

**Plan Commission Meeting
Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
March 9, 2016
7:00 p.m.**

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL/ESTABLISH QUORUM**
- 3. APPROVAL OF MINUTES**
 - A. February 17, 2016
- 4. NEW BUSINESS**
- 5. OLD BUSINESS**
 - A. Conservancy PUD Amendment- Continuation of the Public Hearing
- 6. COMMUNICATIONS**
- 7. ADJOURNMENT**

**Village of Gilberts
87 Galligan Road
Gilberts, Illinois 60136
Plan Commission Meeting Minutes
February 17, 2016
7:00 PM**

NOT APPROVED MINUTES

Call to Order

Chairman Mills called the meeting to order at 7:22 PM.

Roll Call/Establish Quorum

Present were Commissioners Borgardt, del Vecchio, Vice Chairperson Davidowski and Chairman Mills. Also present was Village Administrator Keller, Assistant Village Administrator Beith and Attorney Tappendorf. Not present were Commissioners Knudsen, Sullivan and McHone.

Approval of Minutes

A motion was made by Vice Chair Davidowski and seconded by Commissioner del Vecchio to approve the minutes of September 9, 2015. Voice vote: 4-ayes, 0-nays. Motion carried.

New Business

Conservancy PUD Amendment – Public Hearing

Administrator Keller introduced himself and gave a brief background history of the Conservancy project, its approval in 2005 and the bankruptcy of Neumann Homes in 2007, followed by the bankruptcy of the primary mortgager, IndyMac. The Village began their first conversation with Mr. Troy Mertz of Gilberts Development LLC in 2013.

Gilberts Development LLC is requesting an amendment to the PUD ordinance and preliminary plan for the property which is located west of Galligan Road and north of Freeman Road up to Huntley Road.

Administrator Keller went on to say that the public hearing would continue to the next Plan Commission meeting which would give the commissioners, staff or those in the audience time in case additional questions or concerns arise as well as give the developer time to address the concerns or questions.

A motion was made by Commissioner Borgardt and seconded by Vice Chair Davidowski to open the public hearing. 4 ayes (Commissioners Borgardt and del Vecchio, Vice Chair Davidowski and Chairman Mills). 0-nays, 0-abstain. Motion carried.

Village Attorney Tappendorf swore in those wishing to speak.

Attorney Tom Burns, representing the developer, verified that the proper notifications went out and proper procedure was followed regarding the public hearing. Administrator Keller stated that the public hearing was in compliance.

Troy Mertz of Gilberts Development LLC stated that he acquired the property in 2012 and began working with the Village in 2013. Following the bankruptcy of Neumann Homes, the Village had to put \$1.2 million towards the property. Mr. Mertz has paid off that debt. He went on to

demolish the two model homes which were left standing after Neumann Homes went bankrupt, and he continued to clean up the property.

Mr. Matt Nelson of Manhard gave a brief description of the preliminary site plan including the preservation of open space, the trail network and the neighborhoods. There are 11 neighborhoods in the preliminary plan with varying lot sizes ranging from 12,000 sq. ft. to 10,000 sq. ft. to 6,600 sq. ft. He went on to describe the setbacks. The age targeted neighborhood (6,600 sq ft properties) would include 152 lots and be located in the southeast corner of the development.

The density for the entire development is roughly 1 unit per acre.

Mr. Nelson went on to describe how the Army Corps revised the wetland area. There is now additional open space. He went on to give a description of the park areas. There would be 7 miles of trails throughout the site which would blend into the forest preserve. Some of the potential park amenities may include exercise nodes, educational nodes, Frisbee golf, a bocce ball court, a skating pond, sporting fields and water features.

Mr. Hugh Loftus of Manhard gave a brief summary of the watermain and sanitary sewer system layout including the location of lift stations.

Mr. George Kannigan of Phoenix and Associates elaborated on the regional stormwater management plan.

Mr. Mertz stated that the product is being built by Ryan Homes. He added that the age targeted product is in strong demand and is an underserved market in the Chicagoland area. These homes would be maintenance free ranch style homes. Mr. Mertz is hoping that having a diverse selection of neighborhoods will increase the rate in which the houses sell. He went on to give a description of the SSA bonds. He reiterated that he paid the \$1.2 million owed to the Village, which the Village used towards the school site.

