

# VILLAGE OF JOHNSON CREEK

125 Depot Street, P.O. Box 238, Johnson Creek, WI 53038 (920-699-2296)

## PLANNED UNIT DEVELOPMENT APPLICATION

Planned Development applications require a public hearing. (Village Code –Chapter 250-133) The application should be submitted two weeks and one month prior to the month in which the Plan Commission will hold the public hearing. The first month it is on the Plan Commission for informal discussion (250-133 E.) The next month a public hearing is held at the Plan Commission and they will forward its recommendation to the Village Board for final action.

Complete each section of the Planned Development application and Procedural Checklist.

Items that must accompany a Planned Development Application:

1. The applicant(s) are required to submit one hard copy and one electronic copy of completed application, procedural checklist, Agreement for Reimbursable Services and the required site drawings (11" X 17"), CSM or plat of survey prepared by a registered land surveyor, as applicable, showing all of the information required by the Zoning Ordinance. In addition to the subject site, the drawings must show the location, elevation and use of any abutting lands and their structures within 40 feet of the subject site.
2. Application Fee:
  - \$500.00 for GDP (General Development Plan) Original Submittal
  - \$300.00 for GDP (General Development Plan) Resubmittal/Amendment
  - \$500.00 for PIP (Precise Implementation Plan) Original Submittal
  - \$300.00 for PIP (Precise Implementation Plan) Resubmittal/Amendment
3. Reimbursable Services Deposit (see Agreement for Reimbursable Costs)
  - \$1,500.00 for GDP (General Development Plan) Original Submittal
  - \$500.00 for GDP (General Development Plan) Resubmittal/Amendment
  - \$500.00 for PIP (Precise Implementation Plan) Original Submittal
  - \$500.00 for PIP (Precise Implementation Plan) Resubmittal/Amendment
4. Provide any additional information as required by the Plan Commission, Zoning Administrator, Village Engineer, Village Planner or Building Inspector.

### **After you have submitted the above information, the Village will:**

1. Compile a list of names, addresses and parcel numbers of owners of all properties within 300 feet of the area to be proposed.
2. Notify the appropriate neighboring town clerk(s) if the subject property is within 1,000 feet of the Village limits.
3. Mail, at least 10 days before the public hearing, notices to all affected property owners within 300 feet, municipal clerk, the petitioner and Plan Commission.
4. Publish notice of public hearing once each week for two (2) consecutive weeks, the last publication of which shall be at least one (1) week before the public hearing.
5. The Plan Commission shall hold the public hearing and forward a recommendation to the Village Board within 60 days.
6. The Village Board may request further information and/or additional reports from the Plan Commission, the Zoning Administrator, the Applicant or any other source. It may approve the conditional use as originally proposed, with modifications or deny.

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Village Code - Chapter 250-133 requires a Planned Development application.

The following information and documentation must be submitted to the Village Administrator.

Please type or print this information:

Address of subject property	
Parcel number	
Name of petitioner	
Mailing address of petitioner	
Petitioner's daytime phone no.	
Name of property owner	
Property owner's mailing address	
Property owner's daytime phone	
Present Zoning Classification	
Legal description of property	
Name of Architect, Professional Engineer, or Contractor	
Property is presently used as	
Type & proposed use of structure or site (including number of employees, if applicable)	
Short description of proposed PUD (see Chapter 250)	

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Date signed

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**Agreement for Reimbursable Services  
Petitioner/Applicant/Property Owner**

In accordance with Village Code - Chapter 250-138 the Village may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in its review of a proposal coming before the Plan Commission. The Village reserves the right to apply the charges for these services as well as for staff time expended in the administration, investigation and processing of applications to the Petitioner.

The Petitioner is required to provide the Village with an executed copy of this agreement as a prerequisite to the processing of the development application. The submittal of a development proposal application or petition shall be construed as an agreement to pay for such professional review services applicable to the proposal. The Village may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until such fees are paid by the Petitioner. The Property Owner acknowledges that review fees which are applied to a Petitioner, but which are not paid by such Petitioner, may be charged by the Village as an assessment against the subject property for current services provided the property.

Note: Consultant services (e.g. engineering, planning, surveying, legal, etc.) and Village administrative time are charged in addition to the normal costs payable by the Applicant/Petitioner/Property Owner (e.g. application filing fees, permit fees, publication expenses, recording fees, impact fees, etc.)

