

CITY OF EVANSTON
DEPARTMENT OF COMMUNITY DEVELOPMENT, BUILDING AND ZONING DIVISION
DOWNTOWN DISTRICT PLANNED DEVELOPMENT INFORMATION SHEET

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THE CITY'S WEBSITE AT [HTTP://WWW.CITYOFEVANSTON.ORG](http://WWW.CITYOFEVANSTON.ORG). PROVIDES ACCESS TO THE ENTIRE CITY CODE, INCLUDING THE ZONING ORDINANCE.

This handout describes the **planned development** procedure within the **D1, Downtown Fringe; D2, Downtown Retail Core; D3, Downtown Development; and D4, Downtown Transition Zoning Districts**.

The Zoning Ordinance establishes rules and procedures allowing **planned developments** in each of the 34 different zoning districts into which the Zoning Ordinance divides the City. A planned development is a particular type of special use designed to maximize efficiencies and to encourage innovation. The Zoning Ordinance contains general regulations for planned developments in section 6-3-6. Additionally, the Zoning Ordinance attaches specific regulations and development allowances for planned developments to each zoning district. The Zoning Ordinance's regulations regarding planned developments in the downtown districts are in section 6-11-1-10.

Planned developments require an extraordinary, site specific review by the Site Plan and Appearance Review Committee, the Plan Commission, and the City Council. The Plan Commission holds a public hearing based upon which it makes a recommendation to the City Council. The Council then may consider adoption of an ordinance granting the planned development. The developer must record the planned development ordinance and plan. For detailed information, please refer to the Zoning Ordinance, Chapter 3, Section 6-3-6, "Implementation and Administration - Planned Developments," and Appendix D, Section D.4, "Planned Development Application Submission Requirements."

Prior to filing for a planned development, the developer must have applied for zoning certification, through a zoning analysis application. The City would have denied the application for zoning certification and issued a form listing the proposed development's zoning problems. In this way, the land user learns of all the potential zoning defects in a development plan. The Zoning Ordinance also requires a pre-application conference with the developer, the Site Plan and Appearance Review Committee, the alderpersons in whose wards the proposed development lies, and the Plan Commission chair.

ANY DEVELOPMENT within a D Downtown District that exceeds the thresholds below can only receive zoning certification if the developer has obtained a planned development permit for the specific project. See §6-11-1-10(D).

1. The zoning lot upon which the development is proposed is larger than 30,000 square feet.
2. The development entails more than 24 new residential units.
3. The development contains more than 24 units devoted to any residential, commercial, business, retail or office use in any combination.
4. The development entails the new construction of more than 20,000 square feet of gross floor area at or above grade devoted to or intended for any commercial, business, retail or office purpose. For purposes of this calculation all floor areas at or above grade count without exclusions for parking, loading, other accessory functions, etc.

Planned Development (§6-3-6)

1) **General:**

- a) A planned development is granted only by ordinance adopted by the City Council following a public hearing before the Plan Commission.
- b) The City Council cannot authorize by planned development a use not listed as permitted or special within the zoning district in which the proposed planned development lies (§6-3-6-2).
- c) The Zoning Ordinance prohibits the approval of a variation in combination with a planned development (§6-3-5-9(B)). The City only may grant exceptions to the requirements of the Zoning Ordinance within the context of the planned development approval.
- d) The Zoning Ordinance contains a nonexclusive list of "public benefits" which "are intended to be derived from the approval of planned developments" (§6-3-6-3).