Chairman Mills inquired whether there was an age minimum for age targeted neighborhood. Mr. Mertz stated that there is not; however, the amenities will help define the neighborhoods. For instance neighborhood 3 would hold the age targeted houses. This neighborhood's amenities may include an area for a bocce court and not have sports fields. Plus, he added that those wanting to purchase a house in this neighborhood would be looking for a maintenance free house, one in which mowing of grass and snow removal would be included in the monthly assessment fee.

Mr. Mertz stated that this development would be the first in the state to include fiber to each household. He went on to explain the Wi-Fi hot spots located in the parks which would allow internet access.

Commissioner del Vecchio questioned the lot sizes and whether they would vary in each neighborhood.

Michelle Kingsbury of West Dundee stated she came to the meetings back in 2005. She stated her concern for flooding, mosquitoes and water on the roadways (Binnie Road). She added her concern for the lack of a traffic study and no traffic signals. She doesn't want to lose the current country atmosphere.

Resident Penny Canasquille, who currently lives in Neighborhood 1 in the conservancy, wanted to verify that Neighborhood 1 would not be affected by these amendments. Mr. Mertz stated that the lot sizes would not change in her neighborhood. Ms. Canasquille proceeded to state her concern for the number of houses.

Bill Byrne addressed the Plan Commission on behalf of the Kreutzer family. He too was present at the previous meetings with Neumann Homes. He stated that the exit on the north side of the property utilizes the Kreutzer family's road. He added that in the past he didn't receive any answers from Neumann representatives. Mr. Mertz will speak with Mr. Byrne about this matter.

Mr. Byrne went on to state his concern for flooding. He has had past issues with their property flooding after developments have gone up. Recently the Kreutzer family had 7 acres of land under water. Mr. Kannigan explained how the regional stormwater management looks at surrounding areas and takes them into consideration when developing.

Mr. Mertz added that they have spent two years lowering the water table in the conservancy. It was lowered by 4 feet.

Morgan of West Dundee stated her concern for flooding. Since the development to the east had gone in, she has experienced flooding on her property. Mr. Kannigan again explained how the regional stormwater management plan looks at surrounding areas. He added that the additional 225 acres mentioned earlier allow for additional stormwater.

The SSA was discussed. Mr. Mertz stated that it is paid for by the developer, not residentially paid.

Resident Lonnie Ritchason stated that he feels the lot sizes are too small. A discussion ensued regarding the water facility expansion. The developer is expanding it at his cost. Administrator Keller stated that there is enough water supply for the current Pod. However, in order to open another Pod the expansion would need to occur. This expansion would need to be operational in 2-3 years.

Resident Gene Germaine has resided in the Village for 25 years. He stated his concern for an increase in traffic. He is worried that he will have to pay additional fees/taxes, and he's on a fixed income. Impact fees were then discussed. Mr. Mertz informed everyone that the school district receives roughly \$4,000-\$6,000 per home. He added that the fee would still be paid to the school district for the age targeted neighborhood.

Mr. Mertz added that he hoped that building the age targeted homes would enable him to build out sooner. Thus, adding additional taxes to the Village.

A discussion ensued regarding the requirement of traffic studies.

Someone from the audience suggested that a microphone be brought to the next meeting, so those speaking can be better heard.

Tom Schreiner, owner of property at Galligan and Binnie Road questioned the velocity in which houses are being sold at. Mr. Mertz stated that there have been 46 contract sales since March 21, 2015. He stated that was roughly 4 houses per month, which is what was anticipated.

Laurel Bradley stated her concern of small lot sizes, deteriorating roads, speeding motorists, drainage problems on her front property and over population.

Comparisons were made between the gross density of Gilberts Town Center and the Conservancy.

If smaller lot sizes are added to the Conservancy, open space will increase.

The possibility of adding starting homes was discussed.

Mr. Mertz explained how the subdivision carries the burden of building the school, improving Freeman Road and the water facility expansion.

Bruce Cratty questioned the type of Freeman Road improvements involved. Administrator Keller stated the road would be expanded along the subdivision property, Galligan to the railroad tracks. The improvements to Freeman Road would take place with the completion of 80% of neighborhoods 1, 2, and 3 which would be roughly 3 years from now. This is the standard because of the damage caused to roadways from construction vehicles.