\_\_\_\_\_  
(Project Name/Nature of Application)

\_\_\_\_\_  
(Property Tax Key Numbers Involved in Project)

\_\_\_\_\_  
(Signature of Applicant/Petitioner)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Property Owner)

\_\_\_\_\_  
(Date)

\_\_\_\_\_

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### Village Code - Chapter 250-133 Planned Development District Procedures

#### **A. Purpose**

- (1) The purpose of this Section is to provide regulations which govern the procedure and requirements for the review and approval, or denial, of proposed Planned Developments (PDs), and to provide for the possible relaxation of certain development standards pertaining to the underlying standard zoning district.
- (2) Planned Developments are intended to provide more incentives for development and redevelopment in areas of the community which are experiencing a lack of significant investment. Furthermore, Planned Developments are designed to forward both the aesthetic and economic development objectives of the Village by controlling the site design and the appearance, density or intensity of development in terms of more flexible requirements for land uses, density, intensity, bulk, landscaping, and parking requirements. In exchange for such flexibility, the Planned Development shall provide a much higher level of site design, architectural control and other aspects of aesthetic and functional excellence than normally required for other developments.
- (3) Planned Developments have the potential to create undesirable impacts on nearby properties if allowed to develop simply under the general requirements of this Chapter. In addition to such potential, Planned Developments also have the potential to create undesirable impacts on nearby properties which potentially cannot be determined except with a binding site plan, landscape plan and architectural plan, and on a case by case basis. In order to prevent this from occurring, all Planned Developments are required to meet certain procedural requirements applicable only to Planned Developments, in addition to the general requirements of this Chapter. A public hearing process is required to review a request for a Planned Development. This process shall essentially combine the process for a zoning map amendment with that required for a conditional use, with several additional requirements.

#### **(B) Provision of Flexible Development Standards for Planned Developments**

##### **(1) Permitted Location**

Planned Developments shall be permitted with the approval of a Planned Development Zoning District, specific to the approved Planned Development, within all zoning districts.

##### **(2) Flexible Development Standards**

The following exemptions to the development standards of the underlying zoning district may be provided with the approval of a Planned Development:

- (a) **Land Use Requirements** All land uses listed as “Residential,” “Institutional,” or “Commercial” in Chapter 250-32 may be permitted within a Planned Development.

##### **(b) Density and Intensity Requirements**

All requirements listed in Village Zoning Code - Chapter 250-51 and 250-52 for residential density and nonresidential intensity are expected to be observed, but may be waived or exchanged within a Planned Development, for other characteristics equally desired by the Village upon presentation of a compelling justification/rationale.

##### **(c) Bulk Requirements**

All requirements listed in Village Zoning Code - Chapters 250-56, 250-57, 250-58, 250-59, 250-60 and 250-61 are expected to be observed, but may be waived or exchanged within a Planned Development, for other characteristics equally desired by the Village upon presentation of a compelling justification/rationale.

##### **(d) Landscaping Requirements**

All requirements listed in Village Zoning Code - Chapters 250-75, 250-76, 250-77, 250-78, and 250-79 are expected to be observed, but may be waived or exchanged within a Planned Development, for other characteristics equally desired by the Village upon presentation of a compelling justification/rationale.

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### (e) **Parking and Loading Requirements**

All requirements listed in Village Zoning Code - Chapter 250-87 and 250-88 are expected to be observed, but may be waived or exchanged within a Planned Development, for other characteristics equally desired by the Village upon presentation of a compelling justification/rationale.

### (3) **Requirements to Depict All Aspects of Development**

Only development which is explicitly depicted on the required site plan approved by the Village Board as part of the approved Planned Development, shall be permitted, even if such development (including all aspects of land use, density and intensity, bulk, landscaping, and parking and loading), is otherwise listed as permitted in Village Zoning Code - Chapter 250-56 through 250-61. Requested exemptions from these standards shall be made explicit by the Applicant in the application, and shall be recommended by the Plan Commission and approved explicitly by the Village Board. If not so requested and approved, such exemptions shall not be permitted.

### **C. Initiation of Request for Approval of a Planned Development Proceedings for approval of a Planned Development shall be initiated by**

- (1) An application of the owner(s) of the subject property;
- (2) A recommendation of the Plan Commission; or
- (3) By action of the Village Board.

### **D. Application Requirements**

All applications for proposed Planned Developments, regardless of the party of their initiation per (3) above, shall be approved as complete by the Zoning Administrator a minimum of two weeks prior to the initiation of this procedure. The Zoning Administrator shall forward copies of said complete application to the office of the Village Clerk. Said application shall apply to each of the process steps in (5) through (8) below.

### **E. PD Process Step 1: Pre-Application Conference**

- (1) The Applicant shall contact the Zoning Administrator to place an informal discussion item for the PD on the Plan Commission agenda.
- (2) No details beyond the name of the Applicant and the identification of the discussion item as a PD is required to be given in the agenda.
- (3) At the Plan Commission meeting, the Applicant shall engage in an informal discussion with the Plan Commission regarding the potential PD. Appropriate topics for discussion may include the location of the PD, 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 Master Plan.
- (4) Points of discussion and conclusions reached in this stage of the process shall be in no way be binding upon the Applicant or the Village, but should be considered as the informal, non-binding basis for proceeding to the next step.

