



**AGENDA FOR PINGREE GROVE
PLANNING AND ZONING COMMISSION MEETING
Wednesday, September 8, 2021
6:00 p.m.**

In accordance with the Executive Orders issued by the State of Illinois, and the recommendations of the Centers for Disease Control (CDC), Illinois Department of Public Health, and Kane County Health Department, the Village will take the following measures at this public meeting:

- *All attendees are required to properly wear a face mask, fully covering the nose and mouth, at all times during the meeting.*
- *Unvaccinated attendees are required to socially distance during the meeting. Seating arrangements will permit some locations at least six feet apart.*
- *Any fully vaccinated person who has come into close contact with someone suspected or confirmed with COVID-19 is required to maintain a social distance of six feet at all times during the meeting.*

Persons who plan to attend the meeting may notify the Village in advance of their intent so the Village may prepare for the anticipated attendance. You may contact the Village at 847-464-5533 or via email to info@pingreegrove.org

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES**
 - a. Approval of Minutes from June 8, 2021. (Page 3)
- 5. PUBLIC HEARING & ITEMS FOR SEPARATE ACTION**
 - a. ***D.R. Horton proposed planned unit development – Public Hearing (Page 7)***
Requests: Approval of rezoning upon annexation of ±286-acres from R-1 to R-1/R-5 PUD; Special use permit for a planned unit development (PUD); Conceptual PUD Plan; and Phase 1 Preliminary/Final PUD Plats.

- b. Motions to make recommendation to approve the proposed rezoning, special use permit, concept plan, and Phase 1 Preliminary/Final Plats as described above. (Page 7)
- c. Motion to adopt findings of fact associated with the proposed special use permit and conceptual PUD plan. (Page 7)

6. PUBLIC COMMENT

7. OLD BUSINESS

8. NEW BUSINESS

9. ADJOURNMENT



**MINUTES FOR PINGREE GROVE
PLANNING AND ZONING COMMISSION MEETING
VIRTUAL MEETING – ONLINE AUDIO/VIDEO CONFERENCE
Tuesday, June 8, 2021
6:00 p.m.**

1. CALL TO ORDER

Chairperson Book called the meeting to order at 6:00 pm.

2. CHAIRPERSON'S STATEMENT OF REMOTE MEETING PROCEDURES

Chairperson Chris Book stated pursuant to 5 ILCS 120/7(e), this meeting is being conducted by remote audio/video conference without a physically present quorum based on the gubernatorial disaster declaration pertaining to COVID-19 and the Chairperson of this public body determining that a full in-person meeting is not practical or prudent. The Commissioners and staff are participating from different locations using the Zoom video conference platform.

Mr. Book indicated the agenda provides information necessary for the public to join the Zoom meeting remotely by computer or telephone. Public comments were also accepted in advance by voicemail and at the email address comment@pingreegrove.org.

Chairperson Book described the development review process of the Planning and Zoning Commission and provided an overview on the workshop format and how members of the public are able to provide comment under the public comment section of the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. ROLL CALL

Clerk Gray called Roll. Answering present were Planning and Zoning Commissioners: Eckert, Grant, Sutton, Schliesmann, Johnson, DeSalle, and Chairperson Book.

5. APPROVAL OF MINUTES

- a. Approval of Minutes from September 8, 2020.
Commissioner Eckert made a motion, seconded by Commissioner Grant to approve Minutes from the September 8, 2020 Planning and Zoning Commission Meeting.

A Roll Call vote determined Commissioners: Sutton, Schliesmann, Johnson, DeSalle, Eckert, Grant, and Chairperson Book answered aye. The Roll Call vote passed 7-0.

6. ITEMS FOR SEPARATE ACTION

- a. Workshop: D.R. Horton Proposed Residential Development
 - i. Future Action Requests:
 1. Rezoning upon annexation from R-1 to R-1/R-5 PUD;
 2. Special Use Permit for a Planned Unit Development (PUD);
 3. Conceptual PUD Plan Approval;
 4. Preliminary/Final PUD Plat Approval for Phase 1.

Manager Cook presented a staff report discussing the proposed development plan submitted by D.R Horton for approximately 286 acres. He noted the developer requests approval of rezoning upon annexation, a special use permit for a planned unit development, concept PUD plan, and preliminary and final plats for phase one.

Rich Olson of D.R Horton gave a presentation outlining the location of the proposed development site, its current use and zoning of the surrounding areas. He discussed the Pingree Grove 2015 Comprehensive Plan, referencing the transportation and land use framework maps of the document.

Mr. Olson discussed the proposed layout of various residential housing types, roads, paths, open spaces, and recreational areas throughout the plan, contrasting the revised plan against a prior iteration from July 2020. He noted the revised plan reduced the percentage of townhome units and incorporates a proposed roadway connection to Big Timber Road. Mr. Olson concluded discussing various proposed open space improvements.

Chairperson Book led a discussion between the commissioners, development team of D.R. Horton and Village staff. The discussion centered around items covered in the staff report and comments and concerns brought up by commissioners, including landscaped buffers, traffic and road construction, housing products, site layout, recreational amenities and the facilities serving them.

During discussion, Chris Lester of D.R. Horton confirmed the proposed development would provide its own independent homeowners association and owners in the new development would not have access to amenities provided in other existing developments. He also explained the difference between age-restricted and age-targeted housing products, indicating the units are the same or similar in terms of bedrooms and square footage, predominantly ranch-style although a second-floor option is available, however noting the age-targeted home does not include a deed restriction that confines its future sale. Mr. Lester confirmed there is no clubhouse proposed as part of this development and noted all owners will share in the amenities package. Members also discussed the relationship between the proposed development and existing neighborhoods, expressing interest to see landscape buffering incorporated, to which Mr. Lester agreed to incorporate.

Commissioners discussed timing and alignment of road construction, noting an interest to provide a connection to Big Timber Road as soon as possible and citing concern for potential residential traffic entering from IL-47 and Reinking Road. Mr. Lester indicated a construction traffic plan would be implemented to route traffic from Big Timber Road, once the road is available.

Members continued discussion regarding the availability of water and wastewater treatment to service the development and identified the proposed rental single-family neighborhood as something new in the Village. Some questioned how the added layer of a management company might affect the development and its ongoing maintenance. Mr. Lester commented on his experience developing single-family rental communities in other areas and suggested there could be some level of oversight provided by the HOA to address commissioner's concerns regarding ongoing maintenance obligations. Others suggested an alternate location for the proposed rental single-family neighborhood.

Rich Olson described differences between the stormwater management areas, some of which would feature open water, while others would be planted with native species.

Commissioners continued to discuss future traffic conditions and inquired as to effects that might be seen near Reinking and Damisch and US 20, as well as projections of the traffic study related to nearby arterial roadways.

Chairperson Book asked for further input from commissioners and hearing none, concluded the workshop meeting.

7. PUBLIC COMMENT

Public Comments received via written formats were read by manager Cook. Comments were received from: Kim Hise, Jake Killinger, Jon and Dianne

Erpenbach, Tory and Sharon Giammanco, Daniel Ferek, John Dittsworth, Karen Ernst, Kevin and Becky Monahan, and Jennifer Saga.

