



**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING NOTICE/AGENDA
TUESDAY, JANUARY 24, 2023 - 7:00 PM**

**RICHARD T. FLICKINGER MUNICIPAL CENTER, COUNCIL CHAMBERS
6101 CAPULINA AVENUE, MORTON GROVE, IL 60053**

In accordance with the Illinois Open Meetings Act, all Village Board and Commission meetings are open to the public. This meeting can be viewed remotely via the live stream link found at: www.mortongroveil.org/stream. (If an Executive Session is placed on the agenda, the meeting shall commence at 6:00 pm and the time between 6:00 pm and 7:00 pm shall be used for the Executive Session per 1-5-7A of the Village of Morton Grove Municipal Code. If the Agenda does not include an Executive Session, the meeting will begin at 7:00 pm.)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes** – Regular Meeting – January 10, 2023
5. **Special Reports:** - None
6. **Public Hearings** - None
7. **Plan Commission Reports** - None
8. **Residents' Comments (agenda items only)**
9. **President's Report** – Administration, Council of Mayors, Northwest Municipal Conference, Strategic Plan Committee
10. **Clerk's Report** – Family & Senior Services, Advisory Commission on Aging, Condominium Association
11. **Staff Report**
 - a. **Village Administrator**
 - 1) **Ordinance 23-01:** (Introduced January 10, 2023, Second Reading) Authorizing a Developer Note to 100 West Golf, LLLC and Castle Motor Sales, Inc. dba Napleton Honda of Morton Grove regarding the Redevelopment of 8833 Waukegan Road, 6900 Dempster Street, and 8888 North New England Avenue in Morton Grove, Illinois

b. **Corporation Counsel**

12. **Reports by Trustees**

- a. **Trustee Khan** – *Finance Department, Appearance Commission, Capital Projects, French Market, Lehigh/Ferris TIF (Trustee Travis)*
 - 1) **Resolution 23-05:** Authorizing the Execution of a Contract with Foster & Foster for Actuarial Services for the Village of Morton Grove Police, Fire, and Municipal Retirement Funds and Other Post-Employment Benefits.
- b. **Trustee Minx** – *Fire Department, Fire Pension Board, Fire & Police Commission, Special Events Commission, RED Center, NIPSTA (Trustee Thill)*
- c. **Trustee Shiba** – *Building Department, Environment & Natural Resources Commission, Legal Department, IT Department (Trustee Witko)*
- d. **Trustee Thill** – *Public Works Department, SWANCC (Solid Waste Agency of Northern Cook County), MG-Niles Water Commission, Traffic Safety Commission (Trustee Minx)*
 - 1) **Resolution 23-06:** Authorizing the Execution of a Service Contract with G&M Trucking, Inc. for the 2023 Material Hauling Program
 - 2) **Resolution 23-07:** Authorizing the Acceptance of a Material Proposal from Arrow Road Construction Company for the 2023 Material Purchasing Program
- e. **Trustee Travis** – *Police Department, Police Pension Board, Fire & Police Commission, Community Relations Commission, (Trustee Khan)*
- f. **Trustee Witko** – *Community & Economic Development Department, Economic Development Commission, Plan Commission/ Zoning Board (Trustee Shiba)*
 - 1) **Ordinance 23-02:** *(Introduced January 10, 2023, Second Reading)* Approving a Preliminary Plat of Subdivision and a Planned Unit Development Special Use Permit for a Six-Unit Detached Single-Family Residential Development on Property Commonly Known as 9312 Shermer Road in Morton Grove, Illinois

13. **Other Business**

14. **Presentation of Warrants** - \$1,549,865.66

15. **Residents' Comments**

16. **Adjournment**

**MINUTES OF A REGULAR MEETING OF THE PRESIDENT
AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE
RICHARD T. FLICKINGER MUNICIPAL CENTER COUNCIL CHAMBERS
JANUARY 10, 2023**

CALL TO ORDER

- I. Village President Dan DiMaria convened the Regular Meeting of the Village Board at 7:00 p.m.
& II. in the Council Chambers of Village Hall.

- III. Village Clerk Eileen Harford called the roll. Present were Trustees Saba Khan, Rita Minx, Ashur Shiba, John Thill, Connie Travis, and Janine Witko.

IV. **APPROVAL OF MINUTES**

Trustee Minx moved to approve the Minutes of the December 12, 2022 Village Board Meeting as presented. Trustee Thill seconded the motion. **Motion passed unanimously via voice vote.**

V. **SPECIAL REPORTS**

NONE

VI. **PUBLIC HEARINGS**

NONE

VII. **PLAN COMMISSION REPORTS**

1. Mayor DiMaria noted that tonight's report would be presented by Community Development Administrator Zoe Heidorn.
- a. Ms. Heidorn said it was her pleasure to introduce Plan Commission Case PC 22-13, which will be on tonight's agenda for a first reading as Ordinance 23-02 under Trustee Witko's report. This is a request for approval of a preliminary plat of subdivision and planned unit development to authorize the construction of six (6) detached single-family dwellings with accessory accessways, parking, and landscaped areas at 9312 Shermer Road, which is a 1.6 acre property that is currently vacant.
- b. On October 3, 2022, the Appearance Commission recommended approval of the Application with conditions, and on October 6, the Traffic Safety Commission recommended approval with comments.

VII. **PLAN COMMISSION REPORTS** (continued)

- c. However, due to concerns with the density, housing uniformity, parking, and storm water management, the Plan Commission unanimously recommended to deny the Application at its meeting on October 17. The developer modified the site plan and responded to comments issued by the Commissions, and on November 14, the Village Board voted to remand this case back to the Plan Commission for reconsideration. On December 19, the Applicant reappeared before the Plan Commission to present revised plans reducing unit count to six units and providing more developed storm water detention plans. Based on the revised plans, the Plan Commission voted unanimously to recommend approval of the project.
- d. Ms. Heidorn said the developer is in attendance this evening, as is the architect, to answer any questions of the Board, adding that she, too, would be happy to address any questions.
- e. There were no questions from the Board, but Trustee Thill said he'd like to extend his thanks to the Plan Commission for a really outstanding meeting; they did the right thing by bringing down the unit count from eight to six. He felt the plans looked much nicer and that sales would be faster with six units rather than eight.
- f. Mayor DiMaria thanked the developer, saying "We appreciate the modification," and thanked Ms. Heidorn for her presentation.

VIII. **RESIDENTS' COMMENTS (Agenda Items Only)**

NONE

IX. **PRESIDENT'S REPORT**

- 1. Mayor DiMaria asked that everyone continue to remember the Ukrainian people, and to keep them in our thoughts and prayers.
- 2. Mayor DiMaria wished everyone a happy, healthy holiday season, from his family to everyone's. He said Morton Grove had a great 2022 and many other good things are coming to fruition in 2023.
- 3. Mayor DiMaria reminded everyone that the Village is offering holiday lights recycling through February 1, 2023. A holiday lights recycle bin is located in the lobby of Village Hall (6101 Capulina) and all holiday string lighting is accepted through this free program. Discarded lights will be recycled through the Solid Waste Agency of Northern Cook County (SWANCC) and Elgin Recycling. He pointed out that garlands, live greens, wreaths, and other decorations attached to lights will NOT be accepted. If anyone has questions, they should call Elgin Recycling at 847-448-4311.

X.

CLERK'S REPORT

Clerk Harford had no formal report this evening.

XI.

STAFF REPORTSA. Village Administrator:

1. Village Administrator Czerwinski said, under his report this evening, he has both a Resolution and an Ordinance. He first presented **Resolution 23-01, Approving an Economic Incentive and Sales Tax Sharing Agreement by and among the Village of Morton Grove, 100 West Golf LLC, and Castle Motor Sales, Inc. d/b/a Napleton Honda of Morton Grove.**
 - a. Mr. Czerwinski said the purpose of this Resolution is to approve an economic incentive and tax increment allocation financing development and sales tax sharing agreement between the Village and Castle Motor Sales, Inc. He said the financial impact of this Resolution is that, over the next ten (10) years, Napleton will receive up to \$500,000 in sales taxes generated from the business, over and above the \$510,000 in annual sales taxes currently paid to the Village, adjusted for inflation. It will also receive up to \$3.8M plus interest at 6% payable from new property taxes paid to the Village from the Napleton site.
 - b. Mr. Czerwinski said, "It's important to realize that no taxpayer dollars support this redevelopment agreement. All funds generated will be within the site of the Napleton development." He asked the Board for their support of this Resolution. Mayor DiMaria asked for a motion regarding the Resolution. Trustee Minx moved to approve Resolution 23-01, seconded by Trustee Thill.

Motion passed: 6 ayes, 0 nays.

Tr. Khan aye
Tr. Thill aye

Tr. Minx aye
Tr. Travis aye

Tr. Shiba aye
Tr. Witko aye

- c. Mr. Czerwinski thanked the Board, noting that he appreciates the Board's support and staff will too, as it took a bit of hard work to get this development going, and it will be beneficial to the Village.
2. Next, Mr. Czerwinski presented for a first reading **Ordinance 23-01, Authorizing a Developer Note to 100 West Golf, LLC and Castle Motor Sales, Inc. Regarding the Redevelopment of 8833 Waukegan Road, 6900 Dempster, and 8888 North New England Avenue in Morton Grove, Illinois.**
 - a. Mr. Czerwinski noted that, initially, this Agenda item had indicated that no second reading would be necessary. That is not correct, the second reading of this Ordinance will occur on January 24.
 - b. Mr. Czerwinski said this Ordinance is an accompaniment to Resolution 23-01, which the Board just approved. It authorizes a Developer Note payable to the Steve Napleton Automotive Group, pursuant to the economic incentive and tax increment allocation financing development and sales tax sharing agreement approved by Resolution 23-01.

XI. **STAFF REPORTS** (continued)

A. **Village Administrator:** (continued)

- c. Mr. Czerwinski noted that, over the next 20 years, Napleton will receive up to \$3.8M plus interest at 6% payable from new property taxes paid to the Village from the Napleton site. No Village taxpayer dollars are associated with this; it all comes from within the site itself. Mr. Czerwinski said the Village will continue to receive and retain its current level of property taxes generated by the car dealership site. Payment of principal and interest on the Developer Note will only be paid from property taxes paid to the Village over and above these current levels.

As this is the first reading of this Ordinance, no action will be taken this evening.

- 3. Mr. Czerwinski wished everyone a happy New Year. He thanked the Board for their support in 2022, and said he looked forward to a prosperous 2023 for everyone.

B. **Corporation Counsel:**

Corporation Counsel Liston had no formal report this evening.

XII. **TRUSTEES' REPORTS**

A. **Trustee Khan:**

Trustee Khan had no formal report this evening.

B. **Trustee Minx:**

- 1. Trustee Minx presented **Resolution 23-02, Authorizing an Intergovernmental Agreement for Participation in the Mutual Aid Box Alarm System.**
 - a. She explained that the Mutual Aid Box Alarm System (MABAS) was organized in 1968 in the northwest and western suburbs of Chicago and has grown into a multi-state organization of 2,200 members to coordinate response to fires, emergency medical calls, hazardous material, technical rescue and other emergencies and disasters through prearranged mutual aid and dispatch agreements. The system is designed to facilitate all levels of mutual aid from day-to-day automatic aid responses to major incidents and disasters requiring significant deployment of resources. MABAS member units include everything from all-volunteer fire departments to those in major cities like Chicago, Milwaukee, and St. Louis. All government units who participate in MABAS must sign the same MABAS Master Agreement. The current Master Agreement was drafted in 1988 and has been updated to address modern conditions, opportunities, and challenges of MABAS and its members.

XII. TRUSTEES' REPORTS (continued)B. Trustee Minx: (continued)

- b. Trustee Minx said this Resolution will adopt and authorize the Village President to execute the updated Mutual Aid Box Alarm System Master Agreement as approved by the MABAS Executive Board on October 19, 2022.

Trustee Minx moved, seconded by Trustee Travis, to approve Resolution 23-02.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

C. Trustee Shiba:

Trustee Shiba had no formal report this evening.

D. Trustee Thill:

1. Trustee Thill presented **Resolution 23-03, Authorizing a Contract Extension with Mid-American Water of Wauconda, Illinois For the 2023 Fire Hydrant Replacement Program.**
- a. He explained that the Village is responsible for maintaining its water distribution systems, including 1,170 fire hydrants running at peak performance for optimal fire protection throughout the Village. Over the last eight years, availability and cost of parts has made it harder to repair older hydrants, some dating back as far as 1928. As such, the Village has implemented an annual fire hydrant replacement program.
- b. In 2021, the Board entered into a contract with Mid-American Water of Wauconda, IL to purchase 50 fire hydrants at \$2,668 per hydrant, totaling \$133,400. This contract also gave the Village the right to renew the contract for up to two additional fiscal years, at the same pricing and with the same terms and conditions. Mid-American has agreed to extend the existing pricing and terms for 2023 for the purchase of 30 new fire hydrants totaling \$80,040. This Resolution will authorize this purchase.

Trustee Thill then moved to approve Resolution 23-03, seconded by Trustee Minx.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XII. TRUSTEES' REPORTS (continued)D. Trustee Thill: (continued)

- c. Trustee Thill commented that quite often, people don't realize that money the Village receives for various sources goes into our infrastructure. People who question this don't realize how critical it is to maintain and/or improve the town's infrastructure.
- 2. Trustee Thill then presented **Resolution 23-04, Authorizing Participation in the Northern Illinois Municipal Electric Collaborative (NIMEC) and Authorizing the Village Administrator to Approve a Contract for Electricity for Village-Owned Buildings, Facilities, and Infrastructure.**
 - a. This will authorize the Village to participate in the Northern Illinois Municipal Electric Collaborative (NIMEC) as the Village's non-exclusive energy broker to search the open market and find electricity at a lower rate than the Commonwealth Edison rate for Village-owned buildings, water pumping stations, and parking lot lighting.

Trustee Thill moved to approve Resolution 23-04, seconded by Trustee Minx.

Motion passed: 6 ayes, 0 nays.

Tr. Khan aye
Tr. Thill aye

Tr. Minx aye
Tr. Travis aye

Tr. Shiba aye
Tr. Witko aye

E. Trustee Travis:

Trustee Travis had no formal report this evening.

F. Trustee Witko:

- 1. Trustee Witko presented for a first reading **Ordinance 23-02, Approving a Preliminary Plat of Subdivision and a Planned Unit Development Special Use Permit for a Six-Unit Detached Single Family Residential Development on Property Commonly Known as 9312 Shermer Road in Morton Grove, Illinois.**
 - a. She explained that this Ordinance is pursuant to Plan Commission Case PC 22-13, which was reported out earlier this evening by Community Development Administrator Zoe Heidorn.

As this is a first reading of Ordinance 23-02, no action will be taken this evening.

XIII.

OTHER BUSINESS

NONE

XIV.

WARRANTS

1. Trustee Khan presented the Warrant Register for December 26, 2022 in the amount of \$706,946.74. She moved to approve the Warrant Register as presented, seconded by Trustee Minx.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

2. Next, Trustee Khan presented the Warrant Register for January 10, 2023. She moved to approve this evening's Warrant Register as presented, seconded by Trustee Witko.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XV.

RESIDENTS' COMMENTS

1. **David King, a 35-year resident**, said he was quite concerned about the recreational cannabis store being built at Sawmill Station. He said he has sent the members of the Board articles from the CDC and Harvard focusing on the dangers of cannabis. In last week's *Champion*, Mr. King saw a quote from Mr. Czerwinski saying "The process is straightforward. That's the way the world is right now." Mr. King said that, as a resident, he is strongly opposed to this recreational—not medicinal—cannabis store. He noted Glenview hasn't yet agreed to having such a store, and said he doesn't care what Skokie and Niles do; he only cares about what Morton Grove does. He said, "We need to be attuned to the dangers of cannabis—impaired driving, lung health, neurological issues. We should just say 'That's the way the world is.' Our priority should be to say NO to cannabis stores."
2. **Bill Page** said he has asked questions of Mr. Czerwinski, Mr. Friel, and Ms. Heidorn, and all three have graciously provided information and answers. He had several more questions this evening, including "What is a Developer Note?" and "Do the numbers mean a tax break for the business, which Village taxpayers will then have to cover?"
 - a. Mr. Czerwinski said, "but for" Village support, this program and the attendant economic growth won't happen. He said the only monies that will go back to the developer are monies over and above the current property taxes they pay. If they are not successful, they won't get this money. The only revenue sharing will be the new dollars coming into the Village and the obligation of the developer to make it work.

XV.

RESIDENTS' COMMENTS (continued)

- b. Mr. Page asked if other businesses in Morton Grove are eligible for a program like this. Mr. Czerwinski said if they propose something to the Village that looks like it will be beneficial in the long-term, we'll talk about it. We require that the developer pays for the analyses; they pay that money upfront. This process has been in place and in negotiations for over six months.
- 3. **Rudy Vilk** wished everyone a happy new year. He complained that the mayor "scolds him" every time he speaks. Mr. Vilk expressed concern about Mr. Czerwinski's and Ms. Liston's offices having blinds that they shut. These are public rooms. He commented that every time he sees Ms. Liston, she refuses to acknowledge him. He said he just wants her to do her job. He said he met with Hanna Sullivan and Mr. Czerwinski regarding his water bill and the water system, commenting that Mr. Czerwinski has said a number of times that the savings the Village realizes from getting its water from the City of Evanston rather than the City of Chicago are going back into the system to keep it maintained. He asked why the system was never "maintained" before. He protested again paying for 3,000 gallons when he only uses 1,000 gallons.

XVI.

ADJOURNMENT

Trustee Minx moved to adjourn the meeting, seconded by Trustee Witko. **Motion passed unanimously via voice vote.**

The meeting adjourned at 7:30 p.m.

PASSED this 24thth day of January, 2023.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

APPROVED by me this 24th day of January, 2023.

Daniel P. DiMaria, Village President
Board of Trustees, Morton Grove, Illinois

APPROVED and FILED in my office this 25th day of January, 2023.

Eileen Harford, Village Clerk
Village of Morton Grove, Cook County, Illinois

Minutes by Teresa Cousar

Legislative Summary

Ordinance 23-01

AUTHORIZING A DEVELOPER NOTE TO 100 WEST GOLF, LLC AND CASTLE MOTOR SALES, INC. REGARDING THE REDEVELOPMENT OF 8833 WAUKEGAN ROAD, 6900 DEMPSTER STREET, AND 8888 NORTH NEW ENGLAND AVENUE IN MORTON GROVE, ILLINOIS

Introduced:	January 10, 2023
Purpose:	To authorize a Developer Note payable to the Steve Napleton Automotive Group. Pursuant to the economic incentive and tax increment allocation financing development and sales tax sharing agreement approved pursuant to Resolution 23-01
Background:	In October 2021, 100 West Golf, LLC (Napleton”) purchased the business known as Castle Honda and its 4.5-acre site located in the Sawmill Station TIF District near the northeast corner of Dempster Street and Waukegan Road. Napleton has proposed to build an approximately forty thousand (40,000) square foot (40,000-square-foot) new Honda vehicle dealership including sales and service facilities, approximately four hundred (400) accessory parking spaces, stormwater detention facilities, accessways, and landscape areas (the “Project”). The Project is expected to create approximately sixty (60) temporary full-time equivalent construction jobs, and once opened, the Project is expected to retain or create approximately twenty (20) permanent full-time and part-time jobs and will also generate new property and sales taxes and promote the continued revitalization of the Sawmill Station TIF District and the surrounding areas. redevelopment of the adjacent area. The Project is expected to cost eighteen million eight hundred thousand dollars (\$18,800,000.00) and is not economically feasible without Village assistance. Napleton and Village staff have negotiated an Economic Development Agreement which will provide up to Four Million, Three Hundred Thousand Dollars (\$4,300,000.00) in reimbursement to Napleton in return for the construction and continued operation of the Project (the “RDA”). Under the terms of the RDA, the Village will rebate Napleton for up to Five Hundred Thousand Dollars (\$500,000.00) in new sales tax revenue generated by the business over the next 10 years and shall issue a Developer’s Note to Napleton in the amount of Three Million Eight Hundred Thousand Dollars (\$3,800,000.00) to be repaid over the next 20 years solely from increased property taxes generated by the Property. Resolution 23-01 will approve the RDA. This Ordinance will approve and authorize the Developer Note.
Dept. Affected	Administration, Legal, Finance, and Community Development
Fiscal Impact:	Over the next 20 years, Napleton will receive up to \$3,800,000.00 plus interest at 6% payable from new property taxes paid to the Village from the Napleton site.
Source of Funds:	The Village will continue to receive and retain its current level of property taxes generated by the car dealership site. Payment of principal and interest on the Developer Note will only be paid from property taxes paid to the Village over and above these current levels.
Workload Impact:	Village staff, with the assistance of its TIF consultants will implement and manage the payments due from the Developer note.
Admin. Rec	Approval as presented
2nd Reading:	January 24, 2023
Special Considerations:	None

Submitted by - Ralph Czerwinski, Village Administrator

Prepared by - Teresa Hoffman Liston, Corporation Counsel

Reviewed by - Zoe Heidorn, Community Development Administrator and Hanna Sullivan, Director of Finance

ORDINANCE 23-01

AUTHORIZING A DEVELOPER NOTE TO 100 WEST GOLF, LLC AND CASTLE MOTOR SALES, INC. DBA NAPLETON HONDA OF MORTON GROVE REGARDING THE REDEVELOPMENT OF 8833 WAUKEGAN ROAD, 6900 DEMPSTER STREET, AND 8888 NORTH NEW ENGLAND AVENUE IN MORTON GROVE, ILLINOIS

WHEREAS, the Village of Morton Grove (“Village”), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Village has the authority pursuant to the laws of the State of Illinois to promote the health, safety, and welfare of the Village and its residents, to prevent the spread of blight, to encourage private development in order to enhance the local tax base, to increase employment, and to enter into contractual agreements with developers and redevelopers for the purpose of achieving such objectives; and

WHEREAS, the Village is authorized under the provisions of Article VII, Section 10 of the State of Illinois Constitution, 1970, to contract and otherwise associate with individuals, associations, and corporations in any manner not prohibited by law; and

WHEREAS, the Village is authorized under the provisions of Article VIII of the State of Illinois Constitution, 1970, to use public funds for public purposes; and

WHEREAS, The Village is authorized under Section 8-1-2.5 of the Illinois Municipal Code (65 ILCS 5/8-1-2.5) to appropriate and expend funds for economic development purposes, including, without limitation, the making of grants to any commercial enterprise, that are deemed necessary or desirable for the promotion of economic development within the Village; and

WHEREAS, the Village is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11-74.4-1 *et seq.* (“TIF Act”), to finance redevelopment projects in accordance with and pursuant to the Act; and

WHEREAS, on July 8, 2019, the Village, pursuant to and in accordance with the TIF Act, adopted (i) Ordinance 19-06 Approving the Redevelopment Plan and Project for the Sawmill Station TIF, (ii) Ordinance 19-07 Designating the Sawmill Station Project Area, and (iii) Ordinance 19-08 Adopting Tax Increment Allocation Financing for the Sawmill Station

Redevelopment Project Area (collectively, “TIF Ordinances”), which established the Sawmill Station Tax Increment Finance Redevelopment Project Area (“TIF District”); and

WHEREAS, 100 West Golf LLC, an Illinois limited liability company (“Property Owner”) is a limited liability company organized pursuant to the laws of Illinois and is the legal title owner of a 4.5-acre parcel of improved property commonly known as 8833 Waukegan Road, 6900 Dempster Street, and 8888 North New England Avenue in Morton Grove, Illinois, located near the northeast corner of Dempster Street and Waukegan Road, (PIN 10-18-321-023-035, -036, -047 to -052) (the “Property”); and

WHEREAS, Castle Motor Sales, Inc. dba Napleton Honda of Morton Grove, is an Illinois corporation located at located at 100 West Golf Road, Schaumburg, Illinois 60195 (“Car Dealer”) owns and operates a Honda car dealership on the Property. The Property Owner and Car Dealer are sometimes referred to as “Napleton”; and

WHEREAS, pursuant to Resolution 23-01, the corporate authorities of the Village of Morton Grove approved an Economic Incentive and Tax Increment Allocation Financing Development and Sales Tax Sharing Agreement between Napleton and the Village (the “RDA”); and

WHEREAS, under the terms of the RDA, Napleton has agreed to build an approximately forty-thousand-square-foot (40,000-square-foot) new Honda vehicle dealership including sales and service facilities, approximately four hundred (400) accessory parking spaces, stormwater detention facilities, accessways, and landscape areas (the “Project”) which is expected to retain or create approximately twenty (20) permanent full-time and part-time jobs, generate new real property and sales taxes, and further the redevelopment of the Sawmill Station TIF and the surrounding area; and

WHEREAS, under the terms of the RDA, the Village will reimburse Napleton for up to four million three hundred thousand dollars (\$4,300,000.00) in eligible expenses by rebating up to five hundred thousand dollars (\$500,000.00) in sales taxes generated by the Project and providing a Developer Note in the principal amount of three million eight hundred thousand dollars (\$3,800,000.00) with interest at the rate of six percent (6%) per annum. Payments for the Developer Note shall be made only from the incremental property taxes paid to the Village for the Project property, and not from the Village’s general funds or other revenue; and

WHEREAS, as required by the RDA, the Village of Morton Grove Board of Trustees desires to authorize the Developer Note and to pledge tax revenues to the repayment of the Developer Note.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The statements set forth in the preambles of this Ordinance are found to be true and correct and are incorporated by reference into Section 1 of this Ordinance.

SECTION 2: This Ordinance is adopted in connection with implementing the TIF Plan for the Redevelopment Project Area located in the Sawmill Station TIF District in accordance with the TIF Act and allows for TIF-eligible redevelopment project costs to be incurred and subsequently paid or reimbursed using TIF District funds.

SECTION 3: The Developer Note from the Village of Morton Grove to 100 West Golf LLC, an Illinois limited liability company LLC and Castle Motor Sales, Inc. dba Napleton Honda of Morton Grove, an Illinois corporation, in substantial conformity with Exhibit "A," is hereby authorized and approved. As set forth in the Developer Note and the RDA between the parties, the Village hereby pledges incremental property tax revenue from the Property to the repayment of the Developer Note. The Mayor and Village Clerk are authorized and directed to execute the Developer Note on behalf of the Village.

SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

SECTION 5: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law

SECTION 6: Public Inspection. This Ordinance shall be immediately available for inspection by the public at the office of the Village Clerk.

SECTION 7: Severability. Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 8: Ratification. All actions of the President and Board of Trustees, agents and employees of the Village that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption of this Ordinance, are ratified, confirmed and approved.

SECTION 9: Effective Date. This Ordinance shall be in full force and effect from and after its adoption, approval, and publication in pamphlet form as required by law.

Passed this 24th day of January 2023

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Thill _____

Trustee Travis _____

Trustee Witko _____

Approved this 24th day of January 2023

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office
this 25th day of January 2023

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

**Exhibit A
DEVELOPER NOTE**

INVESTMENT IN THIS NOTE INVOLVES A HIGH DEGREE OF RISK. IT IS SUITABLE ONLY FOR INVESTORS WHO ARE ABLE TO BEAR THE ECONOMIC RISKS OF THIS INVESTMENT, INCLUDING TOTAL LOSS. NO ASSURANCE CAN BE PROVIDED THAT THE HOLDER OF THIS NOTE WILL NOT LOSE ITS ENTIRE INVESTMENT IN THIS NOTE.

THIS NOTE IS SUITABLE ONLY FOR INVESTORS WHO HAVE NO NEED FOR LIQUIDITY. THIS NOTE MAY ONLY BE TRANSFERRED IN THE MANNER AND SUBJECT TO THE LIMITATIONS PROVIDED IN THE REDEVELOPMENT AGREEMENT.

THE VILLAGE DOES NOT ENDORSE PROJECTIONS OF ANY KIND FROM ANY SOURCE AS TO THE SUFFICIENCY OF ALLOCATED INCREMENTAL PROPERTY TAXES TO PAY PRINCIPAL OF AND INTEREST ON THIS NOTE. INVESTORS WHO RELY ON SUCH PROJECTIONS DO SO AT THEIR OWN RISK.

PRINCIPAL OF AND INTEREST ON THIS NOTE ARE PAYABLE SOLELY FROM ALLOCATED INCREMENTAL PROPERTY TAXES AND AS DEFINED IN THE HEREINAFTER DEFINED REDEVELOPMENT AGREEMENT. THE HOLDER OF THIS NOTE ACCEPTS THE RISK THAT THE AMOUNT OF AVAILABLE ALLOCATED INCREMENTAL TAXES MAY NOT BE SUFFICIENT TO PAY THE PRINCIPAL OF OR INTEREST ON THIS NOTE.

SOLE NOTE:
REGISTERED
No. ONE

MAXIMUM AMOUNT:
\$3,800,000

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTY OF COOK
VILLAGE OF MORTON GROVE
TAX INCREMENT ALLOCATION REVENUE NOTE
(NAPLETON HONDA REDEVELOPMENT PROJECT), TAXABLE SERIES 2023

Registered Owner: 100 WEST GOLF LLC and Castle Motor Sales, Inc. an Illinois corporation
dba Napleton Honda of Morton Grove,

Interest Rate: Six percent (6%) per annum

Maturity Date: The earlier of twenty years from issuance date but no later than December
31, 2043

KNOW ALL PERSONS BY THESE PRESENTS, that the VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS (the "Village"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on or before the Maturity Date identified above, but solely from the sources hereinafter identified, in accordance with the Ordinance hereinafter referred to up to the

principal amount of Three Million, Eight Hundred Thousand Dollars (\$3,800,000.00) and to pay the Registered Owner interest on that amount at the Interest Rate per year specified above from the date of the advance. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

Principal of and interest on this Note, payable solely from the Incremental Property Taxes (as defined in the Redevelopment Agreement), is due December 1 of each year until the earlier of the Maturity Date or until this Note is paid in full. Payments shall first be applied to interest. The principal of and interest on this Note are payable in lawful money of the United States of America, and shall be made to the Registered Owner hereof as shown on the registration books of the Village maintained by the Finance Director/Treasurer of the Village, as registrar and paying agent (the "Registrar"), at the close of business on the fifteenth (15th) day of the month immediately prior to the applicable payment, maturity or redemption date, and shall be paid by check or draft of the Registrar, payable in lawful money of the United States of America, mailed to the address of such Registered Owner as it appears on such registration books or at such other address furnished in writing by such Registered Owner to the Registrar; provided, that the final installment of principal and accrued but unpaid interest will be payable solely upon presentation of this Note at the principal office of the Registrar in Morton Grove, Illinois or as otherwise directed by the Village. The Registered Owner of this Note shall note on the Payment Record attached hereto the amount and the date of any payment of the principal of this Note promptly upon receipt of such payment.

This Note is issued by the Village in the principal amount of up to Three Million, Eight Hundred Thousand Dollars (\$3,800,000.00) as further defined by the Redevelopment Agreement by and among 100 West Golf, LLC, Steve Napleton Automotive Group, and the Village of Morton Grove approved by the President and Board of Trustees of the Village ("Corporate Authorities") pursuant to Resolution 23-01 (the "RDA") for the purpose of reimbursing the Registered Owner for certain eligible redevelopment project costs incurred by and related directly to the development of an approximately 40,000-square-foot Honda sales and service facility with accessory parking and stormwater detention facilities (the "Project") in the Sawmill Station TIF Redevelopment Project Area (the "Project Area") in the Village, all in accordance with the Constitution and the laws of the State of Illinois, and particularly the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 et seq.) (the "TIF Act"), the Local Government Debt Reform Act (30 ILCS 350/1 et seq.), the RDA, Ordinance 23-01 adopted by the Corporate Authorities (the "Ordinance"), in all respects as by law required.

The Village has assigned and pledged certain rights, title, and interest of the Village in and to certain incremental ad valorem tax revenues generated by the Project which the Village is entitled to receive pursuant to the TIF Act, the RDA, and the Ordinance in order to pay the principal and interest of this Note. Reference is hereby made to the aforesaid Ordinance and the RDA for a description, among others, with respect to the determination, custody, and application of said revenues, the nature and extent of such security with respect to this Note and the terms and conditions under which this Note is issued and secured. THIS NOTE IS A SPECIAL LIMITED OBLIGATION OF THE VILLAGE, AND PRINCIPAL OF AND INTEREST ON THIS NOTE ARE PAYABLE SOLELY FROM ALLOCATED INCREMENTAL PROPERTY TAXES GENERATED BY THE PROJECT AND ON DEPOSIT IN THE NAPLETON SPECIAL TAX INCREMENT ALLOCATION FUND ACCOUNT OF THE TIF FUND (AS DEFINED IN THE RDA) AFTER PAYMENT OF ALL OBLIGATIONS HAVING A PRIORITY OVER THIS NOTE, IF ANY. THE HOLDER OF THIS NOTE ACCEPTS THE RISK THAT THE AMOUNT OF ALLOCATED INCREMENTAL PROPERTY TAXES GENERATED BY THE PROJECT MAY NOT BE SUFFICIENT TO PAY THE PRINCIPAL OF OR INTEREST ON THIS NOTE. THIS NOTE SHALL NOT BE DEEMED TO CONSTITUTE AN INDEBTEDNESS OR A LOAN AGAINST THE GENERAL TAXING POWERS OR CREDIT OF THE VILLAGE WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION. THE REGISTERED OWNER OF THIS NOTE SHALL NOT HAVE THE RIGHT TO COMPEL ANY EXERCISE OF THE TAXING POWER OF THE VILLAGE, THE STATE OF ILLINOIS OR ANY POLITICAL SUBDIVISION THEREOF TO PAY THE PRINCIPAL OF OR INTEREST ON THIS NOTE.

The principal of this Note is subject to redemption on any date, as a whole or in part, at a redemption price of 100% of the principal amount thereof being redeemed. There shall be no prepayment penalty. Notice of any such redemption shall be sent by registered or certified mail not less than five (5) days nor more than sixty (60) days prior to the date fixed for redemption to the registered owner of this Note at the address shown on the registration books of the Village maintained by the Registrar or at such other address as is furnished in writing by such Registered Owner to the Registrar.

This Note is issued in fully registered form in the denomination of its outstanding principal amount. This Note may not be exchanged for a like aggregate principal amount of notes or other denominations.

Upon surrender hereof at the principal office maintained for that purpose by the Registrar, accompanied by a written instrument or instruments of transfer in form satisfactory to the Registrar and duly executed by the Registered Owner or an attorney for such owner duly authorized in

writing, the Registrar shall register this Note in the name of the new Registered Owner on the registration grid provided herein, and shall also enter the name and address of the new registered owner in the Note Register.

The person in whose name this Note is registered on the Note Register shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of or interest hereon shall be made only to or upon the order of the Registered Owner hereof or the owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon this Note to the extent of the sum or sums so paid.

This Note hereby authorized shall be executed and delivered as the Ordinance and the RDA provide.

Pursuant to Section 5 of the RDA, the Village has reserved the right to terminate payments of principal of and interest on this Note upon the occurrence of certain conditions, and the Village has reserved the right to offset liquidated damage amounts owed to the Village against the principal amount outstanding under this Note. The Village shall not be obligated to make payments under this Note if an Event of Default (as defined in the RDA), or condition or event that with notice or the passage of time or both would constitute an Event of Default, has occurred. Such rights shall survive any transfer of this Note.

The Village and the Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and for all other purposes and neither the Village nor the Registrar shall be affected by any notice to the contrary, unless transferred in accordance with the provisions hereof.

This Note may be transferred only in the manner and subject to the limitations provided in Section 3.I. of the RDA.

It is hereby certified and recited that all conditions, acts and things required by law to exist, to happen, or to be done or performed precedent to and in the issuance of this Note did exist, have happened, have been done and have been performed in regular and due form and time as required by law; that the issuance of this Note, together with all other obligations of the Village, does not exceed or violate any constitutional or statutory limitation applicable to the Village.

This Note shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Registrar.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF the Village has caused this Note to be signed by the manual or duly authorized facsimile signatures of its President and by its Village Clerk and its corporate seal or a facsimile thereof to be hereunto affixed, all as of the date of delivery hereof, to wit, the

_____ day of _____, 2023.

VILLAGE OF MORTON GROVE,
COOK COUNTY, ILLINOIS

By _____
President, Daniel P. DiMaria
Village of Morton Grove,
Cook County, Illinois

[SEAL]

Attest:

Village Clerk, Eileen Scanlon Harford
Village of Morton Grove, Cook County,
Illinois

Date of Authentication: _____, 2023

This Note is described in the within mentioned Ordinance and is the Tax Increment Allocation Revenue Note (Napleton Honda Redevelopment Project), Taxable Series 2023, of the Village of Morton Grove, Cook County, Illinois.

Registrar

Date: _____

PRINCIPAL PAYMENT RECORD

DATE OF PAYMENT

PRINCIPAL PAYMENT

PRINCIPAL BALANCE DUE

STATE OF ILLINOIS COUNTY OF COOK
VILLAGE OF MORTON GROVE

TAX INCREMENT REVENUE NOTE, SERIES 2023
(NAPLETON HONDA REDEVELOPMENT PROJECT)

SOLE NOTE:
REGISTERED
No. ONE

MAXIMUM AMOUNT:
\$3,800,000

REGISTERED OWNER NOTATION

This Note shall be registered on the Note Register of the Village kept for the purpose by the Village Finance Director/Treasurer, as Registrar. The principal and interest on this Note shall be payable only to or upon the order of the Registered Owner or such owner’s legal representative. No registration hereof shall be valid unless signed by the Registrar

DATE OF REGISTRATION	NAME OF REGISTERED OWNER	SIGNATURE OF VILLAGE FINANCE DIRECTOR/TREASURER

Legislative Summary

Resolution 23-05

AUTHORIZING THE EXECUTION OF A CONTRACT WITH FOSTER & FOSTER FOR ACTUARIAL SERVICES FOR THE VILLAGE OF MORTON GROVE POLICE, FIRE, AND MUNICIPAL RETIREMENT FUNDS AND OTHER POST EMPLOYMENT BENEFITS.

Introduced:	January 24, 2023
Purpose:	State law and governmental accounting standards require the Village to contract for actuarial services for its police, fire, and municipal retirement funds and other post-employment benefits. This allows the Village to assess the assets, liabilities, and annual funding requirements of each plan. This resolution will authorize the Village Administrator to execute said contract for actuarial services.
Background:	Asset values, liability projections, funding requirements for tax levy purposes, and other information useful in properly managing and reporting each pension fund's financial performance are included in this contract. The actuarial services are for a period of three years starting with the fiscal year ending December 31, 2022, fiscal year ending December 31, 2023, and fiscal year ending December 31, 2024.
Programs, Departments or Groups Affected	Legal, Administration, and Finance Departments
Fiscal Impact:	Foster & Foster's fees will be \$25,500 for the year ending December 31, 2022, \$20,315 for 2023 and \$26,355 for 2024.
Source of Funds:	General Fund - Enterprise Fund
Workload Impact:	The Finance Department as part of their normal work activities will oversee the implementation of the contract and agreement.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not required.
Special Considerations or Requirements:	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Prepared by: Hanna Sullivan, Finance Director/Treasurer

RESOLUTION 23-05

AUTHORIZING THE EXECUTION OF A CONTRACT WITH FOSTER & FOSTER FOR ACTUARIAL SERVICES FOR THE VILLAGE OF MORTON GROVE POLICE, FIRE, AND MUNICIPAL RETIREMENT FUNDS AND OTHER POST EMPLOYMENT BENEFITS.

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule government under the provision of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Village is required by accounting standards to have conducted an actuarial report of the Morton Grove Police, Fire, and Municipal Employees Retirement Funds, and Other Post-Employment Benefits; and

WHEREAS, on October 18, 2022, the Village solicited proposals from various actuarial firms for services; and

WHEREAS, on November 18, 2022, staff evaluated two proposals and found while the pricing of the proposal from Foster & Foster was not the lowest, staff has concerns with the other firm's ability to perform the services; and

WHEREAS, staff believes the proposal from Foster & Foster to be the most beneficial; and

WHEREAS, a contract outlining the actuarial services at cost of \$25,500 for the year ending December 31, 2022, \$20,315 for 2023 and \$26,355.00 for 2024. A copy of the contract and proposal are attached hereto; and

WHEREAS, the Village President and Board of Trustees deems it to be in the best interest of the Village to obtain actuarial services from Foster & Foster for a three-year period beginning with the fiscal year ending December 31, 2022.

NOW, THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing whereas clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Village Administrator and/or his designee is hereby authorized to execute a contractual agreement with Foster & Foster for actuarial services pursuant to terms and conditions consistent with their proposal dated November 14, 2022 (Exhibit "A").

SECTION 3: The Village Administrator and/or his designee are hereby authorized to take all steps necessary to implement such a contract.

SECTION 4: This resolution shall be in full force and effect upon its passage and approval.

Passed this 24th day of January 2023

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Travis _____

Trustee Thill _____

Trustee Witko _____

Approved by me this 24th day of January 2023

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Approved and Filed in my office this
25th day of January 2023

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois



PROPOSAL FOR
ACTUARIAL SERVICES FOR THE

**Village of Morton Grove Police Pension Fund
Village of Morton Grove Fire Pension Fund
Village of Morton Grove Municipal Employees
Pension Fund and OPEB Valuation**

Due Date: November 18, 2022 by 10:00 a.m.



FOSTER & FOSTER
ACTUARIES AND CONSULTANTS

184 Shuman Blvd., Suite 305
Naperville, IL 60563
(630) 620-0200

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November 14, 2022

Ms. Hanna Sullivan, Finance Director
Village of Morton Grove
6101 Capulina
Morton Grove, IL 60053
hsullivan@mortongroveil.org

RE: REQUEST FOR PROPOSAL FOR ACTUARIAL SERVICES -- MORTON GROVE POLICE, FIRE AND MUNICIPAL EMPLOYEES PENSION FUNDS AND OPEB VALUATION

Dear Ms. Sullivan,

I am writing to provide a formal response to your search for a firm to provide actuarial services for the Police, Fire, and Municipal Employees Pension Funds and Other Post Employment Benefits of the Village of Morton Grove ("Village"). This letter is our effort to emphasize what a pleasure it would be to serve as the Village's actuary. In this proposal, you will find details on our firm history and experience, our approach to the services we would be providing and the fees associated with performing the work.

Foster & Foster Consulting Actuaries, Inc. ("Foster & Foster"), is an independent national actuarial consulting firm that was founded in 1979 in Gainesville, Florida. Our firm has 33 credentialed actuaries, with ten (10) Fellows of the Society of Actuaries (FSAs). Currently, we provide actuarial services to public retirement programs in 28 states, including Illinois. As the consulting actuaries to over 1,300 public entities across the country, which include hundreds of police, fire, and municipal employees, as well as cities, districts, school boards, and hospitals, we understand and are well qualified to perform the services required of the Village.

We believe we are uniquely qualified, and would be the best applicant to perform the services requested by the Village for the following reasons:

- **Local Ties/Illinois Pension Expertise** – Foster & Foster has extensive experience working with Illinois pension plans from our conveniently located Naperville office. In addition to currently serving as actuary to the two newly-consolidated state-wide police and fire pension funds (IPOPIF and FPIF), we also consult to over 100 other public plans across the state. Additionally, we have worked with the Illinois Department of Insurance to create its actuarial processes, the Commission of Government Forecasting and Accountability (CoGFA) to review potential changes to Article 3 and 4 of the Illinois Pension Code and worked with the Governor's Office (under the Pritzker and Rauner administrations) to review potential changes to all of the State Plans (including JRS, GARS, SERS, SURS, TRS), the Chicago Fire and Police Plans, and Article 3 and 4 Plans. The decision-makers in the State of Illinois consider our firm to be experts in this area.

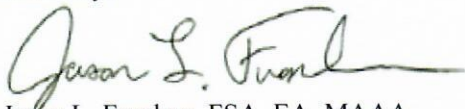
- **Firm's Expertise and Resources** – For over forty-three years we have been specializing in providing actuarial services of this nature to the public sector. Our firm has 33 credentialed actuaries with over 600 years of public sector experience. This includes 10 Fellows of the Society of Actuaries (FSAs). These resources ensure that we meet and exceed client expectations for the work requested herein.
- **Consultant's Credentials** – We will devote six credentialed actuaries, including four Fellows of the Society of Actuaries (FSA), to assist the Village. This is the highest actuarial designation possible. Our team of consultants will partner with you to evaluate every aspect of your plans to identify unique and tailored solutions that can improve the affordability and performance of the program.
- **Active Consultants** – Our consultants do not just report the news. We prepare our Boards for contingent risks and actively manage and provide services to our clients. Whether it is by providing innovative internet-based solutions to improve Board governance and/or member experience, or by holding interactive workshops with Boards and City Council members, our consultants are visible, articulate, and progressive.

With regard to the "Minimum Qualifications" outlined in Section IV. of this RFP, Foster & Foster affirms we meet and/or exceed all of them. Our two proposed lead actuaries bring over 25 years (pension) and 15 years (OPEB) of experience, respectively, with them to this engagement and all other actuary team members are both enrolled actuaries and members of the American Academy of Actuaries. Again, our firm has been in business for 43 years and currently provides actuarial services to over 1,300 public entities nationwide, including dozens of the size and complexity of the Village's plans. Further, we agree to be a fiduciary to all of our clients and will not seek to limit our liability in any capacity. Finally, we maintain \$5 million in professional liability insurance with Indian Harbor Insurance Company/AXA – AA- rating; please note: though we do maintain a \$250,000 deductible, we would be happy to discuss our financial condition and ability to meet this amount in a private setting as requested in order to obtain Village approval).

I, Jason L. Franken, FSA, will be the lead actuary and principal contact for purposes of this proposal and commit to exceeding your expectations for quality and timeliness. My contact information is listed below. Should you have any questions or require any additional information please do not hesitate to contact me.

Thank you in advance for your consideration of our proposal and we look forward to hearing from you soon.

Sincerely,



Jason L. Franken, FSA, EA, MAAA
Authorized Principal
T. 630.620.0200
E. jason.franken@foster-foster.com

FIRM INFORMATION

1. Name of Firm

Foster & Foster Consulting Actuaries, Inc. ("Foster & Foster").

2. Address

184 Shuman Blvd., Suite 305
Naperville, IL 60563

3. Name, telephone number, email address and title of individual with authority to commit firm.

Jason L. Franken
(630) 620-0200
jason.franken@foster-foster.com
Authorized Principal

DESCRIPTION OF FIRM

1. General description of business, including size, number of employees, number of actuaries qualified to provide this service for pension funds in the State of Illinois, primary business, other business services offered, and a description any past or contemplated changes in the ownership structure of the firm.

Foster & Foster is a national, independent actuarial consulting firm that has been providing actuarial services to public entities since 1979. In that first year, the firm had one client and revenues of \$1,500. Today, Foster & Foster is a profitable corporation with more than 1,300 clients in 28 states, including Illinois, and gross revenues approaching \$24 million.

Our firm is comprised of 106 consultants and professional staff, including 33 credentialed actuaries, including ten (10) of whom are Fellows of the Society of Actuaries (FSA), the highest distinction an actuary can obtain. In addition, there are 12 actuarial students in the process of earning credentials. Our Naperville, Illinois office currently has 9 credentialed actuaries. Foster & Foster also has a dedicated plan administration division comprised of 14 employees, who have more than 90 years of combined experience. Our firm's strong support staff has teams devoted to data preparation and collection, as well as to asset reconciliation.

Our firm's corporate headquarters is in Fort Myers, Florida; additional offices are located in Naperville, Illinois; Tampa, Florida; Cape Coral, Florida; Suwanee, Georgia; Coppell, Texas; San Mateo, California; Allentown, PA; and Royal Oak, Michigan. Foster & Foster also has satellite office locations in Missouri, Iowa, Minnesota, Wisconsin, and Arizona.

Foster & Foster derives 100 percent of its revenue from actuarial consulting services – advising public pension funds at the state, county, and municipal levels, as well as consulting to state and local governmental health programs, state legislatures and other public entities. Approximately 80 percent of our firm's revenue is generated from actuarial consulting services, predominately to public pension boards of trustees, while around 20 percent comes from providing OPEB services and health & welfare consulting to public entities and Taft-Hartley plans.

To get a sense for the steady growth of Foster & Foster under our current ownership structure since 2005, below please find a brief timeline of our firm's expansion:

- In 2008, Foster & Foster established an office in Naperville, Illinois to further its reach and to consult to local public plans. Jason L. Franken, a Fellow of the Society of Actuaries, was hired to lead this practice.
- Our firm's commitment to the State of Illinois was enhanced through the acquisition of health and welfare consulting firm R.N. Blomquist & Company on July 1, 2010. This acquisition expanded Foster & Foster's presence outside the pension and post-retirement benefits area,

giving us the capability to provide active health and welfare consulting services to clients. Foster & Foster hired Travis Smith, an experienced health and welfare benefits consultant, to lead this branch of our company.

- In 2012, Foster & Foster made a commitment to the Texas market, as our actuarial consultants began sponsoring and speaking at TEXPERS and TLFFRA conferences. Since that time, we have obtained 12 clients, nine of which are TLFFRA firefighter pension funds. Our firm currently serves as the consulting actuary for more than 350 public safety funds nationwide. During December 2012, Foster & Foster acquired SJ Actuarial Associates, which boosted our public pension presence in the South.
- Foster & Foster expanded further into the Texas market during July 2016 by hiring Pat McDonald (FSA/EA) and Lindsey Redman (ASA) in the Dallas Metroplex. Pat now has more than 30 years of actuarial pension consulting experience, and Lindsey became a credentialed actuary in 2021.
- Our firm strengthened its Midwest presence with the hiring of Paul Baugher (FSA/EA) in the St. Louis area during October 2017. Paul has 25 years of actuarial pension consulting experience, which includes 10 years as Principal / Midwest Operations Leader for Buck Consultants.
- In January 2018, Foster & Foster acquired Marsh Consulting Group, a health and benefits consulting firm based in Paso Robles, California, while also hiring three credentialed actuaries and opening an office in Suwanee, Georgia. These two moves helped to expand Foster & Foster's footprint from the Atlantic Ocean to the Pacific Ocean.
- In January 2021, Foster & Foster acquired two actuarial consulting companies, Beyer Barber Company in Allentown, Pennsylvania, and Rodwan Consulting Company in Royal Oak, Michigan. This expansion provides Foster & Foster with office locations in two additional states, enhancing its reputation as a national actuarial consulting company.
- Most recently in July 2022, Foster & Foster acquired Bartel Associates, LLC in San Mateo, California. This acquisition markedly broadens/strengthens our OPEB and pension practices nationwide.

Brad and Sandra Heinrichs have been the owners of Foster & Foster since 2005. Jason Franken, Travis Smith and Ferrell Jenne are minority owners of the firm. At this time, there are no contemplated changes in ownership structure to our firm.

2. List current municipal or government entities for which the firm currently provides actuarial services:

- a. **Specifically highlight Illinois police and fire pension fund accounts, as well as any other Illinois public pension or municipal accounts;**

Foster & Foster currently works with over 100 Illinois public plans, including the two newly consolidated state-wide police and fire plans (IPOPIF and FPIF). Please refer to the *Appendix* section below for our complete Illinois public client list..

- b. **Highlight the number of years the firm has worked with each client;**

Again, please refer to the *Appendix* section as we have compiled this information next to each Illinois client listed.

3. Actuaries who would have primary responsibility for the work.

- a. **Name and Title**

Police, Fire, Municipal Employees Pension Team -- Jason Franken(FSA), Principal Partner
OPEB Team – Colleen Atchison (FSA), Senior Consulting Actuary

- b. **Biographies of key personnel**

Police, Fire, Municipal Employees Pension Team

Jason Franken will be the lead actuarial consultant and the day-to-day contact person for the Village of Morton Grove Police, Fire & Municipal Employees Pension Funds. He brings over 25 years of actuarial pension experience. Jason is a Fellow of the Society of Actuaries, an Enrolled Actuary per ERISA and a member of the Academy of Actuaries. He consults clients on a wide range of retirement plan issues, including statutory funding requirements, accounting for pension and postretirement medical plans, plan administration, experience studies and plan design. Jason will coordinate the valuation production, deliver results at meetings, conduct special actuarial analyses, and ensure the work product adheres to the rules, regulations, and guidelines set forth by the United States Government and the Actuarial Standards of Practice.

Heidi Andorfer joined the firm in 2014 and has over 25 years of actuarial pension experience. Heidi is one of few thousand actuaries worldwide who is both a Fellow of the Society of Actuaries and an Enrolled Actuary per ERISA. Heidi will assist Jason in managing the project, delivering valuation results at meetings, and ensuring that the work product adheres to the rules, regulations, and guidelines set forth by the United States Government, the State of Illinois, and the Actuarial Standards of Practice.

Julie Franken has more than 20 years of experience as a pension actuary. Julie graduated from the University of Wisconsin – Madison with a Bachelor of Business Administration. She is an Enrolled Actuary per ERISA and works extensively on annual valuations, projections, benefit calculations, and special studies. Before joining Foster & Foster in 2012, Julie worked for a large benefits consulting firm. During her career, Ms. Franken has specialized in the valuation of pension plans. She has developed processes to help streamline the valuation and make it more efficient. She will work with the valuation team to scrub and reconcile the personnel data, determine funding requirements, produce the valuation reports and complete service purchase calculations.

Tyler Koftan is a 2011 graduate of the University of Iowa with a B.S. in actuarial science. Tyler joined the Foster & Foster team in January 2013 and is an Enrolled Actuary. Mr. Koftan will assist in preparing the valuation and special projects.

OPEB Team

Colleen Atchison is the lead OPEB actuarial consultant for Foster & Foster and day-to-day contact for the Village on all OPEB work. She is both a Fellow of the Society of Actuaries and a Member of the American Academy of Actuaries, and she has over 15 years of actuarial experience. Colleen graduated from the University of Manitoba (Canada) with a Bachelor of Science (Honors) in Actuarial Science in 2000. She will be managing the valuation process, ensuring that the work is delivered by the required deadlines and delivering valuation results to the Village.

Michelle Pearson joined Foster & Foster in March 2019 as an actuarial analyst specifically assisting with OPEB valuations. She will be the lead data and administrator consultant. She will handle the data manipulation and general administrative inquiries. Michelle graduated from Texas A&M University with a B.S. in Applied Mathematics in 2013 and is working toward her ASA designation.

Pete McCloud is an actuary with more than 25 years of experience in the actuarial consulting industry with assisting employers with funding, expensing, design, and administration of their retirement plans. Prior to joining Foster & Foster in 2018, he was with Aon (Hewitt Associates) for the past 25 years. Pete is both a Fellow of the Society of Actuaries and an Enrolled Actuary per ERISA and will review all work performed by the consultants before delivering reports to the Village of Morton Grove.

c. Years of personal experience providing actuarial services to Illinois police and fire pension funds, or other Illinois public pension funds and municipalities

Foster & Foster has been providing actuarial services to Illinois police and fire pension funds and other Illinois public pension funds for over ten years. Jason Franken has been providing those same services since 2008.

d. Confirm membership in the American Academy of Actuaries

Jason, Heidi, Pete, and Colleen are members of the American Academy of Actuaries.

e. Designate representatives who would attend meetings

Jason, Heidi, and/or Colleen will be present to discuss reports at the Board meetings.

4. Describe any special expertise and experience your firm has in providing actuarial services to Illinois public pension funds.

Foster & Foster performs more actuarial work for Illinois public plans than any other firm – our experience and expertise is unmatched. In addition to currently serving as actuary to the two newly-consolidated state-wide police and fire pension funds (IPOPIF and FPIF), we also consult to dozens of other municipalities across the state. Additionally, we have worked with the Illinois Department of Insurance to create its actuarial processes, the Commission of Government Forecasting and Accountability (CoGFA) to review potential changes to Article 3 and 4 of the Illinois Pension Code and worked with the Governor's Office (under the Pritzker and Rauner administrations) to review potential changes to all of the State Plans (including JRS, GARS, SERS, SURS, TRS), the Chicago Fire and Police Plans, and Article 3 and 4 Plans. The decision-makers in the State of Illinois consider our firm to be experts in this area.

5. Describe your firm's insurance coverage.

Below please find Foster & Foster's insurance coverage.

- **Risks Covered:** Professional Liability (Errors & Omissions)
Name of Insurance Carrier: Indian Harbor Insurance Company
Levels and Limits: The limit of our liability is on a per-claim basis (\$5,000,000), subject to an annual aggregate (\$5,000,000). Foster & Foster does not limit its professional liability to its clients in any capacity.
- **Risks covered:** Comprehensive General Liability
Name of Insurance Carrier: State Farm
Levels and Limits: The limit of our liability is \$1,000,000 for each occurrence with a \$2,000,000 general aggregate.
- **Risks covered:** Automobile Liability
Name of Insurance Carrier: State Farm

Levels and Limits: The limit of our liability is \$1,000,000

- **Risks covered:** Umbrella Liability

Name of Insurance Carrier: Travelers Insurance Company

Levels and Limits: The limit of our liability is \$5,000,000 for each occurrence.

- **Risks covered:** Workers Compensation and Employers' Liability

Name of Insurance Carrier: Travelers Insurance Company

Levels and Limits: The limit of our liability is \$1,000,000.

- **Risks covered:** Cyber Liability

Name of Insurance Carrier: Travelers Insurance Company

Levels and Limits: The limit of our liability is \$2,000,000 for each occurrence

6. **Has there been any litigation against the firm or its principals/owners/officers within the past three (3) years?**

None.

7. **Provide a listing of all public fund clients located in Illinois. Include the size of the fund and the length of service with them.**

Please refer the *Appendix* section below for our complete Illinois public fund client list, which includes the size of each fund and the length of service for each

8. **Describe the competitive advantage your firm enjoys over its competitors.**

Foster & Foster is a national actuarial firm that has experience providing actuarial services across the country. As a result, we bring a perspective that is not limited to the State of Illinois. We believe this is important because it allows us to provide our clients advice on unique approaches that have worked elsewhere.

Additionally, we currently employ 33 credentialed actuaries so we have resources that are unmatched in the State of Illinois. Jason will be the primary contact but we have fully credentialed actuaries that can meet with the Board if there are scheduling conflicts.

One of the many features that set Foster & Foster apart from our competitors is the personal service and responsiveness we guarantee our clients. Our goal is to make each client feel like they are our only client. Our success in doing so is evidenced by our extremely high client retention rate.

Foster & Foster is uniquely qualified to provide the services outlined herein because of our team member's extensive background in the public pension arena, knowledge of the Illinois law, and the firm's location.

Our main strengths are:

- Accuracy
- Timeliness
- Communication skills
- Cost

ACCURACY

Our senior consultants are directly involved in the work performed for a client. This involvement assures that all our reports are customized to each client's unique circumstances and delivered in a timely fashion. Our consultants are available to discuss their clients' needs with Trustees and other Pension Fund staff. At least two individuals review each and every project to ensure its accuracy.

For actuarial reports, we use ProVal software, which is the best actuarial valuation software available. ProVal is PC-based rather than requiring costly mainframe systems. In addition, ProVal creates a detailed audit trail which facilitates the exchange of information between actuaries, as well as ensuring accuracy. In addition, the audit trail allows us to provide extensive documentation to our clients.

TIMELINESS

Although we service over 1,300 clients, we strive to make each client feel that they are our top priority. Our specialized focus has resulted in economies of operational scale, enabling us to promise our clients:

- Pension benefit calculations and buyback requests are performed in no more than 10 business days following receipt of all necessary information.
- Actuarial valuations are performed no more than 45-60 days following the receipt of all necessary demographic and financial data. Our clients receive their reports shortly after the beginning of their fiscal year.

For other projects, we work with the client's schedule to ensure that projects are finished within an acceptable time frame.

COMMUNICATION SKILLS

Understanding an actuary can be like trying to figure out what Snoopy is saying in a Charlie Brown Special. Our actuaries start by articulating the essential information that requires client attention, such as the contribution requirements for the year and the funded status of the plans. Then, our task is always

to provide a sound explanation as to why the state of the plans are different than the year before, as well as our forecast of how it will look next year. At that point, depending upon our audience, we may delve deeper into the details of the report. Our belief is that an actuary should report the best estimate of future results so plan participants, the plan sponsor and all interested parties fully understand the current financial status of the plan and the implications on future taxpayers. Our valuations are completed in accordance with all Actuarial Standards of Practice so the results stand up to audit and general review by professionals. We feel that flooding a client with words is not effective communication. Being clear, concise and articulate is a much better approach in our view. Our reports bear that out, as they are some of the clearest and easiest to read.

COST

We pride ourselves on being among the lowest cost providers in the marketplace. We are unique among our competitors:

- Our organization is designed to minimize fixed overhead, allowing us to charge clients less than competitors do, while still providing clients with unparalleled service.
- We provide impartial advice as to whether or not a client should undertake a project, based on whether that project will help the client achieve their goals or save money.
- There are no hidden charges on our invoices.

Foster & Foster has developed an online member administration portal that can, among other features, enable participants to perform benefit calculation estimates at their leisure. This software is invaluable in helping participants understand how the provisions of the plan affect a participant's benefit on a personal level, as well as how retiring at different dates will impact their pension. This software also helps unburden the pension administrator since participants can obtain instantaneous estimates on their own. The software is optional and can be made available at the discretion of the Village.

Foster & Foster can also provide a tailored quarterly report that updates the funded status, expected contributions, asset returns of the Funds, and any other item the Board finds useful. Our clients find this valuable because it gives them updated snapshot of the Funds' financial status in between valuations.

Finally, our firm has a unique blend of exceptional consultants who are very familiar with the Illinois Pension Code, as well as being industry experts and pioneers in the world of actuarial science.

GENERAL INFORMATION

1. Describe the approach you would follow to conduct an actuarial valuation of the Pension Fund.

Foster & Foster completes over 800 public sector pension valuations and over 500 OPEB valuations per year. As a result, we have a very streamlined process to efficiently provide these services. We are familiar with the State of Illinois Pension Code and more than capable of providing all of the requested services. We have 33 credentialed actuaries including 10 Fellows of the Society of Actuaries, the highest designation an actuary can attain, so our resources are unmatched in the State of Illinois.

If we are fortunate enough to win this account, we will take the following steps to transition the work to our firm:

1. Sign contract to provide actuarial consulting services within two weeks of receiving notice that Foster & Foster was chosen for the award.
2. Collect this year's and last year's personnel and financial data. Once we have all the necessary information, we will match the previous valuation results, for each plan, within an acceptable threshold to ensure consistency in results through the transition. Any discrepancies will be discussed by the actuaries. We anticipate this will take approximately two weeks to complete. There will be no expense to the Village for this step in the process.
3. Upon receipt of the data, our data personnel will review the information and note any discrepancies or anomalies that may require attention.
4. Within two weeks of receiving the data, we will contact the Treasurer / Plan Administrator to ask any pending questions or to clarify our understanding of the data. At that time, we will also schedule the delivery date for the valuation. All questions will be asked to the Plan Administrator or the Boards' designated contacts.
5. The provisions of the programs will be inputted into ProVal, the most robust pension actuarial valuation system in the marketplace.
6. ProVal will develop all of the necessary actuarial information to develop reports that comply with Illinois pension statutes as well as GASB 67 and 68. Two credentialed actuaries will review this output for reasonableness. Individual test cases will also be examined to be sure that the benefits are being correctly handled and projected.

OPEB Workplan:

Our proposed work plan is as follows:

1. As an initial step, we will schedule a conference call with a Village representative. This conversation will cover initial assumption setting thoughts, data questions, and plan provision clarification. At that time, we will also schedule the valuation delivery date.
2. Our process for developing assumptions for use in an actuarial valuation is very thorough and involves multiple resources. The sources of information we would review would be the pension actuary's reports for any plans in which the OPEB participants are members, as well as the assumptions used for the most recent OPEB valuation report. This allows us to pursue some level of consistency in the assumptions that are used in the pension and OPEB valuations. We will also compare these rates to our public plan database, to determine how reasonable the assumptions are compared to those used by other, similar plans. Frequently, this information is complete enough that we will consider using the same assumptions, particularly for Turnover, Retirement Age, Disability Retirement Age, and Mortality. However, if these assumptions have not been reviewed recently, we may wish to consider performing an experience study. Such a study would allow our firm to examine the last five years of historical data for the plans and allow us to set the above assumptions to levels that are commensurate with the plan's experience.

For some assumptions, including Inflation Rate and Health Care Cost Trend Data for Region, we expand our research to include regional and national historical data, including items that are tracked by the Centers for Medicare & Medicaid Services. We typically will still compare this data to other assumption sets found in our public plan database, allowing us to specifically mold the assumption rate to this plan.

The cost method and the interest rate for unfunded plans are no longer selected by the plan sponsorship under the GASB 75 standard. The discount rate for unfunded plans for GASB 75 will be based on a market-driven interest rate (20-year municipal bond rate as of the measurement date.) The discount rate for funded plans for GASB 74/75 will be based on a blend of the long-term expected rate of return and a market-driven interest rate (20-year municipal bond rate as of the measurement date) for the period beyond which assets are sufficient to cover benefit payments.

3. Overarching this entire process will be an ongoing dialogue between the Village and the actuaries, ensuring that the assumptions selected are not only reasonable, but also meet the Village's expectations. These conversations would begin with our very first phone call.
4. Provide the Village with a detailed data request within one week of the signed contract.

In order to perform the actuarial analysis of the liability under GASB 75, we will request the Village provide demographic data for participants who are currently covered or might become covered in the future by the Post Retirement Health Program. A sample of requested data items is as follows:

- Status (active, retiree, surviving spouse, etc.)

- Identification Number
- Name
- Gender
- Date of Birth
- Date of Hire
- Prior Fiscal Year Compensation
- Group Indicator (If all data is provided together, indicator can help split population into sub-groups)
- Health Insurance Plan Type
- Health Insurance Coverage Type
- Spousal Date of Birth (Retirees Only)
- Spousal Gender (Retirees Only)

In addition to these data items, the following information will also need to be collected:

- Schedule of employer paid premium amounts by plan type and coverage category
 - Schedule of employee paid premium amounts by plan type and coverage category
 - The most recent health care premium information that has been made available to the Village
 - Total Village post-retirement health (Medical and Dental) expenses for the most recent three fiscal years (may just be the premiums paid for retirees, and if so, that is fine)
 - Detailed information surrounding co-pays, deductibles, limits, etc. for each plan type
 - A summary of the postretirement health benefits that eligible members may receive when they retire
 - The Comprehensive Annual Financial Report for the last three fiscal years.
5. Upon receipt of the data, our data personnel will check the data for reasonableness and note any areas that may need further clarification or understanding.
 6. Within two weeks of receiving the data, we will schedule a second conference call with a Village representative. This conversation will cover finalized assumptions and an analysis of data, including an assessment of any inconsistencies and recommendations for enhancing data quality.
 7. The claims/premium information will be analyzed relative to their respective plan, and through actuarial modeling we will develop the true actuarial cost of the implicit rate subsidy.
 8. The provisions of the program and the implicit subsidies for the first year will be inputted into ProVal, the most robust OPEB actuarial valuation system in the marketplace.

9. ProVal will generate all of the necessary information to develop the actuarial report. Two credentialed actuaries will review this output for reasonableness. Individual test cases will also be examined to ensure that the subsidies are being correctly handled and projected.
10. The actuarial report will not be created until all credentialed actuaries have signed off on the numbers. Because we work for so many public entities, our peer review process is not just limited to a check of the math involved in the calculation. We also compare your results with those published for other plans to make sure that there is consistency across all of our clients.
11. After internal peer review has been completed, we will present the Village with a preliminary report. The preliminary report will supply the Village with all of the relevant information necessary to satisfy GASB 74/75 and the Actuarial Standards of Practice, including a summary of the results and a discussion of significant issues or changes since the most recent valuation.
12. We will present the finalized results to the Village in a face-to-face meeting, if requested, or via a teleconference each year.
13. Additionally, we will be prepared to discuss with the Village various cost containment strategies and plan provision alternatives that may align with their business model going forward, including sensitivity analyses and investment return comparisons, and provide assistance to the Village in defending the OPEB liability amount to any external auditors.

All actuarial calculations that our firm performs will be made in conformance with GASB, including Statements No. 74: Financial Reporting for Postemployment Benefit Plans Other Than Pensions and Statements No. 75; Accounting and Financial Reporting by Employers for Post-Employment Benefits Other Than Pensions.

Once all of the relevant demographic and financial information necessary to perform the valuations has been received, the reports will be produced within six (6) weeks and delivered at the subsequent meeting. We are usually able to accelerate that time frame in order to accommodate the particular needs of a client.

2. Describe your approach to measuring funding status and funding progress in order to facilitate the assessment of trends over several actuarial valuations with respect to the overall solvency of the Pension Fund.

Unfortunately, the financial status of a plan is often judged by its funded ratio. While this can be helpful in assessing the health of a fund, we do not believe this is the best indicator. First, every plan is different so two funds could have the exact same funded ratio but be in completely different financial situations. Secondly, the funded status of the plan can be manipulated by the selection of actuarial assumptions and methods. Determining the financial status of a fund simply by looking at a percentage without completely understanding how that number is developed is irresponsible.

We assess a plan's financial health by the plan's ability to meet its future obligations and the plan sponsor's ability to make the contributions necessary to appropriately fund the plan. Over the course of several actuarial valuations, we will determine if the financial health of the plan is improving or deteriorating based on changes to the plan's actuarial required contributions, funded ratio, anticipated demographic changes and a variety of other factors. Based on the trends, we will suggest the most appropriate action to ensure the fund it satisfy its obligation to pay all of its beneficiaries.

3. Describe your approach to assessing the current mandatory provisions of the statutes relating to actuarial valuations and recommending appropriate changes in these requirements.

We believe that the funding requirements in the Illinois Pension Code are largely based on politics and are not necessarily based on what is best for either the fund or the municipality. In our valuations, we use actuarially sound methods and assumptions to determine a sound contribution that will help ensure the fund will have enough money to pay all of its beneficiaries. Our goal is to establish a stable and predictable contribution pattern that is neither front-loaded nor back-loaded.

While we understand that the Illinois statutory amount may be less than our recommendations, we want to help the plan sponsor understand the path it is on if it chooses to contribute the minimum amount.

4. Discuss the theory and methodology for the actuarial assumptions your firm employs.

Foster & Foster believes the actuarial assumptions should be set according to the Actuarial Standards of Practice ("ASOP") and reflect plan-specific experience. Regarding the investment return assumption, our firm prefers to work closely with the investment professionals of the a plan to set this assumption, since those professionals are most familiar with the investment portfolio. In determining the appropriate rate of return, a long-term perspective is required, and recent short-term experience should not receive undue weight.

Regardless, a building block approach outlined in the ASOP's will be followed. The investment consultant should be able to provide good long-term expectations for each asset class, or then when combined with inflation, should be enough to derive a sound long-term rate of return. Foster & Foster feels that the investment consultant is best equipped to set the long-term expectations for each asset class.

As you may be aware, many actuarial firms have suggested lowering the long-term rate of return in the past several years. Before ever suggesting such a thing to a client, our firm would first suggest having very serious conversations with that client, as well as its plan sponsor, and investment consultant. By lowering the assumed rate of return, the plan sponsor's contribution rates may increase, or in a fixed contribution rate plan, the amortization period will increase. This result may result in a very negative consequence to the plan sponsor. A better alternative might be to have the plan sponsor opt to or otherwise suggest to the Board that they increase their exposure to equities, thereby increasing their long-term return expectations to a level that would not warrant lowering the assumption.

5. Describe your firm's approach to providing recommendations regarding the amortization of unfunded liabilities.

Foster & Foster believes the unfunded liabilities should be paid in an orderly manner and should not be transferred to future generations of taxpayers. Unfortunately, negative amortization has been one of the key contributors to the growth of unfunded pension liabilities in the State of Illinois. Negative amortization arises when the amortization payments are not sufficient to cover the interest accruing on the unfunded liability each year. As long as negative amortization exists in the funding formula, the unfunded liabilities will continue to increase.

Another concern regarding the amortization method is funding to a specific point in time. Whether the date is 2040, 2059, or any other date, it does not make sense to fund a plan to a specific point in time when the plan is going to be around forever. Under this approach, actuarial gains and losses by the plan are amortized over shorter periods of time as the "deadline" approaches.

Compounding the matter, the level percentage of payroll method is required so the payments will increase dramatically as the arbitrary date nears. As a result, legislation is required, or the plan sponsor will not be able to afford the payments. Foster & Foster recommends implementing a system where unfunded liabilities are always paid down systematically over a reasonable period of time, which helps to create stability and eliminates the need for future legislative intervention.

An often-overlooked component of amortizing the unfunded liability is the payroll growth assumption. Our firm believes that the payroll growth assumption should not be greater than three (3) percent, and certainly should not exceed the average growth in payroll over the past ten years. If the demographic experience fails to support the payroll growth assumption, the amortization period is vastly overstated, and it is likely that the contribution rates are insufficient.

Foster & Foster's approach would be to analyze the payroll growth, illustrate to the Village what the impacts would be for different payroll growth assumptions, and then work with the Village to decide on an appropriate level.

6. Describe your firm's familiarity in preparing the GASB 67 & 68 disclosures for the municipal audit.

Our firm provides hundreds of GASB 67/68 disclosures per year so we are intimately familiar with the GASB requirements. Additionally, have developed efficient processes and procedures to ensure each client can meet the deadline for their annual financial statements.

Finally, we have a contract with two of the largest auditing firms in the country to review GASB disclosure information for all of their state pension and OPEB clients. As a result, we review GASB calculations for dozens of the largest public pension and OPEB plans in the country. This exposure has

allowed us to identify many of the issues that plans are facing and help us avoid those issues with our clients.

7. Describe the capabilities of your valuation system(s) and your computer hardware support.

Our firm also uses the best actuarial valuation software money can buy, ProVal, which was developed by WinTech in Greenwich, CT. This software is utilized in valuing liabilities for the largest funds in the country and provides updates as needed based on legal and regulatory changes, requested changes from their clients, etc. Each time an update is provided, our firm installs the updates to utilize the new features.

ProVal is entirely PC-based, which eliminates the time and expense associated with maintaining and operating a mainframe system. This software has a comprehensive database management system designed to accurately prepare and summarize census data for the current year's valuation, has separate calculation modes for public pension plans that apply the appropriate laws and regulations and is designed to move seamlessly from valuations to deterministic and stochastic forecasts.

This software is also entirely PC-based, which eliminates the time and expense associated with maintaining and operating a mainframe system. This software has a comprehensive database management system designed to accurately prepare and summarize census data for the current year's valuation, has separate calculation modes for public sector plans that apply the appropriate laws and regulations and is designed to move seamlessly from valuations to deterministic and stochastic forecasts. Beyond the core tasks of running valuations and forecasts, ProVal also offers several analytic tools including: gain/loss analysis, experience studies, and asset/liability modeling.

8. Describe the tools, resources, and training you can make available to the Pension Fund's staff so that they can model various scenarios.

We provide our clients with a variety of tools to help manage their pension funds. We can provide a quarterly snapshot of the pension fund so the trustees understand how the plan's funded ratio and expected contributions have changed during the course of the plan year; workshops for the Board and education sessions for the members to help everybody involved with the pension fund make educated decisions; and online tools such a benefit calculator and projection tool that can model the expected monthly benefit amount for a member or the expected future actuarial required contribution for the plan sponsor. All of these items can be catered to meet your needs.

One of the top priorities of our firm is educating the caretakers of public pension programs. It is a source of pride for us that we do more to educate these individuals than any other actuarial firm in the State. We are frequent speakers at the Illinois Public Pension Fund Association (IPPPA) and Illinois Government Finance Officers Association (IGFOA) conferences, Associated Fire Fighter of Illinois (AFFI) conferences, National Conference on Public Employee Retirement Systems (NCPERS), Florida public Pension Trustee Associations (FPPTA) conferences, Texas Association of Public Employee Retirement Systems (TEXPERS) conferences, Texas Local Firefighters' Retirement Act (TLFFRA)

conferences, Florida Government Finance Officers Association (FGFOA) meetings, and Florida Division of Retirement Police and Fire conferences.

9. How are consultants' recommendations to clients reviewed and monitored by your organization?

There are a couple of ways that we ensure consistency, quality and accuracy in our work. First, we require that every deliverable is reviewed by more than one credentialed actuary prior to it being sent to the client. This helps eliminate the possibility that an actuary is making recommendations inconsistent with the Actuarial Standards of Practice or our Firm's values. We take great pride in our extensive peer-review process which is monitored by Pete McCloud, FSA actuary with more than 25 years of experience in the actuarial consulting industry. We believe the checks and balances in place are second to none in the industry.

Second, we use ProVal, the best actuarial valuation software available. The software creates an electronic audit trail that provides excellent documentation. This allows for an easy transfer of information between actuaries and ensures accuracy in valuation results.

Finally, our actuaries have monthly meetings to brainstorm ideas and discuss relevant actuarial topics. This helps shape opinions and promotes consistency in our consultant recommendations.

FEES

1. Provide a proposed fee structure, including start-up fees, annual fees, and any other fees for pension valuations.

We have several actuaries and staff assigned to each client, and these actuaries all have different billing rates. We also have a non-actuary who is a project manager, who makes sure that the appropriate professional is performing each task. Regardless, our hourly rates are lower than most other actuarial firms. Additionally, most of our work is fixed-fee, and we typically provide not-to-exceed quotes for any work that is requested by the client. We do not charge any start-up fees. Below please find our proposed fees for this engagement:

2022 Police Pension Funding Valuation Fee: \$4,000
2023 Police Pension Funding Valuation Fee: \$4,120
2024 Police Pension Funding Valuation Fee: \$4,240*

**Each additional year increases by 3%.*

2022 Fire Pension Funding Valuation Fee: \$4,000
2023 Fire Pension Funding Valuation Fee: \$4,120
2024 Fire Pension Funding Valuation Fee: \$4,240*

**Each additional year increases by 3%.*

2022 Municipal Employees Pension Funding Valuation Fee: \$2,500
2023 Municipal Employees Pension Funding Valuation Fee: \$2,575
2024 Municipal Employees Pension Funding Valuation Fee: \$2,650*

**Each additional year increases by 3%.*

In addition to the regular annual services outlined on the above, we are also prepared to perform the following special services:

1. Perform “buy-back” calculations for \$300. These calculations will be performed and the results given to the Board within ten business days of receipt of all necessary employee and financial information.
2. Analyze funding trends to predict future contribution requirements.
3. Perform experience studies to help provide the Board with historical data to use when selecting actuarial assumptions.
4. Perform other general consulting services via telephone, email, or facsimile outside of what is previously stipulated.

The charges for the work not explicitly stated would be based upon the amount of time required to complete each task. We will provide a firm fee quotation prior to commencing any work at the Board's request.

Staff	Hourly Rate
Senior Consultant	\$ 375
Senior Staff	\$ 325
Junior Staff	\$ 290
Administrative	\$ 175

We do not charge additional fees for any clerical work such as copies, fax copies, or computer time (limited to communications which should not include the running of any computer-generated analyses or research). Telephone consultations will be subject to our hourly rates stated above.

2. Provide an additional fee structure for GASB 45 OPEB valuation for all eligible Village employees.

The Valuation fees listed above include the following services:

- Actuarial Certification;
- Summary of valuation objectives;
- A statement of the actuarial cost method selected and actuarial assumptions;
- The results of the valuation based on the alternative measurement method;
- CARF GASB statement disclosure information and required supplementary information, including the Annual Required Contribution, Annual OPEB Cost and the Net OPEB Obligation; and
- One meeting with Village to discuss the valuation results and to answer any pending questions.

GASB 75 Actuarial Valuation	Fee*
GASB 75 valuation (Full):	\$7,500
GASB 75 valuation (Interim):	\$2,000*
GASB 75 valuation (Full):	\$7,725*

** The valuation fees in subsequent years will increase by 3% per year*

3. Please detail which fees would be applicable to the required GASB disclosures for the pensions.

Police Pension Plan:

Annual GASB 67/68 Fee:
\$3,000

Firefighters Pension Plan:

Annual GASB 67/68 Fee:

\$3,000

Municipal Employees Pension Plan:

Annual GASB 67/68 Fee:

\$2,500

4. Please detail additional costs for the MERF plan individual annual statements and as needed pension calculations.

Fees for annual statements are \$25 per statement.

Fees for pension calculations are \$300 per calculation.

MISCELLANEOUS

1. Please provide a list of at least three (3) Illinois pension fund client references with contact names, addresses, and telephone numbers.

- **Client Name:** Village of Wilmette
Contact: Melinda Molloy
Address: 1200 Wilmette Ave., Wilmette, IL 60091
Phone: 847.853.7646
Email: molloym@wilmette.com
- **Client Name:** City of Evanston
Contact: Hitesh Desai
Address: 2100 Ridge Ave., Evanston, IL 60201
Phone: 847.448.8082
Email: hdesai@cityofevanston.org
- **Client Name:** Village of Glencoe
Contact: Nikki Larson
Address: 675 Village Court, Glencoe, IL 60022
Phone: 847.461.1108
Email: nlarson@villageofglencoe.org

2. Please provide a list of formal complaints, sanctions, or litigation against your firm in the last five (5) years.

None.

3. Please state whether you are willing to attend meetings of the Village and Pension Boards in person or by teleconference if needed.

Jason Franken, Heidi Andorfer, and/or Colleen Atchison, will attend meetings in person or participate in a teleconference with the Village and Pension Boards (whatever the Village prefers is fine with us). These meetings/teleconferences are included in our annual retainer fee.

4. If requested, what other services could your firm provide (on-site training, etc.) for the Village, Board members and staff?

Our firm believes in educating our clients, which sets us apart from our competitors. We want to make sure everybody understands our valuations and other reporting, and such, are happy to attend meetings

and provide training sessions to any and all interested parties. We will work with the Village to coordinate on-site education and/or training sessions at its election.

APPENDIX

- **Client List**

IL PENSION CLIENT NAME	Client Since	Membership Size	Assets
Associated Fire Fighters of Illinois (AFFI)	2014	--	--
Aurora (IL) Fire	2015	418	\$242,842,043
Aurora (IL) Police	2015	605	\$317,119,099
Barrington (IL) Police	2010	59	\$23,707,252*
Bartlett (IL) Police	2016	97	\$57,788,120*
Blue Island (IL) Fire	2011	73	\$6,599,894*
Blue Island (IL) Police	2011	81	\$16,487,998*
Bolingbrook (IL) Fire	2011	172	\$74,002,569*
Burr Ridge (IL) Police	2016	53	\$23,625,868*
Calumet Park (IL) Police	2016	44	\$10,454,565*
Carpentersville (IL) Fire	2019	70	\$34,095,603
Cary (IL) Police	2016	47	\$16,619,729*
Centralia (IL) Fire	2020	43	\$14,561,596*
Centralia (IL) Police	2020	67	\$12,219,747*
Channahon (IL) Police	2016	38	\$14,126,813*
Chester (IL) Police	2020	17	\$4,516,611*
Cicero (IL) Fire	2009	176	\$42,070,717*
Collinsville (IL) Fire	2011	74	\$23,476,740*
Collinsville (IL) Police	2015	91	\$31,451,026*
Crete (IL) Police	2018	35	\$11,290,403*
Darien (IL) Police	2016	77	\$36,134,523*
DeKalb (IL) Fire	2010	120	\$39,404,025
DeKalb (IL) Police	2016	138	\$51,035,619
East St Louis (IL) Fire	2016	128	\$4,341,846*
East St Louis (IL) Police	2016	119	\$17,225,535*
Elburn / Countryside (IL) Fire	2016	43	\$14,349,517*
Eldorado (IL) Police	2019	16	\$1,872,266*
Eureka (IL) Police	2014	6	\$977,004*
Evanston (IL) Fire	2015	246	\$114,647,083*
Evanston (IL) Police	2015	356	\$182,575,170*
Fairview Heights (IL) Police	2016	84	\$37,264,579*
Fox River Grove (IL) Police	2015	20	\$4,502,685*
Geneva (IL) Fire	2018	39	\$19,054,568*
Geneva (IL) Police	2018	62	\$31,291,534*
Gilberts (IL) Police	2022	--	\$4,898,606*

Glen Ellyn (IL) Police	2017	89	\$38,947,824
Glencoe (IL) Fire	2019	1	\$559
Glencoe (IL) Police	2019	77	\$43,429,713
Glenview (IL) Police	2015	149	\$102,463,434
Greenville (IL) Police	2016	21	\$6,221,878*
Harrisburg (IL) Fire	2017	16	\$4,344,113*
Harrisburg (IL) Police	2017	29	\$6,067,538*
Harvey (IL) Police	2014	95	\$24,106,996*
Herrin (IL) Police	2014	36	\$11,562,478*
Hinsdale (IL) Fire	2016	55	\$23,579,425*
Hinsdale (IL) Police	2010	60	\$32,689,704*
Hoffman Estates (IL) Fire	2014	180	\$105,768,041*
Huntley (IL) Police	2015	60	\$16,241,740
Illinois Firefighters' Pension Investment Fund	2021	--	--
Illinois Police Officers' Pension Investment Fund	2021	--	--
Island Lake (IL) Police	2018	37	\$3,786,731*
Itasca (IL) Police	2017	48	\$20,289,257*
Kenilworth (IL) Police	2017	19	\$10,189,867
La Grange Park (IL) Police	2015	45	\$19,052,157*
Lake Zurich (IL) Fire	2016	89	\$54,708,093
Lake Zurich (IL) Police	2016	66	\$34,064,309
Lincolnshire (IL) Police	2015	50	\$30,451,408
Lisle (IL) Police	2015	69	\$42,866,867*
Litchfield (IL) Fire	2015	25	\$7,014,501*
Litchfield (IL) Police	2015	28	\$7,413,067*
Lynwood (IL) Police	2019	33	\$3,216,442*
Macomb (IL) Fire	2017	55	\$13,202,378*
Macomb (IL) Police	2017	69	\$19,536,452*
Mahomet (IL) Police	2017	11	\$1,943,397*
Manteno (IL) Police	2019	24	\$11,497,244
Markham (IL) Fire	2018	29	\$13,279,169
Metropolitan Pier & Exposition Authority (IL)	2015	628	\$99,992,320*
Metropolitan Water Reclamation District of Greater Chicago	2012	4,384	\$1,637,586,023*
Naperville (IL) Fire	2017	331	\$246,891,948
Naperville (IL) Police	2017	291	\$248,200,226
New Lenox (IL) Police	2014	59	\$32,214,382
North Aurora (IL) Police	2016	47	\$24,080,719*

North Maine (IL) Fire	2016	54	\$29,086,793*
Oak Brook (IL) Fire	2012	84	\$34,520,040*
Oakbrook Terrace (IL) Police	2013	36	\$19,377,410*
Park Forest (IL) Fire	2016	57	\$18,404,986*
Park Forest (IL) Police	2016	89	\$28,302,976*
Peoria (IL) Fire	2014	416	\$167,729,472*
Peoria (IL) Police	2014	531	\$199,337,082*
Peotone (IL) Police	2020	16	\$2,109,355*
Peru (IL) Fire	2015	7	\$3,155,611*
Peru (IL) Police	2015	49	\$13,942,940*
Plainfield (IL) Fire	2016	79	\$35,831,939*
Plainfield (IL) Police	2019	75	\$46,429,245*
Rochelle (IL) Fire	2016	24	\$11,071,799*
Rochelle (IL) Police	2016	39	\$13,251,724*
Roscoe (IL) Police	2015	21	\$5,581,279*
Roselle (IL) Fire	2017	33	\$10,438,809
Roselle (IL) Police	2017	71	\$35,595,759
Shorewood (IL) Police	2016	39	\$20,042,700*
Sigma Chi Fraternity Grand Chapter, Evanston (IL)	2017	36,809	\$9,376,913*
Stone Park (IL) Police	2018	34	\$4,409,593*
Streator (IL) Fire	2018	35	\$6,065,757
Streator (IL) Police	2018	44	\$13,689,559
Sullivan (IL) Fire	2016	18	\$4,325,607
Summit (IL) Police	2016	63	\$12,626,072*
Tinley Park (IL), Village of	2016	149	\$96,420,304*
University Park (IL) Police	2017	38	\$10,475,511*
Washington (IL) Police	2016	38	\$9,838,568*
Waterloo (IL) Police	2020	30	\$8,190,405*
Wheaton (IL) Fire	2016	63	\$48,764,800
Wheaton (IL) Police	2016	154	\$82,715,442
Willowbrook (IL) Police	2020	46	\$28,863,755*
Wilmette (IL) Fire	2015	105	\$63,853,718
Wilmette (IL) Police	2015	93	\$64,582,443
Winfield (IL) Police	2016	30	\$13,382,964*
Winnetka (IL) Fire	2017	60	\$36,060,701*
Winnetka (IL) Police	2017	65	\$38,147,156*
York Center Fire Protection District, Lombard (IL)	2016	3	\$1,920,805*

IL OPEB CLIENT NAME	Client Since	Membership Size
Aurora (IL), City of	2016	1,930
Aurora (IL) - Library Plan	2016	77
Bartlett (IL), Village of	2016	186
Blue Island (IL), City of	2016	185
Calumet (IL) School District 132	2018	42
Centralia, (IL), City of **	2020	77
Champaign (IL) Community Unit School District No. 4	2018	759
Channahon (IL), Village of **	2019	34
Chicago Heights (IL), City of	2021	229
Countryside (IL), City of	2018	74
DeKalb (IL), City of	2016	380
Dolton (IL), Village of	2020	129
DuPage (IL), College of	2018	1,594
DuPage County (IL)	2022	2,321
Elgin (IL), City of	2015	809
Elmhurst (IL) Park District **	2017	67
Glen Ellyn (IL), Village of	2017	166
Greenville (IL), City of **	2021	45
Gurnee (IL), Village of	2019	209
Harrisburg (IL), City of **	2018	24
Huntley (IL), Village of	2016	102
La Grange Park (IL), Village of **	2017	49
Lisle (IL), Village of	2016	102
Maercker (IL) School District 60	2018	132
Marquardt (IL) School District 15	2018	321
Metropolitan Water Reclamation District of Greater Chicago	2016	4,641
Mutual RE, Cherry Valley (IL)	2019	31
Naperville (IL), City of	2017	1,434
North Aurora (IL), Village of	2016	66
North Cook Intermediate Service Center, Des Plaines (IL) **	2018	7
Northwest Central Dispatch System, Arlington Heights (IL)	2016	92
Oakbrook Terrace (IL), City of **	2013	44
Peru (IL), City of **	2015	79
Rockford (IL) Park District	2015	166

Roscoe (IL), Village of **	2016	24*
Roselle (IL), Village of	2018	97
St. Charles (IL), City of	2016	278
Sangamon Mass Transit District, Springfield (IL)	2018	184
Shorewood (IL), Village of **	2018	52
Tinley Park (IL), Village of	2016	379
Urbana (IL), City of	2017	351
Washington (IL), City of	2017	75
Wheaton (IL), City of	2016	234
Whiteside County, (IL)	2020	399
Will County Forest Preserve District, Joliet (IL)	2016	124
Willowbrook (IL), Village of **	2019	56
Wilmette (IL), Village of	2019	118
Winfield (IL), Village of **	2016	5
Woodridge (IL) School District 68	2021	51
York Center Fire Protection District, Lombard (IL) **	2020	3

***Alternative Measurement Method used*

ACTUARIAL SERVICES AGREEMENT

THIS AGREEMENT is entered into the _____ day of _____, 2023, between the **VILLAGE OF MORTON GROVE** (herein referred to as the "Village") and **FOSTER & FOSTER, INC** (herein referred to as the "Actuary").

W I T N E S S E T H

WHEREAS, the Actuary has demonstrated the expertise and experience to perform the actuarial services outlined in said proposal.

NOW, THEREFORE, in consideration of services to be performed and payments to be made together with mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. The Actuary shall, within sixty (60) days of receipt of all required employee and financial data, complete and return to the Village the following, beginning with the January 1, 2023, valuation:
 - A. An annual actuarial valuation and report. In the course of the valuation, Actuary will determine the funding requirements and generally review the experience of the Fund.
 - B. Completion of required accounting GASB disclosures.
 - C. Respond to auditor's questions.
 - D. Following submission of all the actuarial information and material, the Actuary shall attend (virtually or in-person) one meeting to discuss in detail the results with the Village.
2. In addition to the work necessary to complete the services outlined in (1) above, the Actuary shall also perform such non-regular actuarial services as may be requested by the Village including, but not limited to:
 - A. Develop a pension modeler to provide the Village with the sensitivity of various assumptions and funding methods on the contribution requirements and funded ratio.
 - B. Perform an experience study to provide the Village with historical data to use when selecting actuarial assumptions.
 - C. Calculate standard prior service and military buy back contribution requirements. The fee for these calculations is \$350 each.

- D. Calculate pension transfers.
 - E. Determine refunds of employee contributions.
 - F. Conduct meetings with employee groups to explain plan provisions and answer questions
 - G. Analyze funding trends to predict future contribution requirements
 - H. Prepare accounting expense estimates for future years
 - I. Perform other general or specific consulting services via telephone, email, or other correspondence.
3. Charges for work not explicitly outlined in paragraph (1) above will be based upon the amount of time required to complete each task. A firm fee quotation prior to commencing any work may be provided upon request.

A. The hourly charges shall be:

a. Senior Actuarial Consultant	\$375
b. Actuarial Consultant	\$325
c. Actuarial Analyst	\$290
d. Administrative/Clerical	\$175

4. In consideration of the satisfactory performance of services and delivery of work products as provided in paragraph (1) of this Agreement, the Village agrees to pay the Actuary the following base actuarial fees for the January 1, 2023, funding valuations and the GASB disclosure information:

Fire Pension Valuation	\$6,500
Police Pension Valuation	\$6,500
Municipal Employees' Pension Valuation	\$5,000
Retiree Health Insurance Valuation	\$7,500

The Village will be invoiced for these services upon delivery of the reports. The fees in future years are outlined in Foster & Foster's November 14, 2022, proposal.

5. The Actuary's proposal dated November 14, 2022, and this Agreement embodies the entire agreement of the parties hereto and no modification thereof shall be made except by written

amendment agreed to and executed by both parties. In the event of a conflict between the Proposal and this Agreement, the Proposal shall be controlling.

6. The Village shall deliver to the Actuary all employee and financial data and any such further information as the Actuary shall deem necessary from time to time in order to complete the job.
7. The Village may terminate this Agreement, with or without cause, at any time upon sixty (60) days written notice to the Actuary. In the event that the Village decides to terminate this Agreement with or without cause, or in the event that the Village fails to perform any of its duties hereunder for a period of more than ninety (90) days after written notice by the Actuary of such failure, the Actuary may terminate this agreement and be entitled to compensation to the date of such termination, based on the actual work performed.
8. The term of this Agreement shall be for three (3) years from the effective date, unless sooner terminated pursuant to paragraph 7, and may be renewed for subsequent periods of one (1) year each upon the mutual agreement of the parties hereto. There shall be no change in any terms unless mutually agreed to by the parties hereto.
9. Neither party hereto may assign, convey, or otherwise transfer any of its rights, obligations, or interest herein without the prior express written consent of the other party.
10. This Agreement shall be construed in accordance with the laws of the State of Illinois to the extent not pre-empted by federal law and the provisions hereof shall be governed by such law. All prior agreements between the parties are hereby terminated and superseded by this Agreement.
11. This Agreement may be executed in several counterparts, each of which shall be deemed an original.
12. Any action arising under this Agreement shall be brought exclusively in Cook County, Illinois.

IN WITNESS WHEREOF, the **VILLAGE** has signed duplicates hereof, and **FOSTER & FOSTER, INC** has caused its corporate name to be signed to said duplicates by its proper officers thereunto duly authorized on the day and in the year first above written.

FOSTER & FOSTER, INC

VILLAGE OF MORTON GROVE

By: _____

As Authorized Officer

By: _____:

As Authorized Officer

By: _____

As Authorized Officer

Legislative Summary

Resolution 23-06

AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT WITH G&M TRUCKING, INC. FOR THE 2023 MATERIAL HAULING PROGRAM

Introduced:	January 24, 2023
Purpose:	To authorize the Village Administrator to execute a contract with G&M Trucking, Inc. for the 2023 Material Hauling Program.
Background:	An annual material hauling program is necessary to haul and dispose of construction and demolition debris, street sweepings, tree stump grindings and to transport and furnish granular material for the Village. This contract was bid through a public process in accordance with the Village Code. Two bids were received. The bid tabulation is attached as Exhibit "A". G & M Trucking, Inc. was the lowest qualified bidder with a bid amount of \$358,527.50, which was \$13,477.50 more than the Engineer's Estimate of Cost. However, the bid amount is based upon unit pricing and the final price of the contract will be based upon the number of units the Village determines. The contract grants the Village the right to extend the contract for two additional years. This Resolution will authorize a contract with G & M Trucking, Inc., for the 2023 Material Hauling Program in an amount not to exceed \$335,000.00 and if circumstances warrant, will authorize the Village Administrator to extend this contract for the 2024 and/or 2025 Material Hauling Programs.
Departments Affected	Public Works Department
Fiscal Impact:	\$335,000
Source of Funds:	2023 Adopted Budget General Fund Account Number 02-50-17-55-2260 and Enterprise Fund Account Numbers 40-50-33-55-2260, 40-50-33-56-2110; 40-50-34-55-2260; and 40-50-34-56-3110 in the cumulative amount of \$335,000.
Workload Impact:	The Public Works Department as part of their normal work activities will perform the management and implementation of the project.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Prepared by: Chris Tomich, Village Engineer

RESOLUTION 23-06

AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT WITH G&M TRUCKING, INC. FOR THE 2023 MATERIAL HAULING PROGRAM

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax, purchase, and incur debt; and

WHEREAS, an annual material hauling program is necessary to haul and dispose of construction and demolition debris, street sweepings, tree stump grindings and to transport and furnish granular material for the Village; and

WHEREAS, the Public Works Department advertised on the Village's website beginning December 15, 2022, inviting bids on the "2023 Material Hauling Program"; and

WHEREAS, twelve entities, contractors or suppliers obtained the bidding materials; and

WHEREAS, two bids were received, publicly opened and read at the Public Works Facility at 10:00 a.m. on January 10, 2023, with the bid tabulation included in Exhibit "A"; and

WHEREAS, G&M Trucking, Inc. was the lowest qualified bidder with a bid amount of \$358,527.50; and

WHEREAS, the low bid of G&M Trucking, Inc. is \$13,477.50 more than the Engineer's Estimate of Cost; and

WHEREAS, the bid amount is based upon unit pricing proposed by the contractor for the number of units estimated by the Village, and the final price of the contract will be based upon the number of units the Village determines to be in the best interest of the Village; and

WHEREAS, the contract reserves the right for the Village to renew the contract for two, one-year terms; and

WHEREAS, the qualifications and availability of the low bidder has been verified; and

WHEREAS, this contract must conform to the requirements of the Prevailing Wage Act; and

WHEREAS, funding for the above work in the cumulative amount of \$335,000.00 is available in the 2023 Adopted Budget General Fund Account Number 02-50-17-55-2260 and Enterprise Fund Account Numbers 40-50-33-55-2260, 40-50-33-56-2110; 40-50-34-55-2260; and 40-50-34-56-3110.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Corporate Authorities accept the bid of G&M Trucking, Inc. of Des Plaines, Illinois in the amount of \$358,527.50.

SECTION 3: The Village Administrator is hereby authorized to execute a contract with G&M Trucking, Inc. for the 2023 Material Hauling Program in an amount not to exceed \$335,000.00.

SECTION 4: The Village Administrator is further authorized to extend this contract for the 2024 and/or 2025 Material Hauling Programs if, in the opinion of the Village Administrator, then existing circumstances warrant.

SECTION 5: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the contract with G&M Trucking, Inc.

SECTION 5: This Resolution shall be in full force and effect upon its passage and approval.

Passed this 24th day of January 2023

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Travis _____

Trustee Thill _____

Trustee Witko _____

Approved by me this 24th day of January 2023

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Approved and filed in my office this
25th day of January 2023

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT "A"

Village of Morton Grove, Cook County, Illinois
2023 MATERIAL HAULING PROGRAM
Bid Tabulation
Bid Opening: JANUARY 10, 2023, 10:00 A.M.

Engineer's Estimate				G&L Contractors, Inc. 7901 St. Louis Avenue Skokie, Illinois 60076		G&M Trucking, Inc. 8811 Kathy Lane Des Plaines, Illinois 60016	
PAY ITEM	PAY ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Transport & Furnish CA 6 Material	Ton	1750	\$21.00	\$36,750.00	\$20.05	\$35,087.50
2	Transport & Furnish CA 7 Material	Ton	2350	\$28.00	\$65,800.00	\$27.55	\$64,742.50
3	Transport & Furnish FA 2 Material	Ton	1550	\$20.00	\$31,000.00	\$25.25	\$39,137.50
4	Hauling & Disposing of Excavated Material	Each Load	200	\$325.00	\$65,000.00	\$328.00	\$65,600.00
5	Hauling & Disposing of Excavated Material /Round Robin	Each Load	500	\$263.00	\$131,500.00	\$278.00	\$139,000.00
6	Hauling & Disposing of Stump Grindings	Each Load	40	\$375.00	\$15,000.00	\$374.00	\$14,960.00
CORRECTED TOTAL PROPOSAL AMOUNT				\$345,050.00		\$358,527.50	
AS-READ PROPOSAL AMOUNT						\$358,527.50	

Apparent Low Bidder: G&M Trucking, Inc.
Apparent Low Bid Amount: \$358,527.50
Engineer's Estimate of Cost \$345,050.00
Difference \$13,477.50

Legislative Summary

Resolution 23-07

AUTHORIZING THE ACCEPTANCE OF A MATERIAL PROPOSAL FROM ARROW ROAD CONSTRUCTION COMPANY FOR THE 2023 MATERIAL PURCHASING PROGRAM

Introduced:	January 24, 2023
Purpose:	To authorize the Village Administrator to accept a material proposal from Arrow Road Construction Company to recycle removed asphalt and to furnish asphalt for the 2023 Material Purchasing Program
Background:	<p>The Village has an annual program to purchase asphalt to maintain Village rights-of-way and properties. Asphalt removed during Public Works Department maintenance efforts is recycled by the asphalt producer. The purchase and recycling of construction materials is paid for using General Funds and Motor Fuel Tax Funds. The use of Motor Fuel Tax Funds is administratively controlled by the State of Illinois. It requires bidding procedures and contract documents for these amounts conforming to State requirements. This contract was bid through a public process in accordance with the Municipal Code and Illinois Department of Transportation requirements. The contract was advertised, and sealed bids were received. The lowest bid was from Arrow Road Construction Company with a bid amount of \$103,050, including a mileage factor calculation of \$34,500. This bid has been determined to be the lowest responsive and responsible bid. The bid includes the calculated mileage factor for the Public Works Department to drive to and from the asphalt plant in Elk Grove Village. The remaining amount of the bid is \$68,550 and is for recycling excavated asphalt and purchasing asphalt. The bid amount is based upon unit pricing proposed by the contractor for the number of units estimated by the Village, and the final price of the contract will be based upon the number of units the Village determines to be in the best interest of the Village. This Resolution will approve a contract with Arrow Road Construction Company for the 2023 Material Purchasing Program in an amount not to exceed \$80,000.00</p>
Departments Affected	Public Works Department
Fiscal Impact:	\$80,000.00
Source of Funds:	2023 Adopted Budget General Fund Account 02-50-17-56-3110 & Motor Fuel Tax Fund 03-50-60-56-3110 in the cumulative amount of \$80,000.
Workload Impact:	The Public Works Department as part of their normal work activities will perform the management and implementation of the project.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Prepared by: Chris Tomich, Village Engineer

RESOLUTION 23-07

AUTHORIZING ACCEPTANCE OF A MATERIAL PROPOSAL FROM ARROW ROAD CONSTRUCTION COMPANY FOR THE 2023 MATERIAL PURCHASING PROGRAM

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax, purchase, and incur debt; and

WHEREAS, an annual material purchasing program is necessary to dispose of recyclable asphalt and to purchase asphalt for use by the Public Works Department to maintain the Village's rights-of-way and properties; and

WHEREAS, the Public Works Department uses Village trucks to deliver recyclable asphalt, collect the asphalt from a producer, and deliver the asphalt to the work site; and

WHEREAS, there is a travel cost to the Village for driving a dump truck to and from an asphalt plant; and

WHEREAS, it is in the best interest for the Village to quantify the theoretical travel cost for each asphalt plant and consider the theoretical travel cost when comparing competitively bid prices from asphalt suppliers as a mileage factor; and

WHEREAS, the delivery of recyclable asphalt and the purchase of asphalt are paid for using funding from General Fund and Motor Fuel Tax Fund; and

WHEREAS, use of Motor Fuel Tax funding is administratively controlled by the State of Illinois, which requires bidding procedures and contract documents for these amounts conforming to State requirements; and

WHEREAS, this contract was bid through a public process in accordance with the Municipal Code and Illinois Department of Transportation requirements; and

WHEREAS, the Public Works Department advertised in the Illinois Department of Transportation Bureau of Local Roads and Streets "Notice to Contractors Bulletin" Bulletin Nos. 22-51, 22-52 and 23-1 and the Village's website inviting bids on the "2023 Material Purchasing Program MFT Section 23-00000-01-GM"; and

WHEREAS, eleven entities, contractors or suppliers obtained the bidding materials; and

WHEREAS, two bids were received, publicly opened and read at the Public Works Facility at 10:00 a.m. on January 13, 2023, with the bid tabulation included in Exhibit "A"; and

WHEREAS, Arrow Road Construction Company is the low bidder with a bid amount of \$103,050.00; and

WHEREAS, the bid amount is based upon unit pricing proposed by the contractor for the number of units estimated by the Village, however, the final price of the contract will be based upon the number of units the Village determines to be in the best interest of the Village; and

WHEREAS, the low bid of Arrow Road Construction Company for the hot-mix asphalt and recycling material is \$11,500.00 less than the Engineer’s Estimate of Cost; and

WHEREAS, Arrow Road Construction Company has satisfactorily furnished asphalt to the Village as part of the materials purchasing program in 2019, 2020, 2021, and 2022; and

WHEREAS, funding for the above work in the cumulative amount of \$80,000.00 is available in the 2023 Adopted Budget General Fund Account Number 02-50-17-56-3110 and Motor Fuel Tax Account Number 03-50-60-56-3110.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Corporate Authorities accept the bid of Arrow Road Construction Company, 1445 Oakton Street, Elk Grove Village, Illinois, based upon their material proposal for the “2023 Material Purchasing Program MFT Section 23-00000-01-GM” in the amount of \$103,050.00.

SECTION 3: The Village Administrator is hereby authorized to execute the form titled “Acceptance of Proposal to Furnish Materials and Approval of Award” (Exhibit “B”) in order to deliver recyclable asphalt to and purchase asphalt from Arrow Road Construction Company in an amount not to exceed \$80,000.00.

SECTION 4: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the contract with Arrow Road Construction Company.

SECTION 5: This Resolution shall be in full force and effect upon its passage and approval.

Passed this 24th day of January 2023

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Travis	_____
Trustee Thill	_____
Trustee Witko	_____

Approved by me this 24th day of January 2023

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Approved and filed in my office this
25th day of January 2023

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois



Tabulation of Bids

County: Cook

Local Agency: Village of Morton Grove

Section: 23-00000-01-GM

Estimate: 80,050.00

Date: 1/13/2023

Time: 10:00am

Appropriation: \$

80,000.00

Attended By: Chris Tomich and Mike Gesualdo

Name of Bidder:
Address of Bidder:

Proposal Guarantee:
Terms:

Approved Engineer's
Estimate

Builders Asphalt, LLC
4401 Roosevelt Road
Hillside, IL 60162

Bid Bond
5%

Arrow Road Const. Co
1445 Oakton Street
Elk Grove Village, IL 60007

Bid Bond
5%

Item No.	Item	Delivery	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	HMA Surface Course, Mix "D", N50	F.O.B.	TON	1150	60.00	\$ 69,000.00	62.00	\$ 71,300.00	57.00	\$ 65,550.00		
2	Recycling of Asphalt Material	Plant	LOAD	120	100.00	\$ 12,000.00	75.00	\$ 9,000.00	25.00	\$ 3,000.00		
3	Theoretical Transportation Cost - Builder	Plant	MILES	20		\$ -	1,725.00	\$ 34,500.00		\$ -		\$ -
4	Theoretical Transportation Cost - Arrow	Plant	MILES	20		\$ -		\$ -	1,725.00	\$ 34,500.00		\$ -
						\$ -	\$ -	\$ -		\$ -		\$ -
Total Bid:					As Read:		As Calculated:					
									114,800.00		103,050.00	
									114,800.00		103,050.00	



EXHIBIT "B"

Acceptance of Proposal to Furnish Materials and Approval of Award



Local Public Agency	County	Street Name/Road Name	Section Number
Morton Grove	Cook	Various	23-00000-01-GM

Bidder's Name			
Arrow Road Construction Company			
Bidder's Address	City	State	Zip Code
1445 Oakton Street	Elk Grove Village	IL	60007

In accordance with your proposal submitted on **01/13/23**, a copy of which is in our files, you have been awarded the contract for
Date of Submittal
furnishing the following materials required in the **maintenance** of the above designated project. Materials shall be inspected in
Construction or Maintenance
accordance with current Departmental policies.

Item	Unit of Measure	Quantity	Unit Price	Amount
HMA Surface Course Mix D, N50	Ton	1,150	\$57.0000	\$65,550.00
Recycling of Asphalt Materials	Load	120	\$25.0000	\$3,000.00
Total				\$68,550.00

Terms

Shipping Instructions
Amount not to exceed \$80,000.

For Municipal Projects

Municipal Official Signature	Date

For County And Road District Project

Illinois Department of Transportation
Concurrence in Approval of Award

Highway Commissioner Signature	Date

Regional Engineer Signature	Date

County Engineer/Superintendent of Highways Signature	Date

Legislative Summary

Ordinance 23-02

APPROVING A PRELIMINARY PLAT OF SUBDIVISION AND A PLANNED UNIT DEVELOPMENT SPECIAL USE PERMIT FOR A SIX-UNIT DETACHED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 9312 SHERMER ROAD IN MORTON GROVE, ILLINOIS

Introduction:	January 10, 2023
Purpose:	To approve a Preliminary Plat of Subdivision and Planned Unit Development (PUD) Special Use Permit to authorize the construction of a six-unit detached single-family residential development and a subdivision to allow the sale of said residences on individual lots.
Background:	<p>Varda and Company, LLC (“Applicant”) submitted complete Subdivision and Planned Unit Development (PUD) Applications (“Application”) requesting the entitlement of a detached single-family development with accessory parking, accessway, detention, and landscape areas for the 1.565-acre vacant property commonly known as 9312 Shermer Road (“Subject Property”) under Case PC 22-13. The final preliminary plat of subdivision includes seven (7) new lots, and the final site plan includes six (6) detached single-family dwellings, with common areas to be owned and maintained by a proposed homeowner’s association. The Subject Property is zoned R-1 Single Family Residence. The Subdivision and PUD ordinance includes select waivers for public street frontage and minimum lot depth, area, and width, but the proposed lots are overall substantially compliant with applicable lot standards. With the exception of two (2) nonconforming interior side yards, the proposed residences meet all dimensional requirements on an individual basis. With eighteen (18) proposed off-street parking spaces, the project exceeds the minimum off-street parking requirement of twelve (12) spaces set forth in Section 12-7-3:I. Select waivers to Chapter 12-9 for accessway design are necessary to authorize the site plan as presented.</p> <p>On October 3, 2022, the Appearance Commission reviewed the Application under Case AC 22-11 and voted (4-3) to issue an Appearance Certificate and recommend approval of the project with conditions. On October 6, 2022, the Traffic Safety Commission reviewed Case PC 22-13 and voted unanimously to recommend approval of the project and forward comments. On October 17, 2022, the Applicant appeared before the Plan Commission to present the request for approval of the Application made under Case PC 22-13. Based on the Application, staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (6-0, Commissioner Gabriel absent) to recommend denial of the Application. Based on comments issued at the October 17, 2022, meeting of the Plan Commission, the Applicant revised the Application to reduce the site density and respond to concerns raised. In consideration of the proposed revisions, on November 14, 2022, the Village Board voted to remand Case PC 22-13 to the Plan Commission for reconsideration. On December 19, 2022, the Applicant appeared before the Plan Commission to present the revised Application. Based on the Application, supporting staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (6-0, Chairperson Blonz absent) to recommend approval of the Application with conditions.</p>
Programs, Dept’s, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Preliminary Plat of Subdivision and PUD Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	January 24, 2023
Special Considerations or Requirements:	None

Submitted by - Ralph Czerwinski, Village Administrator
Reviewed by - Teresa Hoffman Liston, Corporation Counsel
Prepared by - Zoe Heidorn, Community Development Administrator

ORDINANCE 23-02

APPROVING A PRELIMINARY PLAT OF SUBDIVISION AND A PLANNED UNIT DEVELOPMENT SPECIAL USE PERMIT FOR A SIX-UNIT DETACHED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 9312 SHERMER ROAD IN MORTON GROVE, ILLINOIS

WHEREAS, the Village of Morton Grove (“Village”), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, and can exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and incur debt; and

WHEREAS, 9312 Shermer Road, legally described in “**Exhibit A**” and depicted in the Plat of Survey prepared by Gremley & Biedermann, a Division of PCLS Corporation, dated June 29, 2022, and attached hereto as “**Exhibit B**” and made a part of this Ordinance, is a 1.565-acre vacant property (“Subject Property”) and is currently zoned R-1 Single Family Residence; and

WHEREAS, Varda and Company, LLC (“Applicant”), filed a complete application to the Village’s Plan Commission under case PC 22-13 requesting approval of a Preliminary Plat of Subdivision and Planned Unit Development (PUD) Special Use Permit to authorize the future subdivision of the Subject Property into seven (7) new lots and improvement of the Subject Property with six (6) detached single-family dwellings and accessory accessways, parking facilities, landscape areas, and detention facilities (“Application”); and

WHEREAS, Section 12-6-3:D of the Village’s Unified Development Code allows planned unit developments in the R-1 District on zoning lots not less than one and one-half (1½) acres in land area; and

WHEREAS, before subdividing or consolidating any tract of land, an applicant shall submit a preliminary plat of subdivision to the Plan Commission and Village Board of Trustees for review and approval pursuant to Chapter 12-8 of the Unified Development Code; and

WHEREAS, pursuant to Chapter 12-8 of the Unified Development Code, the Applicant submitted a preliminary plat of subdivision for the Subject Property, attached hereto as “**Exhibit C**” (“Preliminary Plat of Subdivision”); and

WHEREAS, to authorize the development as presented, the Application includes requests for variation to Section 12-8-4:B.2 for lot depth, Section 12-4-2:D for lot area and lot width, Section 12-8-4:B.2 for interior side yard, and Chapter 12-9 for accessway standards; and

WHEREAS, pursuant to Section 12-7-3:B, the off-street parking standards identified in the Unified Development Code as “Required Spaces by Use” shall be advisory only for Special Use

applications and the final number of required parking spaces for Special Use Permits will be established by the Village Board based on the submitted traffic and parking impact study and any recommendations by the Traffic Safety Commission, Plan Commissions, and staff; and

WHEREAS, in accordance with Section 12-7-3:B of the Village Code, the Applicant submitted a traffic and parking impact study, “Traffic Impact Study,” prepared by Kimley-Horn, dated August 2022, which establishes that a parking ratio of two off-street parking spaces per dwelling unit and one off-street guest parking space per dwelling unit is adequate to accommodate the residents of the development and any guests that may visit; and

WHEREAS, pursuant to the applicable provisions of the Village’s Unified Development Code, notice of a public hearing on the Application to be held on October 17, 2022, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on September 29, 2022, a public notice sign was posted on the Subject Property on September 28, 2022, and written notification was sent on September 29, 2022, to all property owners within 250 feet of the Subject Property; and

WHEREAS, on October 3, 2022, the Appearance Commission reviewed the Application, approved an Appearance Certificate for proposed improvements, and forwarded a recommendation of approval with conditions to the Plan Commission; and

WHEREAS, on October 6, 2022, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking study, and forwarded a recommendation of approval with comments to the Plan Commission; and

WHEREAS, at the October 17, 2022, public hearing, the Village’s Plan Commission heard the Applicant’s presentation and reviewed the Application, at which time all concerned parties were given the opportunity to be present and express their views for the consideration by the Plan Commission; and

WHEREAS, as a result of said public hearing, the Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the Application in light of applicable law, including the Standards for Planned Unit Developments set forth in Section 12-6-4 and the Standards for Subdivisions set forth in Section 12-16-4:D.3 and voted to recommend denial of the Application to the Village Board of Trustees; and

WHEREAS, as a result of said Plan Commission recommendation, the Applicant revised the Application to respond to concerns raised at the October 17, 2022, public hearing; and

WHEREAS, upon receipt of the recommendation of the Plan Commission and in consideration of revisions to the Application presented by the Applicant, on November 14, 2022,

the Village Board of Trustees voted to remand the Application to the Plan Commission for additional consideration; and

WHEREAS, at the subsequent December 19, 2022, public hearing to reconsider the revised Application, the Village's Plan Commission heard the Applicant's presentation and reviewed the Application, at which time all concerned parties were given the opportunity to be present and express their views for the consideration by the Plan Commission; and

WHEREAS, as a result of said public hearing, the Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the Application in light of applicable law, including the Standards for Planned Unit Developments set forth in Section 12-6-4 and the Standards for Subdivisions set forth in Section 12-16-4:D.3 and voted to recommend approval of the Application to the Village Board of Trustees and made other certain recommendations through a report dated January 3, 2023, a copy of which is attached hereto and made a part hereof and marked as "**Exhibit D**"; and

WHEREAS, pursuant to the provisions of the Village's Unified Development Code, the Corporate Authorities have determined that the proposed Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit should be approved, subject to the provisions, conditions, and restrictions contained in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. Incorporation by Reference. The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance by this reference, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2. Approval of Preliminary Plat of Subdivision and Planned Unit Development (PUD) Special Use Permit. The Corporate Authorities hereby approve the Preliminary Plat of Subdivision, attached hereto as "**Exhibit C**" in accordance with Chapter 12-8 and subject to the provisions, conditions, and restrictions contained in this Ordinance, grant a Planned Unit Development Special Use Permit to allow the construction of a six-unit (6-unit) detached single-family residential development, and authorize select variations to requirements of the Unified Development Code, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors, and assigns. The Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit approval shall include the following waivers:

- A. Waivers to Section 12-8-4:B.2 for lot depth;
- B. Waivers to Section 12-4-2:D for lot area and lot width;
- C. Waivers to Section 12-8-4:B.2 for interior side yard;
- D. Waivers to Chapter 12-9 for accessway standards; and
- E. Waivers to select landscape requirements established in Chapter 12-11, as approved by the Appearance Commission.

SECTION 3. Conditions. The Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit shall be approved subject to the following conditions:

- A. The site, improvements, and buildings, including building footprints, shall be constructed and operated consistent with the plans and supporting documents and modifications as finalized and specifically approved in writing by the Village Administrator or his/her designee, including:
 - 1. Plat of Survey, prepared by Gremley & Biedermann, a division of PCLS Corporation, dated June 29, 2022;
 - 2. Plat of the Ponto Collection Subdivision, prepared by A.P. Surveying Company, P.C., dated October 5, 2022 (2 sheets);
 - 3. Site Plan (SK1.00), prepared by A + C Architects, dated November 30, 2022; and
 - 4. Twin Gables North & South (SK1.01), prepared by A + C Architects, dated November 30, 2022;
 - 5. Primrose Cottage North & South (SK1.02), prepared by A + C Architects, dated November 30, 2022;
 - 6. Morton House North & Fairview Point South (SK1.03), prepared by A + C Architects, dated November 30, 2022;
 - 7. Material Selection (SK2.01), prepared by A + C Architects, dated November 30, 2022;
 - 8. Color Rendering (SK2.02), prepared by A + C Architects, dated November 30, 2022;
 - 9. Master Landscape Plan (L3.1), prepared by A + C Architects, dated November 30, 2022;
 - 10. Landscape Plan (L3.2), prepared by A + C Architects, dated November 30, 2022;
 - 11. Landscape Plan (L3.3), prepared by A + C Architects, dated November 30, 2022;
 - 12. Landscape Plan (L3.4), prepared by A + C Architects, dated November 30, 2022;
 - 13. Landscape Plan (L3.5), prepared by A + C Architects, dated November 30, 2022;
 - 14. Landscape Plan (L4.01), prepared by A + C Architects, dated November 30, 2022;

15. Luminaire Schedule & Calculation Summary (Photometric Plan), prepared by Force Partners, dated November 29, 2022;
16. Engineering Project Manual, Ponto Collection, prepared by CiviLand, LLC, dated November 30, 2022;
17. Geotechnical Investigation Report, Proposed Residential Development, 9312 Shermer Road, prepared by Pioneer Engineering & Environmental Services, LLC, dated August 18, 2022;
18. Traffic Impact Study, Morton Grove Residential Development, prepared by Kimley-Horn, dated August 2022; and
19. Declaration of Rights, Covenants, Conditions, Restrictions, and Easements for the Ponto Collection Single Family Homeowner Association, prepared by Kolpak & Grcic, LLC, undated.

Any substantial change to the site or buildings, as determined by the Village Administrator or his/her designee, may subject the Applicant or subsequent owners, lessees, occupants, and users of the Subject Property to additional conditions and may serve as the basis for amendment to the Planned Unit Development Special Use Permit.

- B. The Subject Property shall be developed and operated consistent with all representations, assertions, and testimony provided by the Applicant and their representatives at the public hearings before the Appearance Commission, Traffic Safety Commission, and Plan Commission. Any inconsistencies in development or operation, as determined by the Village Administrator or his/her designee, may serve as the basis for amendment to or revocation of the Planned Unit Development Special Use Permit.
- C. The Final Plat of Subdivision and final site development plans must be approved in writing by the Village Administrator or his/her designee and shall be consistent with the site layout and building setbacks shown in the site plan entitled, "Site Plan (SK1.00), prepared by A + C Architects, dated November 30, 2022, and final recommendations from staff, the Appearance Commission, Traffic Safety Commission, and the Plan Commission set forth in **Exhibit D**.
- D. Prior to the issuance of a building permit, the Applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator or his/her designee, to demonstrate sufficient access and maneuvering for

- delivery trucks, emergency vehicles, and passenger vehicles with respect to the garage and surface parking spaces, and accessways.
- E. Prior to the issuance of a building permit, the traffic and parking study prepared by Kimley-Horn, dated August 2022 shall be updated to reflect the final approved site plan and incorporate the comments issued by the Village Engineer in the comment form dated October 10, 2022, and by the Traffic Safety Commission Chairperson in the comment form dated October 10, 2022, by strict or alternative compliance, subject to the review and approval of the Village Engineer.
 - F. Prior to the issuance of a building permit, the Applicant shall submit final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator or his/her designee, and shall comply with all comments and recommendations provided by the Village Engineer in the comment form dated October 10, 2022, and by the Traffic Safety Commission Chairperson in the comment form dated October 10, 2022, by strict or alternative compliance, subject to the review and approval of the Village Engineer.
 - G. Prior to the issuance of a building permit, the Applicant shall submit a final landscape plan, elevations, and materials for review and approval by the Village Administrator or his/her designee. The final landscape plan, elevations, and materials must be deemed substantially consistent with the approved landscape plan, elevations, and materials and revised as necessary to comply with all comments and recommendations issued by the Appearance Commission at the public meeting held on October 3, 2022, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be substantially inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the applicant will be required to file an application for an amendment to the Appearance Certificate.
 - H. The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator or his/her designee. If fewer than five (5) trees are planted within the public right of way abutting the subject property, any deficit shall be planted at an alternative location subject to review and approval by the Village Engineer.

- I. The Applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator or his/her designee.
- J. The Applicant shall extend the sidewalk located along the south side of the private accessway to the guest parking area, subject to review and approval by the Village Engineer.
- K. The installation of fencing shall not be permitted on the Subject Property without prior amendment to the Planned Unit Development Special Use Permit.
- L. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator or his/her designee and shall install and maintain signage in accordance with the approved signage plan.
- M. A maintenance declaration for the stormwater detention facilities, landscape areas, and any other area or improvement deemed appropriate by the Village Administrator or his/her designee shall be enforceable by the Village. The declaration shall run with the Subject Property and bind the Applicant and any successive owner. The declaration shall be recorded with the Cook County Clerk following review and approval by the Village Administrator.
- N. The final homeowners' declarations and covenants shall require the regular storage of garbage receptacles within an enclosed garage or not less than five feet (5') behind the front building line. The regular storage of garbage receptacles within any front or street side yard shall be prohibited.
- O. Deciduous trees designated for preservation in the final approved Tree Protection Plan which are removed, destroyed, or severely damaged, other than by natural forces or events, shall be replaced with a new tree at a rate of three inches (3") in caliper to each one inch (1") in caliper of removed tree. Coniferous trees designated for preservation in the final approved Tree Protection Plan which are removed, destroyed, or severely damaged, other than by natural forces or events, shall be replaced with a new tree at a rate of three (3) vertical feet for each one vertical foot of removed tree. All fractions of an inch shall be rounded up. The Village Administrator or his/her designee may approve alternative planting locations on private or public property, with preference given to locations closest in proximity to the development. Species of replacement trees shall be submitted to the Department of Public Works for review and approval.

- P. Prior to the issuance of a building permit, the Applicant shall provide the Village with a final photometric plan that meets the minimum requirements of Village Code for review and approval by the Community Development Administrator and Village Engineer.
- Q. All utility connections, including but not limited to water, sewer, and sanitary, serving the development shall comply with all applicable Code requirements, subject to review and approval of the Village Administrator or his/her designee.
- R. Operation of the site shall be consistent with the final stormwater management plan approved by the Metropolitan Water Reclamation District of Cook County.
- S. The Applicant shall comply with the provisions of Section 12-5-12, "Affordable Housing."
- T. The Applicant shall comply with all applicable provisions of Chapter 12-8 regarding the content and submission of the Final Plat of Subdivision and such Final Plat shall be substantially consistent with the approved Preliminary Plat of Subdivision.
- U. The Applicant shall obtain all necessary signatures and file the Final Plat of Subdivision and all required easements with the Cook County Clerk and shall file three paper copies, one Mylar, and one electronic copy of the recorded plat and easements with the Building Commissioner for the Village of Morton Grove within 90 days of such recording.
- V. The Owner shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the Subject Property or portion thereof prior to the completion of construction of the Planned Unit Development. Such changes may subject the Owner, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the Planned Unit Development Special Use Permit. The Planned Unit Development Special Use Permit is granted so long as the Applicant, Owner, occupants, and users of the Subject Property utilize the area for the purposes as herein designated.
- W. The Owner, Applicant, and any lessees, occupants, and users of the Subject Property, their successors, and assigns, shall allow employees and authorized agents of the Village access to the Subject Property at all reasonable times for the purpose of inspecting the Subject Property to verify all terms and conditions of this Ordinance have been met.

SECTION 4. Village Records. The Village Clerk is hereby authorized and directed to amend all pertinent records of the Village of Morton Grove to show and designate the Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit as granted hereunder.

SECTION 5. Failure to Comply with Conditions. Upon failure or refusal of the Applicant to comply with any or all of the conditions, restrictions or provisions of this Ordinance, the Corporate Authorities may initiate the revocation of the Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit granted in this Ordinance, in accordance with the process and procedures established for Special Use Permits in Section 12-16-4:C.7, entitled “Revocation,” of the Unified Development Code.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this 24th day of January 2023.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

Attested by me this 24th day of January 2023.

Daniel DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this 25th day of January 2023.

Eileen Scanlon-Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

LIST OF EXHIBITS

- | | |
|-----------|---|
| EXHIBIT A | Legal Description for 9312 Shermer Road, Morton Grove, Illinois |
| EXHIBIT B | Plat of Survey, prepared by Gremley & Biedermann, a Division of PCLS Corporation, dated June 29, 2022 |
| EXHIBIT C | Plat of Ponto Collection Subdivision, prepared by A.P. Surveying Company, P.C., dated October 5, 2022 |
| EXHIBIT D | Plan Commission Report for Case PC 22-13, dated January 3, 2023 |

EXHIBIT A

9312 SHERMER ROAD, MORTON GROVE, ILLINOIS 60053

LEGAL DESCRIPTION:

THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD, ALSO KNOWN AS SCHERMERVILLE AVENUE) EXCEPT THE WEST 1885.88 FEET;

ALSO

THAT PART LYING EAST OF THE WEST 1885.88 FEET OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 818.40 CHAINS NORTH OF NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 NORTH 30 ACRES THEREOF ALSO BEING THE NORTH LINE OF LOTS 1-5 INCLUSIVE IN GROVEDALE HOMES UNIT 4 AND LYING SOUTH OF AND ADJOINING THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) IN COOK COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER:

09-13-219-042-0000

EXHIBIT B

PLAT OF SURVEY

Prepared by Gremley & Biedermann, a Division of PCLS Corporation

Dated June 29, 2022

LEGEND

- Storm CB
- San Clean Out
- Water MH
- Water Buffalo Box
- Water Fire Hydrant
- Utility Pole
- Guy Anchor
- Tree - Deciduous
- Tree - Evergreen
- Sign Post
- Unclassified Manhole
- Iron Pipe
- JULIE Mark - Water

A=ASPHALT ELEVATION
GR=GRAVEL ELEVATION
FFE=FINISHED FLOOR ELEVATION
W=WALK ELEVATION
X=CONCRETE ELEVATION
TOE=TOP OF SLOPE ELEVATION
TOB=TOP OF BANK ELEVATION
C=CURB ELEVATION
G=GUTTER ELEVATION
EL=ELEVATION
TW=TOP OF WALL ELEVATION
BK=BRICK ELEVATION

GREMLEY & BIEDERMANN

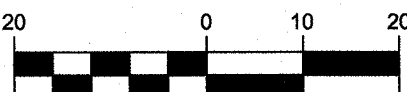
A DIVISION OF
PLCS Corporation
LICENSE NO. 184-005332
PROFESSIONAL LAND SURVEYORS
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630
TELEPHONE: (773) 685-5102 EMAIL: INFO@PLCS-SURVEY.COM

Plat of Survey

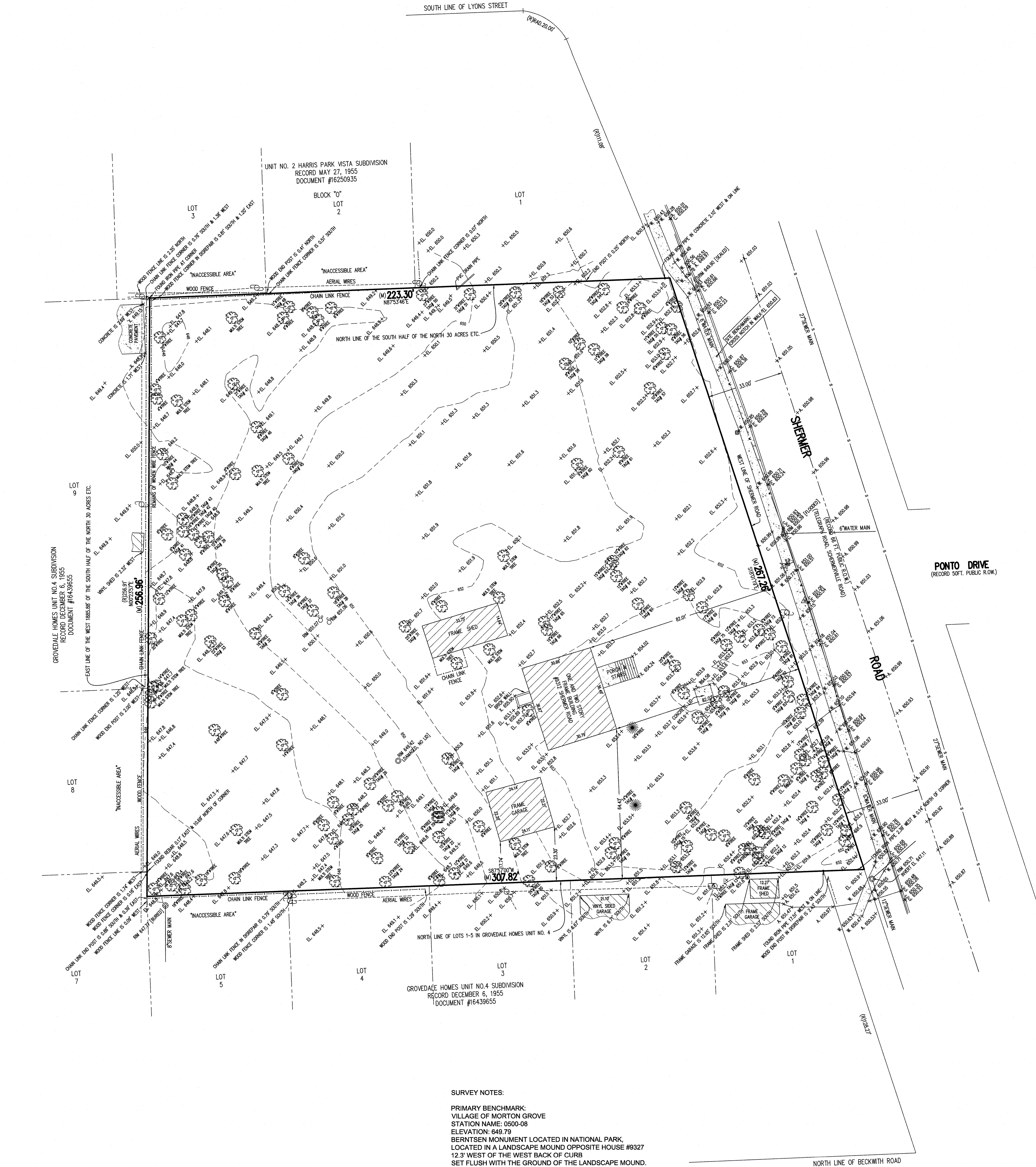
THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD, ALSO KNOWN AS SCHERMERVILLE AVENUE) EXCEPT THE WEST 1885.88 FEET;
ALSO
THAT PART LYING EAST OF THE WEST 1885.88 FEET OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 818.40 CHAINS NORTH OF NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 NORTH 30 ACRES THEREOF ALSO BEING THE NORTH LINE OF LOTS 1-5 INCLUSIVE IN GROVEDALE HOMES UNIT 4 AND LYING SOUTH OF AND ADJOINING THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) IN COOK COUNTY, ILLINOIS.

CONTAINING 68,207 SQUARE FEET OR 1.565 ACRES MORE OR LESS.

GRAPHIC SCALE



(IN FEET)
1" = 20'



SURVEY NOTES:

PRIMARY BENCHMARK:
VILLAGE OF MORTON GROVE
STATION NAME: 0500-08
ELEVATION: 649.79
BERNTSEN MONUMENT LOCATED IN NATIONAL PARK,
LOCATED IN A LANDSCAPE MOUND OPPOSITE HOUSE #9327
12.3' WEST OF THE WEST BACK OF CURB
SET FLUSH WITH THE GROUND OF THE LANDSCAPE MOUND.

SECONDARY BENCHMARK:
VILLAGE OF MORTON GROVE
STATION NAME: 0500-09
ELEVATION: 652.96
BERNTSEN MONUMENT LOCATED IN NATIONAL PARK,
LOCATED IN A LANDSCAPE MOUND NORTH OF A PARKING LOT
9.5' SOUTHWEST OF THE CENTERLINE OF A POLE LINE
SET FLUSH WITH THE GROUND OF THE LANDSCAPE MOUND.

UTILITY WARNING

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes NO guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

Call DIGGER - (312) 744-7000 within the City of Chicago.

Outside of the City of Chicago call J.U.L.I.E. (800) 892-0123 prior to construction or excavation.

STATE OF ILLINOIS
COUNTY OF COOK

WE, GREMLEY & BIEDERMANN, INC. HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY CORRECTED TO A TEMPERATURE OF 62° FAHRENHEIT.

FIELD MEASUREMENTS COMPLETED ON JUNE 23, 2022.
SIGNED ON JUNE 29, 2022.

BY: *Robert G. Biedermann*

PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 2802
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



ORDERED BY: VARDIA & CO LLC	CHECKED: LB	DRAWN: RL
ADDRESS: 9312 SHERMER ROAD		
GREMLEY & BIEDERMANN		
PLCS CORPORATION A DIVISION OF LICENSE NO. 184-005332 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE: (773) 685-5102 EMAIL: INFO@PLCS-SURVEY.COM		
ORDER NO. 2022-30217-001	DATE: JUNE 23, 2022	PAGE NO. 1 OF 1
SCALE: 1" = 20 FEET		

G:\CAD\2022\2022-30217\2022-30217-001.dwg

SURVEY NOTES:

SURVEYOR'S LICENSE EXPIRES November 30, 2022

Note (R&M) denotes Record and Measured distances respectively.

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.

NO dimensions shall be assumed by scale measurement upon this plat.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2022 "All Rights Reserved"

EXHIBIT C

PLAT OF PONTO COLLECTION SUBDIVISION

Prepared by A.P. Surveying Company, P.C.

Dated October 5, 2022

PLAT OF THE PONTO COLLECTION SUBDIVISION

NORTH
SCALE : 1 INCH = 30 FEET

THE SOUTH 1/2 OF THE NORTH 30 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PARTLYING EAST OF THE WEST LINE OF TELEGRAPH ROAD, ALSO KNOWN AS SCHERMERVILLE AVENUE), EXCEPT THE WEST 1885.88 FEET; ALSO THAT PART LYING EAST OF THE WEST 1885.88 FEET OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 12.40 CHAINS THEREOF AND LYING S OF AND ADJOINING THE SOUTH 1/2 OF THE NORTH 30 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) ALL IN COOK COUNTY, ILLINOIS

A. P. SURVEYING COMPANY, P.C.
LAND SURVEYORS
LICENSE No. 184-03309
PROFESSIONAL DESIGN FIRM- LAND SURVEYING CORPORATION
2121 PARKVIEW COURT WILMETTE, IL 60091
TEL: (847) 853-9164; FAX: (847) 853-9391
E-MAIL: apsurveyingcompany@gmail.com

ORDER NUMBER: 22-0521-S-P2
DATE: October 6, 2022

COMMONLY KNOWN AS: : 9312 SHERMER ROAD, MORTON GROVE, ILLINOIS.
P.I.N.: 09-13-219-042-0000
TOTAL NET AREA : 67,543 SQ. FT. = 1.55 ACRE.



LOT NO.	AREA SQ. FT.
LOT 1	7,929
LOT 2	7,476
LOT 3	7,475
LOT 4	7,406
LOT 5	7,467
LOT 6	8,232
OUTLOT A	21,557
TOTAL	67,542

NOTES:
1) OUTLOT A TO BE DEDICATED TO THE HOME OWNER'S ASSOCIATION.
3) P. U. & D. E. DENOTES PUBLIC UTILITY AND DRAINAGE EASEMENT.
4) FIELD WORK PERFORMED OCTOBER 3, 2022.

REVISIONS		
NO.	DATE	DESCRIPTION

PLAT OF THE PONTO COLLECTION SUBDIVISION



A. P. SURVEYING COMPANY, P.C.
LAND - SURVEYORS
LICENSE No. 184-03309
PROFESSIONAL DESIGN FIRM-LAND SURVEYING
CORPORATION
2121 PARKVIEW COURT
WILMETTE, ILLINOIS, IL. 60091
TEL: 847-833-9364
FAX: 847-833-9391
E-MAIL: apsurveyingcompany@gmail.com

ORDER NUMBER: RS-5581-S-P2
DATE: October 6, 2008

OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

9312 SHERMER ROAD DEVELOPMENT LLC, ILLINOIS, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND RESUBDIVIDED AS SHOWN HEREBON FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREBON SHOWN. IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN GRADE SCHOOL DISTRICT 63, HIGH SCHOOL DISTRICT 63, AND JUNIOR COLLEGE DISTRICT 207.

SIGNED AT _____, ILLINOIS, THIS _____ DAY OF _____, 20____.

BY: _____ TITLE: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID DOES

HEREBY CERTIFY THAT

PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE SIGNED AND DELIVERED SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____.

PRINTED NAME

SIGNATURE & SEAL

COOK COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK,

THIS _____ DAY OF _____, 20____.

SIGNED: _____ COUNTY CLERK

COOK COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

THIS INSTRUMENT, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON

THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK _____M.

AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____

SIGNED: _____ RECORDER OF DEEDS

DESIGN STANDARDS AND ZONING COMPLIANCE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOR THE VILLAGE OF MORTON GROVE, HEREBY APPROVE THIS PLAT OF SUBDIVISION FOR COMPLIANCE WITH THE DESIGN STANDARDS ESTABLISHED IN THE SUBDIVISION REGULATIONS AND CONFIRM THAT THE LOTS MEET THE MINIMUM LOT AREA AND FRONTAGE REQUIREMENTS FOR THE UNDERLYING R-1 ZONING DISTRICTS.

DATED THIS _____ DAY OF _____, 20____.

SIGNED: _____ COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

IN ACCORDANCE WITH (RESOLUTION/ ORDINANCE) NO. _____, THIS PLAT WAS HEREBY ACCEPTED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, ILLINOIS, AT A MEETING HELD ON

THIS _____ DAY OF _____, 20____.

BY: _____ PRESIDENT

ATTEST: _____ CLERK

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

APPROVED BY THE VILLAGE OF MORTON GROVE PLAN COMMISSION AT A MEETING HELD

THIS _____ DAY OF _____, 20____.

BY: _____ CHAIRPERSON

ATTEST: _____ SECRETARY

VILLAGE FINANCE DIRECTOR CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, FINANCE DIRECTOR OF THE VILLAGE OF MORTON GROVE, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THIS TRACT OF LAND.

BY: _____ VILLAGE FINANCE DIRECTOR

DATE: _____

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF MORTON GROVE ON

THIS _____ DAY OF _____, 20____.

BY: _____ VILLAGE ENGINEER

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF. OR THAT IF SUCH SURFACE WATER WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION, DIVERSION AND DISCHARGE OF SUCH WATERS INTO PUBLIC COLLECTION, DIVERSION AND DISCHARGE OF SUCH WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELEHOOD OF SUBSTANTIAL DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

BY: _____ OWNER

BY: _____ ILLINOIS PROFESSIONAL ENGINEER NO. _____

EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRICAL AND COMMUNICATIONS SERVICES, GAS, CABLE TELEVISION, STORM WATER DRAINAGE AND SANITARY SEWERS IS HEREBY RESERVED FOR AND GRANTED TO:

COMMONWEALTH EDISON COMPANY,

AT&T TELEPHONE COMPANY,

COMCAST CABLE COMMUNICATION, INC.,

NORTHERN ILLINOIS GAS COMPANY, AN ILLINOIS CORPORATION, DOING BUSINESS AS NICOR GAS COMPANY

THE VILLAGE OF MORTON GROVE

COLLECTIVELY THE "GRANTEE",

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FOR THE PLACEMENT, INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR, RELOCATION, REPLACEMENT AND REMOVAL OF WATER MAINS, STORM SEWERS, SANITARY SEWERS, DRAINAGE DITCHES AND SWALES, RETENTION PONDS, GAS MAINS, ELECTRICAL LINES, TELEPHONE LINES, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SOUNDS AND SIGNALS, INCLUDING BUT NOT LIMITED TO TELEVISION, DATA AND RADIO SIGNALS, TOGETHER WITH ALL BRACES, GUYS, ANCHORS, MANHOLES, VALVES AND ALL OTHER EQUIPMENT AND APPURTENANCES NECESSARY IN CONNECTION UPON AND UNDER THE SUBDIVISION IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DOTTED LINES ON THE PLAT AS A COMMON AREA OR AREAS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON OR ON ADJACENT LOTS, COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM, OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER THE GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE, EXCEPT GARDEN, SHRUBS AND LANDSCAPING MAY BE PLACED OVER ANY SUB SURFACE FACILITIES THAT DO NOT UNREASONABLY INTERFERE WITH THE SAFETY, USEFULNESS OF UNREASONABLY RESTRICT TO, OR PREVENT THE PROMPT MAINTENANCE OF REPAIR OF ANY SUCH SUB SURFACE FACILITIES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN SECTION 2(b) OF "AN ACT IN RELATION TO CONDOMINIUMS" (ILLINOIS REVISED STATUTES, CH. 30, PAR. 302 (b)), AS AMENDED FROM TIME TO TIME.

THE TERM COMMON AREA OR AREAS IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH MAY BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS OUT LOTS, COMMON ELEMENTS, OPEN SPACE, OPEN AREA, COMMON GROUND, PARKING AND COMMON AREA THE TERM COMMON AREA OR AREAS AND COMMON ELEMENTS INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL OR RETENTION POND, OR MECHANICAL EQUIPMENT

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT COST OF GRANTEE/LOT OWNER, UPON WRITTEN REQUEST.

MUNICIPAL AND UTILITY EASEMENT PROVISION CERTIFICATES:

PLAT AND EASEMENT PROVISIONS SHOWN ON THIS PLAT APPROVED BY:

COMMONWEALTH EDISON COMPANY

APPROVED BY: _____

THIS _____ DAY _____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

AT&T, ILLINOIS BELL TELEPHONE CO. (AMERITECH),

APPROVED BY: _____

THIS _____ DAY _____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

COMCAST CABLE COMMUNICATION, INC.

APPROVED BY: _____

THIS _____ DAY _____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

NORTHERN ILLINOIS GAS COMPANY (NICOR)

APPROVED BY: _____

THIS _____ DAY _____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

VILLAGE OF MORTON GROVE, ILLINOIS

APPROVED BY: _____

THIS _____ DAY _____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

PREPARED BY:

APSURVEYING COMPANY, PC.
2121 PARKVIEW COURT.
WILMETTE, ILLINOIS. 60091
TEL: 847-833-9364
FAX: 847-833-9391
E-MAIL: APSURVEYINGCOMPANY@GMAIL.COM

PLAT PREPARED FOR, SUBMITTED BY AND SEND NEW TAX BILL TO:

MAIL PLAT TO:

VILLAGE OF MORTON GROVE
6101 CAPULINA AVENUE
MORTON GROVE, ILLINOIS 60053

PROFESSIONAL AUTHORIZATION

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, JACK A. ZLOTEK, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF ILLINOIS, LICENSE NUMBER 035-3186, DO HEREBY AUTHORIZE THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, ITS STAFF OR AUTHORIZED AGENT, OR MEDINA GARDENS, LLC. OR ITS AUTHORIZED AGENT, TO PLACE THIS DOCUMENT OF RECORD IN THE COUNTY RECORDERS OFFICE IN MY NAME AND IN COMPLIANCE WITH THE ILLINOIS STATUTES CHAPTER 109 PARAGRAPH 2, AS AMENDED.

SIGNED: _____ DATE: _____

JACK A. ZLOTEL
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3186
MY LICENSE EXPIRES NOVEMBER 30, 2020.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, JACK A. ZLOTEK, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND RESUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 1/2 OF THE NORTH 30 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD, ALSO KNOWN AS SCHERMERVILLE AVENUE), EXCEPT THE WEST 1885.88 FEET; ALSO THAT PART LYING EAST OF THE WEST 1885.88 FEET OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 12.40 CHAINS THEREOF AND LYING S OF AND ADJOINING THE SOUTH 1/2 OF THE NORTH 30 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) ALL IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 9312 SHERMER ROAD, MORTON GROVE, ILLINOIS.

P.I.N.: 09-13-219-042-0000

I FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION, IRON PIPES AT ALL INTERIOR LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCS 205/0.01 ET SEQ.). I FURTHER CERTIFY THAT ALL EXTERIOR CORNERS OF THE SUBDIVISION HAVE BEEN MONUMENTED PRIOR TO RECORDATION OF THE SUBDIVISION PLAT AND THAT CONCRETE MONUMENTS HAVE BEEN SET AS REQUIRED.

I FURTHER CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, WHICH HAS ADOPTED A COMPREHENSIVE CITY PLAN AND IS EXERCISING THE SPECIAL POWER AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I FURTHER CERTIFY THAT BASED ON INFORMATION PROVIDED ON THE FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO.17031C02411, DATED AUGUST 19, 2008 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR COOK COUNTY, ILLINOIS, THE PROPERTY SHOWN AND DESCRIBED HEREON IS LOCATED WITHIN ZONE X, WHICH IS DEFINED BY FEMA AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED IN WILMETTE, ILLINOIS, DATE: _____

BY: _____

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3186

EXPIRATION DATE: NOVEMBER 30, 2022

BLANKET EASEMENT PROVISIONS

An easement for serving the subdivision and other property with electric and communication service is hereby reserved for and granted to

Commonwealth Edison Company
and
SBC - Ameritech Illinois s.k.a. Illinois Bell Telephone Company, Grantees,

their respective licensees, successors and assigns jointly and severally, to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove, from time to time, poles guys, anchors, wires, cables, conduits, manholes, transformers, pedestals, equipment cabinets or other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sounds and signals in, over, under, across, along and upon the surface of the property shown within the dashed or dotted lines (or similar designation) on the plat and marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation), the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat as "common area or areas", and the property designated on the plat for streets and alleys, whether public or private, together with the rights to install required service connections over or under the surface of each lot and common area or areas to serve improvements thereon, or on adjacent lots, and common area or areas, the right to cut, trim or remove trees, bushes, roots and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over Grantees' facilities or in, upon or over the property within the dashed or dotted lines (or similar designation) marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation) without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth for such term in the "Condominium Property Act", Chapter 765 ILCS 605/2, as amended from time to time.

The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole or as an appurtenance to the separately owned lots, parcels or areas within the planned development, even though such be otherwise designated on the plat by terms such as "outlots", "common elements", "open space", "open area", "common ground", "parking" and "common area". The term "common area or areas", and "Common Elements" include real property surfaced with interior driveways and walkways, but excludes real property physically occupied by a building, Service Business District or structures such as a pool, retention pond or mechanical equipment.

Relocation of facilities will be done by Grantees at cost of the Grantor/Lot Owner, upon written request.

EXHIBIT D

PLAN COMMISSION REPORT FOR CASE PC 22-13

Dated January 3, 2023

To: Village President and Board of Trustees

From: Chris Kintner, Vice Plan Commission Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: January 3, 2023

Re: Plan Commission Case PC 22-13: Request for approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for six (6) detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, and interior side yard (12-4-2:D) for the property commonly known as 9312 Shermer Road (PIN 09-13-219-042-0000) in Morton Grove, Illinois, all within an R-1 Single Family Residence District. The applicant is Varda & Company, LLC.

Executive Summary

In September 2022, Varda & Company, LLC (“applicant”) submitted complete Planned Unit Development (PUD) and Subdivision Applications to the Department of Community and Economic Development under Case PC 22-13 requesting the entitlement of an eight-unit detached single-family residential development with accessory parking, accessway, and landscape areas for the 1.565-acre property commonly known as 9312 Shermer Road (“subject property”). The subject property is zoned R-1 Single Family Residence.

On October 17, 2022, the Plan Commission held a public hearing to consider Case PC 22-13. After reviewing the application, all testimony provided by the applicant and their consultants, and public comments, the Plan Commission voted unanimously (6-0) to recommend denial of the application to the Village Board of Trustees. Based on the Plan Commission’s determination and the comments provided, the developer revised the site plan to reduce the project density to six units and address other concerns raised by the Commissioners and residents. On November 14, 2022, the applicant requested that the Board of Trustees remand Case PC 22-13 to the Plan Commission for reconsideration. The Board voted unanimously to remand the case, to be reheard by the Plan Commission at a public hearing on December 19, 2022.

On December 19, 2022, the proposed Subdivision and PUD were considered by the Plan Commission at the regularly scheduled meeting. For the reasons set forth in this report, on December 19, 2022, the Plan Commission unanimously recommended by a vote of 6-0 (Chairperson Blonz absent) that the Village Board of Trustees should approve the Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit, subject to various conditions contained in this report.

Application

On September 9, 2022, the applicant submitted complete applications requesting approval of a Preliminary Plat of Subdivision and PUD Special Use Permit to authorize a nine-lot subdivision and the construction of eight detached single-family residences on the subject property. Eight of the proposed lots, “Lot 1” through “Lot 8,” were proposed to be improved with detached single-family residences. The ninth lot, “Outlot A,” was proposed to be improved with common areas, including a private drive, emergency turnaround area, parking area, and underground stormwater detention facilities. The applicant requested the approval of plans to construct eight single-family residences and all supporting infrastructure under the control of a PUD. The proposed residences are to be sold on individual lots, with common areas to be owned and maintained by a proposed homeowner’s association (HOA).

Following the October 17, 2022, meeting of the Plan Commission, the applicant revised the application to propose a seven-lot subdivision and the construction of six detached single-family residences on the subject property. Overall, the revised proposed plat of subdivision generally complies with the R-1 District lot standards established in Sections 12-4-2:D and 12-8-4:B.2 of the Unified Development Code. While limited variations to lot depth are being requested due to the shape of the project site, the proposed density is fitting with the intent of the R-1 District dimensional standards. 31.91% of the subject property land area is dedicated to common areas within Outlot A, which will be improved with a shared vehicular accessway and turnaround, landscape areas, sidewalks, stormwater detention facilities, and a guest parking area.

The six proposed detached single-family homes will range from 3,503 square feet to 3,602 square feet in floor area. Three home types are proposed, and two of each home type are to be distributed in accordance with the submitted site plan. The proposed floor area ratios (FAR) are between 0.44 and 0.48, in compliance with the 0.6 maximum FAR set forth by code. Each front-loading two-story home will still be constructed with an unfinished basement and will contain four bedrooms, four bathrooms, and a two-car attached garage. On a lot-by-lot basis, the proposed single-family residences are substantially compliant with dimensional requirements applicable to the R-1 District and single-family development generally. As presented, approval of the site plan will only require two variations to the minimum interior side yard, one for Lot 4 and one for Lot 6, due to the inclusion of window well zones within each side yard.

Departmental Review

- **Building Department:** *“At this time the Building Department only has one concern as to the material being used for mentioned fence along existing abutting properties for maintenance concerns.”* Staff has clarified that no fencing will be constructed on the property. This will be made a requirement of the PUD ordinance.
- **Fire Department:** “
 - *“Unable to determine on the Schematic Utility Plan if an additional required hydrant on a looped water main was added toward the west end of the property.”* The comment will be resolved in final site design and engineering through the standard permitting process.
 - *“Please update the Fire Truck Turning Exhibit using the following data to update:*

Morton Grove Fire Truck Data for Fire Truck Turning Analysis

Overall Length	47.8 feet
Overall Width (Including Mirrors)	9.5 feet
Overall Body Height	11.666 feet
Minimum Body Ground Clearance	0.625 feet
Track Width	8.36 ft
Lock to Lock Time	6 seconds
Max Wheel Angle	45 degrees
Overall Length - Front wheel overhang + wheel base + rear wheel overhang	
Track Width - Wheel track width is the distance between the centerline of two wheels on the same axle.	
Axle Track - The distance between the hub flanges on an axle.	
Lock to Lock Time - The time taken to turn the primary steering from full left lock to full right lock.”	

The requirement for any turning path exhibits requested by the Fire Department or Village Engineer will be made a requirement of the PUD ordinance.

- **Public Works Department/Engineering:** In review of the proposed project, the Village Engineer issued 32 comments dated October 10, 2022, and attached hereto as **“Attachment A”**. A recommended condition of PUD approval is compliance with all comments and recommendations provided by the Village Engineer, whether by strict compliance or alternative compliance, subject to the Village Engineer’s final approval.

Public Hearings

Appearance Commission: On October 3, 2022, the applicant appeared before the Appearance Commission to provide testimony and respond to comments issued by the Department of Community and Economic Development in the staff report dated October 3, 2022, attached hereto as **“Attachment B”**. The Commission voted 4-3 to recommend approval of the project with certain conditions. The Appearance Certificate issued to the applicant on October 3, 2022, is subject to the following conditions:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall revise the landscape plan to comply with all applicable requirements of Chapter 12-11 and accurately reflect the final approved tree preservation plan and shall submit said plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. The owner/applicant shall reduce the number of tree plantings within the public right of

way from six trees to five trees, or as otherwise authorized by the Village Engineer. If fewer than five trees are planted within the public right of way abutting the subject property, any deficit shall be planted at an alternative location subject to review and approval by the Village Engineer. If the revised landscape plan is deemed to be in violation of any applicable requirement or substantially inconsistent with the approved plan, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.

- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a final photometric and lighting fixture plan that meets the minimum requirements of Village Code for review and approval by the Community Development Administrator and Village Engineer. No exterior luminaire located on the site may exceed a color temperature of 4000K.
- 3) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.

Based on comments issued by the Appearance Commission, the applicant revised the building elevations, materials palette, and landscape plan for the Plan Commission's review to provide greater differentiation between the homes, comply with applicable landscape requirements, and incorporate more evergreen plant species.

Traffic Safety Commission: On October 6, 2022, the applicant appeared before the Traffic Safety Commission to provide testimony and respond to comments issued by the Village Engineer. At the meeting, the Commission and the applicant discussed traffic concerns along Shermer Road, the proposed sidewalk width, on-street parking impacts, parking demand, snow storage, and sight lines relative to proposed landscaping. The Commission unanimously (6-0) forwarded a recommendation of approval of Case PC 22-13 along with the comments provided in the form prepared by Chairperson White, dated October 10, 2022, and attached hereto as "**Attachment C**". A recommended requirement of the PUD ordinance is compliance with all comments issued by the Traffic Safety Commission, whether by strict or alternative compliance, subject to the Village Engineer's final approval.

Plan Commission: The Village provided Public Notice for the October 17, 2022, Plan Commission public hearing for Case PC 22-13 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on September 29, 2022. The Village notified surrounding property owners via mail on September 29, 2022, and placed a public notice sign on the subject property on September 28, 2022. After Case PC 22-13 was remanded to the Plan Commission by the Board of Trustees, staff mailed residents and property owners within 250 feet of the subject property notifying them of the December 19, 2022, hearing.

Plan Commission – October 17, 2022, Proceedings: Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated October 11, 2022, was entered into the public record and is attached hereto as "**Attachment D**". She explained that Case PC 22-13 is a request for a Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit.

Ms. Heidorn stated that Varda and Company is requesting approval of a Planned Unit Development and Preliminary Plat of Subdivision for an 8-unit single-family detached residential development with accessory parking, accessway, and landscape areas for the 1.6-acre subject property. The development will be served by one point of public access along Shermer Road, which will align with Ponto Drive to the east. The 8 single-family residences will feature two-car attached garages fronting on a 24-foot-wide private accessway, which will lead to an 8-space accessory parking area for guest use only and an emergency vehicle turnaround at the property's rear. On-street parking will be prohibited, but the proposed driveway dimensions can accommodate additional guest parking within the front yard driveway.

Ms. Heidorn explained that under the proposed PUD, the applicant is requesting variations for lot area, lot width, lot depth, front yard, floor area ratio, driveway width, and various dimensional requirements for accessory structures. On October 3, the Appearance Commission issued an Appearance Certificate and recommended approval of the project with conditions by a vote of 4-3. On October 6, the Traffic Safety Commission recommended approval of the project with comments by a vote of 6-0. In response to comments issued by the Commissions, the applicant has revised the plans before the Plan Commission tonight to diversify the materials palettes, increase the sidewalk width to 5 feet, achieve compliance with screening requirements for paved ground surfaces, remove a problematic tree species, enhance the use of evergreen plant species, and eliminate discrepancies between the submitted landscape plan and tree preservation plan.

Ms. Kirchner swore in the applicant and his associates.

Attorney Paul Kolpak introduced the development team. He thanked Ms. Heidorn for the staff report and presentation.

Chairman Blonz asked if questions should be held to after each consultant has presented. Mr. Kolpak said that would be most efficient.

Mr. Arzoumanian, A+C Architects, described the intent of the proposed community. The idea is to bring an affordable size of single-family home to Morton Grove, with well sized yards and easy access to local amenities. They have incorporated many green features and provided stormwater detention that improves the surface water on the site and for neighboring property. The civil engineer and landscape architect have worked closely together to preserve existing trees, design with native species, and exceed the requirements of the Village.

Mr. Arzoumanian explained that the homes are designed inside and out to meet the current real estate market needs of the potential homeowners and the developer. The development follows the Village's Comprehensive Plan regarding green space, site planning, neighborhood feel, and traffic flow.

Mr. Kolpak stated that the consultants will expand on their work and describe how it has changed to address the needs of the Village and the requests of the other Commissions. The landscape architect consultant, Gary Topalian, was asked by Mr. Kolpak to describe the recent changes made to the plan and some of the challenges of the site.

Mr. Topalian noted he is happy to be part of the design team. Shermer Road is the "front yard" and he made sure it was welcoming to the surroundings. The homes have strong foundation plantings with evergreens and the soft look of deciduous accents. A tree was removed from the Shermer parkway, per staff suggestion, and placed in the southeast corner berm area. The main road is designed to be the spine that unites the north and south homes. The inclusion of crabapple trees is part of the modern farmhouse architectural style.

Mr. Topalian explained that the landscape plan defines the lots, providing individualism. The borders of the development have border structure plantings that take advantage of the topography. This is where most of the original trees were able to be preserved. The indigenous plantings will support the original trees and character. Some changes made to the planting plan include: adding more evergreen foundation plantings; the addition of two shade trees to the west boarder of the parking area and additional evergreens to the north, west, and south borders for winter screening.

Sabin Olteanu, professional engineer, introduced himself as the site engineer of the project. Mr. Kolpak asked Mr. Olteanu to address the retention and parking areas. Mr. Olteanu explained that he was the Village Engineer for Skokie and has been involved with Mr. Varda on several projects. He has also done work in Morton Grove. This project will improve the water retention and the "green" design aspects include pervious pavement, native plants, and underground retention areas. They are addressing the overflow retention areas that spill on adjacent properties and will provide protection for a 100-year flood. The stormwater infrastructure will route water to Shermer Road.

Mr. Olteanu said he has spoken with some adjacent neighbors who said there is often two to three feet of standing water on the west side of the property after heavy rains. Today's standards of design will improve the stormwater conditions of the site and surrounding properties.

Mr. Kolpak asked where snow removal storage would be located. Mr. Olteanu said it would be in the open space area in the northwest corner of the property.

Bill Grieve, Senior Transportation Engineer with Kimley Horn, said they performed a complete traffic study. This involved visiting the site, counting cars, and analyzing the added trips. The traffic engineering team found there would be almost no impact on the surrounding road system. He noted they also concur with all staff comments.

Patrick McEneely, @Properties/Christies International, introduced himself as part of the marketing team. Mr. Kolpak asked what they considered saleable for home size, type, and price point. Mr. McEneely explained that they are marketing homes to first-time home buyers and those who want to downsize. The current trend is not for large homes on large lots. He compares this development to the Floral Avenue development in Skokie. This is a development with efficient square footage and lot size that fills a void in the housing market. The developer team is very confident in and excited by this housing product.

Tony Varda, owner and applicant, thanked the commissioners. The vision for the Ponto Collection is to create a new community on a decades-old vacant parcel that everyone can be proud of. He said they were fortunate to purchase a property full of mature trees and for the team to work to preserve as many as possible. Their arborist did find many trees that were invasive and diseased. After their appropriate removal, they tailored the site plan around the remaining trees.

Mr. Varda noted the team created homes that are neighborly and welcoming, with luxury touches in a farmhouse aesthetic. The development will have a private roadway and a homeowner's association. The buyers can customize the home type, including interior and exterior finishes. Mr. Varda has completed many projects with A+C architects and Mr. McEneely in the surrounding area, including several in Skokie. Varda and Company is family-owned and has been in business since the 1980s developing homes, apartments, condominiums, and mixed-use developments. The team is confident the Ponto Collection will be a beautiful and sustainable addition to the Morton Grove community.

Mr. Kolpak asked for questions from the Commissioners.

Commissioner Stein asked the architect for further explanation on the uniqueness of the look and site plan.

Mr. Arzoumanian said current trends are for little separation between pedestrian and vehicular paths, which allows for houses to be closer together. The guest parking allows for a narrow roadway and allows for added green space in the back yards. The minimum side yard requirements are met, but the other yards are not like a typical cul-de-sac development from ten years ago. This is a safer design by keeping the street open.

Commissioner Stein said in denser developments there is often a shared common space. Mr. Arzoumanian responded that there is not room for a large common space, but the open feel is enhanced by not having fenced backyards. The parking area and underground retention areas leave as much open space as possible.

Commissioner Stein asked about the stormwater plan and whether there only a permeable roadway, or if there an underground system as well. Mr. Olteanu said there is a proprietary system underground.

Commissioner Stein asked about the Floral Avenue example in Skokie. He noted those homes are distinctly varied. He does not see the diversity in the proposed development, and the footprints are the same for each home. Mr. McEneely said this project does provide exterior options but offers an appealing size for the home buyers. Mr. Arzoumanian said Floral Avenue is

an urban setting on a public street surrounded by older development. The Ponto Collection has a level of consistency to maintain the subdivision as a community.

Commissioner Kintner noted that the Floral Avenue homes have a walkability benefit with their location. He asked Mr. McEneely to explain the marketability of this style in a suburban setting. Mr. McEneely responded that the Skokie project is an example of what is similar in size and what the market is demanding. The settings are not meant to be compared. The size, style, and finishings are what will survive in the market. Large homes over 4,000 square feet are not desirable.

Commissioner Kintner asked about the existing trees being damaged during construction of the parking area. Mr. Topalian said they will thrive with good maintenance after any stress they endure. Commissioner Kintner asked how the west side trees will be protected. Mr. Topalian responded that construction fences will be installed to the drip line. It seems that many on the southwest line could be impacted during construction. The parking area will be screened with additional plantings for the neighbors to the west.

Commissioner Kintner asked if the landscape plan is set for the entire development. Mr. Kolpak responded that the plans do cover the entire development and will be maintained by the individual owners and homeowner's association.

Commissioner Dorgan asked if the plantings between the homes are shade plants. He asked how the tree line to the north will be maintained by the HOA. Mr. Kolpak said the HOA will be responsible. Commissioner Dorgan expressed concern with ensuring proper watering.

Commissioner Dorgan asked about the AC condenser placement between the homes. Mr. Arzoumanian noted that high efficiency units are quiet. Putting them in the back yard is feasible but provides less room for backyard activities. Mr. English and Ms. Kirchner noted that condensers may be located in side yards but not required side yards. Mr. Arzoumanian said they will place the condensers where required by code. Commissioner Dorgan asked if fencing for dogs would be allowed. It was noted that invisible fencing is permitted for dog owners.

Commissioner Mohr asked where the window wells will be located. Mr. Arzoumanian responded that they will be egress windows and may not be in the side yards. The architect noted that this is not on the plans and will be addressed in final design. Commissioner Mohr asked why the end unit entrances face Shermer and not the new community. The architect said the team felt there should be a front face for the entrance along Shermer Road.

Chairman Blonz asked for the size and cost of the homes. At 3,200 square feet, they are larger than others in the neighborhood. Chairman Blonz said he is troubled by the number of waivers being sought. He asked how the project will benefit Morton Grove. Mr. Arzoumanian said they are providing good size houses for young families instead of more code-compliant large homes on a large lots with limited public improvements. It is an efficient, sustainable use of the land.

Chairman Blonz asked what makes it sustainable. The architect said storm detention, providing one connection to the public utility for eight homes in one place, guest parking, native landscaping, and high efficiency building materials all contribute to the project's sustainability. Chairman Blonz asked if they are using heat pumps or solar panels. It was noted that heat pumps are not feasible and solar could be a choice for the resident.

Chairman Blonz asked if they could have six units instead of eight on the property, and therefore meet more requirements. Architecturally speaking, Mr. Arzoumanian believes the eight units work well as they meet side yard requirements and the front yard, sidewalk, and road are not public. Meaning the front setback could be interpreted from the middle of the road, he feels it is driveway and not a street for setback purposes. It is a progressive development for the Village.

The Commissioners and applicant team discussed drainage. The plan as submitted shows the general grading of the site and that the west side needs to remain depressed. The drainage system will rely on gravity to feed to the storm connection on Shermer Road. This meets the 2010 MWRD requirements.

Chairman Blonz asked about the units having trouble exiting on Shermer Road. Mr. Grieve said the traffic capacities and delays are the same without the development. Chairman Blonz asked about parking and how parties would be accommodated. Mr. Kolpak responded that these are rare events that can be supported by on-street parking on Shermer Road.

Chairman Blonz indicated that his biggest concern is with the removal of so many trees. He asked why so many large caliper trees needed to be removed.

Mr. Varda said as many as 50 trees were diseased and broken, per the arborist from Sunrise Care. They did not clear cut the property and they recognize that the trees are a huge benefit to the community. They positioned the homes to control the existing water pathway. The retention system collects and slowly redirects the water to Shermer Road. He took this time to note that the number of units developed drives the success of the development and the improvements. The landscape plan will flourish and the caliper of the trees will allow for steady, healthy growth.

Mr. Arzoumanian added they could work with staff to provide additional trees or change locations.

Chairman Blonz asked for comments from the audience.

Sandra Covey of 9230 Shermer expressed her concerns about flooding and traffic. She would prefer the word “community” to reflect Morton Grove and not the Ponto Collection. She said that eight houses will have four cars per unit, and with the eight parking spaces, it adds up to 40 cars on the premises. The project will add too much traffic on Shermer. No one will be able to cross at Beckwith or Lyons. Additional parking pushed on side streets is not fair to the neighbors. She is also worried about snow removal.

She asked why there was no common space for gathering. Ms. Covey said the HOA needs to be very clear on property maintenance and lighting.

George Strack of 9323 Cameron stated that he shares the longest property line with the development. He and his neighbors are very concerned about the stormwater conditions. Heavy rains currently flood their property. He is also concerned with the accidents on Beckwith and Shermer and the traffic to be added by this development.

John Kleine of 9311 Cameron explained that he is also concerned with stormwater drainage. He needs a guarantee that the water will not be displaced on his property.

Chairman Blonz asked for comments from the Commissioners.

Commissioner Kintner has overall concerns about the water retention and its effectiveness. He finds the plan too mathematical and without creativeness in the diversity of the homes. He likes the overall concept but would like a common area and more style seen across the units.

Commissioner Mohr agreed with Chairman Blonz regarding the number of waivers. There is not a feeling of community, and the units are too similar. He would like to see more open space and a reduction of units. He does trust the engineering for the site but feels it is too dense.

Chairman Blonz said the presentation was excellent and the reports were thorough. He still feels there is too much on the site. Six units are preferred. Parking concerns, lack of common area, and the loss of trees are his principal concerns.

Commissioner Kintner made a motion to recommend approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for 8 detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, front yard, floor area ratio (12-4-2:D), driveway width (12-2-5:B.5), and dimensions and siting of accessory structures (12-2-6:G) for the property commonly known as 9312 Shermer Road in Morton Grove, Illinois, subject to the following conditions:

1. *Prior to the issuance of a building permit, the applicant shall submit final site plans, engineering plans, preliminary plat of subdivision, and traffic and parking impact study for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations issued in the following, whether by strict or alternative compliance, subject to the Village Administrator's final approval:*
 - *Appearance Certificate issued for Case AC 22-11*
 - *Comments issued by the Traffic Safety Commission Chairperson, dated October 10, 2022*
 - *Comments issued by the Village Engineer, dated October 10, 2022*
 - *Comments issued by the Fire Department, dated October 5, 2022*
 - *Comments issued by the Building Department, undated*
 - *Comments issued by the Department of Community and Economic Development, dated October 11, 2022*
2. *Prior to the issuance of a building permit, the applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator.*
3. *Prior to the issuance of a building permit, the applicant shall submit final elevations, a materials palette, and landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the revised plans are deemed to be in violation of any applicable requirement, substantially inconsistent with the approved plans, or lesser in quality than the approved designs and materials, the applicant will be required to file an application for an amendment to the Appearance Certificate.*
4. *The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator.*
5. *The applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator.*
6. *Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.*
7. *The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the PUD Special Use Permit.*

The motion was seconded by Commissioner Liston.

Commissioner Dorgan voting no

Commissioner Kintner voting	no
Commissioner Liston voting	no
Commissioner Mohr voting	no
Commissioner Stein voting	no
Chairman Blonz voting	no

Motion does not pass 0-6.

Plan Commission – December 19, 2022, Proceedings: Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated December 13, 2022, was entered into the public record and is attached hereto as “**Attachment E**”. She explained that Case PC 22-13 is a request for a Preliminary Plat of Subdivision and Planned Unit Development Special Use Permit.

Ms. Heidorn stated that Varda & Company, LLC is returning to the Plan Commission to request approval of a Planned Unit Development and Preliminary Plat of Subdivision requesting the entitlement of a six-unit detached single-family residential development with accessory parking, accessway, and landscape areas for the 1.6-acre property commonly known as 9312 Shermer Road. On October 17, 2022, the Plan Commission considered Case PC 22-13 and, due to concerns with project density, stormwater management, parking, and housing diversity, voted unanimously to recommend denial of the application to the Village Board. Based on the Plan Commission’s determination and the comments provided, the developer revised the site plan to reduce the project density to six units and address other concerns raised by the Commissioners and residents. On November 14, 2022, the applicant requested that the Board of Trustees remand Case PC 22-13 to the Plan Commission for reconsideration of the revised site plan.

Ms. Heidorn explained that the developer has submitted a revised subdivision plat, site plan, elevations, floor plans, materials palette, rendering, landscape plan, engineering project manual, and photometric plan, and is prepared to address Commissioner and resident comments raised at the last meeting. Overall, the revised plat of subdivision and site plan are substantially compliant with the R-1 District lot and dimensional standards. Staff notes that the technical review provided in the staff report was based on the preliminary plat of subdivision, but that the architectural site plan provides varying lot areas that comply with the district minimum requirement of 7,500 square feet. The final site plan and plat of subdivision may be revised slightly in the final design and engineering process, but the lots are intended to and anticipated to comply with district standards.

Ms. Kirchner swore in the applicant and his associates.

Attorney Paul Kolpak introduced the development team. He thanked Ms. Heidorn for the staff report and presentation. The new plan has six homes on larger lots, which will be further discussed with the architect. Additional engineering and stormwater measures will be presented by the project engineer, who just met with the Metropolitan Water Reclamation District regarding the site.

Mr. Arzoumanian said the six homes allow for greater green space and meet minimum lot size and all setback requirements except for rear yard depth. Photometrics have been redesigned to meet requirements. Landscape buffers have increased along the west side to allow for a nine-foot buffer. Impervious surfaces have been reduced.

Mr. Kolpak asked Mr. Arzoumanian to discuss the window well placement.

Mr. Arzoumanian said the window wells will now meet the required side yard setback.

Vice Chair Kintner thanked the architect for changing the scale of the development and providing better balance for the neighborhood.

Sabin Olteanu, civil engineer, explained that he has revised the design and has worked closely with the Village Engineer and MWRD, who will be supervising the site work and ultimately give final engineering approval. The topographic survey area was enlarged to include an additional acre of surrounding properties. This shows the runoff from the backyards and garages. A two-foot inlet was found on the southwest edge of the property, and its four-inch clogged pipe was serving as the only drain for the 2.5-acre area. New inlets will be clog-proof and larger pipes will intake the surrounding runoff.

Mr. Olteanu explained that the Village requires stormwater detention. This will be underground, containing 800 linear feet of pipe located under the turn-around area. All current water management ordinances will be met.

Mr. Kolpak asked if the stormwater design will solve current problems existing on surrounding properties.

Mr. Olteanu said the design covers the development site and the surrounding acre in the topographic study, which is two-thirds more in area than the development site.

Commission Gabriel asked if the load capacity above the pipes provides enough support.

Mr. Olteanu said the pipe construction is designed to be seven feet below the proposed pavement.

Commission Mohr asked how the water is released from the detention area.

The engineer said it will be a slow release to the Shermer Road storm drain.

Vice Chair Kintner asked if the pooling on adjacent properties and the site would be stopped.

The engineer said the inlets will relieve the pooling and are required to do so.

No traffic comments or concerns were heard.

Commissioner Gabriel said he is glad of the revisions.

Vice Chair Kintner asked if the south sidewalk will now connect to the parking area.

Mr. Kolpak said it will be extended to the guest parking.

Commissioner Gabriel asked how refuse will be collected.

Mr. Arzoumanian said it will be individual curb pick-up as is provided throughout the Village.

Vice Chair Kintner asked for comments from the audience.

John Kleine of 9311 Cameron commented that he is still concerned with stormwater drainage. He needs a guarantee that the water will not be displaced on his property. He is concerned that the engineering may fail. Otherwise, he welcomes the development.

Commissioner Gabriel said maintenance is important as seen with the current drain that was clogged. The new design will be an improvement and will need ongoing good maintenance.

Mr. Kleine said there are discrepancies with his original Plat of Survey and current surveying work. He will make the original survey available to Village staff for review and for use in permitting.

Vice Chair Kintner asked if the stormwater engineering will exceed requirements for a 100-year flood.

The engineer said the State of Illinois continually evaluates the flood data and this development meets the new requirements. The MWRD will validate this design and modeling as part of permitting.

Commissioner Dorgan would like the HOA to require garbage can storage to be in the garage or on the side of the houses.

Commissioner Stein asked if the northwest and southwest corners of the property are open spaces and how they will be used.

Mr. Arzoumanian responded that they are common areas for recreation, snow removal, and some stormwater retention.

Commissioner Liston made a motion to recommend approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for six (6) detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, and interior side yard (12-4-2:D) for the property commonly known as 9312 Shermer Road in Morton Grove, Illinois, subject to the following conditions:

1. *Prior to the issuance of a building permit, the applicant shall submit final site plans, engineering plans, preliminary plat of subdivision, and traffic and parking impact study for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations issued in the following, whether by strict or alternative compliance, subject to the Village Administrator's final approval:*
 - *Appearance Certificate issued for Case AC 22-11*
 - *Comments issued by the Traffic Safety Commission Chairperson, dated October 10, 2022*
 - *Comments issued by the Village Engineer, dated October 10, 2022*
 - *Comments issued by the Fire Department, dated October 5, 2022*
 - *Comments issued by the Building Department, undated*
 - *Comments issued by the Department of Community and Economic Development, dated October 11, 2022*
 - *Traffic Impact Study, prepared by Kimley-Horn, dated August 2022*
2. *Prior to the issuance of a building permit, the applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator.*
3. *Prior to the issuance of a building permit, the applicant shall submit final elevations, a materials palette, and landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the revised plans are deemed to be in violation of any applicable requirement, substantially inconsistent with the approved plans, or lesser in quality than the approved designs and materials, the applicant will be required to file an application for an amendment to the Appearance Certificate.*
4. *The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator. If fewer than five trees are planted within the public right of way abutting the subject property, any deficit shall be planted at an alternative location subject to review and approval by the Village Engineer.*

5. *The applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator.*
6. *The applicant shall extend the sidewalk located along the south side of the private accessway to the guest parking area, subject to review and approval by the Village Engineer.*
7. *Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.*
8. *A maintenance declaration for the stormwater detention facilities and any other area or improvement deemed appropriate by the Village Administrator shall be enforceable by the Village. The declaration shall run with the property and bind the applicant and any successive owner. The declaration shall be recorded with the Cook County Clerk following review and approval by the Village Administrator.*
9. *Deciduous trees designated for preservation in the final approved Tree Protection Plan which are removed, destroyed, or severely damaged, other than by natural forces or events, shall be replaced with a new tree at a rate of three inches (3") in caliper to each one inch (1") of removed tree. Coniferous trees designated for preservation in the final approved Tree Protection Plan which are removed, destroyed, or severely damaged, other than by natural forces or events, shall be replaced with a new tree at a rate of three (3) vertical feet for each one foot of removed tree. All fractions of an inch shall be rounded up. The Village Administrator may approve alternative planting locations on private or public property, with preference given to locations closest in proximity to the development. Species of replacement trees shall be submitted to the Department of Public Works for review and approval.*
10. *The applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the PUD Special Use Permit.*

The motion was seconded by Commissioner Dorgan.

Commissioner	Dorgan voting	aye
Commissioner	Gabriel voting	aye
Vice Chair	Kintner voting	aye
Commissioner	Liston voting	aye
Commissioner	Mohr voting	aye
Commissioner	Stein voting	aye

Motion passes 6-0.

Final Plans and Supporting Documents

The application's final plans and supporting documents recommended for approval by the Plan Commission include the following and are attached hereto as "**Attachment F**":

1. Plat of Survey, prepared by Gremley & Biedermann, a division of PCLS Corporation, dated June 29, 2022
2. Plat of the Ponto Collection Subdivision, prepared by A.P. Surveying Company, P.C., dated October 5, 2022 (2 sheets)
3. Site Plan (SK1.00), prepared by A + C Architects, dated November 30, 2022
4. Twin Gables North & South (SK1.01), prepared by A + C Architects, dated November 30, 2022
5. Primrose Cottage North & South (SK1.02), prepared by A + C Architects, dated November 30, 2022
6. Morton House North & Fairview Point South (SK1.03), prepared by A + C Architects, dated November 30, 2022

7. Material Selection (SK2.01), prepared by A + C Architects, dated November 30, 2022
8. Color Rendering (SK2.02), prepared by A + C Architects, dated November 30, 2022
9. Master Landscape Plan (L3.1), prepared by A + C Architects, dated November 30, 2022
10. Landscape Plan (L3.2), prepared by A + C Architects, dated November 30, 2022
11. Landscape Plan (L3.3), prepared by A + C Architects, dated November 30, 2022
12. Landscape Plan (L3.4), prepared by A + C Architects, dated November 30, 2022
13. Landscape Plan (L3.5), prepared by A + C Architects, dated November 30, 2022
14. Landscape Plan (L4.01), prepared by A + C Architects, dated November 30, 2022
15. Luminaire Schedule & Calculation Summary (Photometric Plan), prepared by Force Partners, dated November 29, 2022
16. Engineering Project Manual, Ponto Collection, prepared by CiviLand, LLC, dated November 30, 2022
17. Geotechnical Investigation Report, Proposed Residential Development, 9312 Shermer Road, prepared by Pioneer Engineering & Environmental Services, LLC, dated August 18, 2022
18. Traffic Impact Study, Morton Grove Residential Development, prepared by Kimley-Horn, dated August 2022
19. Declaration of Rights, Covenants, Conditions, Restrictions, and Easements for the Ponto Collection Single Family Homeowner Association, prepared by Kolpak & Grcic, LLC, undated

Attachments

- **Attachment A** – Comment Form for Case PC 22-13, prepared by Chris Tomich, Village Engineer, dated October 10, 2022
- **Attachment B** – Staff Report to the Appearance Commission for Case PC 22-13, prepared by Zoe Heidorn, Community Development Administrator, dated October 3, 2022
- **Attachment C** – Comment Form for Case PC 22-13, prepared by Traffic Safety Commission Chairperson Keith White, dated October 10, 2022
- **Attachment D** – Staff Report to the Plan Commission for PC 22-13, prepared by Zoe Heidorn, Community Development Administrator, dated October 11, 2022
- **Attachment E** – Staff Report to the Plan Commission for PC 22-13, prepared by Zoe Heidorn, Community Development Administrator, dated December 13, 2022
- **Attachment F** – Final Plans and Supporting Documents for PC 22-13

Attachment A

Comment Form for Case PC 22-13, prepared by Chris Tomich, Village Engineer, dated October 10, 2022

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 9/23/2022

CASE NUMBER: PC 22-13

APPLICATION: Request for approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for 8 detached single-family dwellings with waivers to accessway standards (12-9), lot area, lot width, yards, floor area ratio, impermeable lot coverage (12-4-2:D), driveway width (12-2-5:B.5), dimensions and siting of accessory structures (12-2-6:G), and landscaping and tree requirements (12-11) for the property commonly known as 9312 Shermer Road (PIN 09-13-219-042-0000) in Morton Grove, Illinois, all within an R-1 Single Family Residence District. The applicant is Varda & Company, LLC.

Subdivision and Planned Unit Development (PUD) Applications have been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Friday, October 7**.

Thank you,
Zoe Heidorn, Community Development Administrator

COMMENTS OR CONCERNS

General

1. Draft form of performance guarantee conforming to the requirements of Municipal Code Section 12-8-3C7 is required for preliminary plat approval and was not submitted.
2. Draft homeowner's declarations and covenants conforming with requirements of Municipal Code Section 12-8-3C are required for preliminary plat approval and was not submitted.

Engineering Project Manual dated September 6, 2022 by Civiland PLLC

3. Plat of Survey dated June 23, 2022 by Gremley & Biedermann indicates lot area to be 1.565 acres. Section 1 Project Information includes a different area. There may be other references in the report to a different area. The calculations may include an error or errors. It seems likely to have a minor effect on the various parts of the drainage system.
4. The narrative in Section 1, Section 2, and Section 3 obliquely refers to two important points but needs to be clarified and addressed in the design. Public Works Department staff considers the defining characteristic of the hydrology of the site to be that stormwater running off the majority of the site (as well as abutting properties) ponds to a depth of over two feet before overtopping at an uncontrolled location between houses abutting Beckwith Road, Cameron Lane, and Lyons Street to drain from the site. There are two issues to be addressed relating to the hydrology.
 - a. The volume of the depressional storage area would need to be maintained in the proposed development. This would likely have the effect of increasing the required storage volume to an amount that exceeds what is currently proposed.
 - b. The site would need to provide an overland flow path that would safely route from the site to an off-site, downstream outfall.

The Public Works Department recommends requiring the report (including plans) to be modified to refine the discussion about the above conditions and identifying the above issues as identified drainage concerns to be addressed to the satisfaction of the Village Engineer before the site plan is approved.

5. The proposed detention volume does not exceed the required detention volume by an amount that allows for any future impervious area to be permitted without constructing additional detention. It is recommended that a condition of the PUD is required to provide detention volume up to the full impervious coverage allowed by zoning requirements.

6. The schematic location of water, sanitary sewer and storm sewer lines, with appurtenances is not at an adequate scale to verify basic design requirements are met.
7. It appears from Schematic Utility Plan that the water main is proposed to include a dead end. The Village requires a looped system to meet state water quality requirements and for fire suppression. A permit from Illinois Environmental Protection Agency will be required to extend the water main.
8. A permit from Illinois Environmental Protection Agency and Metropolitan Water District of Greater Chicago will be required to extend the sanitary sewer.
9. As stated in the narrative, a permit from Metropolitan Water District of Greater Chicago will be required for stormwater runoff and volume control.
10. It is unclear from Schematic Utility Plan whether the proposed development includes enough fire hydrants, but that can be refined in the permit approval process.

Site Plan dated September 6, 2022 by a+c architects

11. The Municipal Code indicates the Village's desire for a new street to connect to existing dedicated streets at each end. The proposed street does not connect to a dedicated street at both ends. The Municipal Code allows for a turnaround area when it is not possible to connect to a street at both ends. The development abuts only Shermer Road, so the development meets the threshold to allow a turnaround. The Village has coordinated the design of the turnaround area with developer prior to subdivision application. The layout generally conforms with code requirements. The north leg of the turnaround will need to be a minimum length of 50 feet. It substantially meets the requirements, but the permitted improvements would confirm the requirement is met.
12. The street design does not include right-of-way and the width does not meet code requirements. The proposed street is not to be dedicated to or maintained by the Village, but would be privately owned and maintained by the homeowner association. The Municipal Code allows variances for local cul-de-sacs. A pavement width of 25 feet between back of curb on each side of the street is allowable if approved by the plan commission and board of trustees.
13. The Municipal Code specifies no parking for streets less than the 33 feet between back of curb on each side of the street. The PUD approval should include a condition prohibiting on-street parking.
14. The proposed sidewalk width along the proposed street is less than the 5-foot width required by the Municipal Code. A narrower width is allowed if granted by the plan commission and approved by the board of trustees. The developer has been made aware of the width requirement. It is believed the developer will revise the width to 5 feet.
15. The sight triangles labeled in the plan relate to zoning requirements, not sight triangles between traffic on the proposed street and traffic on northbound and southbound Shermer Road.

Plat of the Ponto Collection Subdivision dated October 5, 2022 by A.P. Surveying Company P.C. & Plat of Survey dated June 23, 2022 by Gremley & Biedermann

16. Signature blocks on Page 2 of 2 will need refinement in the future, but are generally acceptable at the preliminary level.
17. The address of owner or subdivider having control of the tract will need to be added.
18. The seal of registered surveyor will need to be added.
19. The graphic engineering scale will need to be added.
20. The true north point will need to be added.
21. The location and size of existing sewers and water mains to a distance of 100 feet beyond the tract also indicating such data as grades, invert elevations, and location of catch basins, manholes and hydrants will need to be added.
22. The Plat of Subdivision locations of, or reference to locations of, existing monuments or survey markers used in preparation of survey and grade elevation of each monument and marker will need to be added.
23. The Plat of Subdivision topographical information beyond the limits of the tract will need to be added. The existing contours do not illustrate the depressional stormwater storage area that exists in the vicinity of this tract that could be affected by the proposed improvements.
24. The location and width of utility easements will need to be added.. A water main easement will be required. Drainage easements are likely to be needed on each parcel, but that will need to be determined through refinement of the drainage plan.
25. The minimum front and side street building setback lines, indicating dimensions will need to be added.
26. The preliminary plat application is required to include existing and proposed preliminary centerline profile of each street and alley and typical cross sections of streets.

Landscape Plan dated September 2, 2022 by a+c architects

27. The proposed parkway trees along Shermer Road and at the northwest corner of the proposed street and Shermer Road reduce sight distance between Shermer Road traffic and traffic exiting the proposed development.
 - a. The proposed parkway trees north of the proposed street should be reduced to two trees. The northern tree should be located 15 feet south of the northern property line and the species should be revised to single-stem, Ivory Silk Japanese Lilac Tree. The southern tree should be located 35 feet south of the northern tree and Sugar Maple is an acceptable species.
 - b. The proposed parkway tree just south of the proposed street should be relocated. The southern tree should be located 10 feet north of the southern property line. The northern tree should be located 60 feet north of the southern tree and Sugar Maple is an acceptable species.
 - c. The two proposed southern parkway trees south of the proposed street should be l
 - d. The proposed vegetated areas at the northwest corner of the proposed street and Shermer Road should be maintained at a height less than 3 feet and should include no trees.
28. It seems likely the proposed hedge and plantings at the southwest corner of the site may conflict with a flow path that may be needed to collect runoff from abutting, upstream tributary properties.
29. The trees to be planted in Shermer Road right-of-way are to be owned and maintained by the Village after the acceptance of the subdivision. It should be a condition of the PUD that the number, size, species, and location of trees will be finalized by the Director of Public Works as part of the site improvement permit.

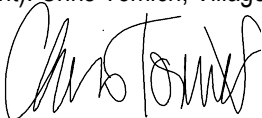
Morton Grove – Residential Development Traffic Impact Study (“Traffic Study”) by Kimley-Horne

30. Traffic Study (Page 12) indicates the proposed 24-foot wide street should have parking on one side instead of two. As described in Site Plan comments above, staff interprets the Municipal Code to not allow on-street parking on a street of the proposed width.
31. Village staff will likely submit an ordinance to the board of trustees to prohibit parking north and south of the intersection to ensure reasonable sight distance from traffic on the proposed street to northbound and southbound Shermer Road traffic. PUD approval should not include any parking restrictions on Shermer Road because it is village jurisdiction. Village staff will evaluate input at the public hearing for any feedback about desire for on-street parking or for intersection sight distance.
32. Pedestrian access at the new proposed intersection should be considered. The Public Works Department recommends a north-south crosswalk at the proposed street and recommends no east-west crosswalk. The Public Works Department supports pedestrian crossings of Shermer Road at Beckwith Road and Lyons Street.

These comments accurately represent existing Village regulations or policies.

Name (please print): Chris Tomich, Village Engineer

Signed:



Date: 10/10/2022

Attachment B

Staff Report to the Appearance Commission for Case PC 22-13, prepared by Zoe Heidorn, Community Development Administrator, dated October 3, 2022

To: Chairperson Pietron and Members of the Appearance Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: September 27, 2022, revised October 3, 2022

Re: Appearance Commission Case AC 22-11
Request by Varda & Company, LLC, for an Appearance Certificate for site, building, landscape, and signage plans for an eight-unit detached single-family residential development proposed under an Application for a Planned Unit Development and Subdivision (PC 22-13) for the property commonly known as 9312 Shermer Road (09-13-219-042-0000) in Morton Grove, Illinois

Project Overview

Varda & Company, LLC ("applicant") submitted complete Planned Unit Development (PUD) and Subdivision Applications to the Department of Community and Economic Development under Case PC 22-13 requesting the entitlement of an eight-unit detached single-family residential development with accessory parking, accessway, and landscape areas for the 1.565-acre property commonly known as 9312 Shermer Road ("subject property"). The subject property is zoned in an R-1 Single Family Residence District. The applicant is requesting approval of plans to construct eight single-family residences and all supporting infrastructure under the control of a PUD and a subdivision to allow for the future sale of the residences on individual lots, with common areas to be owned and maintained by a proposed homeowner's association.



Subject Property Location Map

Subject Property

The subject property at 9312 Shermer Road is an interior lot located on the west side of Shermer Road between Beckwith Road and Lyons Street. Properties to the north, west, and south are improved with single-family residences.

The site measures 1.565 acres in land area and is currently vacant. The applicant purchased the subject property in May 2022 and demolished the single-family residence on the property to make way for redevelopment.

Project Summary

The applicant is proposing the construction of eight detached single-family residences supported by an internal accessway with sidewalks, a parking area, landscape areas, and underground stormwater detention facilities. The development will be served by one point of public access along Shermer Road, which will align with Ponto Drive, an east-west public roadway located to the east of the property. The internal accessway serving the development will be privately owned and maintained by a proposed homeowner's association (HOA). The eight "front-loading" single-family residences will front on the private drive, which will lead to an eight-space accessory parking area for guest use only and an emergency vehicle turnaround that complies with the requirements of Section 12-9-1:B. Approximately 0.61 acres of land area, or 38.98% of the total site area, will be owned and operated as common area.

The R-1 Single-Family Residence District was designed for detached single-family residential development. However, the proposed development does not comply with many dimensional requirements of the R-1 District, meaning the project must be approved under a PUD. Certain objectives set forth by Section 12-6-2 and relating to creative and efficient land development may serve as the basis for the project's approval.

The minimum lot area for subdivisions after August 4, 1959, is 6,785 square feet and the minimum lot width is 60 feet. The lot areas for Lots 1 through 8 of the proposed Ponto Collection Subdivision range from 4,890 square feet to 8,507 square feet, with an average of 5,868 square feet. The proposed lot widths range from 47.11 feet to 65.63 feet, with an average of 50.80 feet. The development is denser than permitted by Code, but generally complies with the setback requirements that buffer the building footprints from surrounding uses, including rear and street side yards. The most apparent nonconformity in building siting is a front setback of approximately 18 feet, where 25 feet are required by Code. Staff notes that setbacks along both sides of the blocks immediately east of the subject property, facing Ponto Drive, are developed with single-family homes with setbacks measuring between 15 and 18 feet. The floor area ratio for each lot ranges from 0.40 to 0.66, where Code establishes a maximum of 0.60 for the R-1 District. However, when the sum of all floor area (25,966 square feet) is divided by the total land area of Lots 1 through 8 (46,943 square feet), the floor area ratio complies at 0.55.

Site Design

The proposed site plan is designed to mimic the existing single-family residential development pattern in the surrounding neighborhood while providing infrastructure that is required by Code and amenities that are desirable to residents. The two-way drive serving the development acts as an extension of Ponto Drive to the east. New sidewalks along both sides of the private drive will connect to the existing pedestrian network along Shermer Road. The sidewalk along Shermer Road will be reconstructed at the lot line to provide an appropriate parkway width between the curb and edge of sidewalk and match existing sidewalk setbacks to the north and south. The existing sidewalk abutting the site aligns with the curb, which is hazardous to pedestrians and does not provide a dedicated parkway for public street trees.

The eight proposed single-family residences are separated by conforming interior side yards measuring seven feet in width. Each residence features an attached two-car garage that fronts on the development's accessway and is set back 18 feet from the lot line, in effect creating two additional parking spaces within the front yard for informal use only. The proposed eight-space parking area to the west provides guest parking in lieu of on-street parking. Widening the private drive to allow "on-street" parking would exacerbate the nonconforming lot depths, which range between 105.63 feet and 110.95 feet, where between 90 and 115 feet, depending on lot type, are required by Section 12-8-4:B.2.

Building Design

The eight proposed single-family residences are made up of four different building types: Type A (3,229 square feet), Type B (3,235 square feet), Type C (3,225 square feet), and Type D (3,294 square feet). Two of each building will be distributed across the site in a manner depicted on the submitted site plan (Sheet SK1.00). The two-story homes will be constructed ~~with an unfinished basement slab-on-grade~~ and will each contain four bedrooms, four bathrooms, and a two-car attached garage. Each unit's main entrance will be located along the front elevation. A patio is proposed within the rear yard.

Each building type's mass is broken into smaller elements through varied rooflines, attached garage and second-story projections, and an entrance overhang. Architectural details such as exposed brackets and changes in siding orientation help break up the building facades and create visual interest. Two options in materials palettes are being proposed by the developer:

Option 1

- General Aniline & Film (GAF) shingles in Pewter Gray
- Berridge metal detail in Matte Black
- Hardie board (horizontal and vertical) in Arctic White
- Window frames in Black

Option 2

- General Aniline & Film (GAF) shingles in Fox Hollow Gray
- Berridge metal detail in Matte Black
- Hardie board (horizontal and vertical) in Light Mist
- Window frames in Black

The applicant should discuss how the materials palettes will be distributed throughout the development to ensure balance. The applicant is also expected to address the durability and long-term maintenance of the materials proposed.

Landscape Design

The applicant's submitted landscape design proposes new tree plantings within the Shermer Road public right of way, new tree plantings along the private drive serving the development, the preservation of select trees around the site's perimeter, foundation plantings, areas of native perennials and ornamental grasses, and areas of sodded turf.

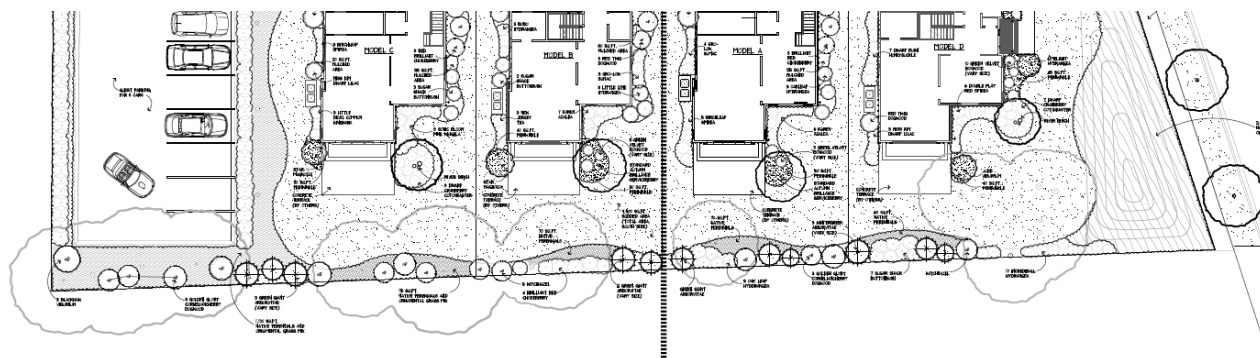
The Village's applicable landscape requirements and compliance with said requirements are outlined in the following table.

Development Control	Requirement	Proposed	Compliance
Landscape Area (12-11-1:B.1.e)	Foundation plantings in front yards and side yards abutting a street	Foundation plantings in front yards and all side yards	Compliant
Public Parkway Trees (12-11-1:B.4)	Parkway trees required with max. 40-ft. separation, min. 2.5-in. caliper <u>Shermer Road</u> : 200.54 ft. = 5 trees minimum	<u>Shermer Road</u> : 6 trees proposed	Compliant
Paved Ground Surfaces Adjacent to Residential Property (12-11-3:B.2)	Landscaping or structure required, min. 5-ft. buffer yard with berm, hedge, maintenance free barrier 5-6 ft. in height "Where hedge of living plant material is used for a barrier, it shall be thirty inches (30") in height at time of planting and shall attain opacity within twelve (12) months under normal growing conditions." "A minimum of one tree shall be planted for each forty (40) linear feet of common lot line or fraction thereof."	<u>South of paved area</u> : 10-ft. buffer, native perennials and ornamental grass mix (no height provided), golden glory cornelian cherry dogwood (54" height), no trees proposed <u>West of paved area</u> : 6-ft. buffer, ameln dwarf fountain grass (no height provided), arrowwood viburnum hedge (48" height), 2 (preserved) trees proposed	<i>Height of plantings needed to determine compliance (min. 30" at planting, 5-6 ft. at maturity)</i> <i>South of paved area: 42 linear ft. – 1 tree required, 0 trees proposed</i> <i>West of paved area: 170 linear ft. – 4 trees required, 2 (preserved) trees proposed</i>

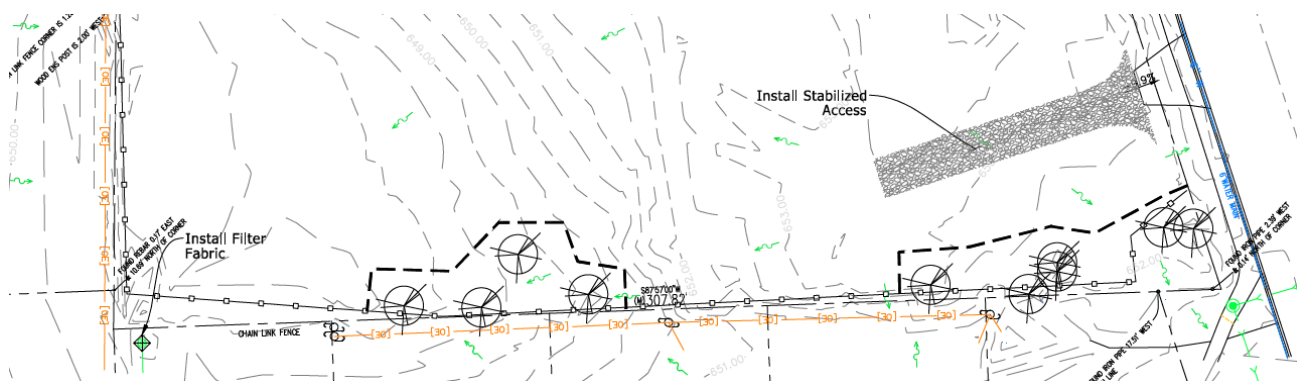
The applicant provides an adequate buffer area between the paved ground surfaces adjacent to residential property, including the guest parking area, emergency vehicle turnaround, and connecting driveway area. Strict compliance with

the landscape requirements of Chapter 12-11 seems achievable. **Staff recommends as a condition of Appearance Certificate approval that the landscape plan is revised to comply with all Code requirements for the screening of paved ground surfaces adjacent to residential property. The applicant should discuss the height of the proposed landscape plantings within the buffer yards and the feasibility of strict compliance with Code requirements.**

Staff notes that the preserved tree canopy depicted on the submitted landscape plan does not match the preliminary erosion control and tree protection plan prepared by CiviLand LLC. The landscape plan and tree protection plan for the area along the south lot line are provided below for comparison. **The applicant should explain the inconsistency between the landscape plan and tree protection plan. As a condition of Appearance Certificate Approval, staff recommends that the landscape plan is updated to accurately reflect the final approved tree preservation plan.**



Landscape Plan – South Lot Line



Tree Protection Plan – South Lot Line

Based on landscape and site plan review by the Village Engineer, staff recommends that the tree plantings along Shermer Road are reduced from six trees to five trees, and that the Village Engineer is authorized to modify the public right of way tree planting plan as needed to ensure visibility and public safety along Shermer Road. If fewer than five trees are planted in the public right of way abutting the site, staff recommends that any deficit in trees is planted at an alternative location subject to review and approval by the Village Engineer.

Lighting

The applicant submitted a photometric plan prepared by Force Partners showing levels of illumination along lot lines and throughout the site. Per Section 12-10-5, “all street, parking lot, and exterior lighting shall meet the lighting standards and regulations set forth in the Village of Morton Grove lighting standards available at the Public Works Department.” The plan shows no more than 0.1 footcandle of illuminance along the site’s south, west, and north lot lines. The final photometric plan will be subject to approval by the Village Engineer.

Section 12-12-3 of the Unified Development Code establishes lighting fixture standards. For off-street parking areas, lighting must be directed away from adjacent property, streets, and other public rights-of-way. All lighting units must be of the full cutoff type, meaning luminaires may not emit any light above the source’s horizontal plane. **Staff recommends as a condition of approval that before any Building Permit Application is issued, the lighting plan must be revised**

as needed to meet all lighting requirements of the Village of Morton Grove. Staff also recommends establishing a maximum luminaire color temperature of 4000K as a condition of Appearance Certificate approval.

