



# PLANNED DEVELOPMENTS

PUBLIC HEARING  
APPLICATION PACKET  
For  
MINOR and MAJOR Planned  
Developments

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# Planned Development Guide

**Development Concept:** The Applicant approaches the Department of Community Planning and Development with a plan. Once sufficient detail is achieved, the Applicant is referred to the Project Review Team (PRT).

**Project Review Team:** The applicant schedules their project review before the PRT, a staff committee comprised of representatives from all Village departments influencing project design. This review is scheduled through the Village Planner. 708/ 358-5418. This meeting is held on the first and third Monday at 10 AM.

**Compensating Benefits Meeting:** For Major Planned Development applications, the applicant shall meet with staff and/or any other public entities as deemed necessary to negotiate necessary improvements, business retention efforts, and/or other improvements that will promote the objectives of the Planned Development ordinance. Documentation of this process and agree upon outcomes will be required as part of the application.

**Community Meetings:** The applicant is required to conduct a community meeting or meetings. The meeting(s) should be widely advertised. This is a forum for the applicant to present the project, seek feedback, and get to know the neighbors. Staff does not participate in, or attend these meetings. If community meetings are not held, the Village will postpone their review until such time that a community meeting can be conducted. Evidence of each meeting shall be provided to the public hearing body.

**Planned Development Application:** The applicant formally applies for the Planned Development process. The application is received by the Village Planner and is verified for completeness/compliance through the Project Review Team.

**Technical Review:** The Village staff will hold a project review to ensure that the application is complete and will in turn send you a written response. The response can include a summary of suggested revisions or additional information that may be needed in preparation for the BOT review and public hearing. This review phase continues until all materials, including revised plans, have been submitted, reviewed and approved. Staff meets the first and third Monday.

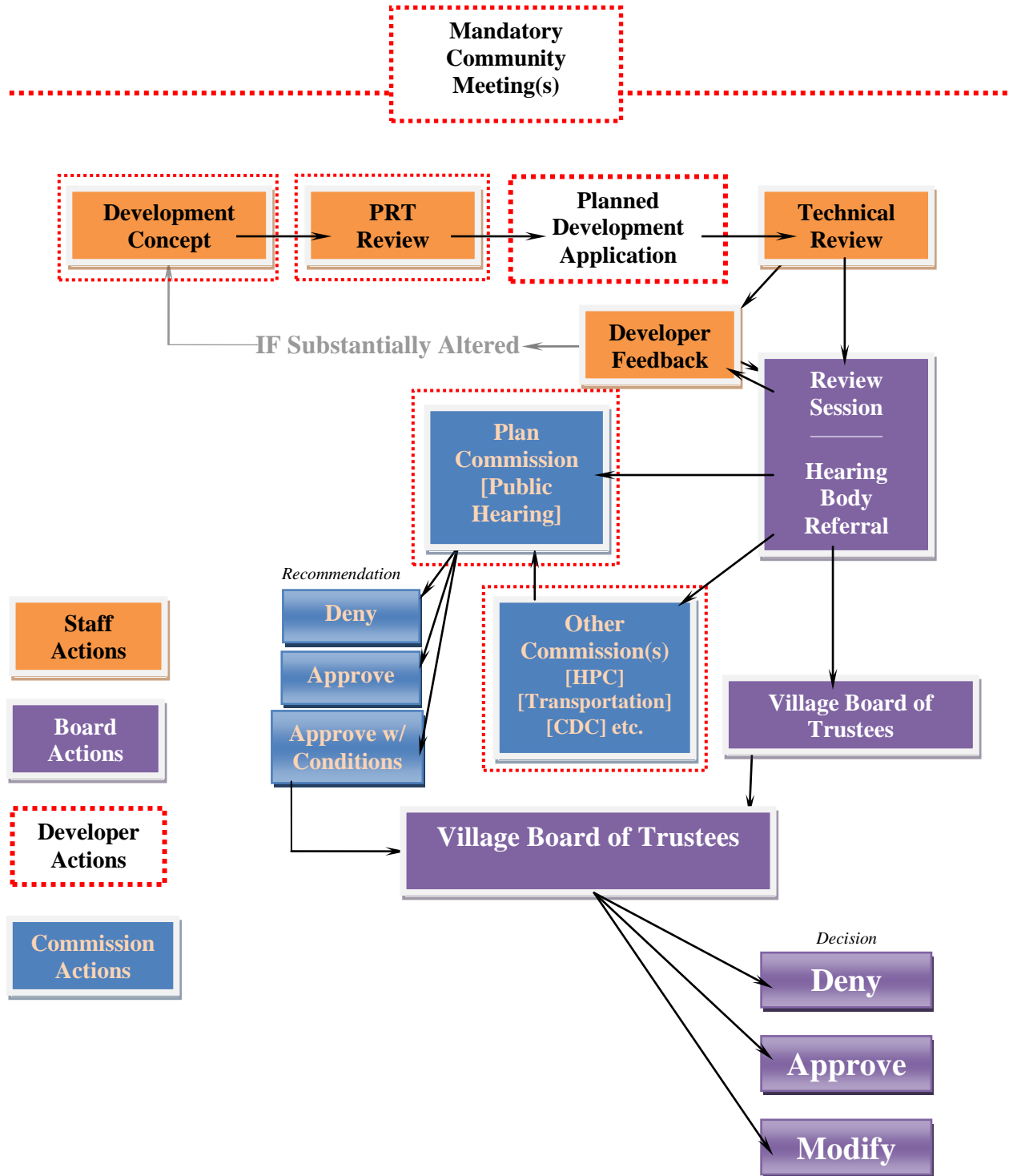
**BOT Review Session / Hearing Body Referral:** The Village Board receives a project summary and zoning issues summary by the Village Planner. A memorandum describing pertinent facts is distributed to the Board at least six (6) days prior to the session. The Applicant does not participate in this process other than to be present at the session. Generally the Village Board refers the application to a hearing body at this session. The Village Board generally reviews these on the second or fourth Monday. If the Applicant chooses to proceed, the Village Board will formally refer the application to a public hearing body (Plan Commission or other designated Commission). This may or may not be conducted on the same night as the Review Session.

**Applicant Feedback:** The Village Board advises the applicant and staff of issues and concerns at the Review Session. If the issues are substantial, the Applicant may elect to substantially amend or withdraw the PD application.

**Public Hearing:** The Board could designate itself as the hearing body, but typically, the Plan Commission will be selected. The Plan Commission (or designated Commission) examines the project issues and conducts the public hearing. Upon conclusion, the Plan Commission (or designated Commission) makes a recommendation of approval, approval with conditions, or denial to the Village Board of Trustees. The Plan Commission meets each third Thursday of the Month.

**Board Decision:** Based on the Plan Commission's (or designated Commission's) recommendation, and its findings, the Board may decide to Approve, Deny, or require modifications of the project. The Village Board may determine that substantial modifications may require the Plan Commission (or designated Commission) to re-review the application or that the applicant would be required to resubmit their request.

# Planned Development Flow Chart





# Petition for Public Hearing

**Planned Development Application** \_\_\_\_\_ **MINOR [10-30K]** \_\_\_\_\_ **MAJOR [>30K]**

YOU MUST PROVIDE THE FOLLOWING INFORMATION: IF ADDITIONAL SPACE IS NEEDED, ATTACH EXTRA PAGES TO THE PETITION.

**Address/Location of Property in Question:** \_\_\_\_\_

**Property Identification Number(s)(PIN):** \_\_\_\_\_

**Name of Property Owner(s):** \_\_\_\_\_

**Address of Property Owner(s):** \_\_\_\_\_

**If Land Trust, name(s) of all beneficial owners:** (A Certificate of Trust must be filed.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name of Applicant(s):** \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Phone Number: Office \_\_\_\_\_ E-Mail \_\_\_\_\_

Other: \_\_\_\_\_

**Project Contact:** (if Different than Applicant) \_\_\_\_\_

Contact's Address: \_\_\_\_\_

Contact's Phone Number: Office \_\_\_\_\_ E-Mail \_\_\_\_\_

Other: \_\_\_\_\_

**Property Interest of Applicant:** \_\_\_\_\_ Owner \_\_\_\_\_ Legal Representative \_\_\_\_\_ Contract Purchaser \_\_\_\_\_ Other

(Describe): \_\_\_\_\_

**Existing Zoning:** \_\_\_\_\_ **Describe Proposal:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Zoning Category Requested:** (Circle One if Applicable) or NA (Not Applicable)

R-1	R-2	R-3	R-4	R-5	R-6	R-7
B-1	B-2	B-3	B-4	C	H	PD

**Planned Development Requested:** (Circle One if Applicable) or NA (Not Applicable)

ResPD	BusPD	ComPD	MIX
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**Size of Parcel** (from Plat of Survey): \_\_\_\_\_ Square Feet or Acre (circle one)

**ATTACH LEGAL DESCRIPTION OF ALL APPLICABLE PROPERTY AS IT APPEARS ON THE DEED.**

**Adjacent Zoning Districts and Land Uses:**

To the North: \_\_\_\_\_

To the South: \_\_\_\_\_

To the East: \_\_\_\_\_

To the West: \_\_\_\_\_

**How the property in question is currently improved?** (Circle One)

COMMERCIAL/BUSINESS      RESIDENTIAL      MIXED USE      OTHER: \_\_\_\_\_

Describe Improvement: \_\_\_\_\_

\_\_\_\_\_

**Is the property in question currently in violation of the Zoning Ordinance?** \_\_\_\_ Yes \_\_\_\_ No

If Yes, how? \_\_\_\_\_

**Is the property in question presently subject to a Special Use or Planned Development?** \_\_\_\_ Yes \_\_\_\_ No

If Yes, how? \_\_\_\_\_

If Yes, please provide Ordinance No.'s \_\_\_\_\_

**Is the subject property located within any Historic District?** \_\_\_\_ Yes \_\_\_\_ No

If Yes, which district: \_\_\_\_ Frank Lloyd Wright \_\_\_\_ Ridgeland/Oak Park \_\_\_\_ Gunderson

**Is the subject property located within the Transit Overlay District?** \_\_\_\_ Yes \_\_\_\_ No

**Is the subject property located within the Perimeter Overlay District?** \_\_\_\_ Yes \_\_\_\_ No

**From what Section(s) of the Zoning Ordinance are you requesting approval / relief?**

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**Explain why, in your opinion, the grant of this request will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance or Comprehensive Plan.**

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I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Oak Park for the purpose of securing information, posting, maintaining and removing such notices as may be required by law. Owner's signature must be notarized.

