

SECTION 5. PLANNED UNIT DEVELOPMENTS

- 5.1 PURPOSE
- 5.2 INITIATION
- 5.3 AUTHORIZATION
- 5.4 GENERAL STANDARDS FOR PLANNED UNIT DEVELOPMENTS
- 5.5 EXCEPTIONS FROM DISTRICT REGULATIONS
- 5.6 PROCEDURE
- 5.7 CHANGES TO APPROVED FINAL PLANS
- 5.8 REVOCATIONS AND EXTENSIONS
- 5.9 CONDITIONS AND GUARANTEES
- 5.10 ISSUANCE OF BUILDING PERMIT
- 5.11 ENFORCEMENT OF PLANNED UNIT DEVELOPMENT

5.1 PURPOSE

The purpose of these planned unit development regulations is to:

- A. Encourage flexibility in the development of land and in the design of structures.
- B. Encourage planned diversification in the location of structures.
- C. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other Sections of this Code.
- D. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, buildings, circulation systems and utilities.
- E. Provide for more usable and suitably located open space and recreation areas than might otherwise be provided under the application of other Sections of this Code.
- F. Encourage the construction of appropriate aesthetic amenities which will enhance the character of the site.
- G. Guarantee quality construction commensurate with other developments within the community, and compatible with the character of the surrounding area and adjoining properties.
- H. Facilitate the implementation of the Comprehensive Plan, particularly with respect to areas designated for potential redevelopment within the Plan.
- I. Encourage quality construction and design through an efficient application procedure that is sensitive to the need for expeditious development review.

5.2 INITIATION

Applications for planned unit developments may be filed by an owner of any property in the Village for that property, in accordance with the provisions of Section 5.3 (Authorization).

5.3 AUTHORIZATION

Where permitted within district regulations, planned unit developments shall be considered special uses. A planned unit development shall be granted in accordance with the procedures and standards of this Section, and the special use provisions of Section 4.4 (Special Use). Unless specifically approved by the ordinance granting or amending the planned unit development as a

special use, the requirements of the underlying district shall apply. The ordinance granting or amending the planned unit development as a special use may depart from the normal procedures, standards and other requirements of this Code to the extent permissible under this Section.

5.4 GENERAL STANDARDS FOR PLANNED UNIT DEVELOPMENTS

- A.** The site of the planned unit development shall be under common ownership and/or unified control. If there are two (2) or more owners, the application for the planned unit development shall be jointly filed by all such owners.
- B.** Planned unit developments in the R-1A, R-1 and R-2 Districts must be a minimum of three and one-half (3.5) acres. There is no minimum size for planned unit developments in all other zoning districts.
- C.** The ordinance authorizing the special use for a planned unit development may grant exceptions to the regulations contained in this Code including, but not limited to, use, density, area, bulk, setbacks, off-street parking and loading, and signs, as may be desirable to achieve the objectives of the proposed planned unit development, provided that such exceptions are fully consistent with and authorized by this Section.
- D.** Planned unit developments shall be compatible with the purpose and intent of this Code and the Village's Comprehensive Plan. A planned unit development shall not substantially diminish the market value of surrounding properties, and it shall cause no substantial impairment of the use of those properties.
- E.** Planned unit developments shall not adversely affect the natural environment of the community as a whole. Natural assets and features, such as existing trees and native vegetation, shall be protected and preserved to the greatest extent practical.
- F.** The site shall be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The streets and driveways within the proposed development shall be adequate to serve the uses within the development. The applicant shall be responsible for the cost and installation of additional traffic controls and regulating devices that are required.
- G.** All proposed streets, alleys and driveways shall be adequate to serve the residents, occupants, visitors or other anticipated traffic. Access points to public streets, and the location of private streets, alleys and driveways shall be subject to the approval of the Village Board when granting the special use.
- H.** The pedestrian circulation system and its related walkways shall be located to provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.
- I.** All planned unit developments shall provide for underground installation of utilities, including electricity, cable and telephone. Provisions shall be made for acceptable design and construction of storm sewer facilities and appropriate storm retention and/or detention devices. The construction and maintenance of all utilities, roadways, parking facilities and other site improvements shall be in accordance with the requirements of this Code and other regulations of the Village.

