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.

Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
August 3, 2021
7:00 p.m.

AGENDA

1) Call to Order
2) Pledge of Allegiance
3) Quorum
   a) August 10, 2021 Study Session
   b) August 17, 2021 Regular Meeting
   c) Thursday, September 9, 2021 Regular Meeting
4) Public Comment
5) Reports
6) Approval of Agenda
7) Consent Agenda
   a) Approval of Village Council Minutes
      i) July 20, 2021 Regular Meeting.....3
   b) Approval of Warrant List dated July 16 – 29, 2021 7
   c) Resolution No. R-66-2021: Boiler Blowdown Tank Contract (Adoption).....8
8) Ordinances and Resolutions
   a) Ordinance No. MC-4-2021: Flood Plain Maps Update (Introduction/Adoption) 26
   b) Ordinance No. M-13-2021: 747 Walden Zoning Variation (Introduction/Adoption).....67
   c) Ordinance No. M-14-2021: Transfer of Property and Dedication of Essex Road as a Public Right-of-Way (Introduction/Adoption) 111
   d) Resolution No. R-68-2021: Easement Amendment for Thorn Tree Subdivision (Adoption).....125

9) Old Business: None.

10) New Business: None.

11) Appointments

12) Closed Session

13) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Governance > Agendas & Minutes); the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor). Webcasts of the meeting may be viewed on the Internet via a link on the Village's web site: https://www.villageofwinnetka.org/AgendaCenter.

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, 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3545; T.D.D. 847-501-6041.

MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
July 20, 2021

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held virtually on the Zoom videoconference platform on Tuesday, July 20, 2021 at 7:00 PM.

1) Call to Order. President Rintz called the meeting to order at 7:00 PM. Present: Trustees Robert Apatoff, Robert Dearborn, Kim Mancini, and John Swierk. Absent: Trustees Andrew Cripe and Penfield Lanphier. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Village Attorney Peter Friedman, Community Development Director David Schoon, Finance Director Tim Sloth, Accounting Manager Dell Duckworth, Ron Amen of Lauterbach and Amen, and approximately seven persons in the audience.

2) Pledge of Allegiance. President Rintz led the group in the Pledge of Allegiance.

3) Quorum.

   a) August 3, 2021 Regular Meeting. All of the Council members present said they expect to attend.

   b) August 10, 2021 Study Session. All of the Council members present said they expect to attend.

   c) August 17, 2021 Regular Meeting. All of the Council members present said they expect to attend.

4) Public Comment.

   Elisha Gray, 1125 Spruce Street. Mr. Gray thanked the Village for setting aside funds to improve the Green Bay Trail and he made suggestions to facilitate the growth of native plants after Metra re-aligns the track at the Hubbard Woods train station.

   [Trustee Lanphier arrived at 7:05.]

5) Reports:

   a) Trustees.

      i) Trustee Mancini reported on the last meeting of the Environmental & Forestry Commission.

   b) Attorney. None.

   c) Manager. None.

   d) Village President. President Rintz commented that the Village rendered assistance to nearly every business that asked for help during the Covid-19 restrictions, and that no business received special treatment. He added that the Covid relief for sidewalk cafes will be in force until the end of the summer dining season. He also updated the community about kick-off meetings with the Park District and District 203 for the design and implementation phases of stormwater projects

DRAFT

6) Approval of the Agenda. Trustee Dearborn, seconded by Trustee Mancini, moved to approve the Agenda. By voice vote, the motion carried.

7) Consent Agenda

   a) Village Council Minutes.

      i) May 18, 2021 Regular Meeting.

      ii) June 29, 2021 Special Meeting.

   b) Approval of Warrant List dated June 25 – July 15, 2021 in the amount of $1,089,357.82.

   c) Reolution No. R-24-2021: Approving a Class A-1 Liquor License for Little Honeycomb Inc. (Adoption).

   d) Resolution No. R-64-2021: Approving a Class A-1 Liquor License for Spruce Operations LLC (Adoption).

   e) Outdoor Seating Permit: At Properties.

   Trustee Lanphier, seconded by Trustee Swierk, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dearborn, Lanphier, Mancini, and Swierk. Nays: None. Absent: Trustee Cripe.

8) Ordinances and Resolutions.

   a) Resolution No. R-65-2021: 800-808-812 Oak Subdivision – Final Plat Approval (Adoption). Mr. Schoon explained that the vacant 808 Oak Street property was sold in the mid-1990's without ever being subdivided from the two adjacent parcels. He reviewed the zoning for the Subject Properties and presented photos of the three parcels. Resolution No. R-65-2021 would cure any irregularities with the three lots, which have not been properly subdivided. He noted that no proposals for developing the 808 Oak parcel have been submitted to the Village, and the Plan Commission has unanimously recommended approval of the subdivision request.

   After the Trustees asked several questions about the vacant parcel, President Rintz called for public comment.

   John Sheppard, 812 Oak Street and President of the812 Oak Street Condominium Board. Mr. Sheppard said his Board had no objection to the subdivision request; however, the Board would have concerns about any new construction at the 808 Oak site, especially with regard to large trees in the courtyard of 812 Oak, and periodic repairs that need to take place along the west wall of the building.

   After a brief discussion, the Trustees were in agreement to approve the subdivision request.

   Trustee Swierk, seconded by Trustee Mancini, moved to adopt Resolution No. R-65-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Dearborn, Lanphier, Mancini, and Swierk. Nays: None. Absent: Trustee Cripe.

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9) Old Business.

a) 880 Willow Road Zoning Variations (Policy Direction). President Rintz explained that this appeal of a Zoning Board of Appeals (ZBA) negative recommendation was first heard and discussed by the Council on April 8. At that time, the case was continued to give the applicants time to amend their proposal in hopes of gaining Council approval for their request.

Mr. Schoon explained that the applicants' attorney had been under the impression that tonight's meeting would be held on Zoom; and the applicants would like their attorney present during the discussion of their amended plan. Therefore, they are asking for another continuance for an August or September meeting. After polling the Council, President Rintz called for a motion to continue the Subject Request until the September 9 Regular Council meeting.

Trustee Dearborn, seconded by Trustee Lanphier, moved to continue deliberation of the Subject Request until the September 9, 2021 Council meeting. By voice vote, the motion carried.

10) New Business.

a) Comprehensive Annual Financial Report (CAFR). Mr. Sloth explained that the 2020 Audit provides reasonable assurance that the Village's financial reports are complete and accurate. A few items of note for 2020 include: (i) the audit received a Certificate of Achievement from the Government Finance Officers Association (GFOA) for meeting and exceeding the high standards for financial reporting set by the GFOA; and (ii) a Management Letter from the auditors that provides notes on internal controls found no significant deficiencies or weaknesses in the Village's internal financial controls.

Mr. Sloth reviewed the Village's major funds, noting that in 2020 the General Fund posted a $1.95 million surplus; revenues came in at 99% of projections; and expenditures were approximately 91% of budget forecasts. Last spring, it was estimated that nearly $1.7 million would be lost in revenue due to the Covid-19 pandemic downturn, and corresponding budget cuts were identified to offset this amount. This explains why expenditures were slightly lower than budget projections, since Village staff adhered to the budget cuts while revenue came in better than anticipated. The General Fund total unassigned fund balance is $25.85 million – or 98% of operating expenditures; this exceeds the fund balance requirement of 50% of operating expenses. After reviewing the status of the utility funds, public safety pension funds, and the IMRF pension fund, he thanked Accounting Manager Dell Duckworth for her help in preparing the audit.

Mr. Amen thanked Village staff for being trustworthy and accommodating with requests from the auditors. He explained that the Village's General Fund and business-type accounts had positive increases in fund balances in 2020; he noted that no reportable conditions or material weaknesses were found for Winnetka's financial reporting. However, two items considered "cleanup" items had been identified: (i) the Information Technology fund (an internal service fund) is slightly below the fund balance policy by just approximately $24,000; and (ii) three funds were over their budgeted expenditure amount for 2020.

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After a brief discussion about pension funding and deferred projects, President Rintz thanked Mr. Amen for his expertise through the years and Manager Bahan commended Mr. Sloth and Ms. Duckworth staff for their proficiency in maintaining Winnetka's financial reporting systems.

11) Appointments: None.

12) Closed Session. None.

13) Adjournment. Trustee Dearborn, seconded by Trustee Lanphier, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:02 PM.

_____

Recording Secretary

DRAFT

Agenda Item Executive Summary

Title: Approval of Warrant List Dated July 16 - 29, 2021

Presenter: Robert M. Bahan, Village Manager

Agenda Date: 08/03/2021

Consent: ✔ YES ☐ NO

☐ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
✔ Informational Only

Item History:

None.

Executive Summary:

The Warrant List dated July 16 - 29, 2021 was emailed to each Village Council member.

Recommendation:

Consider approving the Warrant List dated July 16 - 29, 2021.

Attachments:

None.

Agenda Item Executive Summary

Title: Resolution No. R-66-2021: Boiler Blowdown Tank Contract (Adoption)

Presenter: Brian Keys, Director of Water & Electric

Agenda Date: 08/03/21

Consent: ☑ YES ☐ NO

☐ Ordinance
☑ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

The Village's Electric Plant uses four natural gas fire boilers to generate the steam used to rotate the three steam turbine generators. The boiler system consists of a blowdown header system which connects each boiler to two external boiler blowdown tanks. The blowdown system is used to eliminate dissolved solids in the boiler and to control water levels in the boiler as it heats and expands. The blowdown header and tank have exceeded their operational lifespan and need replacement.

Executive Summary:

The 2021 Electric Fund Budget contains capital for the replacement of the boiler blowdown lines and blowdown tank. Prior to peak generating season, the boiler blowdown lines were replaced. This work was awarded to American Combustion Service at the January 21, 2021 Village Council Meeting (Reference: Resolution No. R-9-2021). This is the second part of the project and addresses the boiler blowdown tanks, which are located outside of the Electric Plant. The existing tanks were installed in 1987 and are deteriorated

On June 30, 2021, the Village issued Request For Bid #021-013 for the manufacture of two replacement boiler blowdown tanks. Four companies submitted bids - the bid tabulation is as follows:

BEC Equipment, LLC: $46,000
American Combustion: $57,080
Independent Mechanical Industries: $59,000
Hudson Boiler: $76,700

The tanks are cylindrical, five feet in diameter and ten feet in length with an access hatch and 6-inch pipe connections. The replacement of the two tanks will be performed by Water & Electric staff. This work cannot be performed until after September 15, 2021 as it will require scheduling an off-peak generation outage with the Village's wholesale power provider, Illinois Municipal Electric Agency.

BEC (Boiler Equipment Company) Equipment, LLC submitted the lowest total bid in the amount of $46,000.

Executive Summary (continued):

The 2021 Electric Fund budget contains $35,000 (account #500.41.28-567) for the replacement of the boiler blowdown tanks. The low bid exceeds the budgeted amount by $11,000; this increased cost over the budgetary estimate is attributed to market changes in the cost of steel. The increased cost for the replacement tanks is not anticipated to have an impact on budget adherence. The Operations & Maintenance Account (#500.41.28-567) for the Electric Plant boiler and turbines contains budgeted funding in the amount of $364,650. To date, staff has expended $226,101 of the funding and the account is still on track to end the fiscal year within the budgeted amount.

Resolution No. R-66-2021 authorizes the Village to approve a contract with BEC Equipment, LLC for the purchase of two boiler blowdown tanks.

Recommendation:

Consider adoption of Resolution No. R-66-2021 approving a contract with BEC Equipment LLC for boiler blowdown tanks in an amount not to exceed $46,000.

Attachments:

Resolution No. R-66-2021

A RESOLUTION APPROVING A CONTRACT WITH BEC EQUIPMENT, LLC FOR THE PURCHASE OF BOILER BLOWDOWN TANKS

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the Village of Winnetka (***"Village"***) to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, on June 30, 2021, the Village issued Bid #021-013 (***"Request for Bids"***) for the purchase of two boiler blowdown tanks (***"Equipment"***); and

WHEREAS, the Village received four bids (***"Bids"***) to provide the Equipment and opened the Bids on July 21, 2021; and

WHEREAS, pursuant to Chapter 4.12 of the Village Code and the Village's purchasing manual, the Village Council has determined that BEC Equipment, LLC of Oakbrook Terrace, Illinois (***"Contractor"***), is the lowest responsible bidder to provide the Equipment; and

WHEREAS, the Village Council desires to enter into a contract with Contractor for the purchase of the Equipment from Contractor in an amount not to exceed $46,000.00 (***"Contract"***); and

WHEREAS, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the Contract with Contractor;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: APPROVAL OF CONTRACT. The Village Council hereby approves the Contract in a form approved by the Village Manager.

SECTION 3: AUTHORIZATION TO EXECUTE CONTRACT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Contract.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 3rd day of August, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed

_____

Village President

Countersigned:

_____

Village Clerk

VILLAGE OF WINNETKA

CONTRACT/BID
FOR BOILER BLOWDOWN TANKS

Full Name of Bidder:
BEC Equipment LLC
("*Bidder*")

Principal Office Address:
58 Eisenhower ln North
Lombard, IL 60148

Local Office Address:
58 Eisenhower ln North
Lombard, IL
60148

Contact Name: Josh Meyer Telephone: 708-441-5284

TO: Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093
Attention: Anthony Vasquez, Assistant Finance Director

Bidder warrants and represents that Bidder has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. 1 *(if none, write "NONE") that are securely stapled to the end of this Contract/Bid.*

1. Proposal to Deliver Products.

A. Contract and Products. If this Contract/Bid is accepted, then Bidder proposes and agrees that Bidder will deliver to Owner, at the Delivery Address, the products, items, materials, merchandise, supplies, or other items identified in the Request for Bids attached hereto (the "*Products*") in new, undamaged, and first-quality condition. Bidder further proposes to:

(1) Labor, Equipment, Materials and Supplies Provide, perform, and complete in the manner specified and described in the Contract/Bid, all necessary work, labor, services, transportation, equipment, materials, supplies, information, data, and other means and items necessary to deliver the Products to Owner in a proper and workmanlike manner.

(2) Permits Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary for the Products.

(3) Bonds and Insurance Procure and furnish all bonds, insurance certificates, and polices of insurance, if any, specified in the Contract/Bid.

(4) Miscellaneous Perform all other things required of Bidder by this Contract/Bid.

B. Performance Standards. If this Contract/Bid is accepted, Bidder proposes and agrees that the Products will comply strictly with the Specifications attached hereto and by this reference made a part of this Contract/Bid. If this Contract/Bid specifies a Product by brand name or model, that specification is intended to reflect the required performance standards and standard of excellence that Owner requires for the Product. However, Bidder may propose to deliver a Product that is a different brand or model, if Bidder provides with its bid written documentation establishing that the brand or model it proposes to deliver possesses equal quality, durability, functionality, capability, and features as the Product specified.

C. Responsibility for Damage or Loss. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will be responsible and liable for, and will promptly and without charge to Owner, repair or replace damage done to and any loss or injury suffered by Owner as a result of Bidder's failure to perform hereunder.

D. Inspection/Testing/Rejection. Owner will have the right to inspect all or any part of the Products. If, in Owner's judgment, all or any part of the Products is defective or damaged or fails to conform strictly to the requirements of this Contract/Bid, then Owner, without limiting its other rights or remedies, may (i) reject such Products, (ii) require Bidder to correct or replace such Products at Bidder's cost, (iii) obtain new Products to replace the Products that are defective, damaged, or nonconforming and charge Bidder with any excess cost incurred thereby, and (iv) cancel all or any part of any order or this Contract/Bid. Products so rejected may be returned or held at Bidder's expense and risk.

2. Contract Price Proposal.

A. Price. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner in accordance with the following Schedule of Prices:

Description of Product to be delivered to Owner	Quantity of Products to be delivered to Owner	Unit Price of Product	Extension (Total price for both tanks and quart of coating)
Steel cylindrical tanks 5 ft. diameter x 10 ft. length. Manufactured from ¼" steel plate fabricated according to attached drawings and specifications written on the drawings. Interior and exterior coated with rust proof material to withstand heat to 500 degrees F.	2 tanks	$23,000.00	$ 46,000.00

If Owner has specified the Quantity of Products to be delivered to Owner on Page 1 of the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contact/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, the total Contract Price of:

$ 46,000.00

If Owner has not specified the Quantity of Products to be delivered to Owner on Page 1 of the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contact/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, a total Contract Price that will be equal to the sum of the Unit Prices (as determined by the above Schedule of Prices) applicable to all Products accepted by Owner.

B. Basis for Determining Prices. It is expressly understood and agreed that:

(1) All prices stated in the Schedule of Prices are firm and will not be subject to escalation or change;

(2) Owner is not subject to State or local sales, use, and excise taxes, and no such taxes are included in the Schedule of Prices, and all claims or rights to claim any additional compensation by reason of the payment of any such tax are hereby waived and released;

(3) All other applicable federal, State, and local taxes of every kind and nature applicable to the Products are included in the Schedule of Prices; and

(4) If a Quantity of Products to be delivered to Owner is specified on Page 1 of the Request for Bids, such amount is an estimate only. Owner reserves the right to increase or decrease such quantity, and the total Contract Price to be paid will be based on the final quantity determined by Owner for each Product and the actual number of Products that comply with this Contract/Bid that are accepted by Owner. Bidder hereby waives and releases all claims or rights to dispute or complain of any such estimated quantity or to assert that there was any misunderstanding in regard to the number of Products to be delivered.

C. Time of Payment. It is expressly understood and agreed that all payments will be made in accordance with the following schedule:

Net 30 Upon Receipt of the Boiler Blowdown Tanks

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Bid.

3. Contract Time Proposal.

If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner not later than 10-4, 2021.
or 8-10 weeks from acceptance

4. Financial Assurance.

A. Indemnification. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will indemnify and defend Owner against all damages, liability, claims, losses, and expenses (including attorneys' fees) that may arise or be alleged to have arisen out of or in connection with Bidder's performance of or failure to perform under this Contract/Bid, including without limitation any failure to meet the representations and warranties set forth in Section 6 of this Contract/Bid.

B. Penalties. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will be solely liable for any fines or civil penalties that are imposed by any governmental or quasi-governmental agency or body that may arise or be alleged to have arisen out of or in connection with Bidder's performance of or failure to perform hereunder.

5. Firm Proposal.

All prices and other terms stated in this Contract/Bid are firm and will not be subject to withdrawal, escalation, or change so long as Owner accepts this Contract/Bid within 60 days after the date this sealed Contract/Bid is opened.

6. Bidder's Representations and Warranties.

To induce Owner to accept this Contract/Bid, Bidder hereby represents and warrants as follows:

A. The Products. The Products and all of their components will be of merchantable quality and, for a period of not less than one year after delivery (i) will be free from any latent or patent defects and flaws in workmanship, materials, and design, (ii) will strictly conform to the requirements of this Contract/Bid, including without limitation the performance standards set forth in Subsection 1B of this Contract/Bid, and (iii) will be fit, sufficient, and suitable for the purposes expressed in or reasonably inferred from this Contract/Bid and the warranties expressed herein will be in addition to any other warranties applicable to the Products (including any manufacturer's warranty) or expressed or implied by law which are hereby reserved unto Owner.

B. Compliance with Laws. All Products and all of their components will comply with, and Bidder agrees to be bound by, all applicable federal, state, and local laws, orders, rules, and regulations as they may be modified or amended from time to time. Every provision required by law to be inserted into this Contract/Bid will be deemed to be inserted herein.

C. Not Barred. Bidder is not barred by law from contracting with Owner or with any other unit of state or local government as a result of (i) a delinquency in the payment of any tax administered by the Illinois Department of Revenue unless Bidder is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax as set forth in 65 ILCS 5/11-42.1-1, (ii) a violation of either Section 33E-3 or Section 33E-4 of Article 33 of the Criminal Code of 1961, 720 ILCS 5/33E-1 *et seq.*, or (iii) for any other reason.

D. Qualified. Bidder has the requisite experience, ability, inventory, capital, facilities, equipment, plant, organization, and staff to enable Bidder to deliver the Products at the Contract Price and within the Contract Time Proposal set forth above.

7. Acknowledgments.

In submitting this Contract/Bid, Bidder acknowledges and agrees that:

A. Reliance. Owner is relying on all warranties, representations, and statements made by Bidder in this Contract/Bid.

B. Reservation of Rights. Owner reserves the right to reject any and all bids, reserves the right to reject the low price bid, and reserves such other rights as are set forth in the Instructions to Bidders.

C. Acceptance. If this Contract/Bid is accepted, then Bidder will be bound by each and every term, condition, or provision contained in this Contract/Bid and in Owner's written notification of acceptance in the form included in this bound set of documents.

D. Remedies. Each of the rights and remedies reserved to Owner in this Contract/Bid are cumulative and additional to any other or further remedies provided in law or equity or in this Contract/Bid.

E. Time; Days. Time is of the essence for this Contract/Bid. Except where specifically stated otherwise, references in this Contract/Bid to days will be construed to refer to calendar days.

F. No Waiver. No examination, inspection, investigation, test, measurement, review, determination, decision, certificate or approval by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any information or data supplied by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any order by Owner for the payment of money; nor any payment for or use, possession, or acceptance of the whole or any part of any Product; nor any extension of time granted by Owner; nor any delay by Owner in exercising any right under this Contract/Bid; nor any other act or omission of Owner will constitute or be deemed to be an acceptance of any defective, damaged, or nonconforming Product; nor operate to waive or otherwise diminish the effect of any representation or warranty made by Bidder or of any requirement or provision of this Contract/Bid or of any remedy, power, or right of Owner.

G. Assignment. Neither this Contract/Bid, nor any interest herein, may be assigned or subcontracted in whole or in part by Bidder except with the prior written consent of Owner.

H. Governing Law This Contract/Bid and all rights of the parties under this Contract/Bid will interpreted according to the laws of, but not the conflict of law rules of, the State of Illinois.

DATED this 20 date of July 2021

Bidder's Status: ( )___Corporation (State) ( )___Partnership (State) (✓) Individual Proprietor

Bidder's Name: BEC Equipment LLC

Doing Business As (if different): _____

Signature of Bidder or Authorized Agent: [redacted]

(CORPORATE SEAL, IF APPLICABLE)

Printed Name: Kevin Summers

Title/Position: Vice President

Bidder's Business Address: 58 Eisenhower Ln North
Lombard, IL
60148

Bidder's Business Telephone: (708) 441-5284 Facsimile: (_____)

If a Corporation or Partnership, list all Officers or Partners:

ACCEPTANCE

The Contract/Bid attached hereto and by this reference incorporated herein and made a part hereof is accepted by the Village of Winnetka ("Owner") as of this ____ day of _____ 20___.

This Acceptance, together with the Contract/Bid attached hereto, constitutes the entire agreement between the parties relating to the Products and the Contract Price therefor and supersedes all prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and will prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgment, or invoice.

VILLAGE OF WINNETKA

By _____

Name: _____

Title: _____

ATTACHMENT A

SPECIFICATIONS & DRAWINGS

Two cylindrical steel tanks 5 ft. diameter x 10 ft. length. Manufactured from ¼" steel plate fabricated according to attached drawings and specifications written on the drawings. Interior and exterior coated with epoxy to withstand heat to 500 degrees F.

Sheet A-1: Side View

Sheet A-2: End View

Sheet A-3: Top View

Sheet B-1: Side View

Sheet B-2: End View

Sheet B-3: Top View

Vendor to provide at least one quart of epoxy coating for the repair of any coating damaged during installation. Note: Installation of tanks performed by separate entity.

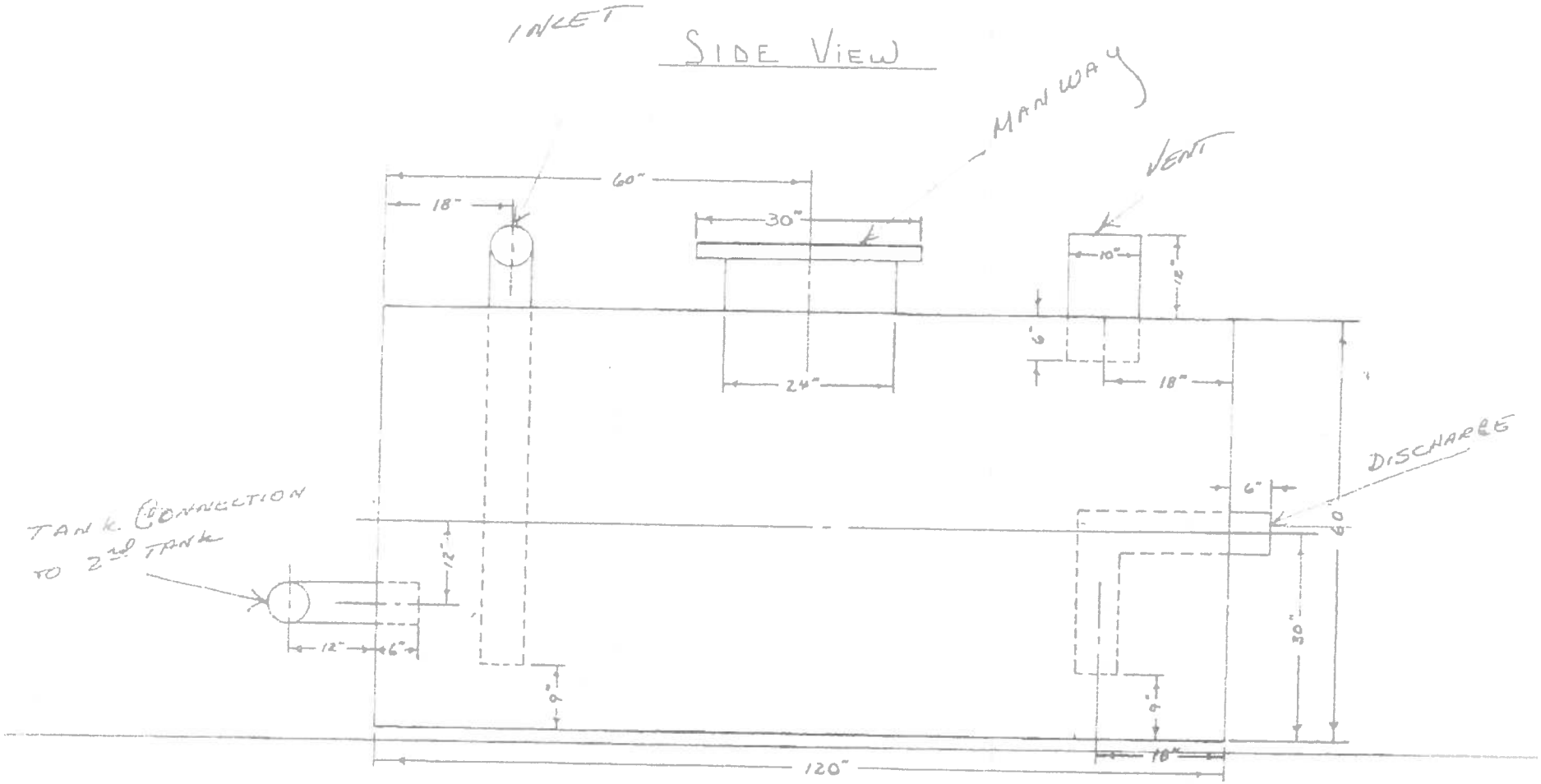
Delivery:

- Contact Electric Plant Superintendent, James Olson, with 48 hours advance notification to ensure equipment is on-site for offload of tanks.
- Receiving hours: Monday to Friday, 7:30 a.m. to 2:30 p.m.
- Delivery Location: Village of Winnetka, Electric Plant, 725-735 Tower Road, Winnetka, IL 60093.

Lifting Hooks / Eyes:

The manufacturer shall provide two lifting points on the top side of each cylindrical tank for the purpose of lifting the tank. Prior to installing lifting point, manufacturer shall secure approval of placement and type of lifting hook / eye to be used.