\_\_\_\_\_  
(Signature) Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature) Owner

\_\_\_\_\_  
Date

**Owner's Signature must be notarized**

SUBSCRIBED AND SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)



# Applicant's Submittal Checklist

## Submittal Guidelines:

*This is a general checklist For Minor and Major Planned Development proposals.*

*Other items pertaining to your case may be necessary. The Plan Commission may request additional information.*

- All submittals, excluding the petition and fee, must be tabbed and labeled with an Exhibit Number and presented in a three-ring binder.
- Eighteen (18)** complete and collated packets must be submitted for a staff technical review and approved prior to being scheduled for a Review Session with the Village Board of Trustees. This is after the Development Review Team's conceptual meeting.
- Thirteen (13)** complete (including any required revisions) paper packets and **One (1) electronic** copy of all materials shall be submitted for the Board of Trustees' Review Session and public hearing process. The electronic packet shall include all of the required documentation listed in this checklist and shall be organized in the same format as the collated paper packets. The electronic information shall be in a PDF format and reduced to its smallest size.
- After the public hearing process, **one (1) electronic** copy of all approved plans plus **one (1)** reduced set of plans (11" x 17") shall be submitted prior to scheduling the petition for the Board of Trustees meeting.
- Plans and drawings should be of a minimum scale of one (1) inch equals forty (40) feet, unless otherwise indicated in the checklist. The maximum sheet size shall be 24 inches by 36 inches, and all plans **must be folded** to approximately 8 ½" x 11".

Each drawing shall include the following basic information:

- Project name
- Drawing Title and Sheet Number if applicable
- Exhibit Label
- Scale, both in numerals and graphic
- North arrow
- Date and latest revision date, if any
- Name of person(s) preparing the drawing, professional registration or affiliation, address and phone number
- Name, address and phone number of the property owner and/or applicant



## 1. PETITION FOR PUBLIC HEARING WITH LEGAL DESCRIPTION AND PROOF OF OWNERSHIP

Attach the legal description of the property as it appears on the deed. A current title and an Affidavit of Ownership (Form #1) are required for proof of ownership. If the owner's signature is not on the petition, a letter stating the owner's consent for the filing of the petition is also required. The Petition, Affidavit of Ownership and letter from the owner must be notarized.

## 2. AFFIDAVIT OF NOTICE

Step 1: PRE-Application Notice; Prior to submission of an application, the applicant must notify the public and business owners using the same property owner information created for the Public Hearing that an application is ready to be filed. The notice shall be sent not more than 30 days prior to submittal of an application to the Village. The Applicant shall notify all of the owners of property within 500 feet of, and including, the subject property, measured from the property line, excluding rights-of-way, that a public hearing will be held to consider this Petition (Form # 2). The list of property owners shall be supplied by the Applicant along with documentation from a reputable title company or approved method indicating the identity of all such owners required to receive notice (Form # 3). Such notice will be mailed by regular mail.

Step 2: The Applicant shall notify the public of the public hearing as required by the Zoning Ordinance, which includes a sign posted on the subject site, certified mailings to property owners within 500 feet, and a legal notice in a local newspaper (this notice will be conducted by the Village). Incomplete public notice will require that the notice be reissued and, if necessary, that a new public hearing be scheduled.

## 3. APPLICATION FEE

Planned Development - \$ 2,000.00 Fee

## 4. PROJECT SUMMARY

A written overview of the project and summary of evidence may be submitted in the form of a cover letter that makes reference to plans and exhibits. Where an item in this Submittal Checklist does not apply, the facts should be clearly stated in the Project Summary. The applicant may request in writing a waiver of any application requirement during or after the pre-filing conference and shall meet with the Village Planner who will review and decide on the waiver within ten working days from receipt of the request.

The text shall also include a summary of the evidence, which the applicant proposes to offer in order to demonstrate the following standards (3.911) as well as those found in Section (2.2.3D) of the Oak Park Zoning Ordinance:

### **Comprehensive Plan Standards**

- The proposed use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan.

### **Municipal Services Standards**

- The establishment, maintenance, or operation of the use or combination of uses will not be materially detrimental to or endanger the public health, safety, morals or general welfare of the residents of the Village.
- Adequate utilities, road access, drainage, police and fire service and other necessary facilities already exist or will be provided to serve the proposed use or combination of uses, including access for fire, sanitation, and maintenance equipment.
- Adequate ingress and egress to the planned-development site already exists or will be provided in a manner that adequately addresses additional traffic congestion in the public streets and promotes a safe and comfortable pedestrian environment.

### **Neighborhood Standards**

- The proposed use or combination of uses will not substantially diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses that are permitted by the Zoning Ordinance of the Village.

- The proposed use or combination of uses will not have a substantial adverse effect upon property values in the vicinity.
- The proposed design, use or combination of uses will complement the character of the surrounding neighborhood.

#### **Economic Development Standards**

- The applicant has the financial and technical capacity to complete the proposed use or combination of uses.
- The proposed use or combination of uses is economically feasible and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the Village, except to the extent that such burden is balanced by the benefit derived by the Village from the proposed use.

### **5. PROFESSIONAL QUALIFICATIONS**

A statement of the professional qualifications and related development experience of Applicant and /or Applicant's development team.

### **6. PROPOSED FINANCING**

A statement of proposed financing and evidence of the Applicant's ability to accomplish same. At the direction of the Village Board, an Economic proforma may be required for their review.

### **7. LEGAL CURRENT YEAR PLAT OF SURVEY**

A certified plat of survey, prepared by a licensed land surveyor, with legal description and street address of the subject parcel(s) prepared within the last year or a plat of survey showing current conditions that may be older than one year, prepared by a licensed surveyor including but not limited to:

- Legal Description of the site
- Acreage
- Drawing of the site boundaries with metes and bounds indicated
- Property lines
- Easements
- Lot lines and area calculations
- Adjacent road right-of-ways
- Overhead and Underground Utilities (sanitary sewer, water main, storm sewer, electric, telephone, gas, cable television, and street lights)

### **8. LIST AND MAP OF SURROUNDING PROPERTY OWNERS**

A list of property owners within 500 feet of the perimeter of, and including, the site, excluding street right of ways, according to the last available tax records of the county. The list must include the addresses and tax numbers of the properties, and the names and addresses of the owners of those properties. These are the properties that will be noticed prior to the public hearing. This list should correspond to a scaled map showing the project site and properties within 500 feet. This information may be included on the location map or submitted as a separate map.

### **9. RESTRICTIONS & COVENANTS**

The substance of existing covenants, easements, and other restrictions and any to be imposed on the use of land, including common open space, and buildings or other structures.

### **10. CONSTRUCTION SCHEDULE**

A schedule of development showing the approximate date for beginning and completion of each stage of construction of development, including a communication plan and point of contact shall be posted at the site.

### **11. CONSTRUCTION TRAFFIC SCHEDULE**

A construction traffic and parking schedule indicating the location for the parking of construction vehicles and the anticipated route of construction vehicles, including a communication plan and point of contact shall be posted at the site.

## **12. MARKET FEASIBILITY REPORT**

A market feasibility report, prepared by a professional real estate consultant or other qualified professional for all types of proposed land uses within the boundaries of the developed tract, which shall include information on unit prices, absorption, and competition.

## **13. TRAFFIC STUDY**

A traffic impact study prepared by a professional engineer qualified in traffic analysis, showing the proposed traffic circulation pattern, including counts, within and in the vicinity of the area of the development which includes any pending development projects and an analysis which does not include any pending development projects. The location and description of any public and traffic-related public improvements to be installed, including any streets and access easements shall also be provided.

## **14. PARKING STUDY**

A parking impact study prepared by a professional engineer qualified in parking analysis, showing the estimated parking demand based on proposed uses in relation to existing conditions including any pending development projects for the surrounding area including off-site parking spaces. For Minor developments this study is not necessary if no allowances are requested which would reduce the required number of parking spaces.

## **15. VILLAGE SERVICES**

A report on the anticipated demand on all Village and community-wide services including but not limited to Police, Fire, Public Works, Park District, and Schools as well as an assessment of the project's impact of property values on surrounding properties before and after development. This report shall include a tax impact study indicating all projected tax revenues.

## **16. ENVIRONMENTAL REPORTS**

Information about any hazardous pollution on the site is required to ensure that there is no threat to the public safety during construction of the proposed structures or use of the site after construction. Any environmental audits for the site, including Phase I or Phase II Reports, or any information that is on file with the Environmental Protection Agency shall be submitted for review by the Village. This information may not be necessary if a letter from EPA is provided stating that the site is considered clean by EPA's standards. Information from EPA's files can be obtained by writing a letter to:

Manager of Freedom of Information Unit  
Bureau of Land, Illinois Environmental Protection Agency  
P.O. Box 19276  
Springfield, IL 62794-9276

## **17. PERSPECTIVE DRAWINGS**

Perspective drawings of the proposed structures and surrounding uses to show how the proposed uses will fit into the neighborhood. These shall include:

- Proposed buildings, in context with adjacent buildings, fences, landscaping and streets or roadways.
- Pedestrian eye level views looking obliquely at outlines of the proposed buildings,
- Eye level views for motorists of streetscapes

## **18. PHOTOS OF SURROUNDING PROPERTIES AND BUILDINGS**

## **19. LOCATION MAP**

The minimum scale of location map shall be one (1) inch equals two hundred (200) feet. The location map should clearly indicate the property in question and the adjacent properties including zoning districts, floodplains, vegetation, and buildings within 500 feet of the site.

## **20. SITE PLAN**

A scaled site plan, a minimum scale of one (1) inch equals forty (40) feet, showing the contour lines, common space(s) and the location, bulk and lot area coverage and heights of buildings and structures, parking spaces, loading areas, garbage pick up routes, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation routes, and utilities. The site plan shall also depict all required street furniture and their locations; such as bicycle racks and/or bicycle storage facilities, light poles, benches, and trash receptacles. The standard for such amenities, if applicable, shall be those established by the LEED rating system as defined by the USGBC (U.S. Green Building Council). If the USGBC has no standard, then the Village of Oak Park standard shall apply.