5.5 EXCEPTIONS FROM DISTRICT REGULATIONS

- A.** The Zoning Board of Appeals may recommend and the the Village Board may grant exceptions to the district bulk regulations where a planned unit development is located. The planned unit development is subject to the underlying district regulations unless such exception is specifically granted. Exceptions from district regulations may be granted for planned unit developments, if the Village Board finds that such exceptions meet all of the following standards:
1. Enhance the overall merit of the planned unit development.
 2. Promote the objectives of both the Village and the development.
 3. Enhance the quality of the design of the structures and the site plan.
 4. Enable the development to offer environmental and pedestrian amenities.
 5. Will not cause such an adverse impact on neighboring properties so as to outweigh the benefits of the development.
 6. Are compatible with the land use policies of the Village's Comprehensive Plan.
 7. Provide a public benefit to the Village, as described in Paragraph D below.
- B.** The planned unit development is subject to the underlying district use regulations. However, the Zoning Board of Appeals may recommend and the Village Board may permit uses other than those allowed within the district when it is determined by the Village Board to be desirable in achieving the objectives of the planned unit development, except within the residential districts. No use exceptions are permitted in the residential districts. There must be clear evidence that such uses are desirable and appropriate with respect to the primary purpose of the development, and are not of such a nature, or so located, as to exercise a detrimental influence on the development or the surrounding neighborhood.
- C.** The underlying zoning district requirements shall apply, unless an exception is granted by ordinance as part of the approved special use. Exceptions to district regulations may be granted where it is determined that such modifications shall not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or the flow of traffic. To be granted such exceptions, the applicant must demonstrate superior design and enhanced amenities. In no case shall an exception to district regulations within a planned unit development be granted unless the applicant demonstrates a substantial benefit to the Village.
- D.** The following design characteristics and amenities are provided as a guide for consideration as to whether to grant an exception to district requirements. The following items are a guide and not an exclusive list of requirements. Additional design characteristics and amenities not listed may be considered as part of the approval process.
1. Landscaping, buffering or screening within or around the perimeter of the planned unit development that is in addition to the minimum required by this Code.
 2. The provision of underground parking, and additional landscaping and screening of parking lots and structures in addition to the minimum required by this Code.
 3. Reduced use of impervious surface materials, including cluster development and use of semi-pervious materials such as pervious pavers and grass-crete.

4. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and transit facilities.
5. Preservation of environmental features.
6. Open space and recreational amenities such as:
 - a. Swimming pools
 - b. Tennis courts
 - c. Recreational open space accessory buildings
 - d. Jogging trails and fitness courses
 - e. Playgrounds
 - f. Natural water features and conservation areas
 - g. Detention areas which are accessible to occupants or the public via nature trails, boardwalks, and/or perimeter walkways, but only if they are designed as natural water features and are landscaped with native vegetation
7. Additional public infrastructure improvements in addition to the minimum required by the planned unit development, such as new or repaved streets, installation of gutters and sewers, and traffic control devices to improve traffic flow.
8. Senior housing set-aside.
9. Provision of accessible dwelling units with accessible features beyond what is required by the Americans with Disabilities Act (ADA) or any other applicable codes.

5.6 PROCEDURE

In its establishment and authorization as a special use, in addition to the special use standards of Section 4.4 (Special Use), the following procedures, requirements, restrictions, and conditions shall be observed. In addition to the special use procedures, approval of a planned unit development is a four-step process, which includes a pre-application consultation, optional concept plan, Preliminary Plan, and Final Plan. No plats shall be recorded and no building permit shall be issued until a Final Plan has been approved.

A. Pre-Application Consultation

Prior to the filing of an application for a planned unit development, the applicant shall confer with the Zoning Administrator, as well as other Village staff the Zoning Administrator deems appropriate to confer with, regarding the proposed development. At the pre-application meeting the applicant shall provide information as to the location of the proposed planned unit development, the proposed uses, proposed public and private improvements, a list of any known exceptions to this Code and other ordinances of the Village, and any other information necessary to clearly explain the planned unit development. The purpose of such pre-application presentation and conference is to make advice and assistance available to the applicant before preparation of the optional concept plan or required preliminary plan, so that the applicant may determine:

1. Whether the proposed planned unit development appears in general to be in compliance with the provisions of this Code and other applicable regulations.
2. Whether any zoning exceptions are required in connection with the proposed planned unit development.
3. Whether the proposed planned unit development will be in conformity with the Comprehensive Plan, and the goals and policies of the Village for development. The pre-application conference does not require formal application, fee or filing of a planned unit development application.