Chairman Book called for comments from the public. Dale Johnson joined the remote video conference and said the concept of institutional investment dollars going into the single-family rental community management do not provide reassurance for him. Mr. Johnson also questioned how the Village can ensure improvements are properly constructed and expressed concern for construction traffic and noise.

Kristen Lehman requested consideration of a different development name to avoid confusion with the existing Cambridge Lakes neighborhoods.

8. OLD BUSINESS

No old business.

9. NEW BUSINESS

No new business.

10. ADJOURNMENT

At 8:23 pm Commissioner DeSalle made a motion, seconded by Commissioner Eckert to adjourn. A roll call vote determined Commissioners: DeSalle, Johnson, Schliesmann, Sutton, Grant, Eckert, and Chairperson Book answered aye. The roll call vote passed 7-0.



Planning & Zoning Commission Agenda Supplement
Agenda Item No: 6.a.

- Meeting Date:** September 8, 2021
- Item:** D.R. Horton Proposed Planned Unit Development – Public Hearing
- Requests:** Approval of Rezoning upon Annexation of ±286-acres from R-1 to R-1/R-5 PUD; Special Use Permit for a Planned Unit Development (PUD); Conceptual PUD Plan; and Preliminary/Final PUD Plat for Phase 1.
- Public Hearing Subjects:** Rezoning upon Annexation from R-1 to R-1/R-5 PUD
Special Use Permit for a Planned Unit Development (PUD)
Conceptual PUD Plan Approval
(This hearing is not about the Annexation Agreement – a separate hearing will be held by the Village Board when a revised agreement is available for consideration)
- Motion:** Motions written in the affirmative are provided in the last section of this agenda supplement.
- Staff Contact:** **Jeff Cook, Village Manager**
Michael Smoron, Village Attorney
Mick Gronewold, Village Engineer
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Plans and exhibits reviewed with this Agenda Supplement:

[Conceptual Plan of Planned Unit Development](#), prepared by Gary R. Weber Associates, Inc., dated 08.27.21
[Proposed] [Land Use Exhibit](#), prepared by Gary R. Weber Associates, Inc., dated 07.16.21
[Existing Zoning](#), prepared by Gary R. Weber Associates, Inc., dated 07.16.21
[Illustrative Plan](#), prepared by Gary R. Weber Associates, Inc., dated 07.13.21
[Typical Landscape Buffer Cross Section](#) (NH34&35), prepared by Manhard Consulting, Ltd., dated 07.12.21
[Land Use & Future Transportation Plan](#), prepared by Gary R. Weber Associates, Inc., dated 08.12.21
[Reinking Road Improvements](#) (2 pgs), prepared by Gary R. Weber Associates, Inc., dated 08.11.21
[Southern Buffer Concept](#), prepared by Gary R. Weber Associates, Inc., dated 08.11.21
[A-13 to A-16 Landscape Buffer](#), prepared by Gary R. Weber Associates, Inc., dated 08.11.21
[A-11 to A-15 Landscape Buffer](#), prepared by Gary R. Weber Associates, Inc., dated 08.11.21
[Phasing Plan](#), prepared by Gary R. Weber Associates, Inc., dated 07.16.21
[Construction Traffic Exhibit](#), prepared by Gary R. Weber Associates, Inc., dated 08.30.21
[Tree Preservation Plan](#) (2 pgs), prepared by Gary R. Weber Associates, Inc., dated 07.28.21
[Preliminary Landscape Plan](#) (Sheets 0-5), prepared by Gary R. Weber Associates, Inc., last revised 08.30.21
[N-39 Typical Neighborhood Streetscape](#), prepared by Gary R. Weber Associates, Inc., dated 08.27.21

[NH34 Fire Truck Access](#) (pg. 1-2), prepared by Manhard Consulting, Ltd., dated 09.03.21
[Reinking Road Alignment at Tyler Creek](#), prepared by Gary R. Weber Associates, Inc., dated 08.30.21
[Austin & Olympia Intersection Detail](#), prepared by Gary R. Weber Associates, Inc., dated 08.30.21
[Stormwater Management \(Pond\) Design Types](#) (Sheets 1-2), prepared by Gary R. Weber Associates, Inc., dated 08.30.21
[Monument Wall Concept](#), prepared by Gary R. Weber Associates, Inc., dated 08.27.21
[New Construction Elevations](#) (pgs 1-30), prepared by D.R. Horton, no date
[Traffic Study Revision 1](#), prepared by KLOA, Inc., dated 06.04.21
[Plat of Dedication – Phase 1](#), prepared by Manhard Consulting, Ltd., dated 09.01.21
[Plat of Easement Grant](#), prepared by Manhard Consulting, Ltd., dated 09.01.21
[Final Plat of Subdivision – CLN Unit 1](#) (2 pgs), prepared by Manhard Consulting, Ltd., dated 09.01.21
[Final Plat of Subdivision – Unit 34](#) (5 pgs), prepared by Manhard Consulting, Ltd., dated 09.01.21
[Final Plat of Subdivision – Unit A-15A](#) (4 pgs), prepared by Manhard Consulting, Ltd., dated 09.01.21
Land Use Plan, pg. 45 of the [2015 Comprehensive Plan of the Village of Pingree Grove](#)
Annexation & Growth Areas, pg. 30 of the [2015 Comprehensive Plan of the Village of Pingree Grove](#)
[Future Reinking Road Photo Exhibit](#), prepared by the Village of Pingree Grove, labeled Exhibit A
[Engineering Review Letter #2](#), prepared by Fehr Graham, dated 08.18.21
[Aerial Photo](#), prepared by the Village of Pingree Grove, dated 09.08.21

Summary

D.R. Horton (“DRH”) approached the Village in July of 2020 to initiate the process of developing an additional ±205 acres of property, commonly known as the Burnidge property and/or the C&L Farms property (ALTA survey – 205.282 Acres). After receiving input on the proposed development plan, DRH revised their proposal to address various concerns, including the addition of a vehicular access to Big Timber Road and adjustments to the balance of single-family lots versus attached residential unit product. To accomplish these revisions, DRH put under contract to purchase an additional ±80-acre property (the “Vinci property”; ALTA survey – 80.809 Acres) to add to the overall plan, which increased the size of the project to ±286-acres to be annexed.

The Planning & Zoning Commission reviewed the revised development proposal at a workshop meeting on June 8, 2021 and provided DRH comments and suggestions on the proposal. Following the workshop meeting, DRH worked to revise the development proposal to produce a feasible plan responsive to Village concerns.