SIDE VIEW



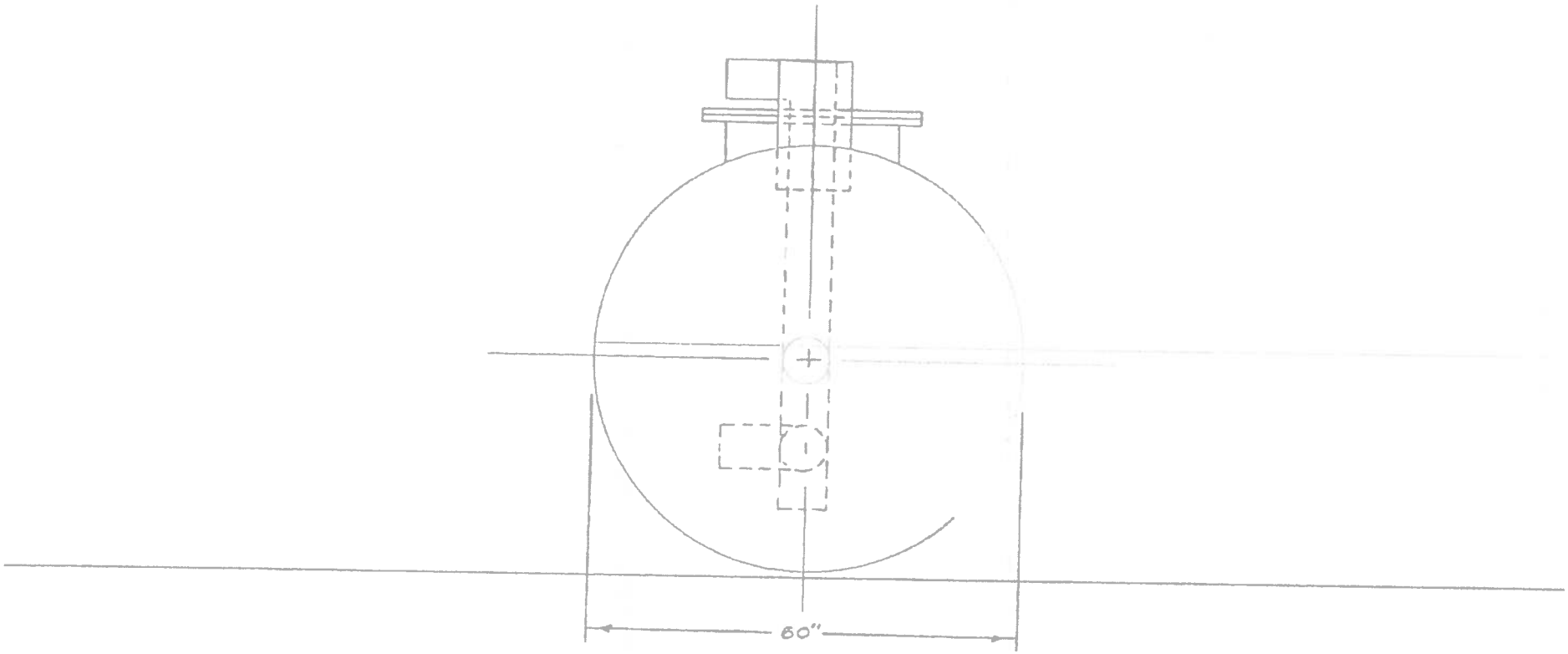
1/4" PLATE EPOXY COATED INSIDE & OUTSIDE

ALL PIPE 6" EXCEPT WHERE DIMENSIONED SCHEDULE 40 BLACK

Agenda Packet P. 20

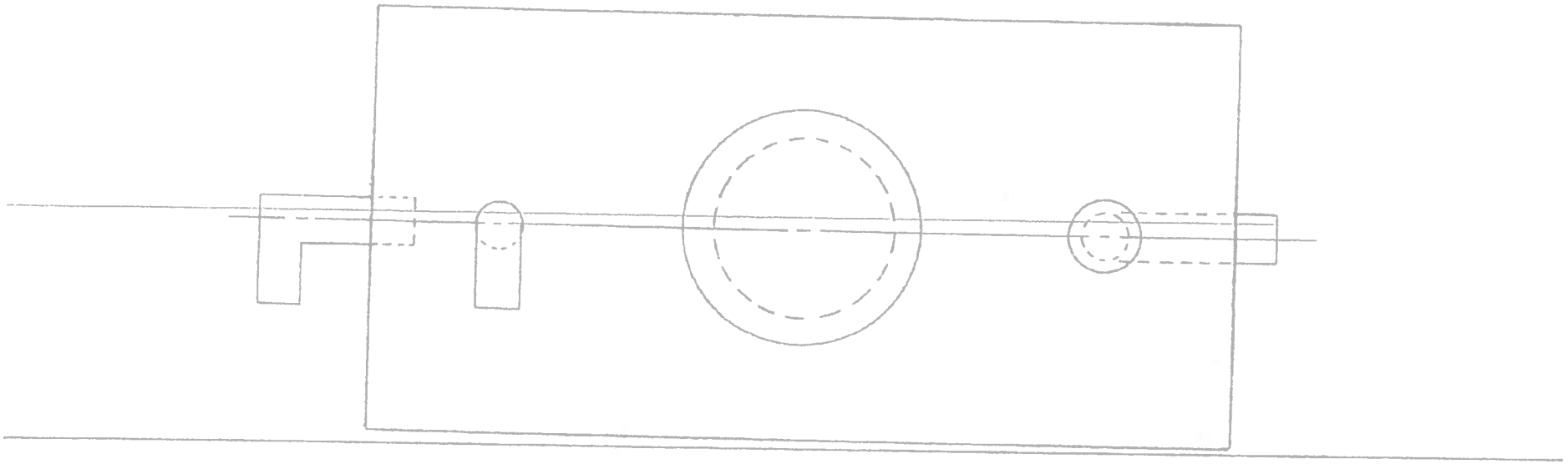
END VIEW

A-2



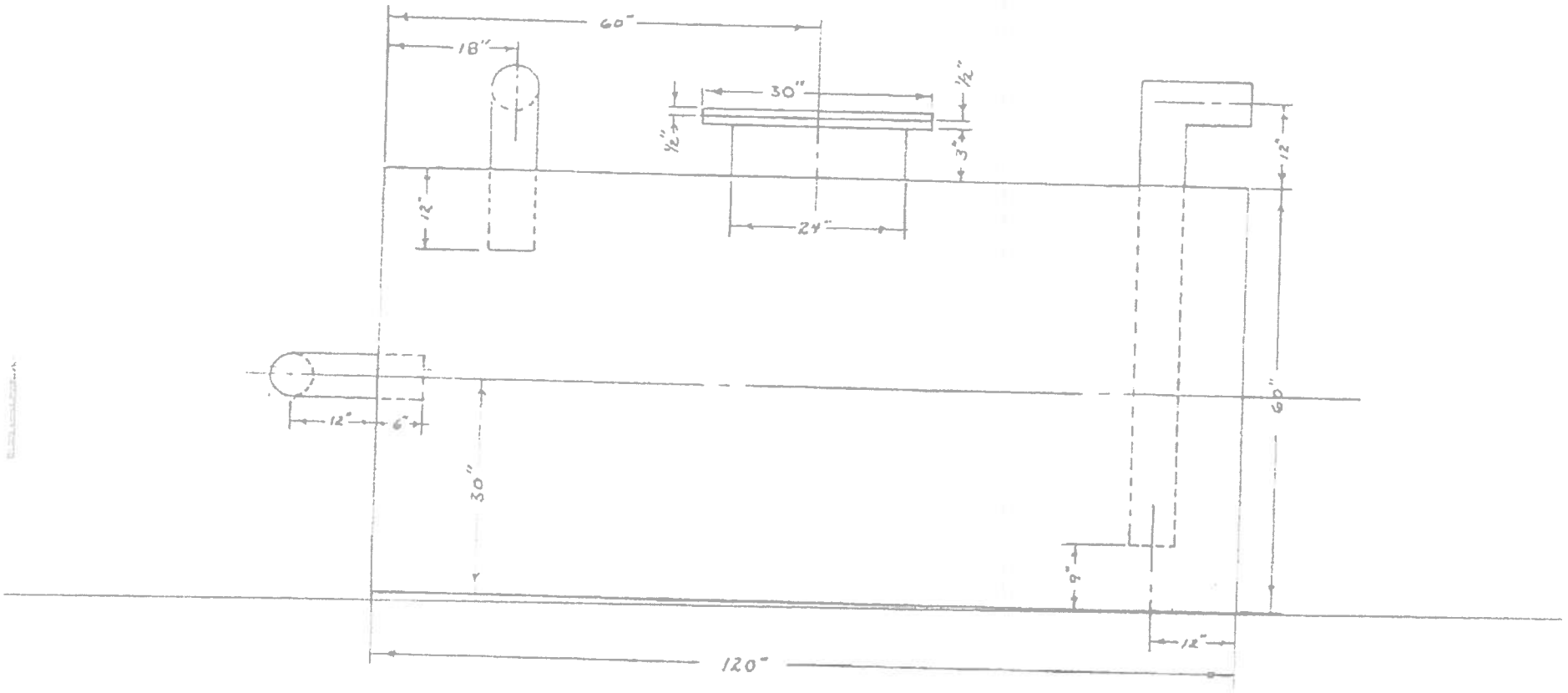
TOP VIEW

A-3



Side View

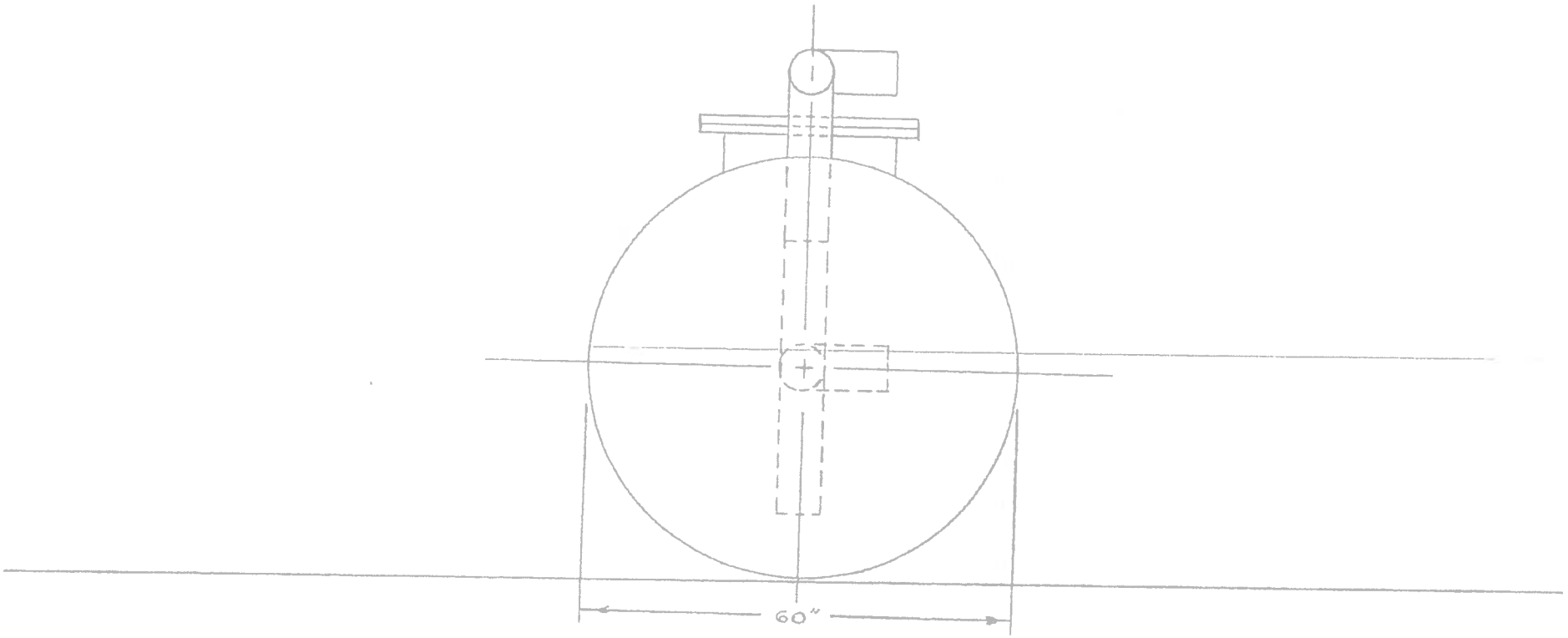
B-1



¼" Plate Epoxy Coated Inside & Outside
All Pipe 6" Except Where Dimensioned
Schedule 40 Black

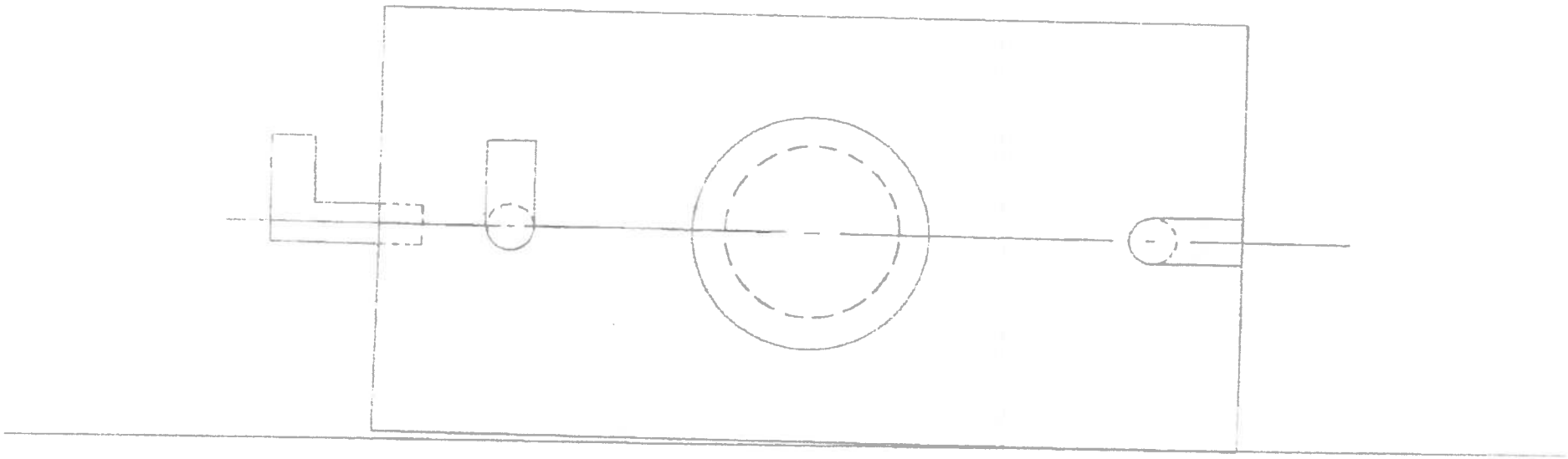
END VIEW

B-2



TOP VIEW

B-3



Agenda Item Executive Summary

Title: Ordinance No. MC-4-2021: Flood Plain Maps Update (Introduction/Adoption)

Presenter: Emily Grimm, Assistant Village Engineer and Stormwater Manager

Agenda Date: 08/03/2021

Consent: ☐ YES ☑ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

The Federal Emergency Management Agency (FEMA) periodically updates Flood Insurance Rate Maps (FIRMs) and requires the adoption of the updated maps by the jurisdictional agency located within the change limits.

Executive Summary:

On September 10, 2021 new Flood Insurance Rate Maps (FIRMs) along Lake Michigan become effective. These updated FIRM maps include V-zones - areas along the coast subject to inundation by the 1% annual chance (also known as the 100-year) flood event with additional hazards associated with storm-induced waves.

Currently, the areas along Lake Michigan are AE-zones, with a consistent Base Flood Elevation of 585. On the new maps, the Base Flood Elevation will now vary along the coast from 587 to 592, and have been changed from AE-zones to V-zones.

Since V-zones are new to the Village, Flood Hazard Protection Regulations must be updated to include them. V-zones are considered coastal zones, and recommended language from FEMA Region 5 has been added to the ordinance to protect structures in these zones. Note that most homes along Lake Michigan are elevated out of these flood zones, and the changes to the ordinance will not affect most home construction. Secondary structures, such as boat houses or garages, may be affected by these ordinance changes, with the primary update being that structures are not to be elevated by fill in VE zones, and rather must be elevated by pilings or columns.

The ordinance has also been updated to include current FEMA language, the newest flood map dates and suffixes, and align our code with the recommendations from the FEMA Region 5 and our IDNR NFIP Coordinator.

The maps and the updated ordinance containing V-Zone language must be adopted before September 10, 2021 in order to avoid suspension from the National Flood Insurance Program (NFIP) for failure to adopt.

Recommendation:

Consider waiving introduction of Ordinance No. MC-4-2021 and proceeding with adoption; OR consider introduction of Ordinance No. MC-4-2021.

Attachments:

1) Ordinance No. MC-4-2021
2) Updated FIRM Maps, effective September 10, 2021

ORDINANCE NO. MC-4-2021

AN ORDINANCE AMENDING THE WINNETKA VILLAGE CODE REGARDING FLOOD HAZARD PROTECTION 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, including but not limited to the power to regulate for and enact ordinances pertaining to the protection of the public health, safety, morals, and welfare of Village residents; and

WHEREAS, Chapter 15.68 of the "Winnetka Village Code," as amended (***"Village Code"***), generally regulates for the protection of the public health, safety, morals, and welfare of Village residents by establishing flood hazard protection regulations pursuant to state and federal law ("***Flood Hazard Regulations***"); and

WHEREAS, Village staff have determined that revisions to the Flood Hazard Regulations are necessary to address revisions to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map Index and related requirements of state and federal law; and

WHEREAS, the Village Council has determined that amending Title 9 of the Village Code 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 does ordain as follows:

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

SECTION 2: FLOOD HAZARD REGULATIONS. Title 15, titled "Buildings and Construction," of the Village Code is hereby amended to amend Chapter 15.68, titled "Flood Hazard Protection Regulations," in its entirety as set forth in **Exhibit A** attached to, and by this reference, made a part of this Ordinance.

SECTION 3: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

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.

[SIGNATURE PAGE FOLLOWS]

PASSED this __ day of _____, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2021.

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 _____, 2021.

Introduced: August 3, 2021

Passed and Approved: _____, 2021

EXHIBIT A
(Revised Chapter 15.68 of Title 15)

CHAPTER 15.68. FLOOD HAZARD PROTECTION REGULATIONS

15.68.010 Regulations of National Flood Insurance Program adopted.

The rules and regulations of the National Flood Insurance Program as codified in the Code of Federal Regulations, Title 44, Chapter 1, subchapter B, Part 59, *et seq.,* as amended, are adopted by reference and filed in the office of the Village Clerk.

15.68.020 Definitions.

Terms used in this chapter mean as follows:

“Accessory Structure” means a non-habitable Building, used only for parking of vehicles or storage, that is on the same parcel of property as the principal Building and the use of which is incidental to the use of the principal Building.

"Act" means "An Act in Relation to the Regulation of the Rivers, Lakes and Streams of the State ofIllinois," Illinois Revised Statutes 1991, Chapter 19, Paragraph 52, *et seq*.

"Applicant" means any person, firm, corporation or agency which submits an application pursuant tothis chapter.

"Appropriate use" means a use of the regulatory floodway that is listed in 17 Illinois Administrative Code 3708 and that will not cause a rise in the base flood elevation and will not create a damaging or

potentially damaging increase in flood heights or velocity or be a threat to public health and safety. Approved appropriate uses are specified in Section 15.68.060(D) of this chapter.

“Average Lot Grade” means the mathematical average of the ground elevation as measured at all ofthe corners of the buildable area of a parcel of land. As used in this definition, the term “buildable area” shall have the same definition as provided in Section 17.04.020 (B)(6) of this Code.

"Base Flood" means the flood having a one percent probability of being equaled or exceeded in anygiven year. The base flood is also known as the one hundred (100) year frequency flood event. The Base Flood is often referred to as the 100-year flood.

“Base Flood Elevation (BFE)” means the height in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified) of the crest of the Base Flood. Application of the BFE at any location is as defined in Section 15.68.040 of this Code.

”Basement” means any area of the building, including any sunken room or sunken portion of a room, having its floor below ground level (subgrade) on all sides.

"Building" means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, mobile home or a prefabricatedbuilding.

"Channel" means any river, stream, creek, brook, branch, natural or artificial depression, ponded areas, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or man-made drainageway, which has a definite bed and banks or shoreline, in or into which surface or groundwaterflows, either perennially or intermittently.

"Channel modification" means alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping or other armoring,as well as widening, deepening, straightening, relocating, lining and significant removal of native vegetation from the bottom or banks. "Channel modification" does not include the clearing of dead ordying vegetation, debris or trash from the channel. Channelization is a severe form of channel modification typically involving relocation of the existing channel (*e.g.,* straightening).

“Coastal High Hazard Area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms or seismic sources. A coastal high hazard area is identified on a community’s FIRM by the designation of zone VE.

"Compensatory storage" means an artificially excavated, hydraulically equivalent volume of storagewithin the Special Flood Hazard Area used to balance the loss of natural flood storage capacity whenartificial fill or structures are placed within the floodplain.

“Conditional Approval of a Designated Floodway Map Change” means preconstruction approval by IDNR/OWR and FEMA of a proposed change to the Floodway map. This preconstruction approval, pursuant to 17 Ill. Adm. Code Part 3708, gives assurances to the property owner that once an Appropriate Use is constructed according to permitted plans, the Floodway map can be changed, as previously agreed, upon review and acceptance of as-built plans.

"Conditional Letter of Map Revision (CLOMR)" means a letter which indicates that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, floodboundaries or floodway as shown on an effective Flood Hazard Boundary Map or Flood Insurance Rate Map, once the as-built plans are submitted and approved.

"Control structure" means a structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

“Critical Facility” means any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these Critical Facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

"Dam" means all obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool.Underground water storage tanks are not included.

“Detention facility” means a facility that provides for storage of stormwater runoff and controlled release of this runoff during and after a flood or storm.

"Development" means any engineered change to real estate, including:

1. Construction, reconstruction, repair or placement of a building or any addition to a

building;

2. Installing a manufactured home on a site or preparing a site for a manufactured home;

3. Drilling, mining, installing utilities, construction of roads, bridges, or similar projects;

4. Demolition of a structure or redevelopment of a site;

5. Construction or erection of levees, walls, fences, dams or culverts; channel modification; filling,dredging, grading, excavating, paving, or other nonagricultural alterations of the ground surface; storage of materials; deposits of solid or liquid waste;

6. Any other human activity that might change the direction, height or velocity of flood or surfacewater, including extensive vegetation removal.

"Development" does not include maintenance of existing buildings and facilities such as re-roofing orre-surfacing of roads when there is no increase in elevation, or gardening, plowing, and similar agricultural practices that do not involve filling, grading or construction of levees.

"Director" or "Director of Engineering" means the Director of Engineering of the Village. The Director performs the duties of Village Engineer pursuant to Section 2.64.010(D) of this Winnetka Village Code.

"Elevation Certificate" means a form published by the Federal Emergency Management Agency thatis used to certify the elevation to which a building has been elevated.

"Erosion" means the general process where soils are moved by flowing water or wave action.

"Exempt organizations" means organizations which are exempt from the operation of this chapter pursuant to state law including state, federal or local units of government.

"FEMA" means Federal Emergency Management Agency and its regulations at 44 C.F.R. 59-79, effective as of October 1, 2000. This incorporation does not include any later editions or amendments.

"Flood" means a general and temporary condition of partial or complete inundation of normally dryland areas from overflow of inland or tidal waves, or the unusual and rapid accumulation or runoff ofsurface waters from any source. Flood also includes the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash Flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters.

"Flood frequency" means a period of years, based on a statistical analysis, during which a flood of astated magnitude may be expected to be equaled or exceeded.

"Flood fringe" means that portion of the floodplain outside of the regulatory floodway. "Flood Insurance Rate Maps (FIRM)" means a map prepared by the Federal Emergency Management Agency that depicts the Special Flood Hazard Area within a community. This map includes insurance rate zones and floodplains and may or may not depict floodways.

“Flood Insurance Study” means an examination, evaluation, and determination of Flood hazards and if appropriate, corresponding water surface elevations.

"Floodplain" means that land typically adjacent to a body of water with ground surface elevations ator below the base flood. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, and the like. The floodplain is also known as the Special Flood Hazard Area (SFHA).

1. "Floodplains" are those lands within the jurisdiction of the Village of Winnetka that are subject to inundation by the base flood. The SFHA's of the Village are generally identified as such on Map Number 17031C, Panels 0232J, 0234J, , and 0253J, dated August 19, 2008 and Map Number 17031C, Panels 0113K, 0251K, 0252K, and 0254K September 10, 2021, of the countywide FIRM for Cook County, Illinois prepared by the FEMA.

2. The SFHA's for those parts of unincorporated Cook County that are within the 1½ mile extraterritorial jurisdiction of the Village of Winnetka and that may be annexed into the Village are designated for the Skokie River on Map Number 17031C, Panels, 0232J, 0234J, and 0253J, dated August 19, 2008 and Map Number 17031C, Panels 0113K, 0251K, 0252K and 0254K, dated September 10, 2021, of the countywide FIRM for Cook County, Illinois, prepared by the FEMA.

"Floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodproofing Certificate" means a form published by FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

"Flood protection elevation” or “FPE” means the elevation of the base flood or 100 year frequency flood plus two feet of freeboard at any given location in the Special Flood Hazard Area.

"Freeboard" means an increment of elevation added to the based flood elevation to provide a factor of safety of uncertainties in calculations, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

“Historic Structure” means any Building that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;

3. Individually listed on the State inventory of historic places by the Illinois Historic Preservation Agency;

4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

"Hydrologic and hydraulic calculations" means engineering analysis which determine expected floodflows and flood elevations based on land characteristics and rainfall events.

"IDNR/OWR" means the Illinois Department of Natural Resources/Office of Water Resources.

"Letter of Map Amendment (LOMA)" means official determination by FEMA that a specific structure is not in a 100 year flood zone; amends the effective Flood Hazard Boundary Map or FIRM.

"Letter of Map Revisions (LOMR)" means letter from FEMA that revises base flood or one hundred year frequency flood elevations, flood insurance rate zones, flood boundaries or floodways as shown on an effective FBFM or FIRM.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including Basement). An unfinished or flood-resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a Basement area is not considered a building’s lowest floor; provided that such enclosure is not built so as to render the Building in violation of the applicable non-elevation design requirements of this Code.

“Manufactured Home” means a Building, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when attached to the required utilities. The term manufactured home does not include a recreational vehicle.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Minimum Average Lot Grade" is the number arrived at by applying the following formula: (FPE-2') –[(Total Required Side Yard-12') x 0.0833].

"Mitigation" means and includes those measures necessary to minimize the negative effects which floodplain development activities might have on the public health, safety and welfare. Examples of mitigation include compensatory storage, soil erosion and sedimentation control, and channel restoration.

”Moderate Wave Action Area (MoWA)” means a special flood hazard area subject to the potential for breaking wave heights of greater than or equal to 1.5 feet, but less than 3 feet, where the primary source of flooding is astronomical tides, storm surges, seiches, and/or tsunamis. A MoWA is an area within zone AE on a FIRM that is between the inland limit of zone VE and a LiMWA, where identified. (Also known as “Coastal A Zone”)

"NAVD" means North American Vertical Datum of 1988; reference surface set by the National Geodetic Survey is the vertical control datum based upon the General Adjustment of the North American Datum of 1988, established in 1991 by the minimum-constraint adjustment of geodetic leveling observation in Canada, the United States, and Mexico.

"Natural," when used in reference to channels, means those channels formed by the existing surface topography of the Earth prior to engineered changes. A natural stream tends to follow a meandering path; its floodplain is not constrained by levees; the area near the bank has not been cleared, mowed or cultivated; the stream flows over soiled and geologic materials typical of the areawith no substantial alteration of the course or cross-section of the stream caused by filling or excavating. A modified channel may regain some natural characteristics over time as the channel meanders and vegetation is re-established. Similarly, a modified channel may be restored to more natural conditions through regrading and revegetation.

"New construction" means structures for which the start of construction commenced on or after theeffective date of a floodplain management regulation adopted by the Village and includes any subsequent improvements to such structures.

"Ordinary high water mark (OHWM)" means the point on the bank or shore up to which the presenceand action of surface water is so continuous so as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics.

"Public flood control project" means a flood control project which will be operated and maintained bya public agency to reduce flood damages to existing buildings and structures which includes a hydrologic and hydraulic study of the existing and proposed conditions of the watershed. Nothing in this definition shall preclude the design, engineering, construction or financing, in whole or in part, of aflood control project by persons or parties who are not public agencies.

"Publicly navigable waters" means all streams and lakes capable of being navigated by watercraft.

“Regional Permits” means Regional Permits are offered for pre-approved projects which are considered minor projects that are permissible per Ill. Adm. Code Part 3708 rules for Northeastern Illinois Designated Floodways. A complete listing of the terms and conditions for specific project types can be obtained from the IDNR/OWR website.

"Registered Land Surveyor" means a land surveyor registered in the state of Illinois, under the Illinois Professional Land Surveyors Act of 1989, 225 ILCS 330/1 through 330/49.

"Registered or Licensed Professional Engineer (P.E.)" means an engineer registered in the state of Illinois, under theIllinois Professional Engineering Practice Act of 1989, 225 ILCS 325/1 et seq.

"Regulatory floodway" means the channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by IDNR/OWR, which is needed to storeand convey the existing 100 year frequency flood discharge with no more than a one-tenth (0.1) foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10 percent increase in velocities.

1. The floodways are designated for the Skokie River on Map Number 17031C, Panels 0232J, 0234J, and 0253J, dated August 19, 2008, of the countywide FIRM for Cook County, Illinois, prepared by the FEMA.

2. The floodways for those parts of unincorporated Cook County that are within the 1½ mile extraterritorial jurisdiction of the Village of Winnetka and that may be annexed into the Village are designated for the Skokie River on Map Number 17031C, Panels, 0232J, 0234J, and 0253J, dated August 19, 2008 and Panels

0113K, 0251K, 0252K, and 0254K September 10, 2021, of the countywide FIRM for Cook County, Illinois, prepared by the FEMA.

3. To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the designated floodway map and located on a site plan, using reference marks, to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, IDNR/OWR should be contacted for interpretation.

"Repair, remodeling or maintenance" means development activities that do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

“Repetitive Loss” means flood-related damages sustained by a Building on two separate occasions during a 10-year period for which the cost of repairs at the time of each such Flood event, on the average, equals or exceeds 25 percent of the market value of the Building before the damaged occurred.

“Riverine Floodplain” means any Floodplain subject to flooding from a river, creek, intermittent stream, ditch, on-stream lake system or any other identified channel. This term does not include areas subject to flooding from lakes, ponding areas, areas of sheet flow, or other areas not subject to overbank flooding.

"Runoff" means the water derived from melting snow or rain falling on the land surface, flowing overthe surface of the ground or collected in channels or conduits.

"Sedimentation" means the processes that deposit soils, debris, and other materials either on other ground surfaces or in bodies of water or watercourses.

"Special Flood Hazard Area (SFHA)" means any base flood area subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel or ponding and shown on a Flood Boundary and Floodway Map, Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A,AO, A1-30, AE, A99, AH, VO, V30, VE, V, M, E or X.

“Start of Construction” includes Substantial Improvement and means the date the Building permit was issued, provided the actual Start of Construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within 180 days of the permit date. The actual start means the first placement of permanent construction of a Building on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation, including the placement of a Manufactured Home on a foundation. For a Substantial Improvement, actual Start of Construction means the first alteration of any wall, ceiling, floor, or other structural part of a Building whether or not that alteration affects the external dimensions of the Building.

“Statewide Permits” means permits that are offered for pre-approved projects that are considered minor projects which are permissible per the IDNR/OWR Part 3700 rules. A complete listing of the statewide permits and permit requirements can be obtained from the IDNR/OWR website.

"Structure" means the results of a human change to the land construction on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building, theinstallation of a manufactured home on a site or the preparation of a site for a manufactured home, and construction or erection of levees, walls, fences, bridges or culverts; drilling, mining,

filling, dredging, grading, excavating; and the storage of materials.

