

ORDINANCE NO. 2009-O-2

**AN ORDINANCE AMENDING THE WILMETTE VILLAGE
CODE, 1993, AS AMENDED, AMENDING CHAPTER 20,
“ZONING ORDINANCE,” ARTICLE 5, “ZONING DISTRICTS,”
PART 15, “PLANNED UNIT DEVELOPMENTS”**

WHEREAS, the Village President and Board of Trustees (hereinafter collectively referred to as the “Village Board”) of the Village of Wilmette, Cook County, Illinois (hereinafter the “Village”), find that the Village is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and, pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and,

WHEREAS, the Village Board further finds that on or about March 18, 1997, the Village of Wilmette duly adopted Ordinance No. 96-O-105, which amended the Zoning Ordinance of the Village of Wilmette, codified as Chapter 20 of the Wilmette Village Code, 1993, as amended, by adding thereto a new Part 15, “Planned Unit Developments,” to Article 5 of said Zoning Ordinance, as amended by Ordinance No. 2006-O-19, duly adopted on or about March 14, 2006; and,

WHEREAS, the Village Board further finds that the public interest would be served by adopting amendments to the Planned Unit Development special use aforesaid, so as to provide the applicant for said special use with additional direction and guidance at the initial stages of the process, thereby providing a more efficient evaluation of the proposal;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Wilmette, Cook County, Illinois:

SECTION 1: The foregoing recitals and findings, and each of them, are hereby adopted as Section 1 of this Ordinance and are incorporated by reference as if set forth verbatim herein.

SECTION 2: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.4, "Planned Unit Development Required," by deleting the text of said Section 20-5.15.4 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Section 20-5.15.4 shall hereafter provide as follows:

Section 20-5.15.4. Planned Unit Development Required.

Any proposed development, which is greater than twenty-thousand (20,000) square feet of gross floor area within an allowable zoning district, **or multiple districts** as listed in 20-5.15.2, and **which requires** ~~requesting~~ a variation, special use, subdivision, consolidation, vacation, or rezoning, must be developed under the provisions of the Village's Planned Unit Development requirements.

SECTION 3: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.5, "Uses Allowed," by deleting the text of said Section 20-5.15.5 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Section 20-5.15.5 shall hereafter provide as follows:

Section 20-5.15.5 Uses allowed.

The uses which may be permitted under a Planned Unit Development shall be those listed as permitted, accessory or special uses in the zoning district in which the Planned Unit

Development is located. Other specified uses, not permitted by the use regulations of the district in which the development is located may be allowed under a Planned Unit Development provided that the Village Board, pursuant to the provisions set forth herein, finds that the uses **being requested** permitted by such exceptions are necessary or desirable, are appropriate with respect to the primary purpose of the development, and satisfy the standards of review set forth in 20-5.15.9.

SECTION 4: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.7, "PUD Submittal; Procedures," by deleting the text of said Section 20-5.15.7 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Section 20-5.15.7 shall hereafter provide as follows:

Section 20-5.15.7 PUD Submittal; Procedures.

A proposed Planned Unit Development shall be reviewed as a special use in accordance with the procedures set forth in this Part 15. All requirements for public hearings before the Plan Commission, Appearance Review Commission, or the Zoning Board of Appeals which, in the absence of a Planned Unit Development, would have been required to be held under the provisions of the Zoning Ordinance or the Village Code, shall be considered superseded by this Part 15 for applications for Planned Unit Development special uses. This Part 15 shall be deemed to consolidate all requirements for public hearings, recommendations and approvals for Planned Unit Developments before the Plan Commission and the Village Board, in the manner provided herein. ~~Special use a~~ **Applications** for Planned Unit Developments shall be processed in the following three (3) stages: (1) Pre-Application Conferenee **Meeting**; (2) Approval of PUD Submittal; and, (3) Approval of Final PUD Submittal.

