact summary addressing the economic impacts of the Planned Development on the community including sales tax, equalized assessed property values, transit ridership, employer housing and workforce, etc.
 - (10) A summary of areas proposed to be conveyed, dedicated or reserved for public uses including parks, playgrounds and open spaces.
- f. Site plan indicating:
- (1) Property lines, lot dimensions, and total gross acreage.
 - (2) Public rights-of-way and easements, including street pavement widths.
 - (3) Buildings, structures and other constructed features (such as fences), with entry and exit points. Building areas, construction types, and heights shall be included.
 - (4) All paved surfaces (hardscape), including but not limited to pedestrian and vehicular travel areas.
 - (5) Parking areas, including delineated spaces, handicapped spaces, curbs and planted islands.
 - (6) Landscaped areas.
 - (7) Natural site features such as water bodies, wetlands, streams, rock outcroppings, etc.
 - (8) Transformers and HVAC equipment.
 - (9) Conditions on adjacent properties such as buildings, streets, driveways, parking lots, fences and related improvements.
 - (10) Fire hydrants.
 - (11) Fire Department Connection (FDC).

- (12) Fire lanes.
- (13) Freestanding signs.
- (14) Site lighting.
- (15) Trash storage area and loading areas.
- (16) Chart with all relevant zoning data such as FAR, building height, lot coverage, density, setbacks, parking ratios (by bedroom and unit), etc.
- g. Architectural floor plans.
- h. Building elevations.
- i. Colored renderings.
- j. Site lighting including locations, heights, types and specifications of all exterior fixtures, including, but not limited to, freestanding, wall mounted, ground mounted, security lighting fixtures, and decorative or accent lighting.
- k. Fire apparatus auto-turn exhibits, and location of Fire Department Connection (FDC).
- l. Preliminary landscape plan including, but not be limited to, the following information:
 - (1) North arrow, scale, developer/owner name and address, name and address of landscape architect, and date of preparation.
 - (2) Locations of existing features and proposed improvements.
 - (3) A tree survey and preservation plan.
 - (4) Property lines.
 - (5) All buildings and other structures, paved areas, planted areas, utility poles, fire hydrants, sign locations, fences, underground and overhead utility lines, and any other existing or proposed permanent features.
 - (6) All streets, sidewalks, curbs and gutters, drainage ditches, and other improvements within and adjacent to the site.
 - (7) Locations, sizes, quantity and types (groundcover, shrubs, and ornamental, shade and evergreen trees) of all proposed plantings. Plant sizes shall be scaled to reflect sizes five years after planting.
 - (8) Location of existing natural site features (including, but not limited to, wetland areas, water bodies, streams, rock outcroppings). Locations of existing and proposed berms shall also be shown.
 - (9) Site drainage information, including existing and proposed contours (to verify that the proposed landscaping is compatible with site drainage patterns).
 - (10) Calculations of landscape area.
- m. Signage plan detailing a narrative and graphic explanation of the following:
 - (1) Number, location, type and placement of signs on the subject property;
 - (2) Sign materials and methods of illumination;
 - (3) Height and size of signs and sign band areas.
- n. Preliminary engineering plan indicating storm sewer lines, sanitary sewer lines, water mains and storm water detention or retention facilities and proposed grading plans.
- o. Preliminary stormwater report to meet the requirements of the Metropolitan Water Reclamation District (MWRD) Watershed Management Ordinance (WMO) and applicable portions of Municipal Code. The stormwater management design

shall be incorporated into the preliminary plans and required calculations/reports shall be prepared and submitted concurrently with the preliminary engineering.