## **21. LANDSCAPE PLAN**

A landscaping plan, prepared by a registered landscape architect or licensed arborist, prepared in the same scale as the site plan, showing the location, size, character, species and composition of vegetation and other material. The plan shall also include a list containing the quantity, species (including common and botanical name), and the size of all plantings. The landscape plan shall follow the requirements of Section 6.4 and 6.5 of the Zoning Ordinance.

## **22. DETAILED SIGN ELEVATIONS**

Detailed sign elevations of the sign face(s) at a scale of not less than one (1) inch equals two (2) feet, and shall designate sign design, dimensions, materials, colors, lighting (level of illumination), and written/graphic message.

## **23. BUILDING ELEVATIONS**

Architectural renderings of **all** elevations of any proposed building(s) or perspective drawings of the same. Buildings within the Village of Oak Park have a variety of architectural styles. In order to encourage such variety, each building proposed as part of a Planned Development should be true to the specific architectural style chosen by the developer. Any proposed Planned Development should consider the architectural styles of those buildings in the immediate vicinity of the site. Refuse enclosures as well as both ground-based and roof-based mechanical and electrical equipment, shall be screened in material and a style compatible with the proposed building.

## **24. FLOOR PLANS**

Floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type and floor area of all uses or combination of uses, and the floor area of the entire development. For residential floor plans, a summary table of units, sizes, room types shall be included.

## **25. EXTERIOR LIGHTING PLAN**

An exterior lighting plan of the same scale as the site plan showing the location of all exterior lighting proposed for the site. The proposed photometrics (level of illumination), as well as the specific design details of all exterior light sources shall be provided including light color, height of light fixtures, and illustration of the design. Screening of the light sources should be addressed in the written summary for the project. All exterior site and building lighting shall meet the requirements established by the LEED rating system as defined by the USGBC (U. S. Green Building Council) for exterior lighting.

## **26. SHADOW STUDY**

A shadow study, at a minimum, depicting mid-morning and mid-afternoon shadows cast on the following dates; March 20, June 21, September 22, and December 21, corresponding to the first day of each season, for any proposed structure(s) which exceed the underlying zoning district height or setback restrictions. For Minor developments, this study is only necessary if the proposed development exceed the underlying zoning height and/or setbacks.

## **27. PRELIMINARY ENGINEERING PLAN**

A preliminary engineering plan, prepared by a licensed professional engineer, at the same scale as the site plan, which indicates how the applicant proposes to meet the requirements of the Village Ordinance relative to drainage and erosion control during construction shall also be provided.

The plan shall include the following:

- Existing sewers, water mains, seeps, culverts, or other underground facilities within the tract or adjacent to the tract, indicating pipe sizes, grades, manholes and exact locations, and storm and sanitary sewer outfalls.
- Off-site utility improvements required to service the planned development, including a report showing the cost allocations for those improvements.
- Location, size and approximate grades of proposed sewers.
- Proposed street grades.
- Proposed location of water (for domestic and fire suppression service), gas, electric and telephone outlets.
- Soil borings as required by the Village Engineer.
- Contours at 1-foot intervals of the land and such adjoining land, whose topography may affect the layout or drainage of the development, said contours to be prepared by a registered engineer or surveyor; provided however, that contours at 5-foot intervals may be provided upon approval by the Village Engineer.

### **28. GREATER DOWNTOWN MODEL**

For development proposals within the Greater Downtown TIF area, a to-scale three-dimensional model of the proposed development as well as an electronic three-dimensional model developed in Sketch-Up or another acceptable format approved by the Village.

### **29. ENERGY ANALYSIS**

A life-cycle energy analysis comparing the costs of heating and cooling the development using a geothermal system with the costs of a conventional heating and cooling system. The annual and cumulative analysis shall use industry approved simulation models to predict operating and maintenance cost, energy consumption, and production of atmospheric carbon dioxide.

### **30. HISTORICALLY SIGNIFICANT PROPERTIES**

For any development site(s) which include structures that are of historical significance as determined through either any historic preservation district or as identified in any plan or study, an evaluation as to the impact of the proposed development on said historically significant structures and the impact of said historically significant structure on the proposed development.

### **31. LEED REQUIREMENTS**

**BOND:** In order to assure the attainment of LEED certification by each planned development, the applicant or developer shall submit to the Village Planner a performance bond payable to the Village in an amount equal to \$10,000.00 multiplied by the number of LEED points required to obtain LEED certification. The performance bond shall be renewed annually by the Developer until thirty (30) days after such time as the Developer is able to notify the Village in writing that the LEED certification for the project has been approved or denied by the U. S. Green Building Council.

**REGISTRATION:** The Applicant shall provide proof of registration with the U. S. Green Building Council as well as proof of the proposed point total which shall meet or exceed the minimum points in order to achieve LEED certification.

### **32. RECORDATION**

A statement acknowledging the responsibility of the applicant to record a certified copy of the zoning ordinance granting the planned-development permit with the Cook County Recorder of Deeds and to provide evidence of said recording to the Village within (30) thirty days of passage in the event the proposed planned development is approved by the Village Board.

PLEASE NOTE: Applicants for planned developments shall schedule and pay for the attendance of a court reporter if desired.

For additional information regarding development regulations in the Village of Oak Park please refer to the following

Village documents:

- Comprehensive Plan – Envision Oak Park [2014],
- Zoning Ordinance [2002],
- Greater Downtown Master Plan [2005],
- Planning Together (South Oak Park Avenue & Harrison Street Arts District) [2005],
- Roosevelt Road Corridor Study [2005],
- Chicago Avenue Neighborhood Plan [2006],
- Madison Street Corridor Plan [2006],
- Lake Street Neighborhood Plan [2007],
- Chicago-Harlem Neighborhood Plan [2008], and the
- The Tracy Cross Study (market research for residential development) [2001/rev. 2008]

*If after reviewing this checklist you have additional questions about the Planned Development process please contact the Department of Development Customer Services [Craig Failor, AICP, LEED AP, Village Planner] at (708) 358-5418 or by e-mail at [cfailor@oak-park.us](mailto:cfailor@oak-park.us)*

FORM - 1

### AFFIDAVIT OF OWNERSHIP

COUNTY OF \_\_\_\_\_ )

) SS

STATE OF ILLINOIS )

I, \_\_\_\_\_, under oath, state that I am  
(Print Name)

the sole owner of the property

an owner of the property

an authorized officer for the owner of the property

commonly described as \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and that such property is owned by \_\_\_\_\_ as of this date.  
(Print Name / Company)

\_\_\_\_\_  
(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)

**FORM – 2; Example of Adjacent Property Owner Letter [to be issued by Applicant] Also include with the mailing to each property owner a copy of the Cross-Examination Form.**

## **Notice to Adjacent Property Owners of a Public Hearing before the Oak Park Plan Commission**

Date:

Dear Neighboring Property Owner:

The Oak Park Zoning Ordinance requires owners of property within 500 feet of the subject property be notified of a public hearing for a Planned Development. The property owner shall be notified of the nature of the proposal, and the date, time, and place of the public hearing regarding the proposal.

A Legal Notice will appear in the [Insert date of newspaper from Village] edition of the Oak Leaves. The hearing will take place at **7:00 p.m. on [Insert date of hearing]** and will be located in the **Council Chambers Room 201** at Village Hall, 123 Madison Street, Oak Park, IL. The hearing is open to the public and comments / questions from the public on the proposal are invited. Those property owners within the 500 foot notice area and those persons with a special interest beyond that of the general public (“Interested Parties”) wishing to cross-examine witnesses must complete and file an appearance with the Village Clerk not later than 5:00 PM on the business day preceding the public hearing. Forms are also available in the Clerk’s Office, Village Hall.

The Applicant [name and address of applicant] seeks approval of a Planned Development for a [describe development], located at [address of development or general location].

If you have any questions or concerns regarding this proposal prior to the public hearing, please contact the applicant [name of applicant or applicant’s representative] at [telephone number and e-mail address] or Craig Failor, Village of Oak Park Planner at 708/358-5418 or by e-mail at [cfailor@oak-park.us](mailto:cfailor@oak-park.us).

Thank you for your time and consideration.

Respectfully,

[Applicant Name, Company]



**AFFIDAVIT OF NOTICE  
FOR ADJACENT PROPERTY OWNERS**

The undersigned Applicant, on oath states that the undersigned provided the Village of Oak Park, in writing, the list of owners of all property within 500 feet, excluding rights-of-way, in each direction of the property to which the petition relates; that documentation from a reputable title company [or other approved agency] indicating the identity of all such owners required to receive notice has been submitted; that such list was prepared in sufficient time for the Applicant to provide notice no less than fifteen (15) days prior to such hearing; and that the owners so notified, are those shown on the last available tax records of the county. *(Please attach a list of the notified property owners)*

\_\_\_\_\_  
(Printed Name of Applicant)

\_\_\_\_\_  
(Signature of Applicant)

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Notary Public)



# PLANNED DEVELOPMENT REGULATIONS

Sections 2.2.7 & 3.9  
Of the Oak Park Zoning  
Ordinance

Adopted on March 2, 2009

## 2.2.7 Planned-Development Procedures

The following procedures are intended to provide for the orderly review of planned-development applications in a timely and equitable manner:

### A. Pre-Filing Review and Transmittal of Application:

#### 1. Conference:

- a. A prospective applicant, prior to submitting a formal application for a planned development, shall meet for a pre-filing conference with the Department of Community Planning and Development and any other Village staff members designated by the Village Manager. The purpose of the conference is to help the applicant understand the Comprehensive Plan, the Zoning Ordinance, the site-development allowances, the standards by which the application will be evaluated and the application requirements.
- b. During or after the pre-filing conference, the applicant may request a meeting with the Village Planner or designated Village staff to discuss a request for waiver of any application requirement which, in the applicant's judgment, should not apply to the proposed development.
- c. In order to be considered, all requests for waiver shall be made in writing. Such requests will be reviewed and decided within ten working days of their receipt, where practicable, by the Village Planner or designee thereof.

