



Agenda Item Executive Summary

Title: Stormwater Utility Fee: Application for Partnership Credit by Winnetka Park District for Lloyd Park - 799 Sheridan Road

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

Agenda Date: 01/06/2015

Consent: YES NO

Ordinance
 Resolution
 Bid Authorization/Award
 Policy Direction
 Informational Only

Item History:

In March, 2014, the Village Council adopted Ordinance MC-2-2014 implementing a stormwater utility fee, for the purpose of providing a separate, dedicated funding source for ongoing and proposed stormwater capital improvements and maintenance activities. The stormwater utility fee is based on the square footage of impermeable surfaces located on each parcel, measured in Equivalent Runoff Units (ERU) of 3,400 square feet (i.e. 3,400 sq. ft. of impermeable surfaces = 1 ERU). The current fee is \$21.83 per ERU per month.

Executive Summary:

When adopting the stormwater utility fee, the Village Council recognized that, in certain unique circumstances, some institutions in the Village, such as schools, parks and churches, have sufficient resources that, in addition to complying with applicable stormwater detention requirements, they are also able to provide significant stormwater management assistance to the Village, through such actions as the donation of land for use in the stormwater system, significant capital contributions for the stormwater system or other such activities. The Council reserved the sole and exclusive right and discretion to enter into agreements with those property owners to provide for such contributions to the Village's stormwater system, and to grant a credit to such owners for all or part of the stormwater utility fee in exchange for such contribution.

The Winnetka Park District has submitted a request for consideration of such a partnership credit for Lloyd Park, at 799 Sheridan Road. This application is contained in Attachment #1. In 2014, the Village completed the Northeast Winnetka Stormwater Improvement. The northeast Winnetka watershed previously drained to Lake Michigan via a single outlet at the east end of Spruce Street. This improvement consisted of two separate projects, aimed at separating the large northeast Winnetka watershed into two subwatersheds, by constructing a new connection to an existing outlet across property owned by the Winnetka Park District, at Lloyd Park. The Park District has granted the Village an easement across the south end of the Lloyd Park parking lot, under which the new storm sewer could be constructed to access the Lake. Absent this easement, the Village would have needed to identify and acquire another route from Sheridan Road to the Lake, or to significantly increase stormwater conveyance capacity along Sheridan Road and Spruce Street, and a new outlet structure at Spruce Street, to provide stormwater flood protection for the southern portion of the northeast Winnetka watershed.

Either of these two options would have been significantly more expensive – on the order of several hundred thousand dollars – to implement than the Lloyd Outlet improvement that was ultimately constructed. It is Village staff's opinion that the Park District's involvement in the project, in the form of donating land to significantly reduce the expense of providing stormwater flood relief, precisely fits the conditions for which the partnership credit provision was adopted by the Village Council. Staff recommends that the Council grant the requested partnership credit to the Winnetka Park District.

Recommendation:

Consider granting a partnership credit to the Winnetka Park District for 21.0 ERU, for an annual amount of \$5,501.16.

Attachments:

1. Winnetka Park District Credit Application
2. Winnetka Village Code Section 13.16



Application for Partnership Credit

Lloyd Park
Winnetka, Illinois

Prepared For:

Winnetka Park District
540 Hibbard Road
Winnetka, Illinois 60093

Prepared By:

Michael Baker, P.E., CFM
850 Forest Edge Drive
Vernon Hills, Illinois 60061

GHA Project #4872.000

October 16, 2014

Table of Contents

1	Introduction	1
2	Analysis of Partnership Benefits.....	1
3	ERU Calculation.....	2
4	Conclusions	2

List of Tables

Table 1: Market Value of Lakefront Land.....	2
Table 2: ERU Estimate for Lloyd Park.....	2

List of Appendices

- Appendix A - Plat of Survey and Topography - Lloyd Park
- Appendix B - Lloyd Park Storm Sewer Improvements - Plan and Profile

1 Introduction

The Winnetka Park District (WPD) understands that they will be subject to the new stormwater utility fee based on impervious areas of their parcels which discharge stormwater to the Village stormwater management system. The WPD understands the need for this utility fee program and is fully supportive of the Village's goals of improving stormwater management. While the WPD supports this program, they also own and maintain a substantial amount of property within the Village and the financial burden resulting from the utility fee will have a significant impact on the WPD's annual budget. In order to assess the possibility of obtaining relief from the utility fee, the WPD has retained Gewalt Hamilton Associates (GHA) to review the Village requirements and submit, if possible, documentation supporting the reduction of the utility fee for the WPD.

GHA has reviewed the options outlined in the "Stormwater Credit Manual" dated May 30, 2014 and published on the Village of Winnetka website. GHA believes that the WPD qualifies for a "Partnership Credit" for benefits provided to the Village stormwater management system by the Lloyd Park property per the requirements of Section 3.7 of the manual. The purpose of this report is to provide documentation of the stormwater management benefits provided by Lloyd Park and to request that the Village grant the WPD a Partnership Credit for the utility fee associated with the total amount of Equivalent Runoff Units (ERU's) calculated for this property.

2 Analysis of Partnership Benefits

An existing plat of survey and topography for Lloyd Park is provided in Appendix A. This survey shows that the majority of the park discharges as overland flow directly to Lake Michigan and places no burden on the Village's stormwater management system. Some areas of the park discharge to a Village storm sewer system that was constructed through the park property at the south parking lot in 2013. A plan and profile drawing of this system is provided in Appendix B. Runoff from the areas of the park draining to this sewer creates a small burden to the Village system. However, the construction of Village stormwater improvements within the Lloyd Park property resulted in significant benefits to the Village by providing a convenient direct outfall to Lake Michigan.

In order to construct the new outfall, the Village required roughly 3,700 square feet of land through Lloyd Park. Construction of the stormwater improvements within this area was allowed by the WPD at no cost. Additionally, the WPD granted an 11,700 square foot watermain easement through Lloyd Park, also at no cost. An analysis of neighboring lakefront property included in Table 1 indicates a market value of \$40 per square foot of land.¹ Based on this analysis, the market value of the stormwater improvement construction area is approximately \$148,000 and the market value of the watermain easement provided to the Village is approximately \$468,000. If not for the WPD allowing construction area across the park property to convey stormwater from Sheridan Road the Lake, the Village would have had to find an

¹ Source: Cook County Property Tax Portal

alternative location for the outfall, and compensate the owner of such property for the use of their land.

The Stormwater Credit Manual states that Partnership Credits are offered to applicants who “provide land and/or facilities for use by the Village to facilitate the management of stormwater”. GHA believes that the use of Lloyd Park area allowed by the WPD at no cost to the Village and the WPD’s cooperation during construction of Village stormwater management improvements qualifies the WPD to receive the Partnership Credit.

Table 1: Market Value of Lakefront Land²

PIN	Land Area (ft ²)	Assessed Land Value	Assessed Value per ft ²	Market Value per ft ²
05-17-203-039	77,310	\$309,240	\$4.00	\$40.00
05-17-203-036	169,492	\$677,968	\$4.00	\$40.00
05-17-203-025	182,211	\$728,844	\$4.00	\$40.00
05-17-203-026	116,610	\$466,440	\$4.00	\$40.00
05-16-106-017	35,250	\$141,000	\$4.00	\$40.00
05-16-106-050	51,005	\$204,020	\$4.00	\$40.00
05-16-106-077	74,616	\$298,464	\$4.00	\$40.00
05-16-106-074	84,470	\$337,880	\$4.00	\$40.00

3 ERU Calculation

GIS data used by the Village to estimate the stormwater utility fee for the Lloyd Park parcel was provided to GHA from the Village. Table 2 provides a summary of the GIS data provided for this park. An ERU value was determined for the park in Table 2 based on 3,400 square feet per ERU, rounded to the nearest 0.1 ERU. The total estimated ERU for Lloyd Park was 21.0.

Table 2: ERU Estimate for Lloyd Park

PIN	Paved Area (ft ²)	Path Area (ft ²)	Sidewalk Area (ft ²)	Parking Area (ft ²)	Driveway Area (ft ²)	Building Area (ft ²)	Total Area (ft ²)	ERU
05-16-106-066	6,172	0	2,469	59,706	198	2,864	71,409	21.0

4 Conclusions

This report has summarized the drainage characteristics and stormwater benefits provided to the Village stormwater management system by the Lloyd Park property. GHA believes that the benefits provided by this property makes the WPD well qualified to receive a partnership credit as defined in the Stormwater Credit Manual. Therefore, on behalf of the WPD, GHA

² Source: Cook County Property Tax Portal. Properties are of those lakefront properties near or adjacent to Lloyd Park.

respectfully requests that the 21.0 ERU calculated for Lloyd Park be removed from the WPD utility fee assessment in accordance with the requirements for the “partnership credit” described in the Stormwater Credit Manual.

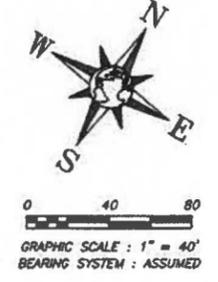
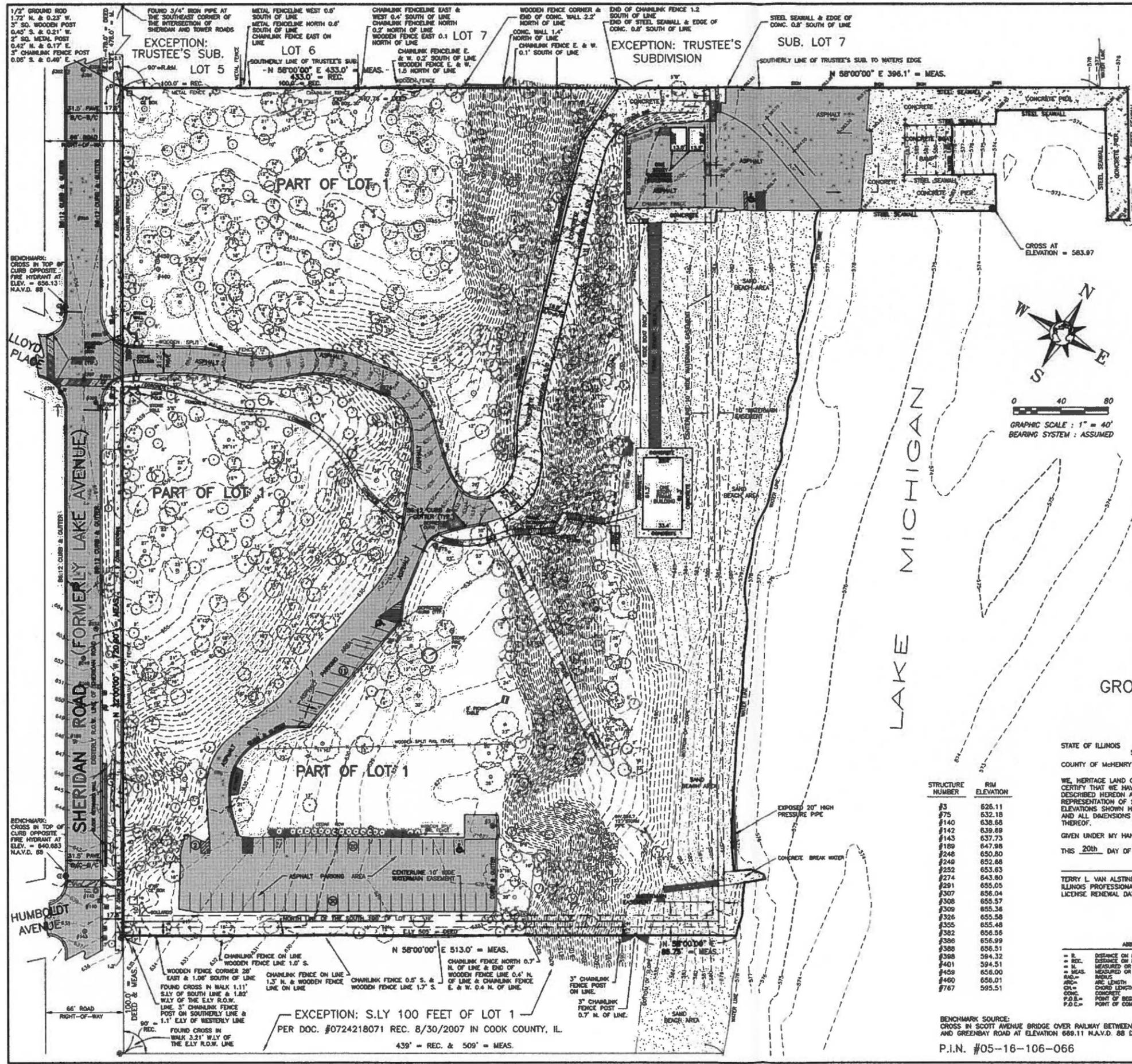
Appendix A

**Plat of Survey and Topography
Lloyd Park**

PLAT OF SURVEY & TOPOGRAPHY

PARCEL DESCRIPTION:
 THAT PART OF LOT 1 IN LLOYD AND ROBINSON'S SUBDIVISION, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTIONS 16 AND 17 IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 24, 1887 AS DOCUMENT NUMBER 809744 IN COOK COUNTY, ILLINOIS, LYING SOUTH AND SOUTHEASTERLY OF A LINE DRAWN PERPENDICULAR TO THE CENTERLINE OF SHERIDAN ROAD (FORMERLY KNOWN AS LAKE AVENUE) AND PASSING THROUGH AN IRON STAKE WHICH IS IN THE EASTERLY LINE OF SHERIDAN ROAD, AT A POINT 478 FEET SOUTHEASTERLY ALONG SAID EASTERLY LINE FROM THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF TOWER ROAD (FORMERLY KNOWN AS NORTH AVENUE), EXCEPT THE SOUTHERLY 100 FEET OF SAID LOT 1 AS MEASURED ALONG THE EASTERLY LINE OF SAID SHERIDAN ROAD. PARCEL CONTAINING 9.5323 ACRES, MORE OR LESS, IN THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

WATERMAIN EASEMENT DESCRIPTION:
 A 10 FOOT WIDE WATERMAIN EASEMENT OVER THAT PART OF LOT 1 IN LLOYD AND ROBINSON'S SUBDIVISION, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTIONS 16 AND 17 IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTHERLY OF THE SOUTHERLY LINE OF TRUSTEE'S SUBDIVISION OF THE NORTHERLY PORTION OF SAID LOT 1 (EXCEPTING FROM SAID LOT 1 THE SOUTHERLY 100 FEET THEREOF, AS MEASURED ALONG THE EASTERLY LINE OF SHERIDAN ROAD) AND THE CENTERLINE OF SAID 10 FOOT WATERMAIN EASEMENT IS A LINE WHICH COMMENCES AT A POINT ON THE NORTHERLY PROPERTY LINE OF THE ABOVE DESCRIBED PROPERTY AT A POINT 497.76 FEET EASTERLY FROM THE EASTERLY LINE OF SHERIDAN ROAD AS MEASURED ALONG SAID NORTHERLY PROPERTY LINE AND RUNS SOUTHERLY TO A POINT APPROXIMATELY 12 FEET NORTH OF THE SOUTHERLY PROPERTY LINE OF THE ABOVE DESCRIBED PROPERTY AND 505 FEET EASTERLY FROM THE EASTERLY LINE OF SHERIDAN ROAD AS MEASURED ALONG SAID SOUTHERLY PROPERTY LINE, THENCE WEST PARALLEL TO SAID SOUTHERLY PROPERTY LINE TO ITS INTERSECTION WITH THE EASTERLY LINE OF SHERIDAN ROAD AT A POINT 12 FEET, MORE OR LESS, NORTH OF SAID SOUTHERLY PROPERTY LINE, IN THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.



LEGEND

- | | | | |
|--|-------------------------|--|---------------------|
| | FIRE HYDRANT | | UTILITY BOX |
| | WATER MAIN | | CONTOUR |
| | SANITARY/STORM MANHOLE | | SPOT ELEVATION |
| | SANITARY SEWER | | TOP OF WALL ELEV |
| | CATCH BASIN | | BOTTOM OF WALL ELEV |
| | INLET | | BUSH ROW |
| | FLARED END SECTION | | DECIDUOUS TREE |
| | STORM SEWER | | CONIFER (PINE) |
| | POWER POLE STREET LIGHT | | HAND HOLE |
| | POWER POLE GYE ANCHOR | | SIGN |
| | VALVE VAULT | | TRAFFIC SIGNAL |
| | VALVE BOX | | |

GROSS PARK AREA = 9.5323 TO WATERS EDGE

STRUCTURE NUMBER	RIM ELEVATION
#3	626.11
#75	632.18
#140	638.66
#142	639.69
#143	637.73
#189	647.98
#246	650.20
#249	652.68
#252	653.63
#274	643.80
#291	655.05
#307	656.04
#308	655.57
#309	655.38
#326	655.58
#355	655.48
#382	656.56
#386	656.99
#388	656.51
#388	654.32
#401	654.51
#459	656.00
#460	656.01
#767	595.51

STATE OF ILLINOIS S.S.
 COUNTY OF McHENRY

WE, HERITAGE LAND CONSULTANTS, LLC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT DRAWN IS A REPRESENTATION OF SAID SURVEY AND TOPOGRAPHY. ELEVATIONS SHOWN HEREON ARE ON N.A.S.D. 88 DATUM AND ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.

GIVEN UNDER MY HAND AND SEAL AT McHENRY, ILLINOIS
 THIS 20th DAY OF DECEMBER 2010

TERRY L. VAN ALSTINE
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3055
 LICENSE RENEWAL DATE : 11-30-2012

- ABBREVIATIONS**
- = B. DISTANCE ON RECORDED PLAT OF SUBDIVISION
 - = REC. DISTANCE ON RECORDED PLAT OF SUBDIVISION
 - = M. MEASURED OR CALCULATED DISTANCE
 - = MEAS. MEASURED OR CALCULATED DISTANCE
 - = RAD. RADIUS
 - = ARC. ARC LENGTH
 - = CH. CHORD LENGTH
 - = CONC. CONCRETE
 - = P.O.B. POINT OF BEGINNING
 - = P.O.C. POINT OF COMMENCEMENT

BENCHMARK SOURCE:
 CROSS IN SCOTT AVENUE BRIDGE OVER RAILWAY BETWEEN HUBBARD STREET AND GREENBAY ROAD AT ELEVATION 669.11 N.A.S.D. 88 DATUM.
 P.I.N. #05-16-106-066

INDICATES 3/4" IRON PIPE (UNLESS NOTED OTHERWISE)

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

THIS PLAT OF SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY, PARCEL AND WATERMAIN EASEMENT DESCRIPTION PROVIDED BY CLIENT.

BOUNDARY SURVEYS ARE BASED UPON THE RECORDED SUBDIVISION PLAT IN CASES OF REGULAR SUBDIVISION LOTS. BOUNDARY SURVEYS OF PROPERTIES NOT A PART OF A REGULAR SUBDIVISION ARE BASED UPON TITLE INFORMATION PROVIDED BY THE PARTY REQUESTING THE SURVEY. BOUNDARY SURVEY PLATS REFLECT INFORMATION DISCOVERED BY THE SURVEYOR IN THE NORMAL COURSE OF WORK AND DOES NOT NECESSARILY SHOW EVERY POSSIBLE CONDITION AFFECTING THE PROPERTY. ENCUMBRANCES, SURVEYING, BUILDING ENCUMBRANCES, ZONING, AND OTHER ENCUMBRANCES THAT MAY EXIST, CONSULT A TITLE ATTORNEY IF YOU NEED TO DISCOVER ALL THE LEGAL ENCUMBRANCES THAT MAY BE ATTACHED TO ANY PROPERTY.

REFER TO DEED OR GUARANTEE POLICY AND LOCAL ORDINANCES FOR BUILDING LINES AND EASEMENTS NOT SHOWN HEREON. COMPARE YOUR DESCRIPTION AND POINTS WITH THIS PLAT AND AT ONCE REPORT ANY APPARENT DIFFERENCE TO THE SURVEYOR. BUILDING DIMENSIONS SHALL NOT BE USED TO DETERMINE LOT LINE LOCATIONS.

MLC SURVEYING IS A SERIES OF HERITAGE LAND CONSULTANTS, LLC. AN ILLINOIS LIMITED LIABILITY COMPANY.

ILLINOIS PROFESSIONAL LAND SURVEY AND PROFESSIONAL ENGINEERING DESIGN FROM CORPORATION LICENSE NO. 184-004636 EXPIRES : 04/30/2011

BOUNDARY SURVEY & TOPOGRAPHY LLOYD PARK, WINNETKA PARK DISTRICT

SCALE : 1" = 40'	REVISIONS
DATE : 12-20-2010	FILE THIS DRAWING
DATE OF FIELD WORK: 12-01-2010	
DRAWN: MTS	FILE NO. 1023101
CHECKED: MTS	FILE NO. 1023101
PREPARED FOR: WINNETKA PARK DISTRICT	PROPERTY ADDRESS: SHERIDAN ROAD & LLOYD PLACE
VILLAGE OF WINNETKA	WINNETKA, ILLINOIS
DRAWN BY: T.V.A.	CHECKED BY: M.T.B.
	JOB NO. 2010-231 SUR



Appendix B

**Lloyd Park Storm Sewer
Improvements
Plan and Profile**

Print

Winnetka, IL Village Code

Section 13.16.140 Credits.

A. Partnership Credits.

1. The Village Council recognizes that, in certain unique circumstances, some institutions in the Village, such as schools, parks and churches, have sufficient resources that, in addition to complying with applicable stormwater detention requirements, they are also able to provide significant stormwater management assistance to the Village, through such actions as the donation of land for use in the stormwater system, significant capital contributions for the stormwater system or other such activities. The Village Council reserves the sole and exclusive right and discretion to enter into agreements with such owners to provide for such contributions to the Village's stormwater system, and to grant a credit to such owners for all or part of the stormwater utility fee in exchange for such contribution.

2. To avoid delay in the design and construction of stormwater projects, and to assure that a proposed partnership credit will not shift the costs of stormwater compliance from the party proposing the partnership to the other users of the stormwater system, the Village reserves the sole and exclusive right and discretion to limit the time period during which requests or proposals for partnerships for any stormwater project may be submitted and considered.

B. Individual Credits.

1. Any property owner whose property does not impact on the Village stormwater utility system to the extent of the stormwater utility fee charged to that property pursuant to section 13.16.070 may apply for one of the following credits against the stormwater utility fee:

a. A credit of up to 50% if not less than one half of the stormwater emanating from the relevant property for the 100-year design storm is detained and cleaned, in accordance with effective engineering practices and techniques, prior to discharge into the Village stormwater utility system; or

b. A credit of 100% if none of the stormwater emanating from the parcel in question discharges into the Village stormwater utility system, either directly or indirectly.

2. Applications for credits against the stormwater utility fee filed pursuant to this subsection shall be filed in writing with the Village Manager or his or her designee, along with documentation that the Rules and Regulations of the Village of Winnetka Stormwater Utility require for the assessment of the application, which documentation shall include, but not be limited to:

a. Detailed specifications of any on-site cleaning of stormwater performed prior to discharge into the Village stormwater utility system, along with sufficient evidence that any on-site cleaning system is in good working order and is maintained on a regular basis;

b. Topographical depictions of the runoff patterns and directions of all stormwater emanating from the relevant property that does not impact the Village stormwater utility system; and

c. Relevant photographic evidence in support of the application.

3. The Village Engineer shall review an application for a credit against the stormwater utility fee, and shall either grant or deny the requested credit, within 60 days after the date on which the application is received. The Village Engineer shall only grant the requested credit upon determining, in the exercise of his professional judgment that the applicant meets the criteria for the credit, as defined in paragraph 1 of this subsection.

4. The owner of any parcel granted a credit under this subsection shall be responsible for keeping the qualifying private stormwater management facilities in good working order, and shall provide an annual report of maintenance and repair activities to the Village Engineer, and the Village shall have the right to enter the property to inspect the private stormwater maintenance facilities to confirm that they remain in good working order. Failure by the owner to maintain the private stormwater management facilities will result in the loss of stormwater utility fee credits.

5. Provided the owner has continued to maintain the private stormwater maintenance facilities as required by paragraph 4 of this subsection, a stormwater utility fee credit granted under this subsection shall remain in effect for 5 years from the date of approval. The owner of the property in question may apply for renewal of the credits for successive 5-year periods, subject to meeting all of the applicable conditions then in effect. The approval of a stormwater fee credit shall not create a property right to renew or be granted a credit upon the expiration of the credit's 5-year term.

C. Application of credits; refund of overpayments. The Finance Director shall apply approved credits to the applicant's account, and shall refund to the applicant any overpayments made from the date of the application. If the amount overpaid is less than the full amount of the customer's bill, the refund shall be in the form of a credit against the customer's next bill. If the amount overpaid equals or exceeds the full amount of the customer's prior bill, then the overpayment shall be refunded directly to the customer within 30 days after the date the credit is approved. (Ord. MC-2-2014 § 2, 2014)