SECTION 5: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.7, "PUD Submittal; Procedures," Subsection 20-5.15.7.1, "Pre-Application

Conference,” by deleting the text of said Subsection 20-5.15.7.1 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Subsection 20-5.15.7.1 shall hereafter provide as follows:

Section 20-5.15.7.1 Pre-Application ~~Conference~~ Meeting

(a) A request for a ~~Ppre-A~~application ~~meeting~~ Conference shall be made in writing to the Village Manager. ~~At least two (2) weeks prior to the scheduled date of~~ **Prior to** the ~~Ppre-A~~application ~~meeting~~ Conference, the applicant shall provide a minimum of nine (9) copies of the following items to the Village Manager:

- (1) A plat of survey of the subject property;
- (2) A written description of the proposed Planned Unit Development;
- (3) **A minimum of three development concepts. Each development concept shall include a preliminary site plan, floor plan(s) indicating the type, and square footage of each space and building elevations. At a minimum the three development concepts shall show different building massing and placement. The development concepts shall be provided on 11” by 17” paper and be to-scale;**
- (4) A list of all proposed modifications sought pursuant to Section 20-5.15.6;
- (5) Applicant team information including the name, address, and contact information of each team member, their years of experience, and other similar projects in which the team members have participated. Team shall mean applicant staff and consultants designated by the applicant as active participants in the development;
- (6) A list of similar projects by the applicant, including:
 - (i) Project name **and location**
 - (ii) Brief description of overall size
 - (iii) Square footage of each use
 - (iv) Number of residential units
 - (v) Financing
 - (vi) Project costs

(vii) Project construction duration

(viii) Project completion dates

(ix) Contact information

(x) Photograph(s) or rendering(s) and marketing materials

(7) Such further or different information, documents or materials as the Village Manager may reasonably determine to be necessary in order to prepare for the ~~Ppre-~~**Application Conference meeting.**

(b) Prior to the scheduled date of the ~~Ppre-A~~**application meeting** Conference, the ~~Technical Committee, which shall consist of~~ **the Village Manager may consult with the Village President, Land Use Chair, Plan Commission Chair and, Director of Community Development, or their designees. The Village Manager may also consult with such other officials,** and such Village staff or consultants as the Village Manager may deem appropriate. **The purpose of the consultations is to conduct a preliminary shall review of the concepts proposed and to prepare guidance for the applicant as to the proposals' its compatibility with the Comprehensive Plan, the Zoning Ordinance, the Village Code, and the general planning policies and precedents of the Village, in anticipation of the pre-application meeting. At the discretion of the Village Manager, the applicant may be invited to meet with the Village Manager and the consulted parties regarding the pre-application.**

(c) The ~~Village Manager shall schedule a Ppre-A~~**application meeting with the** Conference shall include the following participants: the Village Manager, Director of Community Development, the applicant, and such village staff **members** or consultants as the Village Manager may deem appropriate. The purpose of the ~~Ppre-A~~**application** Conference **meeting** shall be to explain the Village's review procedures, review the applicant's proposal and provide the applicant with the **Village's impression of the concept proposals' compatibility with the Comprehensive Plan, the Zoning Ordinance, the Village Code, and the general planning policies and precedents of the Village** Village staff's opinion of the feasibility of the proposal, and identify the issues which the applicant should be prepared to address **in the PUD Submittal application materials. Within five (5) business days of the pre-application meeting the Director of Community Development shall prepare a tentative schedule for the PUD Submittal meetings for the applicant.**

SECTION 6: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.7, "PUD Submittal; Procedures," Subsection 20-5.15.7.2, "PUD Submittal:

Required Contents,” by deleting the text of said Subsection 20-5.15.7.2 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Subsection 20-5.15.7.2 shall hereafter provide as follows:

Section 20-5.15.7.2 PUD Submittal: Required Contents.

Following the initial ~~Pre-Application~~ meeting Conference, the applicant may file a PUD Submittal ~~shall be filed~~ with the Director of Community Development. A minimum of ten (10) copies of each of the items identified below, or as many copies as the Director of Community Development deems necessary, shall be provided. With respect to the reports, drawings and plans required under subsections (w), (x), (y) and (z) below, to the extent possible such reports, drawings and plans shall take into consideration the future development potential of surrounding properties. The following items shall constitute the minimum required contents for the PUD Submittal application materials, provided that the applicant may supplement these materials with any other materials as the applicant may deem appropriate, and further provided that the Director of Community Development may, upon the request of the applicant, waive the submission of any of the following where compliance would be unduly burdensome or otherwise unnecessary or unjustified by the nature or scope of the proposal:

- (a) A legal description of the subject property.
- (b) A letter of application for Planned Unit Development approval which addresses the standards of review in 5.15.9.
- (c) Certification of ownership of subject property and applicant’s interest in the subject property, including an application properly certified by either the owner or an entity with authority to act on behalf of the owner, in the manner provided in Section 20-4.3.3(a) of this Chapter; and further provided that, for property held in trust, disclosure of ownership of beneficial interest in the subject property, as may be required by state law
- (d) Current applicant information including the name, address, and contact information of each team member, their years of experience, and other similar projects in which they have participated.
- (e) A statement by applicant with regard to future selling or leasing of all or a portion of the subject property, and planning objectives to be achieved. This statement shall include, but not be limited to:
 - (1) Description of the character of the proposed Planned Unit Development;
 - (2) Rationale justifying the choices made; and,

- (3) Analysis of the relationship between the proposed Planned Unit Development and the Village Comprehensive Plan.
- (f) Market feasibility study performed by a qualified market research firm within the twelve months prior to application, indicating the target market(s) **and** quantifying the demand for all uses proposed in the development **and the suitability of the proposed space for the proposed uses.**
- (g) Most recent preliminary financial feasibility analysis and projected operating statement together with a statement of sources and uses for funding the project.
- (h) Copies of all covenants, grants of easements and other limitations or restrictions existing or to be imposed upon the use of the subject property's land, buildings or other structures.
- (i) Copy of preliminary title insurance commitment.
- (j) A plat of survey of the subject property
- (k) A preliminary development schedule for the project
- (l) Traffic analysis performed by a qualified traffic engineer within the twelve months prior to application
- (m) The following project information.
 - (1) List of all uses by square footage and, in the case of residential, the number of dwelling units;
 - (2) Calculation of lot coverage of building(s) and structure(s);
 - (3) Floor area of building(s) and structure(s);
 - (4) Total amount of open and usable open space; and,
 - (5) Total number of parking spaces, separating surface, below-grade, and above grade parking spaces.
- (n) A brief description of what could be constructed under existing zoning.
- (o) Disclosure as to whether any part of the subject property or structure thereon has been designated as a landmark or historic place under federal, state or local law, or is within a local or national historic district.
- (p) Further information that may be required by Village officials to assist in determining the potential impact of the proposed development on existing emergency response services.

- (q) A detailed survey prepared by a licensed surveyor, which shall include:
 - (1) Contours show at one (1) foot intervals;
 - (2) Trees of six (6) inches or more in diameter at one (1) foot above ground level; and,
 - (3) Unique natural features or existing coverage.
- (r) Soil test results and environmental report prepared by a licensed engineer, as required by the Village.
- (s) The site plan and floor area size of all existing and proposed structures and other improvements, including maximum heights and types of dwelling units.
- (t) A map showing the surrounding footprints of adjacent buildings and their height.
- (u) The location and size in square feet of all areas to be conveyed, dedicated or reserved as common or public open spaces.
- (~~x~~v) Preliminary elevations, which demonstrate building character, with materials and colors.
- (~~v~~w) A current report within twelve months prior to application detailing the existing and proposed pedestrian and vehicular circulation system of streets, alleys, driveways, sidewalks, off-street parking areas, loading areas, service areas, and points of access to the public right-of-way.
- (~~w~~x) Most recent preliminary engineering drawings, to include location, size and slope of all water, sanitary sewer, and storm sewer lines; the capacity of any existing water, sanitary sewer or storm sewer mains that will be used; and the location of any on-site storm water/runoff detention. The applicant shall also provide a preliminary estimate of impact upon the Village infrastructure and utilities.
- (y) A proposed landscape plan.
- (z) A proposed lighting plan.
- (aa) Any other information deemed necessary by the Director of Community Development or the applicant to fully explain the proposed Planned Unit Development.

SECTION 7: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.7, "PUD Submittal; Procedures," Subsection 20-5.15.7.3, "PUD Submittal: Administrative Review," by deleting the text of said Subsection 20-5.15.7.3 in the manner and

form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Subsection 20-5.15.7.3 shall hereafter provide as follows:

Section 20-5.15.7.3 PUD Submittal; Administrative Review.

Following the submission of all material required by Section 20-5.15.7.2, the Director of Community Development shall:

(a) Schedule a public hearing before the Plan Commission for the purpose of reviewing the PUD Submittal, with notice to be provided in the manner described in Section 20-4.8.1 of this Chapter for special uses; and,

(b) Submit a report to the Plan Commission and the applicant, analyzing the plan's compliance with the standards of review set forth in Section 20-5.15.9 of this Chapter, and raising any concerns arising from the Director's consideration of the plan materials and/or the ~~Pre-Application meeting Conference~~.

SECTION 8: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.8, "Final PUD Submittal; Procedures," by deleting the text of said Section 20-5.15.8 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Section 20-5.15.8 shall hereafter provide as follows:

Section 20-5.15.8 Final PUD Submittal: Procedures

The applicant shall, no later than one (1) year after the date the PUD Submittal approval was granted, file a Final PUD Submittal for the proposed Planned Unit Development to the Director of Community Development, containing all information and materials required pursuant to Section 20-5.15.8.1. Upon written request by the applicant and for good cause shown, the Village Board ~~deadline for submission of a Final PUD Submittal~~ may extend; the deadline for submission of a Final PUD Submittal by up to twelve (12) months. The failure of the applicant to file a Final PUD Submittal in the time required by this Section shall be deemed to be an irrevocable withdrawal of the application for the Planned Unit Development and; ~~the approval for the PUD Submittal for the Planned Unit Development~~

shall be deemed immediately revoked, and any development plan for the subject property shall be subject to the zoning and planning ordinances otherwise applicable to the subject property.

SECTION 9: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.8, "Final PUD Submittal; Procedures," Subsection 20-5.15.8.1, "Final PUD Submittal; Required Contents, by deleting the text of said Subsection 20-5.15.8.1 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Subsection 20-5.15.8.1 shall hereafter provide as follows:

Section 20-5.15.8.1 Final PUD Submittal: Required contents.

- (a) The applicant's submission for Final PUD Submittal shall include the following:
 - (1) All of the information required for the approved PUD Submittal, updated and in final form.
 - (2) A final PUD Submittal plat, suitable for recording with the Recorder of Deeds for the County of Cook. The purpose of the final plat is to designate the areas which are consolidated or subdivided, as the case may be, into lots as well as those areas not so divided into common open areas and building areas and to designate the design controls and uses of each building or structure and of the subject property, in general.
 - (3) If consolidated or subdivided lands are included in the Planned Unit Development, a subdivision plat of all such lands in the same form and meeting all the requirements of a normal subdivision plat, to the extent that such compliance is required by Chapter 15 of the Village Code.
 - (4) Certificates, seals and signatures required for the dedication of land and the recording of documents.
 - (5) A copy of any applicable agreement with a private association or public entity for the ownership and maintenance of the common open space(s).

- (6) A restrictive covenant, in a form acceptable to the Village Corporation Counsel, limiting the development of and construction upon the subject property as a whole to such development and construction as shall comply with the Final PUD Submittal and the special use permit granted by the Village Board, which document shall include a provision granting the Village a perpetual right to enforce same.
- (7) A comprehensive landscape plan, indicating the height, location, quantity and type of plant materials and indicating for all trees the diameter at breast height (DBH) as defined by 9-4.5.2 of the Village Code.
- (8) Comprehensive engineering drawings and report detailing the impact on village infrastructure and utilities.
- (9) Architectural design development drawings, including a location map, site plan (identifying all emergency response accesses), all floor plans, roof plan, and at least two overall building sections and description of building mechanical systems. All drawings to be to scale and **properly** noted identifying all spaces and all proposed demising walls for retail spaces. All service and parking entrances shall be clearly identified.
- (10) All final building elevations. Such drawings to be rendered in color and noted to indicate all materials, color and finish. All drawings to be to scale and properly noted identifying all floor elevations and overall building height. All building services and parking entrances shall be clearly identified. **Building service areas shall include but not be limited to loading, trash and recycling service areas.** Drawings shall indicate all proposed signage, awning or canopy sizes and locations, and fencing sizes, materials and locations. All ventilation grills on the building shall be identified. Any mechanical equipment extending above the building parapet shall be identified. Samples of all exterior materials shall be submitted.
- (11) A project schedule detailing all phases of the Planned Unit Development, including landscaping, utilities and site amenities, indicating when each phase is expected to commence and conclude.
- (12) Identify any proposed changes or impacts from the approved PUD Submittal.
 - (b) Permitted Changes. Minor changes from the approved PUD Submittal may be allowed in the Final PUD Submittal, provided such changes are determined to be minor by the Director of Community Development. A change shall not be considered minor if it includes any of the following:
 - (1) A material change in the use, character, or appearance of the development.
 - (2) An increase by more than five percent (5%) in the overall lot coverage or floor area of structures.

