

PLANNING & ZONING COMMITTEE MEETING

DAY & TIME:

Tuesday, April 25, 2023, 7:00 p.m.

LOCATION:

City of Palos Heights
City Hall Council Chambers
7607 W. College Drive
Palos Heights, IL 60463

Agenda

AGENDA

Planning & Zoning Committee
City of Palos Heights
Tuesday, April 25, 2023, 7:00 p.m.



LOCATION:

City of Palos Heights
City Hall Council Chambers
7607 W. College Drive, Palos Heights, IL 60463

1. Call to Order
2. Roll Call
3. Approval of P&Z Committee Meeting Minutes: February 28, 2023
4. New Business
5. Old Business

DOCKET 2023-01: Hidden Meadows Annexation and PRD proposal. Pursuant to City Code, Section 153.122, a request by McNaughton Development to hold a Pre-Application Conference with the Planning & Zoning Commission and the Planning & Zoning Committee to obtain information and guidance in preparing formal development application.

- Brief update and presentation by McNaughton Development
- Committee Discussion; Q&A with McNaughton
- Public Comment

6. Adjournment

Meeting Decorum: Persons wishing to address the board must first be recognized by the chairman, rise, step forward to the podium, and state your name and address into the microphone. Comments and are limited to ten minutes, unless an extension is granted by a majority vote of the board. All meetings are audio recorded. Oral reference to matters pertinent or germane to a matter being discussed must, if to be considered in the proceedings, be accompanied by bona fide evidence supporting such references, and such bona fide evidence must be submitted in writing as part of the proceedings.

Americans with Disabilities Act Notice: Disabled persons who require certain accommodations to allow them to follow and/or participate in a City Council meeting should contact City Hall as early as possible so reasonable accommodations can be arranged.

P&Z Committee Meeting Minutes

February 28, 2023

CITY OF PALOS HEIGHTS



Planning and Zoning Committee Meeting Minutes February 28, 2023

CALL TO ORDER

Chairman McGovern called the meeting to order at 7:08 p.m. on February 28, 2023. In attendance were: Chairman McGovern, Alderman Clifford, Alderman Key and Alderman McGrogan. Also present were Community Development Coordinator Ken Busse, Recording Secretary Morgan Pukula and 14 guests.

APPROVAL OF MINUTES

Chairman McGovern called for approval of minutes of the January 24, 2023 Planning & Zoning meeting, seconded by Alderman Clifford. All in favor and motion carried.

NEW BUSINESS

Docket 2023-01: Hidden Meadows Annexation and PRD proposal. Pursuant to City Code, Section 153.122, a request by McNaughton Development to hold a Pre-Application Conference with the Planning & Zoning Commission and the Planning & Zoning Committee to obtain information and guidance in preparing formal development application.

Opening Remarks

John Barry of McNaughton Developments stated their revisions were finalized and would be submitted Wednesday, March 1st. To enhance vehicular safety and circulation, the new entrance proposal includes aligning 80th Avenue at 135th Street with 80th Avenue south of 135th Street. This will require the acquisition of 4,400 SF from Oak Hills Golf Club. McNaughton presented the plan to the Oak Hills Golf Course, which includes a small 4,400-SF area at the southwest corner of the golf course. This must be acquired by McNaughton. Oak Hills Golf Course presenting an asking price of \$100,000 (\$22.73/SF). Formal negotiations have yet to begin. The 80th Avenue entrance will also require removing approximately 190 feet fence owned and by the Oak Hills HOA. A new fence would be installed along the new road configuration.

Mr. Barry reminded the PZ Committee that McNaughton Developers had an extensive meeting with the Cook County Highway Department regarding the 80th Avenue entranceway at 135th Street. Mr. Barry indicated the Highway Department is open to either option: aligning 80th Avenue to allow full access at the entranceway, or approving $\frac{3}{4}$ access if unable to align 80th Avenue with 80th Avenue south of 135th Street.

