

**Agenda for Public Hearing
Village of Malta
Planning Commission**

Thursday, August 22, 2019, 7 p.m.
507 N. 3rd St., Malta. Illinois

Applicant Josh Holbrook – Request for Planned Unit Development Special Use

1. CALL TO ORDER
2. INTRODUCTION OF HEARING COMMISSIONER (Appoint Chair)
3. GENERAL STATEMENT (Chair)
4. READING OF HEARING NOTICE AND STATEMENT OF PURPOSE (Clerk)
5. PUBLIC HEARING PROCEDURE AND GUIDELINES (Chair)
6. OPEN UP TO COMMENTS AND OPINIONS FROM THE PUBLIC
 - PLEASE HAVE EACH PERSON GIVE NAME, ADDRESS, COMPANY REPRESENTED (IF APPLICABLE) AND OPINION FOR THE RECORD:
 - Favor Proposal
 - Oppose Proposal
7. CLOSE PUBLIC COMMENTS, REMIND ATTENDEES THAT THEY MAY REGISTER OPINIONS WITH CLERK IF THEY HAVE NOT SPOKEN AT THE HEARING
8. REVIEW OF FINDINGS/ADVISORY REPORT
9. ADJOURNMENT

GENERAL STATEMENT BY THE HEARING CHAIRMAN

Following the call to order and introductions, the Chair makes the following statement:

“This is a public hearing to consider the proposed application requesting a Planned Unit Development Special Use by petitioner Josh Holbrook. This Public Hearing is part of the legal procedure that requires that the Plan Commission make an advisory report to the Village Board of Trustees based on their findings and testimony by the public as to the approval or denial of the application.

“A final decision on this proposal has yet to be made”. That decision will ultimately be made by the Village Board of Trustees and will take into account what is said at this hearing.

“The Clerk will now read, for the record, the notice of this public hearing.”

PUBLIC HEARING PROCEDURE AND GUIDELINES

1. The Chair explains the guidelines to be followed in the conduct of the hearing:
 - a. Only one person will be allowed to speak at any given time.
 - b. Members of the public, when speaking, are requested to state for the record their name, address, and the name of the company they represent, if applicable.
 - c. Members of the public are requested to speak directly and clearly, due to the fact that these proceedings are being recorded.
 - d. **AT THE DISCRETION OF THE CHAIR:** Statements from the public should be limited to 15 minutes each. The Chair reserves the right to interrupt comments that extend beyond 15 minutes in order to afford everyone an opportunity to express an opinion. Please do not interrupt while someone else has the floor. After everyone has spoke the Chair will ask if there are any additional comments.
 - e. All persons present are requested to register an opinion with the Clerk, either in favor of or opposed to the proposed planned unit development special use, prior to leaving the hearing.
2. The Chair then opens the floor for opinions and/or statements from the public.
3. Once all members of the public have been given an opportunity to speak, the Chair repeats that any person in attendance who did not register an opinion at the hearing may do so with the Clerk prior to leaving the hearing.

REVIEW OF FINDING/ADVISORY REPORT

Sec. 70-104. Advisory report; factors to be considered.

Within a reasonable time after the public hearing, the planning commission shall submit their advisory report to the village board of trustees. In deciding what their advice should be, the planning commission shall consider the following factors:

- (1) Whether the proposed design, location, and manner of operation of the proposed special use will adequately protect the public health, safety, and welfare and the physical environment;
- (2) Whether the proposed special use is consistent with this village's comprehensive plan;
- (3) The effect the proposed special use would have on the value of neighboring property and on this village's overall tax base;
- (4) The effect the proposed special use would have on public utilities and on traffic circulation on nearby streets; and
- (5) Whether there are any facilities near the proposed special use (such as schools or hospitals) that require special protection.

Sec. 70-105. Action by village board of trustees.

The village board of trustees shall act on every request for a special use permit at their next regularly scheduled meeting following the submission of the planning commission's advisory report. Without further public hearing, the village board of trustees may grant a special use permit by an ordinance passed by a simple majority vote of all members then holding office. In a separate statement accompanying any such ordinance, the village board of trustees shall state their findings of fact and indicate their reasons for approving (with or without conditions) or denying the request for the special use permit.

(Ord. No. 95-4, § 10-3.4, 4-12-1995)

ARTICLE X.