The revised plan includes eleven neighborhood areas with a total of 1,006 residential units. Three neighborhoods (A-15, A-16, & A-17) are made up of 239 “age-targeted” residential units and adjoin the northern boundary of the existing Carillon development. Four neighborhoods (N-35, N-36, N-38, & NH-41) are comprised of 207 single family home sites (labeled “traditional” residential). Neighborhood N-39 includes 99 lots (reduced from 150 and relocated to adjoin Big Timber Road) for small-lot single family product (labeled “30’ Product”), proposed to be marketed and sold to an institutional investor as a professionally managed single-family rental community. Finally, three neighborhoods (N-34, N-37, N-40) are designed to provide 461 townhome units (labeled “Rear-Load Townhomes - Seaboard”). The revised unit count shifts the mix of housing types to 44.6% single-family and 55.4% attached/townhomes (from 44.3%/55.7% at workshop; 35%/65% original proposal).

The plan is presented as a planned unit development (PUD) following design standards generally applied in previous developments. As part of the PUD, various HOA-managed open spaces and amenities will be provided.

DRH requests the Planning & Zoning Commission (PZC) recommend to the Village Board approval of:

1. Rezoning upon annexation from R-1 to R-1/R-5 PUD;
2. Special use permit for a planned unit development (PUD);
3. Concept PUD plan;
4. Preliminary and Final PUD plat for Phase 1.

Background

The history of new development in Pingree Grove dates back to a 2004 annexation agreement that added ±1,000-acres of land to the village and set forth the conditions by which the village would embark on its future growth. The original annexation agreement was amended ten times since then, collectively resulting in the sustained growth and investment experienced in the village and setting forth the standard by which the overwhelming majority of the village is built.

D.R. Horton (“DRH”) proposed to develop additional land as the eleventh amendment to the original annexation agreement in July 2020. Subsequent discussions with DRH reached agreement to pursue a stand-alone annexation agreement for the proposed project. Discussions remain ongoing with DRH concerning the content of the proposed agreement, which is not the subject of review at this meeting of the Planning & Zoning Commission. A separate public hearing will be noticed and held before the Village Board to review the terms of a proposed annexation agreement once the document is refined and available for consideration.

Rezoning

Upon annexation, all property is initially zoned R-1 Residence and Agricultural District. The applicant requests approval to rezone the property from R-1 to R-1/R-5 PUD, which accommodates single-family homes, attached single-family and multiple family residences under the standards of an approved Planned Unit Development (PUD) plan. The question before the PZC is to determine the appropriateness of the proposed zoning classification.

To guide the PZC’s review on development matters, the Village adopted the 2015 Comprehensive Plan. Within this document resides the official proposed Future Land Use Plan of the Village and a map identifying Annexation & Growth Areas, which are referenced for review with this agenda supplement. The subject property is classified for single-family detached use with areas for parks and open space, and neighborhood collector roads traversing the site to connect Reinking Road and Big Timber Road. The plan identifies land along Big Timber Road for potential light industrial use in this area. The subject property is also identified as an area with strong non-retail development potential and included as an area for annexation and growth of the village.

The requested rezoning is similar to the Land Use Plan of the Village in that residential uses are proposed throughout the site with roadway connections between Reinking Road and Big Timber Road. To accomplish roadway connectivity objectives of the plan, DRH seeks to develop the project as a PUD with a mix of single-family detached and attached single-family units, following the zoning standards applied to areas of the village developed after 2004. For reference, PZC members are reminded the entirety of residential uses in the village outside of the Heritage District, are zoned R-1/R-5 PUD, and thus the requested zoning is consistent with past classifications adopted by the Village for residential development.

Special Use Permit for a Planned Unit Development (PUD)

Approval of a special use permit is required to develop property as PUD. Special uses are uses of land that may be appropriate under certain circumstances within the underlying zoning classification but are not permitted by right in the district. The Planning & Zoning Commission (PZC) is charged with evaluating the extent to which the proposed special use adheres to the standards of special use and may recommend approval subject to appropriate conditions being met. In this particular case, further discussion regarding the particulars of the proposed PUD are written in the next section, titled Conceptual PUD Plan.

PZC members are reminded of the standards of special use review, which should be found satisfactorily addressed before making a recommendation to the Village Board:

1. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, comfort, or general welfare; and
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish or impair property values within the neighborhood; and
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; and
4. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided; and
5. Adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets; and
6. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Planning & Zoning Commission.

Conceptual PUD Plan

The conceptual PUD Plan is a step in the PUD process that permits the developer and the Village to reach agreement on an overall plan for development, including the location and arrangement of land uses, prior to completing detailed final engineering plans. Approval of a concept plan provides assurances to the developer the Village will approve future preliminary and final plats of subdivision if they are properly engineered and in accordance with the approved concept plan. Similarly, the Village is assured the concept plan fixes the general development plan for the area and any significant departures would require further public review and consideration, which need not be granted if requested.

The Village's engineer performed extensive review of the Village's water and wastewater systems and concluded the existing configuration is expected to accommodate the 193 units proposed in Phase 1 of the development. Further, operational adaptations are expected to permit service for additional units. Provided the Village constructs improvements to its water and wastewater facilities, which are presently under design and identified on the Illinois Environmental Protection Agency's "Intended Funding List" for its low interest loan program, the Village will have the capacity to serve the entire proposed development after the improvements are completed and operating. Other engineering items remain to be documented on the proposed plans and

therefore staff recommends the PZC condition any recommendation on final engineering approval for each phase. Further, because the feasibility of the concept plan must be confirmed by engineering design work, staff recommends the PZC require approval of a Preliminary PUD Plat(s) before the conceptual plan or part thereof can be confirmed to control.

PZC members are reminded the Village code provides suggested review considerations, or findings of fact, for the adoption of PUDs, however adoption of such is discretionary under the code. The following considerations are excepted from the code:

1. In what respects the proposed plan is consistent with the stated purpose of the planned unit development regulations and with the objectives stated herein.
2. Extent to which the proposed plan meets the standards of the planned unit development regulations.
3. Extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, density, dimension, area, bulk, and use, and the reasons why such departures are deemed to be in the public interest.
4. Method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.
5. Relationship and compatibility of the proposed plan to the adjacent properties and neighborhood.
6. Desirability of the proposed plan as regards physical development, tax base, and economic well-being of the village.
7. Conformity with village objectives.

The following discussion focuses on PUD plan elements that are not generally of engineering substance and are the focus of consideration by the PZC in evaluating the conceptual PUD Plan and corresponding special use permit.

PUD Residential Unit Types & Quantities

Five neighborhood product styles are proposed as part of the conceptual PUD plan. Two products adjoin the existing Carillon neighborhood and are “age-targeted” homes, which feature design elements attractive to an older buyer but stop short of deed-restricting ownership based on age. As requested by the Village Board, the proposed plan incorporates a more balanced mix of unit types than previously proposed. If summarized by Detached vs. Attached units, the proposed product mix is split 44.6% and 55.4% respectively (vs. 44.3%/55.7% presented at the June PZC workshop; and 35%/65% presented to the Village Board in January 2021).

In response to comments received at the PZC workshop, the plan was revised to reduce the size of the proposed rental single-family neighborhood from 150 units to 99 units and relocated adjacent to Big Timber Road (NH-39). This change resulted in a redesign to N-37, which is now proposed for townhomes and N-35 & N-36 were revised to provide traditional single-family lots adjoining the central park amenity. As part of this redesign, DRH proposes a hybrid zoning standard for N-35 & N-36, which exists between two

previously adopted standards for prior development. Additional detail on the proposed zoning standard is located under the PUD Zoning Standards section.

