

ORDINANCE NO. 2007-17

**AN ORDINANCE AMENDING PART TWELVE, TITLE SIX,
CHAPTERS 1266, 1272, 1274 AND 1275
OF THE PALOS PARK VILLAGE CODE IN REGARD TO
COMMERCIAL PLANNED DEVELOPMENT REGULATIONS**

BE IT ORDAINED by the Village Council of the Village of Palos Park, Cook County, Illinois, as follows:

SECTION 1:

- A. That on November 17, 2005, January 19, 2006, March 16, 2006, April 20, 2006, May 18, 2006, June 22, 2006, October 19, 2006, November 30, 2006, January 18, 2007 and February 15, 2007, the Plan Commission held a public hearing, pursuant to notice duly published in accordance with law, in connection with the zoning ordinance amendment set forth below.
- B. That on February 15, 2007, the Plan Commission recommended the zoning ordinance amendment hereinafter set forth to the Village Council.
- C. The Village Council approves and adopts the findings and recommendations of the Plan Commission and incorporates such findings and recommendations of the Plan Commission herein by reference as if they were fully set forth herein.

SECTION 2: That Part Twelve, Title Six, Chapter 1274 of the Palos Park Village Code is amended by adding a new Section 1274.05 thereto which shall read in its entirety as follows:

“1274.05 COMMERCIAL PLANNED DEVELOPMENT REGULATIONS.

(a) Intent and Purpose :

- (1) The purpose of the regulations, standards, and criteria contained in this Section is to provide an alternate zoning procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this Section. The objective of the commercial planned development is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable zoning regulations. The end result can be a product which fulfills the objectives of the Comprehensive Plan, Commercial Areas Master Plan, and planning policies of the Village, while departing from the strict application of the use and bulk regulations of the underlying zoning regulations. The commercial planned development is intended to permit and encourage such flexibility and to accomplish the following purposes:

- A. To stimulate creative approaches to the commercial and commercial/mixed-use development of land.
 - B. To provide more efficient use of land.
 - C. To preserve natural features and provide open space areas and recreation areas in excess of that required under existing zoning regulations.
 - D. To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.
 - E. To unify building and structures through design.
 - F. Promotion of long term planning pursuant to the Commercial Areas Master Plan and Comprehensive Plan, which will allow harmonious and compatible land uses or combinations of uses with surrounding areas.
- (2) The development of Village owned buildings and property shall be exempt from the requirements of this Section.

(b) General Provisions:

- (1) No commercial development on a lot with an area of 5,000 square feet or greater, or a proposed commercial building(s) with 5,000 square feet of floor area or greater, shall be permitted unless approved as a commercial planned development in accordance with this Section.
- (2) Commercial planned developments along Southwest Highway shall have a minimum frontage of three hundred (300) lineal feet along Southwest Highway and must accommodate the coordinated future development of adjacent parcels.
- (3) Each commercial planned development should be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a commercial planned development upon an already existing commercial planned development except to the extent such commercial planned development has been approved as part of a commercial development master plan.
- (4) The burden of providing evidence and persuasion that any commercial planned development is necessary and desirable shall in every case rest with the applicant.
- (5) Buildings and uses or combinations of uses within a commercial planned development shall be limited solely to those approved as part of the ordinance granting a commercial planned development permit; provided, however, that any buildings and uses or combinations of uses in compliance with a commercial development master plan approved as part of the ordinance granting a commercial planned development permit may be approved by the Village Council.

(c) Standards for Review:

Modifications in conventional zoning and subdivision regulations are privileges and will be considered by the Village only in direct response to the accrual of tangible benefits from the commercial planned development to the Village or the neighborhood in which it would be located. These benefits shall be in the form of exceptional amenities, outstanding environmental, landscape, architectural or site design, or the conservation of special man-made or natural features of the site. In reviewing an application for a commercial planned development, the Plan Commission and/or the Village Council, as the case may be, shall be required to make certain findings based on the following standards.