PLANNED DEVELOPMENT

Sec. 70-691 Purpose and intent

The planned development district regulations set forth herein are intended to: provide an opportunity for unique, well-planned development on property in the village of Malta, Illinois in accordance with the recommendations of the village of Malta comprehensive plan and considered desirable by the village board of trustees; provide a means of achieving greater flexibility in new development of land in a manner not generally possible in the other zoning districts; encourage a more imaginative and innovative design of projects; promote a more desirable community environment; retain maximum control over both the structure and future operation of the development. The planned development regulations are intended to encourage imaginative site planning that integrates the development proposal with existing topography and other natural environmental assets of the land while conserving the character of the village. Clustering of units is encouraged to provide common open space. Under this procedure, well-planned residential, industrial, commercial and other types of land use, individually or in combination, may be developed in accordance with the standards contained herein. The village board, upon recommendation by the planning commission, may, by ordinance adopted in the same manner as other zoning map amendments are approved, authorize a planned development. However, it should be noted that the regulations for planned developments are not intended to allow excessive densities, or the development of incompatible land uses, either within the development or as the development relates to the general neighborhood, nor are they intended to accommodate the expansion of pre-existing uses that are not in accordance with the recommendations of the village comprehensive plan. The applicant must strictly adhere to the standards contained in the following provisions. The board may, upon proper application, approve a planned development to facilitate the use of flexible techniques of land development and site design in order to obtain one or more of the following objectives:

1. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.
2. Diversification in the uses permitted and variations in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.
3. Functional and beneficial uses of open space areas.
4. Preservation of natural features of a development site.
5. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.
6. Rational and economic development in relation to public services.
7. Efficient and effective traffic circulation, both within and adjacent to the development site.

Sec. 70-692 Planned development zoning district:

1. A planned development shall constitute a separate zoning district, and the designation of a planned development district shall be subject to the review and approval process for a zoning amendment, as set forth in Article 2, Division 2, Subdivision III of this ordinance, and subject to the standards and procedures set forth in this article.

2. The ordinance approving the preliminary development plan for the planned development shall establish regulations governing uses, densities, minimum lot area, bulk regulations, parking and signs, and exceptions to the subdivision design standards as may be necessary or desirable to achieve the objectives of the proposed planned development, provided such are consistent with the standards and criteria contained in this section. No minimum lot size is required within a planned development, and appropriate lot size shall be evaluated based upon the relationship to adjacent development, amount of

common open space, proposed provision of sewage disposal, and other appropriate factors. Uses in planned developments may include residential (single-family detached, attached, and multi-family dwellings), business, manufacturing, public/institutional, recreational, conservation, open space or any combination of these uses, provided, however, that planned development - residential projects must consist of at least 55 percent of the developed land area devoted to residential uses; planned development - commercial projects must consist of at least 55 percent of the developed land area devoted to commercial uses; and planned development - industrial projects must consist of at least 55 percent of the developed land area devoted to manufacturing uses. Mixed-use development projects may consist of any mixture of uses.

3. Planned developments shall not be approved that result in:
 - a. Development of uses in an area that would be incompatible with the purpose and intent of this section or the goals and objectives of the village comprehensive plan.
 - b. Inconvenient or unsafe access to the planned development.
 - c. Traffic congestion in the streets that adjoin the planned development.
 - d. An undue or disproportionate burden on public parks, recreational areas, fire and police protection, schools, and other public facilities which serve or are proposed to serve the planned development.
 - e. Alteration, destruction, or diminution of natural landscape features such as floodplains, wetlands, fens, woodlands, prairie, rock outcroppings, seeps, springs, or steep slopes, unless compensation for such is an element of the project; and
 - f. Alteration, destruction of archeological and historic features.

Sec. 70-693 Types of planned developments:

- a. Two types of planned developments may be approved by the village board:

1. **Minor planned developments**, generally consisting of one primary land use on one lot. Minor planned developments shall be subject to the application requirements set forth for special use permits in Article 2, Division 2, Subdivision II of this ordinance, provided, however, that the application shall include a final development plan, and further provided that the zoning administrator may require as part of the application for a minor planned development any or all of the items and information required for preliminary development plans and improvements plans if deemed necessary for a thorough review of the proposal, and shall be subject to the review and approval procedure for amendments as set forth in **Article 2, Division 2, Subdivision III of this ordinance;**

2. Major planned developments, consisting of more than one primary land use on a single lot, or the creation of two or more lots. Major planned developments shall be in compliance with the requirements of the Village Subdivision Ordinance; the Village Specifications for Improvements; and shall be subject to the procedures set forth below.