Below is a summary of the proposed units and quantities, with differences from the plan reviewed at the June PZC workshop noted. See attached documentation for renderings of the various models proposed for construction.

Age-Targeted Single-Family (A-16, A-17)

Total Units: 143 (increased by 1)
% of Total: 14.2%
Models: 9 (increased by 2 – Avery and Blake models; 1412 & 1459 SF)
Floor Area: 1,412 – 2,162 square feet (minimum lowered from 1,664)

Age-Targeted Bayside (Quads; A-15)

Total Units: 96 (no change)
% of Total: 9.5%
Models: 2
Floor Area: 1,332 – 1,375 square feet

Traditional Single-Family (N-35, N-36, N-38, N-41)

Total Units: 207 (increased by 53)
% of Total: 20.6%
Models: 8 (reduced by 1 – prior TBD Plan X450 at 3,020 SF)
Floor Area: 1,498 – 2,836 square feet (max reduced from 3,020 SF)

Small Lot Single-Family Rental Community (N-39)

Total Units: 99 (reduced by 51)
% of Total: 9.8%
Models: 5
Floor Area: 1,421 – 1,953 square feet

Attached Single-Family – Seaboard Townhomes (N-34, N-37, N-40)

Total Units: 461 (reduced by 4)
% of Total: 45.8%
Models: 4
Floor Area: 1,579 – 1,757 square feet

PUD Zoning Standards

The proposed PUD establishes zoning standards for each neighborhood type as outlined below. The standards proposed are defined in terms of minimum requirements and generally correspond to the zoning standards applied to existing residential development throughout the village. Deviations from previously adopted standards are noted in bold italicized brackets. Where the proposed standard is less than existing standards in Pingree Grove, the existing standard is shown in underlined red text.

Staff notes Exhibit D of the original annexation agreement, which established zoning standards for the development of Pingree Grove, permitted no more than 40% of single-family detached lots to have a lot width less than 56 feet measured at the building setback

line. Insufficient information is available at this time to specifically determine if the proposed concept PUD plan adheres to this standard. As a point of reference, the plan proposes a total of 449 single-family detached units. Using the original Exhibit D measure would limit the number of lots measuring less than 56 feet to no more than 179. Since the lot widths permitted in N-39, A-16, and A-17 are less than 56 feet, the total number of lots that might be platted below 56 feet is 242. Because corner lots require a larger width, the actual number of lots platted below 56 feet is expected to be less than 242, however the difference between 179 and 242 appears to exceed the number of corner lots proposed, leading to the conclusion the proposed plan deviates from this initial standard that is presumably seen throughout the village. Commissioners are welcome to accept this difference as part of the PUD process, however staff identifies the matter as a point of information to assist the review.

Age-Targeted Single-Family (A-16, A-17)

Lot Area:	<i>[5,936 square feet] - [6,254 SF]</i>
Lot Width:	53 feet (66 feet corner lot)
Lot Depth:	112 feet
Front Yard Setback:	20 feet
Corner Side Yard Setback:	20 feet
Interior Side Yard Setback:	6 feet
Rear Yard Setback:	20 feet
Permitted Encroachments:	A/C units; Bay windows; chimneys; fireplaces; eaves open porches; up to 26", provided 10 feet is maintained between these features in the side yard.

For reference, below is a plan excerpt of the approved PUD standard for the Active Adult Single Family units in the adjoining Carillon neighborhood. Staff notes the proposed minimum lot width and lot depth does not deviate from permitted standards in prior development, however with respect to minimum lot area, the proposed standard could produce lots up to 318 square feet less than contemplated in prior development.

The following plan excerpt is printed on the Conceptual Plan of Planned Development Amendment #9:

Active Adult Area Design Standards		Single Family	
		<u>Duplex</u>	<u>Resort</u>
Single Family and Duplex			
Minimum Lot Width (2)	91 Ft.	53 Ft.	62 Ft.
Minimum Lot Depth	115 Ft.	118 Ft.	112 Ft.
Minimum Lot Area	10,465 Sq. Ft.	6,254 Sq. Ft.	7,006 Sq. Ft.
Typical Lot Size	91 x 120	53 x 120	62 x 120
Typical Lot Area	10,920 Sq. Ft.	6,360 Sq. Ft.	7,440 Sq. Ft.
Yards:			
Front	20 Ft.	20 Ft.	20 Ft.
Side (corner)	20 Ft.	20 Ft.	20 Ft.
Side (interior)	7 Ft.	6 Ft.	6 Ft.
Rear	20 Ft.	20 Ft.	20 Ft.
Bayside (See Detail - Sheet 2)			
	<u>Minimum</u>	<u>Typical</u>	
Building to Private Minor Street R.O.W.	12 Ft.	20 Ft.	
Building to Private Collector Street R.O.W.	30 Ft.	30 Ft.	
Building to Neighborhood Property Line	20 Ft.	25 Ft.	
Building to Building	15 Ft.	40 Ft.	

Age-Targeted Bayside (Quads; A-15)

[Standards Match Existing Development]

Bayside Quads follow the same standard applied to existing quad development in Pingree Grove (see above photo excerpt for Bayside units in Amendment #9). Staff notes the present drawings and text incorrectly refer to a “private street,” whereas the proposed quad area is proposed to front public streets. The attached units follow separation standards typically found with attached products as follows:

Min. Bldg to Minor ROW: 12 feet
 Min. Bldg to Collector ROW: 30 feet
 Min. Bldg to NH Prop. Line: 20 feet
 Min. Bldg to Bldg: 15 feet

Traditional Single-Family (N-35, N-36, N-38, N-41)

Revisions to the single-family neighborhoods resulted in a revised approach to lot standards. Neighborhoods N-38 and N-41 conform to previously adopted standards developed in Pingree Grove, while a hybrid standard is proposed for the owner-occupied single-family neighborhoods N-35 and N-36, with the minimum lot size existing between two previously approved lot standards (6,000 SF & 6,840 SF). Each standard is listed below.

N-35 & N-36

Lot Area: ***[6,500 square feet] - [6,840 SF]***
 Lot Width: 57 feet (75 feet corner lot)
 Lot Depth: 110 feet
 Front Yard Setback: 22 feet

Corner Side Yard Setback: 22 feet
Interior Side Yard Setback: 7 feet
Rear Yard Setback: 25 feet
Permitted Encroachments: A/C units; Bay windows; chimneys; fireplaces; eaves open porches; up to 26", provided 10 feet is maintained between these features in the side yard.

N-38 & N-41

[Standards Match Existing Development]

Lot Area: 6,840 square feet
Lot Width: 57 feet (75 feet corner lot)
Lot Depth: 110 feet
Front Yard Setback: 22 feet
Corner Side Yard Setback: 22 feet
Interior Side Yard Setback: 7 feet
Rear Yard Setback: 25 feet
Permitted Encroachments: A/C units; Bay windows; chimneys; fireplaces; eaves open porches; up to 26", provided 10 feet is maintained between these features in the side yard.

Small Lot Single-Family Rental Community (N-39)

[Standards Match Provisions of Original DRH Annexation Agreement; No Existing Construction Per This Standard]

Lot Area: 4,000 square feet
Lot Width: 40 feet (57 feet corner lot)
Lot Depth: 100 feet
Front Yard Setback: 20 feet
Corner Side Yard Setback: 20 feet
Interior Side Yard Setback: 5 feet
Rear Yard Setback: 20 feet
Permitted Encroachments: A/C units; Bay windows; chimneys; fireplaces; eaves open porches; up to 26 inches. A minimum of 10 feet is required between such improvements and the neighboring structure where the fire code would require increased ratings, while a minimum of 8 feet separation between these features and the neighboring structure is required for other items.

Attached Single-Family – Seaboard Townhomes (N-34, N-37, N-40)

[Standards Match Existing Development]

Seaboard townhome units (sometimes labeled Rear Load Townhome) follow standards typically applied in attached unit developments, where setback requirements are expressed in terms of building separations. The Seaboard units generally follow the same standards, however the plan includes variations in requirements applied to N-34 versus N-37 & N-40. Standards are cited as follows:

Min Front to ROW:	20 feet
Min. Side to ROW:	12 feet

Min. Building Separations

Side to Side:	15 feet
Side to Rear:	25 feet
Rear to Rear:	30 feet
Front to Front (private ct):	40 feet
Front to Front (private st):	80 feet
Front to Front (public st):	90 feet
To NH Perimeter Prop Line:	25 feet
Maximum Height (stories):	3
Max. Height (grade to eave):	45 feet

The conceptual plan of PUD also illustrates minimum drive aisle standards for the Seaboard townhomes. In N-34, a 27' wide private drive is provided with rear-load parking areas measuring 21.5'. The N-37 and N-40 detail proposes a 20' drive aisle with rear-load parking areas measuring 20'.

As corner side yards are essentially another "front yard," zoning standards typically align front yard requirements with corner side yard requirements. The proposed standard would permit a building to be located as close as 12 feet from the public right-of-way when its side adjoins the street, whereas units fronting on the same street would be required to provide a front yard of at least 20 feet. Staff recommends the minimum side to ROW setback be established at 20 feet.

PUD Public Improvements (Utilities, Roads, Sidewalks, Stormwater Management, etc.)

As discussed under the heading "Conceptual PUD Plan," the existing water and wastewater treatment plants are expected to be capable of serving Phase 1 of the development. Upon construction and operation of the system expansion improvements, presently under engineering design, the Village will be capable to serve the entire development.

Vehicular access to the site is currently provided by an unimproved rural route along Reinking Road. Reinking Road will be fully reconstructed by DRH to a full urban cross section with curb and gutter, and a bike path from Daniel/Andrew Blvds. to the second access proposed at N-34. As part of the engineering and legal review, the authority to construct the improvements relies on the concept of prescriptive right-of-way (ROW). While there is a basis for this consideration, details need to be confirmed on the proposed engineering plans and it is possible the work could require a temporary construction easement.

The proposed bike path is located on the east side of Reinking Road, in part due to the lack of ROW on the west side of the road. Because there are sizeable landscape berms on the east side of the road, plan details suggest a drainage swale will be provided to catch run off and direct flows before water can pool and over time, damage the path. Staff recommends the commission require suitable drainage design be confirmed as part of

final engineering review if the path is to be located on the east side of the road as proposed. To illustrate the approximate location of the road, staff prepared a photo exhibit, which is included with this agenda supplement and labeled Exhibit A. Reinking Road improvements are further detailed on the drawings labeled “Reinking Road Improvements” and “Reinking Road Southern Alignment.”

While this improvement addresses the condition of Reinking Road up to the project, without some intervention, Reinking Road will remain an unimproved gravel road west to Route 47 and the motoring public should not use this access in mass for safety reasons. Although not specifically illustrated on a plan, DRH suggested the installation of concrete “jersey barriers” (the type you see along major highway construction) with proper “Road Closed” signage to effectively preclude westbound access until such time as a fully improved roadway is constructed and connects at Route 47.

Commissioners requested DRH address construction traffic, to which the developer presented a “Construction Traffic Exhibit,” illustrating three scenarios. Under the first scenario, construction traffic would access the site from Route 47 via eastbound Reinking Road. Although this is not an ideal intersection, access to the site from other locations is restricted by the need to construct bridges over Tyler or Eakin Creeks. Commissioners are encouraged to discuss opportunities for the development provide IDOT-approved signage along Route 47 to alert motorists to potential vehicles entering/exiting the roadway ahead. The second scenario transitions construction traffic to Reinking Road after its reconstruction and installation of a bridge over Tyler Creek. Upon completion of improvements to connect Providence Street to Big Timber Road, all construction traffic will then be directed to enter from Big Timber Road. In considering this traffic plan, staff notes it is likely there will be some degree of non-compliance from time to time because human behavior is not often perfectly controlled by plan documents.

The proposed concept plan provides details of the proposed street ROW in the development. Plan-view dimensions generally correspond to existing development in the village and may per permitted as part of the PUD process. Technical review is being addressed by the Village’s engineer.

In response to comments concerning truck turning movements, DRH provided an exhibit illustrating turning movements for a certain dimensioned fire truck. Confirmation of the adequacy of these details was not available at the time of this report and thus staff recommends the commission condition any recommendation on confirmation of adequate truck turning movements within private vehicular access areas.

Staff previously noted the plan proposes four-foot wide sidewalks as a standard detail. Village code requires five-foot sidewalks to ensure compliance with the Americans with Disabilities Act (ADA). While the ADA provides allowances for four-foot wide sidewalks, certain parameters must be met to provide ADA passing spaces at least every 200’. The four-foot standard is prevalent throughout the village and may be permitted as part of the PUD. In follow-up to the workshop, discussions with DRH resulted in agreement to provide five-foot sidewalks where needed to comply with the ADA. Staff notes this standard is does not appear to be evident on the plans and therefore recommends any recommendation be conditioned on such compliance.

Several stormwater management areas and wetlands are located throughout the site in areas labeled “open space.” Following past practice, these areas are proposed to be dedicated to Village ownership, with property maintenance performed by the respective association above normal water line and Village responsibility for maintenance below normal water line. These details are typically spelled out in a set of covenants, conditions, and restrictions (CCRs) which are typically recorded along with the Final Plat. As no CCRs were submitted for review at this time, staff recommends the commission condition any recommendation on Village review and approval of covenants, conditions, and restrictions, and Village receipt of the recorded document prior to issuance of any occupancy permits in each neighborhood.

PUD Amenities & Landscape Buffers

DRH states the proposed development will operate its own homeowner association (HOA), which is expected to be responsible for certain maintenance activities and the operation of the proposed PUD amenities. The HOA and its members will not be a part of any existing HOA, nor have access to existing facilities presently operated by existing HOAs. At the time of this report, documentation is not available to add detail to the particulars surrounding the new HOA.