Mr. Barry indicated McNaughton has had discussions with the Palos Fire Protection District (“PFPD”), and received their input for a change to the emergency access at Misty Meadow Drive to include a fully paved, curb and gutter street with an emergency gate. The gate would be operable by the fire department, police and ambulance with a designated key. PFPD has reviewed the plan for fire apparatus circulation within the cul-de-sac and are satisfied with the turn radiuses. We will be submitting the final plan tomorrow and a letter to follow from the fire protection district.

We have had informal discussions with the South Palos Sanitary District and submitted a letter regarding de-annexing. The South Palos Sanitary District bonds partially secured by Misty Meadow properties will be retired at the end of 2023, thereby allowing Misty Meadow properties to disconnect from the South Palos Sanitary District.

Revisions to the detention pond have been made, however they are very similar to the plans presented last month. The detention pond meets all design standards of the city and MWRD. The pond will have maintenance ledges around it so it can be properly maintained and aesthetically pleasing. The depth of the detention pond reflects the original design, and the current plan includes a split rail fence around the west and southern boundaries.

The Oak Hills Golf Course owner expressed concern over the impact storm water may have on their property. An invitation was extended to Oak Hills Golf Course where they could meet with the engineers of McNaughton and the City to address these concerns. McNaughton is confident its engineer will design the storm water detention and drainage system so that the site discharge onto Oak Hills during peak periods will be less once the property is developed. We believe drainage improvements will reduce peak runoff that Oak Hills currently experiences. However, the improvements made to the Hidden Meadows property will not fix the storm water design and engineering problems that the Oak Hills property is currently experiencing.

Mr. Barry indicated McNaughton will soon submit a revised annexation agreement to the City. Revisions include working with Misty Meadow on detaching some property from the Misty Meadow subdivision and a cooperation agreement on storm water management.

There will be a revised landscape plan submitted including planting buffers, site amenities including possible gazebos and benches. A reconfigured parking plan will be offered for the park and we also added sidewalks through the site and park. The parking spaces were reconfigured as well to achieve a total of 26 parking spots.

Committee Discussion Q&A

Alderman McGovern asked about the tree line from 135th Street from Kirkcaldy to the south of the green on the 5th hold at the Oak Hills golf course. Mr. Barry stated the trees within that 50-foot stretch will be conserved as much as possible. The 50-foot width of that length must include a 28-foot street, a water main and sanitary sewer. Mr. Barry anticipated it will be difficult to preserve trees in this stretch of the entranceway, since it is very small and narrow. However, the area north of the entranceway drive (north of Kirkcaldy Court), McNaughton anticipates being able to conserve many more trees. Accordingly, the trees would then remain on the fence line along Oak Hills Golf Course.

Alderman McGovern then asked how the grading level would affect the Oak Hills Golf Course. Mr. Barry responded that the grade of Hidden Meadows will match the existing grade of Oak Hills at the property line where the both locations currently match one another. That 50-foot wide area north of that point will remain as natural as possible.

Alderman McGovern asked if trees would be replaced, and at what height. Mr. Barry stated the plan includes concentrating additional trees to serve as a buffer zone along the west side near Misty Meadow Drive and on the south side to buffer properties on the north side on Kirkcaldy. Mr. Barry stated that evergreen trees at 6 to 8 feet tall would be planted, and the age and height of such trees allow them to grow and thrive the best. Also among the evergreen trees will be 2 ½ - 3-inch caliper shade trees.

Alderman Key expressed that he does not believe the townhomes will affect the residents of Misty Meadows in a negative way. Alderman Key believes that trusting the engineers to do their part in this development is important and that going through with this project will be beneficial to all residents.

Alderman McGrogan stated the residents of Misty Meadows were told that Misty Meadows would remain a single-family subdivision. Mr. Barry stated that the Hidden Meadows PRD proposal and improvements are designed to ensure townhome traffic would not go enter through Misty Meadow Drive. The creation of a separate new street would separate vehicles from the townhome residents from vehicles of the Misty Meadow residents.