Signage

The applicant is proposing a monument sign for the development along Shermer Road, just south of the private drive. Sign details, including dimensions, setback, and design, were not provided as part of the application. Per Section 10-10-7:G, one ground monument sign is permitted for each 150 feet of street frontage. With 266.85 feet of street frontage, the development is permitted to install one ground monument sign. The following restrictions will apply:

- Maximum sign height: 8 feet
- Maximum sign face area: 36 square feet (per face)
- Minimum base width: 75% of sign width
- Landscaped bed requirement: 2 feet from the base on all sides with shrubs at least 3 feet in height
- Minimum setback: ½ sign height or 4 feet from public right of way, whichever is greater

The applicant should confirm that the proposed signage will comply with all applicable requirements of Chapter 10-10, "Sign Regulations."

Appearance Commission Review

In accordance with Unified Development Code Section 12-12-1:C, all site, landscape and building plans are to be reviewed by the Appearance Commission, and an Appearance Certificate by the Commission granted, prior to the issuance of a building permit. Further, per Section 12-16-2:C.2, the Appearance Commission is charged with reviewing the exterior elevations, sketches, and materials and other exhibits as to whether they are appropriate to or compatible with the character of the immediate neighborhood and whether the submitted plans comply with the provisions of the regulations and standards set forth in chapter, 12 "Design Standards," of this title.

The Design Standards (Sec. 12-12-1:D) are as follows:

D. Criteria and Evaluation Elements: The following factors and characteristics relating to a unit or development and which affect appearance, will govern the appearance review commission's evaluation of a design submission:

1. Evaluation Standards:
 - a. Property Values: Where a substantial likelihood exists that a building will depreciate property values of adjacent properties or throughout the community, construction of that building should be barred.
 - b. Inappropriateness: A building that is obviously incongruous with its surroundings or unsightly and grotesque can be inappropriate in light of the comprehensive plan goal of preserving the character of the municipality.
 - c. Similarity/Dissimilarity: A builder should avoid excessively similar or excessively dissimilar adjacent buildings.
 - d. Safety: A building whose design or color might, because of the building's location, be distracting to vehicular traffic may be deemed a safety hazard.
2. Design Criteria:
 - a. Standards: Appearance standards as set forth in this chapter.
 - b. Logic Of Design: Generally accepted principles, parameters and criteria of validity in the solution of design problems.
 - c. Architectural Character: The composite or aggregate of the components of structure, form, materials and functions of a building or group of buildings and other architectural and site composing elements.
 - d. Attractiveness: The relationship of compositional qualities of commonly accepted design parameters such as scale, mass, volume, texture, color and line, which are pleasing and interesting to the reasonable observer.
 - e. Compatibility: The characteristics of different uses of activities that permit them to be located near each other in harmony and without conflict. Some elements affecting compatibility include intensity of occupancy as measured by dwelling units per acre; floor area ratio; pedestrian or vehicular traffic generated; parking required; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, erosion, or radiation.

- f. Harmony: A quality which produces an aesthetically pleasing whole as in an arrangement of varied architectural and landscape elements.
- g. Material Selection: Material selection as it relates to the evaluation standards and ease and feasibility of future maintenance.
- h. Landscaping: All requirements set forth in chapter 11, "Landscaping and Trees", of this title. (Ord. 07-07, 3-26-2007)

Recommendation

If the Appearance Commission approves the request for an Appearance Certificate for site, building, landscape, and signage plans for an eight-unit detached single-family residential development proposed under an Application for a Planned Unit Development and Subdivision (PC 22-13) for the property commonly known as 9312 Shermer Road in Morton Grove, Illinois, staff recommends the following conditions of approval:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall revise the landscape plan to comply with all applicable requirements of Chapter 12-11 and accurately reflect the final approved tree preservation plan and shall submit said plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. The owner/applicant shall reduce the number of tree plantings within the public right of way from six trees to five trees, or as otherwise authorized by the Village Engineer. If fewer than five trees are planted within the public right of way abutting the subject property, any deficit shall be planted at an alternative location subject to review and approval by the Village Engineer. If the revised landscape plan is deemed to be in violation of any applicable requirement or substantially inconsistent with the approved plan, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a final photometric and lighting fixture plan that meets the minimum requirements of Village Code for review and approval by the Community Development Administrator and Village Engineer. No exterior luminaire located on the site may exceed a color temperature of 4000K.
- 3) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.

Attachment C

Comment Form for Case PC 22-13, prepared by Traffic Safety Commission Chairperson Keith White, dated October 10, 2022

REVIEWING:

POLICE

BUILDING

PUBLIC WORKS/ENGINEERING

FIRE

TSC

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 9/23/2022

CASE NUMBER: PC 22-13

APPLICATION: Request for approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for 8 detached single-family dwellings with waivers to accessway standards (12-9), lot area, lot width, yards, floor area ratio, impermeable lot coverage (12-4-2:D), driveway width (12-2-5:B.5), dimensions and siting of accessory structures (12-2-6:G), and landscaping and tree requirements (12-11) for the property commonly known as 9312 Shermer Road (PIN 09-13-219-042-0000) in Morton Grove, Illinois, all within an R-1 Single Family Residence District. The applicant is Varda & Company, LLC.

Subdivision and Planned Unit Development (PUD) Applications have been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Friday, October 7.**

Thank you,
Zoe Heidorn, Community
Development Administrator

COMMENTS OR CONCERNS

1. Sidewalk recommended to be 5 feet wide
2. Add a north-south crosswalk of proposed street at Shermer Road
3. Village should add parking restrictions on Shermer Road.

These comments accurately represent existing Village regulations or policies.

Name (please print): Keith White, Chairman

Signed:



10/10/22

Attachment D

Staff Report to the Plan Commission for PC 22-13, prepared by Zoe Heidorn, Community Development Administrator, dated
October 11, 2022

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: October 11, 2022

Re: Plan Commission Case PC 22-13
Request for approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for 8 detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, front yard, floor area ratio (12-4-2:D), driveway width (12-2-5:B.5), and dimensions and siting of accessory structures (12-2-6:G) for the property commonly known as 9312 Shermer Road (PIN 09-13-219-042-0000) in Morton Grove, Illinois, all within an R-1 Single Family Residence District. The applicant is Varda & Company, LLC.

STAFF REPORT

Public Notice

The Village provided Public Notice for the October 17, 2022, Plan Commission public hearing for PC 22-13 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 29, 2022. The Village notified surrounding property owners via mail on September 29, 2022, and placed a public notice sign on the subject property on September 28, 2022.

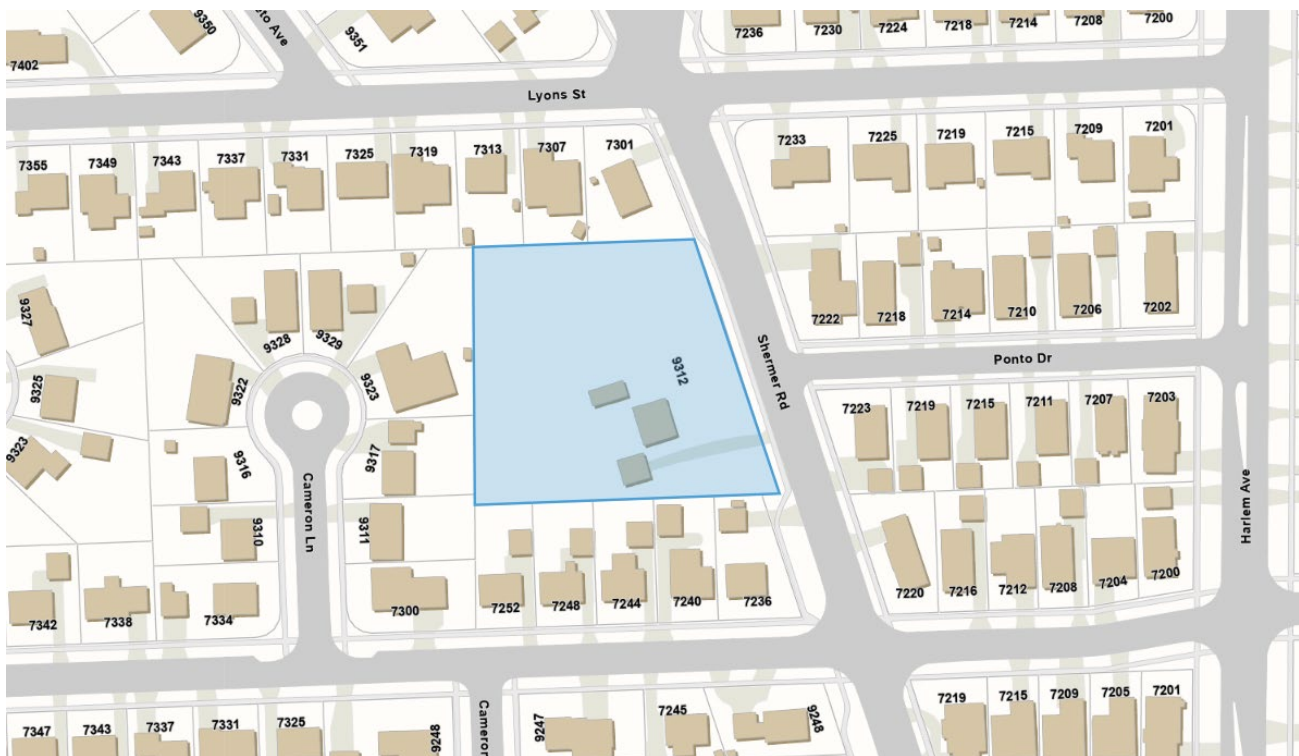
Application

Varda & Company, LLC ("applicant") submitted complete Planned Unit Development (PUD) and Subdivision Applications to the Department of Community and Economic Development under Case PC 22-13 requesting the entitlement of an eight-unit detached single-family residential development with accessory parking, accessway, and landscape areas for the 1.565-acre property commonly known as 9312 Shermer Road ("subject property"). The subject property is zoned in an R-1 Single Family Residence District.

The applicant is requesting approval of a Preliminary Plat of Subdivision that subdivides the property into nine new lots in accordance with Chapter 12-8 of the Unified Development Code. Eight of the proposed lots, "Lot 1" through "Lot 8," are proposed to be improved with detached single-family residences. The ninth lot, "Outlot A," is proposed to be improved with common areas, including a private drive, emergency turnaround area, parking area, and underground stormwater detention facilities. The applicant is also requesting the approval of plans to construct eight single-family residences and all supporting infrastructure under the control of a PUD. The proposed residences will be sold on individual lots, with common areas to be owned and maintained by a proposed homeowner's association (HOA). The applicant has named the proposed development "The Ponto Collection."

The applicant submitted all required items in accordance with the Subdivision and PUD Application requirements. In response to comments issued by the Appearance Commission on October 3 and the Traffic Safety Commission on October 6, the following items were revised by the applicant for the Plan Commission's review and may cause discrepancy with some original submitted documents. Where discrepancy occurs between original submitted items and revised items, the following revised items will control:

- **Site Plan, Rendering, Materials Palette, Elevations** – Revised 10/7/2022 – 10/9/2022
- **Landscape Plan** – Revised 10/10/2022
- **Civil Plans (Preliminary Removal Plan, Preliminary Erosion Control & Tree Protection Plan, Schematic Mass Grading Plan, Cover Surfaces Plan, Schematic Utility Plan)** – Revised 10/10/2022



Subject Property Location Map

Subject Property

The subject property at 9312 Shermer Road is an interior lot located on the west side of Shermer Road between Beckwith Road and Lyons Street. Properties to the north, west, and south are improved with single-family residences. The site measures 1.565 acres (67,543 square feet) in land area and is currently vacant. The applicant purchased the subject property in May 2022 and demolished the single-family residence on the property to make way for its redevelopment.

Preliminary & Final Plat of Subdivision

The applicant submitted a Preliminary Plat of Subdivision entitled “Plat of the Ponto Collection Subdivision,” which proposes the creation of nine new lots, eight of which will permit the future sale of the single-family detached residences on individual lots. The ninth lot (“Outlot A”) will be improved with a shared vehicular accessway, sidewalks, parkways, emergency turn-around area, common landscape area, and eight-space guest parking area. A draft declaration of rights, covenants, conditions, restrictions, and easements for the HOA is included in the hearing packet.

Due to comments issued by the Appearance and Traffic Safety Commissions, the site plan was revised since the original submittal, causing the proposed lot dimensions to change slightly. The revised site plan provides the most current proposed lot dimensions. Final lot dimensions may be adjusted even further based on final design and engineering but may not not change significantly without Plan Commission review, pursuant to Section 12-8-3:A.2. A comparison of the proposed lot dimensions with the applicable dimensional controls is provided in the table below.

R-1 District Lot Dimensional Requirements	Requirement	Proposed	Compliance
Lot Area (12-4-2:D)	Min. 7,500 sq. ft. (after August 4, 1959)	Lot 1: 8,167 sq. ft. Lot 2: 5,129, sq. ft. Lot 3: 5,215 sq. ft. Lot 4: 5,411 sq. ft. Lot 5: 4,837 sq. ft. Lot 6: 4,919 sq. ft. Lot 7: 5,001 sq. ft. Lot 8: 7,436 sq. ft. Outlot A: 21,428 sq. ft. Total: 67,543 sq. ft.	Lot 1: Compliant Lot 2: <i>Noncompliant</i> (2,371 sq. ft.) Lot 3: <i>Noncompliant</i> (2,285 sq. ft.) Lot 4: <i>Noncompliant</i> (2,089 sq. ft.) Lot 5: <i>Noncompliant</i> (2,663 sq. ft.) Lot 6: <i>Noncompliant</i> (2,581 sq. ft.) Lot 7: <i>Noncompliant</i> (2,499 sq. ft.) Lot 8: <i>Noncompliant</i> (64 sq. ft.) Outlot A: Compliant

Lot Width (12-4-2:D)	Min. 60 ft. (after August 4, 1959)	Lot 1: 40.43 ft. Lot 2: 49.11 ft. Lot 3: 49.11 ft. Lot 4: 50.12 ft. Lot 5: 42.54 ft. Lot 6: 47.11 ft. Lot 7: 47.11 ft. Lot 8: 69.67 ft. Outlot A: 71.20 ft.	Lot 1: <i>Noncompliant</i> (19.57 ft.) Lot 2: <i>Noncompliant</i> (10.89 ft.) Lot 3: <i>Noncompliant</i> (10.89 ft.) Lot 4: <i>Noncompliant</i> (9.88 ft.) Lot 5: <i>Noncompliant</i> (17.46 ft.) Lot 6: <i>Noncompliant</i> (12.89 ft.) Lot 7: <i>Noncompliant</i> (12.89 ft.) Lot 8: Compliant Outlot A: 71.20 ft.
Lot Depth (12-8-4:B.2) <i>Lot depth = mean horizontal distance between front lot line and rear lot line</i>	Min. 115 ft. for interior lots Min. 90 ft. for corner lots	Lot 1: 102.83 ft. (corner) Lot 2: 104.43 ft. Lot 3: 106.19 ft. Lot 4: 107.97 ft. Lot 5: 102.76 ft. Lot 6: 104.41 ft. Lot 7: 106.18 ft. Lot 8: 108.29 ft. (corner) Outlot A: 265.56 ft.	Lot 1: Compliant Lot 2: <i>Noncompliant</i> (10.57 ft.) Lot 3: <i>Noncompliant</i> (8.81 ft.) Lot 4: <i>Noncompliant</i> (7.03 ft.) Lot 5: <i>Noncompliant</i> (12.24 ft.) Lot 6: <i>Noncompliant</i> (10.59 ft.) Lot 7: <i>Noncompliant</i> (8.82 ft.) Lot 8: Compliant Outlot A: Compliant

The R-1 Single-Family Residence District was designed to support detached single-family residential development at the lowest level of density deemed appropriate for the Village. Overall, the proposed subdivision does not comply with dimensional requirements for lots in the R-1 District, meaning the project must be approved under a PUD. Certain objectives set forth by Section 12-6-2 and relating to creative and efficient land development may serve as the basis for the proposed PUD's approval and are included below.

12-6-2: OBJECTIVES

The following objectives shall be considered and may serve as a basis for approving a planned unit development:

- 1. Allow flexibility in the development of land and in the design of structures thereon;*
- 2. Facilitate more efficient arrangement of buildings, traffic and circulation systems, land use, and utilities;*
- 3. Provide for more usable and suitably located common open space and/or recreation areas and to encourage the construction of appropriate aesthetic amenities which will enhance the character of the site;*
- 4. Preserve and enhance desirable site characteristics and natural features such as natural topography, vegetation, and geological features, and the prevention of soil erosion;*
- 5. Promote a higher standard of site and building design which will ensure a quality of construction commensurate with other developments within the Village and is compatible with the character of the surrounding area and adjoining properties;*
- 6. Provide for a variety of housing types within the Village;*
- 7. Provide for the development and redevelopment of unique land areas and sites that may not otherwise be possible under the strict application of Village regulations and standards governing said development;*
- 8. Facilitate the implementation of the goals and objectives of the comprehensive plan, particularly in respect to areas designated for potential redevelopment;*
- 9. Encourage the development of quality affordable residential housing units; and*
- 10. Encourage energy efficiency and use of green building and site design techniques.*

According to the applicant, the proposed project is intentionally designed to be a more compact housing product that is more attainable and marketable to typical families. The higher density is intended to create a more walkable environment that is inherently more sustainable than larger homes on larger lots.

The minimum lot area for subdivisions created after August 4, 1959, is 7,500 square feet and the minimum lot width is 60 feet. The lot areas for Lots 1 through 8 range from 4,837 square feet to 8,167 square feet, with an average of 5,764 square feet. The proposed lot widths range from 40.43 feet to 69.67 feet, with an average of 49.40 feet. With substandard lot dimensions, the proposed development is denser than permitted by Code. The Traffic Safety Commission recommended on October 6, 2022, that the sidewalk width should be increased to five feet, which further decreased the dimensions for Lots 1 through 8. 31.72% of the subject property land area is dedicated to common areas within Outlot A.

Staff surveyed the lot sizes of parcels within 250 feet of the subject property and found lot sizes ranging from 6,042 square feet to 15,791 square feet, with an average of 8,413 square feet and a median of 7,893 square feet. Lots 1 through 8 are dimensionally noncompliant and smaller than what is typical of on-the-ground development in the surrounding area.

If the applicant were to subdivide the subject property into four Code-compliant residential lots fronting on Shermer Road, and reasonably estimating that detention facilities would account for 8,000 square feet of the property, the resulting lots would measure 14,886 square feet in area and support the construction of 8,900-square-foot homes based on a maximum floor area ratio of 0.6. If the applicant were to subdivide the property into six Code-compliant residential lots fronting on the proposed accessway, with all other common areas remaining as presented, the applicant could achieve an average lot area of 7,686 square feet, which would support the construction of 4,611-square-foot homes. **The applicant is expected to speak to why a more Code-compliant detached single-family subdivision is not feasible or desirable considering existing development patterns, market constraints, or other considerations. The applicant should speak to the projected home prices versus land development costs and how the requested variations from dimensional controls that allow for higher density in the R-1 District may allow the applicant to meet certain objectives set forth in Section 12-6-2.**

Single-Family Residential Design

The applicant is proposing the construction of eight detached single-family homes ranging from 3,212 square feet to 3,281 square feet. The single-family residences are made up of four different building types, Types A through D. Two of each building type will be distributed across the site in a manner depicted on the submitted site plan (Sheet SK1.00). The two-story homes will be constructed with an unfinished basement and will each contain four bedrooms, four bathrooms, and a two-car attached garage. Each unit's main entrance will be located along the front elevation. A patio is proposed within the rear yard.

On a lot-by-lot basis, the proposed single-family residences require some variations to dimensional requirements applicable to the R-1 District and single-family development generally, including front setback, floor area ratio, driveway width, location of aboveground mechanical equipment, sidewalk width, and window well siting. Applicable requirements and the project's compliance with said requirements are outlined in the following table:

Dimensional Requirements	Requirement	Proposed	Compliance
Front Yard (12-4-2:D)	Min. 25 ft.	Lots 1-8: 18.00 ft.	Lots 1-8: <i>Noncompliant (7.00 ft.)</i>
Corner Side Yard (12-4-2:D)	Min. 25 ft.	Lot 1: 27.50 ft. Lot 8: 25.25 ft.	Lot 1: Compliant Lot 8: Compliant
Interior Side Yard (12-8-4:B.2)	Min. 6 ft. Min. 14 ft. combined	Lot 1: 8.00 ft. Lot 2: 8.00 ft. Lot 3: 8.00 ft. Lot 4: 8.00 ft., 9.00 ft. Lot 5: 7.00 ft. Lot 6: 7.00 ft. Lot 7: 7.00 ft. . Lot 8: 7.00 ft.	Lots 1-8: Compliant
Rear Yard (12-4-2:D)	Min. 30 ft.	Lot 1: 30.75 ft. Lot 2: 32.50 ft. Lot 3: 34.25 ft. Lot 4: 36.00 ft. Lot 5: 30.75 ft. Lot 6: 32.42 ft. Lot 7: 34.17 ft. Lot 8: 34.42 ft.	Lots 1-8: Compliant
Building Height (12-4-2:D)	Max. 28 ft.	Lots 1-8: Compliant	Lots 1-8: Compliant
Floor Area Ratio (12-4-2:D)	Max. 0.6	Lot 1: 0.40 Lot 2: 0.63 Lot 3: 0.62	Lot 1: Compliant Lot 2: <i>Noncompliant (0.03)</i> Lot 3: <i>Noncompliant (0.02)</i>

		Lot 4: 0.59 Lot 5: 0.66 Lot 6: 0.65 Lot 7: 0.64 Lot 8: 0.44	Lot 4: Compliant Lot 5: <i>Noncompliant (0.06)</i> Lot 6: <i>Noncompliant (0.05)</i> Lot 7: <i>Noncompliant (0.04)</i> Lot 8: Compliant
Impermeable Lot Coverage (12-4-2:D)	Max. 55%	Lot 1: 32% Lot 2: 46% Lot 3: 45% Lot 4: 43% Lot 5: 48% Lot 6: 48% Lot 7: 47% Lot 8: 35%	Lots 1-8: Compliant
Driveway (12-2-5:B.5)	Max. 16 ft. at front lot line	Lots 1-8: 18.00 ft. at front lot line	Lots 1-8: <i>Noncompliant (2.00 ft.)</i>
Bay Window (12-2-6:G)	Max. 20% yard depth	Lots 1-8: 1.75 ft. projection into 18.00-ft. front yard	Lots 1-8: Compliant
Mechanical Equipment, Aboveground (12-2-6:G)	Not a permitted encroachment of a required side yard	Lots 1-8: Encroaches into required interior side yard by ≤ 3.17 ft.	Lots 1-8: <i>Noncompliant (≤ 3.17 ft.)</i>
Open Accessory Parking Spaces (12-2-6:G)	Min. 3 ft. from lot lines	Outlot A: ≥ 6.00 ft. from lot lines	Outlot A: Compliant
Patio, Attached (12-2-6:G)	Max. 30% rear yard coverage, side setback requirements apply	Lots 1-8: 262.83 sq. ft. (typ.), $< 30\%$ coverage, complies with side setback requirements	Lots 1-8: Compliant
Sidewalk (12-2-6:G)	Max. 4 ft. width in front yard	Lots 1-8: 5 ft. (typ.)	Lots 1-8: <i>Noncompliant (1.00 ft.)</i>
Stairs/Steps (12-2-6:G)	Max. 5ft. encroachment in front yard	Lots 1-8: Not specified	Lots 1-8: Compliance expected
Window Well (12-2-6:G)	Not a permitted encroachment of a required side yard	Lots 1-8: Encroaches into required interior side yard by ≤ 3.17 ft.	Lots 1-8: <i>Noncompliant (≤ 3.17 ft.)</i>

Staff notes that aboveground mechanical equipment is also controlled by Section 10-1-2:G.3, which reads as follows:

10-1-2:G.3. Central Air Conditioning Compressor And Heat Pump Installation, Replacement, Or Relocation:

- a. On one- and two-family residential properties, the compressor and/or fan unit shall be located on a concrete pad in the rear yard adjacent to the principal structure; locations in required side yards are prohibited.*

The Plan Commission may recommend, and the Board may approve a variation to the locational requirements of mechanical equipment set forth in Section 12-2-6:G. However, the Building Department will be responsible for the enforcement of Section 10-1-2:G.3.

The most apparent nonconformity in building siting is a proposed front yard of approximately 18 feet, where 25 feet are required by Code. Staff notes that setbacks along both sides of the blocks immediately east of the subject property, facing Ponto Drive, are developed with single-family homes with setbacks measuring between 15 and 18 feet.

The floor area ratio for each lot ranges from 0.40 to 0.66, where Code establishes a maximum of 0.60 for the R-1 District. However, when the sum of all floor area (25,860 square feet) is divided by the total land area of Lots 1 through 8 (46,115 square feet), the average floor area ratio complies at 0.56.

From the project's onset, staff emphasized to the applicant that the site plan should not include any request for variations to setback requirements along the subject property's perimeter, including street side and rear setbacks, so that surrounding property owners will be adequately buffered from the proposed residences. Accordingly, the site plan's street side and rear setbacks are compliant. Spacing between the homes is also compliant to ensure that future residents receive light and airflow typical of an R-1 District development.

Site Access

The proposed site plan and its access are generally designed as a continuation of the single-family residential development pattern in the surrounding neighborhood. The two-way 24-foot-wide private accessway serving the development will act as an extension of Ponto Drive to the east. The private drive will likely be assigned a name that references "Ponto" for the purpose of navigability, but is unique, such as Ponto Court or Ponto Place.

Section 12-9-2 establishes right of way and pavement widths and establishes a minimum pavement width of 33 feet for cul de sacs, which allows for parking on one side of the street. The applicant is proposing a pavement width of 24 feet and is accepting of no on-street parking. Because the accessway serves as more of a shared driveway than a typical street and will not be dedicated to the Village, staff is accepting of the non-standard pavement width. The project engineer noted that because the cross-section of the driveway will be inverted, there will be no need for gutters and only a six-inch curb will be included on either side of the street with 24 feet provided between the curb faces, rather than a typical curb and gutter.

New five-foot-wide sidewalks along both sides of the private drive will connect to the existing pedestrian network along Shermer Road. The Shermer Road sidewalk will be reconstructed at the subject property's lot line to provide an appropriate parkway width between the curb and edge of sidewalk and match existing sidewalk setbacks to the north and south of the subject property. The existing sidewalk adjacent to the site aligns with the curb, which is hazardous to pedestrians and does not provide a dedicated parkway for public street trees.

The proposed emergency turnaround at the western end of the accessway was designed to comply with the hundred-foot hammerhead design set forth in Section 12-9-1:B.2.f. The eight-space parking lot at the southwest corner of the site complies with the dimensional requirements of Section 12-7-3:J. The applicant submitted turning path diagrams based on the dimensions of the Village's largest fire apparatus, which demonstrates that the site plan can accommodate the necessary emergency vehicle turns.

Traffic & Parking Impact

Per Section 12-7-3:B, all Special Use Applications, including PUD Applications, must provide a traffic and parking impact study which details the traffic impact and the amount of parking necessary and its usage. For PUDs, the off-street parking requirements set forth in Section 12-7-3:I are advisory only and the final parking required for each use is decided by the Village Board based on the submitted study, any traffic and parking recommendation prepared by the Village staff, and the final recommendation of the Plan Commission. The applicant retained Kimley-Horn to prepare the required traffic and parking impact study.

The submitted study suggests that parking may be allowed on one side of the 24-foot-wide private drive. However, staff opposes this suggestion and recommends a prohibition on parking within the shared vehicular accessway, which the applicant is accepting of. Signage prohibiting parking should be posted accordingly. Staff also recommends that signage is installed within the guest parking area to limit use to guests only and to certain periods of time. These limitations should be incorporated into the HOA bylaws.

The submitted site plan includes two garage spaces per unit, for a total of 16 enclosed parking spaces, and eight guest parking spaces to be used by guests only. Collectively, 24 conforming parking spaces are available for resident and guest parking. Per Village Code Section 12-7-3:I, the off-street parking requirement for detached single-family residential development is two spaces per unit. The development proposes a ratio of three conforming off-street spaces per unit, which compensates for the lack of "on-street" parking along the shared access drive. Additionally, the driveway leading to each two-car garage measures 18 feet in depth and width. While the Unified Development Code does not recognize tandem parking spaces, it can be reasonably expected that guests will use this driveway area to park from time-to-time. The Plan Commission may want to consider the control of parking within this driveway area to limit its daily use.

With respect to whether the existing roadway network can accommodate the proposed development, the traffic and parking impact study prepared by Kimley-Horn states: "Based on the results of the capacity analyses, no road or access intersection improvements are needed to accommodate site traffic. Thus, the recommendations will focus on the site plan elements." Recommendations include sidewalks, a stop control with a sign and bar existing the site, and a crosswalk striped across the access drive at Shermer Road.

Building & Landscape Design

At the October 3, 2022, meeting of the Appearance Commission, the applicant presented site, building, and landscape plans. The project was conditionally approved in accordance with the staff report to the Appearance Commission, dated October 3, 2022, which is included in the hearing packet. Additionally, the Appearance Commission recommended the following:

- That the elevations should be revised to provide greater differentiation between the homes and greater variety in color palette.
- That the landscape plan should be revised to comply with all applicable screening requirements and incorporate greater use of evergreen plant species.

In response to the Appearance Commission's recommendations, the applicant submitted revised color palettes and a revised rendering depicting greater variety in the home designs. The original and revised renderings are provided below for comparison.



Original Rendering Submitted



Revised Rendering Submitted

The applicant also submitted a revised landscape plan that verifies compliance with ground paved surface screening requirements and increases the use of evergreen plan species. Based on staff comments identifying discrepancies between the landscape plan and tree preservation plan, the applicant also provided revised civil drawings to accurately depict which trees are planned to be preserved. The landscape plan was revised to match and eliminate any discrepancy with respect to tree preservation.

Stormwater

CiviLand LLC submitted an Engineering Project Manual that describes how the detention volume, volume control, and release rates for the stormwater improvements will be designed in accordance with Metropolitan Water Reclamation District (MWRD) and Village requirements. The on-site detention is proposed to be provided in an underground storage system below the guest parking and emergency turnaround areas. The design of the sanitary sewer and water main will be coordinated with the Village.

Snow Storage, Trash Removal, and Deliveries

At the Traffic Safety Commission meeting on October 6, 2022, the Commission asked the applicant how snow storage will be accommodated on the site. The developer's civil engineer responded that snow removal will be the responsibility of the future HOA and that storage will occur within the grassed area just north of the emergency vehicle turnaround area at the northwest corner of the subject property.

Trash removal is expected to be provided by Groot under the Village-wide contract, consistent with other single-family residential developments in Morton Grove. Because turning path diagrams for the Village's largest vehicle apparatus have been provided, it is expected that the site plan can accommodate garbage truck maneuvering and delivery vehicles.

Commission Review

- **Appearance Commission:** On October 3, 2022, the applicant appeared before the Appearance Commission to provide testimony and respond to comments issued by the Department of Community and Economic Development in the staff report dated October 3, 2022, which is included in the hearing packet. The Commission voted 4-3 to recommend approval of the project with certain conditions. The draft meeting minutes are included in the hearing packet. The Appearance Certificate issued to the applicant on October 3, 2022, is subject to conditions included in the staff report and in the final approved motion.
- **Traffic Safety Commission:** On October 6, 2022, the applicant appeared before the Traffic Safety Commission to provide testimony and respond to comments issued by the Village Engineer. At the meeting, the Commission and the applicant discussed traffic concerns along Shermer Road, the proposed sidewalk width, on-street parking impacts, parking demand, snow storage, and sight lines relative to proposed landscaping. The Commission unanimously (6-0) forwarded a recommendation of approval of Case PC 22-13 along with the comments provided in the form prepared by Chairperson White, dated October 10, 2022, and included in the hearing packet. A recommended condition of PUD Special Use Permit approval is compliance with all comments and recommendations provided by the Traffic Safety Commission, whether by strict compliance or alternative compliance, subject to the Village Engineer's final approval.

Departmental Review

- **Building Department:** "At this time the Building Department only has one concern as to the material being used for mentioned fence along existing abutting properties for maintenance concerns." *Community and Economic Development staff does not anticipate fencing being installed on the subject property by the applicant, but the applicant should address this comment. The maintenance of any fencing on abutting private property is the responsibility of the respective property owner.*
- **Fire Department:** "Unable to determine on the Schematic Utility Plan if an additional required hydrant on a looped water main was added toward the west end of the property." *The applicant should address this comment, but staff will ensure it is resolved in final site design and engineering through the standard permitting process.*
- **Public Works Department/Engineering:** In review of the proposed project, the Village Engineer issued 32 comments dated October 10, 2022, and included in the hearing packet for PC 22-13. A recommended condition of PUD approval is compliance with all comments and recommendations provided by the Village Engineer, whether by strict compliance or alternative compliance, subject to the Village Engineer's final approval.

Standards for Review

The Standards for Subdivision are established in Section 12-16-4:D.3 of the Unified Development Code:

12-16-4:D.3. Standards for Subdivisions: The following standards for evaluating subdivisions shall be applied in a reasonable manner, taking into consideration the restrictions and/or limitations which exist for the site being considered for development:

1. **Orderly Development:** The proposed subdivision will encourage orderly and harmonious development within the Village.
2. **Coordination of Streets:** The streets within the proposed subdivision will coordinate with other existing and planned streets within the Village.
3. **Coordination of Utilities:** The utilities within the proposed subdivision will coordinate with existing and planned utilities, and create a uniform system of utilities within the Village.
4. **Consistency with Comprehensive Plan:** The proposed subdivision will be evaluated based on its consistency with the overall land use policies of the Village as may be expressed in the Village's comprehensive plan.