- e) The parcel, which is subject to the planned development, must be under unitary control (§6-3-6-6).
 - f) The City may grant certain "site development allowances" which vary various standards, including lot area and width, height, yards, and parking and loading requirements for a planned development (§6-3-6-5). These are subject to the Ordinance's stated site development allowances for each zoning district. For the Downtown Districts these allowances are located at §6-11-1-10(C).
 - g) The City Council may modify the established site development allowances for a zoning district by a 2/3rds vote, if such a modification is essential to achieve a public benefit (§6-3-6-6).
 - h) Within one year of obtaining a special use permit, the recipient must either obtain a building permit and commence construction, or obtain a certificate of occupancy and commence the use. The City Council may extend this one-year limitation upon request.
 - i) A developer shall complete the planned development within 2 years of the issuance of the special use (planned development) permit, unless a longer period is noted as part of the planned development (6-11-1-10(A)4).
- 2) **The Plan Commission:**
- a) has 9 citizen full members chosen by the Mayor and confirmed by the City Council;
 - b) generally meets the second Wednesday of every month;
 - c) after proper public notice, hears applications for planned developments, and amendments to the map or text of the Zoning Ordinance;
 - d) the Plan Commission makes a recommendation to the City Council to grant or not grant the request, and the Council considers adopting an ordinance granting the planned development or amendment;
 - e) the Plan Commission requires 5 votes to make a recommendation (Plan Commission Administrative Rules and Procedures, XII(B)); and
 - f) the City Council can approve a planned development by simple majority (§6-3-5-8) though approval of a planned development that exceeds the site development allowances requires a 2/3rds majority of the alderpersons (6 votes).
- 3) **Application Requirements:** See sheet entitled **Required Submittals**.
- 4) **Standards** (§6-3-5-10): For the Plan Commission to recommend that the City Council grant a planned development, they must find that the proposed planned development meets the standards for a special use. The development must:
- a) comply with the site controls and standards for planned developments for the zoning district in which the property lies;
 - b) comply with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance;
 - c) not cause a negative cumulative effect in combination with existing special uses;
 - d) not interfere with or diminish the value of property in the neighborhood;
 - e) be adequately served by public facilities and services;
 - f) not cause undue traffic congestion;
 - g) preserve significant historical and architectural resources;
 - h) preserve significant natural and environmental resources; and
 - i) comply with all other applicable regulations.
- 5) **General Conditions of Planned Developments within Downtown Districts** (§6-11-1-10 (A)):
- a) The planned development must be compatible with surrounding development.
 - b) The height, bulk or scale of the planned development only may exercise influences in conformance with the purposes and intents of the Zoning Ordinance as set forth in §6-1-2, "Purpose and Intent."
 - c) The planned development must enhance the identity and character of the downtown, by preserving where possible character-giving buildings, enhancing existing streetscape amenities, maintaining retail continuity in areas where it is prominent, strengthening pedestrian orientation and scale, and contributing to the mixed use vitality of the area.
 - d) The planned development and all landscaping must be compatible with and implement the Comprehensive General Plan, the Plan for Downtown Evanston, any adopted land use or urban design plan, this Zoning Ordinance, and any other pertinent city planning and development policies, particularly in terms of:
 - i) Land use;
 - ii) Land use intensity;
 - iii) Housing; Preservation;
 - iv) Environmental; Urban design;
 - v) Traffic impact and parking; Impact on schools, public services and facilities;

- vi) Essential character of the downtown district, the surrounding residential neighborhood, and abutting residential lots;
 - vii) Neighborhood planning; and
 - viii) Conservation of the taxable value of land and buildings throughout the City, and retention of taxable land on tax rolls.
- 6) **Site Controls and Standards for Planned Developments within Downtown Districts** (§6-11-1-10 (B))
- a) Walkways shall be logical, safe, and convenient; the site plan shall segregate pedestrian and motor vehicle ways.
 - b) Parking, loading and service areas shall avoid adverse effects upon residential uses within and without the development. Where possible the planned development is encouraged to provide more parking than required to serve synergistic downtown parking needs.
 - c) Vehicular access shall provide minimum hazards to other traffic. Local streets within a planned development shall not connect to streets outside the development so as to encourage through traffic.
 - d) The development shall provide for underground installation of utilities, if possible.
 - e) The development shall incorporate acceptably designed facilities for storm water and treatment of turf and maintenance of facilities.
 - f) The applicant shall provide a market feasibility study for a Downtown planned development indicating:
 - i) consumer market areas for uses in development;
 - ii) the population potential of the areas served by the development; and
 - iii) other information regarding the need for the proposed uses.
 - g) The applicant shall provide a traffic circulation impact study including ameliorating road and traffic control improvements
- 7) **Development Allowances for Downtown Planned Developments** (§6-11-1-10(C))
- a) Height increases:
 - i) D1: +24 feet (maximum height = 66 feet),
 - ii) D2: +43 feet (maximum height = 85 feet),
 - iii) D3: +85 feet (maximum height = 170 feet), with increase up to maximum building height of 220 feet on provided:
 - (1) lot width exceeds 95 feet;
 - (2) heights in excess of 42 feet are no closer than 30 from any street lot line, and no closer than 25 feet from any interior side lot line; and
 - (3) no closer than 50 feet from any other tower on the lot, and
 - iv) D4: +40 feet (maximum height = 125 feet non-residential; 145 feet residential).
 - v) Except in D4, floors whose area is devoted to no less than 75% parking up to the lesser of 4 floors or 40 feet are excluded from building height.
 - b) Floor area ratio increases:
 - i) D2: +1.25 (maximum FAR = 4.0);
 - ii) D3: + 3.5 (maximum FAR = 8.0);
 - iii) D4 nonresidential: + .5 (maximum FAR = 5.0)
 - iv) D4 with residential: +.6 (maximum FAR = 6.0).
- 8) **Time Frame:** The approximate time from when the Zoning Division receives an accurately completed application for a planned development to when the applicant can reasonably expect a decision on that application is 4 months. A positive decision on an application for a planned development does not eliminate any requirement for other City approvals such as building permits, business licenses, certificates of occupancy, etc.
- 9) **Fee** (Ordinance 82-O-97): The City charges the following fees for processing a planned development application. These fees are not building permit or licenses fees and are not refundable regardless of the outcome.
- a) \$2400 for processing a planned development application;
 - b) \$165, for processing a subdivision or consolidation plat (if necessary);
 - c) \$100 deposit for copy of recorded subdivision or consolidation plat (if necessary);
 - d) applicant is responsible for transcript costs at a rate of \$6/page;
 - e) an additional fee of \$1.50/page is charged for production of a transcript in less than the normal number of days;
 - f) the City requires a \$150 transcript deposit for all applications except those involving 1 and 2 family homes; and

- g) the City will issue a refund if the deposit exceeds the actual transcript fee.
- 10) **Standing** (§6-3-5-4): The applicant must own, lease, or have legal or equitable interest in the subject property. The Zoning Division requires the applicant to demonstrate his or her connection to the ownership interest in the property. Documentation can be in the form of a title insurance policy or a deed, and a lease or contract to lease or purchase.
- 11) **Required Documents:**
- a) Interested parties may obtain applications in the office of the Zoning Division, Civic Center, Room 3700. Completed applications must be returned here. Please, refer to the list of **Required Submittals** (a separate sheet) for specific necessary items. On a case by case basis, the Zoning Division may require documentation and information in addition to the items on that list.
 - b) The Zoning Division will review an applicant's initial submittal. If it is accurate and as complete as necessary, the Division will return it with a letter telling the applicant how many copies of various items the applicant needs to provide. A complete application includes all required documents and information, and the requested copies.
- 12) **Notice** (§6-3-6-8):
- a) The City, through its Geographic Information System, can supply the names and addresses of the owners of property within Evanston and a 1000 foot radius from any point on the subject property. The applicant is responsible for the accuracy of the list provided to the City.
 - b) The City mails notice of the hearing to the neighboring property owners within the 1000-foot radius.
 - c) The City publishes a notice of the hearing in a locally circulating newspaper, generally the Evanston Review, no less than 15 nor more than 30 days prior to hearing;
 - d) The City posts a notice of the hearing on the subject property no less than 10 working days prior to the hearing.
- 13) **Decision process** (§6-3-6-7).
- a) Pre-application conference: The developer shall meet with the Zoning Administrator, the Plan Commission chair, the alderpersons of the wards in which the proposed planned development lies, a representative of the Preservation Commission, where applicable, and the Site Plan and Appearance Review Committee. See **Required Submittals** for the materials the Ordinance requires the developer to provide for the pre-application conference.
 - b) The Plan Commission holds a public hearing and makes a recommendation based on findings of fact to the City Council. A court reporter produces a transcript of the hearing, which is sent to the City Council with the Plan Commission's recommendation.
 - c) The Planning and Development Committee of the City Council considers the Plan Commission's recommendation and forwards it to the full Council with or without a recommendation.
 - d) The City Council considers the Plan Commission's recommendation and may introduce an ordinance granting the planned development.
 - e) The City Council may adopt an ordinance granting the planned development at the following or any subsequent City Council meeting.
 - f) The developer shall record the ordinance granting the planned development and the development plan with the Cook County Recorder.

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DOWNTOWN DISTRICT PLANNED DEVELOPMENT **REQUIRED SUBMITTALS**

This handout describes the documents and materials the City requires an applicant to submit for a **planned development** within the **D1, Downtown Fringe; D2, Downtown Retail Core; D3, Downtown Development; and D4, Downtown Transition Zoning Districts**. These required submittals comprise the planned development application.

- 1) Pre-application conference materials (§6-3-6-7(A)):
 - a) conceptual site plan, showing parking and bicycle facilities where appropriate;
 - b) plat of survey showing location of utilities;
 - c) elevations;
 - d) photographs of the subject and surrounding properties;
 - e) narrative summary of proposal;
 - f) description of adjacent land uses and neighborhood characteristics; and
 - g) description of critical historical structures, details or characteristics.

- 2) Statement addressing how the planned development's approval will further public benefits including those of §6-3-6-3. The planned development shall:
 - a) preserve and enhance desirable site characteristics and open space;
 - b) maintain a pattern of development which preserves natural vegetation, topography and geologic features;
 - c) preserve and enhance historic and natural resources that significantly contribute to the City's character;
 - d) create a pleasing environment or other special development features through design, landscape, or architectural features;
 - e) provide a variety of housing types in accordance with the City's housing goals;
 - f) eliminate blighted structures or incompatible uses;
 - g) enhance the local economy and strengthens the tax base;
 - h) efficiently use land resulting in more economic networks of utilities, streets, schools, public grounds, and other facilities; and
 - i) incorporate generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification.

- 3) Development plan showing (D.4-1):
 - a) location, dimensions and total area of site;
 - b) location, dimensions, floor area, construction type and use of each structure;
 - c) number, type and size of dwelling units, and the overall dwelling unit density;
 - d) parking spaces and loading docks, with means of ingress and egress;
 - e) traffic circulation pattern including public improvements, streets and access easements;
 - f) dedications and easements;
 - g) drainage plan;
 - h) locations, dimensions and uses of adjacent properties, rights of way and easements, and utilities serving the site;
 - i) significant topographical or physical features, including trees; soil or subsurface conditions; and
 - j) historical structures or features.

- 4) Landscape plan, including (D.4-2):
 - a) landscaping location and treatment, plant material types, size and quantity, open spaces, and exterior surfaces of all structures;
 - b) location, type and size of trees to be removed, and protection plan for existing trees; and
 - c) location, type, height and material of all fences and walls.
- 5) Plat of survey, fully dimensioned and indicating areas of parcels and lots.
- 6) Preliminary plat of subdivision, if necessary.
- 7) General and Technical Information form.
- 8) Certificate of Disclosure of Ownership Interest form.
- 9) Zoning analysis.
- 10) Provisions for maintaining open space.
- 11) Any restrictive covenants.
- 12) Schedule of development.
- 13) Economic feasibility statement.
- 14) Traffic circulation impact study.
- 15) Statement showing relationship of proposed development to the Comprehensive General Plan and other City land use plans.
- 16) Statement of compatibility of proposed development within the subject and surrounding residential and non-residential neighborhoods.
- 17) Statement showing how the proposed development is compatible with the design guidelines for planned developments.
- 18) Special Use application form, including statement addressing the standards for special uses in §6-3-5-10.
 - a) Planned developments are allowed in the district.
 - b) The proposed planned development is in keeping with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance.
 - c) The proposed planned development will not have a negative cumulative effect in conjunction with other special uses in the immediate neighborhood and the City as a whole.
 - d) The proposed planned development does not interfere with or diminish the value of property in the neighborhood.
 - e) The proposed planned development can be adequately served by public facilities and services.
 - f) The proposed planned development will not cause undue traffic congestion.
 - g) The proposed planned development will preserve significant historical and architectural resources.
 - h) The proposed planned development will preserve significant natural and environmental features.
 - i) The proposed planned development will comply with all other applicable regulations.
- 19) Statement addressing the general conditions for planned developments in the Downtown Districts (§6-11-1-10(A)).
 - a) The proposed planned development will be compatible with surrounding development and will not exercise any influence contrary to the purpose and intent of the Zoning Ordinance, as stated in §6-1-2, owing to height, bulk, or scale.
 - b) The proposal will enhance the existing downtown by:
 - i) preserving character-giving buildings
 - ii) enhancing existing streetscape amenities;
 - iii) maintaining retail continuity where prominent;
 - iv) strengthening pedestrian orientation and scale; and