- (1) Required Findings. No application for a commercial planned development shall be approved unless all of the following findings are made relative to the proposal:
 - A. Comprehensive Plan and Commercial Areas Master Plan. The commercial planned development shall conform with the general planning policies of the Village as set forth in the Comprehensive Plan and Commercial Areas Master Plan.
 - B. Public Welfare. The commercial planned development shall be so designed, located and proposed to be operated and maintained that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety and welfare.
 - C. Impact on Other Property. The commercial planned development shall not be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the underlying zoning district, shall not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the underlying zoning district, shall not be inconsistent with the community character of the neighborhood, shall not alter the essential character of the neighborhood and will be consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and Commercial Areas Master Plan, and shall not substantially diminish or impair property values within the neighborhood, or be incompatible with other property in the immediate vicinity.
 - D. Impact on Public Facilities and Resources. The commercial planned development shall be so designed that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it. The commercial planned development shall be subject to the payment of the applicable exaction fees as required by Section 1244.075 of this Code.
 - E. Archaeological, Historical or Cultural Impact. The commercial planned development shall not substantially adversely affect a known archaeological, historical, or cultural resource located on or off of the parcel proposed for development.
 - F. Parking and Traffic. The commercial planned development shall have or make adequate provision to provide ingress and egress to and from the proposed use in a manner that minimizes traffic congestion in the public streets and provides adequate access for emergency vehicles.

- G. Adequate Buffering. The commercial planned development shall have adequate landscaping, public open space, and other buffering features to protect uses within the development and surrounding properties.
 - H. Performance. The applicant shall demonstrate a successful history of having completed one or more recent projects of comparable value and complexity, or otherwise demonstrate the ability to complete the commercial planned development as proposed, in order to provide the Village with reasonable assurance that, if authorized, the commercial planned development can be completed according to schedule as designed.
 - I. Appearance. The design of all buildings, structures and facilities on the site of the commercial planned development shall generally meet the Design and Development Guidelines set forth in the Commercial Areas Master Plan.
 - J. Signage. Any signage on the site of the commercial planned development shall be in conformity with Chapter 1480 of this Code, or shall satisfy the standards for variation thereof as provided for in this Code.
- (2) Modification Standards. In addition to the findings required above, the following standards shall be utilized in considering applications for modifications of the conventional zoning and subdivision regulations for a commercial planned development. These standards shall not be regarded as inflexible, but shall be used as a framework by the Village to test the quality of the amenities, benefits to the community, and design and desirability of the proposal.
- A. Integrated Design. A commercial planned development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious grouping of structures, uses and facilities, and for appropriate relation of space inside and outside buildings to intended uses and structural features.
 - B. Beneficial Common Open Space. Any common open space in the commercial planned development shall be integrated into the overall design. Such spaces shall have a direct functional or visual relationship to the main building(s) and not be of isolated or leftover character. The following shall not be considered usable common open space:
 - 1. Areas reserved for the exclusive use or benefit of an individual tenant or owner;
 - 2. Dedicated streets, alleys and other public rights-of-way;
 - 3. Vehicular drives, parking, loading and storage area; and
 - 4. Irregular or unusable narrow strips of land less than fifteen (15) feet in width.
 - C. Location of Higher Buildings. Higher buildings shall be located within the commercial planned development in such a way as to dissipate any material adverse impact on adjoining lower buildings within the development or on

surrounding properties, and shall not unreasonably invade the privacy of occupants of such lower buildings.