Resident Dan Pace asked for clarification on the number of additional homes which is being asked for. He stated that when he built in Gilberts in 1990 his taxes were \$2,800 and this past year they were \$9,000. He is concerned that an increase in population will cause his taxes to continue to increase. He stated there are a lot of unanswered questions, such as who will be maintaining the parks. He questioned how the bike trails would benefit the rest of the Village. He feels the ponds and trails will only benefit the residents in the Conservancy. He questioned what

the benefit of the subdivision would be to the Village. He stated his concern of adding additional homes when there are currently vacant homes in Timber Trails.

Vice Chair Davidowski questioned the density of houses per buildable acre. There would be an average of 4-5 houses per acre. In the age targeted neighborhood there would be roughly 7-8 houses per acre. She proceeded to question what was meant by the parks having wetland features. In some areas the parks border the wetlands. Administrator Keller went on to explain the responsibilities of the HOA.

Vice Chair Davidowski questioned Ryan Homes' location of other developments. Mr. Mertz stated that they are building in Aurora.

The maintenance free ranch neighborhood would be single family homes. The neighborhood would attract customers looking for a smaller yard. They would have their own individual CCRs and have a higher monthly association fee, possibly around \$180 per month.

Two thirds of the development lies in the Huntley School District.

Resident Dan Pace questioned whether the roads would be too narrow to accommodate parking on the streets. Administrator Keller stated that the roadways would have two lanes with parking on both sides.

Two fire departments would service the subdivision.

Mr. Schreiner stated that in response to those asking how this would be beneficial to the Village, in his opinion it's in the Village's best interest that Mr. Mertz succeed and that he doesn't go bankrupt. He believes there would be more of a burden on the Village if the development did not succeed, financially and then with the vacant land once again.

Resident Amanda Gurr questioned the Village's affordable housing plan to which Administrator Keller gave an explanation.

Mr. Mertz gave a brief explanation of the flexible residential and commercial areas located on the northern part of the subdivision. These residents would have the convenience of walking to the commercial site. He added that it would be many years down the road before that area is built out.

Resident Josanne Pace questioned why someone would want to take on such a large project in the current economy. Mr. Mertz says he used to drive by the property and thought it would be a great subdivision one day. He added that there are no guarantees in life, but he's trying to be successful in selling homes.

Resident Barry Wandell stated that the addition of 216 lots benefits the developer, but questioned the benefit to the residents

Administrator Keller stated that he likes the conversation design of the development and read a list of staff's initial recommendations.

1. Roadway connection of Neighborhoods 3 & 4.
2. The plan should anticipate the likely extension if the horse farm is developed in the future.
3. There are concerns for the large intersection in the neighborhoods to the north. Also, the intersection is a large paved area making it difficult for snow placement when plowing.
4. Neighborhood 2 has a cul du sac with a large section of pavement. Again, there are concerns for plowing.
5. Staff recommend against the "flex residential" classification and believes the area should remain commercially zoned, with allowance to petition to amend the PUD to allow mixed development in the future.
6. There's a need to collaborate with KDOT on the design and deadlines for the Galligan/Freeman intersection improvements, Galligan Road turn lane improvements at the entrance to Neighborhood 4 and access to/from the commercial area via Freeman Road.
7. Staff drafted a replacement list of appropriate permitted and special uses to be allowed for the commercial area.
8. Housing products/exhibits need to be attached as elements of PUD approval.
9. The Village would like phasing plans for the parks and the sequence of the neighborhoods.
10. There is a need for the design and deadline for reconstructing or resurfacing Freeman Road including turn lane improvements at the entrances to Neighborhoods 1 and 3.
11. Need to address access into commercial area via Kreutzer/Huntley Roads.
12. Staff would like to see a draft of the CCRs for the age targeted neighborhood along with the CCRs for the overall development.
13. Need to establish the backup maintenance SSAs, so the Village isn't required to maintain the wetlands in case the HOA fails to maintain them.
14. There's a need to clearly delineate boundaries between buildable lots and designated wetlands, open spaces and forest preserve property, so property owners know where their property ends and the wetlands begin, open space or forest preserve property begins.

15. The proposed plan identifies 71 acres of “park” land. Many acres of it are in rear yards of residential lots and difficult to access from the rest of the community. The Village wants to secure the 18-20 acre “regional” park in Neighborhood 4, plus a 10-acre park in Neighborhood 2 and a 10-acre park in Neighborhood 10. Other “park” and “open space” acreage may be dedicated to the Village as permanent open space but maintained by the Conservancy’s HOA.