At the workshop, commissioners expressed interest in seeing some level of HOA oversight regarding the maintenance activities of the proposed single-family rental community’s management company; the idea being if the management company failed to provide an appropriate level of maintenance and the lack of maintenance began to infringe on the quality of life for the surrounding neighborhood, the HOA could step in and take some action to compel such maintenance. Staff discussed this concept with DRH, who indicated the CCRs will provide the Village the right, but not the obligation, to enforce the covenants and enter the property to perform maintenance, along with lien rights to recoup any expense.

As part of the PUD, the developer proposes to construct improvements above and beyond those required in a standard subdivision. Included as amenities are:

1. Central Park:

Plans for the central park amenity are identified on sheet 3 of the landscape plan. Included is an amphitheater seating area, located behind the development sign. The proposed development sign feature is illustrated in a separate document labeled “Monument Wall Concept” and features a rough face textured stone sign wall with illuminated 36” lettering and waterfall. The plan was revised to provide a “Ninja obstacle course” playground area, which is geared toward older children and intended to complement the smaller play areas located throughout the neighborhoods. Two bag toss areas are proposed within the open area, with the main feature being an enclosed private swimming pool and deck area, serviced by an entry pavilion. Also conceptualized for construction is a fire pit and grill area.

The perimeter of the pool facility measures approximately 125’ x 100’, which is comparable to the area enclosed for the pool, kiddie pool, and splash pad at the

Cambridge Lakes Community Center (CLCC). The pool itself is a curvilinear shape and is estimated to be ±6,750 SF in area. Parking for ±90 cars is proposed to service the area. As a point of reference, the CLCC is serviced by 115 stalls in the main lot, with approximately 60 additional stalls constructed by the baseball complex.

The American Planning Association published a report titled Parking Standards to as a summary of parking requirements found throughout various jurisdictions in the United States. Parking requirements vary for swimming pools, but generally land in the 1 stall per 50 square feet to 1 stall per 100 square feet of pool area. An alternative approach to defining parking requirements include addressing the use based on the larger outdoor recreation function, which some address with the requirement of 1 stall per 5,000 square feet of land area. Using these standards as a yardstick, the proposed 90 stall parking lot appears to be roughly in line with minimum requirements for swimming pools, however staff notes some jurisdictions would take a more conservative approach to serving this use, particularly in consideration of the other uses served throughout the park. Working in favor of the proposed number of parking stalls is the fact the amenity is geared toward the surrounding neighborhood which are all interconnected with walking/bike trails and thus expected to reduce parking demand due to the park's convenient non-motorized accessibility. Commissioners may wish to require the provision of suitable bicycle parking facilities as part of the improvements.

Below is a summary of spaces required using different planning metrics:

- a. **1 / 50 SF pool area:** 135 spaces
- b. **1 / 75 SF pool area:** 90 spaces
- c. **1 / 100 SF pool area:** 68 spaces
- d. **1 / 5,000 SF land area:** 90 spaces

2. East Park:

Plans for the east park amenity are identified on sheet 3 of the landscape plan. The plans were revised based on comments received and now include trail access from the residential area. Approximately half of the area north of Eakin Creek is now proposed as a 9-hole frisbee golf course, while soccer/lacrosse fields remain conceptualized closer to Big Timber Road. In response to commentary regarding the adequacy of parking, DRH expanded the proposed parking lot and reduced some of the active recreation areas proposed at the workshop (sand volleyball courts were eliminated). Since completion of the East Park is not anticipated until Phase 3 of the development, and therefore staff recommends approval of a final park development plan be deferred until such time as additional details are provided. To this end, commissioners are encouraged to condition any recommendation on Village approval of a final East Park plan as part of the Phase 3 Final PUD Plat review, which should conform to appropriate parking standards and Village-approved uses.

3. Bocce Ball Feature:

The proposed bocce ball feature is illustrated on page 3 of the landscape plan. The courts feature a formal landscape design, potential seating area around a fire pit with views out over the Eakin Creek floodplain and wetland area (there is a significant drop in grade from where the seating area would be located, sloping down ± 15 feet to the creek), and an architecturally prominent pergola with seating area designed as a “terminated vista” at the east end of Concord Street. Specific plans beyond this landscape detail are not available at this time.

4. Pocket Parks:

There is a conflict between the landscape plans and the conceptual plan of PUD with respect to the identification of pocket park locations. The conceptual plan of PUD reflects current discussions with DRH, which resulted in revisions to increase the number of pocket parks proposed in the development from two to seven. No pocket parks are included in the age-targeted neighborhoods. N-41 also lacks its own pocket park, which the developer indicates is due to its proximity to the central park amenity across the street.

5. Seating & Pickleball:

An area adjoining the stormwater management area between A-15 and A-16 includes a feature geared toward the age-targeted neighborhoods and will provide a seating area and two pickleball courts.

6. Walking Paths:

Walking paths are proposed throughout the development, generally located to the north east of A-16 and A-17, east of A-15, bisecting N-34 and N-36 through the wetland area, and circling the detention areas around N-37 and N-38. Current plans do not identify dimensional or material components of the trail, which are assumed to be asphalt surface at this time. Confirmation of the appropriate design standard is part of engineering design review, which approval was previously recommended as a condition of any recommendation by the PZC.

7. Landscape Buffers:

Several landscaped buffers are proposed throughout the development, principally in locations along collector roads that access each neighborhood pod. This design is consistent with the overall look of the village. The areas adjoining Big Timber Road, NH-39 and NH-40, both had a 50' landscape buffer incorporated in the plan presented at the workshop. The revised plan eliminated this buffer from NH-40 and moved housing units closer to the road. At this location, the documents are not clear where the right-of-way is located relative to the buffer and thus it is difficult to discern the actual proposed setbacks from the right-of-way. Staff recommends the commission condition any recommendation on confirming all proposed landscape buffers adjoining rights-of-way do not include areas dedicated or to be dedicated for right-of-way.

The plan was also modified to provide a landscaped berm and buffer between the existing Carillon neighborhood and proposed neighborhoods A-15 and A-16. Details of these buffers are identified on the exhibit “Southern Buffer Concept” and more specifically on “A-11 – A-15 Landscape Buffer” & “A-13 – A-16 Landscape

Buffer.” The buffer does not extend through the detention area due to grading needs and to preserve access to Village utilities.

At the workshop there was discussion about the pros and cons of including a fence as part of the buffer concept. Fences are not typically provided between residential to residential areas, rather they are more frequently seen separating residential areas from commercial or industrial developments. Staff cautions the commission in considering such an improvement as fences tend to be improvements some people like and others dislike. Additionally, the questions of location, responsibility for maintenance, construction materials, and the like would need to be adequately addressed from the perspective of all involved, including future residents of the new HOA. To help address comments suggesting a fence would provide value, commissioners may wish to discuss increasing the amount of landscape material installed on the proposed berms.