### **F. PD Process Step 2: Concept Plan**

- (1) The Applicant shall provide the Zoning Administrator with a draft PD Concept Plan Submittal Packet for a determination of completeness prior to placing the proposed PD on the Plan Commission agenda for Concept Plan review. This submittal packet shall contain all of the following items, prior to its acceptance by the Zoning Administrator and placement of the item on a Plan Commission agenda for Concept Plan review:
  - (a) A location map of the subject property and its vicinity at 11" x 17," as depicted on a copy of the Village of Johnson Creek Land Use Plan Map;
  - (b) A general written description of proposed PD including:

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1. General project themes and images;
  2. The general mix of dwelling unit types and/or land uses;
  3. Proposed residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio
  4. The general treatment of natural features;
  5. The general relationship to nearby properties and public streets;
  6. The general relationship of the project to the Master Plan;
  7. An initial draft list of zoning standards which will not be met by the proposed PD and the location(s) in which they apply and, a complete list of zoning standards which will be more than met by the proposed PD and the location(s) in which they apply. Essentially, the 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; and
- (c.) A written description of proposed exemption(s) from the requirements of the underlying zoning district, in the following order:
1. Land Use Exemptions;
  2. Density and Intensity Exemptions;
  3. Bulk Exemptions;
  4. Landscaping Exceptions;
  5. Parking and Loading Requirements Exceptions;
- (d) A conceptual plan drawing (at 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 "bubble plan" in addition to the 11" x 17" reduction.
1. Within ten (10) working days of receiving the draft PD Concept Plan Submittal Packet, the Zoning Administrator shall determine whether the submittal is complete. Once the Zoning Administrator has received a complete packet, the proposed PD Concept Plan shall be placed on the Plan Commission agenda.
  2. At the Plan Commission meeting, the Applicant shall engage in an informal discussion with the Plan Commission regarding the conceptual PD. Appropriate topics for discussion may include any of the information provided in the PD Concept Plan Submittal Packet, or other items as determined by the Plan Commission.
  3. Points of discussion and conclusions reached in this stage of the process shall not be binding upon the Applicant or the Village, 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 GDP application.

### **G. PD Process Step 3: General Development Plan (GDP)**

- (1) The Applicant shall provide the Zoning Administrator with a draft General Development Plan (GDP) Submittal Packet for a determination of completeness prior to placing the proposed GDP on the Plan Commission agenda for GDP review. This submittal packet shall contain all of the following items, prior to its acceptance by the Zoning Administrator and placement of the item on a Plan Commission agenda for GDP review:
  - (a) A location map of the subject property and its vicinity at 11" x 17," as depicted on a copy of the Village of Johnson Creek Land Use Plan Map.
  - (b) A map of the subject property showing all lands for which the planned development is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register

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of Deeds of Jefferson County (as provided by the Village of Johnson Creek). Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. 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 equals 800 feet. All lot dimensions of the subject property, a graphic scale and a north arrow shall be provided.

(c) A general written description of proposed PD including:

1. General project themes and images;
2. The general mix of dwelling unit types and/or land uses;
3. Approximate residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio
4. The general treatment of natural features;
5. The general relationship to nearby properties and public streets;
6. A concise relationship summary of the project to the Master Plan, including points of conformity and non-conformity. Discuss non-conformity in detail and describe how other characteristics of the PD offer the Village a superior alternative;
7. A Statement of Rationale as to why PD zoning is proposed. This shall identify barriers that the Applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment the Applicant suggests are available through the proposed PD zoning
8. A complete list of zoning standards which will not be met by the proposed PD and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PD and the location(s) in which they apply shall be identified. Essentially, the 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;
9. A written description of potentially requested exemption(s) from the requirements of the underlying zoning district, in the following order
  - (a) Land Use Exemptions;
  - (b) Density and Intensity Exemptions;
  - (c) Bulk Exemptions;
  - (d) Landscaping Exceptions;
  - (e) Parking and Loading Requirements Exceptions.