16. The age-targeted product is not currently provided in the Village and will provide a new option for attracting the 55+ residents who would not be interested in existing housing styles/lot sizes in Gilberts. If the Village is in favor of the proposed age-targeted product, Staff prefer the proposed layout that sets aside the age-targeted neighborhood and is still part of the larger development, rather than isolate all of the 55+ residents in a separate development, such as the way Sun City is laid out.

A complete list of recommendations will be drafted before the next scheduled meeting.

A motion was made by Vice Chair Davidowski and seconded by Commissioner Borgardt to continue the public hearing to the next regularly scheduled Plan Commission meeting.

Vote: 4 ayes (Commissioners Borgardt and del Vecchio, Vice Chair Davidowski and Chairman Mills). 0-nays. 0-abstain. Motion carried.

Zoning Map Update

A copy of the zoning map was included in the Plan Commission member’s meeting packets.

Old Business – None

Communications

The Commissioners congratulated Administrator Keller on his new position in Lake Zurich.

Adjournment

A motion was made by Vice Chair Davidowski and seconded by Commissioner Borgardt to adjourn from the meeting at 10:04 PM. Voice vote: 4-ayes, 0-nays, 0-abstains. Motion carried.

Respectfully submitted,
Karen Danca

Village of Gilberts

87 Galligan Road

Gilberts, Illinois 60136

Plan Commission

February 17, 2016

7:00 p.m.

Sign-in-Sheet

Name

Contact Information (Optional)

Brandi Coats 336 Jackson Ct

BARRY WANDER 516 KATHLEEN ST

Louise Richardson 525 Sleeping Bear Trail

ANTHONY DOBISH 860 TIPPERARY

CASEY HUTTON 94 RAILROAD

GEORGE KANAGIN 94 RAILROAD

Laurel Bradley 39W 301 Freeman Rd.

HUGH LOFTIS (MANHARD) 700 SPRINGHILL LANSBOD

MATT NELSON (MANHARD) " "

Denise Wandell 516 Kathleen St

G GERMYNNE 724 KERRY CT.

P " " "

John & Amanda Guen 722 Kerry Ct

Don Pace 721 Kerry Ct

Josanne Pace " "

WILLIAM BYRNE JR. ^{Kreutzen Limited Partnership} 10520 KREUTZEN RD.

Budget Hernandez

Penny P. Canasquillo

879 Blue Aster Parkway

Bernard Luczak

907 Blue Aster Parkway

~~Rebecca~~

Michelle & Bill Kingsbury

170710 Adams Dr
West Dundee Ill.

Dabhi Sellers

687 Welch

Mireya Valdez

426 Towne St

Dora Cozart

81 Augusta Dr.

Clement Paul Pacific III

408 Hennessy Ct.

Jack Johnson - Dunkill
Estates

Technology stock investor
@yahoo.com

Village of Gilberts

Village Hall
87 Gallgan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

Interim Village Administrator Memorandum

TO: Chairman Randy Mill
Plan Commission/Zoning Board of Appeals

FROM: William Beith, Interim Village Administrator

DATE: March 4, 2016

RE: Conservancy PUD amendment – public hearing March 9, 2016

As you know, in 2005, pursuant to Ordinance No. 05-46, the Village of Gilberts Board of Trustees approved a planned unit development and preliminary plans for the development known as the Conservancy. The Village also approved a final plat for “Pod 4” of the Conservancy. Subsequent to these approvals, the developer at that time, Neumann Homes, went into bankruptcy and the Conservancy development stalled for many years. Gilberts Development, LLC (“*Developer*”) has since purchased the property, and has been developing Pod 4 based on the previous final plat approval for that phase of the Conservancy development. Now, the Developer has filed an application with the Village requesting approval of certain modifications to the previous preliminary plan and PUD approvals for that portion of the Conservancy property that it owns (except for the approvals related to Pod 4, which will remain unchanged).

The Developer’s application for an amendment to the PUD and preliminary plan for that portion of the Conservancy property that it owns was noticed for a public hearing, and first heard and considered at the Plan Commission meeting on February 17, 2016. The Plan Commission opened the public hearing, heard testimony from the Developer and members of the public, and began discussion about the proposed zoning relief. The Plan Commission then continued the matter to its meeting on March 9, 2016, where the Plan Commission will conduct further discussions and deliberations, and, if ready, vote on the Developer’s application in the form of a recommendation to the Village Board.