Alderman Clifford drew a diagram in lieu of the PowerPoint that was unable to be displayed. The drawing was to help the guests understand where the pond, the street and the townhomes would be. He also suggested an alternate entrance for Hidden Meadows. Alderman Clifford also stated his concerns about the detention pond. Mr. Barry replied that the detention pond will be designed properly.

Ken Busse stated the Fire Department wanted to access Hidden Meadows from 131st Street due to the excessive travel time taking the alternative route from 76th Street down to 135th Street. Alderman McGrogan suggested another entranceway option could be from 131st Street, and down through 80th Court. It was then clarified that 80th Court is a private driveway owned by the adjacent homeowners, and it is not a public street.

PUBLIC COMMENT

Sue Kubalanza, residing at 13317 Edinburgh Drive inquired about the approval process and next steps. Alderman Clifford explained that this meeting was for the residents of Misty Meadows and Oak Hills to express their comments and later there would be a formal public hearing, followed by consideration by the council.

Artur Rosaris, residing at 13344 Misty Meadows Drive explained that he does contract work in the city of Chicago and is concerned about the politics and decisions that will be made based on them. When he bought his home, he was under the impression that Misty Meadows was a single-family subdivision so he is concerned with the new development.

Robert Prentice, residing at 13343 Edinburgh Drive stated he enjoys Misty Meadows subdivision. He explained that there was always concern about not having a home owner's association and what the land would be developed into. He showed concern towards the economic impact on the residents of Misty Meadows, the water runoff, the road development and traffic throughout the subdivision. He stated he has no problem with the development but wants more information on if there is any negative impact economically on the residents of Misty Meadows and to deter traffic from going through Misty Meadows.

Matthew Moran, residing at 13250 80th Court explained that on 80th Court, they do own that road and they do have to maintain it. There are residents who care about what will be developed on the property directly adjacent to them and unfortunately they do not have an entity to fight for them, but wanted to show their concern.

Pamela Bluin, residing at 13308 80th Court is concerned about the property fencing. She believes her and her neighbors' backyards will be impacted by new families, kids and animals who may wander from their townhomes and onto their property.

Ken Busse described the process to follow this meeting. The developers will submit a revised plan for this development, along with an annexation application. Those materials will be submitted to our corporate council and attorney as well as the city engineer, Public Works, Fire Department and Parks and Recreation to provide a final review. Once the package is deemed complete by the city, then we would schedule a public hearing.

OLD BUSINESS

None.

ADJOURN

There being no further business, Alderman McGovern called a motion to adjourn, seconded by Alderman Clifford. All in favor and motion carried. Meeting adjourned at 8:07 pm.

Respectfully submitted,

Morgan Pukula

DOCKET 2023-01

Request: Annexation and Planned Residential Development (**PRD**)

Applicant/Developer: McNaughton Development, Burr Ridge, Illinois

Location: 13300 80th Avenue

.....~12-acre unincorporated area between Misty Meadow and Oak Hills

Summary of Zoning Change Request

DOCKET 2023-01: Hidden Meadows proposed Annexation and Planned Residential Development (**PRD**). Pursuant to City Code, Section 153.122, McNaughton Development requested a Pre-Application Conference with the Planning & Zoning Commission (“**Commission**”) and the Planning & Zoning Committee (“**Committee**”) to obtain information and guidance in preparing a formal Annexation Application and PRD Application. The Pre-Application Conference with the Commission and Committee occurred on Monday and Tuesday, January 23rd and 24th, respectively.

Proposed Annexation and PRD

Prior to the Pre-Application Conference a hard copy of the proposed annexation and PRD was delivered to members of the Commission and Committee. Additionally, electronic PDFs of the submitted documents were emailed to the Commission and Committee on Wednesday, January 18, 2023 at 4:41 pm and 4:49 pm. Finally, a HARD COPY of the documents is on display in the City Council Conference Room for review.

Pre-Application Conference Comments

Attached below, under the above referenced section, is a City letter to McNaughton Development containing a list of comments derived from the Pre-Application Conference. Also contained in the section is an email clarifying to McNaughton Development that a comment on open space and possible passive-park features had been inadvertently omitted in the letter. McNaughton Development had noted the comment during the Conference, and is addressing.

