

**STAFF REPORT**  
**Decatur City Plan Commission**

**Hearing Date** January 2, 2020  
**Case No.** 19-45  
**Proposal** Amendments to Zoning Ordinance (Ordinance #3512, as amended) regarding development of land as an integral unit for single or mixed uses by creating new section(s) and/or revising existing provisions in the said Zoning Ordinance including but not be limited to Section XIX PD Planned Development District to encourage more efficient and coordinated use of land with flexible and innovative approaches to zoning regulations, site planning and design (creation of SPD Special Planned Development District zoning classification)  
**Petitioner** Raymond Lai, Director of Economic and Community Development

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**BACKGROUND**

At its last meeting on November 7, 2019, the Plan Commission by a vote of 8-0 recommended approval of amendments to the Zoning Ordinance for creation of a new zoning classification, Special Planned Development District (SPD), in conjunction with certain procedures and development parameters, as recommended by staff. The intent was to entice and accommodate quality, large scale, multi-phased, integrated campus-like developments such as the Community Care Campus and educational institutions, even with potential of subsequent amendments, without compromising public welfare and safety. The SPD would have to complement the goals and objectives of the City’s Comprehensive Plan. Further, the SPD may make use of flexible and creative site planning and land development approaches on larger and/or unique sites, to promote development of single or compatible mixed land uses, and allow development in phases to adjust to changing demands and needs of the community.

Subsequent to the November 7<sup>th</sup> meeting, staff received additional feedback from the development community seeking clarifications on certain recommended language of the proposed Zoning Ordinance amendments. On review, staff has made some minor revisions to the recommended text amendment, primarily for clarification purposes. The revisions relate to the purpose and some of the parameters for SPD including land owner/developer ownership agreement and parking requirements, development impact fees, and definition of substantial construction of the first development phase.

Although the suggested revisions are considered by staff as minor in nature, a new public hearing is warranted as the updated text is different from what the Plan Commission recommended at the last meeting on November 7<sup>th</sup>. For reference purposes, the staff report as recommended by the Plan Commission on November 7<sup>th</sup> is attached (refer to Attachment A).

## **DESCRIPTION / ANALYSIS**

In consideration of the feedback from the development community and on further review of the language as previously recommended by staff and the Plan Commission on November 7<sup>th</sup>, staff would suggest certain minor revisions to the recommended text amendments, primarily for clarification and clean-up purposes. These suggested revisions are related to the purpose and some of the parameters for SPD including land owner/developer ownership agreement and parking requirements, development impact fees, and a definition of substantial construction of the first development phase (refer to Attachment B). Also, the “purpose and intent” of the SPD District would be added to a list of such for all other zoning districts in one of the sections of the Zoning Ordinance. There are no material changes being proposed by staff to what the Plan Commission recommended on November 7<sup>th</sup>. Staff is of the opinion that these minor changes are reasonable and appropriate, while maintaining the integrity of the new SPD zoning classification originally recommended by the Plan Commission.

Again, similar to a typical rezoning or PD petition presently, a SPD petition is subject to a review and approval process involving staff and Plan Commission review and recommendations with a public hearing held at the Plan Commission level, and the City Council’s consideration and decision for final approval or not.

## **STAFF RECOMMENDATION**

Staff recommends approval of the Zoning Ordinance amendments for creation of the SPD Special Planned Development District with certain revisions as proposed (see Attachment B).

## **PLAN COMMISSION ACTION**

Section XXIX.G. of the Zoning Ordinance requires the Plan Commission to hold a public hearing and make recommendation to the City Council on amendments to the Zoning Ordinance. A motion to forward Case Number 19-45 to City Council with a recommendation of approval is suggested. The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Economic and Community Development Department, City of Decatur.

## **ATTACHMENTS**

- A. Recommended amendments by Plan Commission on November 7<sup>th</sup>, 2019
- B. Updated proposed amendments (to the amendments recommended on November 7<sup>th</sup>, 2019)

# ATTACHMENT A

## STAFF REPORT Decatur City Plan Commission

**Hearing Date** November 7, 2019  
**Case No.** 19-45  
**Proposal** Amendments to Zoning Ordinance (Ordinance #3512, as amended) regarding development of land as an integral unit for single or mixed uses by creating new section(s) and/or revising existing provisions in the said Zoning Ordinance including but not be limited to Section XIX PD Planned Development District to encourage more efficient and coordinated use of land with flexible and innovative approaches to zoning regulations, site planning and design (creation of SPD Special Planned Development District zoning classification)  
**Petitioner** Raymond Lai, Director of Economic and Community Development

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### BACKGROUND

From time to time, the City of Decatur has received and processed zoning applications for large scale, campus-like developments that were intended to be multi-phased for multiple buildings and other improvements as an integral unit, including single and/or mixed uses, e.g. the Community Care Campus, hospitals, educational institutions. While some of these developments, in its entirety or in parts, may be on a fast-track construction schedule, some may evolve and change from its original concept over time and many take more years than anticipated before full completion. This depends on many factors including, but not limited to, the general and local market and economic condition, nature of the development, land control and assembly, development trends, identification and commitment of prospective tenants/buyers, financing availability, etc. Some of these factors are beyond the control of the property owners/potential developers. A certain level of uncertainty and risk-taking would be required of the potential developers.

In order to encourage large scale, integrated campus-like developments in our city while minimizing the degree of uncertainty for potential property owners/developers with approved zoning designation and permitted uses, without compromising sound site-planning principles and techniques as well as the impact, quality, and integrity of these developments, a flexible and creative approach yet with certain development parameters is warranted. When such type of development on a site of substantial size is considered, it can be evaluated on a case-by-case basis and a site-specific ordinance would have to be considered and approved by the City Council that includes compatible single or mixed uses, and other variations from the traditional zoning districts required under the Zoning Ordinance. The processing of such development and subsequent revisions, if any, would be streamlined as an incentive, so long as the general development concept originally approved by the City Council is maintained. Thus, a new zoning

classification accompanied by appropriate procedures and parameters to accommodate quality, large scale, multi-phased, integrated campus-like developments is warranted.

## **DESCRIPTION / ANALYSIS**

While the current PD Planned Development District zoning in our Zoning Ordinance has no minimum acreage requirement and allows certain flexibility for the developers with site-specific development control by the City to ensure efficient site design and compatibility with internal and surrounding uses, the typical application and procedure, including those for subsequent amendments, have to be followed. In situations where changes are more than the prescribed extent, they would require a new public hearing process that may involve additional months of processing.

In staff's opinion, creation of a new zoning classification known as Special Planned District (SPD) with certain procedures and development parameters would be reasonable and appropriate to entice and accommodate quality, large scale, multi-phased, integrated campus-like developments, even with potential of subsequent amendments, without compromising public welfare and safety. Such SPD is intended to complement the goals and objectives of the Comprehensive Plan. The SPD may make use of flexible and creative site planning and land development on larger and/or unique sites, to promote development of single or compatible mixed land uses, and allow development in phases to adjust to changing demands and needs of the community.

Among the specific parameters recommended by staff (see details in the attachment), it is recommended that the SPD be developed on a compact, contiguous tract of land containing a minimum of ten (10) acres, as a single-lot or multiple-lot development; owned by a single owner or cooperative of partner owners. The developer must comply with applicable building codes, parking, site lighting, storm water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code. Revisions or amendments to the lay-out and configuration, parking, lighting, storm water runoff/retention, internal road construction and utility connections, placement, uses, intensity of uses, set-backs internal to the SPD site, and architectural features shall be submitted to the Director of Economic and Community Development, who may approve them if they conform to the original concept development plan and the site-specific SPD Ordinance without going through another public hearing process.

Similar to a typical rezoning or PD petition presently, a SPD petition is subject to a review and approval process involving staff and Plan Commission review and recommendations with a public hearing held at the Plan Commission level, and the City Council's consideration and decision for final approval or not.

## **STAFF RECOMMENDATION**

Staff recommends approval of the Zoning Ordinance amendments for creation of the SPD Special Planned Development District as proposed (see attachment).

**PLAN COMMISSION ACTION**

Section XXIX.G. of the Zoning Ordinance requires the Plan Commission to hold a public hearing and make recommendation to the City Council on amendments to the Zoning Ordinance. A motion to forward Case Number 19-45 to City Council with a recommendation of approval is suggested. The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Economic and Community Development Department, City of Decatur.

**ATTACHMENTS**

1. Petition
2. Proposed amendments

ATTACHMENT 1

	City of Decatur, Illinois / ZONING ORD. AMENDMENTS	
	<b>PETITION FOR REZONING</b>	
	<i>Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois</i>	
Economic and Urban Development Department One Gary K. Anderson Plaza Decatur, Illinois 62523-1196		424-2793 FAX 424-2728

**Please Type**

<b>SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION</b>					
Petitioner	RAYMOND LAL, DIRECTOR OF ECONOMIC AND COMMUNITY DEVELOPMENT				
Address	#1 Gary K. Anderson Plaza				
City	Decatur	State	IL	Zip	62523
Telephone	217-424-2727	Fax		E-mail	
Property Owner					
Address					
City		State		Zip	
Telephone		Fax		E-mail	
Representative					
Address					
City		State		Zip	
Telephone		Fax		E-mail	

<b>SECTION TWO: SITE INFORMATION</b>						
Street Address	N/A					
Legal Description	N/A					
Present Zoning	<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input type="checkbox"/> R-3	<input type="checkbox"/> R-5	<input type="checkbox"/> R-6	Is this property a Planned Unit Development? <input type="checkbox"/> YES      Approval Date: _____ <input type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Please list all improvements on the site:						
Size of Tract	<input type="checkbox"/> SF <input type="checkbox"/> AC					

<b>SECTION THREE: REQUESTED ACTION</b>						
Rezoning Property To:	<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	<input type="checkbox"/> R-3	<input type="checkbox"/> R-5	<input type="checkbox"/> R-6	Will this property be a Planned Unit Development? <input type="checkbox"/> YES <input type="checkbox"/> NO
	<input type="checkbox"/> B-1	<input type="checkbox"/> B-2	<input type="checkbox"/> B-3	<input type="checkbox"/> B-4	<input type="checkbox"/> O-1	
	<input type="checkbox"/> M-1	<input type="checkbox"/> M-2	<input type="checkbox"/> M-3	<input type="checkbox"/> PMR-1		
Other:	Amend Zoning Ordinance (Ord. #3512, As Amended)					

**Section Three Continued**

**Purpose** Please state the purpose of the proposed rezoning. Ordinance Amendments

To provide for the development of land as an integral unit for single or mixed uses by creating new section(s) and/or revising existing provisions in the said zoning Ord. including but not be limited to PD Planned Development District to encourage more efficient and coordinated use of land with flexible and innovative approaches to zoning regulations, site planning and design.

**SECTION FOUR: JUSTIFICATION**

The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):

The proposed amendments would allow developers or petitioners some flexibility and time-saving in having a site rezoned already for certain uses without knowing the specific tenants/uses yet, particularly for a somewhat larger and multi-phased integrated campus-like development.

**SECTION FIVE: CERTIFICATION**

To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.

<b>Petitioner's Signature</b>	<i>Raymond Dai</i>	<b>Date</b>	9/13/2019
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**NOTES:**

1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees.
2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council.
3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal.
4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.

OFFICE USE ONLY	
Date Filed	
By	

## SECTION XIX.

### 1. PD PLANNED DEVELOPMENT DISTRICT

(Insert existing text for PD Planned Development District)

### 2. SPD SPECIAL PLANNED DEVELOPMENT DISTRICT

#### A. GENERALLY

##### 1. Intent

- a. The intent of the Special Planned Development (SPD) District is to provide for multi-phased development of land for multiple buildings and other improvements as an integral unit, including single and/or mixed uses, in a campus-like development, and in compliance with an approved development concept plan and site-specific SPD ordinance. A site-specific SPD ordinance may include compatible mixed uses, and other variations from the traditional zoning districts required under the Zoning Ordinance.
- b. The SPD is intended to complement the goals and objectives of the Comprehensive Plan.
- c. The SPD may make use of flexible and creative site planning and land development on larger and/or unique sites, to promote development of single or compatible mixed land uses, and allow development in phases to adjust to changing demands and needs of the community. The SPD shall meet one or more of the following purposes:
  - 1) Provide for increased recreation and/or open space opportunities for public and/or private use;
  - 2) Provide amenities or features that would be of special benefit to the community;
  - 3) Protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
  - 4) Protect or preserve existing historical buildings, structures, features or places.
- d. The SPD shall balance the intensity of a single or mixed-use development with the surrounding uses.
- e. The SPD shall address and provide for adequate supporting public facilities and services.
- f. The SPD is particularly appropriate for land bearing unique or distinctive characteristics.
- g. The SPD may authorize a mix of land uses that are compatible internally and also with surrounding uses.
- h. The SPD shall not authorize use(s) of land, or a mix of land uses unless such use or mix of uses constitutes an integrated campus.

## ATTACHMENT 2

The City Council may approve the rezoning of a tract of land to SPD District if it determines that such rezoning is consistent with the requirements of this Section XIX.2, and that such rezoning would be in the best interest of the City and the surrounding neighborhood. Development within an SPD shall be permitted only in accordance with an overall development concept plan and a site-specific SPD ordinance meeting the requirements of this Section XIX.2.

### **B. DEVELOPMENT PARAMETERS**

Within parameters established by each site-specific SPD ordinance, the developer of a SPD may alter building size, building placement, land use, building use, use intensity, placement of accessory structures and public and private infrastructure without obtaining approvals from the city so long as any such alteration complies with all provisions of the development concept plan and the SPD ordinance. Parameters for SPDs shall include, but not necessarily be limited to:

1. The SPD shall be developed on a compact, contiguous tract of land, containing a minimum of ten (10) acres, as a single-lot or multiple-lot development; owned by a single owner or cooperative of partner owners each owning separate tracts controlled and maintained under a common contract with shared responsibilities and payments for common areas that in the aggregate constitute a campus. Land uses in the SPD shall be restricted to those included in the site-specific SPD ordinance. Placement, spacing, and alignment of permitted uses included in the SPD Ordinance may be subsequently revised and amended upon approval by the Director of Economic and Community Development (or his/her designee) provided such revisions or amendments are submitted in writing, are consistent with the development concept plan and the SPD Ordinance and further provided that every such revision or amendment shall comply with all building codes, parking, site lighting, storm water runoff/retention, internal road construction standards, and utility connection requirements as set forth in Decatur City Code.
2. The developer must comply with applicable building codes, parking, site lighting, storm water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code. Revisions or amendments to the lay-out and configuration, parking, lighting, storm water runoff/retention, internal road construction and utility connections, placement, uses, intensity of uses, set-backs internal to the SPD site, and architectural features shall be submitted to the Director of Economic and Community Development, who may approve them if they conform to the concept development plan and the SPD Ordinance.
3. The SPD Ordinance shall specify parking/building setbacks, access, infrastructure, screening materials, and buffers between the SPD zoned area and surrounding uses, and shall specify the design of vehicular and pedestrian egress and ingress to the SPD site, as well as signage at the entries into the SPD zoned area from any public street and roadway.
4. Except as otherwise noted above in this section, the following parameters shall also apply:
  - a. Permitted and Conditional Uses

## ATTACHMENT 2

Buildings or premises may be used for any of the uses listed as permitted uses or conditional uses in the R-1, R-2, R-3, R-5, R-6, O-1, B-1, B-2, B-4, M-1, M-2 and M-3 districts, subject to any limitations approved by the Council in the site-specific ordinance governing each SPD, and provided the design of the SPD adequately addresses compatibility of such uses with other uses in the SPD, and surrounding uses.

b. Height and Area Regulations

Building height and area restrictions, including front, rear, and side yard setbacks, shall be as established in the SPD ordinance.

c. Parking and Loading Requirements

Parking and loading requirements for each SPD shall be consistent with the requirements in Section XXIV; however, more or less restrictive parking and loading standards may be defined in the SPD ordinance.

d. Signage

Signage in each SPD shall be consistent with the terms of the SPD ordinance.

### **C. PROCEDURE; CONTENTS OF APPLICATION**

1. The owner or owners of a tract of land or its owner(s) under purchase contract may submit to the City Council a petition for rezoning to SPD which shall be accompanied by a development concept plan for the proposed use(s) and development. Such petition and development concept plan shall meet the requirements set forth in this section.
2. The development concept plan shall be accompanied by evidence demonstrating the compatibility of the project with, and its effects on, surrounding property. The development concept plan shall include the following:
  - a) Existing and proposed contours at intervals of not more than ten (10) feet; and
  - b) General location and size of all buildings and structures; and
  - c) Location of all existing and proposed vehicular access points; and
  - d) Location of adjacent streets and alleys; and
  - e) Approximate alignments of internal roads and streets; and
  - f) Location and size of sidewalks and walkways, sanitary and storm sewers, water distribution infrastructure, and other utility placements; and
  - g) Designation of areas subject to flooding; and
  - h) Landscaping including landscaped traffic islands and screening materials including fences and walls; and
  - i) Lighting, including drawings indicating type of fixtures used and light output within and adjacent to the property, in accordance with Section XXVIII; and
  - j) Signage, including type, height, dimensions, and locations of all proposed signs; and
  - k) Location of dumpster(s) and compactors, if proposed; and

## ATTACHMENT 2

- l) Proposed phasing of the development, if applicable; and
- m) Such additional information as the Director of Economic and Community Development shall require, to meet the intent and requirements of this Section.
- n) A traffic impact report by engineers with recognized expertise, showing the following:
  - 1. The effect of the proposed development on the nearby and adjacent street system
  - 2. Estimated traffic volume generated by the proposed development, during peak and off-peak hours
  - 3. A traffic impact study projecting the impact of the proposed project on the City's transportation network
  - 4. Recommended mitigating improvements, if any
  - 5. That approval has been sought from the Illinois Department of Transportation for development affecting roadways which fall within the jurisdiction of that agency.

This requirement may be waived by the Public Works Director if the anticipated impact is minimal.

- 3. The SPD ordinance shall require the petitioner to be responsible for the payment of impact fees sufficient to cover the actual cost of public infrastructure improvements necessitated by development in the SPD, including but not limited to additional water/sewer capacity, public roadways, sidewalks, traffic control, storm drainage and detention facilities, and noise abatement if warranted, and shall require payment of reasonable impact fees prior to issuance of building permits. Alternatively, a bond guaranteeing payment of reasonably anticipated itemized impact fees may be provided. If changes in the SPD alter infrastructure requirements, the City may require additional pre-payment of impact fees or posting of additional bond.

### **D. REVIEW AND APPROVAL**

- 1. Technical Review Committee
  - a. The Technical Review Committee (TRC) shall review the petition and proposed development concept plan and may recommend conditions for approval. The applicant and his/her design professionals may participate in this review. Based upon the information provided by the applicant, and other information which may come to their attention, the TRC may recommend approval, conditional approval, or denial of the proposed plan to the Director of Economic and Community Development or his/her designee. If the Director of Economic and Community Development (or his/her designee) determines that more information is needed, he/she shall so advise the applicant.
  - b. Upon approval of the proposed development concept plan by the TRC, with or without conditions for approval, the Director of the Department of Economic and Community Development (or his/her designee) shall prepare a SPD Ordinance which may include conditions for approval, if warranted, and shall set forth the requirements and conditions of the SPD. The development concept plan, and proposed SPD Ordinance shall be reviewed by the Plan Commission, which shall make a recommendation to the

## ATTACHMENT 2

City Council regarding the proposed SPD Ordinance. The applicant may review and suggest revisions to the conditions for approval and/or the proposed SPD Ordinance. If the proposed SPD Ordinance is acceptable to the applicant, it shall be submitted to the Plan Commission for review and recommendation. If the proposed SPD Ordinance is not acceptable to the applicant, the applicant may authorize submission of the proposed SPD Ordinance for review and consideration by the Plan Commission, with the applicant's proposed revisions.

### 2. Plan Commission Review

The petition, development concept plan, proposed SPD Ordinance, and the applicant's proposed revisions to the Ordinance, if any, shall be considered by the Plan Commission at a public hearing. The Plan Commission shall make findings concerning the consistency of the application with the Comprehensive Plan and this Section; and, based upon these findings, shall recommend to the City Council that the proposed SPD Ordinance be approved, approved with conditions, or disapproved.

### 3. The Plan Commission shall consider the following factors:

Compatibility of the development concept plan with the character of the surrounding neighborhood and general area; and

- a) Effect of the SPD on surrounding properties; and
- b) Integration: Whether the proposed development is in accordance with an integrated overall design plan, and can be developed within that plan; and
- c) Consistency with the current comprehensive plan; and
- d) Traffic capacity: That the existing and proposed streets are adequate to carry anticipated traffic within the proposed SPD and in the general vicinity thereof; and
- e) Adequacy of utilities: That existing and proposed utility services are adequate for the proposed development. All entrances and exits from/to the SPD must connect to dedicated city streets already in existence or constructed by the SPD developer. Water, storm sewer, sanitary sewer, electric power and natural gas lines must fully supply anticipated needs; and
- f) Adequacy of roadways and parking facilities: Roads, driveways, parking and loading areas shall be constructed in accordance with plans and specifications approved by the City.

### 4. Council Action

The Decatur City Council shall review the recommendations of the Plan Commission, along with petition, the development concept plan, the proposed SPD Ordinance, and applicant's proposed revisions if any, and will approve or disapprove the rezoning and SPD District petition based on the foregoing factors.

## E. CONSTRUCTION

All construction shall be in conformity with the SPD Ordinance approved by the City Council and shall comply with all applicable building codes, parking, site lighting, storm

## ATTACHMENT 2

water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code.

### **F. DELAY IN CONSTRUCTION**

1. If substantial construction of a development approved in an SPD Ordinance is not commenced within two (2) years of the date of approval of the SPD Ordinance by the City Council, the SPD shall expire and no longer be in force or effect.
2. For property zoned SPD upon petition initiated by the City, the SPD zoning classification shall remain unless and until a petition to rezone the property or a portion thereof is approved by the City Council.

### **G. AMENDMENTS TO APPROVED SPDs**

Proposed changes to the SPD that do not conform to the development concept plan and SPD District ordinance may only be approved via amendment to the SPD District, subject to the same procedures as required for initial approval.

Amendments to the SPD Ordinance shall be authorized in the same manner as set forth in Sections C and D herein.

**ATTACHMENT B**

**SECTION III. DISTRICTS AND BOUNDARIES THEREOF**

**A. DISTRICTS; PURPOSE AND INTENT**

(Add) SPD **Special Planned Development District:** The purpose of this district is to allow quality, large scale, multi-phased, integrated campus-like developments for single or mixed uses without compromising public welfare and safety by encouraging more efficient and coordinated use of land with flexible and innovative approaches to zoning regulations, site planning and design. Development in the SPD District will be subject to intensive review and will be subject to the terms of a development order approved by the City Council.

**SECTION XIX.**

**1. PD PLANNED DEVELOPMENT DISTRICT**

(Insert existing text for PD Planned Development District)

**2. SPD SPECIAL PLANNED DEVELOPMENT DISTRICT**

**A. GENERALLY**

1. Intent

- a. The intent of the Special Planned Development (SPD) District is to provide for multi-phased development of land for multiple buildings and other improvements as an integral unit, including single and/or mixed uses, in a campus-like development, and in compliance with an approved development concept plan and site-specific SPD ordinance. A site-specific SPD ordinance may include compatible mixed uses, and other variations from the traditional zoning districts required under the Zoning Ordinance.
- b. The SPD is intended to complement the goals and objectives of the Comprehensive Plan.
- c. The SPD may make use of flexible and creative site planning and land development on larger and/or unique sites, to promote development of single or compatible mixed land uses, and allow development in phases to adjust to changing demands and needs of the community. The SPD shall meet one or more of the following purposes:
  - 1) Provide for increased recreation and/or open space opportunities for public and/or private use;
  - 2) Provide amenities or features that would be of special benefit to the community;
  - 3) Protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes or hills and view corridors;
  - 4) Protect or preserve existing historical buildings, structures, features or places.

## ATTACHMENT B

5) Protect and preserve unified planning for an ensemble or collection of similar or connected land uses developed in close proximity over a period of several years.

- d. The SPD shall balance the intensity of a single or mixed-use development with the surrounding uses.
- e. The SPD shall address and provide for adequate supporting public facilities and services.
- f. The SPD is particularly appropriate for land bearing unique or distinctive characteristics.
- g. The SPD may authorize a mix of land uses that are compatible internally and also with surrounding uses.
- h. The SPD shall not authorize use(s) of land, or a mix of land uses unless such use or mix of uses constitutes an integrated campus.

The City Council may approve the rezoning of a tract of land to SPD District if it determines that such rezoning is consistent with the requirements of this Section XIX.2, and that such rezoning would be in the best interest of the City and the surrounding neighborhood. Development within an SPD shall be permitted only in accordance with an overall development concept plan and a site-specific SPD ordinance meeting the requirements of this Section XIX.2.

### **B. DEVELOPMENT PARAMETERS**

Within parameters established by each site-specific SPD ordinance, the developer of a SPD may alter building size, building placement, land use, building use, use intensity, placement of accessory structures and public and private infrastructure without obtaining approvals from the city so long as any such alteration complies with all provisions of the development concept plan and the SPD ordinance. Parameters for SPDs shall include, but not necessarily be limited to:

1. The SPD shall be developed on a compact, contiguous tract of land, containing a minimum of ten (10) acres, as a single-lot or multiple-lot development; owned by a single owner or cooperative of partner owners each owning separate tracts controlled and maintained under a common contract with shared responsibilities and payments for common areas that in the aggregate constitute a campus. If the campus is not owned by a single landowner, the developer shall submit a Common Area Maintenance (CAM) agreement and associated contract Land uses in the SPD shall be restricted to those included in the site-specific SPD ordinance. Placement, spacing, and alignment of permitted uses included in the SPD Ordinance may be subsequently revised and amended upon approval by the Director of ~~Economic and~~ Community Development (or his/her designee) provided such revisions or amendments are submitted in writing, are consistent with the development concept plan and the SPD Ordinance and further provided that every such revision or amendment shall comply with all building codes, parking, site lighting, storm water runoff/retention, internal road construction standards, and utility connection requirements as set forth in Decatur City Code.

## ATTACHMENT B

2. The developer must comply with applicable building codes, parking, site lighting, storm water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code. Revisions or amendments to the lay-out and configuration, parking, lighting, storm water runoff/retention, internal road construction and utility connections, placement, uses, intensity of uses, set-backs internal to the SPD site, and architectural features shall be submitted to the Director of ~~Economic and~~ Community Development, who may approve them if they conform to the concept development plan and the SPD Ordinance.
3. The SPD Ordinance shall specify parking/building setbacks, access, infrastructure, screening materials, and buffers between the SPD zoned area and surrounding uses, and shall specify the design of vehicular and pedestrian egress and ingress to the SPD site, as well as signage at the entries into the SPD zoned area from any public street ~~and~~ or public roadway.
4. Except as otherwise noted above in this section, the following parameters shall also apply:

- a. Permitted and Conditional Uses

Buildings or premises may be used for any of the uses listed as permitted uses or conditional uses in the R-1, R-2, R-3, R-5, R-6, O-1, B-1, B-2, B-4, M-1, M-2 and M-3 districts, subject to any limitations approved by the Council in the site-specific ordinance governing each SPD, and provided the design of the SPD adequately addresses compatibility of such uses with other uses in the SPD, and surrounding uses.

- b. Height and Area Regulations

Building height and area restrictions, including front, rear, and side yard setbacks, shall be as established in the SPD ordinance.

- c. Parking and Loading Requirements

~~Parking~~ Generally, parking and loading requirements for each SPD shall be consistent with the requirements in Section XXIV; however, more or less restrictive parking and loading standards may be defined in the SPD ordinance if the SPD uses justify such a variance.

- d. Signage

Signage in each SPD shall be consistent with the terms of the SPD ordinance.

## C. PROCEDURE; CONTENTS OF APPLICATION

1. The owner or owners of a tract of land or its owner(s) under purchase contract may submit to the City Council a petition for rezoning to SPD which shall be accompanied by a development concept plan for the proposed use(s) and development. Such petition and development concept plan shall meet the requirements set forth in this section.
2. The development concept plan shall be accompanied by evidence demonstrating the compatibility of the project with, and its effects on, surrounding property. The development concept plan shall include the following:

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- a) Existing and proposed contours at intervals of not more than ten (10) feet; and
- b) General location and size of all buildings and structures; and
- c) Location of all existing and proposed vehicular access points; and
- d) Location of adjacent streets and alleys; and
- e) Approximate alignments of internal roads and streets; and
- f) Location and size of sidewalks and walkways, sanitary and storm sewers, water distribution infrastructure, and other utility placements; and
- g) Designation of areas subject to flooding; and
- h) Landscaping including landscaped traffic islands and screening materials including fences and walls; and
- i) Lighting, including drawings indicating type of fixtures used and light output within and adjacent to the property, in accordance with Section XXVIII; and
- j) Signage, including type, height, dimensions, and locations of all proposed signs; and
- k) Location of dumpster(s) and compactors, if proposed; and
- l) Proposed phasing of the development, if applicable; and
- m) Such additional information as the Director of ~~Economic and~~ Community Development shall require, to meet the intent and requirements of this Section.
- n) A traffic impact report by engineers with recognized expertise, showing the following:
  1. The effect of the proposed development on the nearby and adjacent street system
  2. Estimated traffic volume generated by the proposed development, during peak and off-peak hours
  3. A traffic impact study projecting the impact of the proposed project on the City's transportation network
  4. Recommended mitigating improvements, if any
  5. That approval has been sought from the Illinois Department of Transportation for development affecting roadways which fall within the jurisdiction of that agency.

This requirement may be waived by the Public Works Director if the anticipated impact is minimal.

3. ~~The SPD ordinance shall require the petitioner to be~~ An SPD petitioner/owner responsible shall be responsible for the payment of impact fees sufficient to cover the actual cost of public infrastructure improvements outside the SPD development that are created or caused directly by development projects and necessitated by development in the SPD, including but not limited to additional water/sewer capacity, public roadways, sidewalks, traffic control, storm drainage and detention facilities, and noise abatement if warranted, and shall require payment of reasonable impact fees prior to issuance of building permits. Alternatively, a bond guaranteeing payment of reasonably anticipated itemized impact fees may be provided. If changes in the SPD alter infrastructure requirements, the City may require additional pre-payment of impact fees or posting of additional bond. No impact

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[fees will be required if it is found there is no impact and/or that impact has been managed within the SPD development site.](#)

### D. REVIEW AND APPROVAL

#### 1. Technical Review Committee

- a. The Technical Review Committee (TRC) shall review the petition and proposed development concept plan and may recommend conditions for approval. The applicant and his/her design professionals may participate in this review. Based upon the information provided by the applicant, and other information which may come to their attention, the TRC may recommend approval, conditional approval, or denial of the proposed plan to the Director of ~~Economic and~~ Community Development or his/her designee. If the Director of ~~Economic and~~ Community Development (or his/her designee) determines that more information is needed, he/she shall so advise the applicant.
- b. Upon approval of the proposed development concept plan by the TRC, with or without conditions for approval, the Director of the Department of ~~Economic and~~ Community Development (or his/her designee) shall prepare a SPD Ordinance which may include conditions for approval, if warranted, and shall set forth the requirements and conditions of the SPD. The development concept plan, and proposed SPD Ordinance shall be reviewed by the Plan Commission, which shall make a recommendation to the City Council regarding the proposed SPD Ordinance. The applicant may review and suggest revisions to the conditions for approval and/or the proposed SPD Ordinance. If the proposed SPD Ordinance is acceptable to the applicant, it shall be submitted to the Plan Commission for review and recommendation. If the proposed SPD Ordinance is not acceptable to the applicant, the applicant may authorize submission of the proposed SPD Ordinance for review and consideration by the Plan Commission, with the applicant's proposed revisions.

#### 2. Plan Commission Review

The petition, development concept plan, proposed SPD Ordinance, and the applicant's proposed revisions to the Ordinance, if any, shall be considered by the Plan Commission at a public hearing. The Plan Commission shall make findings concerning the consistency of the application with the Comprehensive Plan and this Section; and, based upon these findings, shall recommend to the City Council that the proposed SPD Ordinance be approved, approved with conditions, or disapproved.

#### 3. The Plan Commission shall consider the following factors:

Compatibility of the development concept plan with the character of the surrounding neighborhood and general area; and

- a) Effect of the SPD on surrounding properties; and
- b) Integration: Whether the proposed development is in accordance with an integrated overall design plan, and can be developed within that plan; and
- c) Consistency with the current comprehensive plan; and

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- d) Traffic capacity: That the existing and proposed streets are adequate to carry anticipated traffic within the proposed SPD and in the general vicinity thereof; and
- e) Adequacy of utilities: That existing and proposed utility services are adequate for the proposed development. All entrances and exits from/to the SPD must connect to dedicated public streets or public roadways ~~city streets~~ already in existence or constructed by the SPD developer. Water, storm sewer, sanitary sewer, electric power and natural gas lines must fully supply anticipated needs; and
- f) Adequacy of roadways and parking facilities: Roads, driveways, parking and loading areas shall be constructed in accordance with plans and specifications approved by the City.

### 4. Council Action

The Decatur City Council shall review the recommendations of the Plan Commission, along with petition, the development concept plan, the proposed SPD Ordinance, and applicant's proposed revisions if any, and will approve or disapprove the rezoning and SPD District petition based on the foregoing factors.

## E. CONSTRUCTION

All construction shall be in conformity with the SPD Ordinance approved by the City Council and shall comply with all applicable building codes, parking, site lighting, storm water runoff/retention, internal and city road construction standards, and utility connection requirements as set forth in Decatur City Code.

## F. DELAY IN CONSTRUCTION

1. If the first phase of an approved SPD project is not substantially started within three (3) years from ~~substantial construction of a development approved in an SPD Ordinance is not commenced within two (2) years of~~ the date of approval of the SPD Ordinance by the City Council, the SPD shall expire and no longer be in force or effect. “Substantially started” shall mean all access roads, utilities, footings, foundations and lowest floors constructed for projects identified as first phase.
2. For property zoned SPD upon petition initiated by the City, the SPD zoning classification shall remain unless and until a petition to rezone the property or a portion thereof is approved by the City Council.

## G. AMENDMENTS TO APPROVED SPDs

Proposed changes to the SPD that do not conform to the development concept plan and SPD District ordinance may only be approved via amendment to the SPD District, subject to the same procedures as required for initial approval.

Amendments to the SPD Ordinance shall be authorized in the same manner as set forth in Sections C and D herein.