- D. Functional and Mechanical Features. Exposed storage areas, trash and garbage containers, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be accounted for in the design of the commercial planned development and made as unobtrusive as possible. They shall be subject to such setbacks, special landscaping or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
- E. Visual and Acoustical Privacy. The commercial planned development shall provide reasonable visual, and acoustical privacy for each commercial unit. Fences, insulations, walls, barriers and landscaping shall be used as appropriate for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable view or uses, and reduction of noises.
- F. Energy Efficient Design. A commercial planned development shall be designed with consideration given to various methods of site design and building location, architectural design of individual structures, and landscaping design capable of reducing energy consumption within the commercial planned development and, to the extent feasible, the applicant will be encouraged to obtain Leadership in Energy and Environmental Design (LEED) certification for the project.
- G. Landscape Conservation and Visual Enhancement. The existing landscape and trees in a commercial planned development shall be conserved and enhanced, insofar as feasible, by minimizing tree and soil removal, and the conservation of special landscape features such as streams, ponds, groves and land forms. The addition or use of larger trees, shrubs, flowers, fountains, ponds and special paving amenities is encouraged to the extent of their appropriateness and usefulness to the commercial planned development and the likelihood of their continued maintenance.
- H. Drives, Parking and Circulation. Principal vehicular access shall be from dedicated public streets, and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to the location and number of access points to the public streets, the width of interior drives and access points, the general interior circulation, the separation of pedestrian and vehicular traffic, the adequate provision for service by emergency vehicles, and the arrangement of parking areas that are safe and convenient, and, insofar as feasible, do not detract from the design of proposed buildings and structures and the neighboring properties.
- I. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all paved areas

shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic.

(d) Site Development Allowances:

Notwithstanding any limitations on variations which can be approved as contained elsewhere in this Code, site development allowances (i.e., deviations or variations from the underlying zoning provisions set forth outside this Section) may be approved provided the applicant specifically identifies each such site development allowance and demonstrates how each such site development allowance would be compatible with surrounding development, is in furtherance of the stated objectives of this Section and is necessary for proper development of the site.

(e) Procedures:

The following steps are provided to assure the orderly review of every commercial planned development application in a timely and equitable manner:

(1) Pre-Filing Review and Transmittal of Application:

A. Conference:

1. A prospective applicant, prior to submitting a formal application for a commercial planned development, shall meet for a pre-filing conference(s) with the Village Administrator, the Director of Building and Zoning and any other Village official or employee designated by the Village Administrator. The purpose of the conference(s) is to help the applicant understand the Comprehensive Plan, the Commercial Areas Master Plan and the zoning regulations of this Code, the site development allowances, the standards by which the application will be evaluated, and the application requirements.
2. After reviewing the commercial planned development process, the applicant may request a waiver of any application requirement which in the applicant's judgment should not apply to the proposed commercial planned development. Such request shall be made in writing prior to the submission of the formal application documents.
3. All requests for waiver shall be reviewed within fifteen (15) working days by the Village Administrator and Director of Building and Zoning. A final determination regarding the waiver shall be given to the prospective applicant following the decision.
4. The applicant, prior to submitting a formal application for a commercial planned development, will be required to schedule a meeting to discuss the proposed commercial planned development and its impact on area residents. The applicant shall send a written notice of the meeting via certified mail, return receipt requested, and via first class U.S. mail, to all taxpayers of record for all property within five hundred (500) feet of the proposed commercial planned development. Such notice shall be mailed not less than fifteen (15) days prior to the date of the meeting. An affidavit of mailing, along with a copy of the

notice and the mailing list, shall be provided to the Village Administrator. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.

- B. Filing of Application: Following the completion of the prefiling conference(s), the applicant shall file an application for a commercial planned development in accordance with this Section. The Village Administrator shall deliver copies of the application to other appropriate Village departments for review and comment.
- C. Deficiencies: The Village Administrator shall determine whether the application is complete. If the Village Administrator determines that the application is not complete, he/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.
- D. Report on Compliance: A copy of the complete application and a written report incorporating the comments of Village staff and other agencies regarding the compliance of the proposed commercial planned development with the requirements and standards of this Section shall be delivered to the Plan Commission prior to the public hearing.
- E. Determination Not Binding: Neither the Village Administrator's determination that an application is complete nor any comment made by the Village Administrator or Village staff at a prefiling conference or as part of the review process shall be intended or construed as a formal or informal recommendation for the approval of a commercial planned development permit for the proposed commercial planned development, or component parts thereof, nor shall it be intended or construed as a binding decision of the Village, the Plan Commission or any Village staff member.