Preliminary Landscape Plan & Tree Preservation

The proposed preliminary landscape plan identifies a representative plant list and site details in general conformance with Village code. The plan was revised to address the provision of street trees, which are proposed at an interval of 55 feet (Village code is 40’). The plan was also revised to increase the quantity of landscaped islands at the entrance to each neighborhood. Although not specifically shown on the preliminary landscape plan, the revised detail “Reinking Road Improvements” illustrates the provision of street trees along Reinking Road, which was previously not addressed. As the proposed landscape buffer near the Tyler Creek bridge crossing lacks detail at this time, staff recommends the commission condition any recommendation on approval of a final landscape plan for each phase.

Staff notes the proposed 40’ minimum lot widths in N-35 and N-36 feature a 30’-wide housing product with a two-car garage, serviced by what appears to be a two-car driveway. To illustrate how this design will impact street trees, on-street parking, and snow removal on the public street, DRH submitted the exhibit “N-39 Typical Neighborhood Streetscape.” As shown, the plan suggests the units will be oriented such that, in most cases, the garage side of one house will adjoin the garage side of another house on the neighboring lot. At this time, this is the only plan that suggests this lot layout. If acceptable to the PZC, commissioners are encouraged to condition any recommendation on conformance with the N-39 Typical Neighborhood Streetscape plan to ensure there is an enforceable provision to achieve the suggested building orientations.

The preliminary landscape plan was updated to illustrate typical cross sections for stormwater management areas. The exhibit labeled “Pond Exhibit” identifies the various basins and the design approach to each facility (e.g. Open water (wet); Naturalized (wetland plantings)). DRH states overstory and understory trees will be provided around the perimeter of the stormwater management areas consistent with other ponds in the Village. The preliminary plan illustrates some perimeter plantings, however it is not clear if this is the actual proposed plantings or if it is simply a visual concept to be supplemented when final landscape plans are drawn. Additionally, specifics pertaining to the seed mixes, application rates, maintenance and monitoring plans to define the successful

establishment of the landscape prior to turnover remain outstanding and are expected to be provided as part of the final landscape submittal for each phase. Therefore, recommends the commission condition any recommendation on final landscape approval for each phase.

A full tree preservation plan was provided to replace the former summary document reviewed at the workshop. The overall approach remains the same, however the plan provides detailed information regarding tree species, size, and condition notes regarding the tagged trees. Staff review of the plan notes there are several low-quality or dying trees targeted for preservation, mixed in amongst several high-quality hardwood species in good health. DRH states they are willing to work with the Village to clear out some of the dead or dying materials to “clean up” the preserved areas, leaving reasonably quality material to thrive, if such an effort is desired. Commissioners are encouraged to consider the desired approach to the preservation area. Leaving all vegetation as is regardless of condition will likely provide a higher degree of foliage with a somewhat unkempt appearance. Cleaning it up will reduce the foliage, but may improve the overall appearance of the preservation area. Absent direction from the PZC, the default plan will be to retain the preservation area as proposed, without any clean-up effort.

Single-Family Detached Residential Monotony Standards

The original development plan for single-family detached units provided a “Monotony Code” to require a degree of architectural variation along the streetscape. DRH agreed to increase the monotony standard by eliminating permissive language that previously allowed the same elevation to be built across the street if the lot lines overlapped by 25% or less. Under the new proposed monotony clause, if a lot is located across the street and within 30’ of an existing home/lot, the same elevation cannot be used. As part of the rewrite, DRH dropped the definition of a “different elevation,” which staff recommends the commission require be retained (see strikeout text at the end of first paragraph).

The revised monotony language, as compared to the original, is as follows:

Elevations:

*The same elevation of the same floor plan cannot be repeated within two lots on the same side of the street. In other words, there must be two different elevations between each home. **In addition, the same elevations cannot be put across the street from one another. As used in the preceding sentence, the phrase “across the street” shall mean that if an elevation has been constructed on a given lot the same elevation cannot be constructed on a lot on the opposite side of the street if any portion of such latter lot is within 30 feet of the side lot line of the former lot, as extended across such street.** ~~A different elevation is not only defined as a different letter, but must be different in terms of roofline and fenestration.~~*

~~*The same elevations cannot be put “directly across the street” from one another. However, like elevations can be erected across the street from one another as long as the lot boundaries do not overlap by more than 25%; this is not considered “directly across the street.” In the case of*~~

small cul-de-sac (eight sites or less), no duplication of elevations should occur.

Exterior Colors:

On the same side of the street, the same exterior siding color should not be repeated within two lots. In other words, there will be two different siding colors between each house. Similar to the elevation rule, the siding color should not be the same on any house across the street.

As far as the trim, roof and brick colors are concerned, they should not be duplicated more than twice if side by side; i.e., there will not be three homes alongside each other with the same trim color.

Guest Parking

Limited guest parking is provided in the townhome/quad neighborhoods. As a best planning practice, guest parking spots should be provided to serve visitors to these neighborhoods. Some parking may be accommodated through on-street parking opportunities and it may be contemplated that guests park on the “driveways” leading into the garages of the units. Current experience in similar existing neighborhoods suggests this layout will benefit from the inclusion of reserved guest parking stalls.

Discussions with DRH indicate they agree to provide guest parking in these neighborhoods, however the guest parking stalls are not shown on the conceptual plans due to the drawing scale. Lending evidence to their agreement to provide guest parking is the fire truck turning exhibit for N-34, which appears to illustrate approximately 21 guest parking stalls to service 96 units, or roughly 0.22 spaces per unit. There appears to be opportunities to increase the number of guest stalls available and staff recommends the commission condition any recommendation on approval of a guest parking plan for each townhome neighborhood.

Phasing Plan

A project of this magnitude is developed in phases. To identify the sequence of development, DRH submitted a proposed phasing plan. Items critical to project phasing are typically the timing of public improvements or completion of project amenities. As presented, phase one includes dedication of the Providence Street north to Big Timber Road, reconstruction of Reinking Road from Daniel Blvd. to Austin Street, construction of the Central Park Amenity, and residential neighborhoods N-34, N-35, N-36A, and A-15A.

As the public road connection to Big Timber Road is a critical item concerning vehicular access for the development, staff recommends the commission require design engineering, local, state, and federal permitting procedures, and financial security for construction of the road be included as part of the first phase.

Park and School Contributions / Impact Fees

Discussions with the developer to address the proposed development’s impact to public facilities, including the provisions of park and school sites, utility tap-on connection fees, and other factors, such as transportation, fire protection, library, and municipal services,

have progressed as part of negotiations on the annexation agreement. While the detail of these matters is principally an issue considered by the Village Board as part of the annexation agreement, the following information is presented for the commission to understand the degree to which the proposed development is addressing such critical matters.

Two exactions specifically authorized by statute and imposed by the subdivision ordinance are land dedications for parks and schools, or cash-in-lieu of land. The following discussion is intended to identify the exactions required by the ordinances of the Village to develop a benchmark in evaluating the proposal.