To assist the Plan Commission in considering and voting on the Developer’s application for zoning relief, a draft motion has been prepared that the Plan Commission can consider. Additionally, a draft findings of fact has been prepared, which can be modified and expanded upon during the Plan Commission’s discussion of this matter.

Please contact me with any questions or background information that may be needed prior to the meeting.

Finance & Building Departments
Public Works Facility - Utility Billing
73 Industrial Drive, Gilberts, Illinois 60136
Ph. 847-428-4167 Fax: 847-551-3382

Police Department
86 Railroad Street, Gilberts, Illinois 60136
Ph. 847-428-2954 Fax: 847-428-4232

Plan Commission March 9, 2016

DRAFT MOTION

When the Plan Commission is ready to take action on the Developer's application, it might consider the following motion, which depending on the outcome of the Plan Commission's vote on this motion, will either recommend in favor or against the Developer's requested relief:

I move to recommend approval to the Village Board of Gilbert 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 which are hereby incorporated into this motion;
- (2) Developer's compliance with all conditions recommended by the Plan Commission during its deliberation;
- (3) Developer's compliance with or resolution of the staff review comments dated February 17, 2016; and
- (4) Village Board approval of any necessary amendments to the annexation agreement between the Village and the Developer.

Conservancy PUD Amendment

Initial Staff Review Comments – 2/17/16

- 1) Road needs to be constructed between Neighborhood 3 & 4 across Kishwaukee River and horse farm, connecting Neighborhood 3 to Neighborhood 4 at Street U. Safety factors, resident access and development continuity are important.
- 2) Plan should also anticipate likely extension of adjacent grid lot/street pattern if horse farm is developed.
- 3) It is not apparent what they have in mind for the large circled intersection in the neighborhoods to the north. What is the traffic flow? How is it controlled (ie: stop signs, yields, etc)? Also, it is a very large paved area. They appear to be about ¼ acre of pavement. Finding snow piling areas for that amount would be difficult. Maybe an island should be considered.
- 4) Neighborhood 2 has a cul du sac with pavement nearing ½ acre. Again, that would be a considerable amount of snow to be pile on the parkways making resident concern about blocking sidewalks. Maybe an island should be considered.
- 5) Neighborhood 5 –The 8” force main seems to end into a 10” gravity sanitary sewer.
- 6) When recommended for approval, Public Works would like an address exhibit to begin placing address numbers on the lots.
- 7) Open area in Neighborhood 8 should have a pathway to it large enough to accommodate an ambulance.
- 8) Staff recommend against “flex residential” classification. This area should retain commercial zoning, with allowance to petition to amend PUD to allow mixed development at a future time.
- 9) Minimum garage size needs to stay at 400 square feet, not 350 s.f. as proposed.
- 10) Staff drafted a replacement list of appropriate permitted and special uses to be allowed for commercial area.
- 11) Housing products/exhibits need to be attached as elements of PUD approval. Need to establish baseline design, size, etc. criteria for individual neighborhoods; need to establish mechanism to allow Board to review and approve alternate design criteria, building elevations, etc. for each individual neighborhood should they deviate from the baseline standards.
- 12) Phasing plans for infrastructure, park development and final plats of subdivision.
- 13) Need to collaborate with KDOT on design and triggers/deadlines for Galligan/Freeman intersection improvements, Galligan Road turn lane improvements at entrance to Neighborhood 4 and access to/from commercial area via Freeman Road.
- 14) Need design, trigger and deadline for reconstructing or resurfacing Freeman Road including turn lane improvements at the entrances to Neighborhoods 1 and 3.
- 15) Need to address access into commercial area via Kreutzer/Huntley Roads. Need to provide for cross-access circulation through commercial area if not developed as single development.