Pre-Application Conference Comments

Derived from the Pre-Application Conference

Conducted for

McNaughton Development

Conducted by the

Planning & Zoning Commission (1/23/23)

and the

Planning & Zoning Committee (1/24/23)

Ken Busse

From: Ken Busse
Sent: Friday, February 17, 2023 4:22 PM
To: Bill DeLeo; Ed Stevens; Mike Lombard; Pat Scully (patrick@riordan-scully.com); Tim Cronin (timevanscronin@gmail.com); Ald Jerry McGovern; Bob Straz
Cc: Ald Jerry McGovern; Ald. Jack Clifford (ward2jack@sbcglobal.net); Jeffrey Key; Michael McGrogan; David Strohl; Tom Brown (tab@swansonandbrown.com); Chuck Hankus
Subject: RE: P&Z Commission Quorum Request: 1/23/2023 AND 2/22/23

ALL,
A brief update on the proposed Hidden Meadows PRD...

FIRST, there is NO meeting next Wednesday, February 22nd.

A NEXT MEETING will be scheduled after (1) the Developer submits a formal Letter of Intent expressing the Developer's commitment to proceed with a petition to annex the property, (2) the Developer submits an updated PRD incorporating the Comments to the best of its abilities, and (3) city staff and consultants deem the materials are substantially complete to arrange a public hearing.

SECONDLY, John Barry and McNaughton Development team is working hard to address the Comments they received from the Pre-Application Conference with the Planning & Zoning Commission and Planning & Zoning Committee. Currently, the Developer is negotiating with the owner of Oak Hills Golf Club for the possible acquisition of a small parcel of land to allow full access at 135th Street.

THIRDLY, an item that had been among the Comments, and somehow omitted during the final letter, was a comment encouraging incorporating passive park feature(s) into the open space. This Comment was brought to John Barry's attention. Mr. Barry indicated they were aware of the comment at the meeting and are already looking into adding one or more passive park features within the PRD.

FINALLY, I will keep you posted as the City receives additional materials from the Developer. Once a complete Annexation and PRD Application is on file at the City we can put out a call for a quorum on the next meeting.

Enjoy your weekend,

Ken Busse
Economic Development Coordinator
City of Palos Heights
7607 W. College Drive
Palos Heights, IL 60463
kbusse@palosheights.org



Mayor

Robert S. Straz

City Clerk

Thomas Kantas

City Treasurer

James Daemicke, CPA

Aldermen

WARD 1

Jeffrey Key
Donald Bylut

WARD 2

Jack Clifford
Robert Basso

WARD 3

Heather Begley
Brent Lewandowski

WARD 4

Michael McGrogan
Jerry McGovern

February 3, 2023

John Barry
McNaughton Development
115220 Jackson Street, Suite # 101
Burr Ridge, Illinois 60527
johnb@mcnaughtondevelopment.com

Office: 630-325-3400
Cell: 708-767-1222

Re: Hidden Meadows Townhome PRD
Comments from the Pre-Application Conference
Next Steps

Dear Mr. Barry:

The purpose of this letter is to furnish McNaughton Development (or “**Developer**”) with written comments derived from the Pre-Application Conference (the “**Comments**”) conducted by the Planning & Zoning Commission (the “**Commission**”) and Planning & Zoning Committee (the “**Committee**”) on January 23, and 24, 2023, respectively.

The purpose of the Comments is to provide information and guidance to McNaughton Development in choosing whether to proceed and prepare, as outlined below, a final Annexation Application and Planned Residential Development (“**PRD**”) Application for the proposed Hidden Meadows PRD (the “**Proposed PRD**”). The attached PDF documents contain City Code excerpts pertaining to Annexation and PRD Applications and Procedures.

The Comments contained at the end of this letter were prepared for the Commission and Committee by the City Departments of Planning & Zoning and Public Works. The Comments are germane to the site design, civil engineering and other matters related to the Proposed PRD in context with City Codes and the larger community.