Any opinions or advice provided by the Zoning Administrator shall be in no way binding with respect to any official action the Zoning Board of Appeals or Village Board may take on the subsequent formal application.

B. Optional Concept Plan

1. Before submitting a formal application for a planned unit development, the applicant may present a concept plan before the Zoning Board of Appeals for the purpose of obtaining information and guidance prior to entering into binding commitments or incurring substantial expense. At minimum, the concept plan shall consist of the following:
 - a. A map or maps in general form containing the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed within the planned unit development, the location of all adjacent public streets, thoroughfares and public utilities, and schematic drawings showing the size, character and disposition of buildings on the site.
 - b. A written statement containing a general explanation of the planned unit development, including a statement of the present ownership of all the land within said development and the expected schedule of construction.
2. The Zoning Board of Appeals shall review the concept plan, and provide such information and guidance as it deems appropriate. Any opinions or advice provided by the Zoning Board of Appeals shall be in no way binding with respect to any official action the Zoning Board of Appeals or Village Board may take on the subsequent formal application. The review of the concept plan shall not be a public hearing, and any failure to observe formal procedures shall not affect the ultimate validity of any enabling legislation.

C. Preliminary Plan

All applications for planned unit developments shall contain a Preliminary Plan, which shall be filed with the Zoning Administrator, who shall forward a copy of the same to the Zoning Board of Appeals.

1. Minimum Requirements

Every Preliminary Plan shall contain the following:

- a. A plat of survey of the parcel or parcels of land comprising the zoning lot. The plat shall be drawn to scale showing the actual dimensions of this zoning lot, including all parcels or lots within the zoning lot. The plat shall be drawn in accordance with the recorded plat of such land.
- b. Proof of ownership.
- c. A site location map drawn to an appropriate scale showing the proposed planned unit development in relation to surrounding streets and property located within six hundred (600) feet in all directions of the development site. The map shall indicate the location, height and land use of all existing buildings and structures immediately adjacent to the development site.
- d. A site plan drawn to an appropriate scale showing:
 - i. The location, ground area, height, bulk and approximate dimensions of all existing and proposed buildings and structures within the planned unit development.
 - ii. The use or uses to be made of such existing and proposed buildings and structures.
 - iii. The dimensions of all perimeter setbacks and the distance between all buildings and structures.
 - iv. The location and dimensions of all pedestrian walkways, driveways, streets, parking and loading facilities, including the number of parking spaces serving each building or land use type and all parking related screening and landscaping.
 - v. The location, height, design and illumination characteristics of all external lighting fixtures within the development.
 - vi. The location and dimensions of any areas proposed to be conveyed, dedicated or reserved for parks, parkways, playgrounds, places of worship, school sites, public buildings or for any other public or quasi-public use.
- e. Typical building elevations and schematic design presentations indicating the general architectural character of all proposed buildings and structures. The drawings need not be the result of final architectural decisions.
- f. A traffic circulation plan and traffic impact analysis prepared by a qualified professional indicating the proposed movement of vehicles, goods and pedestrians within the planned unit development, and to and from adjacent streets, and the impact of the proposed planned development upon existing traffic patterns. Such studies shall also include an examination of the adequacy of on-site parking facilities, vehicular circulation patterns and pedestrian access and safety.
- g. A drainage plan prepared by a qualified professional indicating the manner in which surface drainage will be controlled and managed, consistent with all Village and other governmental jurisdictions, regulations and requirements.

- h. A utilities study prepared by a qualified professional indicating the adequacy of the utility systems serving the proposed planned unit development, including water distribution lines, sanitary sewers and stormwater drainage facilities.
- i. A landscape plan prepared by a qualified landscape architect indicating the general character of all proposed landscaping, screening and fencing, including all open space areas around buildings and structures. Said landscape plan need not be the result of final architectural decisions.
- j. A separate schedule setting forth any proposed exceptions to any Village regulations. This schedule shall cite by Section number each regulation from which an exception is sought.