- 16) Need to establish the backup maintenance SSAs, starting with previously-platted Pod 4/Neighborhood 1.
- 17) Need to clearly delineate boundaries between buildable lots and designated wetlands, open spaces and forest preserve property to deter residents who may otherwise mow into protected areas to expand their usable "back yards."
- 18) Proposed plan identifies 71+ acres of "park" land, though many acres of it are in rear yards of residential lots, remotely located and difficult to access from the rest of the development and the community at large. The Village is focused on securing the 18-20 acre "regional" park in Neighborhood 4 near the water tower, plus a 10-acre park in Neighborhood 2 (adjacent to Neighborhood 1) and a 10-acre park in Neighborhood 10. Other "park" and "open space" acreage may be dedicated to the Village as permanent open space, to be maintained by the Conservancy's HOA. While this open space neither counts toward the Conservancy's public park requirements nor offsets any cash equivalent park impact fees, the Village recognizes that the provided open space reduces the overall density of the development through the effective use of a conservation-style lot configuration.
- 19) The timing of/trigger for the dedication of the 3 Village parks needs to be clarified along with any park-specific amenities, for which the developer may be credited for fulfilling the project's park land/cash obligations. The developer will be responsible for designing the parks for Village approval, then grading and seeding to the design for future playing fields. Park impact fees collected and held in escrow by the Village would be available for the developer to install any approved amenities.
- 20) The primary change requested by the PUD amendment is the character/size is the proposed 55+ age targeted neighborhood 3. The proposed 152 smaller lots, if approved, would be 15% of the total 997 dwelling units to be constructed. The age-targeted product is not currently provided elsewhere in the Village, providing a new option for attracting and retaining 55+ residents who would not be interested in existing housing styles/lot sizes in Gilberts.
- 21) If the Village is receptive to the proposed age-targeted product, Staff prefer the proposed layout that sets aside the age-targeted neighborhood that is still part of the larger development, rather than isolate all of the 55+ folks behind a gated wall in a separate development (e.g. Sun City). The Village will need to review and approve any CCRs and HOA setup that would "target" 55+ households and govern the age-targeted neighborhood.

DRAFT FINDINGS OF FACT

The Plan Commission hereby adopts the discussions and deliberations conducted at the February 17, 2016 and March 9, 2016 public hearings and recorded in the minutes of these meetings, which are hereby incorporated as if fully set forth into these findings of fact. The Plan Commission also adopts as findings of fact the following statements in support of its recommendation to the Village Board on Gilberts Development LLC's application for amendments to the planned unit development and preliminary plans for the Conservancy:

1. Special Use Standards:

- a. Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[comply]* *[do not comply]* with all provisions of the applicable district regulations for the following reasons, if any:

- b. Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will not]* *[will]* be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large for the following reasons, if any:

- c. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will not]* *[will]* dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations for the following reasons, if any:

In determining whether Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development will so dominate the immediate neighborhood, consideration shall be given to:

- i. The location, nature and height of buildings, structures, walls and fences on the site; and
 - ii. The nature and extent of proposed landscaping and screening on the proposed site.
- d. Adequate utility, drainage and other such necessary facilities [*have been or will be*] [*have not been*] provided for the following reasons, if any:

2. Planned Unit Development Standards:

- a. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development [*is*] [*is not*] consistent with the stated purpose of the planned unit development regulations for the following reasons, if any:

- b. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development [*will be*] [*will not be*] in harmony with the general and specific purpose for which this code was enacted and for which the regulations of the district were established and with the general purpose and intent of the comprehensive plan for the following reasons, if any:

- c. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will not]* *[will]* have an undue adverse impact on adjacent property, the character of the area, or the public health, safety, and welfare for the following reasons, if any:

- d. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will]* *[will not]* be constructed, arranged, and operated so as not to dominate the immediate area or interfere with the use and development of neighboring property in accordance with applicable district regulations for the following reasons, if any:

- e. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will]* *[will not]* be adequately served by essential public facilities and services, including streets, public utilities, drainage facilities, police and fire protection, refuse, disposal, parks, or schools, or the applicant will provide adequately for such services for the following reasons, if any:

- f. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will not]* *[will]* cause undue traffic congestion nor draw significant amounts of traffic through residential streets for the following reasons, if any:

- g. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[will not]**[will]* result in the destruction, loss, or damage of natural, scenic, or historic features of significant importance including trees, habitat reserves, rivers, streams, lakes, ponds, hills, ridges, and historic structures for the following reasons, if any:

- h. The proposed use and development by Gilberts Development LLC's proposed amendments to the PUD and preliminary plans for the Conservancy development *[complies]* *[does not comply]* with all additional standards imposed on it by the particular provision of this code authorizing such use for the following reasons, if any:
