

Winnetka Village Council
STUDY SESSION
Village Hall
510 Green Bay Road
Tuesday, January 12, 2016
7:00 PM

Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council. Emails for a Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

AGENDA

- 1) Call to Order
- 2) Sprinkler Requirements for Commercial Properties.....2
- 3) Public Comment
- 4) Executive Session
- 5) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Council Information > Agenda Packets & Minutes); the Reference Desk at the Winnetka Library; or in the Manager’s Office at Village Hall (2nd floor).

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The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3543; T.D.D. 847-501-6041.



Agenda Item Executive Summary

Title: Sprinkler Requirements for Commercial Properties

Presenter: Alan Berkowsky, Fire Chief

Agenda Date: 01/12/2016

Consent: YES NO

Ordinance
 Resolution
 Bid Authorization/Award
 Policy Direction
 Informational Only

Item History:

The Urban Land Institute Report identified Fire Sprinkler regulations as an area that should be reviewed as it relates to economic development. In February of 2014, the first discussion was held on the sprinkler regulations that were originally enacted in 1977. Since then, there have been three follow-up Council discussions.

Executive Summary:

As the discussion on Sprinkler Regulations continue, this report provides a review of what has occurred and some new concepts to consider.

Recommendation:

Staff would recommend continuation of sprinkler initiatives with or without modifications to the Ordinance.

Attachments:

- Berkowsky Memo dated January 5, 2016
- Addendum 1: Council Report and Minutes February 11, 2014
- Addendum 2: Council Report and Minutes July 1, 2014
- Addendum 3: Council Report and Minutes November 11, 2014
- Addendum 4: Council Report and Minutes April 14, 2015
- Addendum 5: Code Survey of Surrounding Communities
- Addendum 6: Percent Sprinklered by Commercial District
- Addendum 7: Sprinkler System Installation - 2009 - Current
- Addendum 8: GIS Map of Sprinkler Installations

AGENDA REPORT

TO: ROBERT BAHAN, VILLAGE MANAGER
FROM: ALAN BERKOWSKY, FIRE CHIEF
DATE: JANUARY 5, 2016
SUBJECT: FIRE SPRINKLER REQUIREMENTS FOR COMMERCIAL PROPERTIES

Issue

In 1977, Winnetka's Village Council approved an Ordinance that would require the installation of a sprinkler system for any change of use. I would speculate that the Council enacted the Ordinance due to a concern for the structural characteristics in the commercial districts including:

- The proximity of the buildings to each other
- The age of the buildings
- Structural openings in walls/ceilings created over the years
- Common elements of the buildings (i.e. basements, attics)
- Limited emergency access to the buildings
- The amount of available fire load
- Residential occupancies above commercial uses

Since the time this requirement has been enacted, many business owners have complied and we have seen a significant investment in life-safety in our commercial districts.

However, as the Village continues to pursue economic development opportunities, sprinkler systems have become a topic of discussion due to the costs. In most cases, sprinkler systems do not enhance the visual/business appeal but significantly improve the life-safety aspects of these structures; which can be a point of frustration for a new landlord, business owner or tenant.

Background

Over the last 18 months the Village Council held four sessions to discuss the sprinkler requirements. The minutes for these meetings are attached for your reference as well as summarized below:

February 11, 2014

A presentation provided a history of the Ordinance, recent fires in Winnetka's commercial districts, discussion of the modern day fires, ordinances from other communities, cost estimates for installation, the number of sprinkler installs in Winnetka and fires in Illinois

that impacted similar structures and communities. Three potential courses of action were outlined to the Trustees:

1. Create an economic development fund to offset the cost of sprinklers
2. Adopt a retrofit Ordinance
3. Carve out specific types of structures from the Ordinance

After much discussion, Village Council directed staff to draft an Ordinance requiring all businesses to retrofit with sprinklers within a specific timeframe.

July 1, 2014

A draft retrofit Ordinance was prepared and presented to the Village Council. Council then directed staff to perform a business community survey to determine the receptivity of a retrofit Ordinance within the business community.

November 11, 2014

Staff conducted the survey and gave informational presentations (on the current Ordinance and proposed changes) to the Chamber of Commerce and the Rotary Club. The survey results were then presented to the Trustees. A number of business owners also shared their concerns regarding the sprinkler retrofit ordinance during the Study Session. The Council was presented with four (4) options including:

1. Adopting a retrofit Ordinance
2. Developing a cost sharing program
3. Modify the current Ordinance to exempt certain types of buildings
4. Remain status quo

After an exchange of information, the Trustees directed staff to better define what would be considered a “greater fire hazard” in the Ordinance.

April 14, 2015

Staff presented a “change of use” matrix to the Trustees that clearly delineated what was considered to be a greater hazard. The chart provided more leniency as to what occupancies would be required to be sprinklered when a “change of use” occurs. When the chart was applied to a five year period, only 9 of the 19 businesses would have been required to install sprinklers.

Discussion

When the Village Council adopted the sprinkler requirement in 1977, they implemented a “trigger” to evoke sprinklers based upon a change of use. The trigger was simply a decision point to accelerate the installation of sprinklers in the commercial districts. Thus, the issue today is whether Council would like to continue this policy.

If we eliminate the trigger, then the decision to install sprinklers would be solely based upon the Building and Fire Code, which only evaluates a building based upon new construction or significant renovations. If we base it solely on the adopted Code, the following criteria would be used to determine if sprinklers are required for existing buildings:

- Restaurants: More than 10,000 SF or occupancy of more than 100 people
- Businesses: More than 12,000 SF, a furniture store or bulk merchandising retail
- Educational: More than 12,000 SF
- High Hazards: Varies depending on use. Examples can include fabrication facilities, wood working shops or welding operations.

There may be additional sprinklers requirements in the Code depending on whether the location of the occupancy is above or below the level of the exit discharge, distances between exits and the length of the exit paths.

Key Issue

Requiring sprinklers upon a “change of use” is an additional cost that a business owner or tenant will need to include in their renovation project or rental contract. Some view this as burdensome, particularly since the benefits will not enhance their business presence. In addition, some may view this requirement as an impediment to economic development.

A key consideration is weighing the cost of sprinkler systems against the potential for economic development and the sentiments of the business community. However, with the age and type of buildings typically found in our commercial districts, sprinklers provide a significant life-safety upgrade to residents living above and to the properties adjacent to each other. It is also important to consider those who have followed the requirement and have made the investment and installed sprinkler systems in their building to date.

Based upon a review of recent information, it does not appear that the sprinkler requirement has actually stifled economic development in the Village:

- We have seen a number of new businesses in the last two years, not any decline since the issue was raised;
- Also, there are vacant stores with sprinkler systems already installed that are available.

Recommendation

From a public safety perspective, we would recommend status quo. The current Ordinance has been in place for 38 years and has been effective in providing sprinkler protection throughout the Village. Though, it meets some resistance, the current Ordinance has been applied in a consistent format and has stood the “test of time.”

If there is a desire to modify the current requirements, there are several possibilities to consider, but I would suggest the following alternative amendments:

1. **Maintain status quo but include:**
 - a. **A Delay Compliance Provision:** The occupant would have to install the interior sprinkler piping upfront but delay the water connection by up to five years. This would provide time for the business to establish itself. The building’s owner would sign a Land-Use Agreement that would make him/her responsible for the water connection within a five year period or upon a new change of use. This would reduce the upfront cost of a new sprinkler system, in most cases, by half.

2. **Adopt the Sprinkler Hazard Matrix Chart**
 - a. Sprinkler requirements are predictable
 - b. Eases some of the existing sprinkler requirements

3. **Revise the Current Requirements for Sprinklers:**
 - a. **Maintain Change of Use but exempt business and mercantile use groups less than 2,500 S.F. unless:**
 1. renovations or repairs are greater than 50% of the value of the existing tenant space and/or
 2. any increase beyond the current Fire Area (defined by masonry walls).

With the above alternatives, we will continue to improve life-safety albeit at a slower rate. Staff will be at the January 12, 2016 Study Session to answer any questions that the Council might have.

ADDENDUM 1

**Winnetka Village Council
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AGENDA

- 1) Call to Order
- 2) Urban Land Institute Implementation:
 - a) BCDC Recommendations – Parking and Building Height.....2
 - b) Sprinkler Requirements for Commercial Properties.....28
 - c) Updating of Liquor Licensing Procedures and Regulations53
- 3) Stormwater Utility – Discussion of Credits & Utility Fee.....72
- 4) Investment Review.....121
- 5) Public Comment
- 6) Executive Session
- 7) Adjournment

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**MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION**

February 11, 2014

(Approved: March 4, 2014)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, February 11, 2014 at 7:00 p.m.

1) Call to Order. President Greable called the meeting to order at 7:03 p.m. Present: Trustees Arthur Braun, Jack Buck, Patrick Corrigan, Richard Kates, and Stuart McCrary. Absent: Trustee Joe Adams. Also in attendance: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Katherine Janega, Public Works Director Steve Saunders, Director of Community Development Mike D'Onofrio, Assistant Director of Community Development Brian Norkus, Fire Chief Alan Berkowsky, Deputy Fire Chief John Ripka, Fire Support Specialist Nick Mostardo, and approximately 11 persons in the audience.

2) Urban Land Institute Implementation.

a) BCDC Recommendations – Parking and Building Height. Business Community Development Commission (BCDC) Chair Jason Harris said the Commission began their analysis by comparing Winnetka's parking requirements and building height provisions to other neighboring communities. After meeting several times to study the issues as they relate to the ULI recommendations, the BCDC's suggestions for parking in the commercial districts are as follows:

1. The parking requirement for non-residential uses should remain unchanged.
2. The minimum required parking per residential unit as follows: i) 1.25 spaces for studios and 1 bedrooms; ii) 1.5 spaces for 2 bedrooms; iii) 2 spaces for 3 or more bedrooms.
3. Additional parking or a zoning variation should not be necessary when there is a change of use and the parking requirements for the new use are not greater than for the old use.
4. Allow expansions of existing parking lots without a special use permit.
5. Eliminate storage/utility areas, stairwells, common hallways, elevator shafts, common restrooms, off-street parking, loading areas and unused basements from gross floor area calculations.

The Council asked questions and gave their opinions on the BCDC's recommendations.

Answering a question about whether landlords should provide parking for their tenants, Mr. D'Onofrio explained that most zoning ordinances establish a minimum standard for developers to target. The ULI report found the Village's parking standards too high.

Mr. Norkus added that the minimum standard for parking was created because the Village cannot provide all of the parking for downtown residents.

After a thorough Council discussion, President Greable opened the floor for public comments.

Marc Hecht, 1096 Spruce Street. Mr. Hecht raised a concern about the participation of Trustee Braun in the discussion, since he has real estate interests in Winnetka.

Attorney Janega explained that Trustee Braun is not prevented from participating in a Study Session discussion, as no policy is being formulated. Once the issue is before the Council in the form of an Ordinance, or is considered by a lower board that he sits on, Trustee Braun will recuse himself.

Joni Johnson, Zoning Board of Appeals (ZBA) Chair. Ms. Johnson commended the BCDC for doing a great job on their recommendations, and she noted that the ZBA would be interested in having input on Recommendations #3 and #4. She requested clarification about Recommendation #3, as she had never seen a case involving a zoning variation for a change of use.

Bill Krucks, Plan Commission (PC) Chair. Mr. Krucks said Recommendation #4 would fall under the purview of the PC as well.

After some more discussion, the Council reached general consensus that they could support the BCDC's Recommendations #1 and 2, that #3 and 4 should be studied by the Plan Commission and Zoning Board of Appeals, and that staff would work with the Plan Commission on Recommendation #5.

Mr. Harris explained that the BCDC felt the Village's current height regulations are too restrictive and that its last suggestion, Recommendation #6, suggests the maximum building height in the commercial districts be increased to 45 feet and four stories increase.

Ms. Johnson said she thought the recommendation is too high, and would provoke a strong reaction from the community. She recommended putting the height issue before the ZBA, PC and Design Review Board.

Mr. D'Onofrio explained that the Village's Planned Development Ordinance allows a height of 45 feet and even higher, if certain standards are met.

Attorney Janega said any zoning amendment would require a public hearing, and that public input would also be gathered at any subordinate bodies that consider the recommendation.

The Council agreed to send Recommendation #6 to the Plan Commission for further study, and Mr. Krucks said he would try to have a recommendation for the Council by April.

- b) Sprinkler Requirements for Commercial Properties. Fire Chief Alan Berkowsky presented an overview of the Village's automatic sprinkler requirements, noting that Winnetka's commercial districts are unique in that they have residential units above the commercial areas. He explained that modern day furnishings have a much shorter smoldering period and burst into flames on average in less than five minutes, exacerbating safety concerns. Finally, he said there have been catastrophic fires in a half-dozen Illinois towns in recent years, notably a fire last December in Evanston and a fire the previous day in Mt. Prospect.

Mr. Hecht asked if other towns were as far behind in fire sprinkler compliance as Winnetka is, and he added that landlords should want to protect their property.

Chief Berkowsky said Lake Forest and Northbrook are more aggressive with their sprinkler ordinances, but Winnetka lags behind because implementation is tied to a change of use.

Laurie Morse, 271 Hawthorn, Glencoe. Ms. Morse asked what the risk was to firefighters in a commercial fire, and what the cost is.

Chief Berkowsky estimated that at least a dozen fire departments responded to the fire in Mt. Prospect, and that because the building was unoccupied, firefighters were less threatened because there were no potential victims to rescue. He encouraged the Council to continue to enforce the Village's fire sprinkler ordinance, and in a more timely fashion.

Trustee Braun said building owners try to avoid the sprinkler provision because of the cost, and added that he favored a phased-in approach for enforcement, because it provides time for owners to install the system. He suggested making an arrangement with local banks to provide low interest loans for fire sprinkler installations.

The Council reached general agreement that a phased-in approach to retrofit the commercial districts should be pursued, but did not identify a timeframe.

Manager Bahan said an ordinance would be drafted with both of the time options for the Council to consider, and he added that the Village could initiate discussions with banks to see what kinds of small loans they could provide.

- c) Updating of Liquor Licensing Procedures and Regulations. Attorney Janega reviewed the Village's procedures relating to pre-qualifying liquor licenses. Staff works with new applicants to ensure the new license is approved by the Council ahead of time, so their license can be issued immediately once the background check and final inspections are completed, and a Certificate of Occupancy is issued.

Attorney Janega recommended updating the license categories to reflect changes in the restaurant industry – specifically, eliminating riders and rolling sidewalk liquor licenses into the actual liquor license by category. She also suggested relaxing restrictions in defining restaurants, as Winnetka has the most restrictive food service provisions in the area. Winnetka is on the low end with regard to fees when compared to its neighbors.

The Council asked questions and briefly discussed the matter, reaching a general consensus to make it easier for businesses to apply for a liquor license and directing Staff to draft an Ordinance amending the Liquor Code.

- 3) Stormwater Utility – Discussion of Credits & Utility Fee. Attorney Janega reviewed the definition of a stormwater utility fee credit, along with the proposed “partnership credit” that was struck from Ordinance MC-2-2014 at introduction. She explained that putting the item under the heading of “credits” makes more sense, and is based on the Downer's Grove stormwater utility fee ordinance. She said both Village Staff and stormwater consultants recommend inserting credit provisions in the stormwater utility fee ordinance to clearly spell out the parameters of any such program.

Trustee Buck expressed a concern that when someone gets a credit, other users pay a larger fee. Attorney Janega explained that the partnership credit would only be offered in exchange for a significant contribution to the stormwater utility system, which would ultimately reduce costs for everyone. She added that a deadline for a partnership credit application would need to be set before the Tunnel design is completed.

Amanda Hanley, 855 Auburn. Ms. Hanley said the Village has not adequately explored green solutions, as best practices by homeowners and institutions benefit the entire community by improving stormwater quality. A one size fits all remedy is not equitable and is open to a legal challenge.

Laurie Morse, 271 Hawthorne, Glencoe. Ms. Morse said the Council is being asked to walk a fine line between flooding and pollution. In theory, upgrading the stormwater system is one of the most environmentally beneficial things the Village can do; however, if it is so big and expensive that the Council is reluctant to offer incentives for best management practices, an opportunity to become a model for the region is wasted.

The Council thoroughly discussed the credit issue and directed Staff to amend the stormwater utility fee ordinance to include a credit provision.

- 4) Investment Review. Mr. McKee reviewed the investment options from his report, in light of the low interest rate environment. He explained that if the Council wishes to maintain a very low risk environment, the current investment structure serves the Village very well. If the Council wants a higher rate of return over a long period of time, using a bond manager could improve investment income by .5% over a 3-5 year timeframe. Using a bond manager, however, could result in lower investment returns or loss of principal if interest rates increase.

The Trustees discussed their options, with several preferring to diversify the Village's investments into several banks, and others concerned that such actions will not be beneficial since few investments are generating a significantly better yield.

Mr. McKee pointed out that the Village has collateral for every dollar invested at Harris, which puts Winnetka in the strongest possible position. Staff was directed to study the option of a separate bond account and have an analysis ready in a few months. Trustee Corrigan asked President Greable for clarification about what kinds of projects the Trustees could request directly of staff, as there do not currently seem to be any rules in place. Trustees Buck and Braun agreed that some guidelines would be helpful.

President Greable said he would discuss the issue with Manager Bahan to come up with a process.

- 5) Public Comment. None.
- 6) Executive Session. None.
- 7) Adjournment. Trustee Buck, seconded by Trustee Corrigan, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:39 p.m.

Recording Secretary



Agenda Item Executive Summary

Title: Sprinkler Requirements For Commercial Properties

Presenter: Alan Berkowsky, Fire Chief

Agenda Date: 02/11/2014

Consent: YES NO

<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Bid Authorization/Award
<input checked="" type="checkbox"/>	Policy Direction
<input type="checkbox"/>	Informational Only

Item History:

An Ordinance enacted in 1977 requires sprinklers to be installed in an occupancy when a change of use occurs. The sprinkler requirement was also identified as an action item in the Urban Land Institute Report. This memo provides some background on the Sprinkler Ordinance, its impact and suggestions if change is desired by the Council.

Executive Summary:

The Village's sprinkler ordinance has been in effect since 1977. In an article dated January 22, 1977, the Winnetka Talk reported that, "Trustee Trindl introduced the proposed code revisions as a culmination of about four years of work between the council members, village staff and Fire Marshal Gilbert Schmidt." The Village Council apparently scrutinized this requirement very carefully. A small number of property owners have indicated that the sprinkler requirement has placed an undue burden on their ability to lease their property. However, many members of the business community have invested in their properties by installing sprinkler systems over the years, giving them flexibility to attract a greater variety of tenants.

The issue of whether the Sprinkler Code applies to certain occupancies has been in front of the Village Council in previous years. It has been appealed at least three times and each time it was upheld. Sprinklers are important in our commercial areas due to the inherent construction design of the buildings. This report provides an in-depth background on sprinklers as well as some historical perspective. It also lists some alternative solutions if the Council feels a change to the Code is needed.

Recommendation / Suggested Action:

Staff recommends continuation of sprinkler initiatives with or without modifications to the Ordinance.

Attachments:

- Berkowsky Memo, dated February 11, 2014
- Addendum 1: Existing Village Sprinkler Ordinance
- Addendum 2: Use Group Definitions (IBC)
- Addendum 3: Recent Sprinkler System Installs
- Addendum 4: D'Onofrio Memo- Actual Sprinkler Install Costs
- Addendum 5: Winnetka Commercial Fire Experience
- Addendum 6: Code Survey of Surrounding Communities
- Addendum 7: Fires in Similar Commercial Areas in Illinois

VILLAGE OF WINNETKA

INTERDEPARTMENTAL MEMO

TO: ROB BAHAN, VILLAGE MANAGER
FROM: ALAN BERKOWSKY, FIRE CHIEF
DATE: FEBRUARY 11, 2014
SUBJECT: COMMERCIAL SPRINKLER REQUIREMENTS

The Village's sprinkler ordinance has been in effect since 1977. In an article dated January 22, 1977, the Winnetka Talk reported that, "Trustee Trindl introduced the proposed code revisions as a culmination of about four years of work between the council members, village staff and Fire Marshal Gilbert Schmidt." Village Council apparently scrutinized this requirement very carefully. The effect of the requirement is both tangible and intangible. The tangible effect is the cost associated with the installation of a sprinkler system. The intangible effect is the potential saving of lives and property as a result of the sprinkler system when a fire occurs. A good example of this occurred just after the adoption of the sprinkler ordinance where a fire broke out on the stage of New Trier East High School in February of 1977. "It was the first time the sprinkler system was needed in the auditorium, built in 1956." (Winnetka Talk, February 17, 1977). Damage was limited to the stage area. The Village has been diligent in enforcing this Code over the years. As with any law, it is important to provide consistent and equitable enforcement.

Over the last two years, Underwriters Laboratories in Northbrook has been doing research on fire behavior as it relates to "Legacy" fires versus "Modern Day" fires. The research has proven that fires today are much more dangerous than fires prior to the 1980's. Most of the furnishings used are made of synthetic materials that burn faster and hotter than natural fibers (i.e. cotton). Flashover is a condition where everything in the room reaches its ignition point and ignites at one time. In "Legacy" fires, flashover took on the average of thirty (30) minutes. In "Modern Day" fires, flashover can occur in as fast as four (4) minutes. In many fire situations, there is a delay in reporting the fire and even with a quick response time, fires today can grow in size much quicker than in previous times.

This report provides an in-depth background on sprinklers as well as some historical perspective. It also lists some alternative solutions if the Council feels a change to the Code is needed.

Sprinkler Systems by the Numbers

Percent of Buildings with Sprinklers in West Elm Commercial District	64%
Percent of Buildings with Sprinklers in East Elm Commercial District	62%
Percent of Buildings with Sprinklers in Hubbard Woods Commercial District	52%
Percent of Buildings with Sprinklers in Indian Hill Commercial District	45%
Percent of Businesses That Never Reopen After a Significant Fire ¹	43%
Percent Businesses That Never Reopen or Fail Within 3 Years of a Fire ¹	72%
Percent of Fires Controlled or Extinguished by a Sprinkler System ²	91%
Average Number of Heads Required To Control or Extinguish a Fire ²	2
# of Months Since a Fire in a Commercial Area Fire Similar to Our Commercial District	5 Months
Number of Businesses Lost in the Above Fire	8

1. Modernmachineshoponline.com

2. NFPA

Sprinkler Concerns

In 1977, the Winnetka Village Council enacted an ordinance that required fire sprinklers to be installed in any commercial building whenever there was a change of use (occupancy classification). This provided an avenue to protect the business district without being overly onerous. More importantly, due to the design of the business districts, these areas are more prone to devastating fires for the following reasons:

1. The proximity of the buildings to each other
2. The age of the buildings
3. Structural openings in walls/ceilings created over the years
4. Common elements of the buildings (i.e. basements, attics)
5. The amount of available fire load
6. Residential occupancies above the commercial uses

Each property has a direct impact (if a fire were to occur) on its neighboring properties due to the design of the commercial districts. Without sprinkler protection in these types of commercial blocks/areas, any type of fire can result in injuries, significant business interruption and/or permanent loss. The Village's sprinkler requirements were well thought out and provided the business/property owner with sufficient time to plan for this upgrade in fire protection. Many communities have not only enforced a requirement for sprinklers in commercial buildings, but have also implemented ordinances that require all new single family residential homes be sprinklered as well. The Winnetka sprinkler requirement has been in effect for 37 years. In that time, many business owners have invested in their buildings and installed sprinkler systems that will provide a significantly higher level of fire safety while giving them market flexibility in the use of the building as new tenants become available.

A few business owners in the past year have challenged the need for the installation of a sprinkler system when a change of occupancy occurred. It is important to note that current and past administrations have always enforced this requirement with consistency in order to be effective and fair.

Regulatory Requirements

The Village's 2013 Technical Assistance Panel (TAP) process conducted by the Urban Land Institute (ULI) Chicago was in part spurred by a desire to increase the Village's focus on economic development. ULI's final report (July, 2013), contained a number of recommendations, including:

"Evaluate change of use/fire sprinkler requirements in code; allow accessory uses within business without triggering a change."

We have allowed businesses an accessory use which did not require the installation of sprinklers. However, there is a difference between an accessory use and a mixed-use occupancy. A mixed-use occupancy is a building or space that houses two or more use-group classifications (Addendum 2). Examples would be retailer with a manufacturing component in the same space (Mercantile/Factory-Industrial Use) or an architectural firm with static displays of merchandise (Business/Mercantile Use.)

Examples of an occupancy with an accessory use include:

- A nail salon (business) that has a small area that sells nail polish and other beauty aids (mercantile)
- Sporting arena (assembly) with souvenir stands (mercantile)
- Pest control company (business) with an area to sell retail products (mercantile)

According to the International Building Code 2009 Edition (adopted by the Village) "Accessory occupancies are those occupancies that are ancillary to the main occupancy of the building or portion thereof (IBC 508.2). Incidental uses are typical functions that have a common element to the main use and are limited to 10% of the space" (IBC 508.2.1).

In order to determine whether an occupancy use remains the same or changes to a mixed-use, we follow the adopted Code in which the factor of 10% of the occupancy is used as the criteria for determining whether it is a mixed-use or just incidental to the main use. The main problem with an accessory use is it is very difficult to monitor over time.

Modification Options

If there is a desire to modify the current Code, I have provided some options for Council to consider.

Option 1

Modify Current Code with Some Economic Development Incentives

Maintain the current Code but eliminate Exceptions #2 and #3 so there is no gray area in the decision process (Addendum 1).

And

Encourage economic development and safety by establishing a fund that would supplement a portion of the cost of a sprinkler system by covering the fee to review the sprinkler plans and to install the new water service. The Village's fees for installing a sprinkler system include:

- Water Service Tap Fee: Between \$2,000 - \$3,000
- Street Opening/Restoration Fee: Between \$1,500 - \$2,500
- Plan Review Fee: \$400 - \$865
- **Total Range of Village Fees: \$3,900 - \$6,365**

On average, the "Change of Use" trigger requiring a sprinkler system occurs three to four times a year (Addendum 3). I would suggest waiving the water tap, street restoration and plan review fees. The overall savings to the business owner could be up to \$6,365. This would reduce the impact (of the cost of the sprinkler system) to the tenant and/or building owner while maintaining the existing safety standard. The tangible cost to the Village would be in the area of \$2,500 for actual supplies and payments to third party vendors.

Advantages: Demonstrates commitment to economic development
 Reinforces Village's commitment to sprinkler systems
 Provides some financial relief for a new occupant/owner

Disadvantages: Recent installations may request retroactive consideration
 Additional administrative monitoring
 Budgetary impact

Option 2

Adopt an Overall Retrofit Ordinance for Certain Commercial Structures/Areas

Adopt a retrofit ordinance specifying certain commercial areas or structures to install a sprinkler system within a defined retrofit period (i.e. ten to twelve years). The ordinance could be drafted with a phased-in approach requiring certain components of the system to be completed every two or three years. This creates a level playing field and eliminates case-by-case decisions. Some financial relief could be given through the waiving of Village fee's as outlined in Option 1.

Advantages:

- Demonstrates Village's commitment to sprinkler systems
- Eliminates case-by-case evaluation of sprinkler needs
- Creates a level playing field for the commercial areas
- Commercial areas will be 100% sprinklered by the end of the process

Disadvantages:

- Unplanned expense for business owners/occupants
- Business and property owners may be frustrated by new mandate
- Additional administrative oversight for the compliance period
- Business owners/occupants may not understand importance of sprinklers
- Can be challenging to enforce for non-compliance
 - Penalties or fines can be levied for non-compliance
 - May require court interactions
- Possible budgetary impact (if fees are waived)

Option 3

Be More Specific on Which Buildings Would Require Sprinklers

The current Ordinance requires any commercial space that has a change of use to install sprinklers. However, there are some commercial areas (typically outside the East/West Elm and Hubbard Woods) that do not have the same concerns. Below are some examples of buildings that could be exempt from the requirement for a change of use. Any significant remodeling or renovations would still require that they meet the requirements of the 2009 International Building Code.

Exempt certain structures who meet the following criterion:

- a. A single story structure on a slab (no basement)
- b. Unobstructed fire department access to, at least, two sides of the building
- c. The tenant space does not exceed 5,000 square feet
- d. Does not contain residential dwellings

It is important to note that a high percentage of residential dwelling units exist above first floor commercial uses in the East/West Elm and Hubbard Woods commercial districts that would still require sprinklers in the event of a change of use. The significant concern for these types of mixed-use properties is that the commercial areas are typically vacated during the evening hours and any fire could obstruct the ability of the residents from safely evacuating from above. A working sprinkler system would control or extinguish the fires providing for a safe evacuation.

Advantages: Relaxes some sprinkler requirements for very specific situations
Provides some financial relief for a new occupant who meets criterion

Disadvantages: Impacts mainly commercial buildings in the Indian Hill commercial district

Summary

A small number of property owners have indicated that the sprinkler requirement has placed an undue burden on their ability to lease their property. However, many members of the business community have invested in their properties by installing sprinkler systems over the years, which gives them flexibility to attract a greater variety of tenants. The issue on whether the Sprinkler Code applies to certain occupancies has been in front of the Village Council in previous years. It has been appealed at least three times and each time it was upheld. Sprinklers are important in our commercial areas for the reasons stated earlier. Today, they are more important than ever due to a shorter “flashover” time resulting from the increase of synthetic furnishings. A sprinkler system is truly the best protection against a devastating fire.

Fire alarm systems work “hand-in-hand” with sprinkler systems. The fire alarm system will provide early occupant notification of a fire as well as notify the fire department to respond. However, a sprinkler system will actually contain or control the fire which protects the occupants while they are escaping. Firefighters can safely enter the structure and completely extinguish any fire that is remaining. In addition, the sprinkler system will protect the property and surrounding buildings from the fire and smoke. A building that only has an alarm system will be able to notify occupants, but cannot protect their escape and will burn uncontrollably until fire department personnel arrive. I have personally seen businesses reopen the next day after a sprinkler activation (due to a fire) that would not have been possible with only a fire alarm system.

It is a difficult task to balance regulatory requirements while encouraging economic development. We have made great strides (in the installation of sprinkler systems) since 1977 with an overall average of 59% of the occupancies in the East & West Elm and Hubbard Woods commercial districts having sprinkler systems. I hope we can continue to work towards a 100% compliance rate in the future.

Addendum 1 – Existing Village Sprinkler Ordinance

Section 15.16.050 Amendments to the Standards for Installation of Automatic Fire Extinguishing Systems, National Fire Protection Association (NFPA) Publication 13, 2010 Edition.

A. **Amendments.** The following provisions of the Standards for Installation of Automatic Fire Extinguishing Systems, National Fire Protection Association (NFPA) Publication 13, 2010 Edition are amended for adoption by the Village.

1. **Title.** The Standards for the Installation of Sprinkler Systems, 2010 Edition, also known as NFPA Publication 13, shall be known as Automatic Sprinkler Regulations of the Village of Winnetka.

2. **Applicability.** Except as provided in paragraph 3 of this subsection A, automatic fire extinguishing systems, installed in accordance with the standards set forth in NFPA Publication 13, Standard for the Installation of Sprinkler Systems, 2010 Edition, or alternate similar fire suppression systems as approved by the Fire Chief, shall be installed in all buildings used for the following occupancies:

- a. Assembly occupancy used for gathering together six or more persons;
- b. Any occupancy where there is an activity involving the use of flammable liquids or gases or where flammable or combustible finishes are applied;
- c. Mercantile occupancy;
- d. Institutional occupancy;
- e. Multifamily residential occupancy;
- f. Educational occupancy;
- g. Business occupancy; or
- h. Storage occupancy.

3. **Exceptions.** The requirements of the foregoing paragraph 2 shall not apply where the use or occupancy: (1) is the same as it was prior to the amendment of this section effective on February 15, 1977; (2) has continued without change or, if there has been a change, the change does not increase the hazard to life or property; and (3) does not constitute a distinct hazard to life or property as determined by the Fire Chief.

(Prior code § 26.17)

4. **Terms.** The terms used in this section shall have the same meanings as those terms have in the Fire Prevention Code and the Life Safety Code adopted by this chapter.

(MC-4-2012, § 24, Amended, 07/17/2012; MC-6-2010, § 5, Amended 10/5/2010; MC-10-2006, Amended, 12/19/2006; MC-3-2005, Amended, 06/21/2005)

Section 15.16.090 Appeals.

A. Appeal to Village Council. A person who has applied for a permit or received an order from the Fire Chief may take an appeal to the Village Council from a decision of the Fire Chief disapproving or denying an application for a permit, or from an order of the Fire Chief requiring any fire prevention or safety-to-life measures to be taken. The appeal shall be subject to the following conditions:

1. The basis of the appeal shall be a claim that the provisions of the Fire Prevention Code or the Life Safety Code do not apply or that the provisions have been misconstrued or wrongly interpreted.
2. The appeal shall be initiated in writing within thirty (30) days from the date of the Fire Chief's decision or order.
3. The party bringing an appeal to the Village Council shall have the burden of establishing that the Fire Chief's decision or order was in error.

B. Decision on Appeal. The Council, in the exercise of its discretion, may uphold, reverse or modify the requirements of the Fire Chief.

(Prior code § 26.09) (MC-6-2010, § 4, Amended 10/5/2010; MC-3-2005, Renumbered, 06/21/2005)

Addendum 2 – Use Group Definitions

Below is a summary of each “Use Group”:

Assembly Use Group: Assembly uses include theaters, banquet halls, restaurants, sporting arenas and the other like occupancies.

Business Use Group: The Business Use Group includes offices, banks, government buildings, etc.

Educational Use Group: Educational use group is defined as the gathering of six or more people for educational purposes through the 12th grade.

Factory Industrial Use Group: This includes the use of a building or portion thereof for the assembling, fabricating, finishing, manufacturing, packaging, repair or process operations.

Hazard Use Group: Hazard Use Group includes the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those allowed by the Code.

Institutional Use Group: Buildings or structures for which people are cared for or live in supervised areas such as hospitals, nursing facilities, child care centers.

Mercantile Use Group: The Mercantile Use Group includes any building or structure that is used for the sale or display of merchandise.

Mixed Use Occupancy: For a building that has mixed uses, it must be protected to the highest hazard.

Residential Occupancy: Sprinklers are required in all residential use groups other than one/two family dwellings.

Storage Use Group: Buildings or portions thereof used for the storage of materials.

Addendum 3
Sprinkler System Installations
Impacted by Change of Use Requirements
2009 - Current

<u>Date</u>	<u>Occupancy ID</u>	<u>Building</u>	<u>Installation Reason</u>
2/19/2009	WW40-04	858 Green Bay *	Change of use.
11/23/2009	WW40-05	852 Green Bay *	Change of use.
2/11/2010	EW19-01	576-580 Lincoln	Addition to existing building.
3/30/2010	WW18-01	551-553 Chestnut	Below grade office / work area and storage.
5/12/2010	WW40-01	850-858 Green Bay	Change of use.
7/20/2010	WW38-01	750 Green Bay	Below grade office / work area and storage.
7/18/2011	WW15-01	791 Elm	Upper level build out change of use.
11/29/2011	EW08-03	728 Elm St.	Change of use.
1/24/2012	HW41-05	1007 Green Bay	Change of use.
2/2/2012	HW05-01	901-905 Green Bay	Below grade change of use.
2/9/2012	WW33-01	954 Green Bay	Change of use.
2/16/2012	EW08-08	720 Elm	Change of use.
2/28/2012	HW19-01	1041-1049 Tower & 856-890 Green Bay	Change of use.
4/2/2012	WW07-06	813 Chestnut Court	Change of use.
12/6/2012	HW14-02	1052 Gage	Change of use.

If option 3 were adopted, these two properties would not have been required to be sprinklered based upon a single story on slab with no residential occupancies.

Memo

To: Alan Berkowsky, Fire Chief
From: Mike D'Onofrio, Director of Community Development
Date: January 27, 2014
Re: Fire Sprinkler Installations

In light of our discussions concerning potential changes to the fire sprinkler regulations, I have put together some cost data information. Specifically, I checked five commercial properties where portions of the buildings were retrofitted with fire sprinklers.

Based on my review of these cases I was able to determine the following:

- The five properties reviewed included tenant spaces in existing multi-tenant buildings, including both one-story and multi-story buildings.
- The average size of the tenant space where a fire sprinkler system was installed was 2,100 s.f.
- The type of installation ranged from the relocation and addition of several sprinkler heads, to the installation of an entire system including a new water service, backflow preventer, piping system and pendants.
- The costs ranged from a low of \$2,000 (for addition of 15 sprinkler heads to an existing system), to a high of \$33,200 (for installation of new water service, backflow preventer, piping system and pendants).
- Depending on the scope of the installation, the following Village fees/costs can be charged.
 - Water tap and meter - \$2,900
 - Street replacement - \$1,500
 - Right-of-Way opening - \$125.
 - Plan review fee \$400 - \$865 (depending on number of heads installed)
- With respect to the actual cost of piping, according to several sprinkler installation companies they estimate \$5/s.f. for occupied buildings. They also stated that the cost of an RPZ (backflow preventer) valve installed is \$7,000.

- The cost of installation of a new water service is quite variable based on the length of the service to be installed. As of this time I am still checking with contractors in order to determine a linear foot cost. I am fairly confident however that at a minimum the cost would be in the neighborhood of \$5,000 to \$6,000.

Based on a review of the data, the following conclusions can be made:

1. Approximately 40% of all sprinkler systems installed required the installation of a new water service, backflow preventer and piping system.
2. The average cost of the five projects reviewed was approximately \$14,000 (based on construction cost estimates provided by permit applicant).
3. The average cost of Village-related fees for these projects was \$2,160, or 15% of the total cost.
4. Under the scenario where a tenant space (2,000 s.f.) needs to add sprinklers, where other portions of the building are already sprinklered, it is estimated that the cost would be approximately \$10,000.
5. Under the scenario where the tenant space (2,000 s.f.) needs to add sprinklers, and there are no other sprinklers in the building, the estimated cost is approximately \$30,000.

I hope this information provides more insight as to the cost impact of sprinkler systems in existing commercial spaces. Please let me know if you need additional information, or have any questions.

Addendum 5 – Commercial Fire Incidents in Winnetka

I have included a list of fires that have occurred in Winnetka over the last few years. It is important to point out that when a fire occurred in a building that had sprinklers, the damage was minimal and the building was able to return to full operation in a very short time period. Though the 4:17AM fire at Faith, Hope and Charity is not in the business district, it is a good example of a fire that could have easily destroyed the building if not for the sprinkler system. In direct contrast, the fires that occurred in buildings without sprinkler systems, the dollar loss was significantly higher. For instance, the fire that occurred above Johnson’s Fish Market in 2005 resulted in the Fire Department having to rescue a sleeping teenager and dog from within the apartment where the fire originated. All three apartments in the structure were uninhabitable due to fire and smoke damage.

Date	Time	Address	Establishment	Use	Sprinklers
5/25/2012	11:37pm	925 Green Bay	Gap Clothing store	Mixed use - residential over commercial	Full
Exterior fire on roof/deck over commercial area. Extinguished by fire department.			*Loss - \$25,000		
Date	Time	Address	Establishment	Use	Sprinklers
12/18/2009	3:23pm	620 Lincoln	Winnetka Community House	Assembly	Full
Fire on the stage in the auditorium. Fire was controlled by sprinkler system.			*Loss - \$25,000		
Date	Time	Address	Establishment	Use	Sprinklers
9/10/2009	4:17am	200 Ridge	Faith, Hope and Charity School	Educational Use – Church	Partial
Fire in utility closet. Fire was controlled by sprinkler system			*Loss - \$5,000		
Date	Time	Address	Establishment	Use	Sprinklers
2/28/2007	3:01pm	505 Chestnut	LaBella’s Restaurant	Mixed use - Residential over assembly	Partially sprinklered at time of fire (now fully sprinklered)
Fire in void space between ceiling and roof area. Extinguished by fire department			*Loss - \$350,000 (Restaurant never re-opened after fire)		
Date	Time	Address	Establishment	Use	Sprinklers
11/24/2006	10:08pm	718-732 Elm	Samida Complex	Mixed use - Institutional, business, mercantile	Partial
Fire in common hallway. Extinguished by fire department.			*Loss - \$50		

Date	Time	Address	Establishment	Use	Sprinklers
6/12/2005	7:19am	809 Elm	Johnson's Fish Market	Mixed use - Residential over commercial	Non-sprinklered building
Fire in apartment on second floor. Sleeping teenager & dog rescued. Flames from window on arrival, extinguished by fire department.			* Loss - \$110,00 (multiple residents displaced from fire)		
Date	Time	Address	Establishment	Use	Sprinklers
4/1/2004	9:01pm	896 Green Bay	Trooping the Colour Clothing Store	Mixed use - Residential over commercial	Non-sprinklered building
Fire in basement of clothing store. Extinguished by fire department			* Loss - \$400,000 (multiple residents displaced from fire/business never reopened.)		

Addendum 6 – Surrounding Community Code Survey

A survey was performed of neighboring municipalities to determine their requirements for sprinklers in existing commercial occupancies. The results are as follows:

Municipality	Date	Source
Glencoe	9-11-12	Chief Volling
Existing: Any change of use of the occupancy classification.		

Municipality	Date	Source
Highland Park	9-11-12	Chief Tanner
Existing: * Per 2009 Building/Fire Code		

Municipality	Date	Source
Lake Forest	9-5-12	Chief Howell
Existing: Renovation involving 50% or more of area or structure Two or more building systems being replaced Change in occupancy classification that increases risk to life/fire		
Additional: In the opinion of the Fire Chief or Director of Community Development that sprinklers are needed for a specific occupancy.		

Municipality	Date	Source
Northbrook	9-6-12	Chief Nolan
Existing: Change of use classification which increases the fire hazard of the structure Any addition of 2,000 square feet or more Any building greater than 4,000 square feet.		

Municipality	Date	Source
Northfield	12-10-13	Ordinance
Existing: Change to a more “intense” occupancy or use Renovations in excess of fifty percent (50%) of the fair market value of property		

Municipality	Date	Source
Wilmette	9-11-12	Chief Dominik
Existing: * Per IFC/IBC Code		

*The following information is the basic code requirements for sprinklers under the International Building Code (IBC), the International Fire Code (IFC) and the NFPA Life-Safety Code. Typically, sprinkler requirements are found in Chapter 9 of the IBC. However, there are many other factors that the Code takes into account to determine if sprinklers are required.

Addendum 7 – Commercial Fires

The following articles depict fires in commercial areas similar to the commercial areas in Winnetka.

 ABC 7 Reporters Jason Knowles and Ravi Baichwal

November 10, 2010 (LOCKPORT, Ill.) (WLS) – Approximately 75 firefighters responded to an extra-alarm fire Wednesday that destroyed four businesses.

Firefighters continued to investigate the scene late Wednesday morning, combing through the charred building to determine how the fire started.

No one was seriously hurt, but because the businesses burned down, some families now have to start over.

The fire tore through the string of businesses in the historic part of downtown Lockport just before 2 a.m. Wednesday. The now-charred building is attached to a boarded-up hotel and bar that burned down in a deadly fire in 2008.



"Bad luck, and unfortunately, four businesses. In this economy, if you lose a business, that's bad for the town," said Lockport Fire Chief Dave Skoryi. "When you're dealing with older buildings, they have timber construction which isn't used anymore."

The losses from the latest fire scene include an insurance company, a denim store, a bowling alley in the basement and Stephenson Photography.

"We had all of our customer files, our negatives, every event that ever happened in Lockport in the past –how many-- years," said Mary Pierson of Stephenson Photography. "It was all in there. It's all gone."

Some of the other business owners say they are not sure if they will re-emerge.

"With the wiring and stuff like that, it would probably have to be from the ground up because I'm sure all the water went down into it. We were down in the basement. We were below the other three businesses," said Lockport Lanes' Mike Stropkovic.

Then, there's the Henderson family. Mr. and Mrs. Henderson just rebuilt and moved their denim store, Weber Denim, after losing everything in yet another fire last year. They reopened in the now-destroyed Lockport building and had been planning on handing their business over to their son.

"A big loss. A lot of personal items, besides just the merchandise. A lot of hard work went into putting it all together. I just feel like, 'Pinch me.' It's a dream. It hasn't really hit me yet," shop owner Anna Henderson said.

Firefighters say they saved a man and a woman from an apartment next door to the burned building. The couple was treated on the scene and refused to be taken to the hospital.

"They helped us out. We had trouble breathing. They put us into an ambulance and had us checked out," said Brittany Arteaga who was rescued from the blaze.

"When engine company four got here, they went to the apartment building above," said Skoryi. "Smoke was so thick they couldn't see anyone, but they heard a female yelling. They were able to locate her and her husband and guide them out to safety."

Investigators say it will take days to determine a cause for the fire, but witnesses say they heard and saw an explosion.

"All of a sudden the building blew up across the street from my house. Literally, I thought my windows were going to get blown out. It was crazy," said witness Chazarae Musaraca.

Firefighters from several different suburban departments put out the fire. None of them was injured.

Most business owners tell ABC7 Chicago they have insurance. Some say they are not sure if they will reopen. Even if they do, it will take time to do so, and they say they are losing money every day their businesses are closed.

But for a town that has rebuilt from flames before, there is confidence even the setback can be overcome.

"As soon as we get them back in place, we hope to increase investment in the community because we have other buildings that have suffered from fire," said Tom Alves, Tallgrass Restaurant.

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THURSDAY, AUGUST 11, 2011

Downtown Villa Grove, IL Fire

I was alerted by a text message from David Bellmore around 6:30 PM of a major fire in the downtown district of Villa Grove, a smaller town about 20 miles south of Champaign-Urbana, suggesting I go document the blaze. I quickly made my way and grabbed the camera gear and hit the road. Immediately upon exiting Urbana on Route 130 southbound I could see the smoke plume, from nearly 20 miles away. It wasn't hard to spot either. Not like an "oh yeah, something must be going on way down there" but more of a "oh crap."

Anyway, for an event such as this I will simply let the photos do the talking. It was very fun to later meet up with David, who also happens to be a fire fighter for the Edge-Scott FPD who was called from Urbana to assist in the fire.

I'm all for sharing by the way, but please don't let me find these images on other sites with my name cropped out. That's stealing.



Photos by Andrew Pritchard, DeKalb, Illinois

MINONK — Flames that ripped through a row of historic buildings Wednesday morning occupied firefighters from throughout the region for hours and claimed two long-standing businesses in the city.

Four storefronts were destroyed by a blaze that appears to have begun about 4:15 a.m. in a former video rental business in the 500 block of Chestnut Street.



From there, flames spread to adjacent businesses in the connected structure, claiming buildings from the Minonk IGA grocery store to the corner of Fifth and Chestnut streets.

"We don't have a lot of retail in our downtown, and this hurts," Minonk city administrator Doug Elder said. "We lost a lot of history today."

Two of the businesses - the law office of Ned Leiken and the Meyer-Jochums Insurance Agency - were still operational. Elder said owners of the insurance agency have long been supporters of community initiatives. Those owners could not be reached for comment Wednesday.

"It's sad for our downtown, and it's our hope these active businesses will rebuild downtown," Elder said. "Time will tell."

The Minonk IGA, which was immediately adjacent to one of the buildings that burned, was spared damage from the fire. The grocery store, however, lost power because of the flames and likely lost perishable products.

Elder said the buildings were more than 100 years old, and the extent of damage prevented them from being salvaged. As firefighters continued to douse hot spots in the rubble, a track hoe was brought in to begin demolition of the structures.

The walls were being collapsed as a matter of public safety and to protect adjacent properties, Elder said.

"It's a public hazard right now," he said as the first walls began to come down.

Elder praised the efforts of the Minonk Fire Department and expressed gratitude to other departments from Woodford County and beyond for assistance.

"The Minonk Fire Department just did a heroic job of preventing the fire from taking the entire block," he said.

In addition, the Central Illinois Chapter of the American Red Cross responded to the area with its emergency response vehicle. Volunteers mobilized shortly after 8 a.m.

"It's for mass care, and it's our volunteers who provide drinks and snacks to first responders," said Erin Miller, chapter spokeswoman. "From what we understand, it's probably going to be on for most of the day."

Matt Buedel can be reached at 686-3154 or mbuedcl@pjstar.com.

October 26, 2011

Fire in downtown Macomb

August 12, 2000 - These images are of area firefighters fighting the fire that broke out in downtown Macomb, Illinois in the early afternoon of Saturday, 12 August 2000. The sequence begins Saturday afternoon and concludes with the post-fire cleanup Sunday evening. Buildings involved in the blaze were on the southeast corner of the Carroll and Lafayette St. intersection (between the Square and Chandler park). Businesses affected by this blaze include:



Lafayette St. intersection (between the Square and Chandler park). Businesses affected by this blaze include:

- Gemini Hair Salon (demolished)
- Copperfield & Company Booksellers (demolished)
- Tech Pro Computing (demolished)
- Family Eyewear (demolished)
- Damone's Restaurant (demolished)
- Hartmann Photography (demolished August 2001)
- Stitching Post (demolished August 2001)

Several apartments were also destroyed. Among the fire squads responding to the blaze were Macomb, Good Hope, Blandinsville, Emmet-Chalmers, New Salem, Bushnell,

Colchester, Carthage, Rushville and Industry.

Update: September 4, 2001. A year, the 2 remaining buildings have just been demolished. The site of the other demolished buildings is clear of debris, level and grass is growing. Business status report:

- Stylists from Gemini have joined other salons
- Copperfield & Company re-opened Sept 5, 2000, at 118 North Side Square
- Family Eyewear's John Malinak operated out of his home for about a year, then opened a new office on the east edge of Macomb, before closing the business in the Fall 2002.
- Hartmann Photography relocated to 119 North Randolph (2nd floor above Century 21 Purdum-Epperson)
- The Stitching Post moved to the north side of the Square.



Prophetstown Downtown Area Fire
July 15, 2013
Destroyed eight (8) downtown businesses



Jersey City, New Jersey November 27, 2013



ADDENDUM 2

**Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
Tuesday, July 1, 2014
7:00 p.m.**

Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council members. Emails for the Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

AGENDA

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Quorum
 - a) July 8, 2014 Study Session
 - b) July 15, 2014 Regular Meeting
 - c) August 5, 2015 Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
 - a) Approval of Village Council Minutes
 - i) June 10, 2014 Study Session..... 3
 - b) Approval of Warrant List Dated 6/13/14 – 6/26/14.....7
 - c) Ordinance M-5-2014: Annual Equipment Disposal – Adoption8
- 6) Stormwater Report
 - a) Northwest Winnetka Stormwater Improvements – Authorization to Solicit Bids13
- 7) Ordinances and Resolutions: None.
- 8) Public Comment
- 9) Old Business
 - a) Fire Sprinkler Requirements for Commercial Properties41
- 10) New Business
 - a) Chicago’s North Shore Convention & Visitors’ Bureau Membership Renewal77

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
July 1, 2014**

(Approved: July 15, 2014)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, July 1, 2014, at 7:00 p.m.

- 1) **Call to Order.** President Greable called the meeting to order at 7:02 p.m. Present: Trustees Richard Kates, William Krucks, Stuart McCrary, and Marilyn Prodromos. Absent: Trustees Arthur Braun, and Carol Fessler. Also present: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Peter Friedman, Public Works Director Steve Saunders, Director of Community Development Mike D'Onofrio, Fire Chief Alan Berkowsky, Deputy Fire Chief John Ripka, and approximately 12 persons in the audience.
- 2) **Pledge of Allegiance.** President Greable led the group in the Pledge of Allegiance.
- 3) **Quorum.**
 - a) **July 8, 2014 Study Session.** All of the Council members present indicated that they expected to attend.
 - b) **July 15, 2014 Regular Meeting.** All of the Council members present indicated that they expected to attend.
 - c) **August 5, 2014 Regular Meeting.** All of the Council members present indicated that they expected to attend.
- 4) **Approval of the Agenda.** Trustee McCrary, seconded by Trustee Prodromos, moved to approve the Agenda. By roll call vote, the motion carried. Ayes: Trustees Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: Trustees Braun and Fessler.
- 5) **Consent Agenda**
 - a) **Village Council Minutes.**
 - i) **June 10, 2014 Study Session.**
 - b) **Warrant List.** Approving the Warrant List dated 6/13/14 – 6/26/14 in the amount of \$542,757.90.
 - c) **Ordinance M-5-2014: Annual Equipment Disposal – Adoption.** An Ordinance authorizing the disposition of surplus Village property.

Trustee McCrary, seconded by Trustee Prodromos, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: Trustees Braun and Fessler.

6) Stormwater Update.

a) Northwest Winnetka Stormwater Improvements – Authorization to Solicit Bids.

Mr. Saunders reviewed the history of this project, which began in October, 2012 when a contract for detailed design plans was awarded to Christopher B. Burke Engineering, Ltd. (CBBEL). The project proposes to increase capacity to the existing stormwater system and provide excess storage capacity by adding a culvert discharge to the Cook County Forest Preserve District (CCFPD) lagoon on the south side of Tower Road. The project also includes lagoon restoration work required by the CCFPD, which will be bid separately.

Mr. Saunders explained that the Village performed a supplemental engineering review to confirm that the lagoon has excess capacity, with no overflow to affect adjacent neighbors. The Metropolitan Water Reclamation District has committed to funding approximately 50% of the cost of the project. The funds will be disbursed after an intergovernmental agreement (IGA) is signed.

After reviewing details of the project, Mr. Saunders recommended authorizing a request to solicit bids in order to keep the project on track while the IGA is being negotiated. He said there will be an alternate bid request to include the replacement of a section of storm sewer pipe under Vernon and Greenwood Avenues that is not slated for replacement under the project plan. This will leave the door open for more discussion about that particular piece of the overall project. It is hoped that if bids go out in mid-July, a contract could be awarded in September. The construction will be phased for fall 2014 and spring 2015.

Answering a question about why there is erosion on the north side of the pond, Mr. Saunders explained that the banks of the pond are nearly vertical, and as the water elevation changes with the soak/dry cycle, pieces of the bank slough off. The freeze/thaw cycle also contributes to this process. The proposed treatment is to restore those banks to a more shallow and containable configuration and plant native prairie grasses, which have deep roots to hold the soil.

Responding to an inquiry about what can be done to prevent the bottleneck in the system that currently exists at Greenwood Avenue, Mr. Saunders said the project will increase the capacity of the entire Tower Road backbone. Therefore, old pipe is being replaced east of Greenwood Avenue, and supplemental pipes are being added west of Greenwood Avenue to alleviate bottlenecks that occur when the Tower Road storm system is full.

There was a discussion about overland flows and how to prevent them, and about roads being used for stormwater conveyance. Mr. Saunders said the new storm sewer system is designed to a 100-year storm event. He explained that, as designed, overland flow routes should only occur in storms greater than 100-year levels. The roads are integral to routing water to the storm drains.

There being no public comment on the project, the Council had a final discussion, and came to a concurrence on soliciting construction bids for the Northwest Winnetka Stormwater Improvement project.

Trustee Krucks, seconded by Trustee McCrary, moved to authorize Village staff to solicit construction bids for the Northwest Winnetka Stormwater Improvements, including the alternate bid for replacing the pipe between Vernon and Greenwood.

7) Ordinances and Resolutions. None.

8) Public Comment.

Marc Hecht, 1096 Spruce Street. Mr. Hecht asked when the Council had discussed the appointment for the new Village Attorney, and why there was no public discussion prior to the appointment. He also asked why the contract was not available for the public to view on the Village's website, and how much the Village is paying Holland & Knight.

President Greable explained that when Attorney Janega announced her retirement, he formed a team with Trustee Kates and Manager Bahan to solicit proposals and interview the respondents. After interviewing four of the eight firms that responded to the request for proposals, the team came to the conclusion that Holland & Knight was the most highly skilled firm. He said the contract has a base fee of \$15,000 per month.

9) Old Business.

a) Fire Sprinkler Requirements for Commercial Properties. Chief Berkowsky reviewed the Village's current sprinkler requirements, which were adopted in 1977, and revised in 1997, 2005, 2006, 2010 and 2012. He said over 50% of commercial properties have installed fire sprinkler systems, and that fire safety concerns exist for those properties that have not yet complied with the Fire Sprinkler Ordinance. He gave a presentation reviewing the fire concerns of buildings that are not protected by fire sprinkler systems, and debunked some myths surrounding the efficacy of such systems. In conclusion, the Chief stated that sprinkler systems are one of the best available protections against fire destruction.

Chief Berkowsky explained that in February, after reviewing several options, the Council directed staff to proceed with a fire sprinkler retrofit ordinance using a phased-in compliance period. He reviewed the applicability, compliance period and other requirements of the draft ordinance, and outlined a communications plan to help raise awareness in the business community of the potential for new sprinkler requirements.

There was a lengthy discussion period with the Trustees, where the Chief confirmed that most neighboring communities have fire sprinkler ordinances, although none are as broad as the proposed draft ordinance. He said the intent is to outfit commercial buildings that may or may not have residential occupancies above the businesses. The draft ordinance does not contain provisions for strictly residential buildings. He noted that potential water damage is much more easily cleaned up than smoke and fire damage.

Trustee Kates expressed concern that landlords in Winnetka would have issues competing for tenants against towns that do not have such strict fire sprinkler requirements. He asked if religious and educational institutions would be affected. Chief Berkowsky said the 50% of buildings in Winnetka that have invested in the fire sprinkler systems are providing superior service to their tenants. He explained that public schools are already covered under a State fire sprinkler statute, but private schools would be subject to the proposed ordinance. He added that the Council has discretion to exempt

religious institutions, as the focus is on the downtown commercial areas where a single fire could potentially wipe out a whole block.

Glenn Weaver, owner of 574 Lincoln. Mr. Weaver commented that he thinks Winnetka is not business friendly due to the fire sprinkler requirement, which causes rents to increase. He urged the Council to follow the ULI recommendation to be more business friendly.

Marc Hecht, 1096 Spruce. Mr. Hecht said there are people in the Village who are in favor of moving forward with the Fire Chief's proposals. He noted that it only takes one mistake to prove that a decision not to move forward with the retrofit ordinance was the wrong one, and he added that other towns would likely follow Winnetka's lead in requiring phased-in installation of the sprinklers.

Trustee Krucks asked if a water storage tank could be used on the roof to let gravity do the work of providing water for the system. Chief Berkowsky said he had never seen a roof-top water tank, but presumably there would still be a pump required for such a big water supply.

Trustee Kates said he was torn between the safety issue on one side, and the interests of the commercial building owners on the other. He suggested making the draft ordinance available for public comment. Trustee Prodromos agreed with Trustee Kates.

Trustee McCrary noted that this is not an abrupt change, as the current fire sprinkler provisions have been in place for 37 years. He said it is time to stop putting residents who live above commercial uses at risk, and move forward for the greater good.

President Greable asked Community Development Director Mike D'Onofrio how building owners have reacted to sprinklers over the past few years. Mr. D'Onofrio said some owners spend hundreds of thousands of dollars refurbishing their buildings because they view it as an investment in the future. Other owners view their building as an annuity, not an investment, and they are reluctant to spend money on improving it.

President Greable asked how the Village could determine the views of the property owners who don't have sprinklers in their buildings.

Manager Bahan said Chief Berkowsky could send notices to commercial property owners, hold an open house, get feedback and report back to the Council. The Chief estimated that he could come back with a report in August.

10) New Business.

a) Chicago's North Shore Convention & Visitors' Bureau Membership Renewal.

Mr. D'Onofrio explained that the Village joined Chicago's North Shore Convention & Visitors' Bureau (Bureau) in 2010. The mission of the Bureau is to increase awareness of North Shore businesses, and the renewal fee is reviewed annually by the Council.

Trustee Prodromos said the Bureau's booklets are useful to those who are visiting Winnetka, as it provides ideas for entertainment, dining and shopping. Trustee McCrary commented that the Bureau could be a tool to revitalize the downtowns as more businesses choose to become members of the Bureau.

Trustee McCrary, seconded by Trustee Prodromos, moved to approve the renewal of the Village's membership in Chicago's North Shore Convention & Visitors' Bureau. By roll call vote, the motion carried. Ayes: Trustees Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: Trustees Braun and Fessler.

11) Appointments.

- a) Trustee Krucks, seconded by Trustee Prodromos, moved to approve the appointment of Wes Baumann to the Board of Fire & Police Commissioners for a full term, effective immediately. By voice vote, the motion carried.

12) Reports.

- a) Village President. President Greable invited the community to the 4th of July parade, activities on the Village Green, and the fireworks at Duke Childs Field.
- b) Trustees.
 - i) Trustee Kates reported on the last Plan Commission meeting, where the special use permit process was discussed, and he suggested speeding up the process. Manager Bahan explained that a good way to do that would be to refine the list of special uses.
 - ii) Trustee McCrary reported on the last Environmental & Forestry Commission meeting, where an analysis of coal tar sealants was concluded. He invited the community to come hear the discussion of this issue at the Study Session on July 8.
- c) Attorney. None.
- d) Manager. None.

13) Executive Session.

- 14) Adjournment. Trustee McCrary, seconded by Trustee Prodromos, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 9:10 p.m.

Deputy Clerk



Agenda Item Executive Summary

Title: Fire Sprinkler Requirements for Commercial Properties

Presenter: Alan Berkowsky, Fire Chief

Agenda Date: 07/01/2014

Consent: YES NO

Ordinance
 Resolution
 Bid Authorization/Award
 Policy Direction
 Informational Only

Item History:

An Ordinance enacted in 1977 requires sprinklers to be installed in an occupancy when a change of use occurs. The sprinkler requirement was identified as an action item in the Urban Land Institute Report. At the February 11 Study Session, Village Council discussed the sprinkler requirements in depth and directed staff to draft an Ordinance requiring all commercial structures to install sprinklers. A draft Ordinance was prepared for Council discussion.

Executive Summary:

The Village's sprinkler Ordinance has been in effect since 1977. In an article dated January 22, 1977, the Winnetka Talk reported that, "Trustee Trindl introduced the proposed code revisions as a culmination of about four years of work between the council members, village staff and Fire Marshal Gilbert Schmidt." In 1977, Village Council apparently scrutinized this requirement very carefully. A small number of property owners have indicated that the sprinkler requirement has placed an undue burden on their ability to lease their property. However, many members of the business community have installed sprinkler systems over the years giving them flexibility to attract a variety of tenants for their spaces.

Ordinance MC-X-2014 is attached for Council discussion. The Ordinance provides the framework for a sprinkler retrofit requirement for all commercial buildings inclusive of any residential units above. If Council feels the draft Ordinance adequately represents their direction to staff, it will be scheduled for introduction at a future Village Council Meeting.

Recommendation:

Confirm policy direction for modification to the sprinkler Ordinance.

Attachments:

- Berkowsky Memo, dated June 26, 2014
- Ordinance MC-X-2014: Automatic Sprinkler Systems
- Village Council Study Session Minutes: February 11, 2014
- Addendum 1: Sprinkler Modification Options
- Addendum 2: Existing Village Sprinkler Ordinance
- Addendum 3: Use Group Definitions (IBC)
- Addendum 4: Recent Sprinkler System Installs
- Addendum 5: D'Onofrio Memo- Actual Sprinkler Install Costs
- Addendum 6: Winnetka Commercial Fire Experience
- Addendum 7: Code Survey of Surrounding Communities
- Addendum 8: Fires in Similar Commercial Areas in Illinois

VILLAGE OF WINNETKA

INTERDEPARTMENTAL MEMO

TO: ROB BAHAN, VILLAGE MANAGER
FROM: ALAN BERKOWSKY, FIRE CHIEF
DATE: JUNE 26, 2014
SUBJECT: COMMERCIAL SPRINKLER REQUIREMENTS

Executive Summary: At the February 11, 2014 Study Session, Village Council discussed several commercial district recommendations from the Urban Land Institute, including a presentation on the current requirement for sprinklers in commercial structures along with options if changes to the requirement were desired. After an in-depth discussion, Staff was directed to draft an Ordinance that would require sprinkler systems in all of our commercial buildings. The draft Ordinance is attached for Council consideration.

Immediately following the draft Ordinance are the Study Session Meeting Minutes from February 11—reflecting the Council’s consensus on the direction to Staff. Addendums 1 through 8 follow those materials; all of these were part of the original agenda packet but have been included here for the benefit of new Council members.

I think it is important to highlight the recent research conducted by Underwriters Laboratories in Northbrook Illinois. Their research examined fires involving “legacy furnishings” versus “modern day” furnishings. Legacy furnishings are typically made with sawn lumber and natural fibers. Modern day furnishings are mainly constructed from synthetics and polyurethanes. When a fire occurred with legacy furnishings, it would smolder for a longer period and the time to flashover (when the entire room ignites) was more than 29 minutes. With modern day furnishing, there is a much shorter smoldering time and flash-over occurs in less than five (5) minutes. Even with immediate notification and a rapid response, the fire will be significant and smoke damage will occur throughout the building(s). A working sprinkler system will contain or extinguish the fire before the flashover phase and limit smoke damage.

Ordinance MC-X-2014, Fire Sprinkler Retrofit Regulations: The Ordinance was drafted to allow for a phased-in approach (as suggested by Council) for the installation of a sprinkler system. The Ordinance reflects a five (5) year phase-in period for the framework of the Ordinance. However, this can be easily modified with additional direction from Village Council. With the adoption of the Ordinance, the building owner or occupant will need to achieve specific goals each year to demonstrate their compliance. Monitoring for compliance will be accomplished by the Fire Department.

Reprint of Memo Presented on February 11, 2014

Background: The Village's sprinkler ordinance has been in effect since 1977. In an article dated January 22, 1977, the Winnetka Talk reported that, "Trustee Trindl introduced the proposed code revisions as a culmination of about four years of work between the council members, village staff and Fire Marshal Gilbert Schmidt." Village Council apparently scrutinized this requirement very carefully. The effect of the requirement is both tangible and intangible. The tangible effect is the cost associated with the installation of a sprinkler system. The intangible effect is the potential saving of lives and property as a result of the sprinkler system when a fire occurs. A good example of this occurred just after the adoption of the sprinkler ordinance where a fire broke out on the stage of New Trier East High School in February of 1977. "It was the first time the sprinkler system was needed in the auditorium, built in 1956." (Winnetka Talk, February 17, 1977). Damage was limited to the stage area. The Village has been diligent in enforcing this Code over the years. As with any law, it is important to provide consistent and equitable enforcement.

Over the last two years, Underwriters Laboratories in Northbrook has been doing research on fire behavior as it relates to "Legacy" fires versus "Modern Day" fires. The research has proven that fires today are much more dangerous than fires prior to the 1980's. Most of the furnishings used are made of synthetic materials that burn faster and hotter than natural fibers (i.e. cotton). Flashover is a condition where everything in the room reaches its ignition point and ignites at one time. In "Legacy" fires, flashover took on the average of thirty (30) minutes. In "Modern Day" fires, flashover can occur in as fast as four (4) minutes. In many fire situations, there is a delay in reporting the fire and even with a quick response time, fires today can grow in size much quicker than in previous times.

This report provides an in-depth background on sprinklers as well as some historical perspective. It also lists some alternative solutions if the Council feels a change to the Code is needed.

Sprinkler Systems by the Numbers

Percent of Buildings with Sprinklers in West Elm Commercial District	64%
Percent of Buildings with Sprinklers in East Elm Commercial District	62%
Percent of Buildings with Sprinklers in Hubbard Woods Commercial District	52%
Percent of Buildings with Sprinklers in Indian Hill Commercial District	45%
Percent of Businesses That Never Reopen After a Significant Fire ¹	43%
Percent Businesses That Never Reopen or Fail Within 3 Years of a Fire ¹	72%
Percent of Fires Controlled or Extinguished by a Sprinkler System ²	91%
Average Number of Heads Required To Control or Extinguish a Fire ²	2
# of Months Since a Fire in a Commercial Area Fire Similar to Our Commercial District	5 Months
Number of Businesses Lost in the Above Fire	8

1 Modernmachineshoponline.com 2 NFPA

Sprinkler Concerns

In 1977, the Winnetka Village Council enacted an ordinance that required fire sprinklers to be installed in any commercial building whenever there was a change of use (occupancy classification). This provided an avenue to protect the business district without being overly onerous. More importantly, due to the design of the business districts, these areas are more prone to devastating fires for the following reasons:

1. The proximity of the buildings to each other
2. The age of the buildings
3. Structural openings in walls/ceilings created over the years
4. Common elements of the buildings (i.e. basements, attics)
5. The amount of available fire load
6. Residential occupancies above the commercial uses

Each property has a direct impact (if a fire were to occur) on its neighboring properties due to the design of the commercial districts. Without sprinkler protection in these types of commercial blocks/areas, any type of fire can result in injuries, significant business interruption and/or permanent loss. The Village's sprinkler requirements were well thought out and provided the business/property owner with sufficient time to plan for this upgrade in fire protection. Many communities have not only enforced a requirement for sprinklers in commercial buildings, but have also implemented ordinances that require all new single family residential homes be sprinklered as well. The Winnetka sprinkler requirement has been in effect for 37 years. In that time, many business owners have invested in their buildings and installed sprinkler systems that will provide a significantly higher level of fire safety while giving them market flexibility in the use of the building as new tenants become available.

A few business owners in the past year have challenged the need for the installation of a sprinkler system when a change of occupancy occurred. It is important to note that current and past administrations have always enforced this requirement with consistency in order to be effective and fair.

Regulatory Requirements

The Village's 2013 Technical Assistance Panel (TAP) process conducted by the Urban Land Institute (ULI) Chicago was in part spurred by a desire to increase the Village's focus on economic development. ULI's final report (July, 2013), contained a number of recommendations, including:

"Evaluate change of use/fire sprinkler requirements in code; allow accessory uses within business without triggering a change."

We have allowed businesses an accessory use which did not require the installation of sprinklers. However, there is a difference between an accessory use and a mixed-use occupancy. A mixed-use occupancy is a building or space that houses two or more use-group classifications

(Addendum 2). Examples would be retailer with a manufacturing component in the same space (Mercantile/Factory-Industrial Use) or an architectural firm with static displays of merchandise (Business/Mercantile Use.)

Examples of occupancies with an accessory use include:

- A nail salon (business) that has a small area that sells nail polish and other beauty aids (mercantile)
- Sporting arena (assembly) with souvenir stands (mercantile)
- Pest control company (business) with an area to sell retail products (mercantile)

According to the International Building Code 2009 Edition (adopted by the Village) “Accessory occupancies are those occupancies that are ancillary to the main occupancy of the building or portion thereof (IBC 508.2). Incidental uses are typical functions that have a common element to the main use and are limited to 10% of the space” (IBC 508.2.1).

In order to determine whether an occupancy use remains the same or changes to a mixed-use, we follow the adopted Code in which the factor of 10% of the occupancy is used as the criteria for determining whether it is a mixed-use or just incidental to the main use. The main problem with an accessory use is it is very difficult to monitor over time.

**AN ORDINANCE
AMENDING CHAPTER 15.16 OF THE WINNETKA VILLAGE CODE
AS IT PERTAINS TO
AUTOMATIC FIRE SUPPRESSION SYSTEMS**

WHEREAS, Chapter 15.16 of the Winnetka Village Code, titled "Fire Prevention and Life Safety Codes," adopts model fire, life safety, sprinkler and fire alarm codes by reference, including the 2010 Edition of the Standards for the Installation of Automatic Sprinkler Systems, National Fire Protection Association Publication 13 (NFPA Publication 13); and

WHEREAS, Village Code Section 15.16.050 amends certain provision of NFPA Publication 13; and

WHEREAS, Village Code Section 15.16.050 contains a provision requiring the installation of automatic fire suppression systems, also known as sprinkler systems, in all buildings used for certain enumerated occupancies; and

WHEREAS, the current sprinkler system requirement Village Code Section 15.16.050 does not apply to any commercial, industrial, institutional, multifamily residential, educational or storage use or occupancy that existed on February 15, 1977, the initial effective date of the requirement, as long as the use or occupancy remains unchanged and does not constitute a hazard to life or property; and

WHEREAS, although many owners of buildings with such uses or occupancies have installed sprinklers in all or part of their buildings, there still remain buildings that have not undergone any significant life-safety improvements since 1977 and still enjoy the original exemption; and

WHEREAS, the Winnetka Fire Department has provided the corporate authorities ("Village Council") with the results of testing demonstrations done by Underwriters Laboratories ("UL") that show that the widespread use of petroleum-based synthetic materials and finishes in furniture has increased the flammability of both residential and commercial furnishings; and

WHEREAS, the UL demonstrations show that fires in furniture made with modern synthetic materials quickly produce heavy smoke and have a flash-over time of less than five minutes, while fires in older furniture made with natural fibers and sawn wood have a flash-over time of approximately 29 minutes; and

WHEREAS, the UL demonstrations also show that fire sprinklers can slow the spread of fire and keep a fire in space with modern furniture materials under control until firefighters arrive; and

WHEREAS, the Village has experienced several fires in recent years in which a fire in a commercial space without sprinklers not only caused damage to the space itself, but also communicated to adjacent spaces, creating smoke and fire damage in adjacent commercial spaces and creating smoke and fire hazards for human occupants in residential apartments in the same building; and

WHEREAS, the Village Council finds and determines that automatic sprinkler systems provide a direct benefit to the health, safety and welfare of people and property by slowing the progress of a fire and keeping a fire under control, thereby allowing time for the Fire Department to be dispatched and for firefighters to arrive on the scene, begin attacking the fire and safely evacuate building occupants; and

WHEREAS, the Village Council finds and determines that the exceptions allowed by the Village Code Section 15.16.050 no longer serve the health, safety and welfare of the Village, its residents and businesses, in that the exceptions have allowed building owners to postpone the installation of fire suppression systems indefinitely, and have been a disincentive to upgrading and improving safety in the Village's older mixed use and commercial buildings; and

WHEREAS, the Village Council also finds and determines that it is in the best interests of the health, safety and welfare of the Village, its residents and businesses that the fire sprinkler requirements in Section 15.16.050 of the Winnetka Village Code be amended to provide a specific timeline for the installation of automated fire suppression systems; and

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, pursuant to which it has the authority, except as limited by said Section 6 of Article VII, to adopt ordinances, to promulgate rules and regulations and to exercise any power and perform any function pertaining to the government and affairs of the Village and that protect the public health, safety and welfare of its citizens; and

WHEREAS, the Village Council finds that establishing requirements and standards for fire prevention, life safety and fire suppression systems is a matter pertaining to the affairs of the Village of Winnetka and to the public health, safety and welfare of its citizens and businesses, and is therefore a permitted exercise of the Village's home rule authority.

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Winnetka as follows:

SECTION 1: The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: Section 15.16.050 of Chapter 15.16 of the Winnetka Village Code, "Fire Prevention and Life Safety Codes," of Title 15 of the Winnetka Village Code, "Buildings and Construction," is hereby amended to provide as follows:

Section 15.16.050 Amendments to the Standards for Installation of Automatic Fire Extinguishing Systems, National Fire Protection Association (NFPA) Publication 13, 2010 Edition.

A. Amendments. The following provisions of the Standards for Installation of Automatic Fire Extinguishing Systems, National Fire Protection Association (NFPA) Publication 13, 2010 Edition are amended for adoption by the Village.

1. Title. The Standards for the Installation of Sprinkler Systems, 2010 Edition, also known as NFPA Publication 13, shall be known as Automatic Sprinkler Regulations of the Village of Winnetka.

2. Terms. The terms used in this section shall have the same meanings as those terms have in the Fire Prevention Code and the Life Safety Code adopted by this chapter.

3. Sprinkler System Installation Requirements. ~~2. Applicability.~~ Except as provided in paragraph 3 of this subsection A, ~~automatic~~ Automatic fire extinguishing systems, shall be installed in accordance with the standards set forth in NFPA Publication 13, Standard for the Installation of Sprinkler Systems, 2010 Edition, ~~or alternate similar fire suppression systems as approved by the Fire Chief, shall be installed in throughout~~ all new and existing buildings used in whole or in part for the following occupancies:

- a. Assembly occupancy used for gathering together six or more persons;
- b. Any occupancy where there is an activity involving the use of flammable liquids or gases or where flammable or combustible finishes are applied;
- c. Mercantile occupancy;
- d. Institutional occupancy;
- e. Multifamily residential occupancy;
- f. Educational occupancy;
- g. Business occupancy; or
- h. Storage occupancy.

~~3. Exceptions.~~ The requirements of the foregoing paragraph 2 shall not apply where the use or occupancy: (1) is the same as it was prior to the amendment of this section effective on February 15, 1977; (2) has continued without change or, if there has been a change, the change does not increase the hazard to life or property; and (3) does not constitute a distinct hazard to life or property as determined by the Fire Chief.

4. Sprinkler system design and installation standards. All sprinkler systems shall be designed and installed in accordance with the fire protection system requirements of the 2009 International Building Code, 2009 International Fire Code and referenced NFPA Standards, as adopted by the Village and incorporated into the Village Code.

5. Compliance Period for Existing Buildings. For any existing building subject to the requirements of this section 15.16.050, the automated sprinkler system installation shall be fully installed by December 31, 2019, according to the following five-year compliance schedule. Any and all sprinkler installation work may be done prior to the deadlines set in the five-year compliance schedule.

- a. Year 1: The following steps shall be completed by December 31, 2015:
 - i. Obtain Village approval of complete system design;
 - ii. Complete installation of water supply and all required fire pumps; and
 - iii. Successfully complete system flush and testing.
- b. Year 2: At least 25% of the sprinkler installation shall be completed by December 31, 2016.
- c. Year 3: At least 50% of the sprinkler installation shall be completed by December 31, 2017.
- d. Year 4: At least 75% of the sprinkler installation shall be completed by December 31, 2018.

e. Year 5: The sprinkler installation for the entire building shall be 100% complete, including final inspection and approval by the Village, by December 31, 2019.

6. Annual Compliance Progress Report. Beginning in 2016, and continuing for each year of the five-year compliance period until the fully installed sprinkler system has been inspected and approved by the Village, the owner shall file a written report describing progress toward compliance during the previous calendar year. The annual compliance progress report shall be filed with the Winnetka Fire Department's Fire Prevention Bureau no later than January 31st each year.

7. Extension Requests. The compliance and reporting deadlines set in paragraphs 5 and 6 shall not be extended without the prior written approval of the Fire Chief or his or her designee. Requests for extensions must be submitted in writing to the Fire Chief prior to the end of the year preceding the year for which extension is sought.

8. Limited Permit Fee Waiver. Permit fees for plan review performed by Village staff shall be waived for any permit issued on or before December 31, 2016, for the installation of a complete fire sprinkler system in an existing building subject to this Section 15.06.050, provided that the complete permit application is filed after [insert effective date of this ordinance] 2014. This permit fee waiver shall not apply to fees and direct costs incurred by the Village for the review of plans by non-Village service providers. This permit fee waiver shall not apply to any sprinkler system installed prior to [insert effective date of this ordinance] 2014.

4. Terms. The terms used in this section shall have the same meanings as those terms have in the Fire Prevention Code and the Life Safety Code adopted by this chapter.

9. Penalties.

a. The owner of any building existing on [insert effective date of this ordinance] 2014 who does not comply with the sprinkler installation provisions of this Section 15.16.050, including any approved extensions, shall be subject to the following penalties:

<u>i. Failure to comply with Year 1 requirements:</u>	<u>\$</u>
<u>ii. Failure to comply with Year 2 requirements:</u>	<u>\$</u>
<u>iii. Failure to comply with Year 3 requirements:</u>	<u>\$</u>
<u>iv. Failure to comply with Year 4 requirements:</u>	<u>\$</u>
<u>v. Failure to comply with Year 5 requirements:</u>	<u>\$</u>
<u>vi. Failure to file Year 1 Compliance Progress Report:</u>	<u>\$</u>
<u>vii. Failure to file Year 2 Compliance Progress Report:</u>	<u>\$</u>
<u>viii. Failure to file Year 3 Compliance Progress Report:</u>	<u>\$</u>
<u>ix. Failure to file Year 4 Compliance Progress Report:</u>	<u>\$</u>
<u>x. For each month of noncompliance after January 31, 2020:</u>	<u>\$</u>

b. The foregoing penalties shall be in addition to any other legal or equitable remedies the Village may have, including without limitation, enforcement proceedings under Chapters 1.08, 15.04 and 15.32 of this Code.

SECTION 3: This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 4: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law, or 30 days after it is submitted to the Division of Building Codes and Regulations of the Illinois Capital Development Board, whichever is later.

PASSED this ___ day of _____, 2014, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2014.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this ___ day of _____, 2014.

Introduced:

Passed and Approved:

Submitted to State of Illinois for posting:

ADDENDUM 3

Winnetka Village Council
STUDY SESSION
Village Hall
510 Green Bay Road
Tuesday, November 11, 2014
7:00 PM

Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council. Emails for a Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

AGENDA

- 1) Call to Order
- 2) Sprinkler Requirements for Commercial Buildings2
- 3) Downtown Master Plan.....18
- 4) Public Comment
- 5) Executive Session
- 6) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Council Information > Agenda Packets & Minutes); the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor).

Broadcasts of the Village Council meetings are televised on Channel 10 and AT&T Uverse Channel 99 every night at 7 PM. Webcasts of the meeting may also be viewed on the Internet via a link on the Village's web site: <http://winn-media.com/videos/>

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3543; T.D.D. 847-501-6041.

**MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION**

November 11, 2014

(Approved: December 2, 2014)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, November 11, 2014 at 7:00 p.m.

- 1) Call to Order. President Greable called the meeting to order at 7:01 p.m. Present: Trustees Arthur Braun, Carol Fessler, Richard Kates, William Krucks, Stuart McCrary and Marilyn Prodromos. Absent: None. Also in attendance: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Karl Camillucci, Fire Chief Alan Berkowsky, Deputy Fire Chief John Ripka, Director of Community Development Mike D'Onofrio, Assistant Director of Community Development Brian Norkus, and approximately 38 persons in the audience.
- 2) Sprinkler Requirements for Commercial Buildings. Chief Berkowsky explained that staff examined the fire sprinkler requirements at the request of the Council, pursuant to its review of the 2013 Urban Land Institute Report. After a thorough discussion about existing sprinkler requirements at the February, 2014 Study Session, staff was directed to draft an ordinance requiring that sprinklers be installed in all the Village's commercial buildings on a phased-in basis over a period of five years. After the Council reviewed the draft ordinance in July, staff was directed to bring back comments from the business community.

Chief Berkowsky said he gave presentations at a Winnetka-Northfield Chamber of Commerce meeting and the Rotary Club Luncheon, and sent a questionnaire to the business community. Most business owners expressed concern about the costs of installing fire sprinkler systems, and many asked for a Village program to provide financial assistance. In addition, 70% of building owners responding to the questionnaire were not in favor of the proposed new sprinkler regulations.

The Council discussed its options in light of the views of the business community. A concern was expressed to balance the safety aspect of the sprinklers with the economic impact to the building owners and businesses. The Chief stated that sprinkler systems are the best protection for life and property in any fire.

Responding to a question from a Trustee, Chief Berkowsky said he did not know why the original fire sprinkler ordinance was passed, and he added that approximately half a dozen of the systems are consistently installed each year when uses are changed.

There was a discussion about the water supply component of the system, which is the most expensive piece in the installation of sprinkler systems. The Chief explained that the requirement of a new water service is the cost driver, since the street has to be opened and closed.

Glenn Weaver, owner of 574 Lincoln. Mr. Weaver said he is against the retrofit ordinance because of the expense, and added that he felt his smoke detection system is adequate fire protection for his building.

Philip Coury, owner of 552 Lincoln Avenue. Mr. Coury said he has put a lot of money into his building, including a fire alarm system, and he stated that he cannot pass on the expense

of installing a sprinkler system to his tenants, as it could cause vacancies. He asked the Council to reconsider the proposed sprinkler retrofit ordinance.

Richard Busscher, 1275 Asbury. Mr. Busscher said he owned a building on Tower Road, and that the cost to sprinkler an apartment that recently changed use to an office was \$50,000. He added that he did not agree that they are necessary.

Marian Goldfinger, owner of 1095 Merrill. Ms. Goldfinger said her building has vacancies and the cost of putting in sprinklers is a concern, as the property values of the units won't support it.

Patricia Burwanger, owner of Village Toy Shop at 1067 Oak Street. Ms. Burwanger said the sprinkler system costs will likely be passed on to tenants, and she will be put out of business by a rent increase. She asked the Council to consider how many other retail stores would have to close if their rent is increased.

Mike Miller, Winnetka resident. Mr. Miller said the Village is already on the cutting edge with its school system and core services; therefore, it is not necessary to be ahead of the curve on fire sprinklers, especially since the business environment is already difficult.

Tom Fritts, owner of TL Fritts on Chestnut Street. Mr. Fritts stated that Winnetka's property taxes and the stormwater utility fee contribute to his high overhead costs and the cost of putting in a sprinkler system would put him out of business.

Madonna Tideman, manager of 560 Green Bay Road. Ms. Tideman explained that the building was converted from a warehouse to office space years ago, and upgrades are particularly expensive and difficult to do. She said the insurance value of having the sprinklers is minimal, compared to the estimated \$500,000 cost to install the sprinklers in the building. She urged the Council not to enact a sprinkler retrofit ordinance.

Mark Jacobs, Conney's Pharmacy at 736 Elm. Mr. Jacobs said when his smoke alarm went off the Fire Department arrived within three minutes, and he did not see the advantage of adding an expensive sprinkler system.

Steve Miller, Winnetka resident. Mr. Miller said the ideal of full sprinkler compliance has to be weighed against the reality that there are vacant stores in Winnetka and that a dark downtown affects property values in the Village. He suggested the sprinklers be required for new construction and not for the older buildings in town.

The Council discussed two sides of the issue: the financial burden fire sprinkler regulations place on building owners; and safety for residents who live above the commercial uses. Several Trustees felt the mechanism for requiring installation of sprinklers should be amended to a change of risk or some other factor, rather than a change of use. It was agreed that more conversation is needed to strike the right balance between the residential safety issue and the economic hardship for building owners and merchants. Staff was directed to keep the current ordinance in effect while the fire safety codes of comparable communities are evaluated. Manager Bahan said such a report could be brought to the Council in early 2015. He noted that an important consideration to bear in mind is that the fire sprinkler ordinance has been consistently enforced since the regulation was adopted.

- 3) Downtown Master Plan. Mr. D’Onofrio explained that this evening’s discussion about the advisory board zoning recommendations was a continuation of the deliberations that began at the November 6 Council meeting. He reviewed the overall recommendations for parking and height that the Council received from the Plan Commission (PC), Business Community Development Commission (BCDC) and Zoning Board of Appeals (ZBA).

During a discussion about the parking recommendations, several Trustees expressed concern about the suggestion to provide a “fee in-lieu” option for developers in instances where providing on-site parking would be extremely difficult or impossible. Such a provision would allow the developer to pay into a fund for development of new parking facilities. Mr. Norkus said this recommendation could be studied further and fleshed out during a master planning process.

After a thorough discussion, the Trustees were favor of moving forward with all of the parking recommendations, with the exception of the proposal to allow developers an option to pay a “fee in-lieu” to meet their parking requirements. There was also consensus to apply the building height amendments that were recommended by the advisory bodies as outlined in the November 6 agenda packet materials.

Mr. D’Onofrio reviewed the BCDC’s Retail Overlay District recommendations, as well as the proposal from the PC and ZBA that no changes be made until after a downtown master planning process has been completed.

After a lengthy discussion of the Retail Overlay recommendations, the Trustees were generally in favor of examining the use recommendations further, but to defer action on changing the Retail Overlay District boundaries until after a downtown master plan is completed. Staff was directed to bring more information about uses to the Council and to also bring some suggestions for streamlining the special use process. Manager Bahan said that could be done along with a presentation about the special use process which was planned for the December Study Session.

Jim Sayegh, BCDC Commissioner, owner of Winnetka Galleria. Mr. Sayegh said while the BCDC does support a master planning process, the boundary recommendations are moderate. The Commission believes services businesses will stimulate the downtowns.

Penny Lanphier, former Village Trustee, 250 Birch. Ms. Lanphier said changes made before a downtown master planning process is conducted takes away the chance for community feedback on these significant issues.

Gwen Trindl, former Village President, 800 Oak Street. Ms. Trindl said she was surprised the Council would take action before hearing the results of the Village-wide survey that was just completed. She also recommended hearing what the new Economic Development Director has to say on the issues, and urged the Council not to rush into making any changes.

Kristin Ziv, 605 Arbor Vitae Road. Ms. Ziv said the community is tired of waiting, and that it is time to take action on the many studies that have been done about the business districts.

Judy Miekle, 443 Hill Road. Ms. Miekle thanked Trustees Prodromos and Fessler attending the Veterans’ Day ceremony, and she asked if Winnetka’s new motto is progress without change.

- 4) Public Comment. None.
- 5) Executive Session. None.
- 6) Adjournment. Trustee Braun, seconded by Trustee McCrary, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:24 p.m.

Deputy Clerk



Agenda Item Executive Summary

Title: Sprinkler Requirements for Commercial Buildings

Presenter: Alan Berkowsky, Fire Chief

Agenda Date: 11/11/2014

Consent: YES NO

- | | |
|-------------------------------------|-------------------------|
| <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Bid Authorization/Award |
| <input type="checkbox"/> | Policy Direction |
| <input checked="" type="checkbox"/> | Informational Only |

Item History:

On February 11, 2014, staff presented information on the Village's current sprinkler requirements. Based upon this presentation, Council asked staff to draft a retrofit ordinance. This ordinance was presented to Council on June 26. Subsequently, Council asked staff to determine the receptivity of the business community as it relates to this concept ordinance.

Executive Summary:

Attached is a memo outlining the mediums used to capture the sentiments and concerns of the business community. In addition, a summary of the options Council has to consider are included in the memo.

Recommendation:

Staff seeks policy direction based upon options presented.

Attachments:

Berkowsky Memo, dated November 11, 2014

- Attachment 1: Fire Protection Questionnaire
- Attachment 2: Fire Protection Survey Results
- Attachment 3: Village Zoning Maps
 - Overall zoning map
 - C1 Zoning map
 - C2 zoning maps

VILLAGE OF WINNETKA

INTERDEPARTMENTAL MEMO

TO: ROB BAHAN, VILLAGE MANAGER
FROM: ALAN BERKOWSKY, FIRE CHIEF
DATE: NOVEMBER 11, 2014
SUBJECT: SPRINKLER RETROFIT ORDINANCE - REVIEW

Background

As a result of the 2013 ULI Technical Assistance Panel process, Village Council requested that we examine the current requirements for the installation of sprinkler systems in commercial buildings. On February 11, 2014, staff presented information on the Village's existing sprinkler requirements. The presentation discussed the current requirements as well as options if the Trustees elected to pursue alternate solutions to the Ordinance. The options presented to Village Council included:

- Provide an economic incentive to encourage the remainder of the business district to install sprinkler systems;
- Adopt a retrofit ordinance that requires all businesses to install sprinklers within a defined time frame; or
- Modify the current requirements to exempt certain type of buildings from requiring sprinklers.

After much discussion, the direction given to staff was to draft an ordinance that would require the retrofit of sprinklers in commercial buildings within a five (5) year period. On June 26, 2014, a concept ordinance was presented to the Village Council. The ordinance provided the framework for requiring the retrofit of sprinklers.

Following the discussion, Village Council asked staff to determine the receptivity of the business community as it relates to the proposed new sprinkler requirement.

Business Community Feedback

Feedback from the business community was obtained through two mediums. First, presentations were given at the Chamber of Commerce Monthly Meeting and at the Rotary Club Luncheon. Secondly, a questionnaire was developed to capture the sentiments and concerns of the overall business community. At the presentations, some business owners were very vocal in expressing their concerns on the financial impact that a sprinkler system would have on their businesses. In addition, there was a common reference in the desire to have the Village provide financial support if sprinkler systems were to become mandated.

On August 11, a questionnaire was distributed to building owners and tenants in all three commercial districts—seeking to understand their receptivity to the proposed changes. Approximately 500 questionnaires were distributed. 91 surveys were completed (18% response rate) and returned for data analysis (See *Attachment 1* for the questionnaire and *Attachment 2* for the results). The data was analyzed from both the building owner and tenant perspectives. The following information summarizes the results:

Total Responses	91
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Respondent Type	Total
Building Owners	29 (32%)
Tenants	61 (67%)
No Response	1 (1%)
Total	91 (100%)

Respondent Type	No Support	Needs More Info	Support	Total
Building Owners	19 (70%)	3 (11%)	5 (19%)	27 (36%)
Tenants	19 (40%)	11 (23%)	18 (37%)	48 (64%)
Total	38 (51%)	14 (19%)	23 (30%)	75 (100%)

*Sixteen (16) questionnaires skipped the support question entirely

Review of Data

Based upon the data collected, requiring sprinklers to be installed within a five-year period would be an economic challenge for most of the business owners and/or tenants. Seventy percent (70%) of the building owners responding would not support a sprinkler ordinance. Some of the building owners in favor of the ordinance indicated that they had previously installed a sprinkler system under the current “Change of Use” Ordinance. Tenant support was relatively neutral. However, I would speculate that most would not support sprinklers if they were directly responsible for the cost of installation.

Options for Future Consideration

I think it is important to review the options that the Village Council has available to consider:

1. Retrofit Ordinance: We can continue to pursue the Retrofit Ordinance as originally directed. This would require that the Ordinance be redrafted so that it is focused on the intended area of concern which is delineated by C1 (Limited Retail Commercial) and C2 (General Retail Commercial) under the Village's current zoning districts (*Attachment 3* includes the overall zoning map and the C1/C2 districts). The delineation is necessary as it was staff's intent to only capture commercial buildings in the retrofit requirement. I would also anticipate that without an economic engine or incentive to drive this new requirement, there will be significant pushback from the business community. If adopted, it may become challenging to enforce, and the Village should be prepared to levy fines and address legal challenges in a compliance process.
2. Cost Sharing: One common denominator was the belief by some business owners that the Village should be willing to assist with some of the cost associated with the installation of sprinklers. Typically, the focus of this discussion was on the municipal water supply upgrade needed for most sprinkler systems. The upgrade cost can range from \$4,000 to \$7,000 per building and is inclusive of the tap fee, street opening/restoration costs and plan review costs. This assistance may ease some of the financial burden expressed by building owners if the concept ordinance was enacted.
3. Status Quo with Slight Modification to the Ordinance: An additional option would be to slightly strengthen the existing language (that requires the installation of sprinklers upon a change of use) by eliminating Section 15.16.050, Paragraph 3.3 of the Ordinance that currently allows for subjectivity by the Fire Chief as a reason for not installing sprinklers upon a change of use. This will emphasize the objective of the Village Council that any change of use requires that a sprinkler system be installed and may eliminate future challenges/appeals to the Ordinance.
4. Status Quo: The final option would be to continue enforcing the current Ordinance as written. The reality is that the timing of any increased regulation may hamper the Village's focus on economic development and the recommendations of the ULI Report. With the new Economic Development Coordinator now on board, it may be prudent to continue with status quo and review a retrofit requirement at a future date. With any uptick in economic development, we will be able to capture additional buildings that would be required to add sprinkler systems as change of uses occur.

With these options in mind, I will be present at the November 11 Study Session to discuss and answer any questions that Village Council might have.

Attachments

- *Attachment 1:* Fire Protection Questionnaire
- *Attachment 2:* 2014 Fire Protection Survey Results
- *Attachment 3:* Village Zoning Maps
 - Overall zoning map
 - C1 zoning map
 - C2 zoning maps



VILLAGE OF WINNETKA

Incorporated in 1869

Attachment 1

August 11th, 2014

Property Owner/Occupant
Business Name
123 Green Bay Road
Winnetka, Illinois 60093

RE: Fire Protection Survey

Dear Winnetka Business Person:

In 1977, the Village of Winnetka passed an Ordinance¹ that requires a sprinkler system be installed in a building or space anytime there is a change in the type of use. This Ordinance has been enforced for the past 37 years and provided an avenue to protect the business districts without being overly onerous. Since then, roughly 50% of the commercial buildings have installed some level of sprinkler protection.

There are many misconceptions about sprinkler systems. The reality is that:

- Each sprinkler head is its own device. When one operates, the entire system does not open (except in the movies).
- Most fires are controlled with only one or two sprinkler heads.
- Most businesses can reopen shortly after a fire that was controlled with sprinklers.
- Smoke & heat (from a fire) does much more permanent damage than water from a sprinkler head.
- Smoke alarms are important; however, sprinklers do more by alerting the fire department and controlling the fire and smoke until the fire department arrives.

On July 1, the Winnetka Village Council revisited the sprinkler requirements and is considering an Ordinance to retrofit all commercial buildings with sprinkler protection. Our commercial areas, particularly in the East & West Elm and Hubbard Woods district are unique and pose some additional fire concerns. These concerns include:

- The proximity of the buildings to each other
- The age of the buildings
- Structural openings in walls/ceilings created over the years

¹ To review the current sprinkler change-of-use ordinance and information about the proposed ordinance, please visit the Fire Department section of the Village of Winnetka website at: <http://www.villageofwinnetka.org/departments/fire/>

510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034

Public Works (847) 501-6080 Water and Electric (847) 501-6085 Agenda Packet P. 7



VILLAGE OF WINNETKA

Incorporated in 1869

- Common elements of the buildings (i.e. basements, attics)
- The amount of available fire load, defined as the quantity of combustible material inside a space.
- Residential occupancies above the commercial uses

These types of structures, unprotected, are more prone to devastating fires. In the past year, several similar downtown commercial areas (in Illinois) suffered significant fires. The Sprinkler Retrofit Ordinance under consideration would require all non-sprinklered commercial structures to install sprinkler systems within a specified timeframe (i.e. five years). The Council has directed staff to seek input from the business community as to:

- ✓ The business community's support for sprinkler protection
- ✓ If the Ordinance was adopted, a timeframe for compliance
- ✓ Other concerns that business or property owners might have

The proposed Ordinance would:

1. Be applicable to all commercial properties including any residential above
2. Require that sprinklers be installed within a certain timeframe (i.e. 5 years)
3. Each year, the business would be required to demonstrate progress towards the installation of a sprinkler system

Attached, you will find a survey seeking your feedback on the proposed changes to the sprinkler requirements. Please complete the survey and return it in the pre-paid return envelope that is enclosed for your convenience. You may also use the internet link provided to complete the survey on-line.

Whether you support sprinkler protection or not, your input is important. The survey should take no more than 10 minutes to complete and the results will be shared with the Village Council. If you have any questions or concerns, please feel free to call 847-501-6029 and ask to speak Deputy Chief Ripka, Nick Mostardo (Management Analyst) or myself.

Sincerely,

Alan J. Berkowsky
Fire Chief



VILLAGE OF WINNETKA

Incorporated in 1869

August 11th, 2014

Village of Winnetka 2014 Fire Protection Survey

Please answer the following questions as they apply to your property or unit. If additional space is needed, please utilize additional pages. This survey may also be completed online by visiting <http://svy.mk/1rhRvMR> Please return completed responses using the enclosed pre-paid return envelope. Please submit responses as soon as possible, but no later than September 1st, 2014.

Responses may also be scanned and emailed to: nmostardo@winnetka.org.

Background Questions

1. Respondent Name: _____

2. Property Address (including unit number, if applicable): _____

3. Respondent Status (please check one): Building Owner Tenant

3a. If you are the owner of the above property, is its commercial space currently occupied?

Yes No Partial

4. Is the property listed above currently protected by fire sprinklers?

Full Partial None Unknown

5. If "Full" or "Partial" was selected for Question 4 above, for what reason were sprinklers installed (please check one)?

Village Code Change of Use

Owner Prerogative

Building Code Requirements

Other (please specify):

510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034

Public Works (847) 501-6080 Water and Electric (847) 501-6085 Agenda Packet P. 9



Retrofit Questions (Please provide as detailed of answers as possible).

6. Would you support a Village ordinance requiring sprinklers to be installed in all commercial buildings within a specified timeframe? Please explain why or why not.

7. If a retrofit ordinance is adopted, what type of challenges do you anticipate having?

8. If a sprinkler retrofit ordinance is adopted, what sort of timeframe do you believe would be most appropriate to comply?



VILLAGE OF WINNETKA

Incorporated in 1869

9. If a retrofit ordinance is not adopted, under what incentives would you as an owner or tenant install fire sprinklers in your building or tenant space?

10. Please list any additional comments or suggestions below.

Thank you for taking this time to complete this survey. The Winnetka Village Council values your feedback and will take it into consideration as it moves forward in evaluating a sprinkler retrofit ordinance.

510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034

Public Works (847) 501-6080 Water and Electric (847) 501-6085 Agenda Packet P. 11

Attachment 2
VILLAGE OF WINNETKA

Fire Department Questionnaire Results

Respondent Status

	<i>Response</i>	<i>Count</i>
<i>Building Owner</i>	31.87%	29
<i>Tenant</i>	67.03%	61
<i>No Response</i>	1.10%	1
TOTAL		91

If you are the owner of the above property, is its commercial space currently occupied?

	<i>Response</i>	<i>Count</i>
<i>Fully Occupied</i>	73.33%	22
<i>Partially Occupied</i>	20.00%	5
<i>Unoccupied</i>	6.67%	2
TOTAL		29

Is the property listed above currently protected by fire sprinklers?

	<i>Response</i>	<i>Count</i>
<i>Fully Protected</i>	39.56%	36
<i>Partially Protected</i>	5.49%	5
<i>Not Protected</i>	40.66%	37
<i>Unknown</i>	14.29%	13
TOTAL		91

If "Full" or "Partial" was selected for the question above, for what reasons were sprinklers installed (please check one)?

	<i>Response</i>	<i>Count</i>
<i>Village Code Change of Use</i>	35.48%	11
<i>Building Code Requirements</i>	51.62%	16
<i>Owner Prerogative</i>	12.90%	4
<i>Other (please specify)</i>	0.00%	0
TOTAL		31

Would you support a Village ordinance requiring sprinklers to be installed in all commercial buildings within a specified timeframe? Please explain why or why not.

- "I believe this is the safest way to protect employees and customers or all businesses."
- "Prevents devastation caused by fire."
- "For safety and to save surrounding structures."
- "Yes--five year compliance."
- "Yes, as long as it would not impact ability for store to operate normal retail hours."
- "All buildings should be protected."
- "Yes--nine month compliance."
- "There needs to be some reasonable criteria. The current ordinance placed an unreasonable hardship on our building." (7)
- "I am not an owner--I cannot afford to pay higher rent."
- "We believe our business does not fall into the usual category."
- "Expenses, taxes, codes are too hard on building owners. This would multiply expenses."
- "The main problem would be the cost."
- "Each building should be inspected and then recommendations made on an individual basis."
- "Not unless it was subsidized by building owner."
- "The existing sprinkler ordinance has worked, more or less, for 37 years."

If a retrofit ordinance is adopted, what type of challenges do you anticipate having?

- "At Christ Church the buildings have been a challenge to upgrade quickly as to a decline in funds due to a decline in parishioner(s) contributions."
- "None."
- "I am fully covered."
- "Concrete structure, expense, old plumbing."
- "Major cost of bringing upgraded water system for hook up to the sprinkler. We would expect the Village to cover this large cost."
- "Higher rent, business interruption."
- "Increase in rent."
- "None. New construction."
- "I would need to start from ground zero!"

If a sprinkler retrofit ordinance is adopted, what sort of timeframe do you believe would be most appropriate to comply?

- "Do not know."
- "3 years."
- "5 years, max."
- "2-5 years."
- "Any sort of construction which would disrupt my business I can't imagine would work for me..."
- "10 years..."
- "20 year zero-interest financing by Village."
- "10 years."
- "A week."
- "5 years."

Attachment 2
VILLAGE OF WINNETKA

If a retrofit ordinance is not adopted, under what incentives would you as an owner or tenant install fire sprinklers in your building or tenant space?

"A partial reduction in our monthly lease payment would be helpful."

"To keep my investment safe."

"I don't think our landlord would do this without incentives or raising our rent."

"Owner's responsibility."

"Cheaper insurance coverage."

"Pay for installation cost and lost business."

"Not a chance unless you pay for it."

"We would not."

"Cost is amortized with insurance savings over time."

"If the city would pay for the installation."

"The Village, at minimum, should pay for all infrastructure before the service enters private property."

Please list any additional comments or suggestions below.

"I want every business to be safe including my own. But to add a huge cost while so many mom and pop shops are hurting and closing would be very hard."

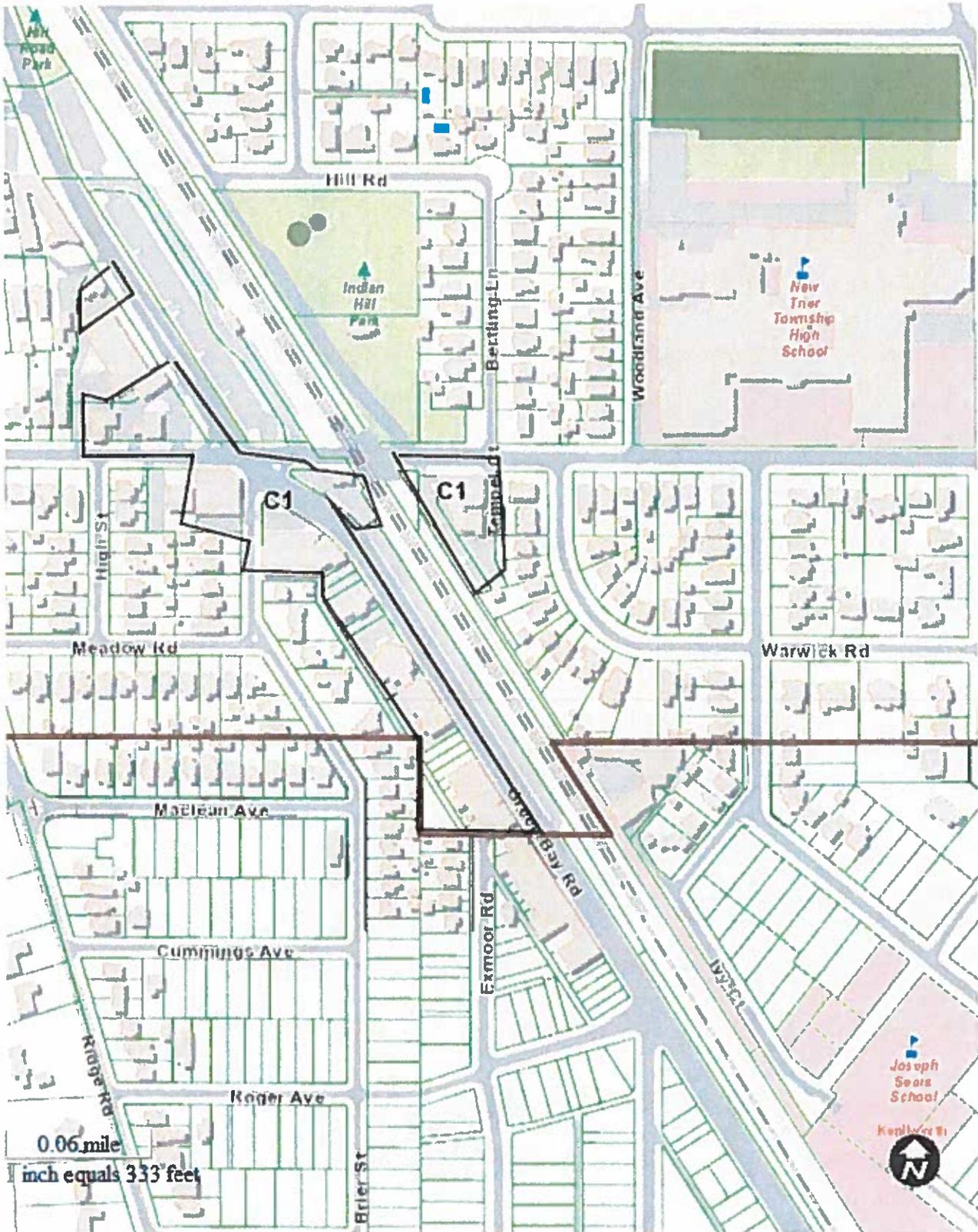
"Our building is less than two minutes from the Fire Department."

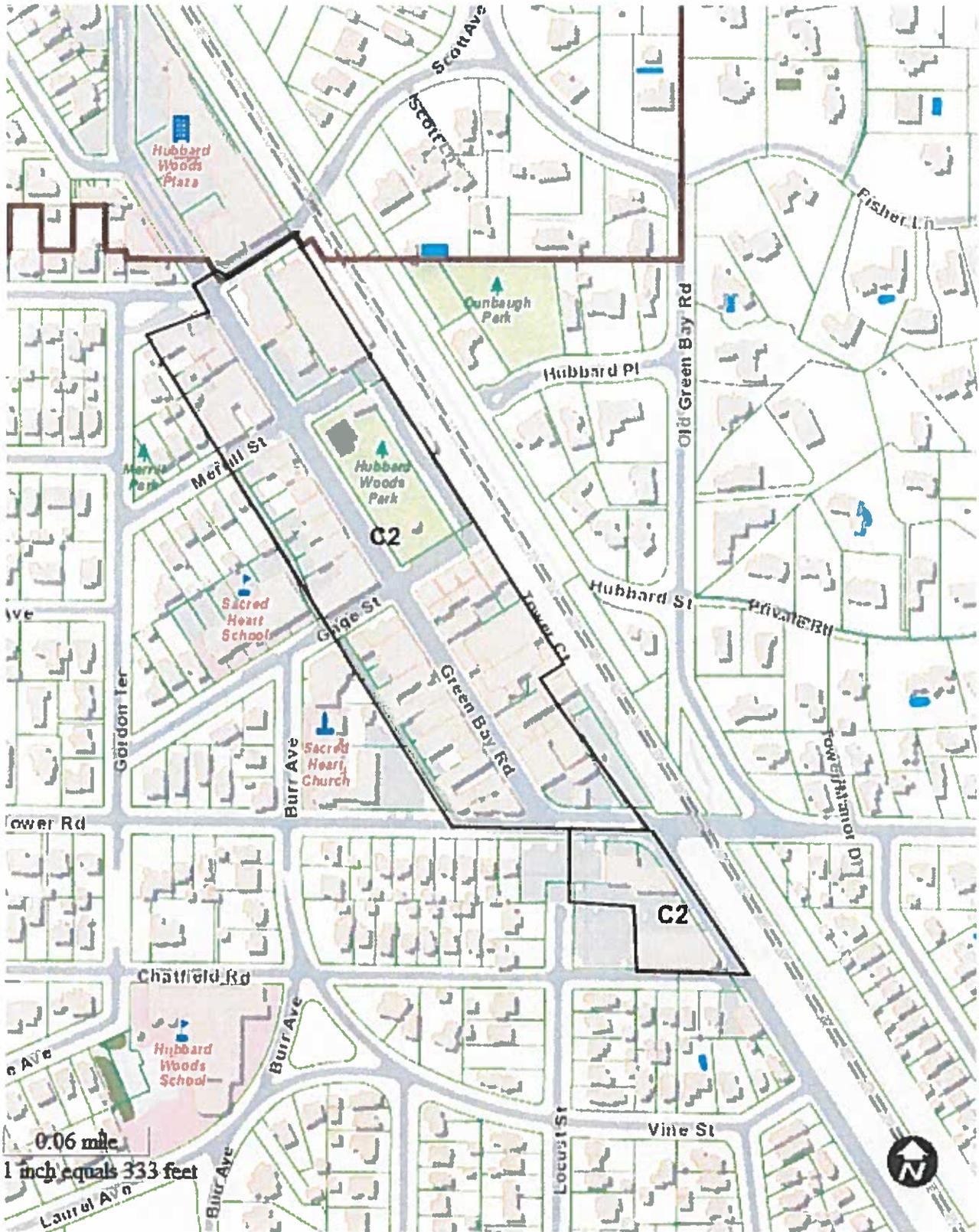
"The main problem would be the cost."

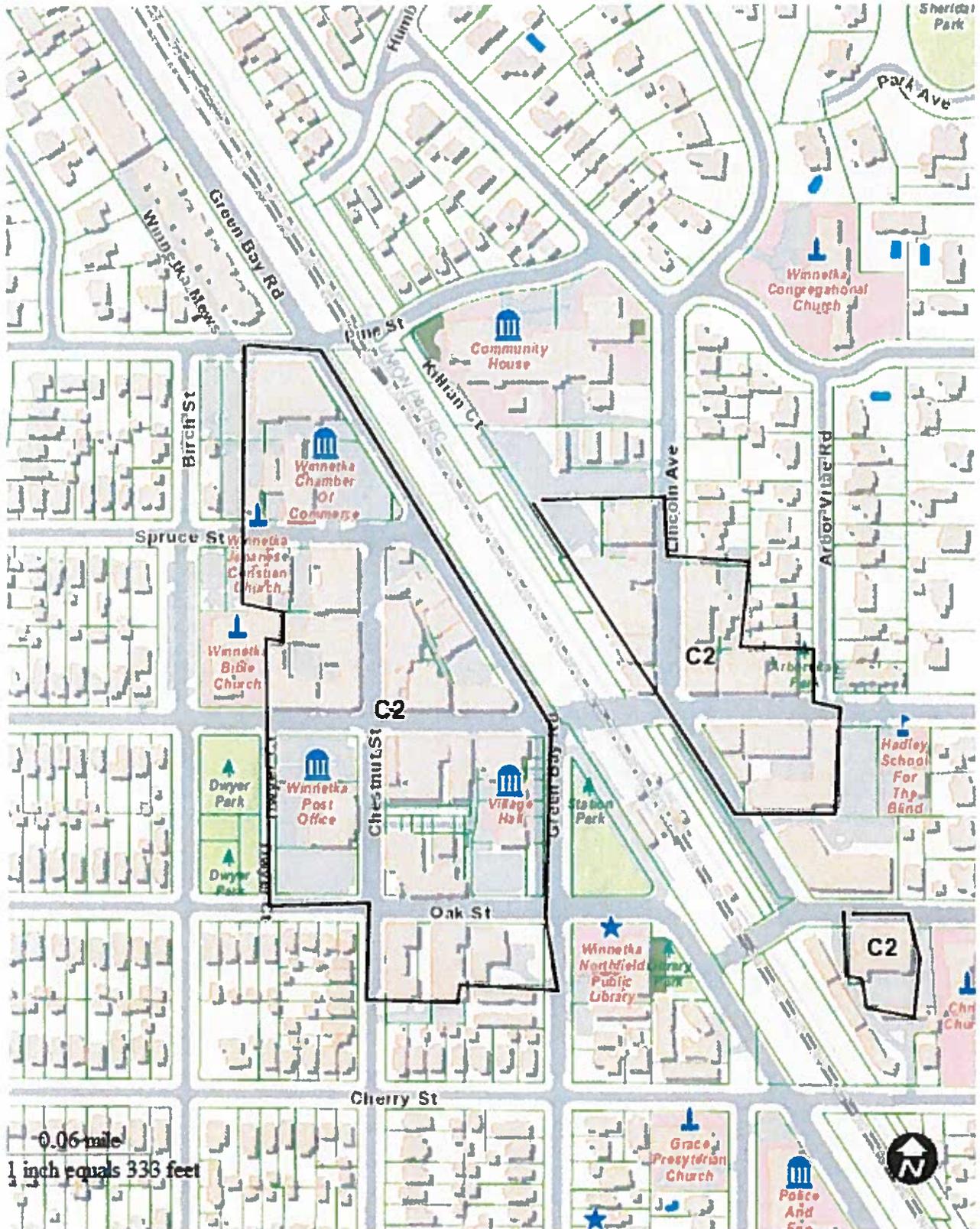
"We believe our business does not fall into the usual category."

"Sprinkler systems obviously are an effective way to help control a fire but at a great expense."

"There should be a grant program in place like available 10 years ago to assist with cost to implement sprinklers."







ADDENDUM 4

Winnetka Village Council
STUDY SESSION
Village Hall
510 Green Bay Road
Tuesday, April 14, 2015
7:00 PM

Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council. Emails for a Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

AGENDA

- 1) Call to Order
- 2) Sprinkler Requirements for Commercial Buildings2
- 3) Public Comment
- 4) Executive Session
- 5) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Council Information > Agenda Packets & Minutes); the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor).

Broadcasts of the Village Council meetings are televised on Channel 10 and AT&T Uverse Channel 99 every night at 7 PM. Webcasts of the meeting may also be viewed on the Internet via a link on the Village's web site: <http://winn-media.com/videos/>

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3543; T.D.D. 847-501-6041.

**MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION**

April 14, 2015

(Approved: May 5, 2015)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, April 14, 2015 at 7:00 p.m.

- 1) Call to Order. President Greable called the meeting to order at 7:01 p.m. Present: Trustees Arthur Braun, Carol Fessler, Richard Kates, William Krucks, Stuart McCrary and Marilyn Prodromos. Absent: None. Also in attendance: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Fire Chief Alan Berkowsky, Deputy Fire Chief John Ripka, and approximately 16 persons in the audience.
- 2) Sprinkler Requirements for Commercial Buildings. Chief Berkowsky explained that the issue of amendments to the fire sprinkler ordinance was first brought up in February, 2014 during a review of the existing fire sprinkler regulations. Several discussions have been held since then, including review of a draft retrofit ordinance, which was rejected after a survey of Winnetka business owners revealed that a majority opposed it. Last November, after the Council concluded that a retrofit ordinance was not a good fit for the community, staff was asked to study the “change of use” provision in the current sprinkler code.

Chief Berkowsky reviewed a table of proposed amended uses, and he also proposed eliminating language granting the Fire Chief discretion in appeal situations, to enable more consistent enforcement. The Chief noted that the proposals in the amended use table are less restrictive, and would have resulted in 50% less sprinkler installations had it been in use over the last 20 years.

Trustee Kates commented that he would only want to require sprinklers when a change of use creates a greater fire hazard, since the sprinkler installation is such a large expense for the building owner. The Chief noted that most fire deaths occur in residential dwellings, and that business uses are a threat to the residential occupancies. He explained that Winnetka’s building stock is unique with respect to proximity, age of structures, residential above commercial, and the size of basement storage spaces.

The Chief explained that the change of use provision in the sprinkler code is intended to provide a trigger for installation of the sprinklers, rather than a determination of a greater fire hazard.

The Council discussed the proposed sprinkler code modifications at length, with several Trustees preferring a greater fire hazard metric to replace the change of use standard. Chief Berkowsky explained that it would be difficult to determine the greater hazard, and further research would need to be conducted.

Trustee Krucks said the Council needs to decide if the Village still has an interest in advancing the installation of fire sprinklers in commercial buildings. He noted that the current ordinance may contribute to demolitions, since once the cost of a building rehabilitation passes a certain point, current building code compliance becomes mandatory.

Trustee Fessler suggested prioritizing uses and placing more urgency on the most risky ones; and Trustee Kates agreed with the suggestion.

Chief Berkowsky explained that different communities deal with the fire sprinkler issue in different ways. For example, Evanston has a retrofit ordinance, but Wilmette strictly follows the model building code. He said it would be challenging to create a ranking of uses based on the hazard they present, and he added that the residential occupancies over the businesses are his greatest concern.

Glenn Weaver, 574 Lincoln Avenue. Mr. Weaver said the cost of installing a sprinkler system is a major drawback, and he noted that all commercial buildings are required to have smoke detection systems installed. He opined that heat and smoke detectors are the best solution to the fire hazard dilemma.

Terry Dason, Director of the Winnetka-Northfield Chamber of Commerce. Ms. Dason said the Winnetka business community is comprised of small, independent business owners who cannot afford the expense of installing a fire sprinkler system.

Lisa Ditkowsky, 528 Kenmore, Wilmette. Ms. Ditkowsky said she agreed with the Fire Chief that sprinklers are a necessity, especially in light of the recent fire at the Wilmette Women's Club.

Richard Busscher, 1275 Asbury. Mr. Busscher commented that most building owners cannot afford the high cost of sprinkler installation, and he recommended finding a solution that landlords and business owners can implement together.

Sean Scott, Doyl Opticians. Mr. Scott said when the fire sprinkler code was adopted in 1977 there were very few absent landlords; however, much of Winnetka's commercial stock is now owned by investment companies that are off-site and out-of-state. He opined that if a retrofit ordinance passes, rents would increase and he will have to close his shop.

Patricia Burwanger, Village Toy Shop. Ms. Burwanger said she also would have to close her shop if rents increase, and she urged the Council not to pass a retrofit ordinance.

Madonna Titoman, property manager for 560 Green Bay Road. Ms. Titoman said the fire sprinkler code creates a financial burden, and she agreed that a fire hazard assessment would be sensible.

Tom Fritts, 560 Chestnut – TL Fritts. Mr. Fritts said he has heat and smoke detectors and that installation of fire sprinklers would put him out of business. He added that his insurance company would not lower his rates even if he installed fire sprinklers.

Manager Bahan explained that the draft retrofit ordinance is no longer under consideration and that tonight's discussion was intended to explore amendments to uses that would address concerns about requirements for sprinkler installation.

President Greable called for comments from the Council.

Trustee Braun asked why all the homes in Winnetka are not required to install fire sprinklers, instead of just the commercial buildings. He suggested the instead of enforcing the sprinkler code provisions, the Village require a fire inspection, inform both the owner and occupant of the results and let them work together to decide whether or not to comply with the sprinkler code.

Manager Bahan commented that doing so would be more in line with the Wilmette model for fire sprinklers. Chief Berkowsky added that a private home is not treated the same as a public building, where there is an expectation of safety that must be met.

Trustee Kates said he preferred a hazard-based metric if possible, but if the amended use table is to be used, he suggested removing: (i) business to merchantile; (ii) business to multi-family; and (iii) multifamily to business.

Trustee Krucks said the nature of the building's construction should be a consideration for risk. He also said it would be helpful to have the building code requirements on hand to facilitate the discussion.

Trustee McCrary asked whether a standard water main could be used to deliver to individual sprinkler heads to reduce installation costs. Chief Berkowsky said fire sprinklers typically require a large water supply.

Trustee Fessler asked if there were grant funds available to help the businesses pay for sprinkler installation; asked how the smoke detection systems work; and expressed concern about uses as a benchmark without any risk data attached.

The Chief responded that he is not aware of any grant funds available to help the businesses. Then he explained that smoke and heat detectors are an early warning system; however, a sprinkler system will actually put the fire out. He suggested using a different trigger point such as the cost of a renovation instead of change of use, or tweaking the model building code to accelerate certain areas. Finally, he said he would do more research in an effort to delineate the hazards associated with specific uses.

- 3) Executive Session. Trustee McCrary moved to adjourn into Executive Session to discuss Personnel and Pending and Probable Litigation, pursuant to Sections 2(c)(1) and 2(c)(11) of the Illinois Open Meetings Act. Trustee Prodromos seconded the motion. By roll call vote, the motion carried. Ayes: Trustees Braun, Fessler, Kates, Krucks, McCrary, and Prodromos. Nays: None. Absent: None.

President Greable announced that the Council would not return to the open meeting after Executive Session. The Council adjourned into Executive Session at 8:46 p.m.

- 4) Adjournment. Trustee Kates, seconded by Trustee Prodromos, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 9:39 p.m.

Deputy Clerk



Agenda Item Executive Summary

Title: Sprinkler Requirements for Commercial Buildings

Presenter: Alan Berkowsky, Fire Chief

Agenda Date: 04/14/2015

Consent: YES NO

- | | |
|-------------------------------------|-------------------------|
| <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | Bid Authorization/Award |
| <input checked="" type="checkbox"/> | Policy Direction |
| <input type="checkbox"/> | Informational Only |

Item History:

On February 11, 2014, the Village Council reviewed information on the Village's current sprinkler requirements (adopted in February 1977). At that meeting, Staff was requested to prepare a draft Sprinkler Retrofit Ordinance. This concept Ordinance was presented to the Trustees at the June 26, 2014 Study Session. As a result of that meeting, Council asked Staff to determine the receptivity of the business community as it related to the concept of a retrofit Ordinance. At the November 11, 2014 Study Session, the survey results were presented.

Executive Summary:

As requested at the Council Study Session on November 11, 2014, attached is a memo and other supporting documentation addressing the questions identified by the Trustees. The memo delineates a means to determine which occupancies would be required to be sprinklered due to a greater hazard when a change of use occurs. In the last five (5) years, nineteen (19) properties have been sprinklered due to a "Change of Use". If the proposed "Change of Use" Table was applied to these installations, only nine (9) of the nineteen (19) would have required sprinklers.

Recommendation:

Staff seeks policy direction from the Village Council.

Attachments:

Berkowsky Memo, dated March 23, 2015
Attachment 1: Change of Use Table
Attachment 2: 5-Year Sprinkler Analysis
Attachment 3: Appeal Process

VILLAGE OF WINNETKA

INTERDEPARTMENTAL MEMO

TO: ROB BAHAN, VILLAGE MANAGER
FROM: ALAN BERKOWSKY, FIRE CHIEF
DATE: MARCH 23, 2015
SUBJECT: SPRINKLER ORDINANCE UPDATE

On November 11, 2014, Council was presented information from a survey that was conducted to determine the sentiment of business owners as it related to a proposed Sprinkler Retrofit Ordinance. From that discussion, the Council identified the following points:

- A Sprinkler Retrofit Ordinance may not be a good fit for Winnetka at this time.
- The current Ordinance should evaluate whether the “Change of Use” creates a greater hazard.

Based upon Staff’s review, it is also important to consider the following:

- An ordinance that allows for case-by-case evaluation will result in numerous appeals (to Council) based upon an individual’s interpretation of what creates a greater hazard.
- Our local Ordinance was enacted to establish higher standards (compared to the International Building Code) to protect our unique building stock for the following reasons:
 1. The proximity of the buildings to each other;
 2. The age of the buildings;
 3. Structural openings in walls/ceilings created over the years;
 4. Common elements of the buildings (i.e. basements, attics);
 5. The amount of available fire load; and
 6. Residential occupancies above the commercial uses.

The attached “Change of Use” Table is a proposed modification to the current Ordinance based upon Village Council’s most recent discussion. The chart would be used to determine whether the “Change of Use” results in an increased hazard. We would eliminate the existing Code relating to the Fire Chief’s discretion. The appeal process will remain intact to provide the property owner/tenant with an avenue to have the decision reviewed.

When determining whether sprinklers are required in an occupancy, there is a two-step process. The current or proposed Ordinance is the first “assessment” as to whether fire sprinklers are required. The second assessment would be the applicability of the International Building and Fire Codes as adopted by the Village Council. These Codes take into other factors. Most likely, the original intent of the “Change of Use” Ordinance was to accelerate the installation of sprinkler systems in the commercial districts.

Following are some examples of where the International Building & Fire Codes would still require the installation of sprinklers:

Restaurant to Restaurant: Though the "Change of Use" Table does not require sprinklers based upon a greater hazard, the Building and Fire Code would still require sprinklers if the space exceeds 100 occupants, 5,000 square feet or if the space is located on a floor other than on the ground floor.

Mercantile to Mercantile: If the occupancy use group remains a Mercantile, it is not required to be sprinklered under current or proposed Ordinance. However, if the Mercantile expands beyond 12,000 square feet or three stories, a sprinkler system would be required based upon the Building and Fire Code.

Please find the "Change of Use" Table attached along with a five-year analysis that will enable Council to see how it would have impacted previous determinations on change of use and sprinkler requirements. Staff believes this approach will provide some relief while still improving the sprinkler installation progress; albeit at a slower rate. Staff will be present at the April 14th Study Session to discuss and answer any questions that the Village Council might have.

Village of Winnetka Sprinkler Requirements
For
Change of Use

USE CHANGING TO

EXISTING USE	USE CHANGING TO							
	A-2 - Restaurant	B - Business	E - Education/Daycare Facilities	I-2 - Hospitals/Nursing Homes	I-4 - Adult/Infant Care Facilities	M - Mercantile	R-2 - Multifamily Residential	S - Storage
Restaurant (A-2)	N	N	Y	Y	Y	Y	Y	Y
Business (B)	Y	N	Y	Y	Y	Y	Y	Y
Education/Daycare Facilities (E)	Y	N	N	Y	Y	Y	Y	Y
Hospitals/Nursing Homes (I-2)	Y	N	N	N	N	Y	Y	Y
Adult/Infant Care Facilities (I-4)	Y	N	N	Y	N	Y	Y	Y
Mercantile (M)	Y	N	Y	Y	Y	N	Y	Y
Multifamily Residential (R-2)	Y	Y	Y	Y	Y	Y	N	Y
Storage (S)	Y	N	Y	Y	Y	Y	Y	N

* Mixed Use Occupancies - When changing to a mixed use occupancy type, the "higher hazard" occupancy will be used to determine if sprinklers are required.

**NOTE: This chart only addresses change of use situations where the building code is not applicable.

<i>EXAMPLES OF OCCUPANCY USES</i>	
A-2	Restaurants
B	Banks, barbers, car washes, civic administration, clinics, dry cleaners, educational occupancies above 12th grade, beauty shops, electronic data processing, post offices, print shops, and professional services.
E	Use of a building by more than 6 students for educational purposes through 12th grade. Includes daycare for more than 5 children over 2 ½ years of age.
I	Institutional uses such as hospitals, nursing facilities and care centers.
M	Buildings used for the display/sale of merchandise. Includes retail/wholesale, drug stores, markets, gas stations, and sales rooms.
R-2	Units greater than 2 dwelling units that are primarily permanent in nature. Multifamily housing, including: apartment houses, boarding houses, dormitories and hotels.

**Village of Winnetka
5-year Sprinkler Analysis**

Change of Use Sprinkler Installations (2010-2014)					Sprinkler Required?	
Number	Address	Date	Occupancy From	Occupancy To	Current Ordinance	New Table
551-53	Chestnut	3/30/2010	Mercantile	Storage	Yes	Yes
850-58	Green Bay	5/12/2010	Mercantile	Business	Yes	No
750	Green Bay	7/20/2010	Business	Storage	Yes	Yes
791	Elm	7/18/2011	Business	Storage	Yes	Yes
728	Elm St.	11/29/2011	Mercantile	Business	Yes	No
1007	Green Bay	1/24/2012	Mercantile	Business	Yes	No
901-905	Green Bay	2/2/2012	Business	Residential	Yes	Yes
841	Spruce St.	2/9/2012	Mercantile	Business	Yes	No
954	Green Bay	2/9/2012	Mercantile	Business	Yes	No
720	Elm St.	2/16/2012	Mercantile	Assembly	Yes	Yes
886-890	Green Bay	2/28/2012	Mercantile	Residential	Yes	Yes
813	Chestnut Ct.	4/2/2012	Mercantile	Business	Yes	No
1052	Gage	12/6/2012	Mercantile	Assembly	Yes	Yes
440	Ridge	4/10/2013	Storage	Assembly	Yes	Yes
976	Green Bay	3/12/2014	Mercantile	Business	Yes	No
565	Lincoln	3/24/2014	Mercantile	Business	Yes	No
952	Green Bay	4/9/2014	Mercantile	Business	Yes	No
558	Green Bay	11/17/2014	Business	Mercantile	Yes	Yes
1054	Gage	12/26/2014	Mercantile	Business	Yes	No
Number of Occupancies: 19						

Total Sprinkled Based on current Ordinance	19
Required Under new Hazard Table	9
Percent Required Under Current Ordinance	100%
Percent Required Under Proposed Ordinance	47%

Village of Winnetka
5-year Sprinkler Analysis

Section 15.16.090 Appeals.

A. Appeal to Village Council. A person who has applied for a permit or received an order from the Fire Chief may take an appeal to the Village Council from a decision of the Fire Chief disapproving or denying an application for a permit, or from an order of the Fire Chief requiring any fire prevention or safety-to-life measures to be taken.

The appeal shall be subject to the following conditions:

1. The basis of the appeal shall be a claim that the provisions of the Fire Prevention Code or the Life Safety Code do not apply or that the provisions have been misconstrued or wrongly interpreted.
2. The appeal shall be initiated in writing within thirty (30) days from the date of the Fire Chief's decision or order.
3. The party bringing an appeal to the Village Council shall have the burden of establishing that the Fire Chief's decision or order was in error.

B. Decision on Appeal. The Council, in the exercise of its discretion, may uphold, reverse or modify the requirements of the Fire Chief.

(Prior code § 26.09) (MC-6-2010, § 4, Amended 10/5/2010; MC-3-2005, Renumbered, 06/21/2005)

Addendum 5 – Code Survey of the Surrounding Communities

Municipality	Sprinkler Requirements for Existing Commercial Uses
Deerfield	If renovation is more than 5,000 S.F.
Des Plaines	IBC/IFC 2012
Evanston	Change of Use or Renovation greater than 50% of area
Glencoe	IBC/IFC
Glenview	IBC/IFC 2012
Highland Park	Increased Hazard or Renovation greater than 50% of area or any Storage Facility
Lake Forest	Modification of 2 or more mechanical systems or scope of work more than 50% of square footage or 50% of valuation of structure.
Lockport	If renovations are more than 50%. Implemented an economic incentive program. The Fire District will rebate the fire district tax up to five years for any new sprinkler system. Funded through video gaming revenues.
Morton Grove	Change of Use or renovations are more than 50% or a significant structural change
Mt. Prospect	Change of Use, Increase in Fire Area, or renovations exceed 50% of valuation of property: Exception Business or Mercantile (B/M) to B/M when total fire area is less than 5,000 S.F.
Niles	More than 2,500 S.F. and/or any Storage or Factory Uses with ceiling heights greater than 25 feet.
Northfield	Change to a more intense use or remodeling in excess of 50% of fair market value.
North Maine (FPD)	More than 50% of the structure is remodeled.
Northbrook	Change of Use, More than a 2,000 SF increase to space or any building that is greater than 4,000 SF gross floor area.
Skokie	More than 5,000 S.F. or Higher Hazard Classification
Wilmette	IBC/IFC 2006

Addendum 6

Sprinklers By The Numbers

	2014	2016
Percent of Buildings with Sprinklers in East Winnetka Commercial District	62%	67%
Percent of Buildings with Sprinklers in West Winnetka Commercial District	64%	64%
Percent of Buildings with Sprinklers in Hubbard Woods Commercial District	53%	60%
Percent of Buildings with Sprinklers in Indian Hill Commercial District	45%	50%

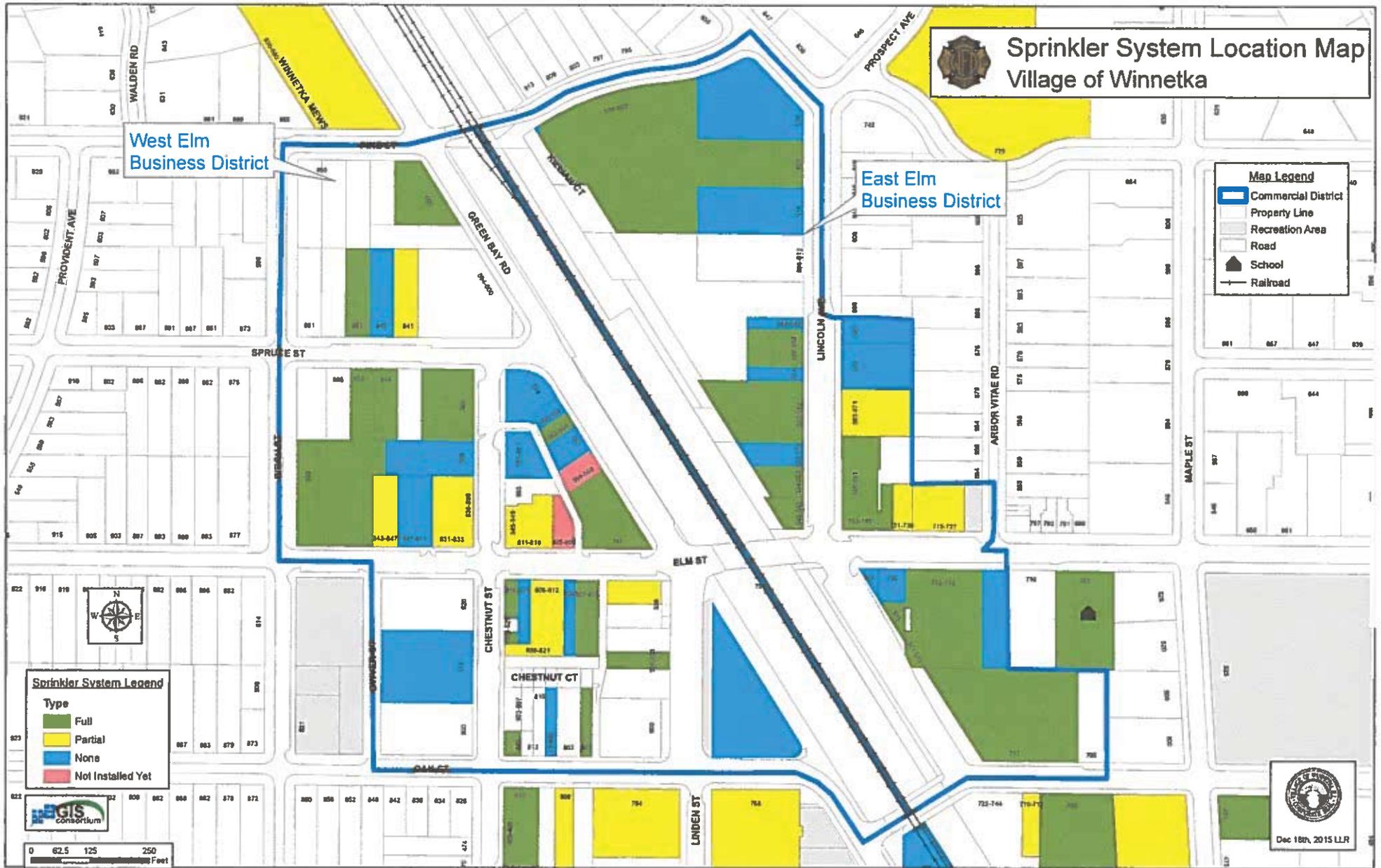
Sprinkler Facts

Percent of Businesses That Never reopen After a Significant Fire	43%
Percent Businesses That never Reopen Or Fail Within 3 Years of a Fire	72%
Percent of Fires Controlled or Extinguished by a Sprinkler System	98%
Average Number of Heads Required To Control or Extinguish a Fire	2
Number of Multiple Deaths In a Sprinklered Building With a Fire	0
Chance of Accidental Sprinkler Head Discharge Due to Defective Head	1 in 16M

Addendum 7
Sprinkler System Installations
2009 - Current

Date	Occupancy ID	Building	Installation Reason
2/19/2009	WW40-04	858 Green Bay	Change of use
11/23/2009	WW40-05	852 Green Bay	Change of use
2/11/2010	EW19-01	576-580 Lincoln	Addition to existing building.
3/30/2010	WW18-01	551-553 Chestnut	Below grade office / work area and storage
5/12/2010	WW40-01	850-858 Green Bay	Change of use
7/20/2010	WW38-01	750 Green Bay	Below grade office / work area and storage
7/18/2011	WW15-01	791 Elm	Upper level build out change of use
11/29/2011	EW08-03	728 Elm St.	Change of use
1/24/2012	HW41-05	1007 Green Bay	Change of use
2/2/2012	HW05-01	901-905 Green Bay	Below grade change of use
2/9/2012	WW33-01	954 Green Bay	Change of use
2/16/2012	EW08-08	720 Elm	Change of use
2/28/2012	HW19-01	1041-1049 Tower & 856-890 Green Bay	Change of use
4/2/2012	WW07-06	813 Chestnut Court	Change of use
12/6/2012	HW14-02	1052 Gage	Change of use
3/11/2013	IH04-01	30 Green Bay	Addition
4/10/2013	PB36-01	440 Ridge	Below grade change of use
3/12/2014	HW35-02	976 Green Bay	Change of use
3/24/2014	EW15-03	565 Lincoln	Change of use
4/9/2014	HW30-01	952 Green Bay	Change of use
11/17/2014	HW02-01	1013 Tower Ct.	Change of use
4/6/2015	HW13-01	1054 Gage	Change of use
4/9/2015	WW16-02	805 Elm	Change of use – In Progress
4/9/2015	EW10-10	723 Elm – Suite 2	Change of use – In Progress
8/10/2015	EW02-01	710 Oak	Change of use – In Progress
9/16/2015	PB23-01	600 Hibbard	Remodel – In Progress
11/15/2015	PB66-01	939 Green Bay	New construction
12/9/2015	WW24-01	556-558 Green Bay	Change of use – In Progress
			Total Systems: 30

ADDENDUM 8



Data Source: Village of Winnetka



Sprinkler System Location Map Village of Winnetka

Map Legend

- Commercial District
- Property Line
- Recreation Area
- Road
- School
- Railroad

**Hubbard Woods
Business District**

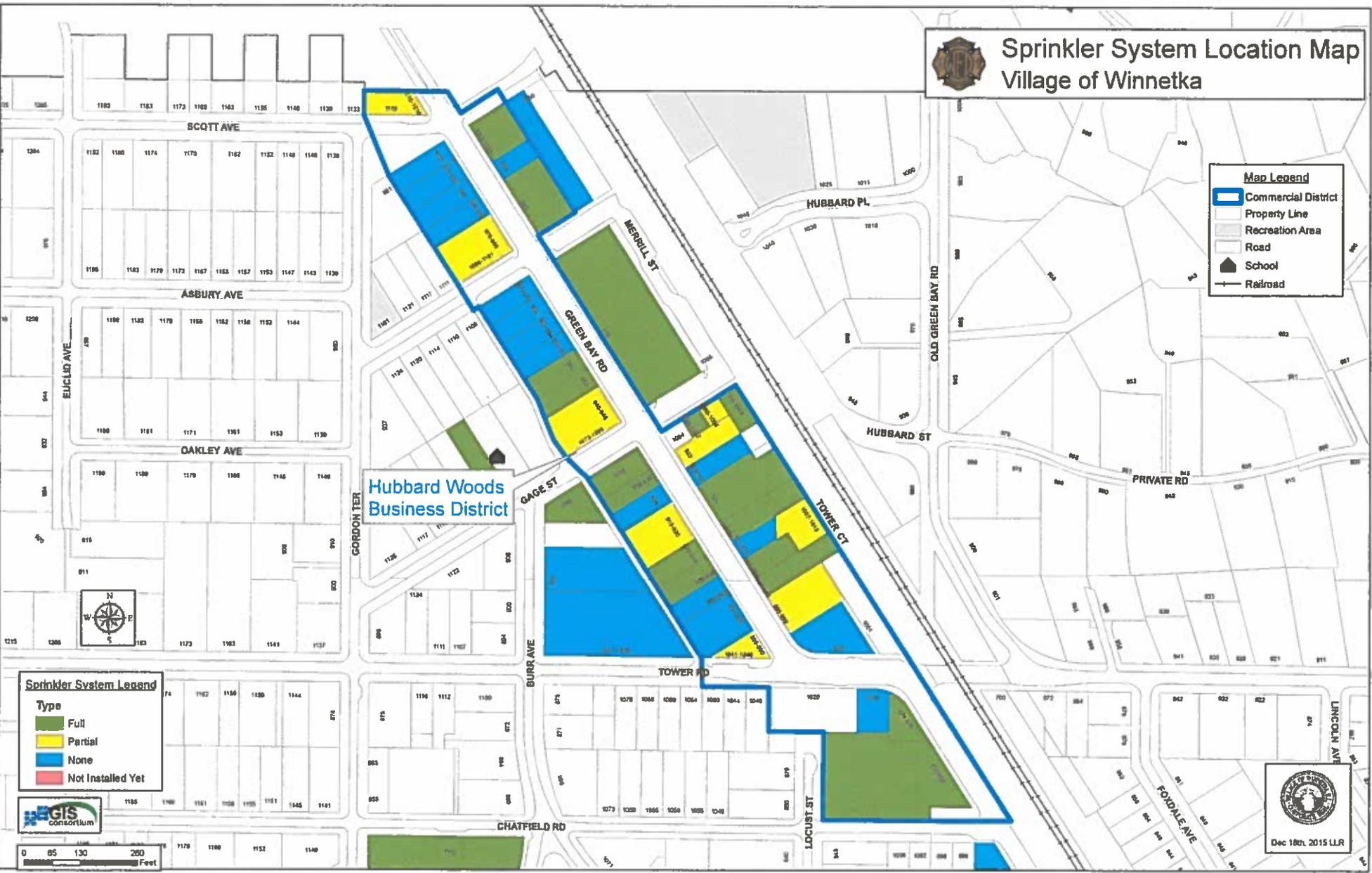
Sprinkler System Legend

Type

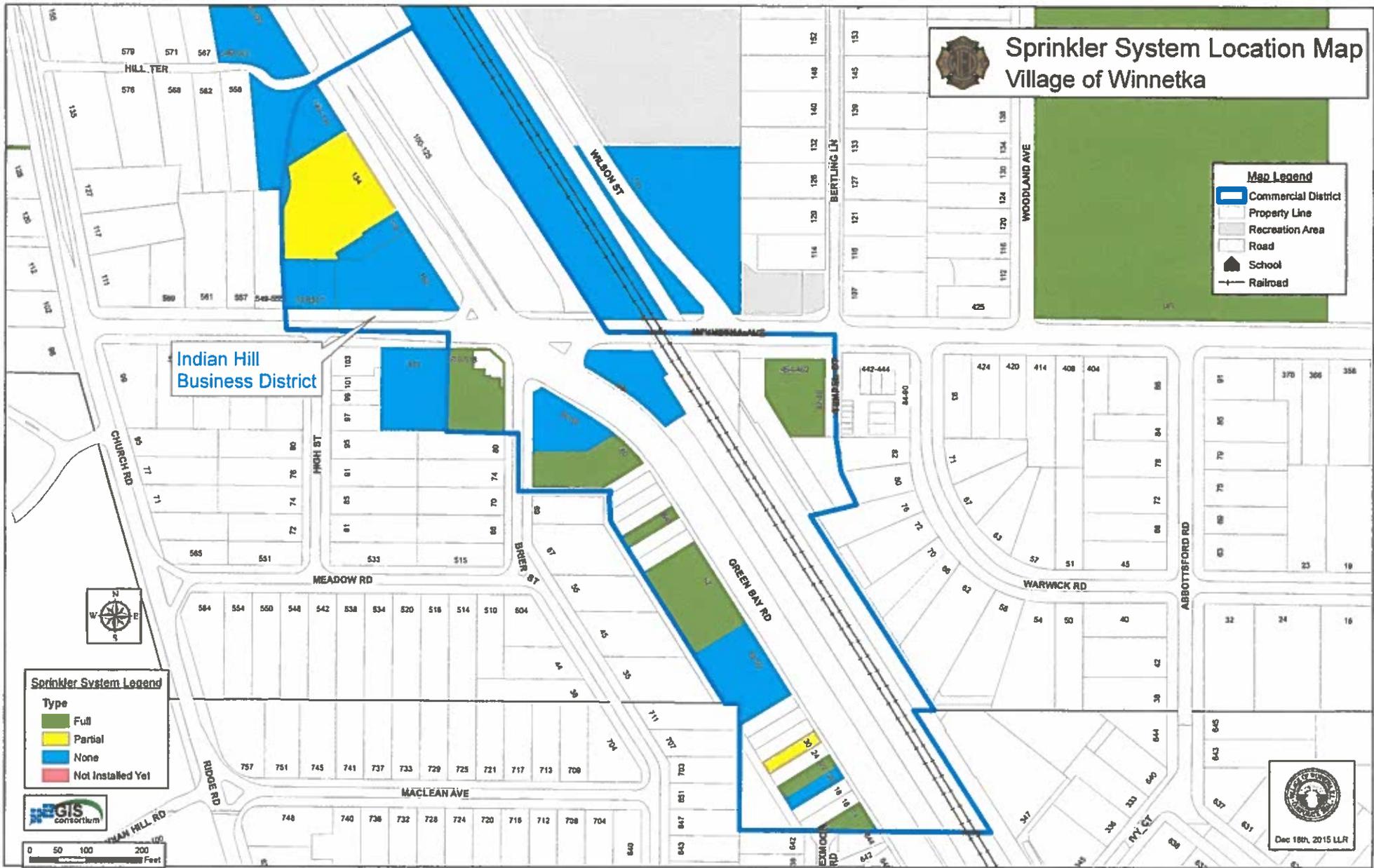
- Full
- Partial
- None
- Not Installed Yet

0 85 130 280 Feet

Dec 18th, 2015 LLR



Data Source: Village of Winnetka



Data Source: Village of Winnetka