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## RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

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**Application is hereby made by:**

Full Name of Petitioner:

Full Name of Property Owner:

Street Address:

Street Address:

City, State and Zip:

City, State and Zip:

Phone Number with Area Code:

Phone Number with Area Code:

E-mail Address:

E-mail Address:

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**Property Information**

Street Address or nearest intersection:

FULL legal description of property (MUST BE TYPED HERE. CANNOT BE ATTACHED):

Lake County Parcel Identification Number(s) (PIN)(List all):

Full name of proposed residential cluster development:

Preliminary Plan

Final Plan

# RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

## Zoning and Use Information

1. Zoning of the property:

2. Size of Development:                      Square Feet                      Acres (5 acres minimum)

3. Number of Developable Lots:

4. Range of Developable Lot Size:              Minimum:                      square feet

   Maximum:                      square feet                      Average:                      square feet

5. Number of Residential Units proposed in Development:

   Percentage of Total Square Footage proposed:

6. Amount of Open Space proposed in Development:              Square Feet                      Acres

   Amount of open space classified as passive:              Square Feet                      Acres

   Amount of open space classified as active:              Square Feet                      Acres

   Percentage of Total Square Footage proposed:                      (25% minimum)

7. To what entity is the open space going to be conveyed? (Cannot be conveyed to a Homeowners' Association)

   Waukegan Park District

   Conserve Lake County

   Lake County Forest Preserve District

   Other                                      Please specify

# RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

## Zoning and Use Information (Continued)

8. Number of Outlots: \_\_\_\_\_ Total Lots and Outlots: \_\_\_\_\_

9. Use and Dedication of Outlots (List each outlot separately):

10. Any CC & R's and/or Homeowners Association proposed?      Yes                  No

If yes, proposed documentation must be attached.

11. What type of construction is proposed for the residences?

12. What is the estimated value of the residences proposed?

13. Proposed Utilities and Location:

Water:

Storm Sewer:

Sanitary Sewer:

Other:

14. Is ANY part of the proposed residential cluster development in a:

Floodplain:                  Yes                  No      If yes, permit from appropriate agency MUST be attached.

Wetland:                  Yes                  No      If yes, permit from appropriate agency MUST be attached.

**No more than 25% of the floodplains and/or wetlands can be counted toward the open space requirement.**

15. Will the residential cluster development contain any new rights-of-way to be dedicated?      Yes                  No

If yes, describe and list separately:

16. Are there any existing covenants or restrictions on the property proposed for development?      Yes                  No

If yes, describe:

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**DEVELOPER:**

Address:

City, State, Zip:

Phone Number including Area Code:

**SURVEYOR:**

Address:

City, State, Zip:

Phone Number including Area Code:

**ENGINEER:**

Address:

City, State, Zip:

Phone Number including Area Code:

**LAND PLANNER:**

Address:

City, State, Zip:

Phone Number including Area Code:

**LANDSCAPE ARCHITECT:**

Address:

City, State, Zip:

Phone Number including Area Code:

**CONSTRUCTION CONTRACTOR OR BUILDER:**

Address:

City, State, Zip:

Phone Number including Area Code:

**LEGAL CONSULTANT:**

Address:

City, State, Zip:

Phone Number including Area Code:

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## Findings of Fact

The City of Waukegan Zoning Ordinance requires that the Planning and Zoning Commission take into consideration the factors listed below in making its recommendation to the City Council. As the applicant, you must demonstrate why the proposed residential cluster development is appropriate. The burden of proof rests with the applicant. Each of the questions below must be addressed as part of the application. If you do not believe a particular factor does not apply to the property in question, indicate "Not applicable" and explain why it does not apply.

- 1. How will the proposed residential cluster development be compatible with the scale, bulk, coverage, density, and character of the neighborhood in which it is located?** *Keep in mind how the existing area's terrain, landscape, size and shape will accommodate the proposed size, shape and arrangement of structures, layout of streets and connection to other neighborhoods.*
  
- 2. Describe how the proposed residential cluster development will not have any adverse effect on the value of properties in the surrounding neighborhood.**
  
- 3. What is the estimated amount of daily vehicular traffic generated by this proposed residential cluster development?** *Please indicate how you come to this amount and how this will not lead to undue traffic congestion or traffic hazards. A traffic study may be requested by the City at the expense of the petitioner.*
  
- 4. Describe how the proposed residential cluster development is appropriately located with respect to transportation facilities, water and sewer supply, fire and police protection, and similar facilities.**

# RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

## Signatures and Notary Seal

I (We) certify that all of the above statements and statements on any documents or drawings submitted herewith are true to the best of my (our) knowledge and belief.

Name of Applicant

\_\_\_\_\_  
Signature of Applicant and Date

Name of Property Owner

\_\_\_\_\_  
Signature of Property Owner and Date

**SIGNATURE BY THE PROPERTY OWNER GRANTS ACCESS TO THE PROPERTY IN QUESTION TO THE CITY OF WAUKEGAN, ITS STAFF, COMMISSION AND CITY COUNCIL MEMBERS.**

## NOTARY

STATE OF \_\_\_\_\_ )

) SS.

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

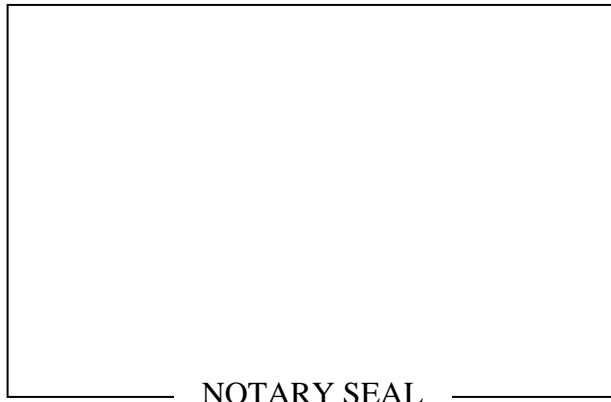
I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT

\_\_\_\_\_  
(NAME OF APPLICANT)

is/are personally known to me, that said person(s) appeared before me this day in person and severally acknowledged that he/she/they signed and delivered the forgoing owners authorization above as his/her/their free and voluntary act for the uses and purposes herein set forth.

Given under my hand and Notary Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public



# RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

## PROCEDURES

1. Pre-Development Conference. A pre-development conference with the City Engineer and Plat Administrator is required prior to considering submitting an application for a residential cluster development. The purpose of such a conference is to allow the developer to present a general concept of his proposed residential cluster development prior to the preparation of detailed plans. The scheduling of a pre-development conference does not guarantee approval.
2. Submittal Meeting. Applications are due **BEFORE** the 8<sup>th</sup> of the month in order to be placed on the Planning and Zoning Commission agenda for the following month. This allows for the required publication of notices and the mailing of notices to surrounding property owners. The applicant and/or his representative are required to schedule and personally attend the submittal meeting. Applications **WILL NOT** be accepted without scheduling a submittal meeting. Applications will also not be accepted if there is anything missing from the Attachment Checklist below. Missing information may postpone the hearing date of this application until the month after the following month. Staff shall review the application for completeness, to make certain that the application meets the requirements of the Zoning Ordinance, and to issue a placard which the applicant must display on the subject property indicating the date and time of the public hearing.
3. Post Notification of Public Hearing. The applicant is responsible for and is **REQUIRED** by the Zoning Ordinance to post notification of the Planning and Zoning Commission's public hearing in a conspicuous place on the subject property facing the nearest improved street, not less than 15 days before the public hearing. This notification shall be posted on forms provided by the City of Waukegan Planning and Zoning Department.
4. Public Hearing. The applicant and/or his representative is **REQUIRED** to attend the Planning and Zoning Commission's public hearing whenever the proposed residential cluster development is scheduled to be heard (the second Thursday of the month after the application is received, if received in complete form and prior to the 8<sup>th</sup> of the month). Meetings are held in the City Council Chambers, 100 N. Martin Luther King, Jr. Avenue, Waukegan, Illinois, at 7:00 PM.
5. Judiciary Committee Meeting. The applicant and/or his representative are **REQUIRED** to attend the Judiciary Committee meeting. Meetings are held in the City Council Chambers, 100 N. Martin Luther King, Jr. Avenue, Waukegan, Illinois, on the first Monday of the month (and after the Planning and Zoning Commission public hearing) anytime between 5:00 PM and 7:00 PM.
6. City Council Meeting. If the Judiciary Committee forwards a recommendation, this application will be considered by the full City Council later that same evening at 7:00 PM.

## ATTACHMENT CHECKLIST

Fifteen (15) hard copies of the following:

This application

Plat of Survey of subject property prepared by an Illinois Registered Land Surveyor

Proposed Plat of Subdivision (during Final Plan stage only).

Proposed Landscape Plan

Site Plan of Proposed Improvements. This plan shall overlay the tree survey with all proposed rights-of-way, utility easements, utility stubs, building pads/footprints, retention ponds and/or detention ponds, drainage swales, proposed grading and/or fill areas. The amount of grading or filling proposed in each area shall be specified on the plans. The Site Plan of Proposed Improvements shall clearly identify any trees or plantings that will be removed.

Reduced-sized Final Engineering Plans

Elevations of proposed buildings/homes

Covenants, Conditions and Restrictions (CC & R's) if an Association is proposed.

# RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

One (1) hard copy of the following:

Tree Survey indicating all trees six inches (6") DBH or larger and clusters of three (3) or more trees four inches (4") DBH.

Full-sized Final Engineering Plans

Deed or title insurance policy that provides proof of parcel ownership

A Lake County tax map showing all properties within 250 feet of subject property. Copies of the map can be obtained at the Lake County Map Services Department, 18 N. County Street, Waukegan, Illinois.

A typed listing of all property addresses, which includes the full names of current property owners, mailing addresses of the property owners, and Parcel Identification Numbers (PINs), which are partially or entirely within 250 feet from the edge of the subject property. This can also be obtained at the Lake County Map Services Department, 18 N. County Street, Waukegan, Illinois.

Impact fee agreements with the school and park districts in which the proposed residential cluster development is located (during Final Plan stage only).

Signed copy of the Cost Recovery Fee Agreement (attached).

One (1) electronic copy of everything above, **EXCEPT** the following: Deed, the Lake County tax map, listing of all current property owners, and signed copy of Cost Recovery Agreement.



# RESIDENTIAL CLUSTER DEVELOPMENT APPLICATION

## COST RECOVERY FEE – LAND DEVELOPMENT APPLICATIONS

### Third Party Cost Recovery

During the course of reviewing and processing land development applications, including annexation petitions, the City of Waukegan often incurs expenses for third party costs. In order to efficiently process land development applications, every filed application is subject to certain costs and expenses (“Cost Recovery Fees”) that are placed in a City escrow account (“Cost Recovery Escrow”), as provided in Article III Section 3.13-8 of the Waukegan Zoning Ordinance. Recoverable Costs are in addition to any and all other filing fees and other charges established by the City. The initial Cost Recovery Escrow deposit shall be in the amount of \$1,000 and is due at the time of filing the land development application.

The following items denote costs incurred by the City in processing an application that would be deducted from the Cost Recovery Escrow:

- Publication of notices
- Court reporter, including the cost of two transcripts
- Corporation Counsel or other City-retained attorney or law firm, consultation, meeting attendance
- Professional and technical consultant services, document preparation and review
- Document recordation
- Copy reproduction
- Mailing costs

### Process

- Every application must be accompanied by the required application fee and the initial deposit to the Cost Recovery Escrow.
- Within a reasonable time following final action on an application, a final accounting will be made and any remaining funds in the Cost Recovery Escrow after payment of the total actual costs due will be returned to the owner or applicant.
- In cases where the Cost Recovery Fees exceed the original deposit, City staff will notify the applicant and request additional funds. Such funds will be forwarded to the Planning and Zoning Department and added to the Cost Recovery Escrow. The City shall maintain an accurate record of all drawings from the Cost Recovery Escrow.
- Failure to pay any portion of the Cost Recovery Fees or replenish the Cost Recovery Escrow within 30 days of the mailing of notice shall be grounds for refusing to process an application and for denying or revoking any permit.

THE OWNER AND APPLICANT ACKNOWLEDGE AND AGREE THAT EACH OF THEM ARE AWARE THAT BY SIGNING THE LAND DEVELOPMENT APPLICATION THEY ARE SUBJECT TO ALL OF THE PROVISIONS OF ARTICLE III SECTION 3.13-8 OF THE WAUKEGAN ZONING ORDINANCE AND THEY AGREE TO PAY, AND HAVE CONSENTED TO (i) THE COST RECOVERY FEES, (ii) ANY COSTS OF COLLECTION THAT HAVE NOT BEEN PAID WITHIN 30 DAYS FOLLOWING THE MAILING OF A WRITTEN DEMAND FOR PAYMENT TO THE OWNER OR APPLICANT AT THE ADDRESS SET FORTH ON THE APPLICATION, AND (iii) ANY ADDITIONAL COST RECOVERY FEES ASSESSED. THE OWNER AND APPLICANT AGREE THAT THEY SHALL BE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE COST RECOVERY FEES ASSESSED. NO APPLICATION FILED SHALL BE CONSIDERED COMPLETE UNLESS AND UNTIL ALL FEES AND DEPOSITS HAVE BEEN PAID. EVERY APPROVAL GRANTED AND EVERY PERMIT ISSUED, WHETHER OR NOT EXPRESSLY SO CONDITIONED, SHALL BE DEEMED TO BE CONDITIONED UPON PAYMENT OF COST RECOVERY FEES AS REQUIRED PURSUANT TO CITY ORDINANCE.

Applicant:

Applicant's Signature: \_\_\_\_\_

Owner:

Owner's Signature: \_\_\_\_\_

Date: