

Village of Gilberts
87 Galligan Road
Gilberts, Illinois 60136
Plan Commission Meeting Minutes
March 9, 2016
7:00 PM

APPROVED MINUTES

Call to Order

Chairman Mills called the meeting to order at 7:00 PM.

Roll Call/Establish Quorum

Present were Commissioners Borgardt, Knudsen, McHone, Sullivan, Vice Chair Davidowski and Chairman Mills. Also present were President Rick Zirk, Interim Village Administrator Beith and Attorney Tappendorf. Not present was Commissioner del Vecchio.

Approval of Minutes

A motion was made by Commissioner Borgardt to approve the minutes of February 17, 2016.

Vice Chair Davidowski stated that on page 3 she would like the 3rd paragraph regarding lot sizes elaborated on. She would like more detail added to the 9th paragraph regarding starter homes on page 4. On page 5 she would like to see an elaboration of the discussion on the affordable housing plan. She noted a typo on page 6. Conversation should read conservation.

She questioned whether the commissioners had seen the replacement list of permitted and special uses which would be allowed in the commercial lots. This was included in the initial packet for the February 17th meeting.

A motion was made by Commissioner Borgardt and seconded by Chairman Mills to approve the amended minutes of February 17, 2016. Vote: 2-ayes (Commissioner Borgardt and Chairman Mills), 1-nay (Vice Chair Davidowski). 3-abstain (Commissioners Knudsen, McHone and Sullivan.) Motion carried.

New Business- none

Old Business

Conservancy PUD Amendment – Continuation of Public Hearing

A motion was made by Vice Chair Davidowski and seconded by Commissioner Sullivan to re-open the public hearing. Vote: 6 ayes (Commissioners Borgardt, Knudsen, McHone, Sullivan, Vice Chair Davidowski and Chairman Mills). 0-nays. 0-abstain. Motion carried.

Petitioner Troy Mertz stated that after hearing feedback after the previous Plan Commission meeting, they had made some changes. He stated that the age targeted product would be limited to the 6,600 sq ft lots. They would not be asking for smaller housing on the other size lots. The builder is currently constructing ten floor plans for single family houses; they aren't asking for any changes to that. He went on to give the details discussed at the previous meeting regarding the age-targeted neighborhood. He added the home buyers would be driven by the CCRs. Such

items in which families may want such as trampolines, play sets and basketball hoops would not be allowed. There would be a master association for the entire subdivision and individual CCRs for each neighborhood. He proceeded to distribute a sample product packet to the Commissioners. The monthly assessment may be around \$200 per month for the age targeted neighborhood which would include yard maintenance.

Mr. Mertz explained that he is the developer. He readies the lots then sells those lots to the builder.

Mr. Mertz stated that at the last meeting there was a discussion regarding first time home buyers; he is no longer asking for any changes. The smaller lots will only be limited to the age-targeted product. They will not be asking for smaller lots for first time home buyers.

They have been in communication with those who spoke at the last meeting and had concerns regarding drainage. Mr. Kanagin has spoken with the neighbors who had those drainage concerns. Mr. Byrne, who represents the Kreutzer family, has agreed to share the common access point off Huntley Road.

In the future if Gilberts Development LLC decides to add an additional smaller 148 lots, they will have to come before the Plan Commission and Village Board at that time.

Matt Nelson from Manhard stated that stormwater has been a big issue. However, they are taking care of that on a regional level. He proceeded to go through a few of the initial staff review comments dated 2/17/16. He stated that they have taken into consideration the possibility of purchasing the abandoned horse farm and have planned ahead. The drawings had been planned, so that the existing roads would tie in and blend uniformly into the existing site. He addressed Staff Review Comment numbers 3 and 4. He said that the site plan depicts right-of-way to right-of-way. The area depicted on the site plan would not be all concrete. He pointed out where the divided boulevard will be located. He added that the developer will be using the least amount of pavement as possible. He added that he believes this area should not be a problem and wondered whether there was a misinterpretation with staff. As for the flex residential, Staff Review Comment #8, the developer would not build the flex residential area and retain it as commercial. As for Staff Review Comment #7, Mr. Nelson stated there had been a question on the open space in Neighborhood 8, specifically a pathway to accommodate an ambulance. He stated that he was not exactly sure what staff was referring to. The open space will have access; however, not all open space will have drivable access. He added that the details haven't been finalized, but he will make sure there is accessibility for all emergency vehicles. He is looking for clarification on this issue and is willing to work with staff.

Mr. Mertz stated that three parks would be dedicated to the Village based on feedback from staff. He identified the locations and acreage. He will work with staff on the dates of dedication. All parks not dedicated to staff will be maintained by the HOA. There will be 7 miles of trails through the neighborhood with access points into the forest preserve. All the red asterisks on the site plan represent amenities. The developer is looking into having Wi-Fi in the open spaces. The

location of the 6,600 sq. ft. lots, the 10,000 sq. ft. lots and the 12,000 sq. ft. lots was depicted on the site plan.

Vice Chair Davidowski questioned why the developer had plans to build on what was previously a wetland area. Mr. Mertz stated that in the original plan the area she was referring to was a large detention area. It is now developable acreage. The water is better able to move through the subdivision using the Regional Stormwater approach. Mr. George Kanagin of Phoenix and Associates stated that the drainage plan proposal exceeds what Neumann originally proposed. He added that there was a one foot error in the FEMA study which Mr. Kanagin had noticed. He did find documentation which supports this error. Taking that into consideration a three foot drop in the water table occurred on the site with there being an average of a two foot drop throughout the site due mostly to general maintenance. Various groups had previously attempted to submit some form of delineation to the municipality. However, none were formally submitted to the Army Corps of Engineers under a permit application. He added that the developer isn't impacting any wetlands based on the delineation, and he proceeded to go into an explanation as to the reasoning. He reiterated that to the best of his knowledge no proper permits had ever been submitted to the Corps. He proceeded to distribute drainage photos from property located along Freeman Road. He met with the residents off Freeman Road who had drainage concerns because of the holistic regional approach many of these concerns were cleared up. Phoenix and Associates cleaned out swales. Those living east of the subdivision off Binnie Road were met with. In addition, Mr. Kannigan met with Mr. Byrne, who represents the Kreutzer family. They agreed to work with the Kreutzer family to address some concerns they have on their property which is located off of the conservancy site. To answer Mrs. Davidowski's question, the drainage will not propose any threats. The regulatory process will involve the Army Corps of Engineers, the Department of Natural Resources, the Illinois Department of Transportation, municipal engineers and Kane County. These entities will be involved in the review before a final plat of approval will be submitted. Each agency has its own criteria which will have to be met.

Staff Review Comment number 17 on the list was discussed along with the best management practice of the wetlands. Upland slope plantings will be incorporated into buffer areas on slopes which slant upland. If it's a bottom basin area, domestic type plants would be planted. Mr. Kanagin distributed photos of plantings which would be used along buffers and walkways. Best management practice would be that these plants would be maintained by the HOA. Mr. Kanagin noted that the developer isn't required to provide these plantings. He is providing them because he had been asked to. A buffer area is being provided on the south end as well. The buffering along the Kishwaukee was discussed. The buffer is specific to aided delineated wetlands.

Mr. Hugh Loftus, civil engineer for Manhard, pointed out the exhibit which had been provided and depicts the proposal of the widening of Freeman Road. Resurfacing will be completed all along Freeman. Left turns will be provided into the two entrances into the subdivision as well as a left turn onto Galligan. The exhibit mirrors what was originally proposed. Those living along the south side of Freeman will be minimally impacted during the first phase of the roadwork.

A right turn lane will be put in the southbound lane of Galligan onto Freeman. Right-of-way has already been dedicated to KDOT. The access to Neighborhood 4 will have similar improvements. The two access points off Huntley Road aren't expected in the near future and will be coordinated with KDOT when the time comes and when development plans are finalized for that area.

As for Staff Review Comment #1, Mr. Loftus stated that the south branch of the Kishwaukee is running through the area. They don't have road crossings there due to it being a high quality wetland. There is significant floodway involved which is approximately 680 feet wide, so he doesn't feel it's best to have road crossings over the Kishwaukee River connecting Neighborhood 3 and 4. He stated that if the area is filled it's comparable to putting a damn in. IDNR highly regulates the floodway and highly frowns upon floodway crossings unless absolutely necessary. He also feels it's best to limit the number of access points to the age targeted neighborhood with defined limited access points being limited to two. This is consistent with other age targeted neighborhoods Mr. Loftus has helped design. He added that the internal looping along with the 2 access points in neighborhood 3 make it a destination location. Mr. Loftus pointed out that they are providing a crossing over a tributary of the Kishwaukee River with an estimated cost of \$500,000. That crossing will be made of 2 large cement multi celled box culverts which would look like a bridge. The flow through the floodway (connecting Neighborhoods 3 and 4) would be around 5 times the amount of the flow through the tributary and could cost close to \$1,500,000. Due to the proposed roadways proximity to Galligan Road, he believes it would be difficult to obtain permission from regulatory agencies to cross that floodway as well as to show that they aren't increasing floodwater height and backing water up to their neighbors. For those reasons the developer is recommending against putting a roadway in at that location. If there was a safety concern of having two access points the developer would be glad to propose an emergency access point off of Galligan.

Attorney Tappendorf stated that there is a connection of Neighborhoods 3 and 4 on the original preliminary plan. The annexation agreement addresses a different connection to the north of the site. Mr. Mertz stated that in 2010 FEMA did a floodway study. The study increased the width of the floodway. He added that he doesn't believe IDNR will give them any flexibility on crossing from Neighborhood 3 to Neighborhood 4.