- (3) An increase in the density or intensity of use.
- (4) A relocation of any street, alley, driveway, curb cut or intersection in a manner which would materially impact the traffic circulation, access by emergency vehicles, location of public utilities, or which would cause a significant negative impact upon the buffer or open space scheme.
- (5) A reduction of more than five percent (5%) in approved open space.
- (6) A reduction in the dimension or number of off-street parking and/or loading spaces, or the dimension of parking or loading aisles.
- (7) A reduction in pavement widths of streets, alleys or other public rights-of-way; or a reduction of more than six (6) feet in any other pavement widths.
- (8) A change in the arrangement or location of principal structures or uses by more than ten (10) feet.

(c) Changes in addition to or in excess of the limits described above shall be considered major changes and shall require a new project application subject to the application process provided for in this Part 15, except that a ~~Pre-Application~~ **meeting Conference** may not be required, if so determined by the Director of Community Development.

SECTION 10: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 20, Zoning Ordinance, Article 5, "Zoning Districts," Part 15, "Planned Unit Developments," Section 20-5.15.9, "Standards of Review for Planned Unit Developments," by deleting the text of said Section 20-5.15.9 in the manner and form shown in strikethrough type below and inserting therein and therefor such new text in the manner and form shown in underlined bold type below, so that said Subsection 20-5.15.9 shall hereafter provide as follows:

Section 20-5.15.9 Standards of review for Planned Unit Developments

Modifications in conventional zoning and subdivision regulations are privileges and will be considered by the Village Board only in direct response to the accrual of tangible benefits from the Planned Unit Development to the village or the neighborhood in which it would be located. These benefits ~~may shall be~~ in the form of affordable housing and land for affordable housing, except in the OR district, public facilities, such as public parking and transportation facilities, public recreation facilities, public open space, public cultural facilities, of exceptional amenities, outstanding environmental, landscape, architectural or site design, or the conservation of special man-made or natural features of the site. In reviewing an application for a Planned Unit Development, the Plan Commission and/or the Village Board, as the case may be, shall be required to make certain findings based on the following standards.

(a) Required Findings. No application for a Planned Unit Development shall be approved unless all of the following findings are made about the proposal:

- (1) Comprehensive Plan. The Planned Unit Development shall conform with the general planning policies of the Village as set forth in the Comprehensive Plan and the Zoning Ordinance.
- (2) Allowable Uses. Each of the proposed uses is a permitted, or accessory use in the district in which the Planned Unit Development would be located and each use permitted by exception is found in conformance with Section 5.15.5 of this Part 15.
- (3) Public Welfare. The Planned Unit Development shall be so designed, located and proposed to be operated and maintained that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety and welfare.
- (4) Impact on Other Property. The Planned Unit Development shall not be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the district, shall not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district, shall not be inconsistent with the community character of the neighborhood, shall not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan, and shall not substantially diminish or impair property values within the neighborhood, or be incompatible with other property in the immediate vicinity.
- (5) Impact on Public Facilities and Resources. The Planned Unit Development shall be so designed that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it. The Planned Unit Development shall include such impact donations as may be reasonably determined by the Village Board. These required impact donations shall be calculated in reasonable

proportion to impact of the Planned Unit Development on public facilities and infrastructure.

- (6) Archaeological, Historical or Cultural impact. The Planned Unit Development shall not substantially adversely affect a known archaeological, historical, or cultural resource located on or off of the parcel proposed for development.
- (7) Parking and Traffic. The Planned Unit Development shall have or make adequate provision to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets and provides adequate access for emergency vehicles.
- (8) Adequate Buffering. The Planned Unit Development shall have adequate landscaping, public open space, and other buffering features to protect uses within the development and on surrounding properties.
- (9) Performance. The applicant shall demonstrate a successful history of having completed one or more recent projects of comparable value and complexity in order to provide the Village with reasonable assurance that, if authorized, the Planned Unit Development can be completed according to schedule and as designed.
- (10) Appearance. The design of all buildings, structures and facilities on the site of the Planned Unit Development shall meet the standards of review set forth in Section 20-4.9.6 of the Zoning Ordinance (Appearance Review).
- (11) Signage. Any signage on the site of the Planned Unit Development shall be in conformity with the Village's Article 9 of the Zoning Ordinance (Sign Ordinance), or shall satisfy the standards of review for variations set forth therein.