2. Preliminary Plan Procedure

The procedure for approval of the Preliminary Plan shall be:

a. Action by the Zoning Board of Appeals

The Zoning Board of Appeals shall review the Preliminary Plan and special use at a public hearing within sixty (60) days of receipt of a complete application. If, in the Zoning Board of Appeals' judgment, the application does not contain sufficient information to enable the Zoning Board of Appeals to properly discharge its responsibilities, the Zoning Board of Appeals may request additional information from the applicant. In that event, the sixty (60) day period shall be suspended pending receipt of all requested information and/or the public hearing continued. Within sixty (60) days of the close of the public hearing, the Zoning Board of Appeals shall either:

- i. Recommend approval or denial of the Preliminary Plan and special use, and submit its written recommendation to the Village Board.
- ii. Advise the applicant in writing of any recommended changes, additions or corrections to the Preliminary Plan. The applicant may, within thirty (30) days, submit the revised Preliminary Plan for Zoning Board of Appeals consideration at a continuation of, or at a new, public hearing. The applicant may do so without paying an additional filing fee. The Zoning Board of Appeals shall then recommend approval or denial of the Preliminary Plan and special use and submit its written recommendation to the Village Board.

b. Approval Standards for Planned Unit Developments

The Zoning Board of Appeals' recommendation to the Village Board shall set forth in what respects the planned unit development is or is not in the public interest including, but not limited to, evaluation of the following standards for approval:

- i. Is the site or zoning lot upon which the planned unit development is to be located adaptable to the unified development proposed?
- ii. Will the proposed planned unit development be detrimental to or endanger the public health, safety, comfort or general welfare of any portion of the community?
- iii. Will the proposed planned unit development be injurious to the use and enjoyment of other property in the vicinity for the purposes already permitted?
- iv. Will the proposed planned unit development diminish or impair property values within the neighborhood?

- v. Will the proposed planned unit development impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district?
- vi. Is there provision for adequate utilities, drainage, off-street parking and loading, pedestrian access and all other necessary facilities?
- vii. Is there provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets?
- viii. Are the location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities, compatible with the surrounding neighborhood and adjacent land uses?
- ix. Is any part of the proposed planned unit development which is not to be used for structures, parking and loading areas, or access ways, suitably landscaped?
- x. Is the planned unit development in the specific location proposed consistent with the spirit and intent of this Code and the adopted Comprehensive Plan?

c. Action by the Village Board

The Village Board, after receipt of the recommendations from the Zoning Board of Appeals, shall approve, approve with conditions or deny the Preliminary Plan and special use within sixty (60) days following the receipt of the recommendations of the Zoning Board of Appeals.

- i. If the Preliminary Plan is denied, the Village Board shall state in writing the reasons for the denial, and such writing shall be filed with the Zoning Administrator and a copy shall be sent to the applicant.
- ii. If the Preliminary Plan and special use is approved, the applicant shall submit a Final Plan for the planned unit development.

3. Limitations on Denials

No special use application for a planned unit development, which has been denied by the Village Board, shall be reconsidered for a period of one (1) year from that date of denial.

D. Final Plan

1. Final Plan Procedure

Within one (1) year following the approval of the Preliminary Plan the applicant shall file with the Zoning Administrator a Final Plan containing, in final form, the information required for the Preliminary Plan. If the planned unit development is to be developed in phases, the applicant need only file a Final Plan for the first phase of development, as indicated in the development and construction schedule prescribed below. The Final Plan for the remaining phases shall be filed in accordance with the development and construction schedule. Every Final Plan shall contain the following information and documentation:

- a. A final site plan drawn to an appropriate scale on material suitable for recording with the Cook County Recorder of Deeds. The final site plan shall include the following information:

- i. Final designation of the location, ground area, height, bulk and exact dimensions of all existing and proposed buildings and structures within the planned unit development.
 - ii. A detailed tabulation of each separate land use area, including land and building areas, and where applicable, the total number of residential dwelling units, the number of bedrooms in each unit, and the residential density.
 - iii. The use or uses to be made of such existing and proposed buildings or structures.
 - iv. The dimensions of all setbacks and the distances between all buildings and structures.
 - v. The final location and dimensions of all pedestrian walkways, driveways, streets, parking and loading facilities, including the number of parking spaces serving each building or land use type and all parking related screening and landscaping.
 - vi. The exact location and dimensions of any areas to be conveyed, dedicated or reserved for parks, parkways, playgrounds, places of worship, school sites, public buildings, or for any other public or quasi-public use.
- b. An accurate legal description of the entire zoning lot upon which the planned unit development is to be located, and a legal description of each separate subdivided parcel, including any areas to be conveyed, dedicated or reserved for public or quasi-public uses.
 - c. All covenants, easements, agreements and other provisions required to govern the use, maintenance and continued protection of the planned unit development, along with an agreement assuring that the applicant, any subsequent owner or, where applicable, a homeowners association shall be responsible for all street, utility and common open space maintenance within said development and for snow plowing and refuse disposal.
 - d. All plats, certificates, seals and signatures required for the dedication or vacation of land and/or the recording of the final site plan.
 - e. If subdivision of the development site is included in the planned unit development, a plat of subdivision shall be prepared suitable for recording with the Cook County Recorder of Deeds. In like manner, if a vacation or dedication of a public street or alley is included, a plat of vacation or dedication shall be prepared.
 - f. A detailed landscape plan based on final architectural decisions indicating the specific location and character of all landscaping, including the size and species of all trees, shrubs, hedges and other groundcover, the location, size and type of all screening and fencing and the location, height, design and illumination characteristics of all external lighting fixtures within the development.
 - g. A detailed utilities and drainage plan based on final architectural decisions indicating the size and location of all water distribution lines, sanitary sewers and storm drainage facilities required to serve the planned unit development and the manner in which surface drainage will be controlled and managed consistent with all applicable Village regulations.
 - h. A development and construction schedule indicating the following:

- i. The date when construction of the planned unit development will begin or, if developed in phases, the date when construction of the initial phase will begin.
 - ii. If the planned unit development is to be developed in phases, a map indicating the phases in which the planned unit development will be built, the dates when the Final Plans for all but the initial phase will be filed, and the approximate dates when construction of each subsequent phase will begin.
 - iii. The date when construction of the planned unit development will be completed, and the date when a specific use or uses will be established, or if developed in phases, the date when construction of each phase will be completed, and the date when a specific use or uses will be established for each phase.
- i. Building elevations and schematic design presentations indicating the architectural character of all proposed buildings and structures based on final architectural decisions and prepared in detail.
 - j. Detailed drawings and design presentations of all signs to be erected within the planned unit development.

2. Action

The Zoning Administrator shall review the Final Plan within sixty (60) days from the receipt of the complete Final Plan and shall take the following actions:

a. Conformance with Preliminary Plan

The Zoning Administrator shall recommend approval of the Final Plan to the Village Board if it is in substantial compliance with the Preliminary Plan and all Village regulations. The Zoning Administrator shall certify to the Village Board that the Final Plan is in substantial conformance with the previously filed Preliminary Plan. Within sixty (60) days of receipt of the Zoning Administrator's recommendation, the Village Board shall review the Final Plan.

b. Nonconformance with Preliminary Plan

- i. If the Zoning Administrator finds that the Final Plan is substantially changed from the approved Preliminary Plan, or is otherwise not in accordance with Village regulations, then the Zoning Administrator shall recommend to the Village Board that the Final Plan be denied. If the Final Plan is held not to be in conformity with the Preliminary Plan or other Village regulations, the Zoning Administrator shall inform the applicant with regard to specific areas found not to be in compliance, and the applicant may resubmit the Final Plan to the Zoning Administrator with changes to those areas found not to be in compliance.
- ii. Once resubmitted and the Zoning Administrator has determined the Final Plan to be in substantial compliance with the Preliminary Plan, the Zoning Administrator shall certify to the Village Board that the Final Plan is in substantial conformance with the previously filed Preliminary Plan. Within sixty (60) days of receipt of the Zoning Administrator's recommendation, the Village Board shall review the Final Plan.

c. Approval

After the approval of the Final Plan, the use of the land and the construction, modification or alteration of any buildings or structures within the planned unit development will be governed by the approved Final Plan rather than by other provisions of this Code.

5.7 CHANGES TO APPROVED FINAL PLANS

No changes may be made in the approved Final Plan, except upon application to the Village, according to the following provisions.

A. During Construction

During the construction of the planned unit development, the procedure shall be as follows:

1. Minor Changes

Minor changes, as required by engineering or other physical site circumstances not foreseen at that time that the Final Plan was approved, and verified by the Village Engineer, may be authorized by the Zoning Administrator, who shall reserve to the right to forward any requests for changes to the Village Board. Any item listed in Paragraph c below shall not be considered a minor change. Any changes to the Final Plan must be recorded as amendments to the planned unit development ordinance. If changes are allowed in a final site plan, then a new site plan reflecting such changes must be filed with the Village noting the date of the changes.

