

# Planned Unit Development

## Approval Process:



Planned Unit Development District regulations are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of land which will provide, over a period of time, development of land that promotes the maximum benefit from coordinated site planning, diversified location of structures and mixed compatible uses, while also providing a harmonious variety of housing choices, a higher level of amenities, adequate buffering between adjacent uses, and preservation of the natural qualities of open spaces. The Planned Unit Development procedure requires a high degree of cooperation between the developer and the City. The procedure described herein is designed to give the developer general plan approval before completing all detailed design work while providing the City with assurances that the project will retain the character envisioned at the time of approval. Planned Unit Developments are approved in two to four stages, depending on the complexity of the project, following the steps outlined below.

### **Step 1: Pre-application Conference**

The Applicant shall contact the Community Planning & Development Director to place an informal discussion item for a Planned Unit Development (PUD) on the Plan Commission agenda. At the Plan Commission meeting, the Applicant shall engage in an informal discussion with the Plan Commission regarding the potential PUD. Appropriate topics for discussion may include the location of the PUD, general project themes and images, the general mix of dwelling unit types and/or land uses being considered, approximate residential densities and non-residential intensities, the general treatment of natural features, the general relationship to nearby properties and public streets, and relationship to the Comprehensive Plan. Points of discussion and conclusions reached in this stage of the process shall be in no way binding upon the Applicant or the City, but should be considered as the informal, non-binding basis for proceeding to the next step.

### **Step 2: Concept Plan**

The Applicant shall provide the Community Planning & Development Director with a draft PUD Concept Plan for a determination of completeness prior to placing the proposed PUD on the Plan Commission agenda for Concept Plan review. This submittal shall contain all of the following items, prior to its acceptance by the Community Planning & Development Director and placement of the item on a Plan Commission agenda for Concept Plan review:

1. A location map of the subject property and its vicinity within a radius of 200 feet.
2. A general written description of the proposed Planned Unit Development including:
  - a. The general mix of dwelling unit types and/or land uses,
  - b. Approximate residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio,
  - c. The general treatment of natural features,
  - d. The general relationship to nearby properties and public streets,
  - e. The general relationship of the project to the Comprehensive Plan,
  - f. An initial draft list of zoning standards which will not be met by the proposed PUD and the location(s) in which the standards are not met, and a complete list of zoning standards which will be exceeded, and or benefits provided by, the proposed PUD. The conventional zoning district(s) that are most applicable to the proposed development shall be used for comparison. The essential purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit, and in regard to the mitigation of potential adverse impacts created by design flexibility.

3. A written description of all modifications requested to the requirements of the conventional zoning districts, in the following order:
  - a. Land Use Modifications.
  - b. Density and Intensity Modifications.
  - c. Bulk Modifications.
  - d. Landscaping Modifications.
  - e. Parking and Loading Requirement Modifications.
4. A conceptual plan drawing (11" x 17") of the general land use layout and the general location of major public streets and/or private drives. The Applicant may submit copies of a larger version of the plan in addition to the 11" x 17" reduction.

Within ten (10) working days of receiving the draft PUD Concept Plan, the Community Planning & Development Director shall determine whether the submittal is complete. Once the Community Planning & Development Director has received a complete submittal, the proposed PUD Concept Plan shall be placed on the next available Plan Commission agenda.

The City shall give written notice to all property owners within 500 feet of the subject property prior to the Plan Commission meeting.

At the Plan Commission meeting, the Applicant shall engage in an informal discussion with the Plan Commission regarding the conceptual PUD. Appropriate topics for discussion may include the information provided in the Concept Plan submittal, or other items as determined by the Plan Commission.

Points of discussion and conclusions reached in this stage of the process shall in no way be binding upon the Applicant or the City, but should be considered as the informal, non-binding basis for proceeding to the next step. The preferred procedure is for one or more iterations of Plan Commission review of the Concept Plan to occur prior to introduction of the formal petition for rezoning which accompanies the General Development Plan application.