“Substantial Damage” means damage of any origin sustained by a Building whereby cost to repair the building to its before damaged condition equals or exceeds 50 percent of the market value of the Building before the damage occurred, regardless of actual repair work performed. The term includes flood related damages sustained by a Building on two separate occasions in a 10-year period, in which the cost of the repairs, on average, equals or exceeds 25 percent of the market value of the Building at the time of each such flood event.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, or improvement of a Building, taken over a 10 year period in which the cost, as substantiated by an executed contract that outlines the entire scope of work, in which the percentage of improvements, figured (cumulatively) by dividing the cost of each improvement by the market value of the Building prior to the start of construction of each improvement, equals or exceeds 50 percent.

1. Substantial Improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the Building commences, whether or not that alteration affects the external dimensions of the Building. This term includes Buildings which have incurred Repetitive Loss or Substantial Damage, regardless of the actual work done.
2. The term does not, however, include either:
    a. any project for improvement of a Building to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are solely necessary to assure safe living conditions, or
    b. any alteration of a Historic Structure listed on the National Register of Historic Places or the Illinois Register of Historic Places, provided that the alteration will not preclude the Building’s continued designation as a Historic Structure.)

"Transition section" means reaches of the stream or floodway where water flows from a narrow cross-section to a wide cross-section, or vice versa.

"Village Engineer" means a registered professional engineer appointed by the Village Manager.

“Violation” means the failure of a structure or other development to be fully compliant with this Code.

"WMO" or "Watershed Management Ordinance" means the Metropolitan Water Reclamation District of Greater Chicago Countywide Watershed Management Ordinance, October 2013, as amended, and as adopted by reference in Section 15.08.040(J) of this code.

Section 15.68.025 Administration and Enforcement.

The administration and enforcement of this Chapter shall be in accordance with this Section.

A. No person, firm, corporation, or governmental body shall commence any Development activities, including New Construction, Substantial Improvements, and alterations of a watercourse wholly within, partially within or in contact with the Floodplains until a floodplain development permit is obtained from the Director. No permit shall be issued by

the Director until the requirements of this Code have been met.

B. No person, firm, corporation, or governmental body shall commence any development of a critical facility on land below the 0.2% annual chance flood elevation without first obtaining a floodplain development permit from the Director.

C. A local floodplain development permit shall not be issued by the Director for Development in a Floodway without the applicant first obtaining a state floodway permit from IDNR/OWR, except as noted in Section 15.68.060.

D. The Director shall review all proposed Development by comparing field surveyed topography of the site to the FIRM and shall make interpretations, where needed, as to the location of the floodplain boundaries, floodway boundaries, and BFE.

1. Any Development that is located on land below the BFE, located in the mapped Floodway, or associated with a Zone AO or VE is subject to the requirements of this Code. A LOMA-Floodway (LOMR-FW) shall be required before issuing a floodplain development permit for land higher than the BFE if located within a mapped floodway.

2. Any Development located on land below the BFE that was filled after the date of the site's first Floodplain designation on a flood map is subject to the requirements of this Code.

3. Any Development located on land below the BFE that is that is hydraulically connected to the Floodplain, but not shown on the current FIRM, is subject to the provisions of this Code.

4. The Director shall maintain documentation of the pre-existing ground elevation at the site and, if applicable, certification that this ground elevation existed prior to the date of the site's first FIRM identification in the Floodplain.

E. If the Development site is within a Floodway or in a Floodplain for which a detailed study has not been conducted, the Director shall require that the minimum requirements of Section 15.68.070 be met.

F. A floodplain development permit or approval shall become invalid unless the actual Start of Construction, for work authorized by such permit, is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences.

The Director shall ensure that all Development activities happen in a timely manner. All permitted work shall be completed within 12 months after the date of issuance of the permit or the permit shall expire. Time extensions, of not more than 180 days each, may be granted, in writing, by the Director. Time extensions shall be granted only if the original permit is compliant with this Code and the FIRM and FIS in effect at the time the extension is granted.

G. Letters of Map Revision. The Director shall require a CLOMR prior to issuance of a development permit for proposed floodway encroachments that will cause an increase in

the BFE; and proposed development which will increase the BFE by more than 0.1 feet in riverine area where FEMA has provided a BFE but no floodway.

H. Once a CLOMR has been issued, the development permit may be issued for site grading and structures necessary in the area of the map change to achieve the final LOMR. Upon completion, the applicant shall submit as-built certifications, as required by FEMA, to achieve a final LOMR prior to the release of final development permits. Review Section 15.68.050, subsection G for the construction of buildings in any floodplain issued a LOMR Based on Fill.

I. Application. An application for a floodplain development permit shall be made on a form provided by the Director.

1. The application shall be accompanied by drawings of the site, drawn to scale, showing property line dimensions and legal description for the property and sealed by a Registered P.E, licensed architect or Registered Land Surveyor; existing grade elevations, using the NAVD 88, and all proposed changes in grade resulting from excavation or filling; the location and dimensions of all existing and proposed Buildings, additions to Buildings, sewage disposal and water supply facilities; Floodplain limits based on elevation or depth, as applicable; Floodway limits, as applicable; location and dimensions of all structures, including but not limited to fences, culverts, decks, gazebos, agricultural structures, and Accessory Structures.

2. For all proposed Buildings, the elevation of the Lowest Floor (including Basement) and lowest adjacent grade shall be shown on the submitted plans and the Development will be subject to the requirements of Section 15.68.080 of this Code.

J. To assure that property owners obtain permits as required in this Code, the Director may take any and all actions as outlined in Sections 15.68.120.

Section 15.68.030 Duties of the Director.

The Director shall be responsible for the general administration and enforcement of this chapter, which shall include the following duties and responsibilities.

A. Check all new Development sites to determine whether they are in a Floodplain using criteria listed in Section 15.68.040 of this Code or for Critical Facilities, using the 0.2% annual chance flood elevation, if defined.

B. If the site is in a Floodplain, determine whether the site in a Coastal High Hazard Area, Moderate Wave Action Area, Floodway, Flood Fringe or in a Floodplain for which a detailed study has not been conducted.

C. If the site within a Flood Fringe, require that the minimum requirements of Sections 15.68.050 and 15.68.080 be met.

D. If the site within a Floodway, require that the minimum requirements of Sections 15.68.060 and 15.68.080 be met.

E. If the site is located within a Floodplain for which no detailed study has been completed and approved, require that the minimum requirements of Sections 15.68.070 and 15.68.080

be met.

F. If the site is within a Coastal High Hazard Area (or Moderate Wave Action Area), require that the minimum requirements of Section 15.68.080 be met.

G. Inspect all projects before, during and after construction to assure proper elevation of the Building and to ensure compliance with the provisions of this Code.

H. Schedule, on an annual basis, an inspection of the Floodplain and document the results of the inspection.

I. Review Elevation Certificates and Floodproofing Certificates for accuracy and require incomplete or deficient certificates be corrected and maintained in permit files including:

1. Elevation Certificate certifying the elevation of the Lowest Floor (including Basement) of a residential or non-residential Building subject to Section 15.68.080 of this Code, or an Elevation Certificate certifying the elevation of the lowest horizontal structural member of the Lowest Floor, where required by Section 15.68.080 of this Code and/or;

2. Floodproofing Certificate certifying the elevation to which a non-residential Building has been dry floodproofed, using a Floodproofing Certificate, for all Buildings required to be dry floodproofed pursuant to Section 15.68.080 of this Code.

3. Certification of structural design and methods of construction for VE zone construction as required by Section 15.68.080 of this Code.

4. Certification of breakaway wall design, when applicable, as provided in Section 15.68.080 of this Code.

J. Maintain for public inspection and furnish upon request all permit records, including but not limited to Base Flood data, Floodplain and regulatory Floodway maps, copies of federal or state permit documents, variance documentation, soil compaction records, Conditional Letter of Map Revision, Letter of Map Revision, Letter of Map Amendment, as-built elevation, Floodproofing Certificates and Elevation Certificates for all Buildings constructed subject to this Code.

K. Floodway Permits. For all Development projects in a Floodway, ensure that construction authorization has been granted by IDNR/OWR or a Delegated Community, or written documentation is provided stating that a permit is not required from IDNR/OWR, issued pursuant to 615 ILCS 5/5 et seq. Floodway permit requirements are specified in Sections 15.68.060 and 15.68.070 of this Code.

L. Permits for Dams may be required from IDNR/OWR. The Floodplain Administrator shall contact IDNR/OWR to determine if a permit is required and for application details. Any work involving the construction, modification, or removal of a Dam, per 17 Ill. Adm. Code Part 3702 (Rules for Construction of Dams), shall obtain an IDNR/OWR permit prior to the issuing a local permit.

M. Ensure any and all required federal, state, and local permits are received prior to the issuance of a Floodplain Development permit, including, but not limited to, permits pertaining to the

Clean Water Act, Public Water Supply, Endangered Species Act, and Illinois Endangered Species Protection Act.

N. Establish procedures for administering and documenting determinations, as outlined below, of Substantial Improvement and Substantial Damage made pursuant to Section 15.68.080 of this Code.

1. Determine the market value or require the Applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the Building before the Start of Construction of the proposed work. In the case of repair, the market value of the Building shall be the market value before the damage occurred and before any repairs are made.

2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building, including the cost of volunteer labor and donated materials must be included.

3. Compare the cost to perform the improvement, the cost to repair a damaged Building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the Building, including the cost of volunteer labor and donated materials must be included.

4. Determine and document whether the proposed work constitutes Substantial Improvement or Substantial Damage.

5. Notify the Applicant if it is determined that the work constitutes Substantial Improvement or repair of Substantial Damage and that compliance with the Flood resistant construction requirements of the Village and this Code is required.

O. Cooperation with Other Agencies.

1. Cooperate with state and federal Floodplain management agencies to improve Base Flood and Floodway data and to improve the administration of this Code;

2. Submit data to IDNR/OWR and FEMA for proposed revisions of a regulatory map within 6 months whenever a modification of the Floodplain may change the BFE or result in a change to the Floodplain map;

3. Submit reports as required for the NFIP; and

4. Notify FEMA of any proposed amendments to Section 15.68 of this Code.

P. Promulgate rules and regulations as necessary to administer and enforce the provisions of Section 15.68, subject however to the review and approval of IDNR/OWR and FEMA for any Ordinance changes.

Q. Notify IDNR/OWR and adjacent communities in writing 30 days prior to the issuance of a permit for the alteration or relocation of a watercourse.

R. If a variance is to be granted, the Director shall review the requirements of Section 15.68.100

of this Code to make sure they are met. In addition, the Director shall complete all notifications requirements, prepare a staff report and recommendations.

S. Enforce the provisions of Section 15.68 of this Code, investigate violations, issue notices of violation or stop work orders, and require corrective action, as outlined in Section 15.68.120 of this Code.

15.68.040 Base flood elevation.

This chapter's protection standard is based on the Regulatory Flood Profiles for the Countywide Flood Insurance Study for Cook County dated September 10, 2021. If a BFE is unavailable for a particular site, then the protection standard shall be according to the best existing available data from federal, state or other sources. When a party disagrees with the best available data or should no other data source exist, that party may finance the detailed engineering study needed to replace existing data with better data and submit it to IDNR/OWR and FEMA for approval.

A. Base Flood for Skokie River SFHA. The BFE for the SFHAs of the Skokie River shall be as delineated on the 100 year flood profiles in the Countywide Flood Insurance Study for Cook County prepared by the FEMA and dated September 10, 2021, and such amendments to such studyand maps as may be prepared from time to time.

B. Base Flood for SFHAs within the Village' s Extraterritorial Jurisdiction. The BFE for the SFHAs of those parts of unincorporated Cook County that are within the one and one-half mile extraterritorial jurisdiction or that may be annexed into the Village shall be as delineated on the base flood profiles in the Countywide Flood Insurance Study for Cook County prepared by the FEMA and dated September 10, 2021, and such amendments to such study and maps as may be prepared fromtime to time.

C. Base Flood for AH and AO Zones. The BFE for each SFHA delineated as an AH zone or AO zone shall be that elevation (or depth) delineated Countywide FIRM of Cook County and as described in §601.4.B-C ofthe WMO.

D. Base Flood for A Zones. The BFE foreach of the remaining SFHAs delineated as an A zone on the Countywide FIRM of Cook County shall be according to the best existing data available from federal, state, or other sources. When no BFE exists, theBFE shall be determined according to §601.6 of the WMO. Flood flows should be based on anticipated future land use conditions in the watershed as determined from adopted local and regional land use plans. Along any watercourse draining more than one square mile, the above analyses shall be submitted to IDNR/OWR for approval. (Prior code § 28.04)

E. The BFE for any zone VE floodplain, and for a zone AE floodplain in an area subject to flooding effects from Lake Michigan, shall be the highest elevation specified on the FIRM among all flood zones affecting the proposed development. Where development is proposed to encroach upon a riverine Zone AE which is subject to flooding effects from Lake Michigan, the requirements of Section 15.68.070 of this Code shall apply to the entire floodplain.

Section 15.68.050 Occupation and use of flood fringe areas.

Development in and/or filling of the flood fringe is subject to the provisions of this section and will only be permitted if protection is provided against the base flood and if other applicable

requirements of this chapter are met. No use will be permitted if it adversely affects the capacity of drainage facilities or systems. Developments located within the flood fringe shall meet the requirements of this section, along with the requirements of Section 15.68.080 of this chapter.

A. Floodplain Development Permit Required. No person, firm, corporation or governmental body,other than exempt organizations, shall commence any development in the SFHA without first obtaining a Floodplain Development Permit from the Director.

B. Application and Site Plan. Application for a Floodplain Development Permit shall be made on a form provided by the Director. The application shall meet the requirements of Article 3 of the WMO and Section 15.68 of this Code. For all proposed buildings, the elevation of the lowest floor (including basement) and lowest adjacent grade shall be shown on the submitted plans and the development will be subject to the requirements of Section 15.68.080 of this chapter. The drawing shall be sealed by a registered professional engineer.

C. Review of Application. Upon receipt of a Floodplain Development Permit application, the Director shall compare the elevation of the site to the BFE. If, upon review, the Director determines that the development is located on land that is higher than the base flood elevation of the current FIRM and that has not been filled since the date of the site's first FIRM identification, the property shall be considered outside of the SFHA and, therefore, not subject to the requirements of this chapter. The Director shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first FIRM identification.

D. Duties and Responsibilities of Director. The Director shall be responsible for obtaining from the applicant copies of all other local, state, and federal permits, approvals or permit-not-required letters that may be required for the proposed activity. The Director shall not issue a permit unless copies of all other local, state and federal permits have been submitted by the applicant.

E. Preventing Increased Damages. No development in the flood fringe shall create a threat to public health and safety.

F. Use of Fill to Elevate Site.

1. Fill shall not be used to elevate a site unless the Average Lot Grade is equal to or greater thanthe Minimum Average Lot Grade.

2. If fill is being used to elevate the site above the BFE, the applicant shall submit sufficient data and obtain a Letter of Map Revision from FEMA for the purpose of removing the site from the floodplain. Notwithstanding anything to the contrary in the Letter of Map Revision or in this chapter, no person who obtains a map revision removing a site from the floodplain shall be entitled to build the lowest floor of a residential building below the BFE, except as provided in Section 15.68.050(G) of this chapter.

G. Constructing Lowest Floor Below BFE. A person who has obtained a Letter of Map Revision that removes a site in the flood fringe from the floodplain due to the use of fill to elevate the site abovethe BFE, may apply for a permit from the Village to construct the lowest floor of a residential building below the BFE in the flood fringe. The Director shall not issue such a permit unless the applicant has complied with all of the criteria set forth in the following paragraphs of this subsection.

1. Compensatory storage shall be provided in compliance with the requirements of this chapter.

2. The elevation of the lowest opening in the basement wall (i.e. window wells, access ways)shall be at or above the FPE.

3. The lowest grade adjacent to the foundation shall be at or above the FPE, for a minimumdistance of 10 feet beyond the outside face of the structure.

4. The grade around the perimeter of the structures, measured at a distance of 20 feet from the structure, shall be above the BFE.

5. The ground around the building shall be compacted fill that meets all requirements of this subsection (G) and is at least five feet thick under the basement floor slab. Nothing in this subsection (G) shall be interpreted to require the removal or replacement of fill that was placed as partof a LOMR-F permit, if such fill consists of material, including soil of similar classification and degree of permeability, that meets the requirements of this subsection (G).

6. The fill material shall be compacted to at least 95% of Standard Laboratory Maximum Dry Density (Standard Proctor), according to ASTM Standard D-698. Fill soils shall be fine-grained soilsof low permeability, such as those classified as CH, CL, SC, or ML according to ASTM Standard D- 2487, Classification of Soils for Engineering Purposes.

7. The fill material must be homogeneous i.e., all of one material, and isotropic, i.e., having theengineering properties must be the same in all directions.

8. All fill material and compaction shall be designed, certified and inspected by an Illinois Registered Professional Engineer or Registered Soils Engineer, as warranted by the site conditions.

9. The basement floor shall be at an elevation that is no more than five feet below the BFE.

10. There shall be a granular drainage layer beneath the floor slab, and a minimum of ¼- horsepower sump pump with a backup power supply shall be provided to remove the seepage flow. The pump shall be rated at four times the estimated seepage rate and shall discharge above the BFE and away from the building in order to prevent flooding of the basement or uplift of the floor underthe effect of the seepage pressure.

11. The drainage system shall be equipped with a positive means of preventing backflow.

12. All foundation elements shall be designed to withstand hydrostatic pressure in accordancewith accepted engineering practices.

H. Compensatory Storage.

1. Whenever any portion of a floodplain is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the BFE shall be

compensated for and balanced by ahydraulically equivalent volume of excavation taken from below the BFE, provided all of the conditions § 602.7-9 of the WMO and of the following paragraphs 2 and 3 of this subsection shall be met.

2. In no case shall the depth of excavation for any compensatory storage in the front and side yards of the lot exceed 18 inches, as measured from the previously existing natural grade.The rear yard may be permitted to have a greater depth of excavation, if necessary.

3. The use of mechanical means to drain the compensatory storage area will not be permitted.

15.68.060 Occupation and use of identified floodways.

Any development, redevelopment, site modification or building modification within a regulatory floodway is subject to the provisions of this section and shall be permitted only if the criteria of this section and applicable requirements of this chapter are met. All floodway modifications shall be theminimum necessary to accomplish the purpose of the project. The development shall also meet therequirements of Section 15.68.080 of this chapter.

A. Floodplain Development Permit. No person, firm, corporation or governmental body not exempted by state law shall commence any development in a floodway without first obtaining a Floodplain Development Permit from the Director.

B. Application. Application for a Floodplain Development Permit shall be made on a form provided by the Director, which shall include at least the information required by Article 3 of the WMO.

C. Review and Approval of Permit Applications. The Director shall be responsible for obtaining from the applicant copies of all other local, state, and federal permits and approvals that may be required for the proposed activity. The Director shall not issue the Floodplain Development Permit unless copies of all required federal and state permits have been submitted by the applicant. A registered professional engineer under the employ or contract of the Village shall review and approveapplications reviewed under this section.

D. Preventing Increased Damages; List of Appropriate Uses. No development shall be allowed ina floodway unless it is for appropriate uses that will not cause a rise in the base flood elevation, will not create a damaging or potentially damaging increase in flood heights or velocity and will not be a threat to public health and safety. Only those appropriate uses listed in 17 Ill. Adm. Code 3708 and §602.27 of the WMO will be allowed. Appropriate uses do not include the construction or placement of any new buildings, structures, fill, building additions, buildings on stilts, fencing (including landscaping or planting designed to act as a fence) and storage of materials except as specifically defined above as an appropriate use.

E. Engineering Criteria for Appropriate Uses in the Regulatory Floodway. Within the regulated floodway as identified on the Countywide FIRMs for Cook County, the construction of an appropriate use will be considered permissible; provided that, the proposed project meets the requirements of § 602.7-9 and 25-28 of the WMO, along with the following engineering criteria, and is so stated in writing with supporting plans,

calculations and data by a registered professional engineer; and provided that, any structure meets the protection requirements of Section 15.68.080 of this chapter:

1. Preservation of Flood Conveyance, so as Not to Increase Flood Stages Upstream. For appropriate uses, all effective regulatory floodway conveyance lost due to the project will be replaced for all flood events up to and including the 100 year frequency flood. In calculating effective regulatory floodway conveyance, the following factors shall be taken into consideration:

   a. Regulatory floodway conveyance,

$$'K' = \frac{1.486}{n} AR^{2/3}$$

   where "n" is Manning's roughness factor, "A" is the effective area of the cross-section, and "R" is the ratio of the area to the wetted perimeter (see Open Channel Hydraulics, Ven Te Chow, 1959, McGraw- Hill Book Company, New York);

   b. The same Manning's "n" value shall be used for both existing and proposed conditions unless a recorded maintenance agreement with a federal, state or local unit of government can assure the proposed conditions will be maintained or the land cover is changing from a vegetative to a nonvegetative land cover;

   c. Transition section shall be provided and used in calculations of effective regulatory floodwayconveyance. The following expansion and contraction ratios shall be used unless an applicant's engineer can prove to IDNR/OWR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency;

      i. When water is flowing from a narrow section to a wider section, the water should be assumed to expand no faster than at a rate of one foot horizontal for every four feet of the floodedstream's length.

      ii. When water is flowing from a wide section to a narrow section, the water should be assumed to contract no faster than at a rate of one foot horizontal for every one foot of the floodedstream's length.

      iii. When expanding or contracting flows in a vertical direction, a minimum of one foot verticaltransition for every ten (10) feet of stream length shall be used.

      iv. Transition sections shall be provided between cross-sections with rapid expansions andcontractions and when meeting the regulatory floodway delineation on adjacent properties.

      v. All cross-sections used in the calculations shall be located perpendicular to flood flows.

2. Preservation of Floodway Storage so as Not to Increase Downstream Flooding.

Compensatorystorage shall be provided for any regulatory floodway storage lost due to the proposed work from the volume of fill or structures placed and the impact of any related flood control projects. Compensatory storage for fill or structures shall meet the requirements of § 602.7-9 of the WMO.

3. Preservation of Floodway Velocities so as Not to Increase Stream Erosion or Flood Heights.For all appropriate uses the proposed work will not result in an increase in the average channel or regulatory floodway velocities, unless a water resource benefit is realized and unless scour, erosionand sedimentation will be avoided by the use of rip-rap or other design measures.

4. Construction of New Bridges or Culvert Crossings and Roadway Approaches. The proposed structures shall not result in an increase of upstream flood stages when compared to the existing conditions for all flood events up to and including the one hundred (100) year frequency event, unlessthe area of the increased flood stages is under the ownership or control of the applicant.

   a. The engineering analysis of upstream flood stages shall be calculated using the flood study flows, and corresponding flood elevations for tailwater conditions for the flood study specified in Section 15.68.040 of this chapter.

   b. Lost floodway storage shall be compensated for in accordance with subsection (E)(2) ofSection 15.68.060.

   c. Velocity increases shall be mitigated in accordance with subsection (E)(3) of Section15.68.060.

   d. If the crossing is proposed over a public water that is used for recreational or commercialnavigation, an IDNR/OWR permit must be obtained by the applicant.

   e. The hydraulic analysis for the backwater caused by the bridge showing the existing conditions and proposed regulatory profile shall be submitted to IDNR/OWR for concurrence that aCLOMR is not required by subsection E of Section 15.68.060.

   f. All excavations for the construction of the crossing shall be designed per subsection (E)(8) ofSection 15.68.060.

5. Reconstruction or Modification of Existing Bridges, Culverts and Approach Roads.

   a. The bridge or culvert and roadway approach reconstruction or modification shall be constructed with no more than one-tenth foot increase in backwater over the existing flood profile forall flood frequencies up to and including the one hundred (100) year event, if the existing structure isnot a source of flood damage.

   b. If the existing bridge or culvert and roadway approach is a source of flood damage to buildings or structures in the upstream floodplain, the applicant's engineer shall evaluate the feasibilityof redesigning the structure to reduce the existing backwater, taking into consideration the effects on flood states on upstream and downstream properties.

c. The determination as to whether or not the existing crossing is a source of flood damage andshould be redesigned shall be prepared in accordance with IDNR/OWR Rules 17 Ill. Adm. Code 3708(Floodway Construction in Northeastern Illinois) and submitted to IDNR/OWR for review and concurrence before a permit is issued.

d. Hydraulically equivalent compensatory storage shall be required to mitigate any potential increase in flow or flood elevations due to the removal or modification of an existing bridge or culvert.

6. On-Stream Structures Built for the Purpose of Backing Up Water. Any increase in upstream flood stages greater than zero feet when compared to the existing conditions, for all flood events up toand including the one hundred (100) year frequency event shall be contained within the area under the ownership or control of the applicant. A permit or letter indicating a permit is not required must be obtained from IDNR/OWR, Dam Safety Section, for a Dam Safety Permit or waiver for any structure built for the purpose of backing up water in the stream during normal or flood flow. All dams and impoundment structures as defined in Section 15.68.020 of this chapter shall meet the permitting requirements of 17 Ill. Adm. Code 3702 (Construction and Maintenance of Dams).

7. Floodproofing of Existing Habitable, Residential and Commercial Structures. If construction is required beyond the outside dimensions of the existing building, the outside perimeter of the floodproofing construction shall be placed no further than ten (10) feet from the outside of the building.Compensation of lost storage and conveyance will not be required for floodproofing activities.

8. Excavation in the Floodway. When excavation is proposed in the design of bridges and culvertopenings, including the modifications to and replacement of existing bridge and culvert structures, or to compensate for lost conveyance for other appropriate uses, transition sections shall be provided forthe excavation. The following expansion and contraction ratios shall be used unless an applicant's engineer can prove to IDNR/OWR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency.

a. When water is flowing from a narrow section to a wider section, the water should be assumed to expand no faster than at a rate of one foot horizontal for every four feet of the floodstream's length;

b. When water is flowing from a wide section to a narrow section, the water should be assumedto contract no faster than at a rate of one foot horizontal for every one foot of the flooded stream's length;

c. When expanding or contracting flows in a vertical direction, a minimum of one foot verticaltransition for every ten (10) feet for stream length shall be used; and

d. Erosion/scour protection shall be provided inland upstream and downstream of the transitionsections.

9. Seeding and Stabilization Plan. For all activities located in a floodway, a seeding

andstabilization plan shall be submitted by the applicant.

10. General Criteria for Analysis of Flood Elevations.

a. The flood profiles, flows and floodway data in the regulatory floodway study, referenced inSection 15.68.040 of this chapter, shall be used for analysis of the base conditions. If the study dataappears to be in error or conditions have changed, the IDNR/OWR shall be contacted for approval and concurrence on the appropriate base conditions data to use.

b. If the one hundred (100) year regulatory floodway elevation at the site of the proposed construction is affected by backwater from a downstream receiving stream with a large drainage area,the proposed construction shall be shown to meet the requirements of this section for the one hundred (100) year frequency flood elevations of the regulatory floodway conditions and conditions with thereceiving stream at normal water elevations.

c. If the applicant learns from IDNR/OWR, local governments, or a private owner that a downstream restrictive bridge or culvert is scheduled to be removed, reconstructed, modified, or a regional flood control project is scheduled to be built, removed, constructed or modified within the nextfive years, the proposed construction shall be analyzed and shown to meet the requirements of this section for both the existing conditions and the expected flood profile conditions when the bridge, culvert or flood control project is built.

11. Conditional Letter of Map Revision. If the appropriate use would result in a change in the regulatory floodway location or the one hundred (100) year frequency flood elevation, the applicant shall submit to IDNR/OWR and to FEMA all the information, calculations and documents necessary to be issued a conditional regulatory floodway map revision and received from IDNR/OWR a conditional approval of the regulatory floodway change before a permit is issued. The final regulatory floodway map will not be changed by IDNR/OWR until as-built plans or record drawings are submitted and accepted by FEMA and IDNR/OWR. In the case of nongovernmental projects, the municipality in incorporated areas and the county in an unincorporated area shall concur with the proposed conditional regulatory floodway map revision before IDNR/OWR approval can be given. No filling, grading, dredging or excavating shall take place until a conditional approval is issued. Once a CLOMR has been issued, a permit may be issued for site grading and structures necessary in the area of the map change to achieve the final LOMR. Upon completion, the applicant shall submit as-built certifications, as required by FEMA, to achieve a final LOMR prior to the release of final development permits. The regulatory floodway map will be revised upon acceptance and concurrence by IDNR/OWR and FEMA of the as-built plans, and the effective date of the LOMR is reached.

12. Professional Engineer's Supervision. All engineering analyses shall be performed by or underthe supervision of an Illinois registered professional engineer, retained by the applicant.

F. State Review in delegated communities. For those projects listed below located in a

regulatory floodway, the following criteria shall be submitted to IDNR/OWR for their review and concurrence priorto the issuance of a permit:

1. IDNR/OWR will review an engineer's analysis of the flood profile due to a proposed bridgepursuant to subsection (E)(4) of Section 15.68.060.

2. IDNR/OWR will review an engineer's determination that an existing bridge or culvert crossingis not a source of flood damage and the analysis indicating the proposed flood profile, pursuant to subsection (E)(5) of Section 15.68.060.

3. The IDNR/OWR will review alternative transition sections and hydraulically equivalent storagepursuant to subsections (E)(1), (2) and (8) of Section 15.68.060.

4. The IDNR/OWR will review and approve, prior to the start of construction, any Department projects, dams (as defined in Section 15.68.120 of this chapter) and all other state, federal and localunits of government projects, including projects of the Village.

G. Other Permits. In addition to the other requirements of this chapter, a Floodplain Development Permit for a site located in a floodway shall not be issued unless the applicant first obtains a permit or written documentation that a permit is not required from IDNR/OWR, issued pursuant to 615 ILCS 5/5,et seq.

H. Dam Safety Permits. Any person performing work involving the construction, modification or removal of a dam (as defined in Section 15.68.020 of this chapter) pursuant to 17 Ill. Adm. Code 3702(Rules for Construction of Dams) shall obtain an IDNR/OWR Dam Safety Permit prior to the start of construction of a dam. If the Director finds a dam that does not have an IDNR/OWR permit, the Director shall immediately notify the Dam Safety Section of IDNR/OWR. If the Director finds a dam that is believed to be in an unsafe condition, the Director shall immediately notify the owner of the dam, IDNR/OWR, Dam Safety Section, and the Illinois Emergency Management Agency (IEMA).

I. Activities That Qualify for a Regional Permit from IDNR/OWR. The following activities may bepermitted without a registered professional engineer's review, provided they meet the other requirements of this chapter.

1. Underground and overhead utilities that:

   a. Do not result in any increase in existing ground elevations;

   b. Do not require the placement of above ground structures in the floodway;

   c. In the case of underground stream crossings, the top of the pipe or encasement is buried aminimum of three feet below the existing stream bed; and

   d. In the case of overhead utilities, no supporting towers are placed in the watercourse and aredesigned in such a fashion as not to catch debris.

2. Storm and sanitary sewer outfalls that:

   a. Do not extend riverward or lakeward of the existing adjacent natural bank slope;

b. Do not result in an increase in ground elevation; and

c. Are designed so as not to cause stream erosion at the outfall location.

3. Construction of sidewalks, athletic fields (excluding fences), properly anchored playgroundequipment and patios at grade.

4. Construction of shoreline and streambank protection:

a. When such construction does not exceed one thousand (1,000) feet in length;

b. When materials used in such construction are not placed higher than the existing top ofbank; and

c. When materials used in such construction are placed so as not to reduce the cross-sectionalarea of the stream channel or bank of the lake.

15.68.070 Occupation and use of Floodplain areas where floodways are not identified.

In SFHA or floodplains (including AO zones, AH zones and unnumbered A zones) where no floodways have been identified and no BFEs have been established and which drains more than one square mile, no development shall be permitted unless the cumulative effect of the proposals, when combined with all other existing and anticipated uses and structures, shall not significantly impede or increase the flow and passage of the floodwaters and will not significantly increase the BFE. The development must meet all applicable requirements of this chapter and 17 Ill. Adm. Code Part 3700.The development shall also meet the requirements of Section 15.68.080 of this chapter.

A. Floodplain Development Permit. No person, firm, corporation or governmental body, not exempt by state law, shall commence any development in an SFHA or floodplain without first obtaining a Floodplain Development Permit from the Director, as applicable. Application for a Floodplain Development Permit shall be made on a form provided by the Director.

B. Duties of Director. The Director shall be responsible for obtaining from the applicant copies of all other local, state, and federal permits, approvals or permit-not-required letters that may be required for this type of activity. The Director shall not issue the Floodplain Development Permit unless copies of all required local, state, and federal permits have been submitted to the Director by the applicant.

C. Preventing Increased Damages. No development in the SFHA, where a floodway has not beendetermined, shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health, safety, and welfare.

D. Standards within Riverine SFHAs. Within all riverine SFHA's where the floodway has not beendetermined, the following standards shall apply.

1. The developer shall have a registered professional engineer state in writing and show throughsupporting plans, calculation and data that the project meets the engineering requirements of the WMO and Section 15.68.

2. A Floodplain Development Permit shall not be issued unless the applicant first obtains apermit from IDNR/OWR or written documentation that a permit is not required from IDNR/OWR.

3. Dam Safety Permits. Any person performing work involving the construction, modification or removal of a dam (as defined in Section 15.68.020 of this chapter) shall obtain an IDNR/OWR Dam Safety Permit or letter indicating a permit is not required prior to the start of construction of a dam. If the Director finds a dam that does not have an IDNR/OWR permit, the Director shall immediately notifythe Dam Safety Section of IDNR/OWR. If the Director finds a dam which is believed to be in unsafe condition, the Director shall immediately notify the owner of the dam, IDNR/OWR, Dam Safety Section, and the Illinois Emergency Management Agency (IEMA).

4. Activities That Qualify for a Regional or Statewide Permit from IDNR/OWR. The following activities may be permitted without a registered professional engineer's review or calculations of a base flood elevation and regulatory floodway. Such activities shall meet the other requirements of thischapter:

   a. Underground and overhead utilities that:

      i. Do not result in any increase in existing ground elevations;

      ii. Do not require the placement of above ground structures in the floodway;

      iii. In the case of underground stream crossings, the top of the pipe or encasement is buried aminimum of three feet below the existing streambed;

      iv. In the case of overhead utility lines, the lines shall be constructed above the estimated 100-year flood elevation or attached above the low chords of an existing bridge (with the permission ofthe bridge owner). No supporting towers shall be placed in the watercourse and shall be designed in such a fashion as not to catch debris.

      v. Disturbance of streamside vegetation shall be kept to a minimum during construction toprevent erosion and sedimentation.

   b. Storm and sanitary sewer outfalls that:

      i. Do not extend riverward or lakeward of the existing adjacent natural bank slope;

      ii. Do not result in an increase in ground elevation; and

      iii. Are designed so as not to cause stream bank erosion at the outfall location.

   c. Construction of shoreline and streambed protection:

      i. When such construction does not exceed one thousand (1,000) feet in length;

      ii. When materials used in such construction are not placed higher than the existing top ofbank; and

      iii. When materials used in such construction are placed so as not to reduce the cross-sectional area of the stream channel by more than ten (10) percent.

d. The construction of light poles, sign posts and similar structures.

e. The construction of sidewalks, driveways, athletic fields (excluding fences), patios andsimilar surfaces which are built at grade.

f. The construction of properly anchored, unwalled, open structures such as playground equipment, pavilions and carports built at or below existing grade that would not obstruct the flow offloodwaters.

g. The placement of properly anchored buildings not exceeding seventy (70) square feet insize, nor ten (10) feet in any one dimension (e.g., animal shelters and tool sheds).

h. The construction of additions to existing buildings which do not increase the first floor area by more than twenty (20) percent, which are located on the upstream or downstream side of the existing building, and which do not extend beyond the sides of the existing building that are parallel tothe floodwaters.

i. Minor maintenance dredging of a stream channel where:

i. The affected length of stream is less than one thousand (1,000) feet;

ii The work is confined to reestablishing flows in natural stream channels; or

iii. The cross-sectional area of the dredged channel conforms to that of the natural channelupstream and downstream of that site.

5. The flood-carrying capacity within any altered or relocated watercourse shall be maintained.

E. Compensatory Storage. Whenever any portion of a floodplain, (including AO zones, AH zones and unnumbered A zones) where no floodways have been identified and no base flood or one hundred (100) year frequency flood elevations have been established and which drains more than onesquare mile, is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the BFE shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation. The excavation volume shall meetthe requirements of §602.7-9 of the WMO.

Section 15.68.080 Permitting requirements applicable to all floodplain areas.

In addition to the requirements found in Sections 15.68.050, 15.68.060 and 15.68.070 of this chapter for development in flood fringes, regulatory floodways, and SFHA or floodplains where no floodways have been identified (Zones AO, AH, AE, A1--A30, A99, VO, V1-V30, VE, V, M, E or X), § 601 and § 602 of the WMO and the following requirements shall be met:

A. Public Health Standards. No developments in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, animals' wastes, fertilizers, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a floodproofed and anchored storage tank and certified by a P.E. or floodproofed

building constructed according to the requirements of Section 15.68.080 D. 3 of this chapter.

B. Water and Sewer Lines. New and replacement water supply systems, wells, sanitary sewer lines and on-site disposal systems may be permitted providing all manholes or other above ground openings located below the FPE are watertight and shall meet the requirements of § 602.15-17 of the WMO. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

C. Carrying Capacity and Notification. For all projects involving channel modification, fill or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained and the project shall meet the requirements of § 606 and § 607 of the WMO. In addition, the Village shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

D. Public utilities and facilities such as telecommunication, gas and electric shall be located and constructed to minimize or eliminate flood damage.

E. All other activities, defined as development, such as pools, fences, filling, paving, etc., shall be designed so as not to alter flood flows or increase potential flood damages.

F. Protecting Buildings. All buildings located within the SFHA, shall be protected from flood damage below the FPE. However, existing buildings located within a regulatory floodway shall also meet the more restrictive appropriate use standards included in Section 15.68.060 of this chapter. These building protection criteria apply to the following situations:

1. New construction or placement of a new building.

2. A substantial improvement to an existing building.

3. Installing a manufactured home on a new site or a new manufactured home on an existing site.

4. A Substantially Damaged Building under repair, the entire building must meet the flood protection standards of this section. Substantial Damage shall be figured cumulatively during a 10-year period by comparing the cost to repair the building to its pre-damage condition with the market value of the building immediately prior to the damage, for each event in which the building sustains damage, and adding the percentages of damage for each event.

5. Installing a travel trailer or Recreational Vehicle on a site for more than 180 consecutive days.

G. Building Protection Methods. Building protection requirements may be met by one of the following methods.

1. Residential Buildings: In zones A, AO, AH, and AE, the lowest floor, including basement, of New Construction of residential buildings, and Substantially Improved residential Buildings, must be elevated to the FPE, and are subject to the more specific additional requirements below:

a. If fill, including grading to redistribute onsite material to alter existing topography, is used as a means of elevation:

i. The fill shall be placed in layers no greater than one foot deep before compaction, must extend at least 20 feet beyond the foundation before sloping below the FPE in lieu of a geotechnical report, and shallmeet the requirements of § 602 of the WMO. The fill shall be protected against erosion and scour and shall be composed of clean rock or soil and not include debris or refuse material.The fill shall not adversely affect the flow or surface drainage from or onto neighboring properties.

ii. In order to construct a home with or without a basement, on a permanent landfill, the following equation must be satisfied:

Minimum Average Lot Grade = (FPE-2') – [(Total Required Side Yard-12') x 0.0833].

Therefore, if the average lot grade elevation on a site is above the elevation as defined by this equation, then a structure with its lowest floor below the BFE may be constructed. Otherwise, thestructure must be protected in accordance with Section 15.68.080.E.2 of this Code.

b. If the Building's lowest floor is elevated above ground level with an enclosed or unenclosed area below the lowest floor:

i. The Building shall be elevated on piles, walls, columns, or other foundation that is permanently open to floodwaters.

ii. All enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. A minimum of two (2) permanent openings shall be provided on at least two walls located below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding, or the design must be certified by a Registered P.E, as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.

iii. All electrical lines, switches, receptacles, and fixtures must be located above the FPE except to the minimum extent required by applicable building or life-safety codes. Any switches, receptacles, and/or fixtures required by applicable building or life-safety codes to extend below the FPE shall be rated, or located in enclosures rated, for prolonged submersion.

iv. The Building, foundation, and supporting members shall be

adequately anchored to prevent flotation, collapse, or lateral movement of the Building resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and be designed so as to minimize exposure to current, waves, ice, and floating debris.

v. All Building components below the FPE shall be constructed of materials resistant to Flood damage.

vi. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the FPE provided they are waterproofed.

vii. The area below the FPE shall be used solely for parking, storage, or building access and not later modified or occupied as habitable space.

2. Nonresidential Buildings: In zones A, AO, AH, and AE, the lowest floor (including basement) of New Construction of nonresidential buildings, and Substantial Improvement of nonresidential Buildings, must either (1) be elevated to or above the FPE, subject to the more specific additional requirements of Sections 15.68.080.G.1.a through 15.68.08.G.1.b above; or (2) be structurally dry-floodproofed, provided a Registered P.E. or architect has developed and/or reviewed the structural design, specifications, and plans for construction, and the Registered P.E. or architect submits a FEMA Floodproofing Certificate, certifying that the design and methods of construction are in accordance with accepted standards of practice for meeting the requirements of ASCE 24-14, and the following conditions:

a. Below the FPE, the Building and attendant utility and sanitary facilities shall be watertight with walls substantially impermeable to the passage of water and structural components capable of resisting hydrostatic and hydraulic loads and the effects of buoyancy

b. The building design shall take into account flood velocities, duration, rate of rise, hydrostaticand hydrodynamic forces, the effects of buoyancy and impacts from debris or ice.

c. Floodproofing measures shall be incorporated into the building design and shall be operable without human intervention and without anoutside source of electricity.

d. The building, utility, and sanitary facilities' design and construction will prevent the effect of sewer backup into the building.

e. For purposes of this subsection, levees, berms, floodwalls and similar works are notconsidered floodproofing.

3. In a Coastal high hazard area (zone VE) and in any area of zone AE designated as a Moderate Wave Action Area, the building protection requirements of this Section 15.68.080 E must be met according to the following criteria:

a. All New Construction and Substantial Improvements shall be elevated on pilings or columns so that the bottom of the lowest horizonal structural member of the Lowest Floor (excluding the pilings or columns) is elevated to or above the FPE, and the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

i. Water loading values used shall be those associated with the Base Flood.

ii. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 Minimum design loads and associated criteria for buildings and other structures, or other equivalent standard.

b. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 15.68.080.E.4.a.

c. All New Construction and Substantial Improvements shall have the space below the Lowest Floor either free of obstruction or constructed with non-supporting Breakaway Walls, open wood lattice-work, or insect screening intended to collapse without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

i. A Breakaway Wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot.

ii. Use of Breakaway Walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or where so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet all of the following conditions:

a) Breakaway Wall collapse shall result from a water load less than that which would occur during the base flood; and

b) The elevated portion of the Building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with the base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 *Minimum design loads and associated criteria for buildings and other structures*, or equivalent standard.

c) All space enclosed by Breakaway Walls, open wood lattice-work, or insect screening below the lowest floor shall be used

solely for parking of vehicles, building access, or storage.

4. In Zones A, AO, AH and AE, detached accessory structures and detached garages may be constructed with the lowest floor below the FPE in accordance with the following:

   a. The building shall not be used for human habitation, must not include areas intended or used for cooking, and must not include bathrooms, toilet rooms, or shower rooms.

   b. All areas below the BFE shall beconstructed with flood resistant materials.

   c. The structure must have at least two permanent openings on at least two walls not more than one foot above grade and below the BFE**,** with one square inch of opening for every one square foot of floor area.

   d. The building shall be located outside of the regulatory floodway unless the building can be constructed and placed on a buildingsite so as not to block flood flows nor reduce floodway storage, can meet the appropriate use criteria of Section 15.68.060, and all other requirements of Sections 15.68.050, 15.68.060 and 15.68.070.

   e. The structure shall be anchored to prevent flotation and overturning.

   f. All electrical lines, switches, receptacles, and fixtures must be located above the FPE except to the minimum extent required by applicable building or life-safety codes. Any switches, receptacles, and/or fixtures required by applicable building or life-safety codes to extend below the FPE shall be rated, or located in enclosures rated, for prolonged submersion.

   g. The building shall be valued at less than $25,000.00 as substantiated by a signed contract be no more than one-story in height, and shall have a roofed lot coverage of less than five hundred 500 square feet.

   h. The building shall be used only for the storage of vehicles or tools and may not contain other rooms, greenhouses or similar uses. (Ord. MC-181-97 § 2, 1997; prior code § 28.08). All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the FPE.

   i. The Lowest Floor elevation should be documented, and the owner advised of the Flood insurance implications of building with the Lowest Floor below the BFE.

5. Nonconforming structures located in a regulatory floodway may remain in use, but may not beenlarged, replaced or structurally altered, except to the extent such enlargement, replacement or alteration is permitted by Section 15.68.060 of this chapter. A nonconforming structure damaged by flood, fire, wind or other natural or man-made disaster may be restored provided the value of the damage is less than fifty (50) percent of the structure's market value before it was damaged, and provided that the restoration conforms to all applicable provisions of this chapter.

H. Retaining Walls and Grading Requirements.

1. When retaining walls are used either to bridge the grade differential between the FPE of the clay building pad for a new structure and the existing Average Lot Grade on the site, or to create a vertical surface for any portion of a side of a compensatory storage area, the cumulative height of theretaining walls in the front and side yards shall not exceed 24 inches.

2. When slopes are used to provide a transition between the existing grade and the proposed grade for the top of the permanent fill, or for the construction of a compensatory storage basin, thoseslopes will be limited to a maximum of 1:6, or 1 foot of vertical rise for every six feet of horizontal run.

3. If a proposed construction or development project cannot meet the requirements of this Subsection F, then the use of permanent fill to elevate the structure out of the SFHA shall be prohibited and the structure shall be protected in accordance with Section 15.68.080.E.2 of this Code.

4. In Floodplain zones AO and AH, drainage paths shall be provided to guide water around and away from the buildings.

5. Within a Coastal high hazard area or within a Moderate Wave Action Area, bulkheads, seawalls, revetments, and other erosion control structures shall not be connected to the foundation or superstructure of a building, and shall be designed and constructed so as not to direct floodwaters or increase flood forces or erosion impacts on the foundation or superstructure of any Building.

6. Man-made alterations of sand dunes within a Coastal high hazard area (zone V, V1-30, or VE) or within a Moderate Wave Action Area are prohibited unless an engineering report documents that the alterations will not increase potential flood damage by reducing the wave and flow dissipation characteristics of the sand dunes.

7. Non-structural fill within a Coastal high hazard area (zone V, V1-30, or VE) or within a Moderate Wave Action Area shall be permitted only if an engineering report demonstrates that the fill will not cause wave runup, ramping, or deflection of floodwaters that cause damage to buildings.

8. The use of fill for structural support of buildings within a coastal high hazard area (zone V, V1-30, or VE) or within a Moderate Wave Action Area is prohibited.

15.68.090 Other development requirements.

The Village Council shall take into account flood hazards, to the extent that they are known, in all official actions by the Council related to land management, use and development.

A. New subdivisions and annexation agreements within the SFHA shall be reviewed to assure that the proposed developments are consistent with Sections 15.68.050, 15.68.060, 15.68.070 and 15.68.080 of this chapter and the need to minimize flood damage. Plats or plans for new subdivisions shall include a signed statement by and Illinois Registered Professional Engineer that the plat or plans account for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205).

B. Proposals for new subdivisions and additions to subdivisions shall include BFE data and

floodway delineations. Where this information is not available from an existing study, the applicant's Registered Professional Engineer shall be responsible for calculating the BFE pursuant to Section 15.68.040(D) of this chapter and submitting it to the IDNR/OWR for review and approval as best available regulatory data.

C. New streets, blocks, lots, parks and other public grounds shall be located and laid out in such amanner as to preserve and utilize natural streams and channels. Wherever possible, the floodplains shall be included within parks or other public grounds.

D. The Village Council shall not approve any annexation agreement or any plat of subdivision located outside the corporate limits unless such agreement or plat is in accordance with the provisionsof this chapter.

15.68.100 Variances.

No variances shall be granted to any development located in a regulatory floodway, as defined in Section 15.68.020 of this chapter. However, when a development proposal is located outside of a regulatory floodway, and whenever the standards of this chapter place undue hardship on a specific development proposal, the applicant may apply to the Director or to the Metropolitan Water Reclamation District of Greater Chicago for a variance. Only the Metropolitan Water Reclamation District of Greater Chicago may grant variances from the requirements of the WMO. The Director shall review the applicant's request for a variance from Village standards that exceed the requirements of the WMO and shall submit his or her recommendation to the Village Council.

A. No variances shall be granted unless the applicant demonstrates that all of the following criteriahave been met:

1. The development activity cannot be located outside the SFHA.

2. An exceptional hardship would result if the variance were not granted.

3. The relief requested is the minimum necessary.

4. There will be no additional threat to public health, safety or welfare.

5. There will be no additional threat to beneficial stream uses and functions, including aquatichabitat.

6. There will be no nuisance created.

7. There will be no additional public expense for flood protection, rescue or relief operations,policing, or repairs to roads, utilities, or other public facilities.

8. The activity is not in a regulatory floodway.

9. The applicant's circumstances are unique and do not represent a general problem.

10. The provisions of Sections 15.68.050(E) and 15.68.070(D) are met.

B. The Director shall notify an applicant in writing that a variance of the requirements of Section 15.68.080 of this chapter that would lessen the degree of protection to a building will do any of thefollowing:

1. Result in increased premium rates for flood insurance up to amounts as high as $25.00 for one hundred dollars $100.00 of insurance coverage.

2. Increase the risks to life and property.

3. Require that the applicant proceed with knowledge of these risks and that he or she willacknowledge in writing that he or she assumes the risk and liability.

C. Variances requested in connection with restoration of a site or building listed on the NationalRegister of Historical Places or documented as worthy of preservation by the Illinois Historic Preservation Agency may be granted using criteria more permissive than the requirements ofsubsections (A) and (B) of this section.

15.68.110 Disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This chapter does not imply that development, whether inside or outside of the SFHA, will be free fromflooding or damage. This chapter does not create liability on the part of the Village or any officer or employee of the Village for any flood damage that results from reliance on this chapter or any administrative decision made under this chapter.

Section 15.68.120 Penalties.

Failure to comply with the requirements of a permit or with the conditions of a variance resolution shall be deemed to be a violation of this chapter. In addition, upon due investigation, the Director maydetermine that a violation of the minimum standards of this chapter exist.

A. The Director shall notify the owner in writing of such violation. The notice constitutes a suspension of any floodplain development permit. The notice shall include a statement informing the owner that any such violation may be considered a willful act to increase flood damages and may cause coverage by a Standard Flood Insurance Policy to be suspended. The notice shall contain a brief description of the violations, section of the chapter violated, the requirement to stop all work in violation of this chapter, and a statement informing the violator that they may contest the notice in writing within 10 days, correct the violation in ten days, or apply for a permit, as applicable.

B. If the owner fails to respond to the notice or to correct the violation within 10 days after theissuance of the notice, the Village may file an action in the Circuit Court of Cook County seeking issuance of an injunction requiring conformance with this chapter or entry of such other order as the Court deems necessary to secure compliance with this chapter.

C. Any person who violates a provision of this chapter shall, upon conviction, be fined not less than $50.00 nor more than $750.00 for each offense.

D. A separate offense shall be deemed committed upon each day during or on which a violationoccurs or continues.

E. The Village may record a notice of violation on the title to the property.

F. Nothing in this chapter shall prevent the Village from taking such other lawful action to prevent orremedy any violations. All costs connected with such action shall accrue to the person or persons responsible.

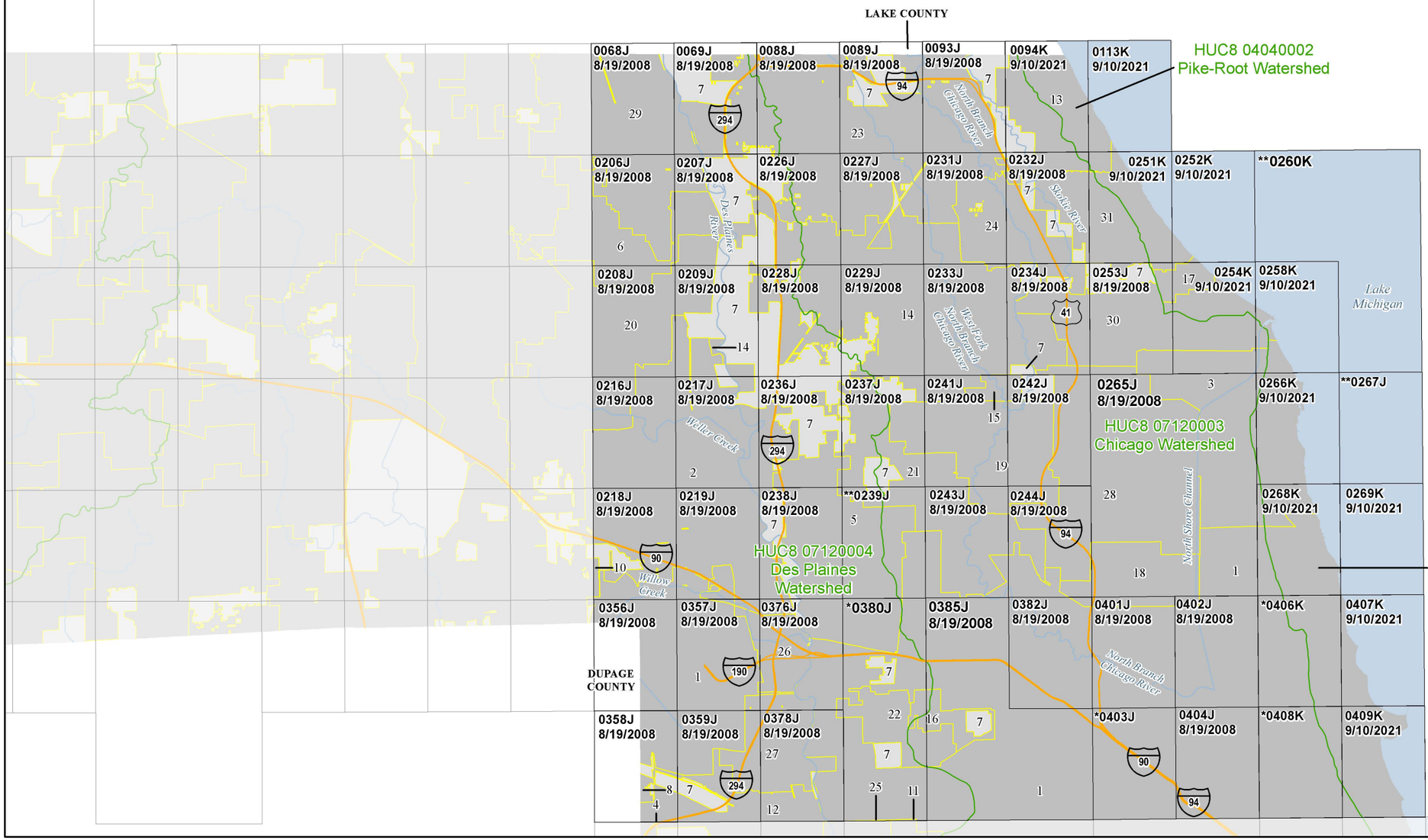
15.68.130 Construction and other code provisions.

The provisions of this chapter shall be deemed additional requirements to minimum standards required by other provisions of this code. In case of conflicting requirements, the most restrictive shall apply.

15.68.140 Effect of regulations.

Nothing in this chapter is intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. Where the requirements of this chapter and other ordinances, easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictionsshall prevail.

ATTACHMENT 2



Index Number	Community	CID
1	CITY OF CHICAGO	170074
2	CITY OF DES PLAINES	170081
3	CITY OF EVANSTON	170090
4	CITY OF NORTHLAKE	170134
5	CITY OF PARK RIDGE	170146
6	CITY OF PROSPECT HEIGHTS	170919
7	COOK COUNTY UNINCORPORATED AREAS	170054
8	VILLAGE OF BENSENVILLE	170200
9	VILLAGE OF DEERFIELD	170361
10	VILLAGE OF ELK GROVE VILLAGE	170088
11	VILLAGE OF ELMWOOD PARK	170089
12	VILLAGE OF FRANKLIN PARK	170094
13	VILLAGE OF GLENCOE	170095
14	VILLAGE OF GLENVIEW	170096
15	VILLAGE OF GOLF	170098
16	VILLAGE OF HARWOOD HEIGHTS	170101
17	VILLAGE OF KENILWORTH	170113
18	VILLAGE OF LINCOLNWOOD	171001
19	VILLAGE OF MORTON GROVE	170128
20	VILLAGE OF MOUNT PROSPECT	170129
21	VILLAGE OF NILES	170130
22	VILLAGE OF NORRIDGE	170131
23	VILLAGE OF NORTHBROOK	170132
24	VILLAGE OF NORTHFIELD	170133
25	VILLAGE OF RIVER GROVE	170152
26	VILLAGE OF ROSEMONT	170156
27	VILLAGE OF SCHILLER PARK	170159
28	VILLAGE OF SKOKIE	171000
29	VILLAGE OF WHEELING	170173
30	VILLAGE OF WILMETTE	170175
31	VILLAGE OF WINNETKA	170176

ATTENTION: The corporate limits shown on this FIRM Index are based on the best information available at the time of publication. As such, they may be more current than those limits shown on FIRM panels issued before 09/10/2021.

1 in = 11,833 feet 1:142,000

feet
0 7,000 14,000 28,000 42,000

Map Projection:
NAD 1983 StatePlane Illinois East FIPS 1201 Feet;
Western Hemisphere; Vertical Datum: NAVD 88

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT

HTTPS://MSC.FEMA.GOV

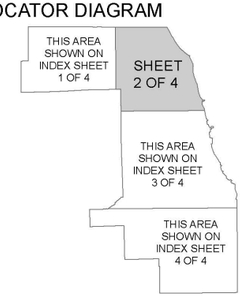
* PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS
** PANEL NOT PRINTED - AREAS ALL IN OPEN WATER

SEE FLOOD INSURANCE STUDY FOR ADDITIONAL INFORMATION

COOK COUNTY, IL



COOK COUNTY, IL
INDEX LOCATOR DIAGRAM



NATIONAL FLOOD INSURANCE PROGRAM

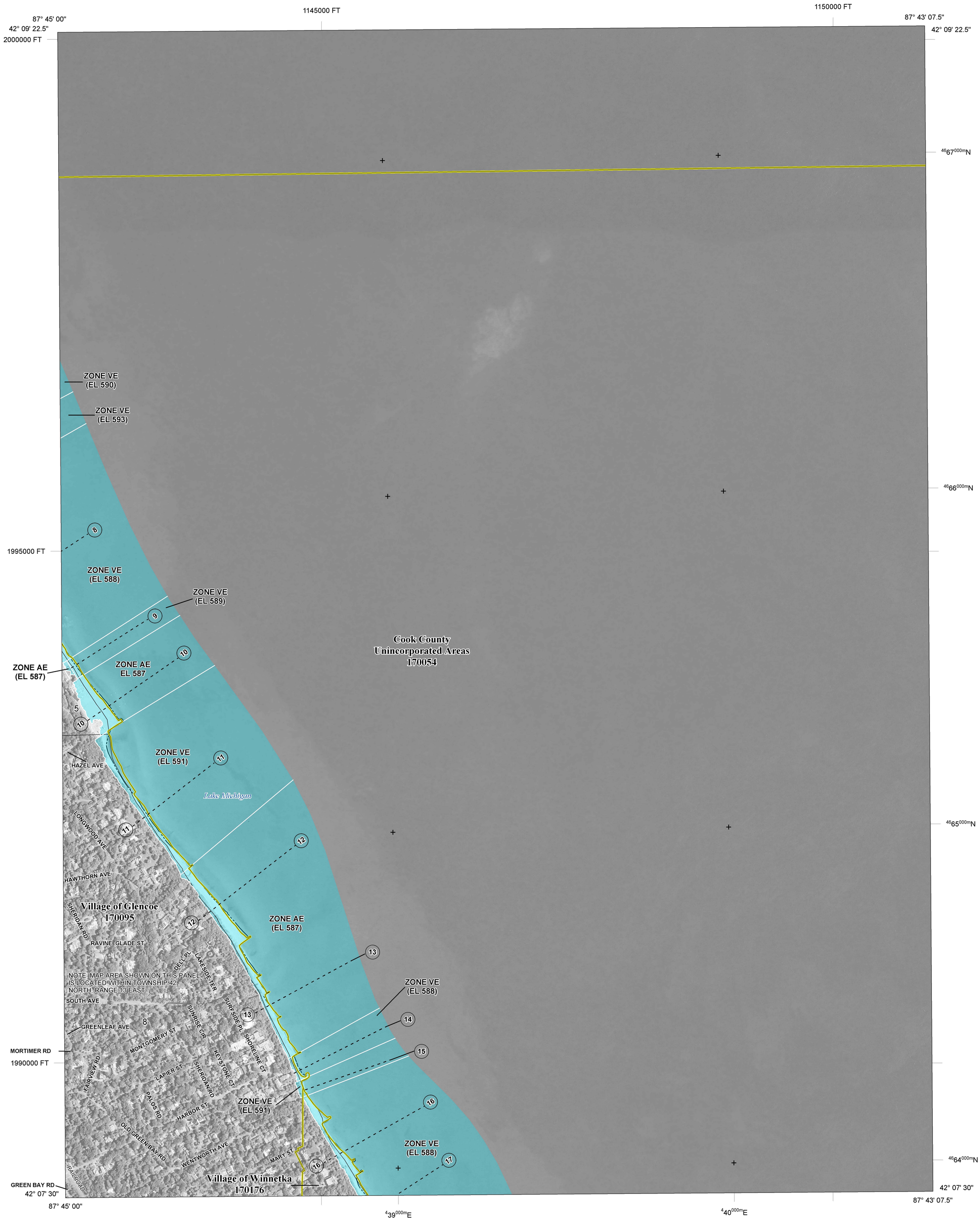
FLOOD INSURANCE RATE MAP INDEX

COOK COUNTY, ILLINOIS AND INCORPORATED AREAS
SHEET 2 OF 4

PANELS PRINTED:
0068, 0069, 0088, 0089, 0093, 0094, 0113, 0206, 0207, 0208, 0209, 0216, 0217, 0218, 0219, 0226, 0227, 0228, 0229, 0231, 0232, 0233, 0234, 0236, 0237, 0238, 0241, 0242, 0243, 0244, 0251, 0252, 0253, 0254, 0258, 0265, 0266, 0268, 0269, 0356, 0357, 0358, 0359, 0376, 0378, 0382, 0385, 0401, 0402, 0404, 0407, 0409

FEMA

MAP NUMBER
17031CIND2J
MAP REVISED
SEPTEMBER 10, 2021



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTPS://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A,V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
- Area with Reduced Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Areas Determined to be Outside the 0.2% Annual Chance Floodplain *Zone X*
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- E — 18.2 / 17.5 — Cross Sections with 1% Annual Chance Water Surface Elevation
- 8 — Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at https://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

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For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

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SCALE

N

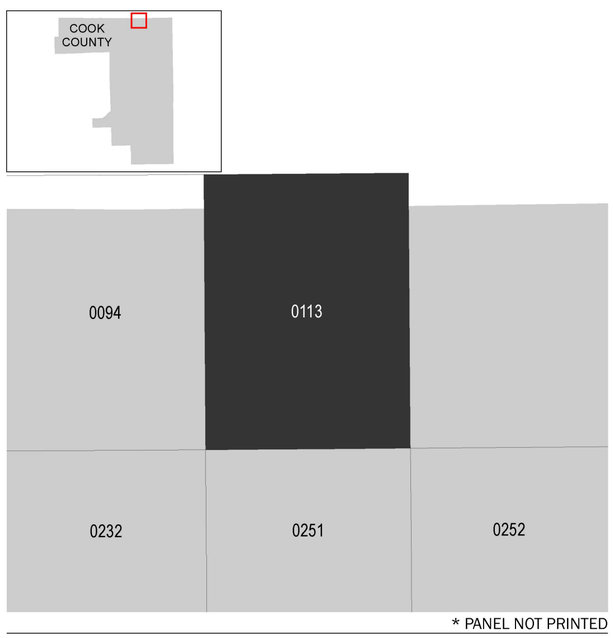
Map Projection:
NAD 1983 StatePlane Illinois East FIPS 1201 Feet;
Western Hemisphere; Vertical Datum: NAVD 88

1 inch = 500 feet 1:6,000

0 500 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



* PANEL NOT PRINTED

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

COOK COUNTY, ILLINOIS
and Incorporated Areas

PANEL 113 OF 832

FEMA

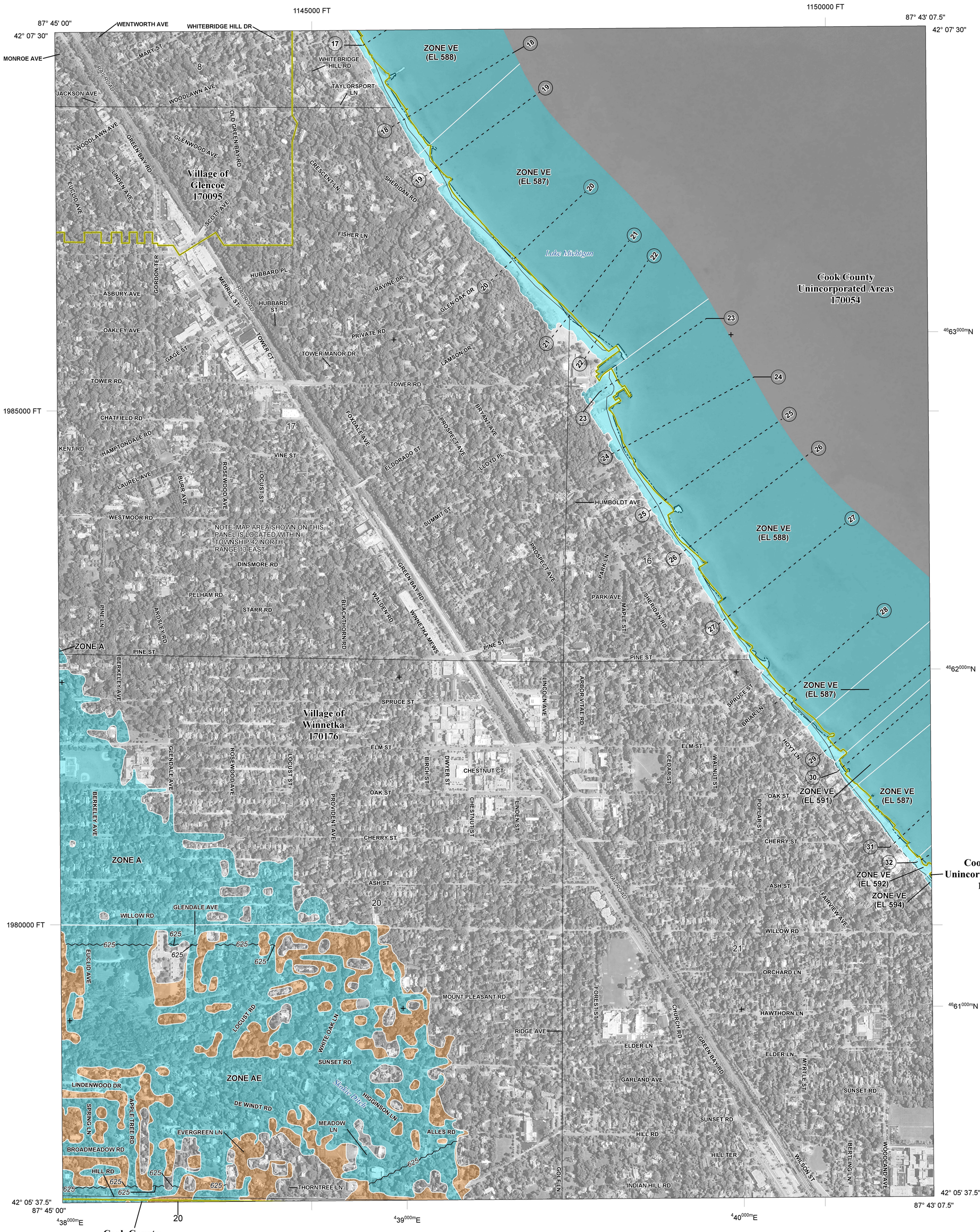
Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
COOK COUNTY	170054	0113	K
GLENCOE, VILLAGE OF	170095	0113	K
WINNETKA, VILLAGE OF	170176	0113	K

VERSION NUMBER
2.4.3.0

MAP NUMBER
17031C0113K

MAP REVISED
September 10, 2021



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP

THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT HTTPS://MSC.FEMA.GOV

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A,V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
- Area with Reduced Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Areas Determined to be Outside the 0.2% Annual Chance Floodplain *Zone X*
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- E 18.2 / 17.5 — Cross Sections with 1% Annual Chance Water Surface Elevation
- 8 — Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary

NOTES TO USERS

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SCALE

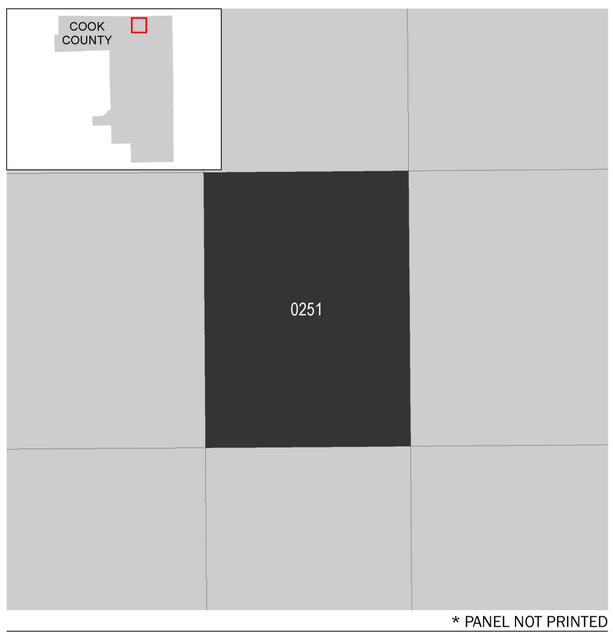
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0 500 1,000 2,000 Feet

0 125 250 500 Meters

PANEL LOCATOR



* PANEL NOT PRINTED

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

COOK COUNTY, ILLINOIS
and Incorporated Areas

PANEL 251 OF 832

FEMA

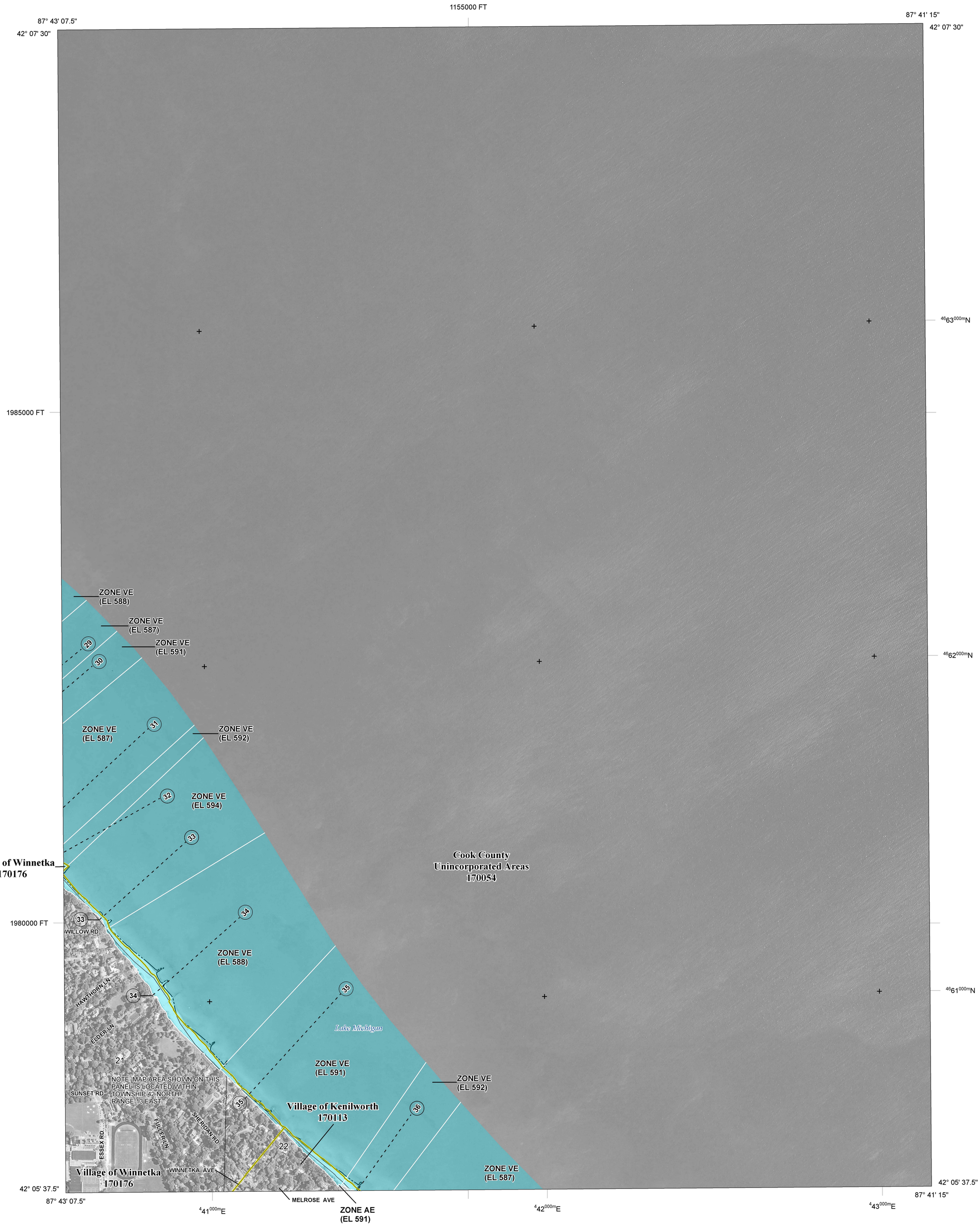
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COMMUNITY	NUMBER	PANEL	SUFFIX
COOK COUNTY	170054	0251	K
GLENCOE, VILLAGE OF	170095	0251	K
WINNETKA, VILLAGE OF	170176	0251	K

VERSION NUMBER
2.4.3.0

MAP NUMBER
17031C0251K

MAP REVISED
September 10, 2021



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP

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- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
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- Area with Reduced Flood Risk due to Levee See Notes. *Zone X*
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- Levee, Dike, or Floodwall

OTHER FEATURES
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- 8 — Coastal Transect
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
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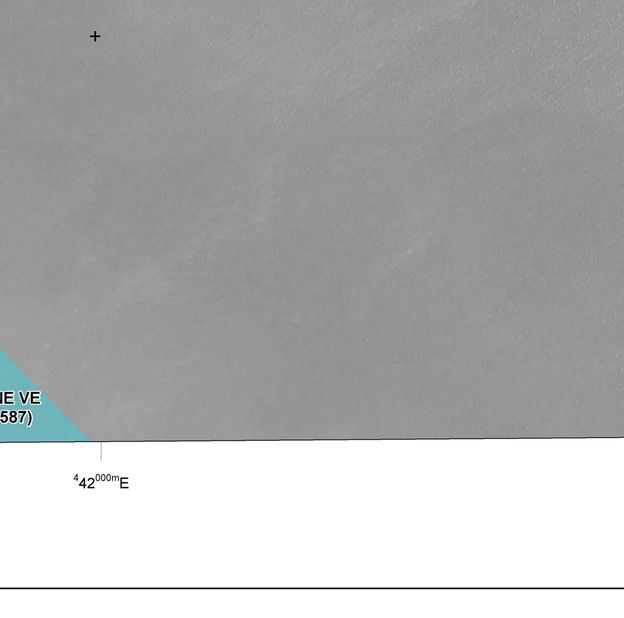
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PANEL LOCATOR



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NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

COOK COUNTY, ILLINOIS
and Incorporated Areas

PANEL 252 OF 832

FEMA

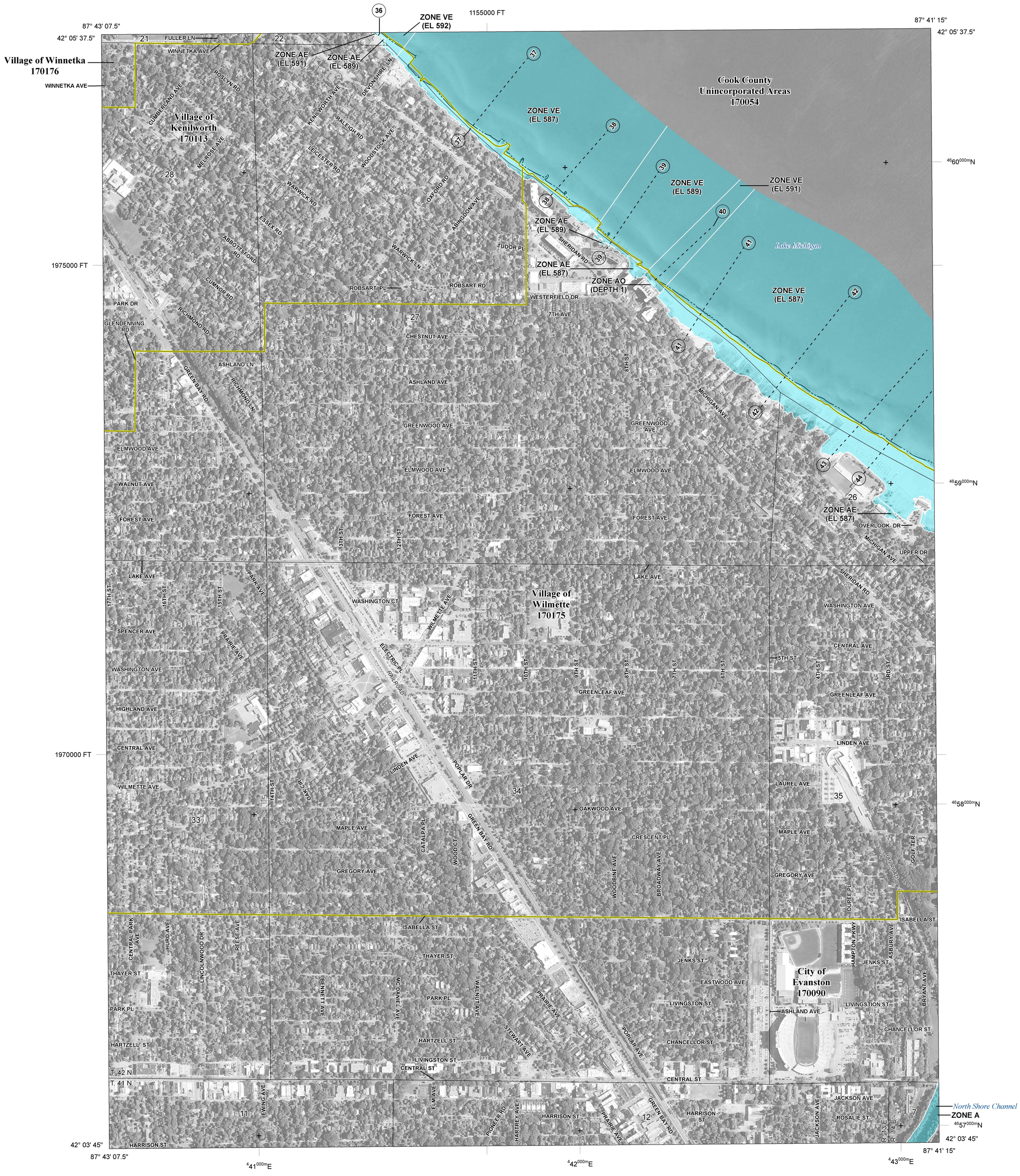
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COMMUNITY	NUMBER	PANEL	SUFFIX
COOK COUNTY	170054	0252	K
KENILWORTH, VILLAGE OF	170113	0252	K
WINNETKA, VILLAGE OF	170176	0252	K

VERSION NUMBER
2.4.3.0

MAP NUMBER
17031C0252K

MAP REVISED
September 10, 2021



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR ZONE DESCRIPTIONS AND INDEX MAP

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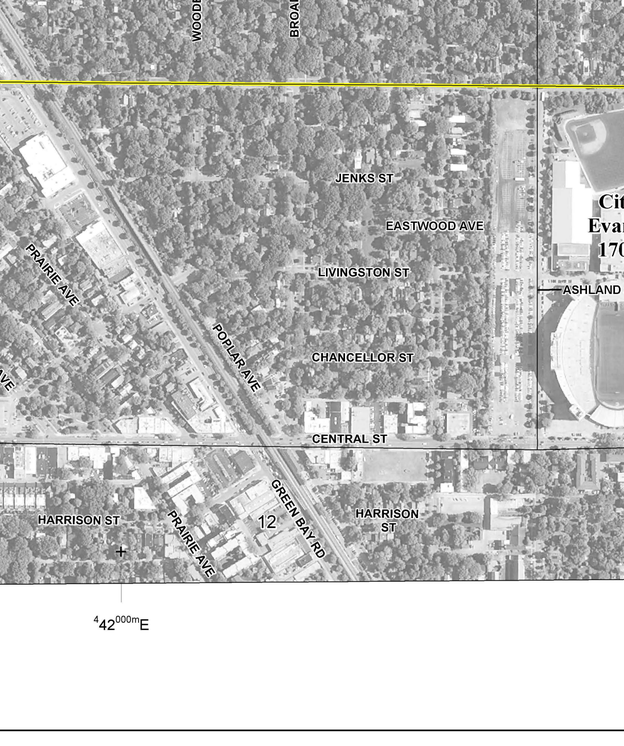
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0 125 250 500 Meters

PANEL LOCATOR



* PANEL NOT PRINTED

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

COOK COUNTY, ILLINOIS
and Incorporated Areas

PANEL 254 OF 832

FEMA

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
COOK COUNTY	170054	0254	K
EVANSTON, CITY OF	170090	0254	K
KENILWORTH, VILLAGE OF	170113	0254	K
WILMETTE, VILLAGE OF	170175	0254	K
WINNETKA, VILLAGE OF	170176	0254	K

VERSION NUMBER
2.4.3.0

MAP NUMBER
17031C0254K

MAP REVISED
September 10, 2021

Agenda Item Executive Summary

Title: Ordinance No. M-13-2021: 747 Walden Road Zoning Variation (Introduction/Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 08/03/21

Consent: ☐ YES ☑ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

None.

Executive Summary:

On August 3, the Village Council is scheduled to consider Ordinance No. M-13-2021, in response to an application submitted by Joshua Ha and Y. Grace Ha (collectively, the "Applicants"), owners of 747 Walden Road (the "Subject Property"). The Applicants request approval of the following zoning variation to allow construction of a new single-family residence on the Subject Property:

- Front yard setback of 10.55 feet from Walden Road, whereas a minimum of 30 feet is required, a variation of 19.45 feet (64.83%) [Section 17.30.050 - Front and Corner Yard Setbacks].

The Applicant has submitted a demolition application for the current residence on the Subject Property.

ZONING BOARD OF APPEALS REVIEW

The Zoning Board of Appeals (ZBA) considered the variation request on June 14, 2021. After hearing from the Applicant and receiving no public comment, the ZBA unanimously recommended approval of the application.

Details of the variation request can be found in the attached staff report to the ZBA (Attachment 2). Minutes of the ZBA meeting are included as Attachment 3.

Executive Summary (continued):

LANDMARK PRESERVATION COMMISSION REVIEW

The Landmark Preservation Commission (LPC) considered the demolition application on July 19, 2021. After hearing from the Applicant, and receiving no public comment, the LPC unanimously determined that the building is not of sufficient historic or architectural merit to warrant a Historical Architectural Impact Study, and that the demolition of the home could proceed without delay.

Minutes of the LPC meeting are not yet available.

Recommendation:

Since the ZBA unanimously recommended approval of the requested variation and the LPC found the existing residence lacks historic or architectural significance, the Council may wish to (a) consider waiving introduction of Ordinance No. M-13-2021 and proceed with adoption of the Ordinance, OR (b) consider only introduction of Ordinance No. M-13-2021.

Attachments:

Attachment 1: Ordinance No. M-13-2021
Attachment 2: June 10, 2021 ZBA Staff Report and Attachments
Attachment 3: Excerpt of June 14, 2021 ZBA meeting minutes

ORDINANCE NO. M-13-2021

AN ORDINANCE GRANTING A VARIATION FROM THE WINNETKA ZONING ORDINANCE FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE WITHIN THE R-5 SINGLE FAMILY RESIDENTIAL DISTRICT (747 Walden Road)

WHEREAS, Joshua Y. Ha and Yoonhye Grace Ha (collectively, the ***"Applicant"***) are the record title owners of the parcel of real property commonly known as 747 Walden Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (***"Subject Property"***); and

WHEREAS, the Subject Property is located within the R-5 Single Family Residential District of the Village (***"R-5 District"***) measuring approximately 0.18 acres in size and improved with a single-family residence (***"Existing Building"***); and

WHEREAS, the Applicant desires to demolish the Existing Building and construct a new single-family residence on the Subject Property (***"Proposed Improvements"***); and

WHEREAS, pursuant to Section 17.30.050 of the Village of Winnetka Zoning Ordinance (***"Zoning Ordinance"***), the Subject Property must have a minimum front yard setback of 30 feet; and

WHEREAS, to permit the Proposed Improvements, the Applicant filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to permit a minimum front yard setback of 10.55 feet (***"Variation"***); and

WHEREAS, on June 14, 2021, after due notice thereof, the Zoning Board of Appeals (***"ZBA"***) conducted a public hearing on the Variation and, by a vote of six members in favor and none opposed, recommended that the Council of the Village of Winnetka (***"Village Council"***) approve the Variation; and

WHEREAS, pursuant to Section 17.60.050 of the Zoning Ordinance, the Village Council has determined that: (i) the Variation is in harmony with the general purpose and intent of the Zoning Ordinance and is in accordance with general or specific rules set forth in Chapter 17.60 of the Zoning Ordinance; and (ii) there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provision or regulation of the Zoning Ordinance from which the Variation has been sought; and

WHEREAS, the Village Council has determined that approval of the Variation for the Subject Property within the R-5 District 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 hereby incorporated into this section as the findings of the Village Council, as if fully set forth herein.

SECTION 2: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Variation from Section 17.30.050 of the Zoning Ordinance to permit the construction of the Proposed Improvements on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 3: CONDITIONS. The Variation granted by Section 2 of this Ordinance is subject to, and contingent upon, compliance by the Applicant with the following conditions:

A. Commencement of Construction. The Applicant must commence the construction of the Proposed Improvements no later than 12 months after the effective date of this Ordinance.

B. Compliance with Regulations. Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvements and the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.

C. Compliance with Plans. The development, use, and maintenance of the Proposed Improvements on the Subject Property must be in strict accordance with the plans prepared by Town Studios, Inc., with a latest revision date of May 20, 2021, consisting of nine sheets, copies of which are attached to, and by this reference, made part of this Ordinance as **Exhibit B** (***"Plans"***), except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

D. Reimbursement of Village Costs. In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.

SECTION 4: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk Recording Division. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approvals granted in Section 2 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting Variation.

SECTION 7: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 8: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the Village Council in the manner required by law;

2. Publication in pamphlet form in the manner required by law; and

3. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit C** attached to and, by this reference, made a part of this Ordinance to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

PASSED this ____ day of _____, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2021.

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 _____, 2021.

Introduced: _____, 2021

Passed and Approved: _____, 2021

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 5 IN MORTON'S SUBDIVISION OF LOTS 37 AND 38 IN THE COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CHICAGO AND NORTHWESTERN RAILROAD, IN COOK COUNTY, ILLINOIS.

Commonly known as 747 Walden Road, Winnetka, Illinois.

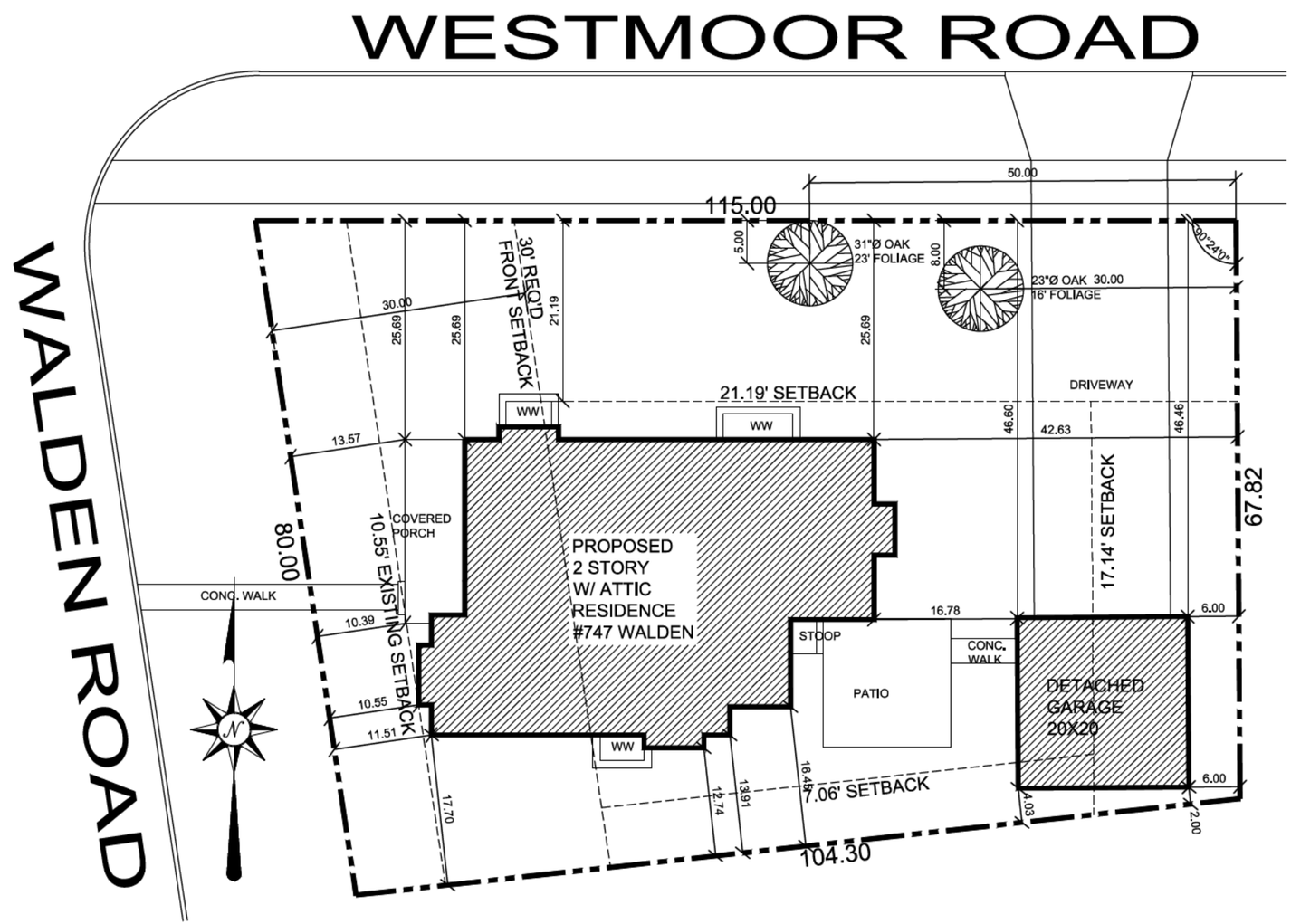
PIN: 05-17-412-001-0000

EXHIBIT B

PLANS

(SEE ATTACHED EXHIBIT B)

EXHIBIT B



FRONT YARD COVERAGE CALCULATIONS:
REQ'D FRONT YARD AREA = 2350.63 SF
TOTAL FRONT YARD COVERAGE = 697.33 (29.67%)

NOTES:
1. FRONT YARD AREA MEASURED AT 30'-0" REQUIRED FRONT SETBACK ON WEST SIDE ALONG WALDEN ROAD
2. COVERAGE INCLUDES HOUSE, PORCH WALKS & WINDOW WELLS

01 SITE PLAN

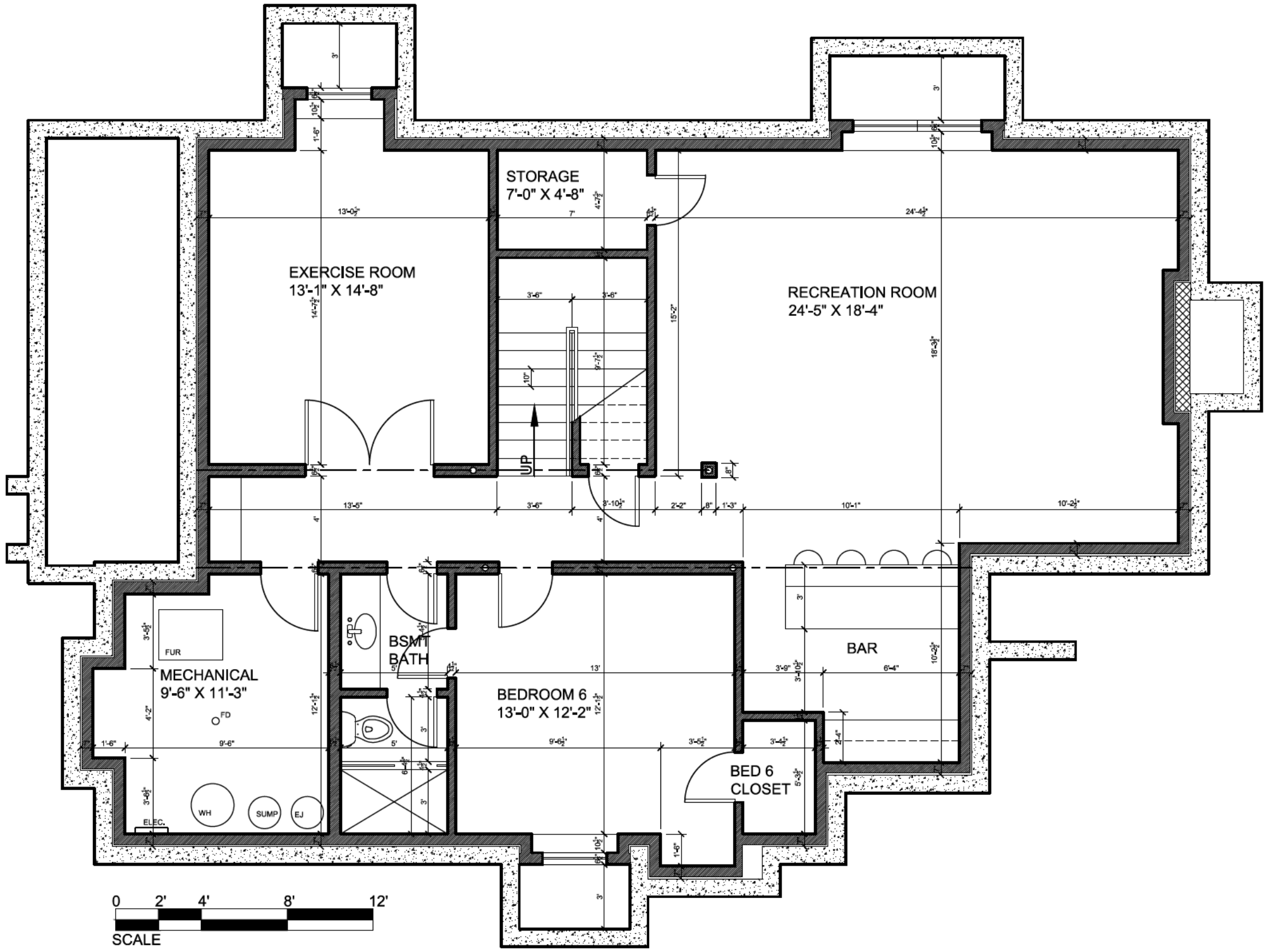
SCALE: 1/16"=1'-0"

SHEET NO. A-1 OF 9 SHEETS

DATE: 05.18.21 05.20.21

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 BASEMENT PLAN

SCALE: 3/16"=1'-0"

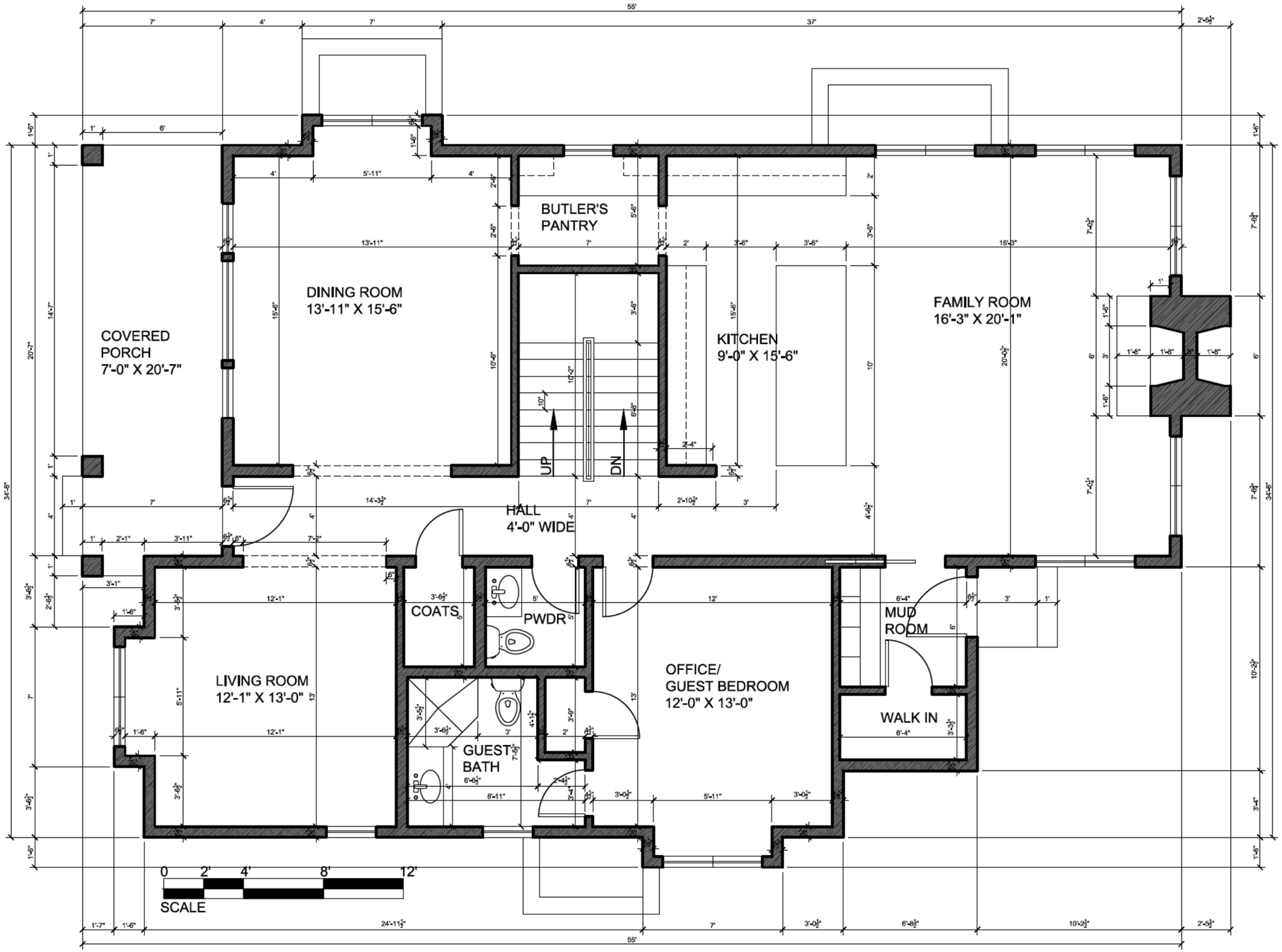
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NEW RESIDENCE
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WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-2
OF 9 SHEETS

Agenda Packet P. 76



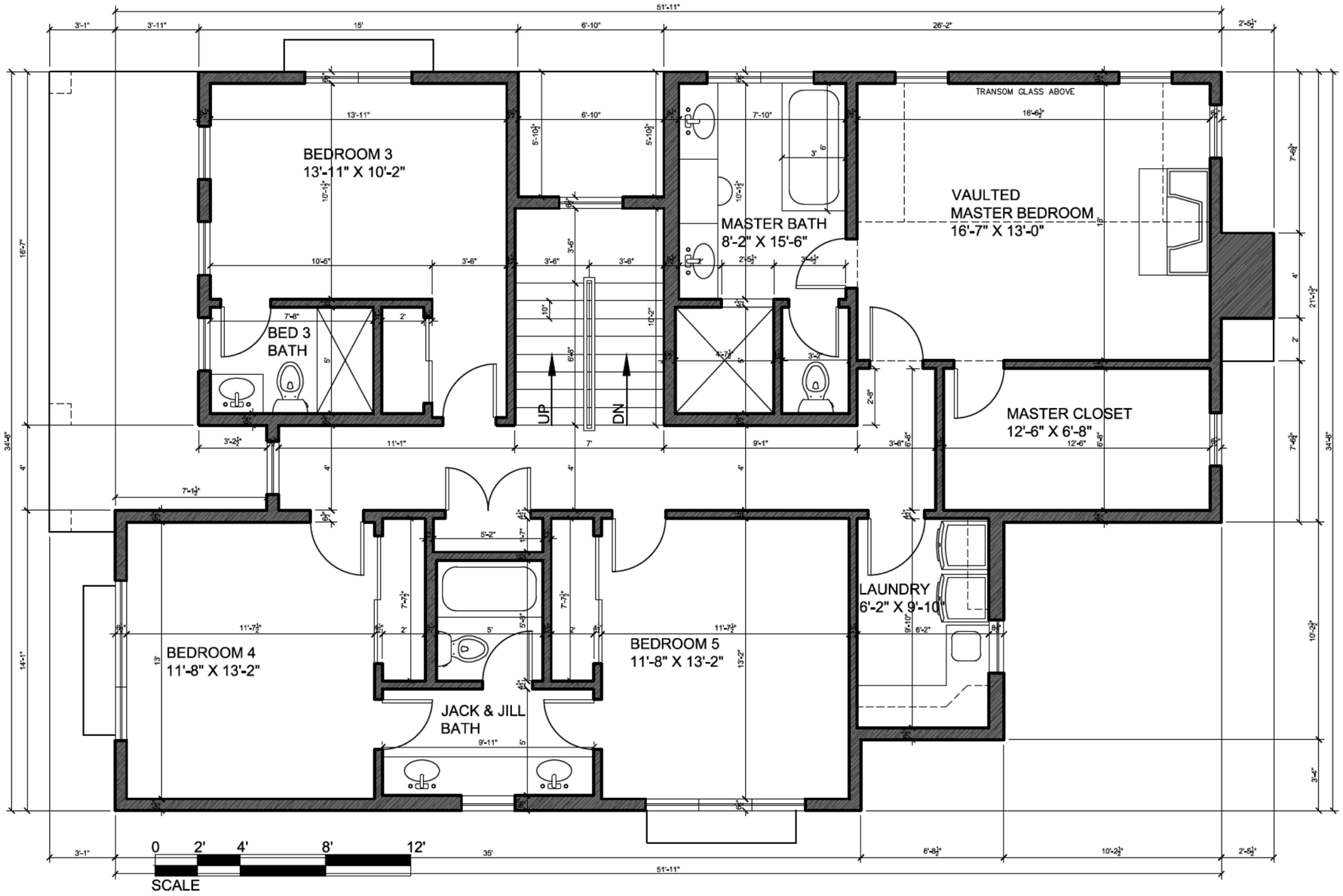
01 FIRST FLOOR PLAN

SCALE: 3/16"=1'-0"

SHEET NO.	DATE:
A-3 OF 9 SHEETS	05.18.21 05.20.21

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 SECOND FLOOR PLAN

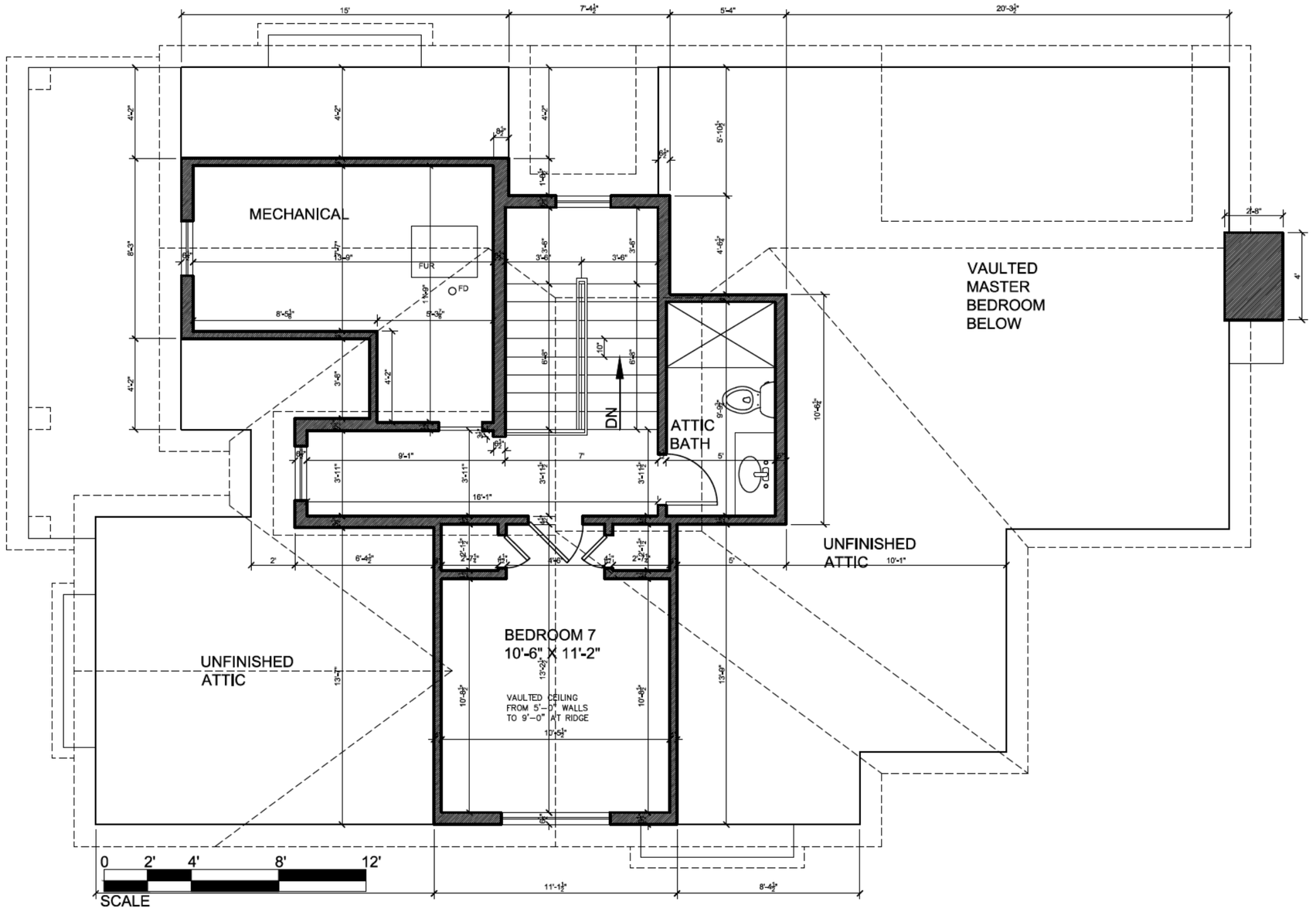
SCALE: 3/16"=1'-0"

SHEET NO. A-4 OF 9 SHEETS

DATE: 05.18.21 05.20.21

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 ATTIC PLAN

SCALE: 3/16"=1'-0"

SHEET NO. A-5 OF 9 SHEETS

DATE: 05.18.21 05.20.21

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 WEST (FRONT) ELEVATION

SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-6
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 SOUTH (RIGHT SIDE) ELEVATION

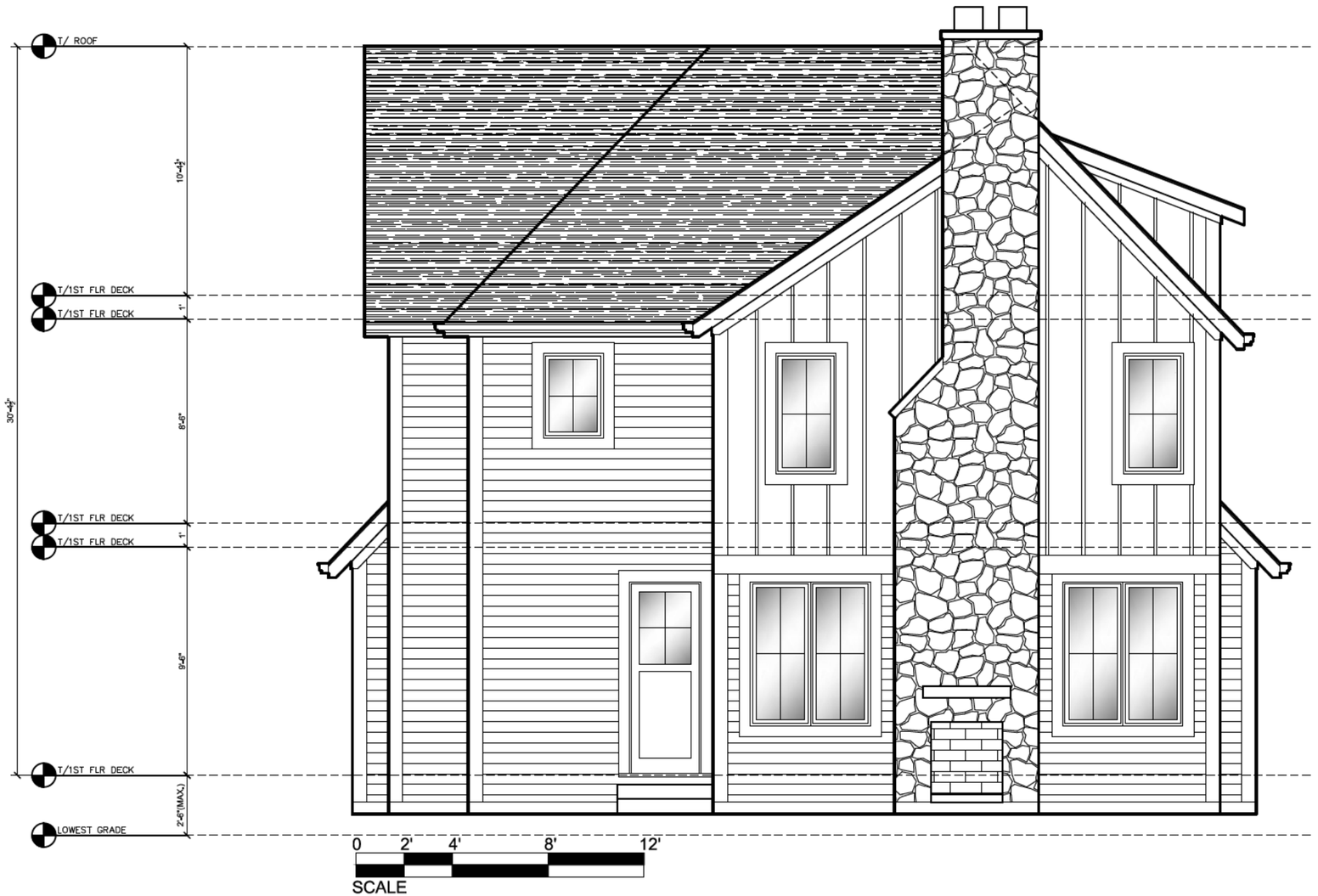
SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-7
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 EAST (REAR) ELEVATION

SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-8
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 NORTH (LEFT SIDE) ELEVATION

SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-9
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois (***"Village"***):

WHEREAS, Joshua Y. Ha and Yoonhye Grace Ha (collectively, the ***"Applicant"***) are the record title owners of the parcel of real property commonly known as 747 Walden Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (***"Subject Property"***); and

WHEREAS, the Subject Property is located within the R-5 Single Family Residential District of the Village (***"R-5 District"***) measuring approximately 0.18 acres in size and improved with a single-family residence (***"Existing Building"***); and

WHEREAS, the Applicant desires to demolish the Existing Building and construct a new single-family residence on the Subject Property (***"Proposed Improvements"***); and

WHEREAS, pursuant to Section 17.30.050 of the Village of Winnetka Zoning Ordinance (***"Zoning Ordinance"***), the Subject Property must have a minimum front yard setback of 30 feet; and

WHEREAS, to permit the Proposed Improvements, the Applicant filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to permit a minimum front yard setback of 10.55 feet (***"Variation"***); and

WHEREAS, Ordinance No. M-13-2021, adopted by the Village Council on _____, 2021 (***"Ordinance"***), grants the Variation; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of

the Variation for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the Variation for the Subject Property.

5. The Applicant hereby agrees to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: _____, 2021

ATTEST: **JOSHUA Y. HA**

By: _____ By: _____

ATTEST: **YOONHYE GRACE HA**

By: _____ By: _____

MEMORANDUM
VILLAGE OF WINNETKA
COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS

FROM: ANN KLAASSEN, SENIOR PLANNER

DATE: JUNE 10, 2021

SUBJECT: 747 WALDEN ROAD – VARIATION (CASE NO. 21-21-V2)

INTRODUCTION

On June 14, 2021, the Zoning Board of Appeals is scheduled to hold a virtual public hearing, in accordance with social distancing requirements and Governor Pritzker's Executive Orders and Senate Bill 2135, on an application submitted by Joshua and Y. Grace Ha (collectively, the "Applicant"), as the owners of the property located at 747 Walden Road (the "Subject Property"). The Applicant requests approval of the following zoning variation to allow construction of a new single-family residence on the Subject Property:

1. Front Yard Setback of 10.55 feet from Walden Road, whereas a minimum of 30 feet is required, a variation of 19.45 feet (64.83%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The existing residence currently provides a front yard setback of 10.55 feet].

The Applicant has also submitted a demolition application for the existing residence on the Subject Property. The Landmark Preservation Commission is scheduled to consider the demolition application on July 19, 2021. If the variation is approved, the existing residence and detached garage would be demolished to accommodate the new single-family residence and detached garage.

A mailed notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on May 27, 2021. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant any variation for any new principal building.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.18 acres in size, is located on the southeast corner of the intersection of Walden and Westmoor Roads, and contains an existing two-story residence and detached garage (see Figure 1). The Subject Property is not a rectangular shape. It is a polygon with a front lot line, which runs along Walden Road, that is wider than the rear lot line, which is the east property line. Also, the side lot line is not parallel with the corner lot line, which runs along Westmoor Road. The property is zoned R-5 Single Family Residential, and it is bordered by R-5 Single Family Residential to the east, north, and south, and R-3 Single Family Residence to the west (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

The existing lot is a legal non-conforming lot that is only 8,068.34 square feet in lot area, while the minimum required lot area for a corner lot in the R-5 District is 8,900 square feet. Additionally, the required minimum lot depth is 120 feet, while the existing lot, which is measured from Walden Road to the east property line, is only 114.25 feet deep. As you will note in Figure 1 below, this lot and the one to the south are both legally non-conforming lots in the R-5 District.

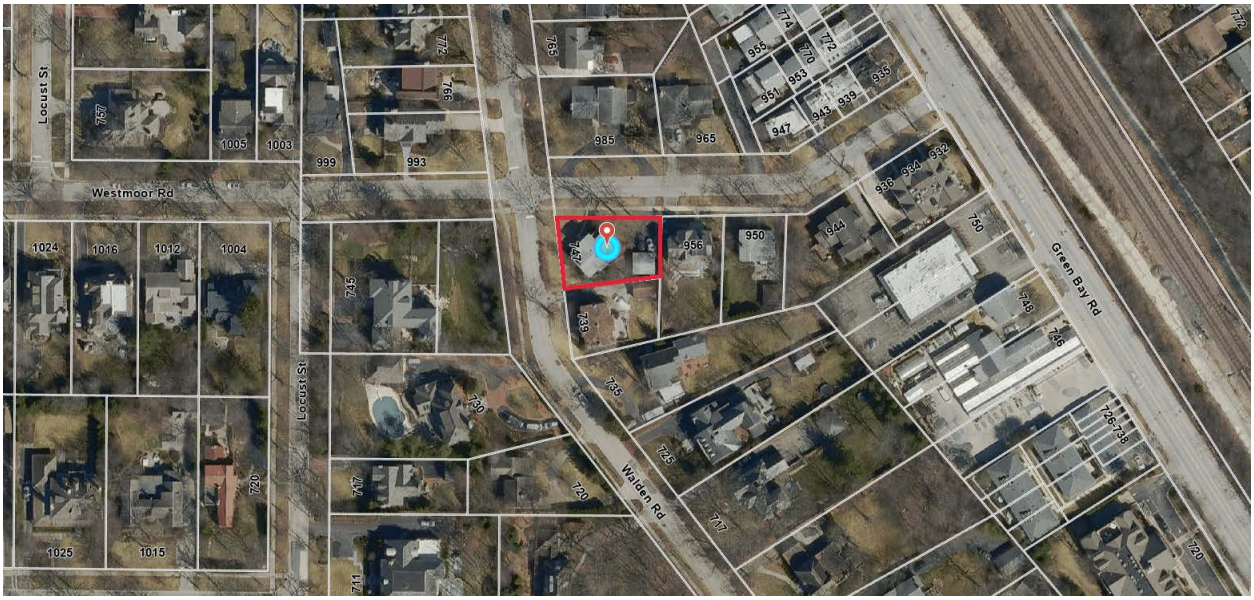


Figure 1 – Aerial Map

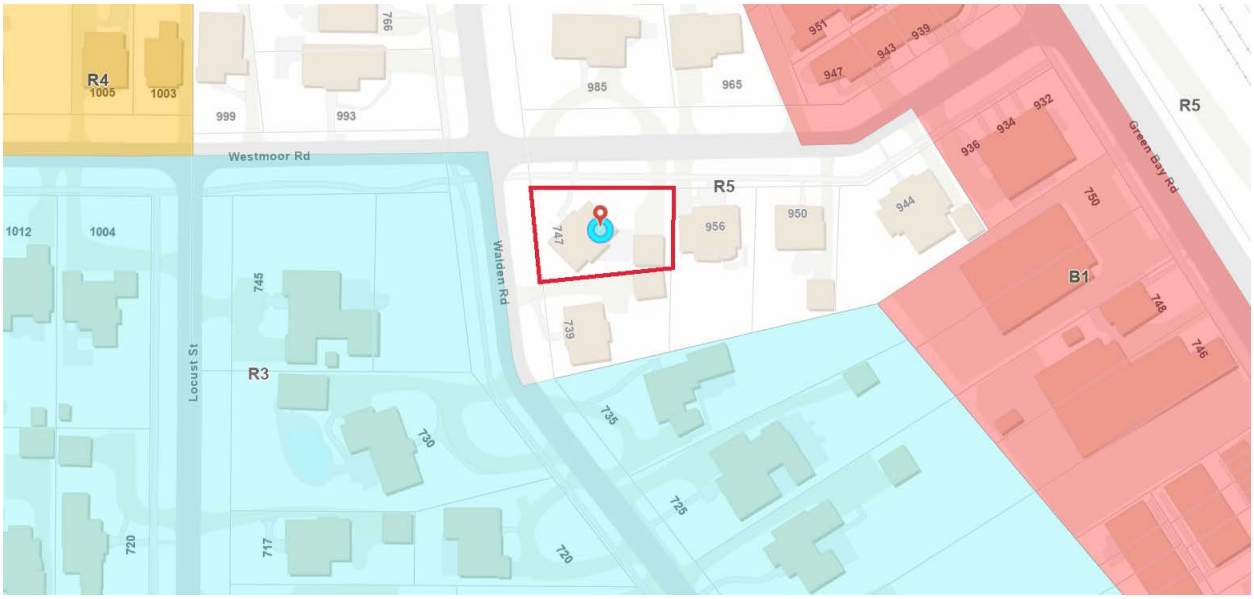


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The original building permit for the existing residence is not on file in Village records. The estimated date of construction of the existing residence is 1914. The following subsequent building permits were issued in:

1. 1942 to construct a one-car garage;

2. 1963 to replace the one-car garage with a two-car garage;
3. 1974 to construct an open deck and porch addition to the residence.

Other minor permits were issued over the last several years. The Applicant acquired the property in 2015. There are no previous zoning cases on file for the Subject Property.

Figure 3 below is a current photo of the site.



Figure 3 – Subject Property (Front Elevation)

PROPOSED PLAN

The variation is being requested in order to construct a new single-family residence on the Subject Property. As previously noted, the existing residence and detached garage would be demolished to accommodate the proposed improvements. It is worth noting that the existing residence currently provides a front yard setback of 10.55 feet from Walden Road, the same setback the Applicant is proposing for the new residence. Also, the existing residence is non-conforming with respect to the minimum required corner (front) yard setback from Westmoor Road as it currently provides a setback of 18.74 feet. The proposed residence would provide a corner setback of 21.19 feet, which complies with the minimum required setback of 21.19 feet. Figure 4 on the following page is an excerpt of a current plat of survey identifying the existing improvements on the Subject Property. A full size copy of the plat of survey is provided in the application materials, which are included in this report as Attachment C. With the exception of the required front yard setback from Walden Road, the proposed 2½-story residence and detached garage would comply with all other zoning regulations.

Excerpts of the proposed site plan and front building elevations are provided on the following pages as Figures 5 through 7. The complete set of plans is provided in Attachment C.

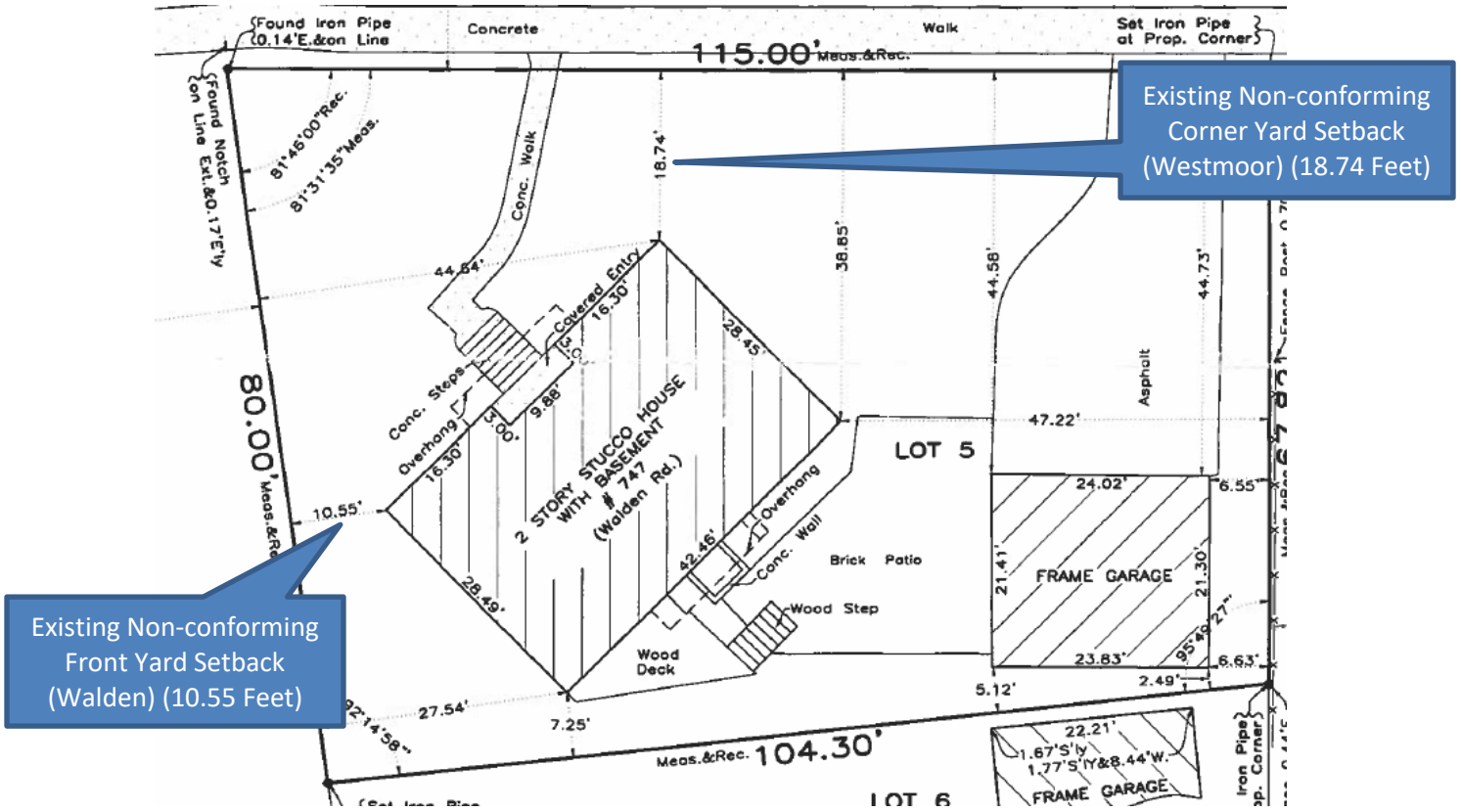


Figure 4 – Excerpt of March 24, 2015 Plat of Survey (Existing Improvements)

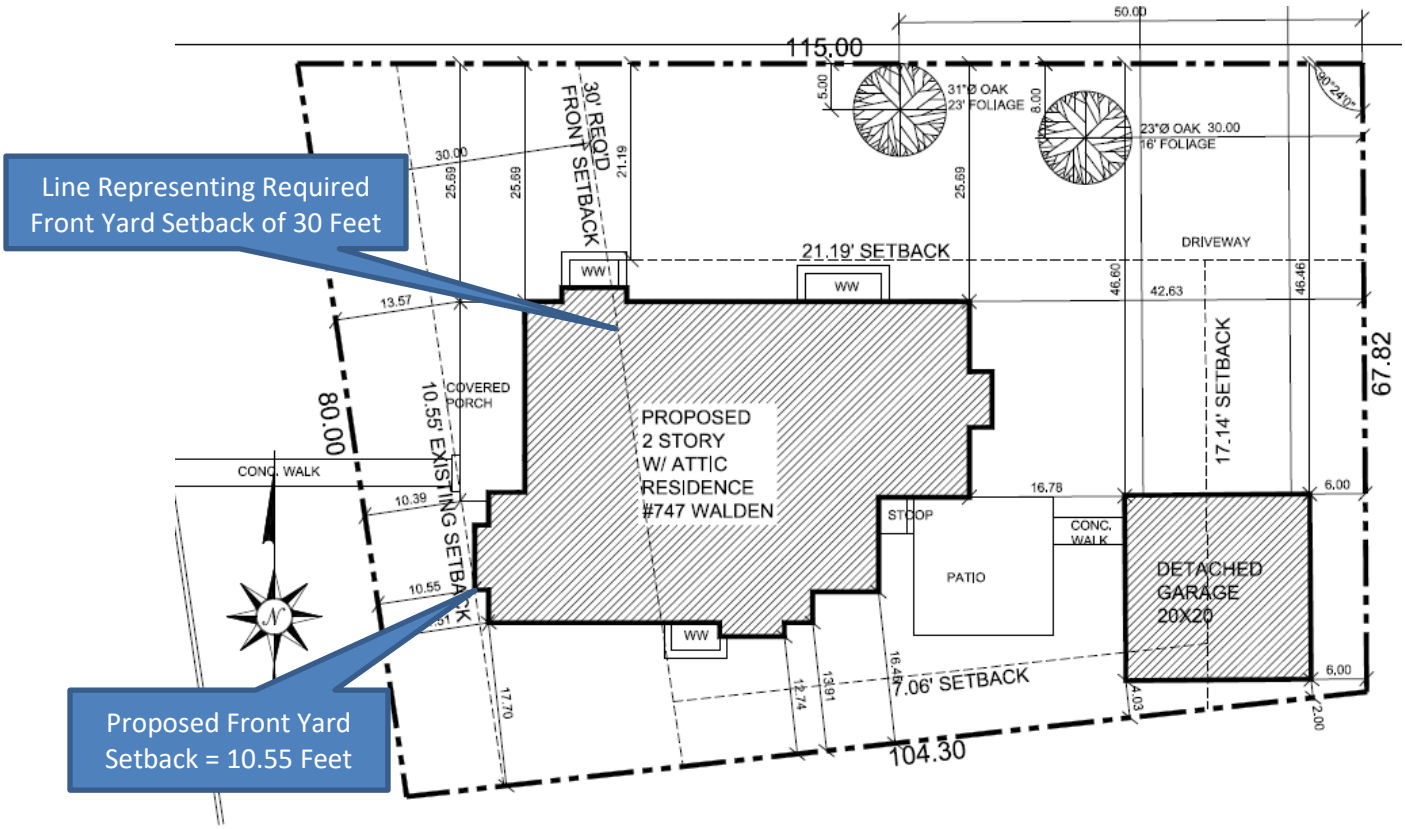


Figure 5 – Excerpt of Proposed Site Plan



Figure 6 – Proposed Front Elevation (Walden Road)



Figure 7 – Proposed Corner (Front) Elevation (Westmoor Road)

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (Attachment B). Because the proposed plan is for new construction, it is likely that additional stormwater detention would be required. However, a final determination will be made by Village Engineering staff. Additionally, Figure 8 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year flood area.



Figure 8 – GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvements' compliance with the R-5 zoning district (Attachment A). One variation is being requested to allow the proposed residence to provide a front yard setback of 10.55 feet from Walden Road, whereas a minimum of 30 feet is required.

The Zoning Ordinance requires a minimum front yard setback of 30 feet in the R-5 and R-4 zoning districts. However, there are exceptions and limitations to the district minimum front setback. The front setback of any new building shall be no less than the average of the other front setbacks on the block, provided that there at least three principal buildings on the block and at least 50% of those principal buildings maintain a setback greater than the district minimum. Vacant lots and lots on which the principal building maintains a front setback of at least 150 feet shall be excluded when calculating the average front setback. The average front setback cannot be less than the required minimum setback established for the zoning district a property is located in. Additionally, the maximum average front setback shall be no more than 5 feet more than the front setback maintained by an existing principal building on an immediately adjoining lot; provided that in no case shall the average front setback exceed twice the minimum setback required for the zoning district.

Based on the fact the existing principal building immediately south of the Subject Property provides a front yard setback of 10.97 feet and the maximum front yard setback limit that states that the average front setback shall not be more than 5 feet more than the front setback maintained by an existing principal building on an immediately adjoining lot, the required setback for the Subject Property is 30 feet.

FINDINGS

Does the ZBA find that the requested variation meets the standards for granting such variation; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variation granting:

1. Front Yard Setback of 10.55 feet from Walden Road, whereas a minimum of 30 feet is required, a variation of 19.45 feet (64.83%) [Section 17.30.050 – Front and Corner Yard Setbacks].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variation requested is **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **has been met [has not been met]** in connection with this variation application **[subject to the following conditions…]**

The eight standards to consider when granting a variation are as follows:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.
3. The variation, if granted, will not alter the essential character of the locality.
4. An adequate supply of light and air to the adjacent property will not be impaired.
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

ATTACHMENTS

Attachment A: Zoning Matrix
Attachment B: Stormwater Matrix
Attachment C: Application Materials

ZONING MATRIX

ADDRESS: 747 Walden Road
CASE NO: 21-21-V2
ZONING: R-5

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	8,900 SF	8,068.34 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	70 FT	70.62 FT	N/A	N/A	OK
Min. Lot Depth	120 FT	114.25 FT	N/A	N/A	EXISTING NONCONFORMING
Max. Roofed Lot Coverage	2,017.08 SF (1)	N/A	2,004.91 SF	N/A	OK
Max. Gross Floor Area	3,065.97 SF (1)	N/A	3,064.54 SF	N/A	OK
Max. Impermeable Lot Coverage	4,034.17 SF (1)	N/A	3,110.96 SF	N/A	OK
Max. Front Yard Lot Coverage	705.19 SF	N/A	697.33 SF	N/A	OK
Min. Front Yard (Walden/West)	30 FT	N/A	10.55 FT	N/A	**19.45 FT (64.83%) VARIATION**
Min. Corner (Front) Yard (Westmoor/North)	21.19 FT	N/A	21.19 FT	N/A	OK
Min. Side Yard (South)	7.06 FT	N/A	12.74 FT	N/A	OK
Min. Rear Yard (East)	17.14 FT	N/A	41.68 FT	N/A	OK

NOTES:
(1) Based on lot area of 8,068.34 s.f.
(2) Variation amount is the difference between proposed and requirement.

ATTACHMENT B
Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	***Applies to 747 Walden Road*** *Site is currently developed; though, storm water detention will likely be required.* ***However, a final determination will be made by Village Engineering staff****.*
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%.</u>	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 21-21-V2

Property Information
Site Address: 747 Walden Rd

Owner Information
Name: Joshua Ha & Y. Grace Ha
Address: 747 Walden Rd
City, State, ZIP: Winnetka IL 60093
Email: [redacted]

Primary Contact: Josh
Phone No. [redacted]

Date property acquired by owner: 3/23/2015

Architect Information
Name: Town Studios
Primary Contact: Cliff Town
Address: 1297 Shermer Rd
City, State, ZIP: Northbrook IL 60062
Phone No. 847-498-0900
Email: cliff@townstudios.com

Attorney Information
Name: N/A
Primary Contact:
Address:
City, State, Zip:
Phone No.
Email:

Nature of any restrictions on property: Irregular shaped (irregular quadrangle) on a smaller than average corner lot, limiting the building envelope to visually conform with the neighborhood

Brief explanation of variation(s) requested (attach separate sheet providing additional details): See attached

Property Owner Signature: [redacted]

Date: 05/10/2021

STANDARDS FOR GRANTING ZONING VARIATIONS

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that district:

If a new house is to be built under the restrictions of the current regulations, the house will essentially have a setback along Walden Road of approximately 50 feet from the curb and a setback along Westmoor Road of approximately 21.19 feet from the sidewalk. As this is a corner lot, these setbacks significantly reduce the buildable area of the property—just the western and northern setbacks alone add up to 4165 square feet out of a property that is a total of 8065 square feet. While all properties have reasonable setback requirements, because this is a corner property, the current regulations significantly disadvantages this particular property in excess of other, similarly-size properties in the neighborhood. For instance, instead of just a 7.12 feet setback along both the south and north sides of the property line, the current requirement is a 21.19 feet setback along the north side of the property, which is the longest side of this irregularly shaped property.

2. The plight of the owner is due to unique circumstances that are associated with the characteristics of the property in question:

Due to the current location, shape and size of the property—a corner property that is smaller than most other corner lots, abutting a street with a significant parkway and coming to less than a 90 degree angle—the buildable areas on the property is significantly reduced. If the required setbacks at the eastern and southern property lines are accounted for, the total buildable space is reduced to approximately 2206 square feet, which is only 27% of the total square footage of the property. This would force all the structures—house and garage—into the far southeastern corner of the property, leaving all of the vacant space amounting to 51.6% of the total property in the northeastern corner of the lopsided property.

3. The variation, if granted, will not alter the essential character of the locality:

The variation that is being requested is seeking permission to build a new house in the current footprint of the present house. At present, the house is sitting at a 45 degree angle, with the western point of the current house along the requested variance and the northern point of the current house further north of the regulation's 21.19 feet setback along Westmoor Road. The variance requested only affects western side, along Walden Road. Walden Road is a curved street with approximately 20-22+ feet of parkway. The western point of the current house, and thus the variation requested, would set the new house back over 30 feet from the Walden Road curb. Granting this variation will not significantly alter the essential character of the neighborhood. Conversely, the new house will conform to present character of the neighborhood, much of which has been rebuilt since the current house was first built in 1916.

4. An adequate supply of light and air to adjacent property will not be impaired:

The requested variation will not reduce the supply of light and air to the adjacent properties, and instead preserve or increase the distance from the houses located to the adjoining properties. At present, the southern point of the house is 7.25 feet from the southern property line, and the adjoining property's driveway is immediately next to the southern property line. The proposed variation would allow the new house to be located 13.91-17.70 feet from the southern property line, doubling the current setback and significantly increasing the distance from the house located to the south, our Walden neighbor. Thus, the variance would increasing air flow and light to the adjacent property to the south.

The eastern point of the current house is 47.2 feet from the eastern property line, and the house on the adjoining property is immediately adjacent to the property line minus a minimal setback. The proposed variance would allow the new house to be located 42.63 feet from the eastern property line, preserving a significant distance from our Westmoor neighbor. If the new house is built in accordance with the current regulations without the requested variation, the distance from the new house to the eastern property line will be reduced by 19.45 feet, possibly reducing air flow and light to the adjacent property.

5. The hazard from fire and other damages to the property will not be increased:

The variation will not increase the risk of hazard from fire or other damages to the property. If the variation is granted, it would allow for greater setbacks from the neighboring properties and will likely reduce potential spreading of fire from house to house due to increased spacing. Further, the variance would allow established trees to be preserved and limit damage to the tree-lined street along Westmoor Road.

6. The taxable value of the land and buildings throughout the Village will not diminish:

The proposed variation and new construction will certainly not diminish the value of the land and the buildings in the Village and the neighborhood, but it will actually increase the property values within the Village. The variation would allow for a new construction of a larger building size—increasing taxable base for the Village—and would be aesthetically aligned with the existing homes in the neighborhood. The variation would allow for a home to be centered within the property, allowing for a more aesthetically balanced appearance, while preserving two established oak trees that have been on the property for nearly a hundred years.

7. The congestion in the public street will not increase:

The congestion in the public street will not increase due to the requested variation. The variation will not increase the number of dwellings on the property, and the use of the property will continue to be for a single-family residence.

8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired:

The requested variation will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of the Village. The variation may improve the comfort, welfare and safety of the immediate neighborhood, as the variation will allow the new house to maintain or increase distances from the adjacent properties and to continue to provide coverage to the Walden neighbor's house from Westmoor Road.

1. Aesthetics. The goal is to seat the house in line with the immediate neighbor to the East to ensure uniformity along Westmore. Also, by seating the new house along the current set back, the privacy of the immediate neighbor to the south is maintained. Since 20-22' of the parkway exits along Walden, the current setback creates a more uniform appearance of 30' set back vs appearance of 50'+ setback if variance is not granted.

2. Safety & Privacy. The new house's requested variance will double the distance from the southern property line, which will provide more fire safety and increase privacy for the Walden neighbor. Likewise, the proposed setback will allow more distance to the Westmoor neighbor insuring better safety and privacy.

3. Hardships: Given that the house is smaller than normal conforming corner lot, pushing the house towards the back corner will eliminate the backyard. Also, the shape of the lot is not a rectangle but an irregular quadrangle which proposes greater challenges. These 2 factors of a smaller corner lot and irregular shape limits the options to make the home look balanced and conforming to the greater neighborhood.

4. We are not asking to increase the FAR so that we can build a bigger home. We are asking for one variance so that the house will provide privacy and safety to the immediate neighbors and be in harmony with the neighborhood.

PROFESSIONALS ASSOCIATED SURVEY, INC.

PROFESSIONAL DESIGN FIRM NO. 184-003023

7100 N. TRIPP AVENUE
LINCOLNWOOD, ILLINOIS 60712
www.professionalsassociated.com

TEL: (847) 675-3000
FAX: (847) 675-2167
e-mail: pa@professionalsassociated.com

PLAT OF SURVEY

OF

NORTH

GRAPHIC SCALE

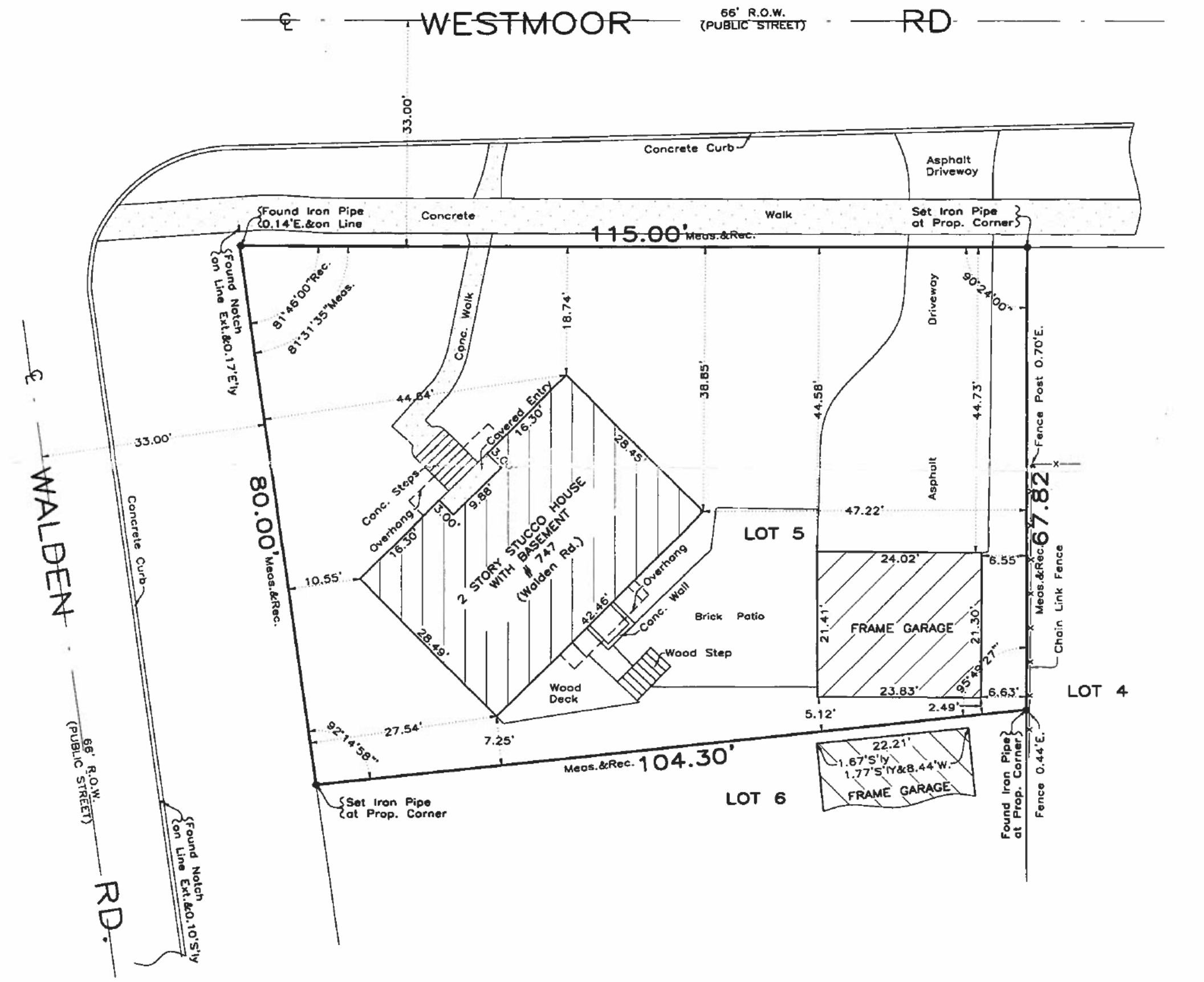
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(IN FEET)
1 inch = 16 ft.

LOT 5 IN MORTON'S SUBDIVISON OF LOTS 37 AND 38 IN THE COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE CHICAGO AND WESTERN RAILROAD IN COOK COUNTY, ILLINOIS.

TOTAL NET AREA: 8,068.34 SQ.FT. = 0.1852 ACRE.

COMMONLY KNOWN AS: 747 WALDEN ROAD, WINNETKA, ILLINOIS.



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY SHOULD BE COMPARED WITH THE TITLE OR DEED.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

Order No. 15-88626

Scale: 1 inch = 16 feet.

Date of Field Work: March 17, 2015

Ordered by: PADGITT, PADGITT & PEPPEY LTD.
Attorneys at Law

WAYNE W. DONOFRIE
35-2281
PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS
LINCOLNWOOD, ILLINOIS

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

THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS.
THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

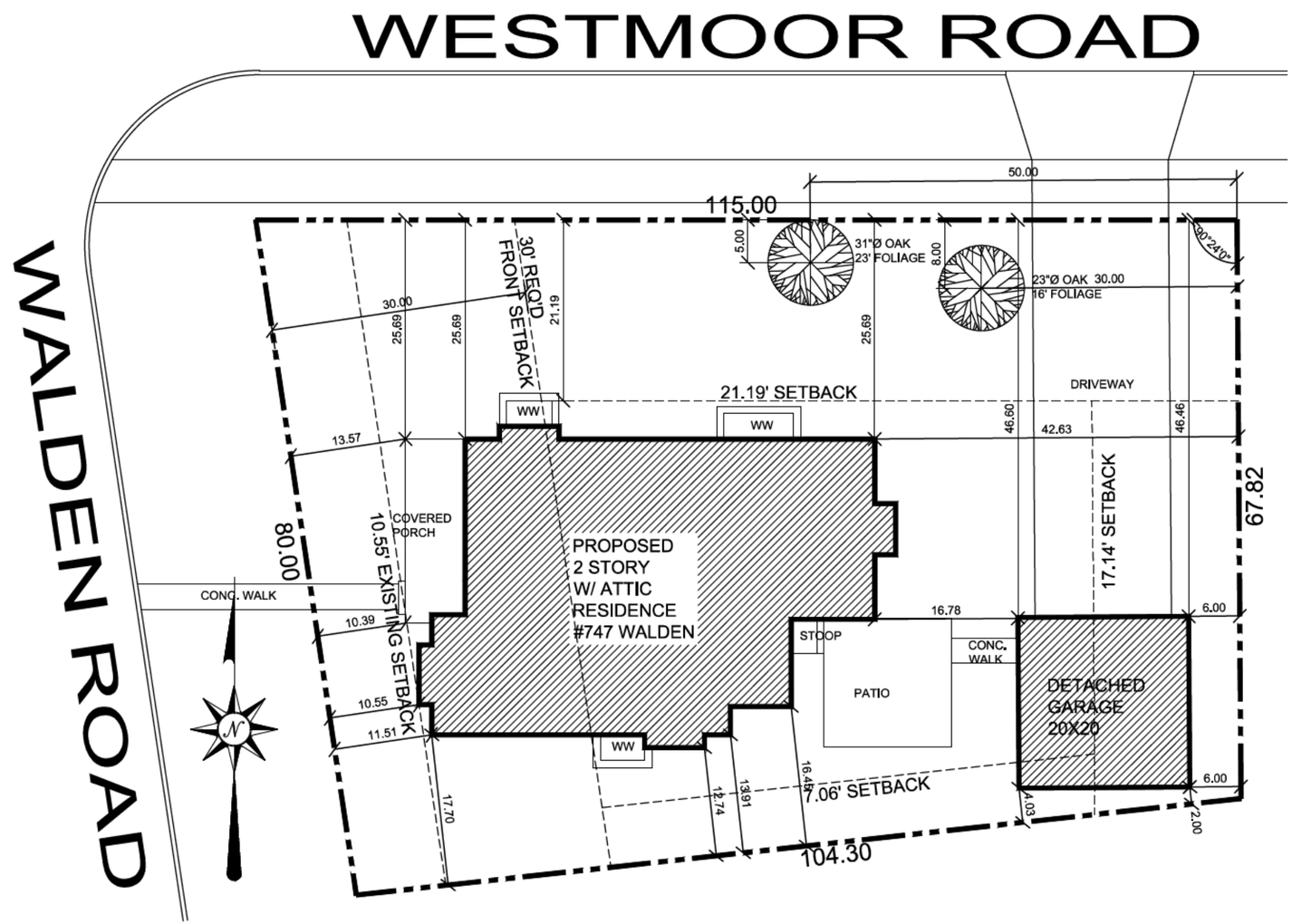
State of Illinois
County of Cook s.s.

We, PROFESSIONALS ASSOCIATED SURVEY INC., do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat hereon drawn is an accurate representation of said survey.

