

Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
Tuesday, January 19, 2016
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) February 2, 2016 Regular Meeting
 - b) February 9, 2016 Study Session
 - c) February 16, 2016 Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
 - a) Approval of Village Council Minutes
 - i) January 5, 2016 3
 - b) Approval of Warrant List Dated December 31, 2015 – January 14, 20166
 - c) Ordinance No. M-2-2016: Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka – Adoption7
- 6) Stormwater Monthly Summary Report.....10
- 7) Ordinances and Resolutions
 - a) Public Hearing: Zoning Amendments
 - i) Ordinance No. MC-1-2016 – Proposed Modifications to Zoning Ordinance: Semi-Permeable Surfaces: Introduction and Public Hearing – Introduction19
- 8) Public Comment
- 9) Old Business: None.
- 10) New Business: None.

- 11) Appointments
- 12) Reports
- 13) Executive Session
- 14) 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
REGULAR MEETING
January 5, 2016**

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, January 5, 2016 at 7:00 p.m.

- 1) Call to Order. President Greable called the meeting to order at 7:04 p.m. Present: Trustees Andrew Cripe, Carol Fessler, William Krucks, Stuart McCrary, Scott Myers and Marilyn Prodromos. Absent: None. Also present: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Peter M. Friedman, Community Development Director Mike D'Onofrio, Police Chief Patrick Kreis, Director of Water & Electric Brian Keys, and approximately 8 persons in the audience.
- 2) Pledge of Allegiance. President Greable led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) January 12, 2016 Study Session. All of the Council members present indicated that they expect to attend.
 - b) January 19, 2016 Regular Meeting. All of the Council members present except Trustee Fessler indicated that they expect to attend.
 - c) February 2, 2016 Regular Meeting. All of the Council members present indicated that they expect to attend.
- 4) Approval of the Agenda. Trustee Myers, seconded by Trustee Fessler, moved to approve the Agenda. By voice vote, the motion carried.
- 5) Consent Agenda
 - a) Village Council Minutes.
 - i) December 8, 2015 Study Session.
 - ii) December 15, 2015 Regular Meeting.
 - b) Warrant List. Approving the Warrant List dated December 11-30, 2015 in the amount of \$1,883,089.89.
 - c) Ordinance No. MC-7-2015: Liquor Ordinance Amendments – Adoption. An Ordinance amending Winnetka's Liquor Code to waive waiting area requirements for smaller establishments, and amending hours of service for certain license classes.
 - d) Bid #014-003; Utility Line Clearance (Tree Trimming). An authorization for the Village Manager to execute a purchase order to Asplundh Tree Expert Co. in an amount not to exceed \$150,000, based on the third year unit pricing in Bid #014-003.

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

6) Stormwater Report. None.

7) Ordinances and Resolutions.

- a) Ordinance No. M-1-2016: 470 Poplar Street, Variations for Attic Addition – Introduction / Adoption. Mr. D’Onofrio reviewed this application for zoning variations from maximum building size limitations and side yard setback provisions, for the purpose of constructing an attic addition. He explained the applicant is raising the height of the roof, as the current configuration does not allow for eaves, which leads to water leakage when it rains. He noted the Council has the option to waive introduction and immediately adopt the Ordinance, as long as the vote to waive introduction is unanimous.

After a brief discussion, Trustee Cripe, seconded by Trustee Prodromos, moved to waive introduction of Ordinance No. M-1-2016. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

Trustee Cripe, seconded by Trustee Fessler, moved to adopt Ordinance No. M-1-2016. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

- b) Ordinance No. M-2-2016: Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka – Introduction. Mr. Keys explained this is an annual housekeeping Ordinance authorizing the Village Manager to approve the disposal of Village equipment that is past its useful life or obsolete, such as used transformers or scrap cable, and items recovered by the Police Department which were never claimed.

Responding to Trustee Myers, Mr. Keys estimated that over the course of the year the equipment could sell for around \$20,000, which is generally deposited into the Water & Electric Fund. Chief Kreis said the value of items recovered by the Police Department is difficult to estimate, as they could be anything from an expensive piece of jewelry to an old bicycle. He explained the Village uses an online auction house to sell the more valuable items, and donates the bicycles to the Community House.

Mr. Keys confirmed that there are no vehicles being disposed of under the Subject Ordinance and a separate disposal Ordinance would be drafted if such a need arises.

Trustee McCrary, seconded by Trustee Fessler, moved to introduce Ordinance No. M-2-2016. By voice vote, the motion carried.

- c) Resolution No. R-1-2016: Approving a Class A-1 Liquor License for Bad Dog House, LLC d/b/a Stacked & Folded – Adoption. Chief Kreis reviewed this request for a liquor license for a new full-service restaurant at 551 Lincoln Avenue that is scheduled to open later this month.

There being no questions or comments, Trustee Prodromos, seconded by Trustee Myers, moved to adopt Resolution No. R-1-2016. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

8) Public Comment.

Pat Balsamo, 1037 Cherry Street. Mrs. Balsamo asked what consideration the Council is giving to the possibility of cyber attacks in the community, what sort of preparation is being done, and what security information and advice is being broadcast to the community.

Manager Bahan explained the Village's computer system and network has built-in security which is monitored by an IT staff person, as well as an outside consultant. The Village's utility databases are internal only networks to limit access. He cautioned, however, that no system is completely foolproof.

Chief Kreis added that the Police Department receives notifications at the Federal, State and County levels when specific concerns arise. In addition, there is crime prevention information on the Police Department web pages, and alerts are occasionally sent to E-Winnetka subscribers. He noted that the Village counts on residents to stay informed, use protection devices on their home computers, and be cautious and sensible about sharing data.

Trustee McCrary suggested that residents keep their operating systems up to date by always installing available updates, which fix vulnerabilities as they are discovered.

9) Old Business. None.

10) New Business. None.

11) Appointments. None.

12) Reports.

a) Village President. President Greable, on behalf of the Village, extended condolences to the families and friends of four young New Trier High School graduates who lost their lives over the New Year holiday weekend. All in attendance at the meeting observed a moment of silence in honor of the young accident victims.

b) Trustees. None.

i) Trustee

ii) Trustee

iii) Trustee

c) Attorney. None.

d) Manager. None.

13) Executive Session. None.

14) Adjournment. Trustee Prodrornos, seconded by Trustee Fessler, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 7:36 p.m.

Deputy Clerk



Agenda Item Executive Summary

Title: Approval of Warrant List

Presenter: Robert M. Bahan, Village Manager

Agenda Date: 01/19/2016

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:

None.

Executive Summary:

The Warrant List dated December 31, 2015 - January 14, 2016 was emailed to each Village Council member.

Recommendation:

Consider approving the Warrant List dated December 31, 2015 - January 14, 2016.

Attachments:

None.



Agenda Item Executive Summary

Title: Ordinance No. M-2-2016: Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka (Adoption)

Presenter: Brian Keys, Director of Water & Electric

Agenda Date: 01/19/2016

Ordinance

Resolution

Bid Authorization/Award

Policy Direction

Informational Only

Consent: YES NO

Item History:

Ordinance M-2-2016 was introduced at the January 5, 2016 Village Council meeting.

Executive Summary:

During the calendar year, the Village of Winnetka's Water & Electric Department and Police Department have materials and equipment that have reached the end of their useful lives, are not capable of re-use, or no longer useful to the Village.

The Water & Electric Department routinely monitors the condition of its equipment and retires equipment such as transformers, meters, switchgear, and cable as it becomes obsolete or too costly to repair, or when it becomes unsuitable for further use due to factors such as its size, short length, mechanical damage or electrical failure.

The Police Department gains possession of items of abandoned, lost, stolen, or illegally-possessioned personal property and transfers custody of this personal property to the Village pursuant to Section 3 of the Illinois Law Enforcement Disposition of Property Act, 765 ILCS 1030/3.

Ordinance No. M-2-2016 authorizes the Village Manager, or his designee, to dispose of such equipment during calendar year 2016.

Recommendation:

Consider adoption of Ordinance No. M-2-2016, titled "An Ordinance Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka."

Attachments:

Ordinance No. M-2-2016, An Ordinance Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka

**AN ORDINANCE
AUTHORIZING THE DISPOSITION OF
SURPLUS PERSONAL PROPERTY
OWNED BY THE VILLAGE OF WINNETKA**

WHEREAS, the Village of Winnetka (“*Village*”) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, from time to time during each calendar year: (i) equipment and materials owned by the Village and used by the Village Water and Electric Department reach the end of their useful lives, are not capable of re-use by the Village, and are longer necessary or useful to, or for the best interests of, the Village; and (ii) the Village Police Department gains possession of items of abandoned, lost, stolen, or illegally-possessioned personal property and transfers custody of this personal property to the Village pursuant to Section 3 of the Illinois Law Enforcement Disposition of Property Act, 765 ILCS 1030/3, which personal property is not necessary or useful to, or for the best interests of, the Village (collectively, (i) and (ii) are “*Surplus Property*”); and

WHEREAS, the Village Council desires to authorize the Village Manager to dispose of Surplus Property that is not necessary or useful to, or for the best interests of, the Village during the 2016 calendar year; and

WHEREAS, the Village Council has determined that it is in the best interests of the Village to authorize the Village Manager to dispose of Surplus Property as set forth in this Ordinance;

NOW, THEREFORE, be it ordained by the Council of the Village of Winnetka as follows:

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

SECTION 2. AUTHORIZATION TO DISPOSE OF ELECTRIC AND POLICE SURPLUS PROPERTY. Pursuant to the Village’s home rule authority, the Village Council hereby authorizes the Village Manager to deem any item of Surplus Property, as defined in this Ordinance, that the Village may possess during the 2016 calendar year to be no longer necessary or useful to, or for the best interests of, the Village, if the item: (a) has reached the end of its useful life; (b) will be retired from service by the Village and cannot be re-used by the Village for any useful purpose; or (c) is not of a type that can be used by the Village for any useful purpose. The Village Council hereby authorizes the Village Manager, or his designee, to dispose of such items of Surplus Property deemed to be no longer necessary or useful to, or for the best interests of, the Village by the Village Manager during the 2016 calendar year in a manner to be determined by the Village Manager, in his discretion.

SECTION 3. EXECUTION OF REQUIRED DOCUMENTATION. The Village Manager and the Village Clerk are hereby authorized to execute and attest, on behalf of the

Village, all documents necessary to complete the disposition of the Surplus Property authorized pursuant to Section 2 of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this ___ day of _____, 2016, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of January, 2016.

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 _____, 2016.

Introduced: January 5, 2016

Passed and Approved: _____



Agenda Item Executive Summary

Title: Stormwater Monthly Summary Report

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 01/19/2016

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:

Monthly Report

Executive Summary:

The Village Council has placed a standing item in its regular meeting agenda for updates on the Village's progress towards providing relief from stormwater and sewer flooding. This monthly report brings together status, cost, and schedule information, for each separate stormwater project, in one place.

The report includes a summary Agenda Report, which provides a brief outline and summary of each major stormwater project currently being undertaken by the Village. The report also contains a program budget, providing financial information for the stormwater and sanitary sewer improvement programs.

Recommendation:

Informational report - no action required.

Attachments:

- Project Summary Report
- Attachment #1 - Postcard Mailer
- Attachment #2 - Program Budget

Agenda Report

Subject: Stormwater Update – January 2016

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: January 12, 2016

Active Projects

NW Winnetka (Greenwood/Forest Glen)

Activity Summary The construction contract was awarded to A Lamp, in the amount of \$6,117,230, on November 6, 2014. Construction on this project is complete. Construction has also been completed on the \$342,800 contract for restoration and erosion control on the east side of the Forest Preserve pond south of Tower Road. This work was required by the Forest Preserve as a condition of receiving approval to improve the stormwater discharge to their pond.

Budget Summary The Metropolitan Water Reclamation District (MWRD) is funding \$2,000,000 of this project. The total net cost estimate for the project, including engineering, pond restoration, and MWRD reimbursement, is now \$4,706,977. Gross Village expenditures to date are \$6,585,344 and the Village has received \$1,500,000 in MWRD reimbursements to date.

6-Month Look Ahead The project team will:

1. Complete project closeout activities

Non-STADI Alternative Evaluation

Activity Summary

On October 6, 2015, the Village contracted with Strand Associates for engineering services to re-visit the feasibility and cost estimates of the previously reviewed and dismissed separate, non-STADI options, which have not been updated since 2011. The scope also includes a re-evaluation the Village's western drainage basins for creative, cost-effective non-STADI improvements for storms ranging from the 10-year to the 100-year event, taking into account the Village's flood-control goals and objectives. The scope contains a holistic approach to this project, to include consideration of grey and green infrastructure approaches, conveyance, detention, retention, infiltration, property buyout or individual protection retrofit programs, and a host of other traditional and emerging stormwater management technologies. The contract contains an April 2016 completion date.

Strand's initial Awareness Phase Public Open Houses are scheduled for January 21 from 6pm to 8pm and January 23 from 10am to noon in the north gymnasium at Washburne School. The two meetings will be identical in format and content—focusing on

communicating the results of model verification and their early observations. Strand will also be listening to the community to solicit innovative ideas and receive public input on experiences in these flood-prone areas. Following an “open-house” format, a brief introduction will be followed by breakout activity stations, where residents in each study sub-area can view model predictions of flooding under current conditions, share their flooding observations to help Strand confirm the hydraulic modeling, learn about the wide variety flood reduction techniques that might be considered for sub-areas, and provide comments and input for Strand.

The Village mailed a large-format postcard (attached) specifically designed to promote the Open House event to over 1,700 households, including all properties that are part of the Study Area, west of Green Bay Road, with the exception of the West Elm Business District and some addresses on the “fringe” of the Area boundaries. As flooding, and how the Village funds improvements impacts everyone, the community at-large is certainly welcome to attend this Open House. However, Strand’s focus here is on listening and learning about the specific areas to confirm their modeling and better inform the development of alternatives. Therefore the target audience is those who experienced the most significant flooding in recent years that have not yet been addressed by infrastructure improvements.

In addition to the postcard, the Village is publicizing the Open Houses through the Village website news, E-Winnetka, and a Press Release. We also continue to add content to the new Stormwater Alternatives Evaluation portion of the Village website (<http://www.villageofwinnetka.org/residents/stormwater-alternatives-evaluation/>).

Budget Summary Strand Associates’ contract fee for this work is \$256,050. The Village has expended \$65,893 to date.

6-Month Look Ahead The project team will:

1. Undertake the evaluation
2. Provide regular progress updates to the Council and community

Public Outreach

Activity Summary Staff has focused on scheduling and promoting the Awareness Phase open houses. Staff continues to provide E-Winnetka and website updates on the multiple projects in the stormwater management program. In January, Staff completed the migration of the Stormwater Management Program dedicated website to the Village website. Residents will now find all the content formerly posted at www.winnetkastormwaterplan.com under the heading of Stormwater Management Program at: www.villageofwinnetka.org/residents/stormwater-management-program/.

Budget Summary There is no separate budget associated with this activity.

6-Month Look Ahead Strand Associates has budgeted for six public engagement meetings to occur throughout the project, to communicate progress, receive public comments and discuss proposed alternatives as they are developed. Their approach to engagement is centered around “awareness,” “exploration,” and “vision.” Following the January Awareness Phase meetings, Strand will document and communicate the input received and will begin evaluating the feasibility and benefits of various approaches to flood reduction in the project areas. Strand’s next engagement meetings will focus on discussing and exploring possible flood reduction strategies and improvements and are expected to occur in early March. Staff will continue to use E-Winnetka, the Winnetka Report, and Village website to communicate as the Alternative Evaluation progresses.

Sanitary Sewer Evaluation

Activity Summary The Village has awarded contracts for sewer lining and manhole lining to address sanitary sewer deficiencies identified during the evaluation. 2015 construction is complete. Staff has identified lining projects to be completed in 2016 and will jointly contract for this work with other municipalities through the Municipal Partnering Initiative.

Budget Summary The Village has expended \$579,266.

6-Month Look Ahead The project team will:

1. Close the contracts
2. Contract for the 2016 project.

Ravine/Sheridan Road Improvements

Activity Summary IDOT is planning pavement and drainage improvements for the area. The contract has been awarded and construction is expected to start in Spring, 2016.

Budget Summary This project is funded in its entirety by IDOT.

6-Month Look Ahead The project team will:

1. Monitor IDOT activities
2. Update the Council as needed

Completed Projects

Ash Street Pump Station

Construction has been completed and the station is operational. The Village has expended \$262,826.

Willow Road Stormwater Tunnel and Area Drainage Improvements (STADI)

After reviewing the most recent project cost estimate of \$81.3 million, and discussing possible options for going forward, the Council concurred that no further work should be undertaken on the STADI project at this time. Rather, the Village should focus on identifying and evaluating other non-STADI alternatives to provide significant stormwater flood relief to STADI project areas. The Village has expended \$926,376 to date including the 2012 feasibility study.

Stormwater Master Plan (SMP)

The Council adopted the plan at its April 17, 2014 meeting. The Village expended \$100,932 on this project.

Spruce Outlet (Lloyd)

The project is complete and operational and the Village expended \$296,299.

Spruce Outlet (Tower)

The project is complete and operational. The Village expended \$1,269,716.

Winnetka Avenue Pump Station

Construction of the Pump Station is complete and the station is operational and the Village expended \$1,071,706.

Stormwater Utility Implementation

The utility was implemented effective July 1 and the project team is responding to resident inquiries as needed. MFSG's contract for staffing the customer support line ended, and Public Works staff has taken the lead in phone and email communications. The Village has expended \$179,516.

A summary budget document showing planned and actual expenditures for all of the planned, ongoing, and completed projects is attached.

Recommendation:

1. Informational report.

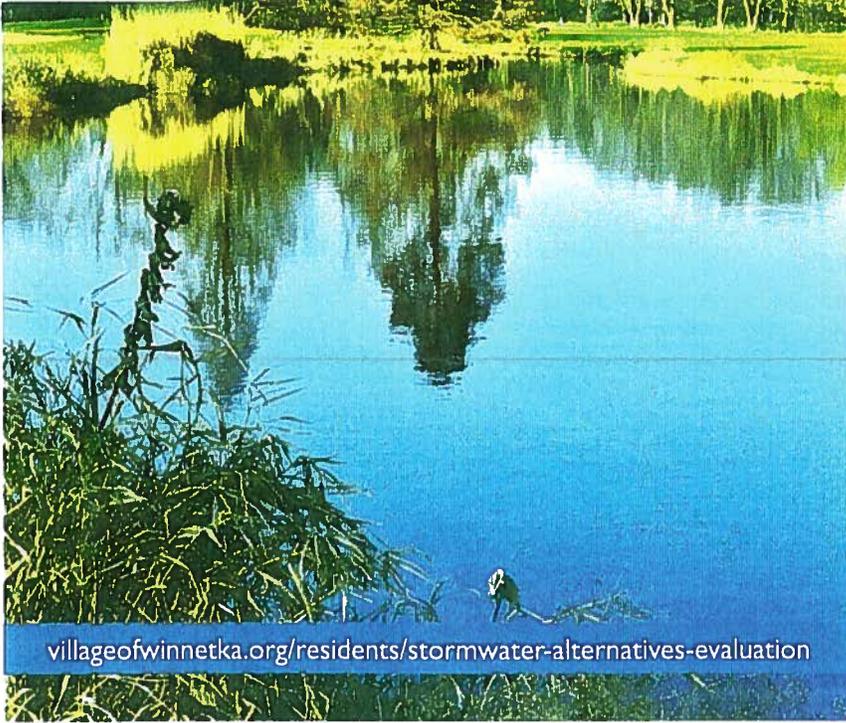
Attachments:

1. Postcard Mailer
2. Program Budget

**ATTACHMENT #1
POSTCARD MAILER**

Winnetka

Stormwater
Alternatives
Study



PUBLIC OPEN HOUSE

Please join us

Thursday, January 21

or

Saturday, January 23

2016

villageofwinnetka.org/residents/stormwater-alternatives-evaluation

Village of Winnetka Stormwater Alternatives Study Public Open House



Village of Winnetka
510 Green Bay Road
Winnetka, Illinois 60093

Standard Presort
ECRWSS
U.S. Postage
PAID
Permit No. 7
60093

Strand Associates, the Village of Winnetka's consultant conducting the Evaluation of Stormwater Management Improvements and Alternatives for Western and Southwestern Winnetka, will be hosting a Public Open House. We encourage you and your neighbors to attend to learn about early study activities, confirm flooding experiences, explore study area insights, and begin to share alternatives.

Please attend one of the open houses during the listed time frames, at your convenience. The meeting topics and structure will be identical.

**Thursday
January 21**

6:00 PM to 8:00 PM

or

**Saturday
January 23**

10:00 AM to 12:00 PM



The open houses will be held at Washburne Middle School, 515 Hibbard Road, in the school gymnasium.

We look forward to your attendance and dialogue on the Alternatives Evaluation. If you have questions regarding the open houses, please call 847-716-3549.

**ATTACHMENT #2
PROGRAM BUDGET**

Village of Winnetka
Stormwater Management Program Budget

Project	Initial Estimated Project Costs (2011)	Estimated Program Costs August 2013	Current Estimated Project Costs	Council Authorized	Spent	Comments
Stormwater Fund						
58.75.640.601						
Completed Projects	\$ 35,218,451	\$ 37,196,073	\$ 4,141,078	\$ 4,141,078	\$ 4,141,078	
Winnetka Avenue Pump Station	\$ 750,000	\$ 1,002,300	\$ 1,071,706	\$ 1,071,706	\$ 1,071,706	Complete. Initial cost estimate \$750k from 2009 study.
Tower Road/Old Green Bay	\$ 1,394,244	\$ 1,162,853	\$ 1,269,716	\$ 1,269,716	\$ 1,269,716	Complete
Lloyd Park/Spruce Street Outlet	\$ 475,510	\$ 398,786	\$ 296,299	\$ 296,299	\$ 296,299	Complete
Stormwater Utility Study/Implementation	\$ 50,000	\$ 161,866	\$ 179,516	\$ 179,516	\$ 179,516	Complete - includes customer support services
Stormwater Master Plan	\$ 50,000	\$ 101,220	\$ 100,932	\$ 100,932	\$ 100,932	Complete
Willow Road STADI Project	\$ 32,498,697	\$ 34,369,048	\$ 926,376	\$ 926,376	\$ 926,376	Project suspended effective 9/1/2015.
Ash Street Pump Station	\$ -	\$ -	\$ 262,825	\$ 262,825	\$ 262,825	Complete
STADI Cost Evaluation/Value Engineering	\$ -	\$ -	\$ 33,708	\$ 33,708	\$ 33,708	Cost estimate complete. Value engineering not authorized.
NW Winnetka Greenwood/Forest Glen	\$ 2,880,887	\$ 4,266,924	\$ 4,706,977	\$ 4,706,977	\$ 5,085,344	Added Forest Glen area, FPD pond restoration, and complete roadway reconstruction to project.
Design Engineering			\$ 226,874	\$ 226,874	\$ 226,874	Complete
Sewer Construction			\$ 6,117,230	\$ 6,117,230	\$ 6,006,858	Payments to date
Pond Engineering			\$ 19,686	\$ 19,686	\$ 19,686	Additional design required for FPD pond work. Complete
Pond Construction			\$ 227,137	\$ 227,137	\$ 227,137	Complete
Construction Observation/Engineering			\$ 116,050	\$ 116,050	\$ 104,789	Payments to date
MWRD Phase II Stormwater Funding			\$ (2,000,000)	\$ (2,000,000)	\$ (1,500,000)	Reimbursement from MWRD. Final \$500,000 requested, pending receipt.
Non-STADI Alternatives	\$ -	\$ -	\$ 256,050	\$ 256,050	\$ 65,893	
Identification and Evaluation of Alternatives			\$ 256,050	\$ 256,050	\$ 65,893	Contract awarded October 6, 2015. Payments to date.
Permitting and Design			\$ -	\$ -	\$ -	
Construction			\$ -	\$ -	\$ -	
Construction Observation/Engineering			\$ -	\$ -	\$ -	
Project Management			\$ -	\$ -	\$ -	
Total Stormwater Program Costs	\$ 38,099,338	\$ 41,462,997	\$ 9,104,105	\$ 9,104,105	\$ 9,292,315	
Sanitary Sewer Fund						
54.70.640.201						
Sanitary Sewer Studies/Engineering	\$ 150,000	\$ 150,000	\$ 187,247	\$ 187,247	\$ 184,008	Complete. Includes initial system evaluation, smoke and dyed-water testing, and engineering
System I & I repairs	\$ 1,000,000	\$ 1,000,000	\$ 960,000	\$ 443,135	\$ 395,258	Council awarded manhole and sewer lining contracts in 2014, construction complete except for punch list
Total Sanitary Sewer Costs	\$ 1,150,000	\$ 1,150,000	\$ 1,147,247	\$ 630,382	\$ 579,266	



Agenda Item Executive Summary

Title: Ordinance No. MC-1-2016 – Proposed Modifications to Zoning Ordinance:
Semi-Permeable Surfaces: Introduction and Public Hearing

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 01/19/2016

Consent: YES NO

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

Item History:

Based on recommendations in the Village’s Stormwater Master Plan, the Village Council requested that staff evaluate the Village’s zoning regulations to determine if there are areas where the zoning requirements encourage or create adverse stormwater impacts. One potential regulatory condition with stormwater implications identified by staff for Council discussion is how different types of impermeable and semi-permeable surfaces are classified in the Zoning Ordinance and stormwater management regulations. On May 19, 2015, the Village Council discussed and concurred in moving toward consistent treatment of surfaces across the various aspects of the Village’s stormwater management programs.

Executive Summary:

The Village’s Zoning Ordinance and its Stormwater Utility both have provisions that rely on measurement of impermeable surfaces (those surfaces that prevent rainwater from penetrating and soaking into the ground). The Zoning Ordinance limits the overall amount of impermeable surfaces that can be constructed on a property, and the Stormwater Utility measures impermeable surfaces as part of the fee calculation for the utility bill. There are, however, some differences between the Zoning Ordinance and the Stormwater Utility in how certain surfaces are classified. For example, the Zoning Ordinance considers gravel surfaces, whether compacted or not, to be permeable, and standard dry-set paver surfaces are considered to be only 80% impermeable. For purposes of the Stormwater Utility, however, all paved areas (including pavers), as well as compacted gravel areas, are counted as 100% impermeable area. These variations in how certain surfaces are characterized for different aspects of the Village’s stormwater management program cause confusion for builders and residents, and additional administrative effort for Village staff.

It was staff’s recommendation to the Council that strong consideration be given to classifying standard paver products installed without designed joint spacing and a designed underdrain collection system as an impermeable surface area, for both zoning and stormwater purposes, in order to minimize the overall amount of impermeable surfaces being constructed. Similarly, staff recommended that consideration likewise be given to classifying compacted gravel driveways and parking areas as an impermeable surface area, for both zoning and stormwater calculation purposes. The Council concurred with these recommendations.

The Village Attorney has prepared Ordinance MC-1-2016 (see Attachment #2), proposing revisions to Chapter 17 – Zoning, of the Winnetka Village Code. These revisions would provide consistency in the way surfaces are treated, and would also potentially simplify the necessary zoning calculations associated with building permit applications. This allows between standard types of paved or other impermeable surfaces and a variety of pavement surfaces that are specifically designed to infiltrate, rather than shed, stormwater runoff. These designed permeable surfaces provide a beneficial effect by slowing the rate of stormwater runoff, reducing runoff volumes (depending on the characteristics of the underlying soil) and by filtering some common types of stormwater contamination.

Ordinance MC-1-2016 also modifies and clarifies the definition of impermeable surfaces to be consistent with how stormwater runoff from a variety of surfaces – including designed permeable surfaces – is calculated under the MWRD’s WMO. This modification changes the way three types of surfaces are treated for development purposes: 1) compacted gravel surfaces would now be treated as impermeable, in keeping with the way they actually tend to function and as they are treated by the WMO; 2) standard paver installations would likewise now be treated as impermeable; and 3) designed permeable surfaces would be encouraged both by zoning regulations and the way in which they would affect stormwater utility fee calculations.

Recommendation:

1. Consider introducing Ordinance No. MC-1-2016 modifying Chapter 17 of the Winnetka Village Code
2. Consider holding a public hearing on No. MC-1-2016

Attachments:

- Agenda Report
- Attachment #1: Ordinance No. MC-1-2016
- Attachment #2: Zoning Amendment Process and Publication Notice
- Attachment #3: May 19, 2015 Council Packet and Minutes
- Attachment #4: Additional Information

Agenda Report

Subject: Ordinance MC-1-2016 – Proposed Modifications to Zoning Ordinance: Semi-Permeable Surfaces: Introduction and Public Hearing

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: January 12, 2016

Based on recommendations in the Village's Stormwater Master Plan, the Village Council requested that staff evaluate the Village's zoning regulations to determine if there are areas where the zoning requirements encourage or create adverse stormwater impacts. One potential regulatory condition with stormwater implications identified by staff for Council discussion is how different types of impermeable and semi-permeable surfaces are classified in the Zoning Ordinance and stormwater management regulations.

The Village's Zoning Ordinance and its Stormwater Utility both have provisions that rely on measurement of impermeable surfaces (those surfaces that prevent rainwater from penetrating and soaking into the ground). The Zoning Ordinance limits the overall amount of impermeable surfaces that can be constructed on a property, and the Stormwater Utility measures impermeable surfaces as part of the fee calculation for the utility bill. There are, however, some differences between the Zoning Ordinance and the Stormwater Utility in how certain surfaces are classified.

There is agreement on the classification of typical impermeable surfaces such as roofs, concrete or asphalt driveways, sidewalks, and patios, pool decks, tennis courts, and the like. These types of surfaces are classified as 100% impermeable for the purpose of both zoning calculations and the stormwater regulations. Similarly, there is agreement on non-paved surfaces such as vegetated areas and lawns, open-slatted wood decks with only dirt beneath, and widely spaced flagstone surfaces with open joints, and un-compacted gravel surfaces such as garden paths. Those types of surfaces are counted as completely permeable for the purpose of both zoning and stormwater calculations.

Some surfaces, however, are treated differently between for the purpose of zoning and stormwater calculations. The Zoning Ordinance currently defines impermeable surfaces as:

“surfaces which do not allow water to drain, seep, filter or pass through into the ground below. Such surfaces shall include, but are not limited to, buildings, other structures, driveways, sidewalks, walkways, patios, tennis courts, swimming pools and other similar surfaces; except that such surfaces shall not include any such continuous surface having an area of less than sixteen (16) square feet, and except that only eighty (80) percent of an area covered with brick, stone or concrete pavers shall be considered to be an impermeable surface.”

Gravel surfaces are considered to be permeable by the Zoning Ordinance. For purposes of the Stormwater Utility, however, all paved areas (including pavers), as well as compacted gravel areas, are counted as 100% impermeable area. The following table summarizes how different surfaces are currently treated by the Zoning Ordinance, Stormwater Utility, and the Village’s Engineering Guidelines:

Surface Type	Zoning Ordinance	Stormwater Utility	Engineering Guidelines
Concrete	Impermeable	Impermeable	Impermeable, C-factor 0.90 for runoff calculations
Asphalt	Impermeable	Impermeable	Impermeable, C-factor 0.90 for runoff calculations
Compacted gravel	Permeable	Impermeable	Impermeable, C-factor 0.90 for runoff calculations
Un-compacted gravel	Permeable	Permeable	Partially permeable, MWRD-published C-factor 0.75 for runoff calculations
Concrete pavers	Impermeable, but calculated at 80% of actual area*	Impermeable	Impermeable, C-factor 0.90 for runoff calculations
Flagstone	Impermeable, but calculated at 80% of actual area*	Impermeable, unless widely spaced such as stepping stones	Impermeable, C-factor 0.90 for runoff calculations
Designed permeable pavement system (concrete, asphalt, or paver)	Impermeable, but calculated at 80% of actual area	Unspecified but treated as permeable through appeals process	Partially permeable, MWRD-published C-factor 0.75 for runoff calculations

* Calculated at 100% if joints are mortared or units are set in or on a paved bed

As illustrated above, there are variations in how certain surfaces are characterized for different aspects of the Village’s stormwater management program. This causes confusion for builders and residents, and additional administrative effort for Village staff. On May 19, 2015, the Village Council discussed moving toward consistent treatment of surfaces across the various aspects of the Village’s stormwater management programs.

Staff has surveyed several local municipalities and determined that most organizations follow standards developed by larger county-wide stormwater ordinances (e.g. MWRD Watershed Management Ordinance (WMO), Lake County Watershed Development Ordinance). Many organizations have chosen to simply adopt these county ordinances instead of developing their own specific standards. For example, the Village of Winnetka’s Engineering Guidelines reflect the relative permeability values contained in

the MWRD's WMO, which the Village adopted by reference in 2014 when the ordinance was created. As a result, consideration should be given to the fact that by treating pavers and compacted gravel as less than 100% impermeable, more of these surfaces can be constructed on a lot, even though research shows that standard paver installations and compacted gravel behave in a very similar manner to traditional pavement.

It was staff's recommendation to the Council that strong consideration be given to classifying standard paver products installed without designed joint spacing and a designed underdrain collection system as an impermeable surface area, for both zoning and stormwater purposes, in order to minimize the overall amount of impermeable surfaces being constructed. Similarly, staff recommended that consideration likewise be given to classifying compacted gravel driveways and parking areas as an impermeable surface area, for both zoning and stormwater calculation purposes. The Council concurred with these recommendations.

Amendment Process

Section 17.72.040 of the Village Code (see **Attachment #2**) provides a defined process under which the Zoning Ordinance may be amended. Broadly, the process requires a general public notice, notice to all property owners specifically affected by a change (if a property is being re-zoned), and a public hearing before "some commission, board or committee designated by the Village Council, which shall report its findings and recommendations to the Village Council." Prior to initiating notice and holding a public hearing, staff sought preliminary input from the Zoning Board of Appeals on the proposed changes at their meeting on December 14, 2015. The Zoning Board discussed and concurred with the proposed changes.

Historically, the Village Council has been the body that has held public hearings for changes to the Zoning Ordinance. The required public notice was published in the Chicago Tribune on January 2, 2016.

The Village Attorney has prepared Ordinance MC-1-2016 (see **Attachment #1**), proposing revisions to Chapter 17 – Zoning, of the Winnetka Village Code. These revisions would provide consistency in the way surfaces are treated, and would also potentially simplify the necessary zoning calculations associated with building permit applications.

Ordinance MC-1-2016 adds the following definition for a "Designed Permeable Surface":

"Designed permeable surface" means any pavement system designed to allow water to pass through voids in the paving material or between pavers to a designed subsurface stormwater storage layer and underdrain system. Designed permeable surfaces include, without limitation, pervious asphalt, permeable pavers, porous concrete systems, and open-cell paving blocks.

This definition differentiates between standard types of paved or other impermeable surfaces and a variety of pavement surfaces that are specifically designed to infiltrate, rather than shed, stormwater runoff. These designed permeable surfaces provide a beneficial effect by slowing the rate of stormwater runoff, reducing runoff volumes (depending on the characteristics of the underlying soil) and by filtering some common types of stormwater contamination.

Ordinance MC-1-2016 also modifies and clarifies the definition of impermeable surfaces to be consistent with how stormwater runoff from a variety of surfaces – including designed permeable surfaces – is calculated under the MWRD’s WMO.

"Impermeable surfaces" means any surfaces which do that does not allow water to drain, seep, filter or pass through into the ground below. ~~Such Impermeable~~ surfaces ~~shall include, but are not limited to~~without limitation, buildings, other structures, driveways, sidewalks, walkways, patios, tennis courts, swimming pools, compacted gravel, designed permeable surfaces, and other similar surfaces; ~~except that such surfaces shall not include any such continuous surface having an area of less than sixteen (16) square feet, and except that only eighty (80) percent of an area covered with brick, stone or concrete pavers shall be considered to be an impermeable surface~~provided, however, that only 75 percent of an area covered by a designed permeable surface shall be considered impermeable surface.

This modification changes the way three types of surfaces are treated for development purposes: 1) compacted gravel surfaces would now be treated as impermeable, in keeping with the way they actually tend to function and as they are treated by the WMO; 2) standard paver installations would likewise now be treated as impermeable; and 3) designed permeable surfaces would be encouraged both by zoning regulations and the way in which they would affect stormwater utility fee calculations.

Staff recommends that the Village Council conduct a public hearing on the proposed changes and introduce Ordinance MC-1-2016.

Recommendation:

1. Consider introducing Ordinance MC-1-2016 modifying Chapter 17 of the Winnetka Village Code
2. Consider holding a public hearing on MC-1-2016

Attachments:

1. Ordinance MC-1-2016
2. Zoning Amendment Process and Publication Notice
3. May 19, 2015 Council Packet and Minutes
4. Additional Information

ATTACHMENT #1

Ordinance MC-1-2016

**AN ORDINANCE AMENDING THE TEXT OF
THE WINNETKA ZONING ORDINANCE
REGARDING IMPERVIOUS SURFACE REGULATIONS**

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 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Title 17 of the Winnetka Village Code ("***Village Code***") is the Winnetka Zoning Ordinance ("***Zoning Ordinance***"); and

WHEREAS, the Zoning Ordinance regulates, among other things, the total area of impervious surface that is permitted on each property; and

WHEREAS, Section 17.04.030 of the Zoning Ordinance defines various terms used within the Zoning Ordinance, including, without limitation, "Impermeable Surface"; and

WHEREAS, Chapter 13.16 of the Village Code establishes the Village's stormwater utility and regulations regarding the operation and maintenance of the Village's stormwater system ("***Stormwater Regulations***"); and

WHEREAS, Section 13.16.020 of the Village Code defines various terms used within Chapter 13.16 of the Village Code, including, without limitation, "Impervious Area"; and

WHEREAS, the Village Council desires to update and clarify the definitions set forth in Section 17.04.030 of the Zoning Ordinance to assure that the definition of "Impervious Surface" set forth in the Zoning Ordinance is consistent with the definition of "Impervious Area" set forth in the Stormwater Regulations ("***Proposed Amendments***"); and

WHEREAS, on January 19, 2016, after due notice thereof, the Council of the Village Council conducted a public hearing on the Proposed Amendments; and

WHEREAS, the Village Council has: (i) determined that adoption of the Proposed Amendments is in the public interest and is not solely for the interest of a private applicant; and (ii) recommended that the Proposed Amendments be approved and adopted; and

WHEREAS, the Village Council has determined that adoption of the Proposed Amendments as set forth in this Ordinance is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into this Section as the findings of the Village Council, as if fully set forth herein.

SECTION 2: DEFINITIONS. Section 17.04.030, titled “Definitions,” of Chapter 17.04, titled “Introductory Provisions and Definitions,” of the Zoning Ordinance is amended to read as follows:

“Section 17.04.030 Definitions.

For the purpose of this title, certain terms and words are defined as follows:

* * *

D.

1. Designed Permeable Surface. “Designed permeable surface” means any pavement system designed to allow water to pass through voids in the paving material or between pavers to a designed subsurface stormwater storage layer and underdrain system. Designed permeable surfaces include, without limitation, pervious asphalt, permeable pavers, porous concrete systems, and open-cell paving blocks.

12. Drive-in Establishment. "Drive-in establishment" means a place of business or portion of business, except a drive-in restaurant, offering goods or services directly to the customer sitting in or on a motor vehicle, whether parked on or moving through the premises, and whether as a principal or accessory use.

23. Drive-in Restaurant. See, "Restaurant, Drive-in," below.

34. Dwelling. "Dwelling" means a building, or portion of a building, but not including a house trailer or mobile home, hotel or motel, which is designed or used exclusively for residential occupancy.

45. Dwelling, Multiple Family or Multi-family. "Multiple family dwelling" or "multi-family dwelling" means a residential building that:

- a. is surrounded by open space or yards on a single lot;
- b. is not attached to any other building; and
- c. contains three or more dwelling units.

56. Dwelling, Single-Family Detached. "Single-family detached dwelling" means a residential building that:

- a. is surrounded by open space or yards on a single lot;
- b. is not attached to any other dwelling and

c. contains one dwelling unit that is designed for and occupied by not more than one family.

67. Dwelling, Two-Family. "Two-family dwelling" means a residential building that:

a. is surrounded by open space or yards on a single lot;

b. is not attached to any other building; and

c. contains two dwelling units, each of which is totally separated from the other either by an unpierced wall that extends from ground to roof, or by an unpierced ceiling and floor that extends from exterior wall to exterior wall; except that the two dwelling units may share a common stairwell and/or building entrance, provided that such stairwell and building entrance are exterior to both dwelling units.

78. Dwelling Unit. "Dwelling unit" means a room or group of connected rooms that:

a. are designed or used for occupancy by one family;

b. are physically separated from any other dwelling unit in the same building; and

c. contain independent and permanent cooking, sanitary and sleeping facilities.

89. Dwelling Unit, Accessory. "Dwelling Unit, Accessory" means a dwelling unit that is an accessory use and that is located in an accessory building on a zoning lot in one of the single family residential zoning districts. An "Accessory Dwelling Unit" may be located in a Coach House, as defined in this chapter, or it may be located in combination with a non-residential accessory use in a single accessory building.

* * *

I.

1. Impermeable Surface. "Impermeable surfaces" means any surfaces which do that does not allow water to drain, seep, filter or pass through into the ground below. Such Impermeable surfaces shall include, but are not limited to without limitation, buildings, other structures, driveways, sidewalks, walkways, patios, tennis courts, swimming pools, compacted gravel, designed permeable surfaces, and other similar surfaces; except that such surfaces shall not include any such continuous surface having an area of less than sixteen (16) square feet, and except that only eighty (80) percent of an area covered with brick, stone or

~~concrete pavers shall be considered to be an impermeable surface provided, however, that only 75 percent of an area covered by a designed permeable surface shall be considered impermeable surface.~~

* * *

SECTION 3: HOME RULE AUTHORITY. The Village Council adopts this Ordinance pursuant to its home rule authority.

SECTION 4: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this ____ day of _____, 2016, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2016.

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 _____, 2016.

Introduced: January 19, 2016

Passed and Approved: _____, 2016

ATTACHMENT #2

Amendment Process

Winnetka, IL Village Code

Section 17.72.040 Amendments.

A. Intent. The provisions, regulations and districts contained within this title may be amended from time to time by ordinance, but no such amendment shall be made without a hearing before some commission, board or committee designated by the Village Council, which shall report its findings and recommendations to the Village Council.

B. Application for Amendment.

1. Who May File. Amendments may be proposed in writing by the Village Council, the Plan Commission, the Zoning Board of Appeals, the Village Manager or any person having a proprietary interest in the property or properties for which an amendment is proposed.

2. Filing and Contents of Application. An application for amendment shall be filed with the Zoning Administrator in such standard form as shall be prescribed by the Zoning Administrator.

3. Fees. The application shall be accompanied by applicable fees, which shall not be refundable. The fees shall be set from time to time by resolution of the Village Council.

C. Hearing on Application. Within sixty (60) days of receipt of an application for amendment, the commission, board or committee designated by the Village Council shall hold a hearing on such application.

D. Notice of Hearing.

1. Publication of Notice. Notice shall be given of the time and place of the hearing, not more than thirty (30) nor less than fifteen (15) days before the hearing, by publishing a notice at least once in one or more newspapers published in the Village, or, if no newspaper is published in the Village, then in one or more newspapers with a general circulation within the Village.

2. Notice to Affected Property Owners. In cases where the proposed amendment involves a change in zoning classification of particular property and such amendment is initiated by the Village Council, the Plan Commission, the Zoning Board of Appeals or the Village Manager, notice shall be served upon the owner or owners of property which are the subject of the proposed amendment in person or by certified mail within ten (10) days after the filing of the application.

3. Mailed Notice. In cases where the proposed amendment involves a change in zoning classification of particular property, the Zoning Administrator shall prepare a list of the names and addresses of all persons to whom the latest general real estate tax bills were sent for all property situated within two hundred fifty (250) feet of the property which is the subject of the proposed amendment. Written notice of the time and place of the public hearing shall be sent to each person whose name appears on the list prepared by the Zoning Administrator, at the address shown on such list. The Zoning Administrator shall send such written notice by first class mail, postage prepaid, not less than ten (10) days prior to the date of such public hearing. The failure of any person to receive the written notice issued pursuant to this paragraph shall not affect the jurisdiction of any body authorized to conduct a hearing or otherwise consider the application for

special use. Nor shall the failure of any person to receive such written notice invalidate, impair or otherwise affect the subsequent grant or denial of any amendment granted following such public hearing.

E. Written Protest.

1. Filing of Protest. The owners of properties that will be subject to the proposed zoning amendment, as well as the owners of properties immediately adjacent to, across any alley from, or directly opposite to the property or properties that are the subject of the zoning amendment application, may file a written protest objecting to the proposed amendment. The written protest shall be directed to the Village Council and shall be submitted on forms provided by the Village and shall be signed and acknowledged, in accordance with the definitions provided in Sections 17.04.030(A)(3.5) and 17.04.030(S)(4.5) of this title. The written protest shall be submitted no later than 5:00 p.m. on the date of the first meeting of the Village Council at which the proposed amendment is on the agenda for consideration; provided, that the filing of a written protest after the close of the Board of Appeals hearing on the proposed amendment shall not create a right either to reopen the evidentiary record or to remand the application to the Board for further evidentiary proceedings.

2. Effect of Written Protest. In the event twenty (20) percent of the owners of property described in the foregoing paragraph 1 have submitted a written protest as provided therein, the granting of a zoning amendment by the Village Council shall require the favorable vote of four (4) Trustees.

F. Findings of Fact and Recommendations. Within sixty (60) days after the close of the hearing on a proposed amendment, the commission, board or committee, as the case may be, shall make written findings of fact and submit them together with its recommendation to the Village Council. In cases where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the commission, board or committee, as the case may be, shall make findings based upon evidence presented to it in each specific case with respect to the following matters:

1. Existing uses of property within the general area of the property in question and their relationship to one another;

2. The zoning classification of property within the general area of the property in question and their relationship to one another;

3. The suitability of the property in question for the uses permitted under the existing zoning classification;

4. The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was placed in its present zoning classification;

5. Where applicable, the length of time the property in question has been vacant as zoned;

6. That there are changed or changing conditions in the applicable area of the amendment, or in the Village generally, that make the proposed amendment reasonably necessary to the promotion of the public health, safety or general welfare.

In cases where the amendment is proposed by a person other than a Village Board or official and the purpose and effect of the proposed amendment is to change the zoning

classification of particular property, then the commission, board or committee, as the case may be, shall not recommend the adoption of a proposed amendment except with respect to a particular development plan submitted by the applicant as a part of the application for amendment. Such development plan shall be reviewed by the Plan Commission with respect to its consistency with the Village Comprehensive Plan, and by the Village Design Review Board with respect to whether it would issue a certificate of appropriateness for the proposed project. The findings of each with respect to these particular questions shall be presented at the required hearing.

The commission, board or committee, as the case may be, shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of a private applicant.

G. Action by the Village Council.

1. Upon receipt of a written report and recommendation on a proposed zoning amendment from the commission, board or committee, as the case may be, the Village Council shall place such report and recommendation on its agenda within thirty (30) days. The Village Council shall approve, reject, amend, modify or return the application for amendment to the commission, board or committee, as the case may be, for further study.

2. In cases in which the requisite number of protests have been submitted in accordance with Section 17.72.040 of this chapter, the proposed amendment shall not be passed except by a favorable vote of four (4) Village Trustees.

3. If an application for a proposed amendment is not acted upon finally by the Village Council within sixty (60) days of the time of receipt of the commission, board or committee findings and recommendation, as the case may be, it shall be deemed to have been denied unless an additional and specific period of time is granted by the Village Council with the consent of the applicant.

4. In approving a particular amendment, the Village Council may apply such conditions, requirements or restrictions including adherence to a particular development plan, as, in its opinion, is necessary to protect or enhance the public health, safety or welfare.

H. Amendment Deemed Null and Void. In any case where the amendment is proposed by a person other than a Village Board or official and the purpose and effect of the amendment is to change the zoning classification of particular property, and where no development has taken place within one and one-half years from the date on which such amendment was granted by the Village Council, or where development of the particular property is inconsistent with the conditions, requirements or restrictions upon which the amendment was granted, then such amendment shall become null and void and the particular property shall revert to its prior zoning classification.

(Prior code § 22.19)

(MC-6-2005, Amended, 09/20/2005; MC-9-2010, Amended, 01/4/2011)



VILLAGE OF WINNETKA

Incorporated in 1869

**WINNETKA VILLAGE COUNCIL COMMITTEE OF THE WHOLE NOTICE
OF PUBLIC HEARING
ZONING AMENDMENTS TO SECTION 17.04 OF THE VILLAGE CODE
January 19, 2016**

Notice is hereby given that the Winnetka Village will hold a public hearing on Tuesday, January 19, 2016 in the Council Chambers of the Winnetka Village Hall at 510 Green Bay Rd, Winnetka Illinois. The purpose of this hearing is to receive public comment and evidence on the proposed amendments to the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, as follows:

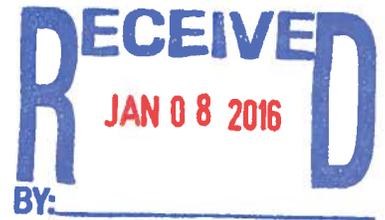
1. Amendment to Section 17.04.I.1 to change the definition of Impermeable Surface to include “compacted gravel”. Also, eliminate the following language: “...and except that only eighty (80) percent of an area covered with brick, stone or concrete pavers shall be considered to be an impermeable surface.” Also to add the following language: “For designed permeable surfaces, only seventy-five (75) percent of the area covered by designed permeable surfaces shall be considered to be an impermeable surface.”
2. Amendment to Section 17.04.D. to add the following definition: “Designed Permeable Surface. ‘Designed permeable surfaces’ means pavement systems designed to allow water to pass through voids, in the paving material between pavers, to a designed subsurface stormwater storage layer underdrain system. Designed permeable surfaces include, but are not limited to, pervious asphalt, permeable pavers, porous concrete systems, and open-cell paving blocks.”

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that 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 facilities, contact the Village ADA Coordinator at 510 Green Bay Road, Winnetka, Illinois 60093 [Telephone: (847) 716-3543; T.T.Y.: (847) 501-6041].

510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034
Public Works (847) 716-3568 Water and Electric (847) 716-3558 www.villageofwinnetka.org
Agenda Packet P. 33

Chicago Tribune



Sold To:
Village of Winnetka - CU00503871
510 Green Bay Rd
Winnetka, IL 60093-2552

Bill To:
Village of Winnetka - CU00503871
510 Green Bay Rd
Winnetka, IL 60093-2552

Classified Advertising: 3863236

Certificate of Publication:

Chicago Tribune Company hereby certifies that it is the publisher of the Chicago Tribune; that the Chicago Tribune is an English language newspaper of general circulation, published daily in the City of Chicago, County of Cook and State of Illinois; that the Chicago Tribune has been so published continuously for more than one year prior to the date of first publication mentioned below and is further a newspaper as defined in Ill. Rev. Stat. Ch. 100, SS 5 & 10; that the undersigned is the duly authorized agent of the Chicago Tribune Company to execute this certificate on its behalf; and that a notice of which the annexed is a true copy was printed and published in said newspaper

On the following days, to-wit: Jan 02, 2016.

Executed at Chicago, Illinois on this
4 Day of JAN, 2016, by
Day Month Year

Chicago Tribune Company

B. S. [Signature]
Name of Signer
[Signature]
Notary Public



Chicago Tribune

**WINNETKA VILLAGE COUNCIL
COMMITTEE OF THE WHOLE NOTICE OF
PUBLIC HEARING ZONING AMENDMENTS
TO SECTION 17.04 OF THE VILLAGE CODE
JANUARY 19, 2016**

Notice is hereby given that the Winnetka Village will hold a public hearing on Tuesday, January 19, 2016 in the Council Chambers of the Winnetka Village Hall at 510 Green Bay Rd, Winnetka Illinois. The purpose of this hearing is to receive public comment and evidence on the proposed amendments to the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, as follows:

1. Amendment to Section 17.04.1.1 to change the definition of impermeable Surface to include "compacted gravel". Also, eliminate the following language: "...and except that only eighty (80) percent of an area covered with brick, stone or concrete pavers shall be considered to be an impermeable surface." Also to add the following language: "For designed permeable surfaces, only seventy-five (75) percent of the area covered by designed permeable surfaces shall be considered to be an impermeable surface."

2. Amendment to Section 17.04.D. to add the following definition: "Designed Permeable Surface. 'Designed permeable surfaces' means pavement systems designed to allow water to pass through voids, in the paving material between pavers, to a designed subsurface stormwater storage layer underdrain system. Designed permeable surfaces include, but are not limited to, pervious asphalt, permeable pavers, porous concrete systems, and open-cell paving blocks."

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that 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 facilities, contact the Village ADA Coordinator at 510 Green Bay Road, Winnetka, Illinois 60093 [Telephone: (847) 716-3543; T.T.Y.: (847) 501-6041].

ATTACHMENT #3

May 19 Council Packet and Minutes



Agenda Item Executive Summary

Title: Evaluation of Development Regulations on Stormwater Management - Part 1

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 05/19/2015

Consent: YES NO

- Ordinance
- Resolution
- Bid Authorization/Award
- Policy Direction
- Informational Only

Item History:

Based on recommendations in the Village’s Stormwater Master Plan, the Village Council has requested that staff evaluate the Village’s zoning regulations to determine if there are areas where the zoning requirements encourage or create adverse stormwater impacts. Four potential regulatory conditions with stormwater implications were identified: 1) the maximum allowable impermeable surface that can be constructed on a lot; 2) provisions in the current Zoning Ordinance that encourage construction of detached rear garages; 3) how different types of impermeable and semi-permeable surfaces are classified in the Zoning Ordinance and stormwater management regulations, and; 4) whether construction of extra-deep (18-20 foot) basements produces adverse stormwater issues. The Village’s recent (2014) citizen survey also indicated that the Village would be studying development requirements for new home construction to control stormwater runoff, and 90% of respondents either strongly or somewhat supported evaluating and implementing additional stormwater requirements for new home construction.

Executive Summary:

This report covers items 3 and 4, treatment of impermeable and semi-permeable surfaces, and the effect of deep basements. The remaining two items are also being evaluated by staff, and it is anticipated that recommendations on these items will be presented for Council discussion in the next couple of months.

The Village’s Zoning Ordinance and its stormwater regulations both have provisions that rely on measurement of impermeable surfaces, those surfaces that prevent rainwater from penetrating and soaking into the ground. There are, however, some differences between the Zoning Ordinance and the regulations in how certain surfaces such as pavers and compacted gravel are classified. Staff researched this issue and recommends that pavers and gravel be consistently treated for both zoning and stormwater purposes, and that consideration be given on how to encourage the use of engineered permeable pavement systems.

Another items identified for review is whether the construction of excessively deep basements, those deeper than the typical 8- to 10-foot basement, poses a flooding risk to neighboring properties by interruption or displacement of groundwater. In most cases, these deeper basements are constructed as a matter of convenience to property owners for the purpose of “sport-courts”, home theaters, or other amenities. Staff has investigated the likely implications of these deeper basements for typical Winnetka conditions using soil boring data. Based on soil boring data, the location of the low permeability clay strata layers, and current water table depths it is concluded that the incremental basement depth associated with deeper basements does not cause a significant interruption or displacement of groundwater and would not impact neighboring properties. The Village's Engineering Design Guidelines should be amended to require that sump pump discharge volumes be included in stormwater management calculations.

Recommendation:

1. Consider directing staff to evaluate and prepare potential changes to the Zoning Ordinance in order to classify standard paver installations and gravel pavements as impermeable surfaces. Should the Council determine to consider changes to the Zoning Ordinance, consider which board or commission should hold the necessary public hearing for amendments. Provide policy direction.
2. Consider directing staff to prepare a modification to the Engineering Design Guidelines to require that sump pump discharge volumes be included in stormwater management calculations.

Attachments:

Agenda Report
Village Code Section 17.72.040

Agenda Report

Subject: **Evaluation of Impacts on Stormwater Management of Semi-permeable Surfaces and Deep Basements**

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: May 15, 2015

Based on recommendations in the Village's Stormwater Master Plan, the Village Council has requested that staff evaluate the Village's zoning regulations to determine if there are areas where the zoning requirements encourage or create adverse stormwater impacts. Four potential regulatory conditions with stormwater implications were identified: 1) the maximum allowable impermeable surface that can be constructed on a lot; 2) provisions in the current Zoning Ordinance that encourage construction of detached rear garages; 3) how different types of impermeable and semi-permeable surfaces are classified in the Zoning Ordinance and stormwater management regulations, and; 4) whether construction of extra-deep (18-20 foot) basements produces adverse stormwater issues.

The Village's recent (2014) citizen survey also indicated that the Village would be studying development requirements for new home construction to control stormwater runoff, and 90% of respondents either strongly or somewhat supported evaluating and implementing additional stormwater requirements for new home construction.

This report covers items 3 and 4, treatment of impermeable and semi-permeable surfaces, and the effect of deep basements. The remaining two items are also being evaluated by staff, and it is anticipated that recommendations on these items will be presented for Council discussion in the next couple of months.

Evaluation of Impermeable Surface Classifications

The Village's Zoning Ordinance and its Stormwater Utility both have provisions that rely on measurement of impermeable surfaces, those surfaces that prevent rainwater from penetrating and soaking into the ground. The Zoning Ordinance limits the amount of impermeable surfaces that can be constructed on a property, and the Stormwater Utility measures impermeable surfaces as part of the fee calculation for the utility bill. There are, however, some differences between the Zoning Ordinance and the Stormwater Utility in how certain surfaces are classified.

There is agreement on the classification of typical impermeable surfaces such as roofs, concrete or asphalt driveways, sidewalks, and patios, pool decks, tennis courts, and the like. These types of surfaces are classified as 100% impermeable for the purpose of both zoning calculations and the stormwater regulations. Similarly, there is agreement on non-paved surfaces such as vegetated areas and lawns, open-slatted wood decks with only dirt beneath, and widely spaced flagstone surfaces with open joints, and un-compacted gravel

surfaces such as garden paths. Those types of surfaces are counted as completely permeable for the purpose of both zoning and stormwater calculations.

Some surfaces, however, are treated differently between for the purpose of zoning and stormwater calculations. The Zoning Ordinance defines impermeable surfaces as:

“surfaces which do not allow water to drain, seep, filter or pass through into the ground below. Such surfaces shall include, but are not limited to, buildings, other structures, driveways, sidewalks, walkways, patios, tennis courts, swimming pools and other similar surfaces; except that such surfaces shall not include any such continuous surface having an area of less than sixteen (16) square feet, and except that only eighty (80) percent of an area covered with brick, stone or concrete pavers shall be considered to be an impermeable surface.”

Under this definition, gravel surfaces are not considered to be impermeable by the Zoning Ordinance.

Clay/Concrete Pavers

Standard concrete or clay dry-set pavers, with minimal joint spacing, are treated as 100% impermeable for the purpose of stormwater calculations. However, the Zoning Ordinance specifies that paver surfaces are treated as 80% impermeable, for the purpose of lot-coverage calculations. This provision was adopted as an incentive for people to use materials other than asphalt or concrete for impermeable areas, primarily for aesthetic reasons.

Typical paver installation consists of the excavation of the existing ground to a specified depth, the compaction of existing organic material, the placement of a specified thickness of finer aggregate (typically CA-6 limestone), topped with a thin layer of sand which acts as a compression bedding for the pavers. The compaction of the existing organic material and the limestone provides a more rigid solid base on which to place the pavers. The placement of the sand layer provides a cushion and flexible base which allows for minor displacement caused from vehicles. However, the compaction of the organic and limestone material in conjunction with the minimal spacing between standard pavers, typically less than a ¼ of an inch, makes the water infiltration rate very low.

As a result, many governmental organizations consider this material and installation technique to act as an impermeable surface when considering retention or infiltration credits. For example, the Metropolitan Water Reclamation District’s countywide Watershed Management Ordinance (WMO) specifies that traditional paved surfaces (concrete and asphalt) and typical concrete and clay paver installations are treated as being equally impermeable. Lake County and DuPage County ordinances do likewise.

In addition, staff spoke with representatives from UniLock, one of the larger paver manufacturers and installers in the region, and their design team confirmed the infiltration rates as consistent with the approach taken by government organizations that these surfaces behave like an impervious material.

Gravel/Decorative Stone

Compacted gravel surfaces, such as gravel driveways or parking areas, are also treated as 100% impermeable for purposes of stormwater calculations, however they are not counted as impermeable surface for the purpose of zoning lot coverage calculations.

Standard limestone or colored gravel offers both an aesthetic and easily maintainable material. Many of the gravel materials recommended for this application do maintain a specific amount of finer aggregates which provide an adhesion of the larger aggregate stones, making it easier to drive on and maintain. Although the use of this material does provide various benefits, it is considered by most organizations to be an impervious material due to the fine aggregates in the mix. For example, compacted gravel surfaces are treated the same as pavement by the WMO for the purpose of calculating stormwater runoff.

Designed Permeable Pavement Systems

Porous concrete and bituminous materials have provided an additional approach to water quality and infiltration management. These systems are designed to provide a specific rate of infiltration through the pavement structure into an underdrain collection system, consisting primarily of larger aggregate and rigid piping. Manufacturers of these kinds of systems have specific quantified infiltration rates depending on the variations in the mix, and these rates would be considered in the overall rate of runoff from a property. Not only do pervious pavement systems offer improved overall infiltration, there is also an increased water quality benefit of the reduction of solid materials typical in standard runoff.

Installation begins with the design of a storm water collection system placed under the pavement, including the utilization of larger aggregates to allow for the water to infiltrate through to the collection system. In addition to the installation of the collection system the spacing between the pavers, or in the case of permeable concrete or asphalt, between the stone matrix, becomes more pronounced; typically between a ½ to 1-inch. The variation in the spacing and the size aggregate in the sub base design allows for the determination of a specific infiltration rate for which to consider detention/retention credits. Compared to traditional pavements, the cost for installation and required maintenance can be considerably higher, although the long term water quality and stormwater management benefits may offset these higher costs.

These systems are most frequently used in commercial developments, due to the increased costs for the material and installation, however they are becoming increasingly popular for residential applications. One of the difficulties of utilizing this material is the maintenance that is required to ensure the maximum infiltration rates, and the frequency of the maintenance. Maintenance activities would include vacuuming of the surface to remove loose impediments and flushing/rodding of the underdrain system. If this maintenance is not performed regularly, these installations lose their permeability and behave like traditional pavements.

For the purpose of calculating stormwater runoff, the WMO classifies permeable pavements systems as more permeable than standard pavements, but less permeable than vegetated areas.

Conclusions

Staff has surveyed several local municipalities and determined that most organizations follow standards developed by larger county-wide stormwater ordinances (e.g. MWRD-WMO, Lake County WDO). Many organizations have chosen to simply adopt these county ordinances instead of developing their own specific standards. For example, the Village of Winnetka's Engineering Guidelines reflect the relative permeability values for these surfaces that are contained in the MWRD's WMO, which the Village adopted by reference in 2014 when the ordinance was created.

These regulations, however, also interface with the zoning ordinance, which places maximum limits on the amount of impermeable surfaces that can be constructed. While staff is still evaluating the overall maximum limits set in the Zoning Ordinance, consideration should be given to the fact that by treating pavers and compacted gravel as less than 100% impermeable, more of these surfaces can be constructed on a lot, even though research shows that standard paver installations and compacted gravel behave in a very similar manner to traditional pavement.

It is staff's recommendation that strong consideration be given to classifying standard paver products installed without designed joint spacing and a designed underdrain collection system as an impermeable surface area, for both zoning and stormwater purposes, in order to minimize the overall amount of impermeable surfaces being constructed. Similarly, staff recommends that consideration likewise be given to classifying compacted gravel driveways and parking areas as an impermeable surface area, for both zoning and stormwater calculation purposes.

In conjunction, consideration should also be given to encourage the installation of more robust engineered designed pervious pavement systems with an appropriate storm water collection system. One way to do this would be to consider whether to modify the current appeal provision in the stormwater utility to allow a reduction in the impermeable surface calculation for engineered permeable pavement systems, using the specific permeability factors designed for each system.

Amendment Process

It is important to note that changing the way that zoning provisions are calculated does have consequences, primarily in the form of a potential increase in future zoning variations. For example, a project that was legally constructed using a paver area that was calculated at 80% for the impermeable calculation, may become non-conforming if pavers were to be counted as 100% impermeable. Due to the complexity of gathering data specific to paver driveways and gravel driveways, staff has not completed an analysis of how many non-conformities might be created by such a change.

Section 17.72.040 of the Village Code (see **Attachment #1**) provides a defined process under which the Zoning Ordinance may be amended. Broadly, the process requires a general public notice, notice to all property owners affected by a change, and a public hearing before “some commission, board or committee designated by the Village Council, which shall report its findings and recommendations to the Village Council.”

If the Council is inclined to consider modifying the Zoning Ordinance definition of Impermeable Surfaces, the Council should consider which board or commission should hold the required hearing, the timing of the hearing, and the process of providing the required notification of the hearing.

It should be noted that the forthcoming part 2 of this evaluation, pertaining to overall impermeable surface limits and the effect of detached garages, will likely also result in possible changes to the Zoning Ordinance, so it may be beneficial to consider a combined process of amendments.

Evaluation of Deep Basements

One of the items identified by the Village Council is whether the construction of excessively deep basements, those deeper than the typical 8- to 10-foot basement, poses a flooding risk to neighboring properties by interruption or displacement of groundwater. In most cases, these deeper basements are constructed as a matter of convenience to property owners for the purpose of “sport-courts”, home theaters, or other amenities. Staff has investigated the likely implications of these deeper basements for typical Winnetka conditions.

Existing Typical Subsurface Conditions

The Village and Park District have recently completed a number of soil borings for the Willow Road Stormwater Tunnel and Area Drainage Improvement project and the Skokie Playfield improvements, respectively, and staff has evaluated the reports from these soil borings to ascertain soil composition, and also to identify typical groundwater levels. Some general conclusions can be drawn. First, in general, the top three to five feet of the soil profile is composed of organic soil, loose silty or clayey soil, or fill. These layers tend to be moist and groundwater levels fluctuate seasonally within this layer. The source of groundwater in this layer is primarily precipitation – rainwater and/or snowmelt. These upper soil strata are underlain by a layer of stiff to very stiff gray or brown clay, with very low permeability, extending to well below the depth of even the deepest basement. The presence of a higher permeability layer above a lower permeability layer creates what is known as a perched water condition, where groundwater may be present in shallow zones, while the underlying soils are fairly dry.

Second, some of the borings identified a relatively narrow (2 to 3-foot thick) “seam” of saturated, higher permeability soils, at a varying depth. In some borings, this layer is as shallow as 5-6 feet; in others it is as deep as 18-20 feet. In still other borings, it is not present at all. When present, this seam is sandwiched between low-permeability clay strata that inhibit water in this seam from moving vertically, either upward or downward.

As a result of these factors, the groundwater elevation is generally a very shallow, perched layer, confined to the top 5 to 10 feet of the soil profile. The depth to groundwater varies seasonally, but the depth to the bottom of the groundwater strata is strictly limited by the depth to the low permeability clay layer. Soil borings generally confirm that once an excavation reaches the underlying clay layer, the soil is dry.

Effect of Basement Construction

A typical basement involves excavation to a depth of 8 to 10 feet below ground surface. This excavation would be followed by construction of footings, construction of the foundation walls, and the basement floor. At this depth, the bottom of the excavation is typically in the underlying low-permeability clay layer, below the perched groundwater level.

For most homes with deeper basements, the foundation excavation can be 10 feet (or more) deeper than for a standard basement. However, this incremental excavation depth takes place within the dry, low-permeability clay layer. As a result, construction of the incremental basement depth generally takes place in an area that is isolated from the perched groundwater and does not have an incremental impact on groundwater levels. This is illustrated in Figure 1, below.

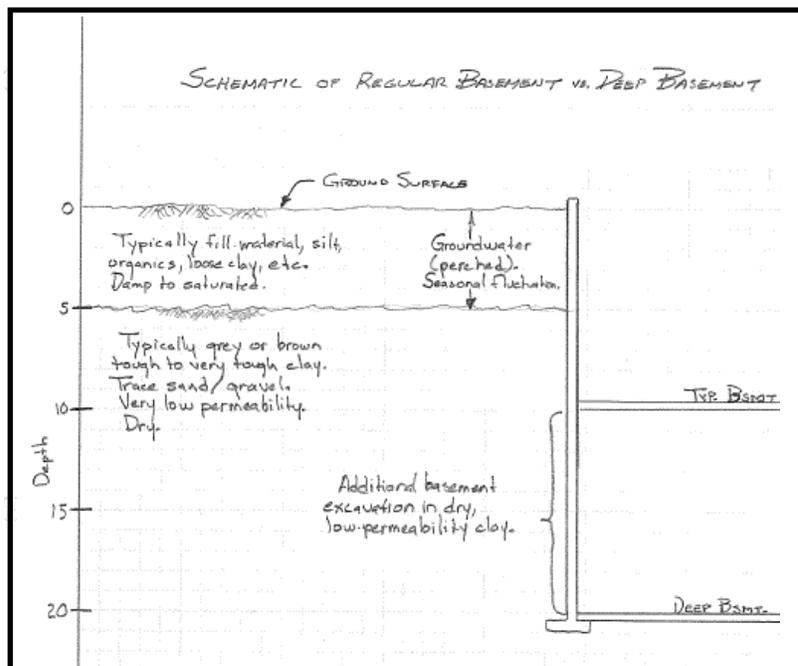


Figure 1

Homes with standard basements typically require the inclusion of a foundation drainage system which encompasses a sump pit, a sump pump, and a discharge pipe. For homes with deeper foundation these foundation collection systems are designed to accommodate the depth of the basement and the anticipated volume of water based on the depth of the basement. Because Winnetka's side-yard requirements and relatively dense development patterns can result in houses being fairly close to property lines, sump pump discharges

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
May 19, 2015**

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, May 19, 2015, at 7:00 p.m.

- 1) Call to Order. President Greable called the meeting to order at 7:10 p.m. Present: Trustees Andrew Cripe, Carol Fessler, William Krucks, Stuart McCrary, Scott Myers and Marilyn Prodromos. Absent: None. Also present: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Peter M. Friedman, Public Works Director Steve Saunders, Assistant Public Works Director James Bernahl, Assistant Village Engineer Susan Chen, Director of Community Development Mike D’Onofrio, Police Chief Patrick Kreis, and approximately 9 persons in the audience.
- 2) Pledge of Allegiance. President Greable led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) June 2, 2015 Regular Meeting. All of the Council members present indicated that they expected to attend.
 - b) June 9, 2015 Study Session. All of the Council members present, except Trustees Krucks and Prodromos, indicated that they expected to attend.
 - c) June 16, 2015 Regular Meeting. All of the Council members present, except Trustee Prodromos, indicated that they expected to attend.
- 4) Approval of the Agenda. Trustee Myers, seconded by Trustee Fessler, moved to approve the Agenda. By voice vote, the motion carried.
- 5) Consent Agenda
 - a) Village Council Minutes.
 - i) April 28, 2015 Special Meeting.
 - ii) May 5, 2015 Regular Meeting.
 - b) Warrant List. Approving the Warrant List dated May 1 to May 14, 2015 in the amount of \$920,722.85.
 - c) Resolution No. R-14-2015: Approving an Agreement for Interim Finance Director Services – Adoption. A Resolution approving an agreement with GovTempUSA, LLC for the services of an interim finance director.
 - d) Resolution No. R-15-2015: Urging Protection of Local Government Revenues – Adoption. A resolution urging the State Legislature to protect local government revenues.
 - e) Water Plant Circuit Breaker, Bid #015-017. Approval of a bid rejection for the purchase of a 480 volt circuit breaker, as the purchase is no longer recommended.

- f) Electric Plant Roof Replacement, Bid #015-018. An authorization for the Village Manager to issue a \$30,300 purchase order to L. Marshall Roofing and Sheet Metal Inc. to replace the Electric Plant roof, in accordance with the terms of Bid #015-018.
- g) State of Illinois Joint Purchase Program Equipment Replacement: PW-9. An item awarding an \$84,164 purchase order to Bob Ridings Ford to purchase a 2016 Ford F550 regular cab chassis and platform body under State of Illinois Joint Purchasing Program Contract #4017340.
- h) FPCC South of Tower Road Pond Stabilization Project. Approval of a contract to Kovic Construction for an amount not to exceed \$342,800, for construction services on the FPCC South of Tower Road Pond Stabilization Project.
- i) Purchase of Sidewalk Tractor - M-B MSV-115 HP. Approval of the purchase of a new M-B-MSV APF-50 Fixed V-Plow Snow Tractor, including the trade-in of the Village's old sidewalk tractor, for a price not to exceed \$107,834.
- j) 2015 Bulk Salt Purchase. An item awarding a \$73,000 contract to Morton Salt for the purchase of 1,000 tons of rock salt at a cost of \$73 per ton.

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

6) Stormwater.

- a) FEMA Community Rating System (CRS) Class 6 Rating Award. Mr. Bernahl reviewed the Village's process to qualify for this National Flood Insurance Program (NFIP) that offers eligible communities discounts on flood insurance premiums. Assistant Village Engineer Susan Chen spearheaded the Public Works Department's efforts to meet the NFIP's criteria to join the Community Rating System (CRS) program.

Brian Eber, from the Illinois Department of Natural Resources (IDNR), explained that Winnetka is entering the program with a Class 6 ranking, which is currently one of the highest ranks in the State of Illinois. He presented a plaque to President Greable recognizing the Village's outstanding efforts and honoring Winnetka's elite status as a community that provides flood protection and a stormwater management system, and preserves open space. He commended Winnetka for having the best repetitive loss area analysis, not only in the State, but possibly the nation.

After a few questions and comments from the Council, Mr. Bernahl explained that the insurance discounts will be automatically applied to residents' flood insurance premiums at renewal time. Those inside the flood plain will receive a 20% discount, and residents outside the flood plain will receive a 10% reduction.

President Greable congratulated Steve Saunders and his staff on the Class 6 designation, and Manager Bahan thanked Ms. Chen for shepherding the CRS project to completion.

b) Evaluation of Development Regulations on Stormwater Management - Part 1.

Mr. Saunders explained the Village's Stormwater Master Plan recommends a review of the Zoning Ordinance to uncover possible regulations that inadvertently create undesirable stormwater impacts. He added that respondents to the Village's 2014 Citizen Survey support possible amended zoning requirements for new home construction.

Mr. Saunders said staff has identified four areas in the Zoning Ordinance that may merit further evaluation for stormwater impacts; two of the options will be discussed at this meeting: (i) the classification of permeable and impermeable surfaces; and (ii) the impact of deep basements. Later this summer, staff plans to review the Village's overall impermeable surface limitations, as well as incentives to construct detached rear garages.

Mr. Saunders noted that currently, the Zoning Ordinance encourages the use of pavers, as they are semi-permeable in theory and aesthetically more pleasing; in addition, impacted gravel also does not count towards impermeable coverage. He explained that for purposes of stormwater calculations; however, pavers and impacted gravel behave almost identical to concrete or asphalt surfaces, as the water cannot truly percolate into the earth. Staff recommends that the Zoning Ordinance and stormwater utility calculations be brought into congruence, especially in light of research showing that pavers and impacted gravel are impermeable surfaces. In addition, the new Watershed Management Ordinance for Cook County recognizes them as impermeable surfaces.

Mr. Saunders said an option to install a specially-designed permeable pavement system does exist, which allows the system to function almost like a natural vegetative area in terms of letting water percolate through. He recommended a permeability factor be established for such a system for those willing to install one.

Mr. Saunders next explained there is speculation in the community that deep basements increase incidents of flooding, based purely on anecdotal evidence. He said the Village's soil boring database reveals that the water in Winnetka is generally "perched," meaning there is a saturated layer sitting atop an impermeable layer of clay. He noted that water can percolate to five or six feet before it hits the stiff clay and then can go no further; and while the groundwater fluctuates with the seasons, the clay barrier does not vary. He noted that in some areas a seam of impermeable ground is situated between two impermeable layers, but it is trapped and has nowhere to go. The bottom of a regular basement sits on the impermeable clay layer; consequently, the excavation for a deep basement would also not encounter any groundwater.

Mr. Saunders recapped staff's zoning recommendations: (i) make amendments to treat paver and gravel surfaces as impermeable in the Zoning Ordinance; and (ii) deep basements do not impact groundwater levels any more than regular basements do. He said the Council has the option to wait for recommendations on detached garages before moving forward with any zoning amendments, since it might be easier to amend the Zoning Code once rather than twice.

Next Mr. Saunders explained that sump pump discharge is currently calculated at an allowable discharge rate of a three year storm level, and new development is required to hold any new runoff created from the construction project. He said staff is now recommending the Village's Engineering Guidelines be modified to require the total sump pump discharge be included in stormwater volume calculations.

The Council briefly discussed the deep basement issue and asked for confirmation that deep basements do not exacerbate the flooding problems.

Mr. Saunders said he could not say a basement vs. no basement has no stormwater impact; however, he expressed confidence that a deep basement vs. a regular basement does not change anything. He added that impermeable surfaces have a much bigger impact.

In the ensuing Q&A with the Council, Mr. Saunders confirmed that: (i) Winnetka is underlined with stiff clay and there is little variation between the east and west sides of town; (ii) in considering the basement floor area ratio credit in the Zoning Ordinance, there is an intersection between aesthetics and sensible stormwater regulation which must be considered; (iii) compensatory storage is required for new development in the flood plain, and a floodable crawlspace is one of the ways to get credit for compensatory storage; (iv) a fair and consistent way to treat impermeable surfaces would be to define all driveways as impermeable unless it is an engineered permeable system; (v) any zoning change regarding sump pump volumes for deep basements should be tied to a national building code; (vi) the requirement to provide compensatory storage only applies to new runoff caused by construction; therefore, those systems are not detaining all of the property's runoff and they still need to pay into the stormwater utility; and (vii) the County's Watershed Management Ordinance imposes strict requirements on basements in flood plains, which will essentially result in a prohibition on their construction in the flood plain.

President Greable called for audience comment.

Tanya Dietrich, 824 Boal Parkway. Ms. Dietrich said her property values have declined since it was designated a part of the flood plain, and she claimed there are underground streams in Winnetka that the deep basements would hit.

Mr. Saunders explained the underground "streams" are the thin saturated permeable layers that are sometimes found between layers of clay, which percolate very little into the surrounding area.

President Greable polled the Council about the zoning recommendations. A majority of Trustees were in favor of treating pavers and gravel as impermeable surfaces in the Zoning Ordinance and modifying the Engineering Design Guidelines to require sump pump discharge to drain into the storm sewers. The consensus was to move forward with the changes as soon as possible.

The Council asked for more information before making a decision on adding a stormwater utility credit for engineered permeable paver systems, and Trustee Myers also asked if an appropriate national standard could be found that the Village can use to mandate increased pump capacity for deep basements. No regulations prohibiting deep basements were deemed necessary by a majority of the Council.

7) Ordinances and Resolutions.

- a) Ordinance No. M-12-2015: 675 Garland Avenue, Variation for the Construction and Use of a New Single-Story Addition – Introduction. Mr. D’Onofrio reviewed this request for a zoning variation to allow an addition to the first story that would convert the existing breakfast room and rear entry into a family room and mudroom. He noted that the depth of the addition is very shallow, at six feet.

Trustee McCrary commented that the addition won’t be seen by neighbors because of its location and shallow depth.

Mr. Saunders explained that the proposed addition would not require detention, but a grading plan and runoff controls will be required as part of the building application.

Trustee Cripe said he heard this request when he was on the ZBA and that it is a very restrained, reasonable approach.

Trustee McCrary, seconded by Trustee Fessler, moved to introduce Ordinance M-12-2015. By voice vote, the motion carried.

8) Public Comment.

Tanya Dietrich, 824 Boal Parkway. Ms. Dietrich read a letter commenting that the construction project on Tower Road is being poorly managed, and she has suffered two flat tires and other damage to her automobile as a result. In addition, she complained that getting into and out of her neighborhood is very difficult because of the construction.

Mr. Saunders said the construction contractor’s insurance company can work through the auto damage claims, and he would work with the construction manager to keep convenient access to her home.

Louise Holland, Chair of the Landmark Preservation Commission (LPC). Ms. Holland said the Historical Society and the LPC presented the first landmarks trolley tour of Winnetka last Sunday, led by Nan Greenough of the Historical Society. She thanked the Council for sponsoring the event and read some positive comments received from participants of the tour.

9) Old Business. None.

10) New Business.

- a) Starbucks Liquor License Application and Potential New Liquor License Class. Attorney Friedman explained that a liquor license application has been received from Starbucks which would require a Code amendment to allow the sale of beer and wine at a coffee shop. He said other towns have similar establishments, and he had prepared a draft of potential Liquor Code amendments to facilitate the Council’s discussion.

Attorney Friedman said the new regulations would create a new license classification, a new definition of coffee shop, and provide for the sale of beer and wine between the hours of 4:00 – 9:00 PM. The draft regulations would also provide for sidewalk service of beer and wine, monitored by an employee who is at least 21 years of age.

Police Chief Kreis introduced Commander Christensen, who oversees the liquor investigations and processes liquor license applications. Cmdr. Christensen said he has

not seen anything from the business that would give him pause about their ability to be responsible with the sale of beer and wine, should the Council allow it.

Jim Webster, Webster & Powell, attorney for Starbucks. Mr. Webster explained that Starbucks rolled out its new concept about two years ago with stores in Evanston, Chicago, Burr Ridge and Schaumburg. He explained that there is no table service, sales take place at the counter, proof of age is required, and all of the employees will be 21 or older and have BASSET certification.

The Council discussed the proposition briefly and requested that the sale of beer and wine start around 5:00 PM to accommodate the fact that many school-aged customers are in the store after school lets out. Placement of a barrier around the sidewalk tables was also discussed. Afterward, they reached consensus to approve a new class of liquor license for coffee shops.

Chief Kreis said with this feedback, the license conditions, hours of service, and sidewalk service questions can be worked out. He added that his officers routinely visit establishments in Winnetka, and it would not be difficult to keep an eye on things.

11) Appointments.

- a) Trustee Myers, seconded by Trustee Fessler, moved to appoint James Wilson to the Environmental & Forestry Commission effective immediately. By voice vote, the motion carried.
- b) Trustee Krucks, seconded by Trustee Fessler, moved to appoint Chuck Dowding to the Environmental & Forestry Commission to serve as chair, effective immediately. By voice vote, the motion carried
- c) Trustee Myers, seconded by Trustee Fessler, moved to appoint Christopher Blum as the Zoning Board of Appeals liaison to the Plan Commission. By voice vote, the motion carried.

12) Reports.

- a) Village President. President Greable invited the community to attend Winnetka's Memorial Day parade and presentation on the Village Green.
- b) Trustees. None.
- c) Attorney. None.
- d) Manager. None.

13) Executive Session. None.

14) Adjournment. Trustee Fessler, seconded by Trustee Prodromos, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 9:53 p.m.

Deputy Clerk

ATTACHMENT #4

Additional Information

Additional Information

Clay/Concrete Pavers

Standard concrete or clay dry-set pavers, with minimal joint spacing, are treated as 100% impermeable for the purpose of stormwater calculations. However, the Zoning Ordinance specifies that paver surfaces are treated as 80% impermeable, for the purpose of lot-coverage calculations. This provision was adopted as an incentive for people to use materials other than asphalt or concrete for impermeable areas, primarily for aesthetic reasons.

Typical paver installation consists of the excavation of the existing ground to a specified depth, the compaction of existing organic material, the placement of a specified thickness of finer aggregate (typically CA-6 limestone), topped with a thin layer of sand which acts as a compression bedding for the pavers. The compaction of the existing organic material and the limestone provides a more rigid solid base on which to place the pavers. The placement of the sand layer provides a cushion and flexible base which allows for minor displacement caused from vehicles. However, the compaction of the organic and limestone material in conjunction with the minimal spacing between standard pavers, typically less than a ¼ of an inch, makes the water infiltration rate very low.

As a result, many governmental organizations consider this material and installation technique to act as an impermeable surface when considering retention or infiltration credits. For example, the Metropolitan Water Reclamation District's countywide Watershed Management Ordinance (WMO) specifies that traditional paved surfaces (concrete and asphalt) and typical concrete and clay paver installations are treated as being equally impermeable. Lake County and DuPage County ordinances do likewise.

In addition, staff spoke with representatives from UniLock, one of the larger paver manufacturers and installers in the region, and their design team confirmed the infiltration rates as consistent with the approach taken by government organizations that these surfaces behave like an impervious material.

Gravel/Decorative Stone

Compacted gravel surfaces, such as gravel driveways or parking areas, are also treated as 100% impermeable for purposes of stormwater calculations, however they are not counted as impermeable surface for the purpose of zoning lot coverage calculations.

Standard limestone or colored gravel offers both an aesthetic and easily maintainable material. Many of the gravel materials recommended for this application do maintain a specific amount of finer aggregates which provide an adhesion of the larger aggregate stones, making it easier to drive on and maintain. Although the use of this material does provide various benefits, it is considered by most organizations to be an impervious material due to the fine aggregates in the mix. For example, compacted gravel surfaces are treated the same as pavement by the WMO for the purpose of calculating stormwater runoff.

Designed Permeable Pavement Systems

Porous concrete and bituminous materials have provided an additional approach to water quality and infiltration management. These systems are designed to provide a specific rate of infiltration through the pavement structure into an underdrain collection system, consisting primarily of larger aggregate and rigid piping. Manufacturers of these kinds of systems have specific quantified infiltration rates depending on the variations in the mix, and these rates would be considered in the overall rate of runoff from a property. Not only do pervious pavement systems offer improved overall infiltration, there is also an increased water quality benefit of the reduction of solid materials typical in standard runoff.

Installation begins with the design of a storm water collection system placed under the pavement, including the utilization of larger aggregates to allow for the water to infiltrate through to the collection system. In addition to the installation of the collection system the spacing between the pavers, or in the case of permeable concrete or asphalt, between the stone matrix, becomes more pronounced; typically between a ½ to 1-inch. The variation in the spacing and the size aggregate in the sub base design allows for the determination of a specific infiltration rate for which to consider detention/retention credits. Compared to traditional pavements, the cost for installation and required maintenance can be considerably higher, although the long term water quality and stormwater management benefits may offset these higher costs.

These systems are most frequently used in commercial developments, due to the increased costs for the material and installation, however they are becoming increasingly popular for residential applications. One of the difficulties of utilizing this material is the maintenance that is required to ensure the maximum infiltration rates, and the frequency of the maintenance. Maintenance activities would include vacuuming of the surface to remove loose impediments and flushing/rodding of the underdrain system. If this maintenance is not performed regularly, these installations lose their permeability and behave like traditional pavements.

For the purpose of calculating stormwater runoff, the WMO classifies permeable pavements systems as more permeable than standard pavements, but less permeable than vegetated areas.

If the Council is inclined to consider modifying the Zoning Ordinance definition of Impermeable Surfaces, the Council should consider which board or commission should hold the required hearing, the timing of the hearing, and the process of providing the required notification of the hearing.