- v) contributing to mixed use vitality.
- c) The planned development and all landscaping must be compatible with and implement the Comprehensive General Plan, the Plan for Downtown Evanston, any adopted land use or urban design plan, this Zoning Ordinance, and any other pertinent city planning and development policies, particularly in terms of:
 - i) Land use;
 - ii) Land use intensity;
 - iii) Housing; Preservation;
 - iv) Environmental; Urban design;
 - v) Traffic impact and parking; Impact on schools, public services and facilities;
 - vi) Essential character of the downtown district, the surrounding residential neighborhood, and abutting residential lots;
 - vii) Neighborhood planning; and
 - viii) Conservation of the taxable value of land and buildings throughout the City, and retention of taxable land on tax rolls.

20) Statement addressing the site controls and standards for planned developments in Downtown Districts (§6-11-1-10(B)).

- a) Walkways shall be logical, safe, and convenient; the site plan shall segregate pedestrian and motor vehicle ways.
- b) Parking, loading and service areas shall avoid adverse effects upon residential uses within and without the development. Where possible the planned development is encouraged to provide more parking than required to serve synergistic downtown parking needs.
- c) Vehicular access shall provide minimum hazards to other traffic. Local streets within a planned development shall not connect to streets outside the development so as to encourage through traffic.
- d) The development shall provide for underground installation of utilities, if possible.
- e) The development shall incorporate acceptably designed facilities for storm water and treatment of turf and maintenance of facilities.
- f) The applicant shall provide a market feasibility study for a Downtown planned development indicating:
 - i) consumer market areas for uses in development;
 - ii) the population potential of the areas served by the development; and
 - iii) other information regarding the need for the proposed uses.
- g) The applicant shall provide a traffic circulation impact study including ameliorating road and traffic control improvements

21) Statement addressing the development allowances for planned developments in Downtown Districts (§6-11-1-10(C) stating that:

- a) height increases will not exceed the unless the City Council is requested to modify these to achieve a public benefit:
 - i) D1: +24 feet (maximum height = 66 feet),
 - ii) D2: +43 feet (maximum height = 85 feet),
 - iii) D3: +85 feet (maximum height = 170 feet), with increase up to maximum building height of 220 feet on provided:
 - (1) lot width exceeds 95 feet;
 - (2) heights in excess of 42 feet are no closer than 30 from any street lot line, and no closer than 25 feet from any interior side lot line; and
 - (3) no closer than 50 feet from any other tower on the lot, and
 - iv) D4: +40 feet (maximum height = 125 feet non-residential; 145 feet residential).
 - v) Except in D4, floors whose area is devoted to no less than 75% parking up to the lesser of 4 floors or 40 feet are excluded from building height.
- b) floor area ratio increases will not exceed the following unless the City Council is requested to modify these to achieve a public benefit.:
 - i) D2: +1.25
 - ii) D3: + 3.5 (maximum FAR = 8.0);
 - iii) D4 nonresidential: + .5 (maximum FAR = 5.0)
 - iv) D4 with residential: +.6 (maximum FAR = 6.0).

22) Fees

- a) \$2,400 for processing of a planned development application;
- b) \$165 for processing of a subdivision or consolidation plat (if necessary);

- c) \$150 transcript deposit;
- d) \$100 deposit for recording of plat;
- e) applicant is responsible for transcript fee at a rate of \$6/page; and
- f) an additional fee of \$1.50/page is charged for production of a transcript in less than the normal number of days.

23) The Zoning Division requires the applicant to demonstrate his or her connection to the ownership interest in the property. This documentation can be in the form of a title insurance policy or a deed, and a lease or contract to lease or purchase.