Section 12-6-4 establishes the following standards for evaluating PUD Applications:

- a. **Comprehensive Plan:** The planned unit development shall be consistent with the general policies of the Village as may be expressed in the comprehensive plan.
- b. **Public Welfare:** The planned unit development should be so located, designed, operated and maintained in a manner that will not only protect, but promote the public health, safety, and welfare of the Village.
- c. **Impact On Adjoining Properties:** The proposed planned unit development will not be injurious to the use and enjoyment of adjoining property and that the exceptions to the underlying district regulations are for the purpose of promoting development which is beneficial to the residents or occupants of the surrounding properties with and adjoining the proposed development.
- d. **Drives, Parking And Circulation:** Principal vehicular access to the planned unit development shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Adequate provision should be made to provide ingress and egress in a manner that minimizes traffic congestion in the public streets.
- e. **Impact On Public Facilities:** The planned unit development shall be so designed that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it, and not negatively impact the existing public infrastructure. Surface water in all paved access areas shall be collected in a manner that will not obstruct the flow of vehicular and pedestrian traffic.
- f. **Adequate Buffering And Landscaping:** Adequate fencing, screening, and landscaping shall be provided to protect the enjoyment of surrounding properties, or provide for public safety, or to screen parking areas or other visually incompatible uses. The existing landscape should be preserved in its natural state, to the extent as practicable, minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of the neighboring developed area.
- g. **Integrated Design:** The planned unit development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, and facilities, including common open space and storm water detention areas, and for appropriate relationship of space between buildings and site. Any common open space shall be integrated into the design in a manner which has a direct or visual relationship to the main building(s) and not be of an isolated or leftover character.
- h. **Appearance:** The design of all buildings, structures, and facilities on the site of the planned unit development shall be subject to the approval of the appearance review commission, and shall be of quality as good, if not better, than the surrounding neighborhood. Higher or denser buildings shall be located in such a way as to dissipate any adverse impact on adjoining lower buildings within the development or on surrounding properties.
- i. **Relationship To Adjoining Land and Neighborhood:** All planned unit developments shall encourage designs that emphasize accessibility, open views and connections to the larger community as a whole, discouraging new

development which may divide neighborhoods and restrict access to adjacent property. In order to achieve this objective, the design of lots, streets, sidewalks, and accessways within the planned unit development, the continuation of such existing or proposed features to adjoining areas shall be encouraged. When a proposed planned unit development adjoins land susceptible of being subdivided, resubdivided, or redeveloped, new streets, sidewalks, and accessways may be carried to the boundaries of the proposed planned unit development.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion and conditions:

Motion to recommend approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for 8 detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, front yard, floor area ratio (12-4-2:D), driveway width (12-2-5:B.5), and dimensions and siting of accessory structures (12-2-6:G) for the property commonly known as 9312 Shermer Road in Morton Grove, Illinois, subject to the following conditions:

1. *Prior to the issuance of a building permit, the applicant shall submit final site plans, engineering plans, preliminary plat of subdivision, and traffic and parking impact study for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations issued in the following, whether by strict or alternative compliance, subject to the Village Administrator's final approval:*
 - *Appearance Certificate issued for Case AC 22-11*
 - *Comments issued by the Traffic Safety Commission Chairperson, dated October 10, 2022*
 - *Comments issued by the Village Engineer, dated October 10, 2022*
 - *Comments issued by the Fire Department, dated October 5, 2022*
 - *Comments issued by the Building Department, undated*
 - *Comments issued by the Department of Community and Economic Development, dated October 11, 2022*
2. *Prior to the issuance of a building permit, the applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator.*
3. *Prior to the issuance of a building permit, the applicant shall submit final elevations, a materials palette, and landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the revised plans are deemed to be in violation of any applicable requirement, substantially inconsistent with the approved plans, or lesser in quality than the approved designs and materials, the applicant will be required to file an application for an amendment to the Appearance Certificate.*
4. *The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator.*
5. *The applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator.*
6. *Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.*
7. *The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the PUD Special Use Permit.*
8. *(Any other conditions recommended by the Plan Commission)*

Attachment E

Staff Report to the Plan Commission for PC 22-13, prepared by Zoe Heidorn, Community Development Administrator, dated December 13, 2022

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: December 13, 2022

Re: Plan Commission Case PC 22-13
Request for approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for six (6) detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, and interior side yard (12-4-2:D) for the property commonly known as 9312 Shermer Road (PIN 09-13-219-042-0000) in Morton Grove, Illinois, all within an R-1 Single Family Residence District. The applicant is Varda & Company, LLC.

STAFF REPORT

Application Background

In September 2022, Varda & Company, LLC ("applicant") submitted complete Planned Unit Development (PUD) and Subdivision Applications to the Department of Community and Economic Development under Case PC 22-13 requesting the entitlement of an eight-unit detached single-family residential development with accessory parking, accessway, and landscape areas for the 1.565-acre property commonly known as 9312 Shermer Road ("subject property"). The subject property is zoned R-1 Single Family Residence.

On October 17, 2022, the Plan Commission held a public hearing to consider Case PC 22-13. After reviewing the application, all testimony provided by the applicant and their consultants, and public comments, the Plan Commission voted unanimously (6-0) to recommend denial of the application to the Village Board of Trustees. Based on the Plan Commission's determination and the comments provided, the developer revised the site plan to reduce the project density to six units and address other concerns raised by the Commissioners and residents. In light of the proposed project revisions, on November 14, 2022, the applicant requested that the Board of Trustees remand Case PC 22-13 to the Plan Commission for reconsideration. The Board voted unanimously to remand the case, to be reheard by the Plan Commission at a public hearing on December 19, 2022. Staff mailed residents and property owners within 250 feet of the subject property notifying them of the hearing date, time, and location.

The following items have been revised and resubmitted by the applicant for review and consideration by the Plan Commission and Board of Trustees:

- ***Plat of the Ponto Collection Subdivision***
- ***Site Plan, Elevations & Floorplans, Material Selection, Color Rendering*** – Dated November 30, 2022
- ***Landscape Plan*** – Dated November 30, 2022
- ***Engineering Project Manual*** – Dated November 30, 2022
- ***Photometric Plan*** – Dated November 29, 2022

Other original submitted items, including the traffic and parking impact study, geotechnical investigation report, and draft declaration, will be required to be updated to reflect the final approved site plan by ordinance, if approved by the Board of Trustees. Staff did not consider the immediate revision of these items to be necessary to the Plan Commission's review of the revised site plan. Where discrepancy occurs between original submitted items and revised items, the revised items will control.

Application Revisions

Preliminary Plat of Subdivision

In response to concerns with project density, the applicant revised the proposed site plan to reduce the residential dwelling unit count from eight single-family detached units to six units. The revised Preliminary Plat of Subdivision, entitled "Plat of the Ponto Collection Subdivision," subdivides the property into seven new lots in accordance with Chapter

12-8 of the Unified Development Code. Six of the proposed lots, “Lot 1” through “Lot 6,” are proposed to be improved with detached single-family residences. The seventh lot, “Outlot A,” is proposed to be improved with common areas, including a private drive, emergency turnaround area, parking area, and underground stormwater detention facilities.

A comparison of the original proposed lot dimensions as presented to the Plan Commission on October 17, 2022, and revised proposed lot dimensions with applicable dimensional controls is provided in the table below.

R-1 District Requirement	Minimum Requirement	Original Proposed	Original Compliance	Revised Proposed	Revised Compliance
Lot Area (12-4-2:D)	7,500 sq. ft. (after August 4, 1959)	Lot 1: 8,167 sq. ft. Lot 2: 5,129 sq. ft. Lot 3: 5,215 sq. ft. Lot 4: 5,411 sq. ft. Lot 5: 4,837 sq. ft. Lot 6: 4,919 sq. ft. Lot 7: 5,001 sq. ft. Lot 8: 7,436 sq. ft. Outlot A: 21,428 sq. ft.	Lot 1: Compliant Lot 2: <i>Noncompliant (2,371 sq. ft.)</i> Lot 3: <i>Noncompliant (2,285 sq. ft.)</i> Lot 4: <i>Noncompliant (2,089 sq. ft.)</i> Lot 5: <i>Noncompliant (2,663 sq. ft.)</i> Lot 6: <i>Noncompliant (2,581 sq. ft.)</i> Lot 7: <i>Noncompliant (2,499 sq. ft.)</i> Lot 8: <i>Noncompliant (64 sq. ft.)</i> Outlot A: Compliant	Lot 1: 7,929 sq. ft. Lot 2: 7,476 sq. ft. Lot 3: 7,475 sq. ft. Lot 4: 7,406 sq. ft. Lot 5: 7,467 sq. ft. Lot 6: 8,232 sq. ft. Outlot A: 21,557 sq. ft.	Lot 1: Compliant Lot 2: <i>Noncompliant (24 sq. ft.)</i> Lot 3: <i>Noncompliant (25 sq. ft.)</i> Lot 4: <i>Noncompliant (94 sq. ft.)</i> Lot 5: <i>Noncompliant (33 sq. ft.)</i> Lot 6: Compliant Outlot A: Compliant
Lot Width (12-4-2:D)	60 ft. (after August 4, 1959)	Lot 1: 72.65 ft. Lot 2: 49.11 ft. Lot 3: 49.11 ft. Lot 4: 50.12 ft. Lot 5: 47.15 ft. Lot 6: 47.11 ft. Lot 7: 47.11 ft. Lot 8: 69.06 ft. Outlot A: 47.60 ft.	Lot 1: Compliant Lot 2: <i>Noncompliant (10.89 ft.)</i> Lot 3: <i>Noncompliant (10.89 ft.)</i> Lot 4: <i>Noncompliant (9.88 ft.)</i> Lot 5: <i>Noncompliant (12.85 ft.)</i> Lot 6: <i>Noncompliant (12.89 ft.)</i> Lot 7: <i>Noncompliant (12.89 ft.)</i> Lot 8: Compliant Outlot A: <i>Noncompliant (12.40 ft.)</i>	Lot 1: 70.28 ft. Lot 2: 71.48 ft. Lot 3: 69.74 ft. Lot 4: 59.90 ft. Lot 5: 71.01 ft. Lot 6: 76.45 ft. Outlot A: 47.31 ft.	Lot 1: Compliant Lot 2: Compliant Lot 3: Compliant Lot 4: <i>Noncompliant (0.10 ft.)</i> Lot 5: Compliant Lot 6: Compliant Outlot A: <i>Noncompliant (12.69 ft.)</i>
Lot Depth (12-8-4:B.2)	115 ft. for interior lots * 90 ft. for corner lots	Lot 1: 102.83 ft. * Lot 2: 104.43 ft. Lot 3: 106.19 ft. Lot 4: 107.97 ft. Lot 5: 102.76 ft. Lot 6: 104.41 ft. Lot 7: 106.18 ft. Lot 8: 108.29 ft. * Outlot A: 265.56 ft.	Lot 1: Compliant Lot 2: <i>Noncompliant (10.57 ft.)</i> Lot 3: <i>Noncompliant (8.81 ft.)</i> Lot 4: <i>Noncompliant (7.03 ft.)</i> Lot 5: <i>Noncompliant (12.24 ft.)</i> Lot 6: <i>Noncompliant (10.59 ft.)</i> Lot 7: <i>Noncompliant (8.82 ft.)</i> Lot 8: Compliant Outlot A: Compliant	Lot 1: 102.47 ft. * Lot 2: 104.59 ft. Lot 3: 107.14 ft. Lot 4: 103.07 ft. Lot 5: 105.16 ft. Lot 6: 107.44 ft. * Outlot A: 265.56 ft.	Lot 1: Compliant Lot 2: <i>Noncompliant (10.41 ft.)</i> Lot 3: <i>Noncompliant (7.86 ft.)</i> Lot 4: <i>Noncompliant (11.93 ft.)</i> Lot 5: <i>Noncompliant (9.84 ft.)</i> Lot 6: Compliant Outlot A: Compliant

Overall, the revised proposed plat of subdivision is significantly more compliant with the R-1 District lot standards established in Sections 12-4-2:D and 12-8-4:B.2. The minimum lot area for subdivisions created after August 4, 1959, is 7,500 square feet and the minimum lot width is 60 feet. The proposed lot areas for Lots 1 through 6 range from 7,406 square feet to 8,232 square feet, with an average of 7,664 square feet (formerly 5,764 square feet under the original plan). While limited variations are requested due to the shape of the property and need for common areas, the proposed density is fitting with the intent of the R-1 District dimensional standards. 31.91% of the subject property land area is dedicated to common areas within Outlot A, which will be improved with a shared vehicular accessway and turnaround, landscape areas, sidewalks, stormwater detention facilities, and a guest parking area.

Site Plan: Residential Lots

The applicant is now proposing the construction of six detached single-family homes ranging from 3,503 square feet to 3,602 square feet in floor area, as defined by Section 12-17-1. Three home types are proposed, Types A through C, and the site plan features two of each home type to be distributed in accordance with the submitted site plan (Sheet SK1.00). The home types are as follows:

- **Type A: Twin Gables** – 3,503 square feet floor area
- **Type B: Primrose Cottage** – 3,602 square feet floor area
- **Type C: Morton House/Fairview Point** – 3,541 square feet floor area

Since the Plan Commission's review on October 17, 2022, the average floor area of the homes has increased from 3,246 square feet to 3,549 square feet, a factor of 1.09. By comparison, the average lot area has increased from 5,764 square feet to 7,664 square feet, a factor of 1.33. The proposed floor areas have not increased proportionate to the increase in lot sizes, meaning the developer is proposing a more modest home relative to lot size. The proposed floor

area ratios (FAR) are between 0.44 and 0.48, in compliance with the 0.6 maximum FAR set forth by code. The previous site plan included ratios between 0.44 and 0.66, necessitating variations for five of the eight residential lots. Each two-story homes will still be constructed with an unfinished basement and will contain four bedrooms, four bathrooms, and a two-car attached garage. Each unit's main entrance will be located along the front elevation. An attached patio is proposed within each rear yard.

On a lot-by-lot basis, the proposed single-family residences are substantially compliant with dimensional requirements applicable to the R-1 District and single-family development generally. As presented, approval of the site plan will only require two variations to the minimum interior side yard, one for Lot 4 and one for Lot 6. Lot 4 includes a nonconforming combined side yard of 12 feet for a portion of the west interior side yard abutting the emergency turnaround to the west. Lot 6 includes a nonconforming west interior side yard of two feet, where a minimum of six feet are required by code. A window well zone measuring four feet in depth is included within each side yard and has not been included in the proposed setback. As such, the foundation wall for Lot 6 will not be located less than six feet from the west lot line, although the technical setback proposed is two feet because window wells are not a permitted encroachment of a required interior side yard. **The developer should speak to the quantity of window wells proposed within the window well zones along each side elevation, their construction type, and elevation above grade.**

By comparison, the original eight-unit site plan necessitated variations for front setback, floor area ratio, driveway width, location of aboveground mechanical equipment, sidewalk width, and window well siting. Applicable requirements and the revised project's compliance with said requirements are outlined in the following table:

Dimensional Requirements	Requirement	Proposed (As Revised)	Compliance (As Revised)
Front Yard (12-4-2:D)	Min. 25 ft.	Lots 1-6: 25.00 ft.	Lots 1-8: Compliant
Corner Side Yard (12-4-2:D)	Min. 25 ft.	Lot 1: 25.00 ft. Lot 6: 25.00 ft.	Lot 1: Compliant Lot 8: Compliant
Interior Side Yard (12-8-4:B.2)	Min. 6 ft. Min. 14 ft. combined	Lot 1: 6.00 ft. (corner) Lot 2: 11.83 ft., 11.83 ft. Lot 3: 11.42 ft, 10.50 ft. Lot 4: 6.00 ft., 6.00 ft. – 32.96 ft. Lot 5: 11.58 ft, 11.58 ft. Lot 6: 2.00 ft. (corner)	Lot 1: Compliant Lot 2: Compliant Lot 3: Compliant Lot 4: <i>Noncompliant (west)</i> Lot 5: Compliant Lot 6: <i>Noncompliant (west)</i>
Rear Yard (12-4-2:D)	Min. 30 ft.	Lot 1: 30.42 ft. Lot 2: 32.17 ft. Lot 3: 34.50 ft. Lot 4: 30.83 ft. Lot 5: 33.25 ft. Lot 6: 35.00 ft.	Lots 1-8: Compliant
Building Height (12-4-2:D)	Max. 28 ft.	Lots 1-8: Compliant	Lots 1-8: Compliant
Floor Area Ratio (12-4-2:D)	Max. 0.6	Lot 1: 0.45 Lot 2: 0.48 Lot 3: 0.47 Lot 4: 0.47 Lot 5: 0.48 Lot 6: 0.44	Lots 1-8: Compliant
Impermeable Lot Coverage (12-4-2:D)	Max. 55%	Lot 1: 35% Lot 2: 38% Lot 3: 38% Lot 4: 38% Lot 5: 38% Lot 6: 34%	Lots 1-8: Compliant
Driveway (12-2-5:B.5)	Max. 16 ft. at front lot line	Lots 1-8: 16.00 ft. at front lot line	Lots 1-8: Compliant
Bay Window (12-2-6:G)	Max. 20% yard depth	Lots 1-8: 2.5 ft. projection into 25.00-ft. front yard	Lots 1-8: Compliant

Mechanical Equipment, Aboveground (12-2-6:G)	Not a permitted encroachment of a required side yard	Lots 1-8: To rear of principal structure	Lots 1-8: Compliant
Open Accessory Parking Spaces (12-2-6:G)	Min. 3 ft. from lot lines	Outlot A: ≥8.17 ft. from lot lines	Outlot A: Compliant
Patio, Attached (12-2-6:G)	Max. 30% rear yard coverage, side setback requirements apply	Lots 1-8: 442 sq. ft. (typ.), <30% coverage, complies with side setback requirements	Lots 1-8: Compliant
Sidewalk (12-2-6:G)	Max. 4 ft. width in front yard	Lots 1-8: 4 ft. (typ.)	Lots 1-8: Compliant
Window Well (12-2-6:G)	Not a permitted encroachment of a required side yard	Lots 1-8: 4-foot window well zone incorporated (affects conformity of interior side yards for Lots 4 and 6, see above)	Lots 1-8: Compliant

Site Plan: Accessways

The revised site plan's accessway, emergency turnaround, and guest parking area are generally consistent with the original site plan, the design of which is supported by staff. The applicant is proposing a pavement width of 24 feet with no on-street parking along the main east-west accessway, which will be privately owned and maintained by the proposed HOA. Sidewalk widths will be maintained at five feet and parkway widths will be maintained at four feet. The eight-space parking lot originally proposed at the southwest corner of the site to support eight units has been reduced to six spaces in accordance with the reduction in units. The Village Engineer issued one comment in response to the revised site plan: "The sidewalk on the south side of the street should extend to the guest parking area." Compliance with the Village Engineer's comment will be included as a recommended condition of PUD approval.

The applicant submitted revised turning path diagrams as part of the revised Engineering Project Manual. The diagrams demonstrate that the accessway geometry can accommodate emergency vehicle turns. In response to the revised turning path diagrams, the Fire Bureau Prevention Coordinator issued the following comment on December 12, 2022:

Please update the Fire Truck Turning Exhibit using the following data to update:

Morton Grove Fire Truck Data for Fire Truck Turning Analysis

<i>Overall Length</i>	<i>47.8 feet</i>
<i>Overall Width (Including Mirrors)</i>	<i>9.5 feet</i>
<i>Overall Body Height</i>	<i>11.666 feet</i>
<i>Minimum Body Ground Clearance</i>	<i>0.625 feet</i>
<i>Track Width</i>	<i>8.36 ft</i>
<i>Lock to Lock Time</i>	<i>6 seconds</i>
<i>Max Wheel Angle</i>	<i>45 degrees</i>
<i>Overall Length - Front wheel overhang + wheel base + rear wheel overhang</i>	
<i>Track Width - Wheel track width is the distance between the centerline of two wheels on the same axle.</i>	
<i>Axle Track - The distance between the hub flanges on an axle.</i>	
<i>Lock to Lock Time - The time taken to turn the primary steering from full left lock to full right lock.</i>	

A recommended condition of Preliminary Plat of Subdivision and PUD approval is compliance with the above request and any other request for turning path diagrams. While staff anticipates that the updated apparatus dimensions can be accommodated by the current site geometry, minor changes may be required in final design engineering if any issues are identified, subject to review and approval by the Fire Department and Village Engineer.

The revised site plan includes two garage spaces per unit, for a total of 12 enclosed parking spaces, and six guest parking spaces to be used by guests only. Collectively, 18 conforming parking spaces are available for resident and guest parking. Per Village Code Section 12-7-3:1, the off-street parking requirement for detached single-family residential development is two spaces per unit, for a total minimum requirement of 12 off-street parking spaces. The development proposes a ratio of three conforming off-street spaces per unit, which compensates for the lack of "on-street" parking along the shared access drive. Additional informal parking capacity is anticipated to be provided by use of the residential driveways, which have increased in length to approximately 25 feet and will provide a safer setback from the abutting sidewalk.

The traffic and parking impact study prepared by Kimley-Horn based on the original eight-unit site plan states: "Based on the results of the capacity analyses, no road or access intersection improvements are needed to accommodate site traffic." Because the intensity in land use is decreasing by comparison with the original site plan and no changes in accessway design are proposed, it can be reasonably expected that the traffic generated by the project will decrease accordingly and the existing roadway network will still be able to accommodate the proposed development. Recommendations set forth in the study, which include sidewalks, a stop control with a sign and bar exiting the site, and a crosswalk striped across the access drive at Shermer Road, remain warranted for the revised site plan and compliance will be included as a recommended condition of ordinance approval.

In response to comments issued at the October 17, 2022, hearing regarding the intersection of Beckwith and Shermer Roads to the southeast of the subject property, staff is keenly aware of concerns with the intersection's safety and is in the formal process of evaluating the intersection, the broader Shermer and Beckwith corridors, and appropriate crash countermeasures. The decision to implement any crash countermeasure, which will be based on a thorough analysis of the intersection and surrounding area, will be made by the Village's Right of Way Committee, the Village Engineer, and Village Administrator.

Elevations & Materials

In response to comments issued by the Appearance Commission at their October 3, 2022, meeting and comments issued by the Plan Commission at their October 17, 2022, meeting, the applicant further revised the color and material palettes to provide greater variety and contrast between the homes and include brick as an exterior material. The original and revised renderings are provided below for comparison.



Original Rendering (October 3, 2022, Appearance Commission Meeting)



Revised Rendering, Revision 1 (October 17, 2022, Plan Commission Meeting)



Current Revised Rendering, Revision 2 (December 19, 2022, Plan Commission Meeting)

Landscape Plan

The applicant submitted a revised landscape plan for the proposed six-unit subdivision. The landscape plan is generally consistent with the landscape plan presented at the October 17, 2022, meeting of the Plan Commission. Based on landscape and site plan review by the Village Engineer, five trees are planted in the public right of way along Shermer Road, and the Village Engineer is authorized by the Appearance Commission to modify the public right of way tree planting plan as needed to ensure visibility and public safety. If fewer than five trees are planted in the public right of way abutting the site, any deficit in trees must be planted at an alternative location subject to review and approval by the Village Engineer.

Staff notes that a Planned Unit Development is a binding legal instrument that is recorded with the Cook County Clerk. Perpetual compliance with the approved plans, including the landscape plan, is required until the subject property is redeveloped. The Village is authorized to issue citations for failure to maintain landscaping in accordance with the approved landscape plan. If a planting fails to thrive or dies years in the future, the Village will require a replacement of the same size and species as provided in the approved landscape plan. Additionally, the draft declaration submitted by the applicant provides that landscaped areas on individual lots must be maintained by their respective owner. As required by Section 12-8-2:B.3.1, the Village, as well as the owners of the units located on the property, shall have the right to enforce the declaration. The final draft declaration will be reviewed and approved by Village staff, including the Village Engineer, Community Development Administrator, and Corporation Counsel, for compliance with Village regulations and any requirements set forth in the Subdivision and PUD ordinances.

Engineering Project Manual

The applicant submitted a revised Engineering Project Manual, which provides an overview of existing stormwater conditions, stormwater detention calculations, and proposed stormwater improvements. The applicant met with the Metropolitan Water Reclamation District (MWRD) and the Village Engineer in December 2022 to discuss the proposed design of the stormwater management system. MWRD and the Village agree and have indicated to the applicant that the stormwater detention facilities must be designed to handle a 100-year flood and direct runoff to Shermer Road, not to abutting properties to the north, west, or south in order to obtain a permit. **The applicant is expected to clearly describe the proposed design solution, the existing drainage pattern, the proposed drainage pattern, and how surrounding properties will be impacted by the proposed development.**

MWRD regulates the maintenance of stormwater facilities, which will become the responsibility of the future HOA, and can take aggressive action in the event of a failure to maintain. Because the enforcement of maintenance requirements by MWRD is unpredictable, staff recommends as a condition of PUD approval that a maintenance declaration for the detention facilities, including any permeable pavement, is included as part of the final recorded declaration and provides the Village with maintenance oversight and recourse in the event of failure to maintain the infrastructure in accordance with the final approved plans, and Village and MWRD requirements. A similar maintenance declaration was required in the Trafalgar Square development for the maintenance of the development's detention facility and may serve as a model.

The Preliminary Removal Plan and Preliminary Erosion Control & Tree Protection Plan submitted under the revised Engineering Project Manual are consistent with the plans presented to the Plan Commission on October 17, 2022. To ensure the trees designated for preservation are protected, and to provide the Village with recourse in the event of removal, destruction, or damage other than by natural forces or events, staff recommends that specific replacement requirements are included as a condition of PUD approval, as set forth in the recommended conditions listed at the end of the report.

Photometric Plan

The applicant submitted a revised photometric plan prepared by Force Partners showing levels of illumination along lot lines and throughout the site. Per Section 12-10-5, "all street, parking lot, and exterior lighting shall meet the lighting standards and regulations set forth in the Village of Morton Grove lighting standards available at the Public Works Department." The plan shows no more than 0.1 footcandle of illuminance along the site's south, west, and north lot lines. The final photometric plan will be subject to approval by the Village Engineer. As a condition of Appearance Commission approval, before any Building Permit is issued, the lighting plan must be revised as needed to meet all lighting requirements of the Village of Morton Grove. Additionally, the project is subject to a maximum exterior luminaire color temperature of 4000K.

Standards for Review

The Standards for Subdivision are established in Section 12-16-4:D.3 of the Unified Development Code:

12-16-4:D.3. Standards for Subdivisions: The following standards for evaluating subdivisions shall be applied in a reasonable manner, taking into consideration the restrictions and/or limitations which exist for the site being considered for development:

1. Orderly Development: The proposed subdivision will encourage orderly and harmonious development within the Village.
2. Coordination of Streets: The streets within the proposed subdivision will coordinate with other existing and planned streets within the Village.
3. Coordination of Utilities: The utilities within the proposed subdivision will coordinate with existing and planned utilities, and create a uniform system of utilities within the Village.
4. Consistency with Comprehensive Plan: The proposed subdivision will be evaluated based on its consistency with the overall land use policies of the Village as may be expressed in the Village's comprehensive plan.

Section 12-6-4 establishes the following standards for evaluating PUD Applications:

- a. Comprehensive Plan: The planned unit development shall be consistent with the general policies of the Village as may be expressed in the comprehensive plan.
- b. Public Welfare: The planned unit development should be so located, designed, operated and maintained in a manner that will not only protect, but promote the public health, safety, and welfare of the Village.
- c. Impact On Adjoining Properties: The proposed planned unit development will not be injurious to the use and enjoyment of adjoining property and that the exceptions to the underlying district regulations are for the purpose of promoting development which is beneficial to the residents or occupants of the surrounding properties with and adjoining the proposed development.
- d. Drives, Parking And Circulation: Principal vehicular access to the planned unit development shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Adequate provision should be made to provide ingress and egress in a manner that minimizes traffic congestion in the public streets.
- e. Impact On Public Facilities: The planned unit development shall be so designed that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it, and not negatively impact the existing public infrastructure. Surface water in all paved access areas shall be collected in a manner that will not obstruct the flow of vehicular and pedestrian traffic.

- f. **Adequate Buffering And Landscaping:** Adequate fencing, screening, and landscaping shall be provided to protect the enjoyment of surrounding properties, or provide for public safety, or to screen parking areas or other visually incompatible uses. The existing landscape should be preserved in its natural state, to the extent as practicable, minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of the neighboring developed area.
- g. **Integrated Design:** The planned unit development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, and facilities, including common open space and storm water detention areas, and for appropriate relationship of space between buildings and site. Any common open space shall be integrated into the design in a manner which has a direct or visual relationship to the main building(s) and not be of an isolated or leftover character.
- h. **Appearance:** The design of all buildings, structures, and facilities on the site of the planned unit development shall be subject to the approval of the appearance review commission, and shall be of quality as good, if not better, than the surrounding neighborhood. Higher or denser buildings shall be located in such a way as to dissipate any adverse impact on adjoining lower buildings within the development or on surrounding properties.
- i. **Relationship To Adjoining Land and Neighborhood:** All planned unit developments shall encourage designs that emphasize accessibility, open views and connections to the larger community as a whole, discouraging new development which may divide neighborhoods and restrict access to adjacent property. In order to achieve this objective, the design of lots, streets, sidewalks, and accessways within the planned unit development, the continuation of such existing or proposed features to adjoining areas shall be encouraged. When a proposed planned unit development adjoins land susceptible of being subdivided, resubdivided, or redeveloped, new streets, sidewalks, and accessways may be carried to the boundaries of the proposed planned unit development.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion and conditions:

Motion to recommend approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8-4 and a Planned Unit Development (PUD) Special Use Permit for six (6) detached single-family dwellings with waivers to accessway standards (12-9), lot depth (12-8-4:B.2), lot area, lot width, and interior side yard (12-4-2:D) for the property commonly known as 9312 Shermer Road in Morton Grove, Illinois, subject to the following conditions:

1. *Prior to the issuance of a building permit, the applicant shall submit final site plans, engineering plans, preliminary plat of subdivision, and traffic and parking impact study for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations issued in the following, whether by strict or alternative compliance, subject to the Village Administrator's final approval:*
 - *Appearance Certificate issued for Case AC 22-11*
 - *Comments issued by the Traffic Safety Commission Chairperson, dated October 10, 2022*
 - *Comments issued by the Village Engineer, dated October 10, 2022*
 - *Comments issued by the Fire Department, dated October 5, 2022*
 - *Comments issued by the Building Department, undated*
 - *Comments issued by the Department of Community and Economic Development, dated October 11, 2022*
 - *Traffic Impact Study, prepared by Kimley-Horn, dated August 2022*
2. *Prior to the issuance of a building permit, the applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator.*
3. *Prior to the issuance of a building permit, the applicant shall submit final elevations, a materials palette, and landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the revised plans are deemed to be in violation of any applicable requirement,*

substantially inconsistent with the approved plans, or lesser in quality than the approved designs and materials, the applicant will be required to file an application for an amendment to the Appearance Certificate.

- 4. The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator. If fewer than five trees are planted within the public right of way abutting the subject property, any deficit shall be planted at an alternative location subject to review and approval by the Village Engineer.*
- 5. The applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator.*
- 6. The applicant shall extend the sidewalk located along the south side of the private accessway to the guest parking area, subject to review and approval by the Village Engineer.*
- 7. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.*
- 8. A maintenance declaration for the stormwater detention facilities and any other area or improvement deemed appropriate by the Village Administrator shall be enforceable by the Village. The declaration shall run with the property and bind the applicant and any successive owner. The declaration shall be recorded with the Cook County Clerk following review and approval by the Village Administrator.*
- 9. Deciduous trees designated for preservation in the final approved Tree Protection Plan which are removed, destroyed, or severely damaged, other than by natural forces or events, shall be replaced with a new tree at a rate of three inches (3") in caliper to each one inch (1") of removed tree. Coniferous trees designated for preservation in the final approved Tree Protection Plan which are removed, destroyed, or severely damaged, other than by natural forces or events, shall be replaced with a new tree at a rate of three (3) vertical feet for each one foot of removed tree. All fractions of an inch shall be rounded up. The Village Administrator may approve alternative planting locations on private or public property, with preference given to locations closest in proximity to the development. Species of replacement trees shall be submitted to the Department of Public Works for review and approval.*
- 10. The applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the PUD Special Use Permit.*
- 11. (Any other conditions recommended by the Plan Commission)*

Attachment F
Final Plans and Supporting Documents for PC 22-13

1. Plat of Survey, prepared by Gremley & Biedermann, a division of PCLS Corporation, dated June 29, 2022
2. Plat of the Ponto Collection Subdivision, prepared by A.P. Surveying Company, P.C., dated October 5, 2022 (2 sheets)
3. Site Plan (SK1.00), prepared by A + C Architects, dated November 30, 2022
4. Twin Gables North & South (SK1.01), prepared by A + C Architects, dated November 30, 2022
5. Primrose Cottage North & South (SK1.02), prepared by A + C Architects, dated November 30, 2022
6. Morton House North & Fairview Point South (SK1.03), prepared by A + C Architects, dated November 30, 2022
7. Material Selection (SK2.01), prepared by A + C Architects, dated November 30, 2022
8. Color Rendering (SK2.02), prepared by A + C Architects, dated November 30, 2022
9. Master Landscape Plan (L3.1), prepared by A + C Architects, dated November 30, 2022
10. Landscape Plan (L3.2), prepared by A + C Architects, dated November 30, 2022
11. Landscape Plan (L3.3), prepared by A + C Architects, dated November 30, 2022
12. Landscape Plan (L3.4), prepared by A + C Architects, dated November 30, 2022
13. Landscape Plan (L3.5), prepared by A + C Architects, dated November 30, 2022
14. Landscape Plan (L4.01), prepared by A + C Architects, dated November 30, 2022
15. Luminaire Schedule & Calculation Summary (Photometric Plan), prepared by Force Partners, dated November 29, 2022
16. Engineering Project Manual, Ponto Collection, prepared by CiviLand, LLC, dated November 30, 2022
17. Geotechnical Investigation Report, Proposed Residential Development, 9312 Shermer Road, prepared by Pioneer Engineering & Environmental Services, LLC, dated August 18, 2022
18. Traffic Impact Study, Morton Grove Residential Development, prepared by Kimley-Horn, dated August 2022
19. Declaration of Rights, Covenants, Conditions, Restrictions, and Easements for the Ponto Collection Single Family Homeowner Association, prepared by Kolpak & Grcic, LLC, undated

Attachment F on file with the Department of Community and Economic Development