#### 2. Mandatory Meeting with Neighborhood

A prospective applicant, prior to submitting a formal application for a planned development, shall meet with the immediate neighborhood near the proposed development / redevelopment site. The prospective applicant shall provide written notice to those taxpayers of record and those business owners (a list of which will be provided by the Village) and posting of said notice on the front door(s) or in the lobby(s) of all multiple-family rental buildings within 500 feet of the subject property at least fifteen (15) calendar days prior to the scheduled meeting. The notice shall contain a description of the proposed project, meeting place, time, date, and contact information of the prospective applicant. The notice shall be sent through regular mail by the prospective applicant. The prospective applicant shall submit the list of attendees and the list of taxpayers, business owners and multiple-family rental building addresses who were sent notice of the neighborhood meeting. An affidavit of such notification shall

accompany the aforementioned list of property owners. Notice of the neighborhood meeting shall also be noticed in an Oak Park newspaper and posted on the proposed development site.

3. Filing of Application:

- a. Following the completion of the pre-filing conference and determination by the Village Planner thereof regarding any request for a waiver of an application requirement, the applicant shall file an application for a planned development in accordance with Section 2.2.7D or 2.2.7E or 2.2.7E.
- b. The applicant shall provide for the service of a separate notice. This notice shall notify taxpayers of record and those business owners (a list of which will be provided by the Village) and posting of said notice on the front door(s) and in the lobby(s) of all multiple-family rental buildings, not more than 30 days before filing, that a complete planned development application will be filed with the Village.

4. Deficiencies:

Through the Village Staff's technical review process, appropriate staff shall determine whether the application is complete. If the Village Planner determines that the application is not complete, he or she shall notify the applicant in writing of any deficiencies and shall take no further steps to process the application until the deficiencies are remedied.

5. Report on Compliance and Referral:

Upon completion of the staff's technical review process, the Village Planner shall deliver a copy of the completed application, a written review of the requested allowances, and brief description of the proposed development to the Village Board for preliminary review prior to the public hearing. If appropriate, the Village Board shall then refer the application to a hearing commission in accordance with Section 2.2.3(C) of this ordinance and to other appropriate Village departments or review bodies for review and comment.

6. Determination Not Binding:

Neither the determination of application completion by the Village Planner nor any comment made by the Village Planner, staff or the Village Board or subcommittee thereof at a pre-filing conference or as part of the review process shall be construed as a formal or informal recommendation for the approval or denial of a planned-development permit for the proposed development, or

component part thereof, and no such determination or comment shall be construed as a binding decision of the Village, the designated hearing commission or committee or any staff member.

B. Review and Action by the Designated Hearing Commission:

1. Upon receiving the report from the Village Planner, the designated hearing commission or committee shall hold a public hearing on the proposed planned development. Notice of the public hearing shall be provided and the public hearing shall be conducted in accordance with the provisions of this section, state law, and rules of procedure adopted by the designated hearing commission or committee.
2. Notice of the public hearing shall be published by the Village, at the expense of the Applicant, not more than thirty nor fewer than fifteen days before the scheduled hearing in a newspaper published in the Village or, if there is none, then a newspaper of general circulation in the Village and shall contain the following information:
  - a. The identification number designation of the application;
  - b. The date and time of the public hearing;
  - c. The location of the public hearing; and
  - d. The general location of the property, the street address, if applicable, and a short description of the proposed development and purpose of the public hearing.
3. Notice of the required public hearing shall also be provided by the Applicant and/or Property Owner by posting a sign on the property not less than fifteen days prior to the public hearing. The sign shall be approximately 48-inches by 48-inches, containing one-inch minimum typeface detailing information that a public hearing will be held and listing the appropriate Village personnel to contact for additional information, . The sign shall be weatherproof and contain information as is required in Section 2.2.7B.2. Failure to post such sign and or the removal or knocking down of the sign after posting but before the hearing shall not invalidate, impair or otherwise affect any planned-development permit subsequently granted following such public hearing. The sign shall, whenever possible, remain posted until the hearing is completed. The applicant shall be responsible for removal of said sign within ten (10) days of a decision by the Village Board.

4. Notice of the required public hearing shall also be provided by the Applicant by certified mail to the taxpayers of record of the property which is the subject of the application (if different than the applicant), and the taxpayers of all property within five hundred (500) feet of the subject property as shown on the written list provided by the applicant (such notice should be sent to the taxpayers as recorded in the office of the Recorder of Deeds of Cook County and as they appear from the authentic tax records of Cook County, as shown on the list prepared by the applicant). The applicant shall be required to submit to the Village a search by a reputable title company or other evidence satisfactory to the Village, indicating the identity of all such taxpayers required to receive notice, and an affidavit certifying that the applicant has complied with this subsection. Such notice shall contain the information as is required in Section 2.2.7(B)2 and shall be mailed not more than 30 nor less than 15 days prior to the date of the public hearing. The notice shall also include the name and address of the applicant for the planned development.
5. The designated hearing commission shall review the application, the report of the Village Planner and any testimony and written comments received by the designated hearing commission before or at the public hearing. Within thirty-five days following the close of the public hearing, the designated hearing commission shall make specific written findings addressing the standards set forth in Section 3.9.1(H) and shall transmit such findings, together with a recommendation of approval, approval with conditions, or disapproval, to the Board of Trustees.

C. Review and Action by the Board of Trustees:

1. Within 60 days of receipt of the report and recommendation of the designated hearing commission, and without further public hearing, the Board of Trustees may deny the application, refer the application to the designated hearing commission for further review, postpone further consideration pending the submittal of additional information (including any application requirements previously waived by the Village Planner or designated hearing commission) and/or adopt a zoning ordinance approving the planned-development permit subject to conditions and/or allowances.
2. Any action taken by the Board of Trustees pursuant to Section 2.2.7(C)1 shall require the concurrence of a majority of the Village President and Trustees; however, if the planned development fails to receive the approval of the designated hearing commission or committee, the ordinance shall not be approved except by a favorable vote of two thirds of the President and Board of Trustees.

3. In approving a planned-development permit, the Board of Trustees may attach such conditions and/or allowances to the approval as it deems necessary to have the proposed use or combination of uses meet the standards set forth in Section 3.9.1(H).

D. Application Requirements (Major Planned Developments):

1. An application for a major planned development (see section 3.9.1(G)1) may be filed only by one who has an ownership interest, or by the agents thereof; or by any contract purchaser or anyone holding an option to purchase the parcel of land on which the use or combination of uses is to be located; or by any unit of government which either owns the parcel or which is not the owner of the parcel but which proposes to acquire the parcel by purchase, gift or condemnation; or by any developer or development team which has entered into a redevelopment agreement with the unit of local government which either owns the parcel or which is not the owner of the parcel but which proposes to acquire the parcel by purchase, gift or condemnation which has entered into a redevelopment agreement with the unit of local government seeking to acquire the parcel or by any developer of development team.
2. Applications for a major planned development shall be filed with the Village Planner, in such form and accompanied by such information, with sufficient copies, as shall be established from time to time by the Village. The applicant may submit a written request for waiver of any application requirement in accordance with section 2.2.7A1b. Notwithstanding a decision to grant a waiver, such decision regarding the request for a waiver of an application requirement does not preclude the Village Board from requesting that same information or any additional information it deems applicable for its review of the planned-development application. Every application shall contain, at a minimum, the following information and related data:
  - a. A fee in such amount as established from time to time by the Village Board to defray the costs of providing notice and contracting with independent professionals to review applications as required. Such professional costs may include but are not limited to engineering, legal fees, traffic analyses, environmental impact studies or analysis, land-use design or other similarly related professional studies. Additional materials may be required during the review of a proposed planned development if determined necessary by the designated hearing commission or committee.

- b. The names, addresses and phone numbers of the owner(s) of the subject property, or if a trust, the names, addresses, of the beneficiaries, the applicant and all persons known to have a proprietary interest in the subject property and proposed development. A current property title policy and an affidavit of ownership shall be required as proof of ownership.
- c. A statement from the owner, if the owner is not the applicant, approving the filing of the application by the particular applicant.
- d. A statement of the professional qualifications and related development experience of applicant and/or applicant's development team.
- e. A statement of proposed financing and evidence of the Applicant's ability to accomplish same. At the direction of the Village Board, an Economic proforma may be required.
- f. A statement setting forth the reasons demonstrating that the proposed development meets the standards set forth in Section 3.9.1(J).
- g. The substance of covenants, easements, and other restrictions existing and any to be imposed on the use of land, including common open space, and buildings or other structures.
- h. A statement acknowledging the responsibility of the applicant to record a certified copy of the ordinance granting the planned-development permit with the Cook County Recorder of Deeds and to provide evidence of said recording to the Village within thirty days of passage in the event the proposed planned development is approved by the Village Board.
- i. Copies of all environmental assessments or impact studies as required by law or a letter from the EPA stating that the site is considered clean by EPA standards.
- j. A traffic impact study, prepared by a professional engineer qualified in traffic analysis, showing the proposed traffic circulation pattern, including counts, within and in the vicinity of the area of the development which includes any pending development projects and an analysis which does not include any pending development projects. The location and description of any public and traffic-related



public improvements to be installed, including any streets and access easements shall also be provided.

- k. A parking impact study, prepared by a professional engineer qualified in parking analysis, showing the estimated parking demand based on proposed uses in relation to existing conditions including any pending development projects for the surrounding area including off-site parking spaces.
- l. A report on the anticipated demand on all Village and community-wide services including but not limited to Police, Fire, Public Works, Park District, and Schools as well as an assessment of the project's impact of property values on surrounding properties before and after development. This report shall include a tax impact study indicating all projected tax revenues.
- m. A market feasibility report, prepared by a professional real estate consultant or other qualified professional for all types of proposed land uses within the boundaries of the developed tract, which shall include information on unit prices, absorption, and competition.
- n. A schedule of development showing the approximate date for beginning and completion of each stage of construction of development, including a communication plan and point of contact shall be posted at the site.
- o. A construction traffic and parking schedule indicating the location for the parking of construction vehicles and the anticipated route of construction vehicles, including a communication plan and point of contact shall be posted at the site.
- p. A plat of survey, prepared by a licensed land surveyor, with legal description and street address of the subject parcel(s) prepared within the last year or a plat of survey showing current conditions that may be older than one year, prepared by a licensed surveyor.
- q. A scaled site plan, a minimum scale of one (1) inch equals forty (40) feet, showing the contour lines, common space(s) and the location, bulk and lot area coverage and heights of buildings and structures, parking spaces, loading areas, garbage pick up routes, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation routes, and utilities. The site plan shall also depict all required street furniture and their

locations; such as bicycle racks and/or bicycle storage facilities, light poles, benches, and trash receptacles. The standard for such amenities, if applicable, shall be those established by the LEED rating system as defined by the USGBC (U.S. Green Building Council). If the USGBC has no standard, then the Village of Oak Park standard shall apply.

- r. A landscaping plan, prepared by a registered landscape architect or licensed arborist, prepared in the same scale as the site plan, showing the location, size, character, species and composition of vegetation and other material. The plan shall also include a list containing the quantity, species (including common and botanical name), and the size of all plantings. The landscape plan shall follow the requirements of Section 6.4 and 6.5 of the Zoning Ordinance.
- s. An engineering plan, prepared by a licensed professional engineer showing off-site utility improvements required to service the planned development and a report showing the cost allocations for those improvements. The plan shall also include the proposed site drainage for the developed tract.
- t. An exterior lighting plan of the same scale as the site plan showing the location of all exterior lighting proposed for the site. The proposed photometrics (level of illumination), as well as the specific design details of all exterior light sources shall be provided including light color, height of light fixtures, and illustration of the design. Screening of the light sources should be addressed in the written summary for the project. All exterior site and building lighting shall meet the requirements established by the LEED rating system as defined by the USGBC (U. S. Green Building Council) for exterior lighting.
- u. A shadow study, at a minimum, depicting mid-morning and mid-afternoon shadows cast on the following dates; March 20, June 21, September 22, and December 21, corresponding to the first day of each season, for any proposed structure(s) which exceed the underlying zoning district height or setback restrictions.
- v. Building elevation drawings illustrating the design and character of the building(s), types of construction, and specified building materials for all sides of the building(s).

- w. Streetscape building elevation(s) of the proposed building including all street-facing buildings within the same block, or if a corner lot, those located adjacently across the street or alley.
- x. Floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type and floor area of all uses or combination of uses, and the floor area of the entire development. For residential floor plans, a summary table of units, sizes, room types shall be included.
- y. Detailed sign elevations of the sign face(s) at a scale of not less than one (1) inch equals two (2) feet, and shall designate sign design, dimensions, materials, colors, lighting (level of illumination), and written/graphic message.
- z. For development proposals within the Greater Downtown TIF area, a to-scale three-dimensional model of the proposed development as well as an electronic three-dimensional model developed in an acceptable format approved by the Village.
- aa. A life-cycle energy analysis comparing the costs of heating and cooling the development using a geothermal system with the costs of a conventional heating and cooling system. The annual and cumulative analysis shall use industry approved simulation models to predict operating and maintenance cost, energy consumption, and production of atmospheric carbon dioxide.
- bb. For any development site(s) which include structures that are of historical significance as determined through either any historic preservation district or as identified in any plan or study, an evaluation as to the impact of the proposed development on said historically significant structures and the impact of said historically significant structure on the proposed development.
- cc. In order to assure the attainment of LEED certification by each planned development, the applicant or developer shall submit to the Village Planner a performance bond payable to the Village in an amount equal to \$10,000.00 multiplied by the number of LEED points required to obtain LEED certification. The performance bond shall be renewed annually by the Developer until thirty (30) days after such time as the Developer is able to notify the

Village in writing that the LEED certification for the project has been approved or denied by the U. S. Green Building Council.

- dd. The Applicant shall provide proof of registration with the U. S. Green Building Council as well as proof of the proposed point total which shall meet or exceed the minimum points in order to achieve LEED certification.

E. Application Requirements (Minor Planned Developments):

1. An application for a minor planned development (see section 3.9.1(G)2) may be filed only by one who has an ownership interest, or by the agents thereof; or by any contract purchaser or anyone holding an option to purchase the parcel of land on which the use or combination of uses is to be located; or by any unit of government which either owns the parcel or which is not the owner of the parcel but which proposes to acquire the parcel by purchase, gift or condemnation; or by any developer or development team which has entered into a redevelopment agreement with the unit of local government which either owns the parcel or which is not the owner of the parcel but which proposes to acquire the parcel by purchase, gift or condemnation.
2. Applications for a minor planned development shall be filed with the Village Planner, in such form and accompanied by such information, with sufficient copies, as shall be established from time to time by the Village. The applicant may submit a written request for waiver of any application requirement in accordance with section 2.2.7A1b. Notwithstanding a decision to grant a waiver, such decision regarding the request for a waiver of an application requirement does not preclude the Village Board from requesting that same information or any additional information it deems applicable for its review of the planned-development application. Every application shall contain, at a minimum, the following information and related data:
  - a. A fee in such amount as established from time to time by the Village Board to defray the costs of providing notice and contracting with independent professionals to review applications as required. Such professional costs may include but are not limited to engineering, legal fees, traffic analyses, environmental impact studies or analysis, land-use design or other similarly related professional studies. Additional materials may be required during the review of a proposed planned development if determined necessary by the designated hearing commission or committee.

- b. The names, addresses and phone numbers of the owner(s) of the subject property, or if a trust, the names, addresses, of the beneficiaries, the applicant and all persons known to have a proprietary interest in the subject property and proposed development. A current property title and an affidavit of ownership shall be required as proof of ownership
- c. A statement from the owner, if the owner is not the applicant, approving the filing of the application by the particular applicant.
- d. A statement of the professional qualifications and related development experience of applicant and/or applicant's development team.
- e. A statement of proposed financing and evidence of the Applicant's ability to accomplish same. At the direction of the Village Board, an Economic proforma may be necessary.
- f. A statement setting forth the reasons demonstrating that the proposed development meets the standards set forth in Section 3.9.1(J).
- g. The substance of existing covenants, easements, and other restrictions and any to be imposed on the use of land, including common open space, and buildings or other structures.
- h. A statement acknowledging the responsibility of the applicant to record a certified copy of the zoning ordinance granting the planned-development permit with the Cook County Recorder of Deeds and to provide evidence of said recording to the Village within thirty days of passage in the event the proposed planned development is approved by the Village Board.
- i. Copies of all environmental assessments or impact studies as required by law or a letter from the EPA stating that the site is considered clean by EPA standards.
- j. A report on the anticipated demand on all Village and community-wide services including but not limited to Police, Fire, Public Works, Park District, and Schools as well as an assessment of the project's impact of property values on surrounding properties before and after development. This report shall include a tax impact study indicating all projected tax revenues.
- k. A market feasibility report, prepared by a professional real estate consultant or other qualified professional for all types of

proposed land uses within the boundaries of the developed tract, which shall include information on price points, absorption, and competition.

- l. A schedule of development showing the approximate date for beginning and completion of each stage of construction of development including a communication plan and point of contact shall be posted at the site.
- m. Construction traffic and parking schedule indicating the location for the parking of construction vehicles and the anticipated route of construction vehicles including a communication plan and point of contact shall be posted at the site.
- n. A plat of survey, prepared by a licensed surveyor, with legal description and street address of the subject parcel(s) prepared within the last year or a plat of survey showing current conditions that may be older than one year, prepared by a licensed surveyor.
- o. A scaled site plan, a minimum scale of one (1) inch equals forty (40) feet, showing the contour lines, common space(s) and the location, bulk and lot area coverage and heights of buildings and structures, parking spaces, loading areas, garbage pick-up routes, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation routes, and utilities. The site plan shall also depict all required street furniture and their locations; such as bicycle racks and/or bicycle storage facilities, light poles, benches, and trash receptacles. The standard for such amenities, if applicable, shall be those established by the LEED rating system as defined by the USGBC (U.S. Green Building Council). If the USGBC has no standard, then the Village of Oak Park standard shall apply.
- p. A landscaping plan, prepared by a registered landscape architect or licensed arborist, prepared in the same scale as the site plan, showing the location, size, character, species and composition of vegetation and other material. The plan shall also include a list containing the quantity, species (including common and botanical name), and the size of all plantings. The landscape plan shall follow the requirements of Section 6.4 and 6.5 of the Zoning Ordinance.
- q. An engineering plan, prepared by a licensed professional engineer showing off-site utility improvements required to service the planned development and a report showing the

cost allocations for those improvements. The plan shall also include the proposed site drainage for the developed tract.

- r.. An exterior lighting plan of the same scale as the site plan shall be prepared showing the location of all exterior lighting proposed for the site. The proposed photometrics (level of illumination), as well as the specific design details of all exterior light sources shall be provided including light color, height of light fixtures, and illustration of the design. Screening of the light sources should be addressed in the written summary for the project. All exterior site and building lighting shall meet the requirements established by the LEED rating system as defined by the USGBC (U. S. Green Building Council) for exterior lighting.
- s. A shadow study, at a minimum, depicting mid-morning and mid-afternoon shadows cast on the following dates; March 20, June 21, September 22, and December 21, corresponding to the first day of each season, for any proposed structure(s) which exceed the underlying zoning district height or setback restrictions.
- t. Building elevation drawings illustrating the design and character of the building(s), types of construction, and specified building materials for all sides of the building(s).
- u. Streetscape building elevation(s) of the proposed building including all street facing buildings within the same block, or if a corner lot; those located adjacently across the street or alley.
- v. Floor plans of all proposed buildings and structures. The drawings shall also include a schedule showing the number, type and floor area of all uses or combination of uses, and the floor area of the entire development. For residential floor plans, a summary table of units, sizes, room types shall be included.
- w. Detailed sign elevations of the sign face(s) shall be prepared at a scale of not less than one (1) inch equals two (2) feet, and shall designate sign design, dimensions, materials, colors, lighting (level of illumination), and written/graphic message.
- x. If an allowance is requested to reduce the number of required parking spaces, parking impact study, prepared by a professional engineer qualified in parking analysis, showing the estimated demand based on proposed uses in relation to existing conditions which includes any pending development

projects for the surrounding area including off-site parking spaces.