Village standards for park donation follow a formula frequently used throughout the region of 10-acres per 1,000 population. The code permits the Village Board to accept privately-held and maintained open spaces to fulfill this requirement, provided the level of improvement is a substantially higher degree of improvement, which may include the installation of equipment, trails, and/or recreational facilities.

The developer proposes to fulfill requirements for park dedication through dedication and improvement of land as part of the subdivision/PUD process. To generally evaluate the sufficiency of the proposal, the requirement may be simplified by using an estimate of three persons per unit, or 3,018 persons generated by the development, which equates to ± 30 -acres of park land to be dedicated.

There are two principle areas for park dedication, notated as "Central Park Amenity" (± 9.8 -acres), and "East Park" (± 27.9 -acres) on the proposed concept PUD plan. Smaller areas, noted as a "Pocket Parks" are proposed throughout the development, some being integrated with a pedestrian trail network. Together, these areas sum to approximately 40-acres of property. Staff notes as much as half of this acreage is encumbered by floodplain, wetlands, or stormwater management facilities and should only qualify if the Commission finds the land is improved to an unusually high standard that transforms the land to provide much higher value and utility for the public. For example, Commissioners may consider how the proposed walking trails open up access and enjoyment to an otherwise passive open space as part of their consideration.

Village standards for school donations follows an approach and parameters generally common to municipal exactions for schools in the region. While it is the Village's regulatory authority for subdivision control that provides the ability to exact school donations, School District 300 is the entity responsible to plan and provide for education sites and facilities. This relationship leads to many communities requiring school impact fees in the form of cash-in-lieu of land, which are either collected by or distributed to the applicable school district.

Under the authority of an annexation agreement, school fees are often negotiated higher than otherwise prescribed by code. As a point of reference and to assist review of school donations, the table below identifies fees required by ordinance, based on a current fair market value estimate of \$130,000 per acre for improved land. Also identified are fees established by agreement for the Pioneer Landing development, annexed and approved in 2018. DRH agrees to pay school fees as prescribed by ordinance and calculated herein.

	Required by Ordinance*	Pioneer Landing Annexation Agreement	Proposed Fee Schedule D.R. Horton 2021
Single Family Detached Units			
2 Bedroom	\$448.83	N/A	?
3 Bedroom	\$2,074.28	N/A	?
4 Bedroom	\$3,475.60	N/A	?
5 Bedroom	\$4,216.58	N/A	?
Transition Fee **	N/A	N/A	?

Single Family Attached Units			
1 Bedroom	\$0.00	\$100.00	?
2 Bedroom	\$287.74	\$1,200.00	?
3 Bedroom	\$750.20	\$2,000.00	?
4 Bedroom	\$1,987.71	\$3,800.00	?
Transition Fee **	N/A	\$3,000.00	?

* Assumes fair market value of \$130,000.00 per acre of improved land

** Transition fees are collected in recognition of the delay between impacting the district and the receipt of property taxes. Transition fees are not collectable outside of an annexation agreement.

Other impact fees negotiated as part of the annexation agreement include:

1. Water Tap-on Connection: \$1,625/un (\$1,634,750 total)
2. Sewer Tap-on Connection: \$3,000/un (\$3,018,000 total)
3. Village Acreage Fee: \$3,000/ac (\$853,000 total)
4. Fire and Public Safety Fee: \$685/un (\$689,110 total)
5. Library Fee: \$150/un (\$150,900 total)
6. Kane County Road Improvements: Per Kane County Requirements
7. Special Census Contributions: \$50,000 x 2 (\$100,000 total)
8. New Warning Siren Contribution: \$10,000

Phase 1 Preliminary/Final PUD Plat

The preliminary/final PUD Plats for portions of Phase 1 were first submitted to the Village the morning of September 2, 2021 and therefore technical review is not complete at this time. As the Preliminary/Final Plats consist primarily of technical matters and must be approved by the Village if consistent with an approved PUD Concept Plan, commissioners may opt recommend approval subject to final engineering and acceptance of the proposed CCRs. An affirmative motion to this effect is provided in the next section for consideration.

AFFIRMATIVE MOTIONS

1. I move to recommend the Village Board approve the rezoning upon annexation from R-1 to R-1/R-5 PUD.

2. I move to recommend the Village Board approve a special use permit for a planned unit development, in accordance with the reviewed plans and public testimony, and subject to the following conditions:
 - a. Entitlement to units shown on the concept plan subject to final engineering approval and conformance with all applicable standards; and
 - b. Village review and approval of CCRs for each NH prior to final plat approval, and Village receipt of a recorded copy of the CCRs prior to issuance of occupancy permits in each neighborhood; and
 - c. Initiation and earnest progress to complete design engineering, local, state, and federal permitting procedures, and financial security for construction of Providence Street shall promptly commence upon recording the final plat for phase 1; and
 - d. Dedication of right-of-way for Big Timber Road, as required by Kane County; and
 - e. Kane County approval of the proposed access to Big Timber Road; and
 - f. Completion of road improvements, if any, as required by Kane County; and
 - g. Dedication of all right-of-way necessary to facilitate the proposed improvements; and
 - h. Installation of construction traffic safety signage along Route 47, as approved by IDOT; and
 - i. Confirmation all proposed landscape buffers adjoining rights-of-way are not inclusive of areas dedicated or to be dedicated for right-of-way; and
 - j. N-39 home and driveway locations to generally conform to the exhibit "N-39 Typical Neighborhood Streetscape" plan; and
 - k. Seaboard townhomes to provide a minimum corner side yard setback of 20 feet when adjoining public right-of-way; and
 - l. Retention of the text definition of "different elevation" in the monotony clause; and
 - m. All sidewalks to conform to ADA requirements, as amended from time to time; and
 - n. Permit issuance subject to the Village then having sufficient water and wastewater treatment capacity; and
 - o. Water main loop be provided on the western limits between NH-A17 and NH-41; and
 - p. Water main to be extended from Daniel Blvd. to Austin Street; and
 - q. Provision of a generator and automatic transfer switch at the proposed temporary lift station off Yellowstone Drive and Rainer Circle; and
 - r. Confirmation of adequate truck turning movements within private vehicular access areas; and
 - s. Provision of suitable bicycle parking facilities within the central park amenity; and
 - t. Village approval of final design of East Park, including parking facilities; and
 - u. Village approval of a guest parking plan for each townhome neighborhood; and
 - v. Final engineering approval for each phase; and
 - w. Final landscaping approval for each phase; and
 - x. Revision to plans to remove reference to "private street" on the quad detail and in the text for Bayside setbacks.

3. I move to recommend the Village Board approve the Conceptual Plan of Planned Unit Development, in accordance with the reviewed plans and public testimony, and subject to the conditions enumerated for the special use permit.
4. I move to recommend the Village Board approve the Preliminary/Final Plats for Unit 1, Unit A-15A, and Unit 34, conditioned on final engineering approval and Village review and acceptance of CCRs for the respective neighborhoods.
5. ***[If the PZC agrees with text submitted by DRH]*** I move to adopt findings of fact in support of the prior motions considered for agenda item 6.a.