(2) Review and Action by the Plan Commission:

- A. Upon receiving the report from the Village Administrator, the Plan Commission shall hold at least one (1) public hearing on the proposed commercial 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 the rules of procedure adopted by the Plan Commission.
- B. Notice of the required public hearing shall be published by the Village not more than thirty (30) days nor less than fifteen (15) days prior to the scheduled hearing in a newspaper published in the Village or if there is none, then in a newspaper of general circulation in the Village, and shall contain the following information:
 - 1. The identification number designation of the application;
 - 2. The date and time of the public hearing;
 - 3. The location of the public hearing; and
 - 4. The general location of the property, the legal description of the property, the permanent tax index number(s) for the property and the property's common

address (if available), along with a short description of the proposed commercial planned development and the purpose of the public hearing.

- C. Notice of the required public hearing shall be provided by the applicant by posting a sign or signs on the property no less than fifteen (15) days prior to the public hearing. Said sign(s) shall comply with the following requirements:
1. They shall be made of weatherproof materials;
 2. They shall be located on the property in question at the centerpoint of each side of the property that abuts a public right-of-way;
 3. They shall be located no more than ten (10) feet from the public right-of-way;
 4. They shall be three (3) feet in height by five (5) feet in width, with the bottom portion of the sign located three (3) feet above grade level;
 5. They shall have the words "Notice of Public Hearing" in red at the top, using four (4) inch lettering; and
 6. They shall contain such information as is required in subsection (e)(2)B above, in black, using two (2) inch lettering.

The Village shall provide the applicant with the text to be used on the sign(s). Failure to post such sign(s) and/or the removal or knocking down (by the Village or others) of the sign(s) after posting but before the public hearing shall not invalidate, impair, or otherwise affect any commercial planned development permit subsequently granted following such public hearing.

- D. Notice of the required public hearing shall also be provided by the applicant by certified mail, return receipt requested, and by first class U.S. mail, to the taxpayers of record of all property within five hundred (500) feet of the subject property. Such notice shall contain the information as is required in subsection (e)(2)B above and shall be mailed not more than thirty (30) nor less than fifteen (15) days prior to the date of the public hearing. The notice shall also include the name and address of the applicant for the commercial planned development. An affidavit of mailing, along with a copy of the notice and the mailing list, shall be provided to the Plan Commission prior to the public hearing.
- E. The Plan Commission shall review the application, the standards and requirements established by this Section, the report of the Village Administrator, and any oral and written comments received by the Plan Commission before or at the public hearing. Within forty five (45) days following the close of the public hearing and at a regular or special meeting, the Plan Commission shall make specific written findings addressing each of the standards set forth in this Section and transmit such findings, together with a recommendation of approval, approval with conditions, or disapproval to the Village Council.

- (3) Review and Action by the Village Council:

- A. Within sixty (60) days of receipt of the report and recommendation of the Plan Commission, and without further public hearing, the Village Council shall either:
 - 1. deny the application;
 - 2. refer the application back to the Plan Commission for further review;
 - 3. postpone further consideration pending the submittal of additional information, including any application requirement previously waived; or
 - 4. adopt an ordinance approving the commercial planned development permit.
- B. Any action taken by the Village Council pursuant to subsection (e)(3)A above shall require the concurrence of a majority of all the Village Council members then holding office.
- C. In approving a commercial planned development permit, the Village Council may attach such conditions to the approval as it deems necessary to have the proposed use or combination of uses meet the standards set forth in this Section and to prevent or minimize adverse effects on other property in the immediate vicinity. Such conditions may include:
 - 1. limitations on size, bulk and location;
 - 2. requirements for landscaping, signage, outdoor lighting, and provisions for adequate ingress and egress;
 - 3. hours of operation; and/or
 - 4. such other conditions as the Village Board may deem to be in furtherance of the objectives of this Section.

(f) Application Requirements:

- (1) An application for a commercial planned development may only be filed by one who has an ownership interest, or the agents thereof, 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.
- (2) Applications for a commercial planned development shall be filed with the Village Administrator in such form and accompanied by such information, with sufficient copies, as shall be established from time to time by the Village. Every application shall contain, at a minimum, the following information and related data:
 - A. The names and addresses of the owner of the subject property, the applicant, and all persons having an ownership or beneficial interest in the subject property and proposed commercial planned development.

- B. A statement from the owner of the subject property, if not the applicant, approving of the filing of the application by the particular applicant.
- C. A survey of, and legal description and street address for the subject property.
- D. A statement indicating compliance of the proposed commercial planned development with the Commercial Areas Master Plan and Comprehensive Plan, and evidence of the proposed project's compliance in specific detail with each of the "Standards for Review" for commercial planned developments as set forth in subsection (c) above.
- E. A scaled site plan showing the existing contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation routes and utilities.
- F. A scaled site plan of the proposed commercial planned development showing lot area, the required yards and setbacks, contour lines, common space, and the location, floor area ratio, lot area coverage and heights of buildings and structures, number of parking spaces and loading areas.
- G. Schematic drawings illustrating the design and character of the building elevations, types of construction, and 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 combinations of uses, and the floor area of the entire development.
- H. A landscaping plan showing the location, size, character and composition of vegetation and other material.
- I. 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 structures.
- J. A schedule of development showing the approximate date for beginning and completion of each stage of construction of the commercial planned development.
- K. A professional traffic study acceptable to the Village showing the proposed traffic circulation pattern within and in the vicinity of the area of the commercial planned development, including the location and description of public improvements to be installed, and any streets and access easements.
- L. A professional economic analysis acceptable to the Village, including the following:
 - 1. The financial capability of the applicant to complete the proposed commercial planned development;
 - 2. Evidence of the project's economic viability; and
 - 3. An analysis summarizing the economic impact the proposed commercial planned development will have upon the Village.

- M. Copies of all environmental impact studies relative to the subject property.
 - N. An analysis setting forth the anticipated demand on all Village services.
 - O. A plan showing off-site utility improvements required to service the commercial planned development, and a report showing the cost allocations and funding sources for those improvements.
 - P. A site drainage plan for the commercial planned developed.
 - Q. A written summary of residents' comments, pertaining to the proposed application, from any meeting held pursuant to subsection (e)(1)A4 above.
- (3) Every application must be accompanied by a fee in such amount as established from time to time by the Village Council, and set forth in Section 1262.09(b) of this Code, 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, land use design or other similarly related professional studies.
 - (4) Additional materials may be required during the review of a proposed planned development if determined necessary by the Plan Commission or the Village Council.

(g) Effect of Approval or Denial:

- (1) Approval of the commercial planned development permit by the Village Council authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy, and other permits which the Village may require for the proposed commercial planned development. The Village's Director of Building and Zoning shall review applications for these permits for compliance with the terms of the commercial planned development permit granted by the Village Council. No permit shall be issued for development which does not comply with the terms of the commercial planned development permit.
- (2) The Village Council shall direct the Village Administrator to revise the Official Zoning Map to reflect the existence and boundaries of each commercial planned development.
- (3) Subject to subsection (g)(7) below, an approval of a commercial planned development permit by the Village Council shall be null and void if the recipient does not file an application for a building permit relative to the proposed commercial planned development within nine (9) months after the date of adoption of the ordinance approving the commercial planned development permit.
- (4) Subject to subsection (g)(7) below, an approval of a commercial planned development permit by the Village Council shall be null and void if construction has not commenced within fifteen (15) months, and is not completed within thirty (30) months, after the date of adoption of the ordinance approving the commercial planned development permit.