(d) 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:

1. A conceptual plan drawing (at 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 "bubble plan" in addition to the 11" x 17" reduction;
2. Location of recreational and open space areas and facilities and specifically describing those that are to be reserved or dedicated for public acquisition and use;

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3. 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 Village Board; and
  4. Notations relating the written information provided in subsection H (1)(c')(1 through 6), above to specific areas on the GDP Drawing.
- (e) A general conceptual landscaping plan for subject property, noting approximate locations of foundation, street, yard and paving, landscaping, and the compliance of development with all landscaping requirements of this Ordinance (except as noted in the listing of exceptions) and the use of extra landscaping and bufferyards.
  - (f) A general signage 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 Village standards or common practices.
  - (g) Written justification for the proposed Planned Development. (The Applicant is advised to use the requirements of the conditional use procedure to develop said written justification.)
  - (h) The process for review and approval of the GDP shall be identical to that for conditional use permits per Chapter 250-124 of this ordinance and (if land is to be divided) to that for preliminary and final plats of subdivision per the Municipal Code.
  - (i) All portions of an approved PD/GDP not fully developed within five years of final Village Board approval shall expire, and no additional PD-based development shall be permitted. The Village Board may extend this five years period by up to five additional years via a majority vote following a public hearing.

### H. PD Process Step 4: Precise Implementation Plan (PIP)

(1) After the effective date of the rezoning to PD/GDP, the Applicant may file an application for a proposed Precise Implementation Plan (PIP) with the Plan Commission. This submittal packet shall contain all of the following items, prior to its acceptance by the Zoning Administrator and placement of the item on a Plan Commission agenda for PD review:

- (a) A location map of the subject property and its vicinity at 11" x 17", as depicted on a copy of the Village of Johnson Creek Land Use Plan Map;
  - (b) A map of the subject property showing all lands for which the planned development is proposed, and all other lands within 300 feet of the boundaries of the subject property, **together** with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds of Jefferson County (as provided by the Village of Johnson Creek). Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control. 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 equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided;
  - (c) A general written description of proposed PIP including:
    - (1). Specific project themes and images;
- (2) The specific mix of dwelling unit types and/or land uses;



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- (3) Specific residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio;
  - (4) The specific treatment of natural features;
  - (5) The specific relationship to nearby properties and public streets.
  - (6) Statement of Rationale as to why PD zoning is proposed. This shall identify barriers that the Applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment the Applicant suggests are available through the proposed PD zoning.
  - (7) a complete list of zoning standards which will not be met by the proposed PIP and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PIP and the location(s) in which they apply shall be identified. Essentially, the 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.
- (d) A Precise 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 make an evaluation against criteria for approval:
- (1) A PIP site plan conforming to all the requirements of Chapter 250-127 (c). If the proposed Planned Development is a cluster development (per Chapter 250-36 (b) through (f)) or a group development (per Chapter 250-208) a proposed preliminary plat or conceptual plat shall be provided in addition to the required site plan.
  - (2) location of recreational and open space areas and facilities and specifically describing those that are to be reserved or dedicated for public acquisition and use;
  - (3) statistical data on minimum lot sizes in the development, the precise areas of all 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 Village Board; and
  - (4) notations relating the written information provided in (H)(1)(c) (1 through 6), above to specific areas on the GDP Drawing.
- (e) A landscaping plan for subject property, specifying the location, 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 required location (foundation, yard, street, paved area or bufferyard) of all trees and shrubs.
- (f) A series of building elevations for the entire exterior of all buildings in the Planned Development, including detailed notes as to the materials and colors proposed.
- (g) A general signage plan for the project, including all project identification signs, concepts for public fixtures and signs (such as street light fixtures and/or poles or street sign faces and/or poles), and group development signage themes which are proposed to vary from Village standards or common practices.

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- (h) A general outline of the intended organizational structure for a property owners association, if any; deed restrictions and provisions for private provision of common services, if any.
- (i) A written description which demonstrates the full consistency of the proposed PIP with the approved GDP.
- (j) All variations between the requirements of the applicable PD/GDP zoning district and the proposed PIP development; and
- (k) The Applicant shall submit proof of financing capability pertaining to construction and maintenance and operation of public works elements of the proposed development.
- (l) The area included in a Precise Implementation Plan may be only a portion of the area included in a previously approved General Implementation Plan.
- (m) The Precise Implementation Plan (PIP) submission may include site plan and design information, allowing the Plan Commission to combine design review and review of the PIP. Design review may, at the choice of the Applicant, be deferred until a later time when specific site and building developments will be brought forth.
- (n) The Plan Commission or Village Board may specify other plans, documents or schedules that must be submitted prior to consideration or approval of the PIP, as such may be relevant to review.
- (o) The process for review and approval of the PD shall be identical to that for conditional use permits per Chapter 250-905 of this ordinance and (if land is to be divided) to that for preliminary and final plats of subdivision per the Municipal Code.
- (p) All portions of an approved PD/PIP not fully developed within five years of final Village Board approval shall expire, and no additional PD-based development shall be permitted. The Village Board may extend this five years period by up to five additional years via a majority vote following a public hearing.