2. Major Changes

- a.** Major changes are those changes that substantially affect the basic design, density or bulk of the development. All changes in land use, building height or density, or in the design, density or bulk of the development shall be considered a major change, and must be approved by the Village Board as an amendments to the planned unit development ordinance.
- b.** The Zoning Board of Appeals shall review the request for a major change at a public hearing within sixty (60) days of receipt of a request. If, in the Zoning Board of Appeals judgment, the application does not contain sufficient information to enable the Zoning Board of Appeals to properly discharge its responsibilities, the Zoning Board of Appeals may request additional information from the applicant. In that event, the sixty (60) day period shall be suspended pending receipt of all requested information and/or the public hearing continued. Within sixty (60) days of the close of the public hearing, the Zoning Board of Appeals shall recommend either approval or denial of the request for a major change, and submit its written recommendation to the Village Board. The Village Board, after receipt of a recommendation from the Zoning Board of Appeals, shall approve, approve with modifications or deny the request for a major change within sixty (60) days following the receipt of the recommendation of the Zoning Board of Appeals. The Village Board may also decide that the request for a major change is so significant that it must be considered a new planned unit development application and should be resubmitted as such.

- c. Major changes shall include, but are not limited to, the following:
 - i. A change in the number of dwelling units, the gross floor area of the development, or the gross floor area devoted to any particular use.
 - ii. A change in building height.
 - iii. An increase in building coverage of more than five percent (5%) than that approved in the Final Plan (for example, an increase from 25% coverage to 30% coverage). Any building coverage increase above that permitted by this Code shall be considered a major change.
 - iv. A decrease in open space.
 - v. A change in the location of any open space in any manner that detracts from its intended function in the previously approved plan.
 - vi. A change in excess of five (5) feet in the location of walkways, vehicle circulation ways and parking areas, or exterior building or structure walls.
 - vii. A change in the location and arrangement of land uses within the development as shown on the previously approved final plan.
 - viii. A change or relocation of rights of way shown on the approved final plan in any manner or to any extent that decreases their functionality, adversely affects their relation to surrounding land use and rights-of-way elements, or reduces their effectiveness as buffers or amenities.
 - ix. An alteration, whether an increase or decrease, in the amount of any land use in any stage of the development by more than ten percent (10%) or a change in the overall final approved and use mix.
 - x. A reduction in the number of parking spaces or an increase of more than five (5) parking spaces. An increase of up to five (5) spaces shall be considered a minor change.
 - xi. A change to the landscape plan that results in a reduction in the net amount of plant material. Changes to the landscape plan, which do not result in a reduction in the net amount of plant material, a change in species or do not violate the landscaping requirements of this Zoning Code, shall be considered a minor change.

B. After Construction

After the completion of construction of the planned unit development, all changes to the Final Plan must be made by the Village Board under the procedure authorized for a special use (Section 4.4). Upon review of the proposed changes, the Zoning Administrator and/or Village Board may determine that the proposed changes to the planned unit development constitute a new application and must be resubmitted as a new planned unit development application in accordance with this Section.

5.8 REVOCATIONS AND EXTENSIONS

- A. If construction work on the proposed planned unit development has not begun within eighteen (18) months from the date of authorization by the Village Board, the authorization

shall become null and void and all rights shall lapse. However, the Village Board may extend this period of validity for longer than eighteen (18) months from the date of authorization, with or without conditions, as part of the planned unit development approval.

- B. The applicant can request an extension, upon his/her written application, filed prior to the termination of the time limit. The Village Board may authorize a single extension of not more than twelve (12) months without a public notice.

5.9 CONDITIONS AND GUARANTEES

Prior to granting any special uses, the Zoning Board of Appeals may recommend, and the Village Board may stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the planned unit development as deemed necessary to guarantee performance of all conditions.

5.10 ISSUANCE OF BUILDING PERMIT

Building permits may only be issued if the construction work in question is in conformity with the approved Final Plan and with all other applicable ordinances and regulations.

5.11 ENFORCEMENT OF PLANNED UNIT DEVELOPMENT

- A. The Zoning Administrator shall periodically review all permits issued for the planned unit development in conjunction with the construction that has taken place on the planned unit development site, and compare actual development with the approved development and construction schedule.
- B. If the Zoning Administrator shall find that the applicant has failed to meet the approved development and construction schedule, the Zoning Administrator shall notify the Village Board in writing. Within thirty (30) days of such notice, the Village Board shall either revoke the special use and the land shall revert to its former classification or, for good cause shown by the applicant, the development and construction schedule may be extended for a reasonable time.