- (5) Subject to subsection (g)(7) below, an approval of a commercial planned development permit with a phasing plan shall be null and void if construction has not commenced or is not completed in accordance with the terms of that phasing plan.
- (6) Subject to subsection (g)(7) below, an approval of a commercial planned development permit with a master development plan shall be null and void if construction has not commenced or is not completed in accordance with the terms and conditions contained in the master development plan.
- (7) An extension of the time requirements stated in subsections (g)(3), (4), (5) and (6) of this Section may be granted by the Village Council for good cause shown by the applicant, provided a written request is filed with the Village at least four (4) weeks prior to the respective deadline.
- (8) A commercial planned development permit shall be null and void if the use or combination of uses for which the approval was granted ceases for a consecutive period of one (1) year.
- (9) No application for a commercial planned development which was previously denied by the Village Council shall be considered by the Plan Commission or the Village Council if it is resubmitted in substantially the same form and/or content within two (2) years of the date of such prior denial. In this regard:
 - A. The Village Administrator shall review the application for a commercial 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 Council to appeal a determination by the Village Administrator that the application is substantially the same, provided a petition for appeal is filed in writing with the Village Administrator within ten (10) days of the Village Administrator's determination.
 - B. The Village Council shall affirm or reverse the determination of the Village Administrator, regarding whether the new application is in substantially the same form, within thirty (30) days of receipt of a petition for appeal.
 - C. If it is determined that the new application is not substantially in the same form, then the applicant shall be entitled to continue with the application process and have it reviewed in accordance with the provisions of this Section.

(h) Amendments and Alterations to Approved Commercial Planned Development Permits:

- (1) Except as provided in subsection (h)(2) below, any modifications to an approved commercial planned development permit or any addition to or expansion of an existing commercial planned development shall require separate review 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 commercial planned development permit which is consistent with the standards and conditions applying to the commercial planned development permit and which does

not alter the concept or intent of the commercial planned development. A minor change shall not increase the commercial planned development'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 development agreements, provisions or covenants, or provide any other change inconsistent with any standard or condition imposed by the Village Council in approving the commercial planned development permit. Said minor change may be approved by the Village Administrator without obtaining separate approval by the Village Council. In addition, the Village Council may, after reviewing the request for a minor change made by the applicant, direct the Village Administrator to process the request other than as a minor change. "

SECTION 3: That Part Twelve, Title Six, Chapter 1266, Section 1266.01 is amended by adding the following to the list of Zoning Districts contained therein:

"Commercial Planned Development (Overlay regulations applicable within the R-5, B-1, B-2 and O Districts)"

SECTION 4: That Part Twelve, Title Six, Chapter 1272 of the Palos Park Village Code is amended by adding a new Section 1272.02 thereto, which shall read in its entirety as follows:

"1272.02 COMMERCIAL PLANNED DEVELOPMENT APPROVAL.

In the event the development of the commercial portion of any R-5 Special Development District meets the size criteria relative to a commercial planned development, as set forth in Section 1274.05(b)(1) of this Code, any such commercial development shall, in addition to meeting the requirements of Section 1272.01 above, also comply with the commercial planned development regulations set forth in Section 1274.05 of this Code."

SECTION 5: That Part Twelve, Title Six, Chapter 1275 of the Palos Park Village Code is amended by adding a new Section 1275.05 thereto, which shall read in its entirety as follows:

"1275.05 COMMERCIAL PLANNED DEVELOPMENT APPROVAL.

In the event the development of any property within the O Office District meets the size criteria relative to a commercial planned development, as set forth in Section 1274.05(b)(1) of this Code, any such development shall, in addition to meeting the requirements of this Chapter 1275, also comply with the commercial planned development regulations set forth in Section 1274.05 of this Code."

SECTION 6: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 26th day of March, 2007, pursuant to a roll call vote as follows:

AYES: Commissioners DeVries, Marcyn, Mahoney and O'Connor

NAYS: None

ABSENT: Mayor Baca

APPROVED by me this _____ day of _____, 2007.

Carolyn A. Baca, Mayor

ATTEST:

Cathy Gabel, Deputy Village Clerk

Published by me in pamphlet for this _____ day of _____, 2007.

Cathy Gabel, Deputy Village Clerk