(b) Modification Standards. In addition to the findings required above, the following standards shall be utilized in considering applications for modifications of the conventional zoning and subdivision regulations for a Planned Unit Development. These standards shall not be regarded as inflexible, but shall be used as a framework by the Village to test the quality of the amenities, benefits to the community, and design and desirability of the proposal.

- (1) Integrated Design. A Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious grouping of structures, uses and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features.
- (2) Beneficial Common Open Space. Any common open space in the Planned Unit Development shall be integrated into the overall design. Such spaces shall have a direct functional or visual relationship to the main building(s) and not be of

isolated or leftover character. The following would not be considered usable common open space:

- (i) Areas reserved for the exclusive use or benefit of an individual tenant or owner.
 - (ii) Dedicated streets, alleys and other public rights-of-way.
 - (iii) Vehicular drives, parking, loading and storage area.
 - (iv) Irregular or unusable narrow strips of land less than fifteen feet (15') wide.
- (3) **Location of Higher Buildings.** Higher buildings shall be located within the Planned Unit Development in such a way as to dissipate any material adverse impact on adjoining lower buildings within the development or on surrounding properties, and shall not unreasonably invade the privacy of occupants of such lower buildings.
- (4) **Functional and Mechanical Features.** Exposed storage areas, trash and garbage retainers, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be accounted for in the design of the Planned Unit Development and made as unobtrusive as possible. They shall be subject to such setbacks, special planting or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
- (5) **Visual and Acoustical Privacy.** The Planned Unit Development shall provide reasonable visual and acoustical privacy for each dwelling unit. Fences, insulations, walls, barriers and landscaping shall be used as appropriate for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable view or uses, and reduction of noises.
- (6) **Ownership Plan.** The Planned Unit Development may consist of conventionally subdivided lots to be sold, unsubdivided single ownership, separate condominium ownership of structures, or other ownership methods, provided that the ownership plan will ensure the continued maintenance of the properties and of the various amenities and conservation and design features of the Planned Unit Development as a whole.
- (7) **Sustainable Energy Efficient Design.** A Planned Unit Development shall be designed with consideration given to various methods of site design and building location, architectural design of individual structures, and landscaping design capable of reducing energy consumption within the Planned Unit Development and to the extent feasible, the applicant will be encouraged to obtain Leadership in Energy and Environmental Design (LEED) certification for the project.

- (8) Landscape Conservation and Visual Enhancement. The existing landscape and trees in a Planned Unit Development shall be conserved and enhanced, insofar as feasible, by minimizing tree and soil removal, and the conservation of special landscape features such as streams, ponds, groves and land forms. The addition or use of larger trees, shrubs, flowers, fountains, ponds, special paving amenities will be encouraged to the extent of their appropriateness and usefulness to the Planned Unit Development and the likelihood of their continued maintenance.
- (9) Drives, Parking and Circulation. Principal vehicular access shall be from dedicated public streets, and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, adequate provision for service by emergency vehicles, and arrangement of parking areas that are safe and convenient, and insofar as feasible, do not detract from the design of proposed buildings and structures and the neighboring properties.
- (10) Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic.
- (11) Suitability of First Floor Space for Retail, Restaurant and/or Entertainment uses. The first floor of any building proposed as part of a commercial or mixed-use PUD, except in the OR district, shall be designed in accordance with best practices for new retail, restaurant and/or entertainment tenant space. All proposed PUDs, except in the OR district, that contain 2,000 square feet or more of commercial space, will be required to provide all necessary facilities associated with the operation of a 100 seat full service restaurant and/or commercial kitchen.**

SECTION 11: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the President and Board of Trustees of the Village of Wilmette, Illinois, on the **25th** day of **August**, 2009, according to the following roll call vote:

AYES: President Canning, Trustee Basil, Trustee McKenna, Trustee Spillers, Trustee Swanson, Trustee Terman

NAYS: Trustee Krueger

ABSTAIN: None

ABSENT: None

Terence C. Porter
Clerk of the Village of Wilmette, IL

APPROVED by the President of the Village of Wilmette, Illinois, this **25th** day of **August**, 2009.


President of the Village of Wilmette, IL

ATTEST:

Terence C. Porter
Clerk of the Village of Wilmette, IL