Staff Review Comment number 9 was discussed next. Mr. Mertz stated that he is fine with keeping the minimum garage size at 400 sq. ft. However, there is one model which has a garage size of approximately 390 sq. ft. and would be located in Neighborhood 3 (the age targeted neighborhood). Mr. Mertz would like an exception for that model.

Vice Chair Davidowski asked for clarification regarding the floodways. Mr. Mertz explained again how FEMA did a regional floodway study in 2010. They ended up moving the large regional park since the original location would have been located in the floodway. She questioned whether there would be delineation between the wetlands in the parks and those that border the parks to keep residents off the wetlands and to further protect them. Mr. Mertz stated

that residents will be able to distinguish the wetlands because of the native species which will be planted. The parks would have maintained natural grass and the wetlands would have plants native to the wetlands which should provide for an appropriate distinction. The open space would be maintained and signage would be placed to inform the location of the wetlands.

Regarding Staff Review Comments numbers 7 and 19, the developer would like to follow up with staff and work out details.

Commissioner McHone asked whether parking would be allowed on both sides of the street. He was concerned for fire trucks being able to make it to a call. The developer responded that parking would be allowed on both sides of the street. Mr. Loftus stated that the width of the roads proposed would be 28', which is to Village standards.

Vice Chair Davidowski referred to the Comprehensive Plan. She stated that she was not in favor of the small lot sizes. She would like to see cluster housing with more open space. Tom Burney, attorney for the developer, stated that since the Comprehensive Plan is a guide, he would hope that the Commissioners would consider the tradeoffs which the site plan offers-the open space, the growth to the community which had been previously stalled, bike paths, parks, road improvements and the water treatment plant.

Commissioner Knudsen questioned the distance of the Neighborhood 3 entrance from the Galligan/Freeman intersection. It is approximately 500 feet and would be a full access entrance.

Commissioner McHone questioned who would be responsible for paying for the Wi-Fi hotspots in the parks. Mr. Mertz stated that he would like to provide that service free of charge, but believes the HOA might have to contribute to the cost. He added that it hasn't been defined yet. He expanded on the explanation of fiber throughout the subdivision.

Chairman Mills questioned if the developer could label Neighborhood 3 as being 55 and older. It was explained that they are trying to use the CCRs to determine who moves into those houses. Not labeling the neighborhood as 55 and older will allow the developer to market the houses to a larger group of potential buyers. There may be younger couples who would like to buy a maintenance free ranch and who aren't planning on raising a family.

Resident Dan Pace commented on the Army Corps of Engineers permit. He questioned whether the builder would have to pay the same amount for impact fees regardless of adding the additional 152 homes. Attorney Tappendorf responded by informing Mr. Pace that impact fees would be paid on those additional homes as well. Mr. Pace commented on the soil samples taken. Mr. Kannigan stated that a technician is present at every inspection before foundations are poured.

Attorney Tappendorf explained what the petitioner was requesting at this meeting. The developer is asking that the Village approve an amendment to the PUD and the preliminary PUD plans to

allow additional lots, modification to the lot size and other bulk requirements and changes to the layout of the development. Staff still recommend housing products/exhibits are submitted.

Vice Chair Davidowski restated that she is in favor of smaller clusters of houses and larger lots.

Commissioner Borgardt stated that many of the surrounding towns are developing on smaller lots.

Commissioner Knudsen added that he believes there is a need for adult oriented housing.

A motion was made by Commissioner Borgardt and seconded by Commissioner McHone to close the public hearing at 9:05 pm. Vote: 6 ayes (Commissioners Borgardt, Knudsen, McHone, Sullivan, Vice Chair Davidowski and Chairman Mills). 0-nays. 0-abstain. Motion carried.

A motion was made by Commissioner Knudsen and seconded by Commissioner Borgardt to recommend approval to the Village Board Gilberts Development LLC's request to amend the PUD and preliminary plans for the Conservancy development, subject to the following:

1. The Plan Commission's findings of fact;
2. The Developer's compliance with all conditions recommended by the Plan Commission during its deliberation;
3. The Developer's compliance with or resolution of the staff review comments dated February 17, 2016;
4. Village Board approval of any necessary amendments to the annexation agreement between the Village and the Developer: and
5. There being a minimum garage size of 400 square feet, with an exception of one housing product in Neighborhood 3.

Vote: 5 ayes (Commissioners Borgardt, Knudsen, McHone, Sullivan and Chairman Mills). 1-nay (Vice Chair Davidowski). 0-abstain. Motion carried.

Communications- none

Adjournment

A motion was made by Commissioner Knudsen and seconded by Commissioner McHone to adjourn from the meeting at 9:20 pm. Voice vote: 6-ayes (Commissioners Borgardt, Knudsen, McHone, Sullivan, Vice Chair Davidowski and Chairman Mills), 0-nays, 0-abstain. Motion carried.

Respectfully submitted,
Karen Danca