- p. Draft of all proposed bylaws, covenants, easements, maintenance and other agreements, wherever applicable.
 - q. Traffic Impact Study/Parking Study.
 - r. Preliminary and Final Plat of Subdivision (if required) in accordance with the requirements of Section 10-6-3.
 - s. Ultimate population table per Section 10-9-1.
 - t. Fiscal Impact Analysis indicating the possible tax consequences the proposed Planned Development will have upon the Village and other affected taxing bodies.
 - u. Other information, documents or plans as may be determined necessary by the Department of Development Services to complete the evaluation of the request.
- J. *Building Permit for Planned Development.* No building permit shall be issued without prior Village Board approval of an ordinance for a special use for a Planned Development. The following items shall be required as part of a submittal for a building permit, in addition to all other permit requirements of Chapter 11 of the Municipal Code:
- 1. Final engineering plans and details for all utilities, stormwater retention and drainage, and grading.
 - 2. Final stormwater management report to meet the requirements of the Metropolitan Water Reclamation District (MWRD) Watershed Management Ordinance (WMO). The stormwater management design shall be incorporated into the final engineering plans and required calculations/reports shall be prepared and submitted concurrently with the final engineering.
 - 3. Professional engineer's estimate of probable cost for all public and project improvements, submitted in a manner acceptable to the Village Engineer.
 - 4. Final construction staging plan, including a construction schedule.
 - 5. Final, recorded copy of all bylaws covenants, easements, and maintenance agreements as requested by the Village.
 - 6. Final lighting plan and specifications including the following:
 - a. A photometric plot, measured in footcandles. The plot shall include all existing and proposed fixtures on and adjacent to the subject site that affect the site.
 - b. Minimum illumination levels and uniformity ratios.
 - 7. Final landscape plan in substantial conformance with the approved preliminary landscape plan. In addition to those items provided on the preliminary plan, the final landscape plan shall include the following information:
 - a. Species of all proposed plantings and a proposed material schedule (in tabular form), listing: botanical name; common name; size; and quantity. Shade,

evergreen, and ornamental tree dimensions shall be scaled to reflect sizes five years after planting in lieu of size at full maturity.

- b. A cost estimate for landscape materials under separate cover or on the landscape plan.
- c. Proposed treatment of all ground surfaces; i.e., stone materials, bark, sod, seed and/or other.
- d. Irrigation plan, including the location and type of system to be provided.
- e. Building elevations, cross sections, renderings and/or photographs to show relationship of proposed plantings to buildings

8. Other information, documents or plans as may be determined necessary by the Department of Development Services to complete building permit review.

K. *Amendments to Approved Planned Developments.* Amendments to approved Planned Developments shall be reviewed by the Director of Development Services, who shall determine whether the changes are "staff level", "administrative", "minor" or "major" and outlined below:

1. Staff level changes shall be reviewed by Department of Development Services staff for compliance with all code requirements and shall be limited to non-significant impact alterations to an approved Planned Development, such as a change in species of plant material, minor adjustment in building materials, the addition of outdoor seating at a restaurant where there is no negative impact on parking or pedestrian access, addition of a dumpster or utility screen, or other minimal changes that do not materially affect the operational impacts or aesthetics of an approved Planned Development. Such changes may be approved through the issuance of a building permit, where necessary.
2. Administrative amendments shall be limited to the addition of landscaping and other changes to the project that meet or exceed current code requirements where feasible in consideration of the existing improvements present on the site, and where a maximum increase to the gross building floor area would be not more than 20 percent of the existing gross floor area. An administrative Planned Development amendment may be granted if the above changes, on a long-term basis, will not substantially increase traffic to the location, the amount of noise, artificial light or other impacts. Such administrative Planned Development amendments may be approved by the Village Manager, following review procedures established by the Village.
3. Minor amendments to previously approved applications shall be acted upon by the Village Board, after review and recommendation by the Planning, Building and Zoning Committee, who shall receive a recommendation from the Department of Development Services for consideration and final action on such amendments.
4. Major amendments to previously approved applications shall be conducted in accordance with the procedures and requirements for Planned Developments review (including public hearing before the Planning and Zoning Commission and final consideration by the Village Board) as specified in this Chapter. Major amendments shall also require an amendment to the special use for a Planned Development and shall be approved by Ordinance.

L. *Waiver of Submittal Documents.* The Director of Development Services may upon written request by the applicant, and in the discretion of the Director of Development Services, waive one or more

of the required applications submittals set forth in Sections 9-1-18A-I or 9-1-18A-J. Any request by an applicant for such a waiver must be submitted at the time of application and must include specific reasons why such a waiver is being sought.