- y. For development proposals within the Greater Downtown TIF area, a to-scale three-dimensional model of the proposed development as well as an electronic three-dimensional model developed in an acceptable format approved by the Village.
- z. A life-cycle energy analysis comparing the costs of heating and cooling the development using a geothermal system with the costs of a conventional heating and cooling system. The annual and cumulative analysis shall use industry approved simulation models to predict operating and maintenance cost, energy consumption, and production of atmospheric carbon dioxide.
- aa. For any development site(s) which include structures that are of historical significance as determined through either any historic preservation district or as identified in any plan or study shall be evaluated as to its impact by the proposed development and/or its impact on the proposed development.
- bb. In order to assure the attainment of LEED certification by each planned development, the applicant or developer shall submit to the Village Planner a performance bond payable to the Village in an amount equal to \$10,000.00 multiplied by the number of LEED points required to obtain LEED certification. The performance bond shall be renewed annually by the Developer until thirty (30) days after such time as the Developer is able to notify the Village in writing that the LEED certification for the project has been approved or denied by the U. S. Green Building Council.
- cc. The Applicant shall provide proof of registration with the U. S. Green Building Council as well as proof of the proposed point total which shall meet or exceed the minimum points in order to achieve LEED certification.

F. Effect Of Approval Or Denial:

- 1. Approval of the planned-development permit by the Board of Trustees authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy and other permits that the Village may require for the proposed development. The Village Planner or designee shall review applications for these permits for compliance with the terms of the



planned-development permit granted by the Board of Trustees. No building permit shall be issued for development that does not comply with the terms of the planned-development ordinance.

2. The Village Board shall direct the Zoning Officer and/or Village Planner to revise the Official Zoning Map to reflect the existence and boundaries of each planned-development permit granted.
3. An approval of a planned-development permit by the Board of Trustees shall be null and void if the recipient does not file an application for a building permit for the proposed development within nine months after the date of adoption of the zoning ordinance approving the development permit.
4. An approval of a planned-development permit by the Board of Trustees shall be null and void if construction has not commenced within 18 months and is not completed within 36 months after the date of adoption of the zoning ordinance approving the planned-development permit.
5. Notwithstanding Section 2.2.7E4, an approval of a planned-development permit with a phasing plan shall expire if construction has not commenced or is not completed in accordance with the terms of that phasing plan.
6. An extension of the time requirements stated in Sections 2.2.7E3, 2.2.7E4 and 2.2.7E5 may be granted by the Board of Trustees for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline, whenever practicable.
7. An approval of a planned development shall be null and void if the use or combination of uses for which the approval was granted ceases for a period of one year.
8. No application for a planned development which was previously denied by the Board of Trustees shall be considered by the Plan Commission or the Board of Trustees if it is resubmitted in substantially the same form and/or content within two years of the date of such prior denial.
9. The Village Planner shall review the application for a planned development and determine if the application is or is not substantially the same. An applicant has the right to request a hearing before the Village Board to appeal the determination of the Village Planner, provided a petition for appeal is filed in writing, to the Village Planner within ten days of the decision.

10. The Board shall affirm or reverse the determination of the Village Planner regarding whether the new application is in substantially the same form within 30 days of receipt of a petition for appeal.
11. If it is determined that the new application is not substantially in the same form, then the applicant is entitled to submit the application and have it reviewed in accordance with the provisions of Section 2.2.7(D) or (E) hereof.

G. Amendments And Alterations To Approved Planned-Development Permits:

1. Except as provided in Section 2.2.7F2, any modifications to an approved planned-development or any addition to or expansion of an existing planned-development shall require separate review by the Plan Commission and/ or Village Board of Trustees and approval under the provisions of this section.
2. A minor change is any change in the site plan or design details of an approved planned-development permit which is consistent with the standards and conditions and/or allowances applying to the planned-development permit and which does not alter the concept or intent of the planned development. A minor change shall not increase the project's density, increase the height of buildings, reduce open space, modify the proportion of housing types, change or add new parking areas, alter alignment of roads, utilities or drainage, amend final governing agreements, provisions or covenants, or provide any other change inconsistent with any standard, condition or allowance imposed by the Board of Trustees in approving the planned-development permit. Said minor change may be approved by the Village Planner without obtaining separate approval by the Board of Trustees. A minor change that would require an allowance under the Zoning Ordinance may only be approved at the direction of the Village Board.

### **3.9 OTHER DISTRICTS**

#### **3.9.1 Planned Development**

A. Purpose:

A Planned Development is a type of special use which is intended to encourage innovative and creative development or redevelopment, while assuring that the development or redevelopment will complement the existing neighborhood character plan and is intended to promote the effective use of land and resources, thereby fostering greater community sustainability and efficiency in public and utility services.

B. Intent:

One of the principal objectives of the Zoning Ordinance is to provide for a compatible arrangement of uses of land and buildings that is consistent with the requirements and welfare of the Village. To accomplish this, most uses are classified as permitted or special uses in one or more of the districts established by the Zoning Ordinance. However, it is recognized that there are certain uses that, because of their scope, location or specific characteristics, give rise to a need for a more comprehensive consideration of their impact, both with regard to the neighboring land and the Village in general. Such uses fall within the provisions of this section and shall only be permitted if authorized as a planned development.

C. The Board of Trustees, in accordance with the procedures and standards set forth in this section, may grant planned-development permits authorizing the establishment of planned developments.

D. Planned developments will generally be limited to those uses or combination of uses currently permitted in the underlying zoning district. However, an applicant may petition for consideration of a use or combination of uses not specifically allowed in the underlying zoning district, if the Village Board finds that the conditions, procedures and standards of this section are met and that such use or combination of uses is shown to be beneficial to the Village.

E. Through the use of allowances in the planned-development process, the Village seeks to achieve some or all of the following specific objectives:

1. Creation of a more desirable environment than may be possible through strict application of other Village land-use regulations with the use of creative design, landscape, and/or architectural features.
2. Enhancement of the existing character and property values of the Village and promotion of the public welfare by ingenious and imaginative designs resulting in a better and more creative use of land.
3. Combination and coordination of the character, the form and the relationship of structures to one another.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features.
5. The beneficial use of open space.
6. Promotion of long-term planning pursuant to a site plan that will allow harmonious and compatible land uses or combination of uses with surrounding areas.
7. Promotion of economic development within the Village.
8. Elimination of blighted structures or incompatible uses through redevelopment, restoration, adaptive reuse, or rehabilitation.
9. Preservation and/or enhancement of historical and natural resources.

F. Compensating Benefits: Major Planned Developments Only:

1. In addition to meeting the requirements of the Ordinance, Developers of Major Planned Developments only shall be required to provide the Village with compensating benefits in return for the Village providing the allowances from Village regulations requested by the Developer. The purpose of compensating benefits is to advance Oak Park's physical, cultural and social objectives (in accordance with the comprehensive plan and other approved plans); by having land developers provide specific amenities in Plan Developments. Redevelopment often brings with it the need to provide allowances from the regulations but to also make sure that the Village is receiving public benefit in return for providing those allowances by requiring additional compensating benefits

to the residents in that area or to the community as a whole.

2. Applicants shall be required to consult with Village Staff and/or any other public entities as deemed necessary during the Conference to negotiate necessary improvements such as; roadways, alleys, medians, pathways, bike paths, pedestrian drop off areas, transit stops, bus pull outs, and/or other improvements and business retention efforts on site or within the Village for existing businesses on the proposed development site that will promote the objectives of the Planned Development Ordinance. The applicant will provide documentation of the negotiated process and agreed upon outcomes as part of the Plan Development Application.:
3. Applicants shall be required to include at least one piece of public art (i.e., sculpture, painting, graphic art, photography, textiles) as part of the development. The scope of the public art should be in proportion to the square footage of the development upon review and advice by the Public Art Advisory Commission.

#### G. General Provisions

##### 1. Major Planned Developments:

An application for development of any parcel or tract of land located within any portion of the R-6, R-7, B-1/2, B-3, B-4, H and C zoning districts, of more than 30,000 square feet of land area or gross floor area which requires site development allowances, shall not be permitted unless approved as a planned development in accordance with the provisions of this section. Senior Citizen Multiple-Family Dwelling Developments which meet the requirements for a special-use permit pursuant to Section 4.3.2.B to Y shall be exempt from this provision.

##### 2. Minor Planned Developments:

An application for development of any parcel or tract of land in any zoning district, of 10,000 square feet to 30,000 square feet of land area or gross floor area, which requires site-development allowances, shall not be permitted unless approved as a planned development in accordance with the provisions of this section. Senior Citizen Multiple-Family Dwelling Developments which meet the requirements for a special-use permit pursuant to Section 4.3.2.B to Y shall be exempt from this provision.

3. Site-development allowances (i.e., any zoning relief, including any deviation from the Zoning Ordinance provisions for the underlying zoning district) may be approved provided the applicant specifically identifies each site-development allowance and how it would be compatible with surrounding development and is in furtherance of some or all of the stated objectives of this section.
4. Each planned development shall be presented and judged on its own merits. It shall not be sufficient to base justification for approval or denial of a development upon an already existing planned development except to the extent such development has been approved as part of a site plan.
5. The burden of providing evidence and persuasion that any planned-development permit meets the standards set forth below shall, in every case, rest with the applicant.
6. Buildings and uses or combination of uses within a planned development shall be limited solely to those approved as part of the zoning ordinance granting a planned-development permit.
7. Each planned development shall at a minimum achieve LEED Certification as defined by the USGBC (U. S. Green Building Council).

H. Procedures for Review

See Section 2.2.7

I. Standards for Review:

An application for approval as a planned development shall be granted by the Board of Trustees only if it finds that the applicant has furthered some or all of the stated objectives of this section (3.9.1; subsection E), and has provided substantial compensating benefits (3.9.1; Subsection F) which inure to the Village and has demonstrated that the proposed use or combination of uses satisfies the following standards:

1. Comprehensive Plan Standards

The proposed use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan and has been considered in relation to any other plans adopted by the Village Board.