Please review and consider the Comments in context with your ability and commitment to proceed with an Annexation Application and PRD Application as outlined below under Next Steps.

NEXT STEPS

Outlined below are next steps in connection with annexation and PRD review, consideration, and possible approval. The next steps should be undertaken only after reviewing the Comments and committing to proceed through the next steps.

LOI and Escrow

The first step is to (i) submit a formal Letter of Intent (“**LOI**”) to the Mayor and City Clerk expressing your commitment to proceed with a petition to annex the property, and (ii) modify, to the best of your ability, the Proposed PRD to accommodate matters raised in the Comments. The LOI shall contain documents necessary to satisfy requirements for annexation, including those required by the *Illinois Annexation Law (65 ILCS 5/7-1)* (the “**Annexation Law**”), and City Codes pertaining to annexations. The attached PDF, **City Codes Pertaining to Annexations – Excerpts**) contains excerpts of City Codes pertaining to annexations requirements of the City. For purposes of satisfying City Code, the LOI and documents required by Annexation Law and City Code shall serve as an “**Annexation Application**”. A comprehensive set of City Codes pertaining to annexation, subdivisions, flood control, zoning and building is contained online at the following link:

https://codelibrary.amlegal.com/codes/palosheights/latest/palosheights_il/0-0-0-72601

McNaughton Development is encouraged to have its legal counsel contact the City attorney to ensure the Annexation Application is complete for submittal to the City for purposes of review and consideration. Following the submittal of a complete Annexation Application, the Committee shall estimate costs to be incurred by the City in reviewing and considering the Annexation Application, as well as the PRD Application, including, and not limited to, planning, engineering, legal, and publication of notice expenses. This estimate will be done with the assistance of staff and city consultants.

After the estimate is determined, McNaughton Development shall deposit with the city an amount equal to such estimate (the “**Escrow**”). Establishment of the Escrow is required before further consideration by the city, its staff, commissions, agencies, or consultants of the Annexation Application and PRD Application described below.

PRD Application and Annexation Agreement

The next step requires McNaughton Development to modify, to the best of its ability, the Proposed PRD to reflect and accommodate matters raised in the Comments contained at the end of this letter (the “**Modified PRD**”).

The Developer is encouraged to confer with city staff and the city engineer when assembling items related to the Modified PRD. Items will be review by city staff and the city engineer in context with the Comments, and additional guidance will be provided as necessary. The extent to which the Modified PRD incorporates the Comments may improve the likelihood of success.

The Modified PRD shall also contain supporting documents required pursuant to *City Code Sections 153.123(D) through 153.123(G)* (the “**City PRD Code**”). See attached PDF document, **PRD Code Excerpts Sections 153.100-153.131**, for a list of required documents to be contained in the PRD Application.

The Modified PRD and supporting documents required pursuant to the City PRD Code shall be submitted to the Mayor and City Clerk with the appropriate fee (the “**PRD Application**”). At this time the City Attorney, city staff and the city engineer will conduct a final review of the PRD Application for completeness. This review will require five (5) copies of the PRD Application contained in a 3-ring binder, and a PDF file(s) containing the PRD Application. Items refined at this point may be submitted individually in hard copy for replacement in the five copies, as well as in PDF form.

Once the PRD Application is deemed complete by the City, McNaughton Development shall submit an additional fifteen (15) copies of the PRD Application to the City Clerk. These too should be contained in a 3-ring binder. After this point the City is able to initiate the Public Hearing process.

Public Hearing and Consideration of Approval.

Once a complete and Final PRD Application is submitted to the City Clerk, the City shall establish a time and place for a public hearing, during which public comments will be heard by the Commission. At the conclusion of the public hearing, the Commission will recommend to the City Council to approve, modify and approve, or disapprove the PRD Application. Next, the Committee will review and consider the Commission's recommendation. The Committee may recommend additional modifications before referring it to the City Council for consideration and possible approval. Finally, the City Council will consider the recommendation of the Commission, as well as possible modifications before calling a vote for possible approval.

Comments from the Pre-Application Conference

Listed below are the Comments derived from the Pre-Application Conference conducted by the Commission and Committee on January 23rd and 24th, respectively. The purpose of the Comments is to provide information and guidance to McNaughton Development in choosing whether to proceed and prepare a Modified PRD as part of a final Annexation Application and PRD Application for submittal to the City. The Comments are germane to the site design, civil engineering and other matters related to the Proposed PRD. The extent to which a Modified PRD incorporates the Comments may improve the likelihood of success. Additional Comments may be provided by the Commission and Committee during the Public Hearing process of the Modified PRD. Finally, the Comments are in addition to requirements pursuant to the City PRD Code.

A. Architectural Design, Layout, Density and Landscape Elements

1. Townhome elevations shall include 60% or more of brick elements
2. Front yard building set back along Misty Meadow Drive is 30 feet, and drawing scales 30 feet. Label notes 25 feet. Confirm 30 feet, and correct label.

3. Ensure side yard setback is 10 feet along south side of Unit 53 adjacent to retention wall
4. Architectural grade handrails or attractive fencing along perimeter of townhome yards where grades are steep or retention walls exist, such as the south side of Unit 53
5. Preserve and enhance existing stands of trees, vegetation and screening along the perimeter of the PRD, and where possible, to enhance visual and acoustical privacy of residents and to screen objectionable views or uses
6. Establish a Landscape Escrow to ensure new plantings survive two seasons
7. If possible, reduce number of units to accommodate requirements of the Comments
8. Pursuant to City PRD Code Section 153.123(F)(1), provide estimate of population density and ages of anticipated residents, including school-aged children

B. Hidden Meadow Drive, Guest Parking and Vehicle Elements

1. Provide turn-around or cul-de-sac at west end of Hidden Meadow Drive rather than dead end street
2. Design emergency access at west end of Hidden Meadow Drive to allow snow removal operations and snow stacking so emergency vehicle access from Misty Meadow Drive is not blocked
3. As recommended by the Committee, consider increasing ratio of guest parking spaces along Hidden Meadow Drive and Hidden Meadow Court from current ratio to 1 space per two units, bringing total to 26 spaces for 53 units
4. Remove parking pad on Misty Meadow Drive. Parking pads in Public ROW are not allowed
5. Review with Palos Fire Protection District street design, access and turning radii
6. Provide intersection design of Hidden Meadow Drive and 135th Street. Full access is strongly encouraged, as well as the alignment of Hidden Meadow Drive with 80th Avenue south of 135th Street
7. Install entranceway signage along 135th Street to identify subdivision
8. Install "No Outlet" signage or possible gated entranceway at 135th Street to prevent potential through-vehicles having to turn around at end of Hidden Meadow Drive
9. Preparation of a traffic impact analysis is strongly encouraged to assess whether and to what extent vehicles of the Townhome PRD may have on the surrounding roadways

C. Engineering, Drainage, Utilities, Easements and Related Elements:

1. Preliminary drainage report does not include drainage on the north side of development. Include overland flow and capacity of the inlets on Hidden Meadows Court
2. Grading of northern detention basin appears to interfere with an existing cross-access easement for the single-family residential property located east. Confirm no conflicts with existing or implied easements. Include existing cross-access easement on plans.
3. Grading plan on Hidden Meadows Court appear to have a seven foot discrepancy. Correct on final engineering plans
4. Hidden Meadow Drive shall not be used as overflow path from the detention pond since it is the main access road to the subdivision
5. Drainage report to be reviewed by City Engineer
6. No storm water detention basin shall be constructed within a distance of 10 feet plus 1.5 times the depth of any basin to any public roadway and parking areas. Provide vehicle guard rails where this requirement cannot be met
7. Review 15-foot detention basin depth with MWRD, and review possible MWRD recommendations with City
8. Provide split rail or decorative fencing around the perimeter of the large detention basin
9. A minimum setback of 12 feet around the perimeter of the detention basin shall be provided for maintenance
10. Trees on the landscaping plan around the detention basin do not correspond with the slopes on the grading plan, appearing to be planted on slopes. Review and correct where necessary.
11. Minimize tree plantings over water, storm and sanitary sewers
12. All retaining walls over 3 feet in height shall be designed by a structural engineer and calculations submitted during final engineering review
13. Storm sewer behind Units 1-5 appears to be located in the zone of influence for the retaining wall. Move wall or storm sewer
14. Investigate and address an existing non-working 10-12 inch corrugated metal drainage pipe coming from the PRD area east of Unit 4.
15. Provide Army Corp of Engineers Jurisdictional Determination Letter for the proposed site to ensure the ephemeral water stream is not within the project limits.