M. *Site Design and Bulk Requirements.*

1. *Bulk Regulations.* To promote flexibility in design while meeting the purpose of this section, Planned Developments are not subject to the bulk regulations of the underlying zoning district. Instead, the following regulations shall apply:

Maximum Building Height – Residential Uses	125'
Maximum Building Height – All Other Uses	35ft
Maximum FAR	2.0

2. *Site Design Regulations.* Planned Developments shall comply with the all site design regulations of Chapter 10 of the Municipal Code (the Subdivision Code), with the exception of Article 1, Article 2 and Article 6 of Chapter 10. If there is a conflict between this section and the requirements of Chapter 10, the regulations within this section shall govern. Approval of a building permit for an approved Planned Development Special Use shall be considered equivalent to site plan approval as outlined in Section 10-1-2-A and 10-2-1-B. Under no circumstance will a development be required to receive both Planned Development and site plan approval.

3. *Off Street Parking Regulations.* The provisions of Section 9-3-2 and Section 10-5-2 shall apply. Proposed parking counts must be supported by evidence including but not limited to the most recent edition of the *ITE Parking Generation Manual* and actual demand data from existing developments similar in nature to that being proposed.

4. *Signage.* Signage shall be considered as part of the overall Planned Development, based upon plans submitted. Plans shall include detailed information about all proposed freestanding and wall signs, including the materials, exact dimensions, and proposed lighting. Signage requirements found within Section 9-3-8 shall not otherwise apply, with the exception of Section 9-3-8-A through Section 9-3-8-L.

5. *Exceptions from Regulations:* The Village Board may, at their sole discretion, approve exceptions from the bulk regulations for Planned Developments, or from any other pertinent requirements as found in Chapter 10, provided the applicant specifically identifies each such exception and demonstrates how each such exception would be compatible with surrounding development; is in furtherance of the stated objectives of this section; and is necessary for proper development of the site.

N. *Conditions on Planned Development Approvals.* The approval of Planned Development may be conditioned on such matters as the Village Board may find necessary to prevent or minimize any possible adverse effects of the proposed Planned Development; or to ensure its compatibility with surrounding uses and properties and its consistency with the general purposes, goals, and objectives

of this Chapter, Chapter 10 of the Municipal Code, and the Comprehensive Plan, or other relevant sub area and strategic plans. Such conditions shall be expressly set forth in the ordinance granting the approval in question. Violation of any such condition or limitation shall be a violation of this Chapter, and shall constitute grounds for revocation of all approvals granted for the Planned Development as well as, as applicable, penalties as found in Section 9-1-20.

- O. *Fees.* All applications for Planned Development and amendments thereto shall pay fees equal to an equivalent site plan approval in addition to the required special use approval.”

2. Sec. 9-1-18. – Special uses.

Add a new Subsection to 9-1-18-I:

“7. That the special use shall support the economic development goals of the Village as conveyed through the Village’s Comprehensive Plan, or other relevant adopted sub area or strategic plans.”

3. Sec. 9-7-6. – O-5 Office District.

Add a new Subsection to 9-7-6-C-1:

“i. Planned Development in accordance with Section 9-1-18A.”

4. Sec. 9-8-2. – B-2 Community Business District.

Add a new Subsection to 9-8-2-C-1:

“11. Planned Development in accordance with Section 9-1-18A.”

5. Sec. 9-8-4. – B-3 Business District.

Add a new Subsection to 9-8-4-C-1:

“h. Planned Development in accordance with Section 9-1-18A.”

6. Sec. 9-8-5. – B-4 Business District.

Add a new Subsection to 9-8-5-C-1:

“g. Planned Development in accordance with Section 9-1-18A.”

7. Sec. 9-9-1. – M-1 Manufacturing District.

Add a new Subsection to 9-9-1-C-2:

“m. Planned Development in accordance with Section 9-1-18A.”