2. Municipal Services Standards

- a. The establishment, maintenance, or operation of the use or combination of uses will not be materially detrimental to or endanger the public health, safety or general welfare of the residents of the Village.
- b. Adequate utilities, road access, parking, drainage, police and fire service and other necessary facilities already exist or will be provided to serve the proposed use or combination of uses, including access for fire, sanitation, and maintenance equipment.
- c. Adequate ingress and egress to the planned-development site already exists or will be provided in a manner that adequately addresses additional traffic congestion in the public streets and promotes a safe and comfortable pedestrian environment.

3. Vicinity Standards

- a. The proposed use or combination of uses will not substantially diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses that are permitted by the Zoning Ordinance of the Village.
- b. The proposed use or combination of uses will not have a substantial or undue adverse effect upon property values in the vicinity.
- c. The proposed design, use or combination of uses will complement the character of the surrounding neighborhood.

4. Economic Development and Feasibility Standards

- a. The applicant has the financial and technical capacity to complete the proposed use or combination of uses.
- b. The proposed use or combination of uses is economically feasible and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the Village, except to the extent that such burden is balanced by the benefit derived by the Village from the proposed use.

For planned developments, the forgoing (3.9.1I) shall be the sole standards and shall supersede the special use standards set forth in Section 2.2.3D.





# RULES OF PROCEDURE For the Plan Commission

As amended May 20, 2010

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## ARTICLE I

### **GENERAL PROVISIONS**

**Section 1.1** These rules are formulated and adopted in conjunction with and as supplementary to, the provisions of applicable Illinois Statutes and The Oak Park Zoning Ordinance as those provisions relate to procedures of the Oak Park Plan Commission.

**Section 1.2** Any Commission member who has a proprietary interest, or other conflict of interest, in any matter before the Commission shall not vote thereon and shall remove himself or herself from any meeting or hearing at which said matter is under consideration..

**Section 1.3** Nothing herein shall be construed to give or grant to the Commission the power or authority to amend the Zoning Ordinance, including the text and the zoning map, the Comprehensive Plan or any business district plan. Such power and authority is reserved to the President and Board of Trustees of the Village of Oak Park.

**Section 1.4** The Office of the Commission shall be in Village Hall of the Village of Oak Park.

**Section 1.5** The Commission shall hold its hearings in the Village Hall in Oak Park, Illinois unless, in a particular case, the Oak Park Zoning Ordinance or the applicable statutes of Illinois require a hearing or hearings of the Commission to be held in another location, or unless the Commission directs that a particular hearing or hearings to be held elsewhere.

## ARTICLE II

### **OFFICERS AND DUTIES**

**Section 2.1** The officers of the Commission shall be a Chairperson, an Acting Chairperson and a Secretary.

**Section 2.2** The Chairperson shall be designated by the President of the Village of Oak Park with the consent of the Board of Trustees. The Commission shall elect from among its members an Acting Chairperson to act whenever the Chairperson is absent. The Secretary shall be an employee of the Village who has had experience in zoning matters and record keeping. In the event of death, removal for cause or resignation of any of the above-mentioned officers, a successor shall be named by the respective appointing authority.

**Section 2.3** The Chairperson shall supervise the affairs of the Commission, preside at all hearings or meetings of the Commission, appoint such committees and subcommittees as may be necessary to carry out the purposes of the Commission, and administer or authorize the administration of oaths. The Chairperson shall be an ex-officio member of all committees and subcommittees appointed.

**Section 2.4** In case of the absence or disability of the Chairperson, the Acting Chairperson shall perform all the duties and exercise all of the powers of the Chairperson.

**Section 2.5** The Secretary shall:

- (a) Record or cause to be recorded, the minutes of the Commission's proceedings and actions, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact.
- (b) Keep a record of the Commission's official actions.
- (c) Act as custodian of the minutes and records of the Commission, which shall be maintained in the office of the Commission.
- (d) Record the names and addresses of persons appearing before the Commission.
- (e) Keep a brief record of the testimony of those appearing before the Commission, or cause a verbatim transcript of all hearings to be kept; whenever possible, make a tape recording of public hearings and preserve the tape recording for sixty days from the date of final action by the President and Board of Trustees. If an appeal is taken, the Secretary may make a brief record from the tape recording.
- (f) Subject to the instructions of the Chairperson, conduct the correspondence of the Commission and provide and have published notices of public hearings as required by law and these rules of procedure.
- (g) Receive, on behalf of the Commission, applications for zoning amendments and special-use permits, as well as other proposals to be considered by the Commission.

It is not the duty of, nor is it proper for, the Secretary or his/her staff to complete any application on behalf of an applicant, but the Secretary shall inform the applicant of the rules and practices of the Commission in order that complete presentations be made to the Commission.

**Section 2.6** In the case of the absence or temporary disability of the Secretary, the person who is the Secretary's designee is authorized to carry out the functions of the Secretary's office until a successor is appointed.

**ARTICLE III**

**MEETINGS**

**Section 3.1** Regular meetings, designated as public hearings, shall be held on the third Thursday of each month at 7:00 p.m. or at such other times as the Chairperson or any members of the Commission may direct.

**Section 3.2** Regular meetings may be cancelled by the Chairperson when there are no cases pending or when it is apparent that there will not be a quorum, in which event notification of said cancellation shall be given to members of the Commission.

**Section 3.3** The Commission may hold special meetings at the call of the Chairperson or at the written request of 5 members of the Commission, provided at least 48 hours' notice of any such meeting is given in person or by mail (including e-mail) to each member.

**Section 3.4** All meetings of the Commission shall be open to the public, and no official action shall be taken except in public.

**Section 3.5** No public hearing shall be held or official action taken unless a quorum is present. A quorum shall consist of 5 members of the Commission.

#### ARTICLE IV

### **ORDER OF BUSINESS**

**Section 4.1** The order of business for public hearings, unless otherwise set by the Chairperson, shall be as follows:

- (a) Roll call and declaration of quorum.
- (b) Approval of minutes of previous meeting(s).
- (c) Call of cases on agenda and hearing of requests for continuances.
- (d) Hearings of applications for amendments to the Zoning Ordinance, special-use permits, and amendments to the Comprehensive Plan.
- (e) Any other business presented by members of the Commission.
- (f) Adjournment.

#### ARTICLE V

### **CONTINUANCES**

**Section 5.1** Continuances of public hearings may be granted at the discretion of the Commission and only upon good cause shown. Where notice of a hearing has been published, many interested persons may be inconvenienced if continuances are freely granted. Except in unusual circumstances, once a hearing has commenced, every effort shall be made to take all evidence and close testimony on the night the hearing is set.

#### ARTICLE VI

### **FAILURE OF APPELLANT OR APPLICANT TO APPEAR**

**Section 6.1** Whenever an applicant or his/her representative fails to appear, the Commission may choose to dismiss the case for failure to appear.

**Section 6.2** In cases which are dismissed for failure to appear, the applicant shall be furnished written notice by registered mail by the Secretary of the Commission.

**Section 6.3** Dismissal for failure to appear is not a determination on the merits and shall not of itself bar the filing of a new application.

#### ARTICLE VII

### **PROCEDURE FOR SPECIAL-USE PERMITS**

**Section 7.1** Applications for special-use permits may be filed alone or as an alternative to other zoning relief sought by the applicant.

**Section 7.2** Any person having a proprietary interest in the property in question may file an application for a special-use permit with the Zoning Officer, or may file an application for a planned development with the Director of Planning, who shall forward a copy of the same to the President and Board of Trustees without delay. Said completed application shall set forth grounds which, if proven, would satisfy all standards set forth in the Zoning Ordinance.

**Section 7.3** The President and Board of Trustees may refer the application to the Plan Commission, sitting as a Zoning Commission, for the purpose of holding a public hearing on the application. The Commission may request at any time a written recommendation from the Village Director of Planning and other Village departments.

**Section 7.4** The Commission shall, in formulating its recommendation to the President and Board of Trustees, consider the Standards for special uses as set forth in Article 2, Section 2.2.3(D), of the Zoning Ordinance, to wit:

- (a) The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community; and
- (b) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and
- (c) The proposed building or use will be designed, arranged and operated so as to permit the development and use of the neighboring property in accordance with the applicable district regulations; and
- (d) The proposed building or use complies with the more specific standards and criteria established for the particular building or use in question by Article 4, Section 4.5 and Article 3, Section 3.9.1 of the Zoning Ordinance, and
- (e) The proposed building or use has been considered in relation to the goals and objectives of the comprehensive Plan of the Village of Oak Park, and
- (f) There shall be reasonable assurance that the proposed building or use will be completed and maintained in a timely manner, if authorized.

The Commission shall also consider any additional Standards set forth in Article 4, Section 4.5 of the Zoning Ordinance pertaining to individual special uses, and in the case of a planned development, Article 3, Section 3.9(l) Standards for Review.

**Section 7.5** Following the hearing, the Commission shall transmit to the President and Board of Trustees a written report giving its findings as to compliance of the proposed special use with the applicable standards governing the particular special use, and giving its recommendations for action to be taken by the President and Board of Trustees.

## ARTICLE VIII

## PROCEDURE FOR AMENDMENTS TO THE ZONING ORDINANCE

**Section 8.1** Applications for amendments to the Zoning Ordinance may be filed alone or as an alternative to other zoning relief sought by the applicant.

**Section 8.2** Amendments to the Zoning Ordinance may be proposed in writing by the President and Board of Trustees, by the Plan Commission, by the Zoning Board of Appeals, by the Director of Building and Property Standards, the Zoning Officer, the Director of Planning, the, or by any person having a proprietary interest in property in the Village.

**Section 8.3** An application for an amendment shall be filed with the Zoning Officer who shall forward a copy of same to the President and Board of Trustees without delay. The application shall be filed in conformity with the requirements set forth in the Zoning Ordinance.

**Section 8.4** The President and Board of Trustees may refer the application to the Plan Commission, sitting as a Zoning Commission, for the purpose of holding a public hearing on the application. The Commission may request at any time a written recommendation from the Village Director of Planning or other Village departments.

**Section 8.5** The Commission shall consider the factors in its consideration of a request for a zoning amendment, which are set forth in Article 2, Section 2.2.2(D) of the Zoning Ordinance.

- (a) The character of the neighborhood;
- (b) The extent to which property values are diminished by the particular zoning restrictions;
- (c) The extent to which the removal of the existing limitations would depreciate the value of other property in the area;
- (d) The suitability of the property for the zoned purposes;
- (e) The existing uses and zoning of nearby property;
- (f) The length of time under the existing zoning that the property has remained unimproved, considered in the context of land development in the area;
- (g) The relative gain to the public as compared to the hardship imposed on the individual property owner;
- (h) The extent to which the ordinance promotes the health, safety, morals or general welfare of the public;
- (i) Where applicable, the goals, objectives, and policies presented in the Comprehensive Plan.

**Section 8.6** Following such hearing, the Commission shall transmit to the President and Board of Trustees a written report giving its findings and recommendations for action to be taken by the President and Board of Trustees.

## ARTICLE IX

### NOTICES FOR HEARINGS

**Section 9.1** In the case of applications for planned developments, special-use permits and map amendments to the Zoning Ordinance, and in the case of public hearings regarding the

Comprehensive Plan, legal notice shall be published not more than 30 days, nor less than 15 days, before the date set for the public hearing, in a newspaper of general circulation within the Village of Oak Park. Not less than 15 days' notice of the time and place of hearing shall be given in person or by mail to the applicant. The Secretary shall follow the stated procedures established in Article 2, Section 2.2.7(B) of the Zoning Ordinance for planned developments, special use permits, and Zoning map amendments.

## ARTICLE X

### **RULES OF PROCEDURES FOR PUBLIC HEARINGS**

#### **Section 10.1 Open Meetings Act**

All hearings shall be subject to the Illinois Open Meetings Act.

#### **Section 10.2 Registration of Public Participants**

Anyone who wishes to testify in a public hearing must sign-in at the public hearing. There will be a Sign-up Sheet available identifying the following:

1. Those wishing to testify in favor of the proposal. Each individual shall have five minutes to present his/her testimony.
2. Those wishing to testify in opposition of the proposal. Each individual shall have five minutes to present his/her testimony.
3. Those wishing to testify neither in favor or opposition to the proposal. Each individual shall have five minutes to present his/her testimony.

If a person is unable to complete his/her testimony in five minutes, he/she may submit testimony in written form or, if time allows and at the discretion of the Chairperson, may present it orally (in five minute increments) after others have had an opportunity to testify.

Those property owners within the 500 foot notice area and those persons with a special interest beyond that of the general public ("Interested Parties") wishing to cross-examine witnesses must complete and file an appearance with the Village Clerk not later than 5:00 PM on the business day preceding the public hearing.

#### **Section 10.3 Limitations on Evidence or Testimony**

The Chairperson may impose reasonable limitations on evidence or testimony presented by persons and parties, such as additional time limits and barring repetitious, irrelevant or immaterial testimony. The Commission shall not be bound by strict rules of evidence; however, irrelevant, immaterial, or unduly repetitious evidence shall not be admissible. The Chairperson shall rule on all questions related to the admissibility or materiality of evidence which ruling



may be overruled by a majority of the Commission members present. The Chairperson may impose reasonable conditions on the hearing process based on the following factors:

1. The complexity of the issue;
2. Whether the witness possesses special expertise;
3. Whether the testimony reflects a matter of taste or personal opinion or concerns a disputed issue of fact;
4. The degree to which the witness's testimony relates to the factors to be considered in approving or denying the proposal; and
5. Such other factors appropriate for the hearing.

#### **Section 10.4 Pre-hearing Consultation**

The Chairperson and the Commission shall conduct a pre-hearing consultation (lasting approximately the first fifteen minutes of the public hearing) with the applicant, interested parties, and all others in attendance, to discuss the conduct of the hearing and to determine the length of the proceedings.

#### **Section 10.5 Hearing Conduct**

The Chairperson may take such actions as are required to maintain an orderly and civil hearing. Discourtesy or disorderly conduct shall be deemed a breach of order, and such misconduct shall deal with such misconduct as appropriate.

#### **Section 10.6 Proof of Notice**

Proof of lawful notice shall be introduced into evidence before the public body.

#### **Section 10.7 Record of Proceedings**

A record of proceedings shall be made as directed by the public body. Applicants for planned developments shall schedule and pay for the attendance of a court reporter. For hearings other than planned developments, the transcription of a tape recording of a meeting/hearing shall be conducted and paid for by the applicant if required by the Village. All court reporter fees, including costs for attendance and transcription, if necessary, shall be paid by the applicant.

#### **Section 10.8 Applicant Appearance**

At a public hearing, an Applicant may appear on his or her own behalf or may be represented by an attorney.

#### **Section 10.9 Village Participation**

The Village shall be a party in every proceeding, and need not appear.

#### **Section 10.10 Testimony under Oath**

All persons offering testimony at a hearing shall testify under oath. An attorney shall be sworn if he or she offers testimony but not if he or she is questioning witnesses, summarizing testimony of witnesses, or addressing the Commission.

### **Section 10.11 Testimony by Others**

In addition to the Applicant, any person may appear and present testimony at the hearing.

### **Section 10.12 Identification of Participants**

People participating shall identify themselves for the record, giving their name and address, either orally or in writing, and indicate if an attorney represents them.

### **Section 10.13 Questioner Limitation**

The examination of a witness shall not be used by the questioner to offer testimony or evidence of the questioner.

### **Section 10.14 Order of Presentation**

The order of presentation of evidence at a public hearing shall generally be as follows, but may be modified as determined appropriate by the Chairperson:

1. Identification of Applicant.
2. Statement of the Secretary regarding the nature of the case, relief sought, and submittal of proof of notice.
3. Report by staff.
4. Testimony and other evidence by the Applicant.
5. Commissioners' examination of Applicant's witnesses and other evidence.
6. Cross-examination of Applicant's witnesses and other evidence by Interested Persons who have filed a timely appearance with the Village Clerk.
7. Testimony and other evidence by others in favor of the application.
8. Testimony and other evidence by objectors, if any.
9. Commissioners' examination of objectors' witnesses and other evidence.
10. Cross-examination of objectors' witnesses and other evidence by the Applicant.
11. In some cases re-examination may be allowed.
12. Testimony and other evidence by persons who are neither in favor nor opposed to the application.
13. Summary/Closing by Applicant.
14. Summary/Closing by Objectors.
15. Rebuttal/Closing by Applicant.

At any point in the proceedings, the Commissioners may call upon witnesses who have not previously testified, such as Village staff and Village consultants. The Commissioners may ask questions at any time during the hearing.

### **Section 10.15 Commission Deliberation**

At the conclusion of an evidentiary portion of the public hearing, the Commission may, among other actions, move to deliberate on the evidence presented, or continue the hearing to a date, time and location certain.

### **Section 10.16 Commission Recommendations**

A written report shall be prepared which shall include findings of fact and the Commissioner's recommendation or decision based upon the record.

## **ARTICLE XI**

### **DECISIONS**

**Section 11.1** Final decisions or recommendations shall be made within a reasonable time after the date of the closing of a public hearing. Any applicant may withdraw his/her application at any time prior to the decision thereon by the Commission.

**Section 11.2** The Commission shall conduct its deliberations and vote in a public session. The Commission may vote on any matter before it at the same meeting at which evidence as to such matter is concluded or, if the Commission considers additional time deliberation necessary, then the Commission may defer its vote to a subsequent public session.

**Section 11.3** Members of the Commission who are absent for one or more hearing sessions, but who affirm that they have either listened to the audio tape or read the transcript of the absented session(s), shall be eligible to vote.

**Section 11.4** The concurring vote of five (5) members shall be necessary for any recommendation in favor of a special-use permit, zoning amendment, or change in the Comprehensive Plan. If the motion fails to receive five (5) votes in favor of the application, a motion-denying the application shall be formally entered on the record. However, if the votes of the absent but eligible members, when added to the number voting in favor of the applicant, would total five (5) or more, the matter shall be postponed to the next meeting of the Commission. If the motion to approve an application fails to receive five (5) affirmative votes at the next regular meeting, a motion denying the application shall be formally entered on to the record.

**Section 11.5** As soon as practicable after a written report is adopted, notice thereof shall be given to the applicant, and to such other parties of record as have requested such advice.

## **ARTICLE XII**

### **RECORDS**

**Section 12.1** A file of applications and recommendations relating to each case shall be kept by the Secretary in the office of the Commission as a part of the public records of the Commission.

**Section 12.2** All records of the Commission pertaining to special-use permits, zoning amendments and amendments to the Comprehensive Plan shall be public record.

### ARTICLE XIII

#### **AMENDMENTS**

**Section 13.1** These rules of procedure may be amended by the affirmative majority vote of all members of the Commission.

**Section 13.2** The suspension of any rule of procedure in any specific case may be authorized at any meeting of the Commission by a majority vote of those members present, provided such suspension is not in conflict with applicable Illinois statutes or the Zoning Ordinance of the Village of Oak Park.



# NOTICE OF PUBLIC HEARING

## Before the Oak Park Plan Commission

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**Identification No.:** PC XX-XX

**Date:**

**Time:** 7:00PM or soon there after

**Location:** Village Hall 123 Madison Street  
Room 201- Council Chambers

**Subject Property Addresses:**

**Proposed Development:**

**Purpose of Hearing:** Planned Development Application Review

**Contacts:** Project Sponsor - Name / Telephone number

OR

Village Planner T – 708/358-5418

OR

Visit [www.oak-park.us](http://www.oak-park.us) for more details



## PLAN COMMISSION

Docket No: PC \_\_\_\_\_ - \_\_\_\_\_ Name of Applicant: \_\_\_\_\_

### APPEARANCE OF INTERESTED PARTY WITH RIGHT TO CROSS-EXAMINE

I, \_\_\_\_\_, hereby enter my appearance in the above proceedings with the right to cross-examine witnesses pursuant to the Rules of Procedure of the Oak Park Plan Commission.

I am an Interested Party, which is a person with a special interest beyond that of the general public, for the following reason(s): \*

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\*The reason(s) must be stated and is subject to review and approval by the Plan Commission. Property owners within the 500 foot notice area are considered to be Interested Parties.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name (PRINTED)*

\_\_\_\_\_  
*Address - Street*

\_\_\_\_\_  
*Community*

This appearance bearing an **ORIGINAL** signature must be filed with the Village Clerk not later than 5:00 P.M. on the business day preceding the commencement of the public hearing.