16. South Palos Sanitary District appears to have utilities in the northwest corner of the developments. Include existing easements on plan.
17. Provide Blanket Public Utilities and Drainage easement for the development
18. Number each utility structure on plans including hydrants, manholes, valves, inlets, etc.
19. Utilities north of Unit 34 and west of Unit 30 appear to conflict with South Palos Sanitary District utilities and easement. Confirm no conflicts exist
20. Hydrants shall be located 5 feet from the back of curb or edge of pavement
21. Provide hydrant with 8" hydrant leg on west end of Unit 25 near structure 11, which will serve as a utility stub to allow for the extension of utilities for possible future annexation of property to the north, west and east
22. Provide a minimum four feet of cover over all sanitary sewers
23. Pipeline/Sanitary crossing is vague. Identify what needs to be removed
24. Provide another sanitary manhole between Structure 1 and Structure 2
25. Install a valve vault over the existing water valve on Hidden Meadow Drive near 135th Street
26. Due to significant amount of sewer crossings, all PVC sewers shall be constructed with ASTM D2241 sewer instead of D3034. All RCP storm sewers shall be constructed with ASTM C443 gasket joints

D. HOA Covenants, Conditions & Restrictions, and Other Matters:

1. Preliminary plans show the entire Misty Meadow storm water runoff to be routed through Hidden Meadow. Annexation agreement shall be clear that the Hidden Meadows HOA shall be responsible for maintenance of its storm sewer system that will receive storm water discharge from Misty Meadows.
2. Annexation agreement shall also clearly define where and to what extent storm water runoff, collection, drainage and detention from Misty Meadow becomes the responsibility of Hidden Meadows, and whether and to what extent Misty Meadow HOA may share responsibility.
3. Prepare draft Declaration of Covenants, Conditions and Restrictions for the Hidden Meadows Homeowners Association ("**Hidden Meadows HOA**"), which shall contain a conveyance of common space, detention basins, storm water system to the Hidden Meadows HOA guaranteeing the continued use of the land for the intended purposes, as well as their proper and continued maintenance, and provision of funds required for maintenance, adequate insurance protection, etc. Review with City Attorney.
4. Review with City Attorney draft agreement for public storm water drainage to be received by the Hidden Meadows PRD, and whether insurance or other

arrangements may be required to ensure maintenance of the storm water detention by the Hidden Meadows HOA.

5. Review with City Attorney the extent to which a re-subdivision of Misty Meadow is required for the two lots that will become part of Hidden Meadows, and the possible disconnection of those parcels from the Misty Meadow HOA
6. Petition for deannexation from South Palos Sanitary District

Thank you for your time and attention to the Comments, as well as your continued commitment to working with the City in creating a mutually agreeable townhome PRD. Please call or email if you have comments or questions. I will direct your comments and questions to the appropriate person(s).

Sincerely,



Kenneth R. Busse

Economic & Community Development and Planning & Zoning Coordinator

Attachments:

*City Codes Pertaining to Annexations – Excerpts
PRD Code Excerpts Sections 153.100-153.131*

Cc w/attachments via email:

Mayor Straz
Thomas Kantas, City Clerk
David Strohl, City Administrator
Tom Brown, City Attorney
Chairman Stevens and Planning & Zoning Commissioners
Chairman McGovern and Planning & Zoning Committeemen
Adam Jasinski, Director of Public Works
Aurimas Spucys, Morris Engineering