

ARTICLE 6A

REQUIREMENTS FOR GREENWAYS, LANDSCAPE BERMS AND OTHER COMMON OPEN SPACE

601A. Park, Recreation and Open Space Requirements

Every development shall set aside an areas comprising at least 10 percent of the predevelopment tract for park, recreation and open space. Whenever a development includes land that is depicted on the 2010 Land Use Map of the Village's Comprehensive Plan as "Natural Resources" or "Public/Semi-Public," the developer shall include all of that area within the passive open space area before resorting to other lands to meet the requirements of this Section. Whenever a development includes land that will abut a street designated as a collector or arterial on the aforementioned map, or which is or is likely to become a collector or arterial within the planning period, notwithstanding its classification on that map, the developer shall separate any buildable areas for non-residential use and any residential lots whose rear yards abut the collector or arterial, or which would abut except for an open space area, from the collector or arterial by a landscape berm.

602A. Character of the Open Space

602A.1 Natural Resources Areas. The developer shall design and construct within any "Natural Resources Area", shown on aforementioned Plan, a greenway and pedestrian trail with the following specifications.

602A.2 Greenways. The greenway shall have an average width of at least 40 feet and a minimum width of at least 25 feet which, except for the trail and areas set aside for parks, shall be retained or planted as a wooded or densely vegetated natural area in trees or shrubs.

602A.3 Pedestrian Trail. The pedestrian trail shall follow the general direction of the stream or drainage area incorporated by the natural resource area. The trail shall lie within a 10 foot cleared area which shall wind through the greenway in such a manner as to avoid to the maximum practical extent removing large trees. The trail shall be a minimum of 6 feet in width, and shall be constructed by stripping out the topsoil to a depth of 8 inches and replacing it with 6 inches of coarse granular base and 2 inches of asphalt. In areas where the trail is not likely to be washed out by a 10-year flood, the developer may substitute 8 inches of crushed limestone for the base and asphalt set out above. Cross slopes shall be less than 2 percent. Appropriate ditching and drainage shall be provided to handle drainage ditches crossed by the trail.

602A.4 Public/Semi-Public Areas. The developer shall design and construct within any "Public/Semi-Public" area shown on aforementioned Plan a neighborhood park with the following specifications. The park shall be a minimum of 5 acres which shall be appropriately graded, landscaped and improved with some of the following facilities: a ballfield, tennis court, picnic area, shelter and play equipment. Any facilities shall be designed to the National Recreation and Park Association or similar equivalent standards.

602A.5 Landscape Berms. The developer shall design and construct any landscape berms along subdivision entrances, collectors and arterials to the following specifications. Landscape easements shall be a minimum of 70' but 100' is preferred. Berms shall be constructed of materials that will compact and develop stability. No sod, frozen material or other material, which by decay or otherwise might cause settlement, shall be placed or allowed to remain in the berm. When embankments are constructed of crushed material, stones, or rocks and earth, such materials shall be well distributed, and sufficient earth, or other fine material, shall be incorporated with them to fill the interstices and provide solid embankment. No rocks or stones more than 4 inches in diameter shall be permitted within a vertical distance of 12 inches from the surface of the finished grade. Berms shall be contoured in an undulating manner with valleys of not less than 2 feet, a minimum height of 6 feet at the low point, an average height of 8 feet and a 5 foot flat top is required (See Detail I). Slopes shall not exceed 4:1 but 5:1 is recommended. At least 60 percent of the berm area shall be landscaped in grass via sodding or hydro seeding. Grassed areas shall be continuous with a minimum width of 4 feet. Up to 40 percent may be placed in shrub and tree pockets. Pockets should be "kidney-bean" shaped or other irregular but flowing shape on rolling sides of the berms. Trees and shrubs shall be planted in clusters in the pockets. Acceptable plantings include street trees that meet the standards set out in Subsection 604.8 and shrubs and plants which are hardy to the area.

602A.6 Commercial and Residential Entrances. The developer shall design and construct an impressive entrance into the development, including a monument type signs, the utilization of natural products such as stone and wood, landscaping and lighting. A detailed landscape plan including signage, materials to be used, and types and sizes of plantings shall be submitted to the Village for review by the Village Planner and Village Engineer and approved by the Village Board.

603A. Ownership of Open Space

The developer shall indicate any open space areas or facilities set out in Section 602A above and which will lie within the Village limits following approval of the Final Plat. In the event that the Village will not accept the dedication, then the open space may be owned in any manner allowable outside the Village under this Ordinance. In the event that the open space lies outside the Village, the developer shall, within the Village's approval, dedicate the land to the Village, another public jurisdiction or agency willing to accept the ownership, a quasi-public organization willing to accept the same, or a homeowners association with an agreement approved by the Village, or by individual lot owners with an access and use easement given to the public. Lands set aside for open space shall contain appropriate covenants and deed restrictions approved by the Village Attorney ensuring that (1) the open space area will not be further subdivided in the future, (2) the use of the open space will continue in perpetuity for the purpose specified, (3) appropriate provisions will be made for the maintenance of the open space, and (4) common undeveloped open space shall not be turned into a commercial enterprise admitting the general public for a fee.¹

604A. Maintenance of the Open Space

Property shall be properly maintained for the purpose for which it was created. Where the open space is held by a homeowners association, the association documents shall provide that in the event that the open space is not properly maintained, the Village may after due notice undertake the maintenance and charge any costs to the association, and that any unpaid costs shall become a lien on the individual properties that form the association. Where the open space is held by property owners directly with a public access easement, the easement shall provide that in the event that the open space is not properly maintained by the property owner, that the Village may after due notice undertake the maintenance and charge any costs to the property owner, and that any unpaid costs shall become a lien on the properties benefited.

¹ Where land is proposed to be placed in a special service area pursuant to Ill. Rev. Stat. 1991, Ch. 120, par. 1300, the land should be dedicated to the Village and a petition initiated by the Village when the Final Plat is approved.