24) Miscellanies regarding required documents and materials:

- a) On a case by case basis, the Zoning Division may require documentation and information in addition to the above items.
- b) The City through its Geographic Information System can supply the names and addresses of the property owners within a 1000 foot radius from any point on the subject property. The applicant is responsible for the accuracy of the list so that the City may mail notice to these property owners.
- c) The Zoning Division will review an applicant's initial submittal. If it is accurate and as complete as necessary, the Division will return it with a letter telling the applicant how many copies of various items the applicant needs to provide. A complete application includes all required documents and information, and the requested copies.

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CITY OF EVANSTON
DEPARTMENT OF COMMUNITY DEVELOPMENT, BUILDING AND ZONING DIVISION
DOWNTOWN DISTRICT PLANNED DEVELOPMENT
FINDINGS AND STANDARDS

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The following is an abbreviated listing of the findings the Plan Commission or City Council is to make or consider and the standards by which these bodies are to evaluate a planned development in the **Downtown Districts**.

In general, as the fact finding body, the Plan Commission should address any finding or standard which the Zoning Ordinance requires the City Council to make, evaluate or consider as part of the City Council's legislative decision making in adopting or rejecting a planned development. Please note that the Evanston Zoning Ordinance provides for "planned developments" not "planned unit developments." In "planner-speak" the two terms are interchangeable.

- 1) §6-3-6-6 requires a finding by the City Council that to exceed the "site development allowances" such excess is necessary to achieve a "public benefit". These public benefits include but are not limited to those of §6-3-6-3, as follows:
 - a) preserves and enhances desirable site characteristics and open space;
 - b) maintains a pattern of development which preserves natural vegetation, topography and geologic features;
 - c) preserves and enhances historic and natural resources that significantly contribute to the City's character;
 - d) creates a pleasing environment or other special development features through design, landscape, or architectural features;
 - e) provides a variety of housing types in accordance with the City's housing goals;
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 - i) incorporates generally recognized sustainable design practices and/or building materials to promote energy conservation and improve environmental quality, such as level silver or higher LEED (leadership in energy and environmental design) certification.

- 2) §6-3-6-1 says that "planned developments are a type of special use." The standards for special uses are in §6-3-5-10, as follows:
 - a) Planned developments are allowed in the district.
 - b) The proposed planned development is in keeping with the purposes and policies of the Comprehensive General Plan and the Zoning Ordinance.
 - c) The proposed planned development will not have a negative cumulative effect in conjunction with other special uses in the immediate neighborhood & the City as a whole.
 - d) The proposed planned development does not interfere with or diminish the value of property in the neighborhood.
 - e) The proposed planned development can be adequately served by public facilities and services.
 - f) The proposed planned development will not cause undue traffic congestion.
 - g) The proposed planned development will preserve significant historical and architectural resources.
 - h) The proposed planned development will preserve significant natural and environmental features.
 - i) The proposed planned development will comply with all other applicable regulations.

- 3) Findings must address the general conditions for planned developments in the Downtown Districts (§6-11-1-10(A)).
 - a) The proposed planned development will be compatible with surrounding development and will not exercise any influence contrary to the purpose and intent of the Zoning Ordinance, as stated in §6-1-2, owing to height, bulk, or scale.

- b) The proposal will enhance the existing downtown by:
 - i) preserving character-giving buildings
 - ii) enhancing existing streetscape amenities;
 - iii) maintaining retail continuity where prominent;
 - iv) strengthening pedestrian orientation and scale; and
 - v) contributing to mixed use vitality.
 - c) The planned development and all landscaping must be compatible with and implement the Comprehensive General Plan, the Plan for Downtown Evanston, any adopted land use or urban design plan, this Zoning Ordinance, and any other pertinent city planning and development policies, particularly in terms of:
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 - g) The applicant shall provide a traffic circulation impact study including ameliorating road and traffic control improvements
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 - i) D1: +24 feet (maximum height = 66 feet),
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 - (1) lot width exceeds 95 feet;
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 - iv) D4: +40 feet (maximum height = 125 feet non-residential; 145 feet residential).
 - v) Except in D4, floors whose area is devoted to no less than 75% parking up to the lesser of 4 floors or 40 feet are excluded from building height.

- b) floor area ratio increases will not exceed the following unless the City Council is requested to modify these to achieve a public benefit:
 - i) D2: +1.25
 - ii) D3: + 3.5 (maximum FAR = 8.0);
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