### **Step 3: General Development Plan (GDP)**

The Applicant shall provide the Community Planning & Development Director with a draft GDP packet for a determination of completeness prior to placing the proposed GDP on the Plan Commission agenda for GDP review. The submittal packet shall contain all of the following items prior to its acceptance by the Community Planning & Development Director and placement of the item on a Plan Commission agenda for GDP review:

1. A location map of the subject property and its vicinity within 200 feet.
2. A map of the subject property showing all the lands included in the proposed Planned Unit Development. Said map shall clearly indicate the current zoning of the subject property and the property located within 200 feet. Said map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale which is not less than one inch equaling 100 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
3. A site map showing existing topography and significant vegetation.
4. A general written description of the proposed Planned Unit Development including:
  - a. The general mix of dwelling unit types and/or land uses,
  - b. Approximate residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio,
  - c. The general treatment of natural features,
  - d. The general relationship to nearby properties and public streets,
  - e. The general relationship of the project to the Comprehensive Plan,
  - f. A Statement of Rationale as to why Planned Unit Development zoning is proposed. This shall identify barriers that the Applicant perceives in complying with the requirements of conventional zoning districts and benefits to the community the Applicant suggests are available through the proposed Planned Unit Development zoning.

- g. A complete list of zoning standards which will not be met by the proposed Planned Unit Development and the location(s) in which they apply, and a complete list of zoning standards which will be met or exceeded, and benefits provided, by the proposed Planned Unit Development. The essential purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit, and in regard to the mitigation of potential adverse impacts created by design flexibility.
  - h. A written description of all requested modifications to the requirements of the conventional zoning district, in the following order:
    - (1) Land Use Modifications.
    - (2) Density and Intensity Modifications.
    - (3) Bulk Modifications.
    - (4) Landscaping Modifications.
    - (5) Parking and Loading Requirement Modifications.
5. A General Development Plan drawing at a minimum scale of 1" = 100' (11" x 17" reduction shall also be provided by Applicant) of the proposed project showing at least the following information in sufficient detail to make an evaluation against criteria for approval:
    - a. A conceptual plan drawing (11" x 17") of the general land use layout and the general location of public streets and/or private drives, and sidewalks. The Applicant may submit copies of a larger version of the plan in addition to the 11" x 17" reduction;
    - b. Location of recreational and open space areas and facilities, and specifically describing those areas that are to be dedicated for public use;
    - c. Statistical data on minimum lot sizes in the development, the approximate areas of large development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or Common Council;
    - d. Notations relating the written information provided to specific areas on the GDP Drawing; and
    - e. Conceptual grading plan showing general site drainage, the location of on-site storm water management facilities and any modification of the existing topography.
  6. A general conceptual landscaping plan for the subject property, noting approximate locations of foundation, street, yard and paving landscaping, and compliance with all landscaping requirements of Chapter 22 (except as noted in the listing of modifications) and, where applicable, the use of extra landscaping and buffer yards.
  7. A general signage and lighting plan for the project, including all project identification signs and concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles) which are proposed to vary from City standards or common practices.
  8. Written justification for the proposed Planned Unit Development. (The Applicant is advised to use the requirements of the conditional use procedure to develop the written justification.)
  9. The Plan Commission shall hold a public hearing concerning the proposed PUD-GDP designation after publication of a Class II legal notice in accordance with Chapter 985 of the Wisconsin Statutes, listing the time and place, and brief description of the PUD. Following the public hearing, the Plan Commission shall vote to recommend to the Common Council that the PUD be approved as presented, modified, or denied.
  10. The Common Council shall hold a public hearing concerning the proposed PUD-GDP designation after publication of a Class II legal notice in accordance with Chapter 985 of the Wisconsin Statutes, listing the time and place, and brief description of the PUD.
  11. Following such hearing and after careful consideration of the Plan Commission's recommendations, the Common Council shall vote on the approval of the proposed PUD. After approval, the PUD boundaries shall be shown on the Zoning Map.

#### **Step 4: Specific Implementation Plan (SIP)**

After the effective date of the rezoning to PUD/GDP, the Applicant shall file an application for a Specific Implementation Plan (SIP) with the Plan Commission. This submittal shall contain all of the following items, prior

to its acceptance by the Community Planning & Development Director and placement of the item on a Plan Commission agenda for SIP review:

1. A location map of the subject property and its vicinity within 200 feet.
2. A map of the subject property showing the lands included in the Planned Unit Development. Said map shall clearly indicate the current zoning of the subject property and the property located within 200 feet. The map and all its parts and attachments shall be submitted in a form which is clearly reproducible with a photocopier, and shall be at a scale which is not less than one inch equaling 100 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
3. A detailed written description of the proposed SIP including:
  - a. The specific mix of dwelling unit types and/or land uses.
  - b. Specific residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio.
  - c. The specific treatment of natural features.
  - d. The specific relationship to nearby properties and public streets.
  - e. A Statement of Rationale as to why Planned Unit Development zoning is proposed. This shall identify barriers that the Applicant perceives in complying with the requirements of standard zoning districts and benefits to the community the Applicant suggests are available through the proposed Planned Unit Development zoning.
  - f. A complete list of zoning standards which will not be met by the proposed Planned Unit Development and the location(s) in which they apply, and a complete list of zoning standards which will be exceeded and benefits provided by the proposed Planned Unit Development. The essential purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit, and in regard to the mitigation of potential adverse impacts created by design flexibility.
4. A Specific Implementation Plan drawing at a minimum scale of 1" = 100' (11" x 17" reduction shall also be provided by Applicant) of the proposed project showing at least the following information in sufficient detail to demonstrate the project satisfies the approval criteria for planned unit developments:
  - a. A SIP site plan conforming to any and all the requirements of the PUD/GDP;
  - b. Location of recreational and open space areas and facilities and specifically describing those areas that are to be dedicated for public use;
  - c. Statistical data on minimum lot sizes in the development, the precise areas of large development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or Common Council; and
  - d. Notations relating the written information provided above to specific areas on the SIP Drawing.
5. A landscaping plan for the subject property, specifying the locations, species and installed size of all trees and shrubs. This plan shall also include a chart which provides a cumulative total for each species, type and location (foundation, street, yard, paved area or buffer yard) of all trees and shrubs.
6. Engineering plan showing existing and proposed topography with contours at intervals not exceeding 2 ft, proposed drainage patterns, site grading plan, sanitary sewer system, storm sewer system, and water supply system (including fire hydrants).
7. A series of building elevations for the exterior of all buildings in the Planned Unit Development, including detailed notes as to the materials and colors proposed.
8. A signage and lighting plan for the project, including all project identification signs and concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles) which are proposed to vary from City standards or common practices.
9. An outline of the intended organizational structure for a property owners or condominium association, if any; deed restrictions, restrictive covenants and/or rules or regulations contained in owners or condominium associations documentation and provisions for private provision of common services, if any.
10. A written description which demonstrates the proposed SIP complies in all respects with the approved GDP.
11. Any and all variations between the requirements of the applicable PUD/GDP zoning district and the

proposed SIP development.

12. The area included in a SIP may be only a portion of the area included in a previously approved GDP.
13. The Plan Commission or Common Council may specify other plans, documents or schedules that must be submitted prior to consideration or approval of the SIP, as such may be relevant to review.
14. The Plan Commission shall review and consider the SIP and forward its recommendation to the Council. The Common Council shall vote to approve as presented, approve with conditions or deny the PUD-SIP.

### **Combining Steps**

An applicant may request approval to combine the Pre-Application Conference and Concept Plan steps together. The Community Planning & Development Director shall determine if that request is appropriate based on the complexity and nature of the proposed development. If approved, all of the required application materials and the public notice requirements for both of the combined steps shall be provided. An applicant may also request approval from the Plan Commission to combine the GDP and SIP steps together. If this request is approved by the Plan Commission, all of the required application materials, and all of the public notice requirements for both of the combined steps shall be provided.

### **Conditions and Restrictions**

- (1) The developer may be required to enter into a development agreement with the City to comply with all applicable laws and regulations, including any conditions and restrictions adopted to regulate a specific Planned Unit Development, and to assure the construction of all facilities and infrastructure associated with the project.
- (2) No building permit shall be issued until all applicable fees and assessments have been paid and either all public construction has been completed and approved, or a development agreement has been approved and executed and financial security has been provided. For staged development, such development agreements may provide for the construction of improvements and the use of common areas outside of the subject stage.
- (3) The Common Council may revoke an approved PUD, if the project has not commenced within five (5) years. In the event the PUD is revoked, the zoning of the property shall revert to the zoning district in place prior to approval of the PUD.
- (4) The Common Council may revoke portions of an approved PUD-SIP that are not fully developed within ten (10) years of final Common Council approval. If the PUD is revoked, the Common Council may rezone the property to a different zoning district, or may consider an application for a new PUD-GDP.
- (5) Pursuant to Wisconsin Statutes Section 349.03, approval of the PUD shall constitute an agreement permitting the City to enforce traffic regulations under Chapter 346 Wisconsin Statutes or local ordinances in conformity with such regulations on any private streets and driveways located within the PUD. The City shall also have the right to access the PUD for the purposes of snow removal, weed cutting and trash disposal. If the City performs such services, the City shall have the right to impose a special charge against the property for the costs of these services, pursuant to Wisconsin Statutes Section 66.0627.