Date: March 24, 2015

IL. PROF. LAND SURVEYOR LICENSE EXP. DATE NOV. 30, 2016.

Drawn by: JR



FRONT YARD COVERAGE CALCULATIONS:
REQ'D FRONT YARD AREA = 2350.63 SF
TOTAL FRONT YARD COVERAGE = 697.33 (29.67%)

NOTES:
1. FRONT YARD AREA MEASURED AT 30'-0" REQUIRED FRONT SETBACK ON WEST SIDE ALONG WALDEN ROAD
2. COVERAGE INCLUDES HOUSE, PORCH WALKS & WINDOW WELLS

01 SITE PLAN

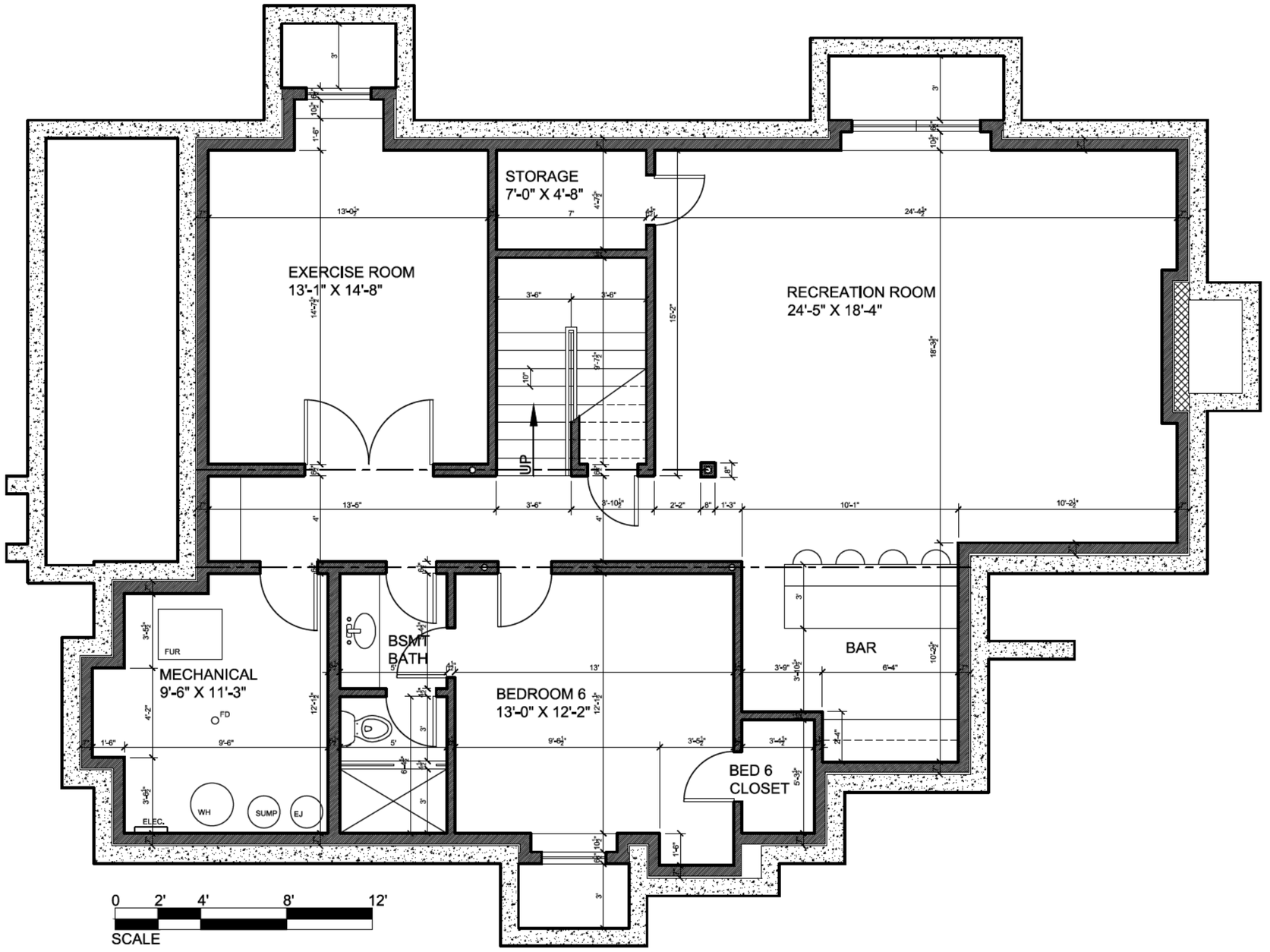
SCALE: 1/16"=1'-0"

DATE:
05.18.21
05.20.21

SHEET NO.
A-1
OF 9 SHEETS

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



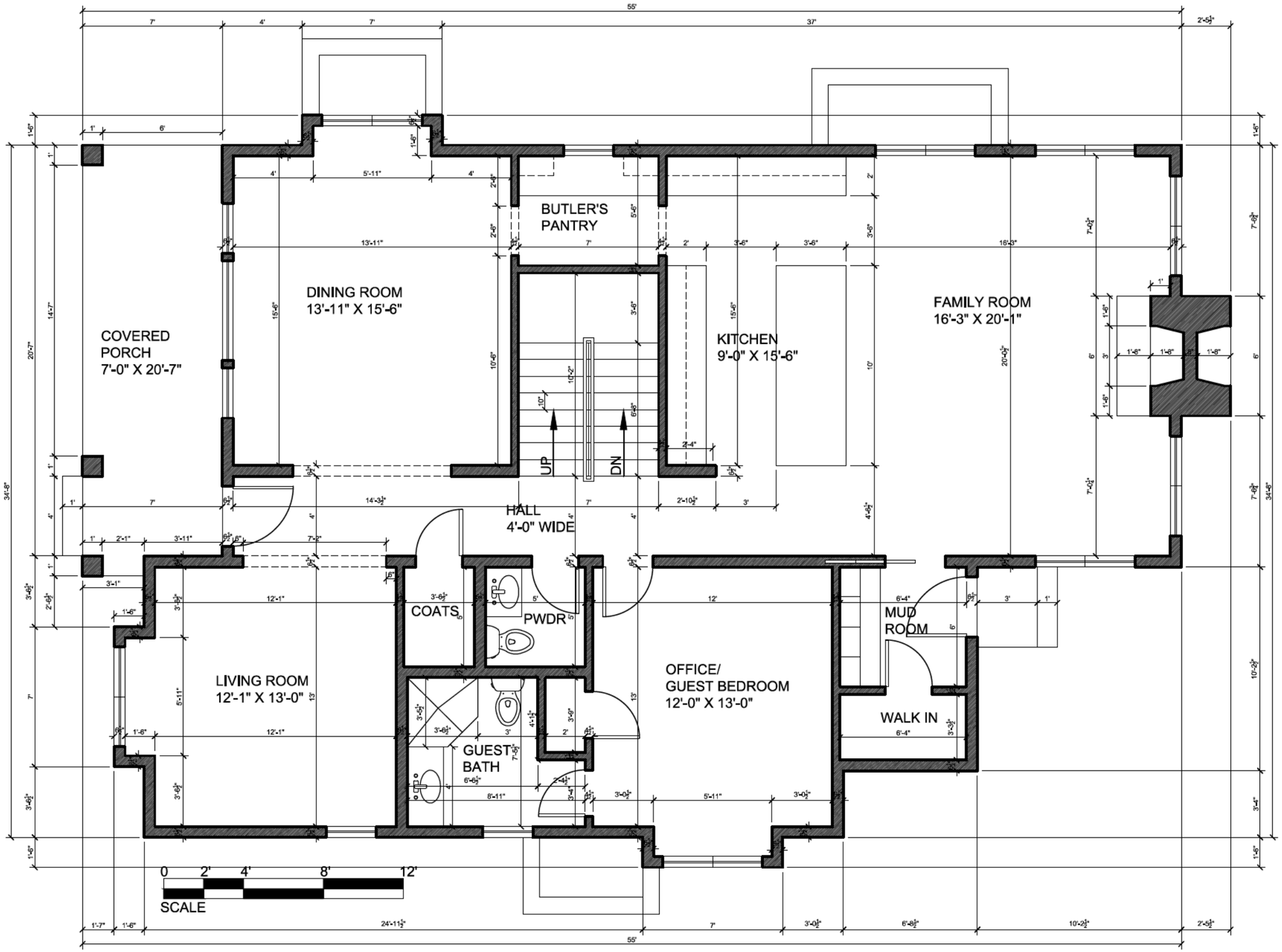
01 BASEMENT PLAN

SCALE: 3/16"=1'-0"

DATE:	05.18.21 05.20.21
SHEET NO.	A-2 OF 9 SHEETS

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



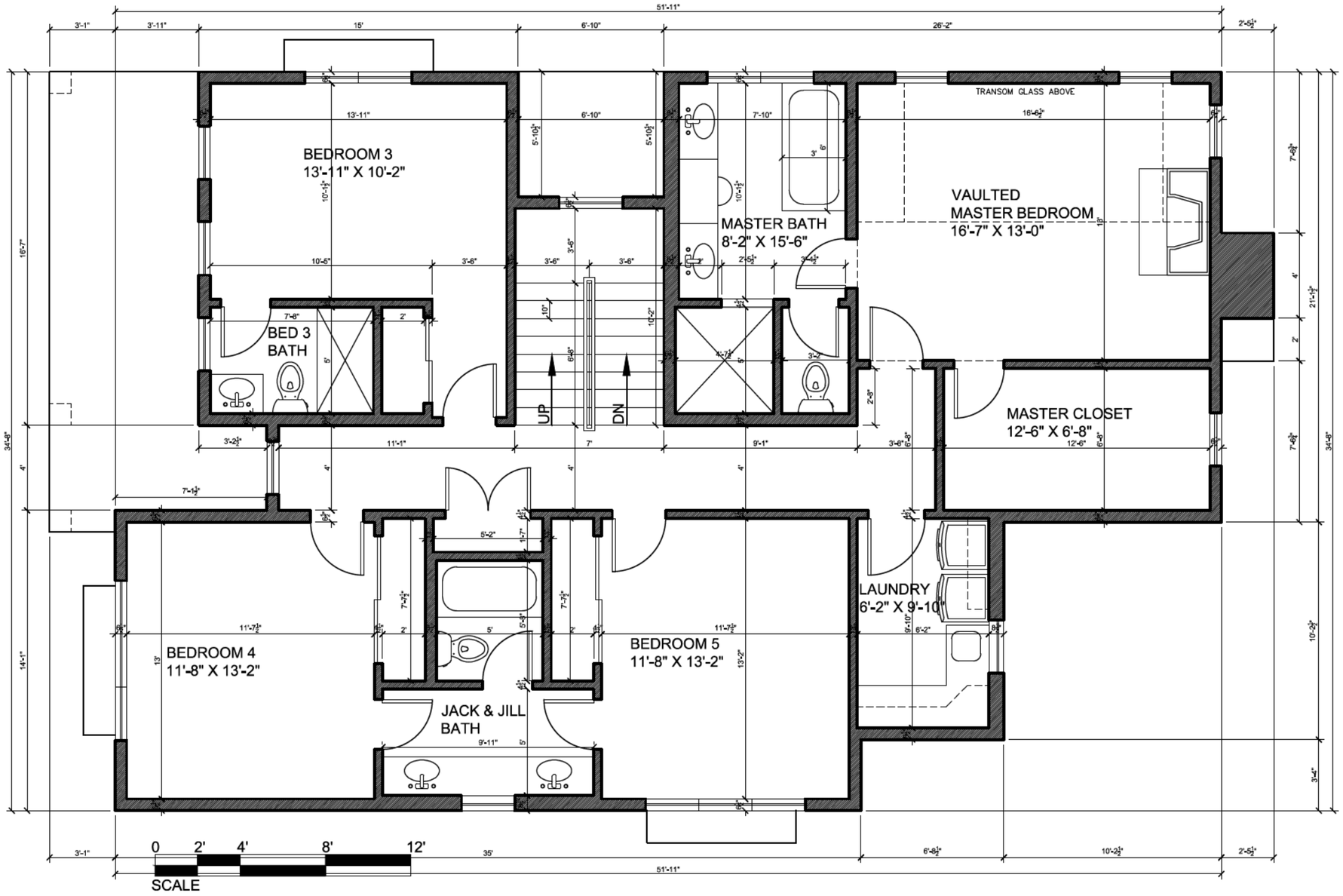
01 FIRST FLOOR PLAN

SCALE: 3/16"=1'-0"

DATE:	05.18.21 05.20.21
SHEET NO.	A-3 OF 9 SHEETS

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 SECOND FLOOR PLAN

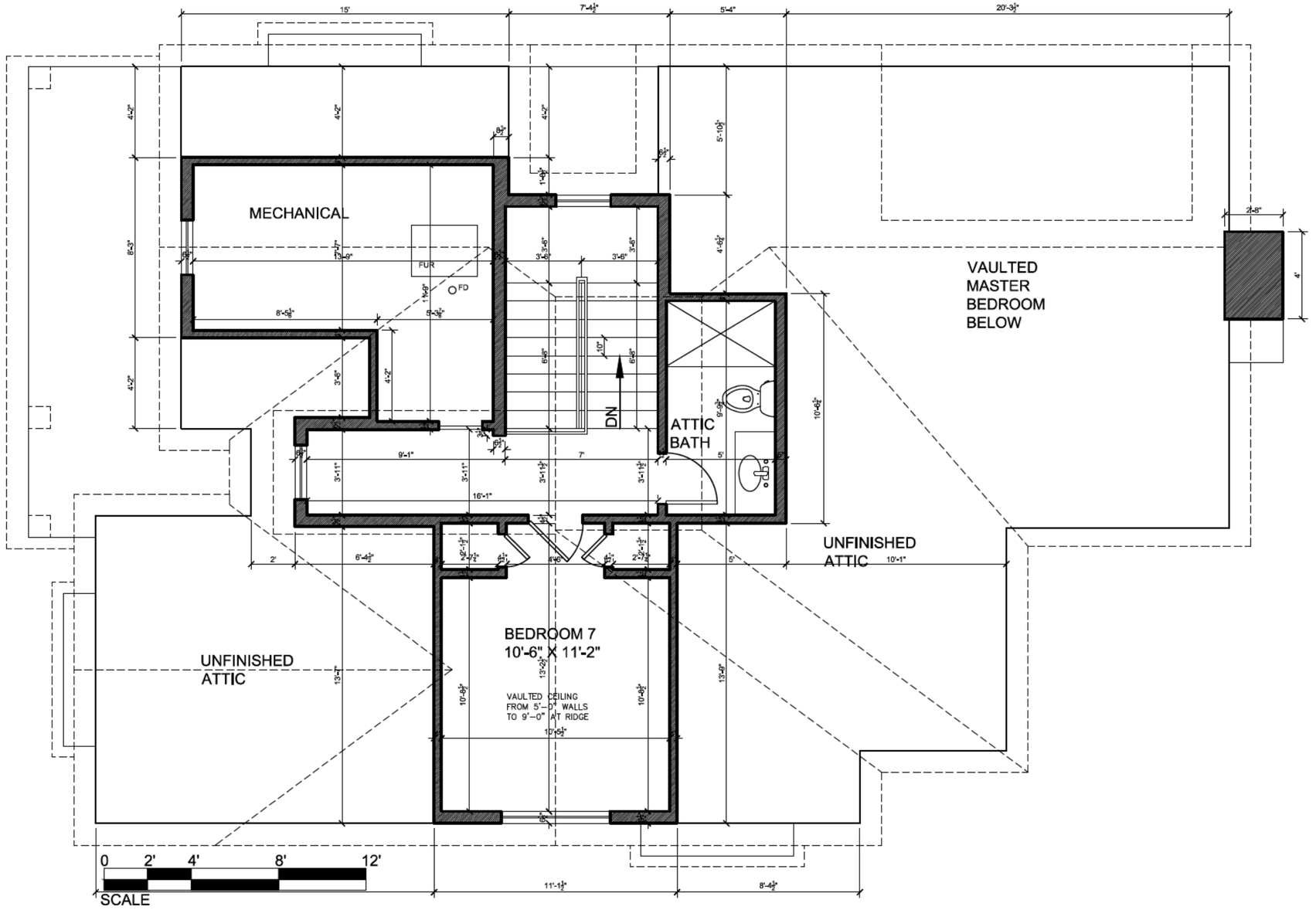
SCALE: 3/16"=1'-0"

SHEET NO. A-4 OF 9 SHEETS

DATE: 05.18.21 05.20.21

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 ATTIC PLAN

SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-5
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 WEST (FRONT) ELEVATION

SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-6
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 SOUTH (RIGHT SIDE) ELEVATION

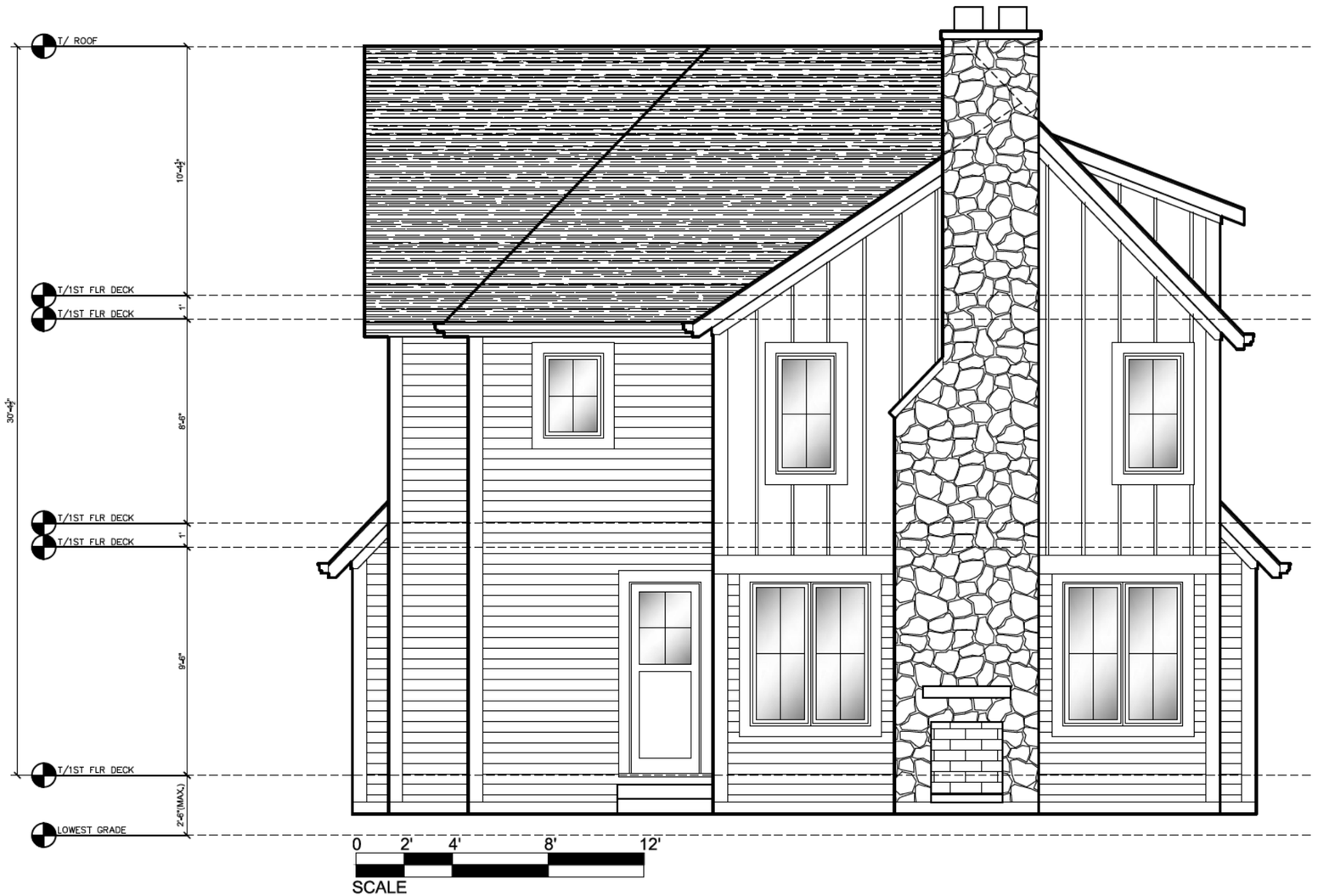
SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-7
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 EAST (REAR) ELEVATION

SCALE: 3/16"=1'-0"

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

DATE:
05.18.21
05.20.21

SHEET NO.
A-8
OF 9 SHEETS

TOWN STUDIOS, INC.
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM



01 NORTH (LEFT SIDE) ELEVATION

SCALE: 3/16"=1'-0"

DATE:
05.18.21
05.20.21

SHEET NO.
A-9
OF 9 SHEETS

NEW RESIDENCE
747 WALDEN ROAD
WINNETKA, ILLINOIS 60093

TOWN STUDIOS, INC.
PHONE: 847-498-0900
WWW.TOWNSTUDIOS.COM
1297 SHERMER ROAD
NORTHBROOK, ILLINOIS 60062

WINNETKA ZONING BOARD OF APPEALS
EXCERPT OF MEETING MINUTES
JUNE 14, 2021

Zoning Board Members Present:	Matt Bradley, Chairman Kate Casale MacNally Kimberly Handler Lynn Hanley Mike Nielsen Todd Vender
Zoning Board Members Absent:	Max Weigandt
Village Staff:	David Schoon, Director of Community Development Kristen Kazenas, Assistant Village Manager Ann Klaassen, Senior Planner

***

<u>Case No. 21-21-V2: 747 Walden Road</u>: An application submitted by Joshua and Y. Grace Ha seeking approval of a zoning variation to allow construction of a new single family residence at 747 Walden Road. The requested zoning variation would permit the new residence to provide less than the minimum required front yard setback from Walden Road. The Village Council has final jurisdiction on this request.

Ms. Klaassen described the front yard setback variation being requested in connection with the construction of a new residence. She identified the property's location, lot shape and zoning classification which is legal nonconforming. Ms. Klaassen also referred to the site plan and explained the setback requirements. She then identified the proposed elevations and noted no correspondence was received and there are no members of the public at Village Hall to comment. Ms. Klaassen stated after public comment and Board discussion, a Board member may wish to make a motion to recommend approval or denial, with a draft motion provided on page 7 of the agenda materials. She then asked if there were any questions.

Ms. Handler questioned the placement of the new garage over two setback lines and Ms. Klaassen explained the new garage's placement and that is complies with the required setbacks for a detached garage in the rear quarter of the lot. Ms. Handler then asked why the new home could not be attached to the garage which would place it in a conforming location. Ms. Klaassen responded if the garage is attached to the home, the garage is then required to provide the same setbacks the residence is required to provide. Chairman Bradley asked if there were any other questions. No additional questions were raised at this time.

Ms. Kazenas allowed the applicants into the meeting. Chairman Bradley swore in those speaking to this matter. Joshua Ha and Y. Grace Ha stated they purchased the home in 2016 and reside there with their parents. Ms. Ha stated the home is over 100 years old and informed the Board the home has foundation issues. She then stated they decided to rebuild the home which would face Walden. Ms. Ha added they did not know the home's total square footage was nonconforming as well as being nonconforming with regard to certain setbacks. She stated the home's proposed location would correct the Westmoor side setback nonconformity and they are asking to build the home in a non-angled position in the same

footprint. Ms. Ha then described how the existing home is set back from the Westmoor and Walden neighbors and a conforming location would result in the new home being located significantly closer to them. Ms. Ha then referred to page 4, Figure 5 and the 100-200 year old trees which she described as irreplaceable. She also referred to a tall hedge on Walden which would have to be removed and which would improve pedestrian and vehicular visibility. Mr. Ha stated he took photos of the trees and the hedge and provided their proposed plans to the neighbors which would result in the neighborhood aesthetics remaining intact and allow the neighbors to retain their privacy. Ms. Ha informed the Board they received no objections from the neighbors after sharing their plans.

Chairman Bradley asked if there were any questions. Ms. Casale MacNally referred to photo no. 5 and questioned the property's orientation. Ms. Ha responded the photo showed how much of the hedge covered the view as well as the trees located on the property line. Mr. Ha noted there is 20-25 feet of parkway on Walden and it would result in the home having a 50 foot setback from the curb and would be in congruence with the neighborhood.

Chairman Bradley stated the Board would now hear public comment. Ms. Kazenas allowed members of the public into the meeting to comment. No comments were made at this time. Chairman Bradley then called the matter in for discussion.

Ms. Handler stated the current home is located too close to the sidewalk and the new home could be repositioned with no reasoning not to comply with the requirements. She also stated the trees would not be lost if the new home is located further east. Ms. Hanley agreed new construction should comply with requirements although the lot has a unique shape and is on a nonconforming corner lot. She then stated moving the home back would result in it being close to neighboring homes and she is undecided. Mr. Nielsen agreed with Ms. Hanley's comments and appreciated the applicants' attempts to save the trees. He then stated he would lean in favor of the request and described the plan as well thought out. Ms. Hanley added a 30 foot setback seemed onerous for the lot due to the lack of an average setback for the block. Chairman Bradley stated all of the other aspects of the request are in compliance except for a rotation of the lot line to Walden to make it work and stated this request represented what zoning relief is designed to do. He then stated standard nos. 1-3 have been met and requiring a 30 foot setback would result in the home's odd placement. Chairman Bradley then stated he would be in favor of the request. Ms. Casale MacNally stated she would also be in support of the request and the standards have been met while referring to the character of the property's uniqueness. She also referred to site lines and the safety issues which would be addressed and improved. Mr. Vender stated he is also in favor of the request noting the north and south setbacks would be improved. Ms. Hanley agreed with Chairman Bradley's comments and stated she would be in favor of the request. Ms. Handler then stated she would be in support of the request referring to the tiny and awkward lot referring to the difficulty of meeting zoning requirements for new construction on such a lot.

Chairman Bradley asked for a motion. Ms. Casale MacNally moved to recommend approval of the request as indicated on page 7 of the agenda packet. Mr. Nielsen seconded the motion. A vote was taken and the motion unanimously passed:
AYES: Bradley, Casale MacNally, Handler, Hanley, Nielsen, Vender
NAYS: None

***

Agenda Item Executive Summary

Title: Ordinance No. M-14-2021: Transfer of Property and Dedication of Essex Road as a Public Right-of-Way (Introduction/Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 08/03/21

Consent: ☐ YES ☑ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

6/29/2021 - Council adopted Ordinance No. M-12-2021 approving an amendment to a special use permit and zoning variations to permit New Trier High School to replace a gymnasium and construct an addition.

Executive Summary:

On August 3, the Village Council is scheduled to consider Ordinance No. M-14-2021, accepting the transfer of property from the New Trier Township High School District ("NTHS") and dedication of Essex Road as a public right-of-way.

During NTHS' development of its plans for improvements to the east side of its Winnetka campus building, NTHS conducted a property title search. The search uncovered a document that seemed to indicate a portion of Essex Road that runs between the east and west portions of the campus and which the Village believed to be a dedicated public street, may have actually been conveyed to NTHS in 1921. During the pandemic, the Cook County office that maintains recorded documents was operating with limited staffing, and it was difficult to secure a copy of the document to confirm its contents. The Village Attorney was finally able to obtain a copy of the document from the County, and it confirmed that Essex Road had been conveyed to NTHS in 1921. Final confirmation of this did not occur until after the Council adopted Ordinance M-12-2021 on June 29.

Given that: (1) both NTHS and the Village have assumed all this time that Essex Road was a dedicated Village street; (2) the Village has public utilities (i.e., water, storm sewer, sanitary sewer, and electric lines) that run within what was assumed to be a public right-of-way; and (3) NTHS does not wish to retain ownership of the land on which Essex Road is located; NTHS would like to convey this portion of Essex Road to the Village.

Executive Summary (continued):

Ordinance No. M-14-2021 authorizes the Village to enter into an intergovernmental agreement with NTHS to transfer ownership of the property to the Village. Upon the receipt of the quitclaim deed for the property, the Ordinance authorizes the Village President and Village Clerk to record a plat of dedication for Essex Road.

Recommendation:

The Council may wish to (a) consider waiving introduction of Ordinance No. M-14-2021 and proceed with adoption of the Ordinance, OR (b) consider only introduction of Ordinance No. M-14-2021.

Attachments:

Ordinance No. M-14-2021

ORDINANCE NO. M-14-2021

AN ORDINANCE ACCEPTING THE TRANSFER OF REAL PROPERTY FROM THE BOARD OF EDUCATION OF NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT NO. 203 PURSUANT TO THE LOCAL GOVERNMENT PROPERTY TRANSFER ACT AND DEDICATING ESSEX ROAD AS A PUBLIC RIGHT-OF-WAY
(Essex Road)

WHEREAS, the Village is an Illinois home rule municipal corporation; and

WHEREAS, the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.* (***"Act"***), authorizes a municipality to transfer real property to another municipality upon such terms as may be agreed by the corporate authorities of the parties, subject to the requirements of the Act; and

WHEREAS, the Village and Board of Education (***"Board"***) of New Trier Township High School District No. 203 (***"School District"***) are municipalities as defined in Section 1(c) of the Act, 50 ILCS 605/2; and

WHEREAS, the Board of Education (***"Board"***) of New Trier Township High School District No. 203 (***"School District"***), Cook County, Illinois, owns a parcel of property (***"Property"***) known as Essex Road, which is legally described in **Exhibit A**, attached hereto, and incorporated herein; and

WHEREAS, the Village and Board have determined that it is in their best interests and the best interests of their respective residents to transfer ownership of the Property from the School District to the Village for public purposes of the Village, including, without limitation, use of the Property as a public right-of-way; and

WHEREAS, the Village desires the School District to transfer the Property to the Village pursuant to the terms and conditions of the Act and an intergovernmental agreement attached hereto as **Exhibit B** (***"Agreement"***); and

WHEREAS, the Village Council has determined that it is necessary, appropriate, and in the best interests of the Village to acquire the Property by transfer from the School District, according to the terms of this Ordinance and the Agreement;

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

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

SECTION 2: APPROVAL OF AGREEMENT. The Village Council hereby: (i) approves the Agreement in substantially the form attached as Exhibit B and in a final form approved by the Village Attorney; and (ii) authorizes the Village President and Village Manager to take such further actions as may be necessary to carry out and comply with the Agreement.

SECTION 3: AUTHORIZATION TO EXECUTE AGREEMENT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village: (i) the final Agreement; and (ii) any documents necessary to effectuate the transfer of the Property to the Village in accordance with and pursuant to the terms of the Agreement.

SECTION 4: DELIVERY OF ORDINANCE. The Village Clerk is hereby authorized and directed to deliver a certified copy of this Ordinance to the Board, in care of the School District's Superintendent.

SECTION 5: DEDICATION OF PROPERTY. Upon the receipt by the Village of a quit claim deed executed in accordance and pursuant to the satisfaction of the terms and conditions of the Agreement, the Village President and Village Clerk are hereby authorized and directed to execute and record against the Property with the Cook County Clerk Recording Division a plat of dedication in substantially the form attached as **Exhibit C** and in a final form approved by the Village Attorney.

SECTION 6: EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this 3rd day of August, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2021.

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 _____, 2021.

Introduced: August 3, 2021

Passed and Approved: August 3, 2021

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

A TRACT OF LAND 50 FEET WIDE AND 767.58 FEET LONG SHOWN AS ESSEX ROAD ON "PLAT OF SURVEY" OF SUBDIVISION OF LOT 5 IN THE CIRCUIT COURT PARTITION OF LOTS 3 AND 4 OF SIMON'S AND OTHERS SUBDIVISION OF PART OF THE FRACTIONAL SOUTH EAST ONE QUARTER OF SECTION 21 AND THE FRACTIONAL SOUTHWEST ONE QUARTER OF SECTION 22 ALL IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Commonly known as Essex Road, Winnetka, Illinois.

EXHIBIT B

AGREEMENT

INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF EDUCATION OF NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT NO. 203 AND THE VILLAGE OF WINNETKA FOR THE TRANSFER OF ESSEX ROAD

PARTIES

This agreement ("Agreement") is made and entered on the effective date ("Effective Date") as set forth in Section 20 of this Agreement, between the Board of Education of New Trier Township High School District No. 203, Cook County**,** Illinois (the "School District") and the Village of Winnetka, a home rule municipality (the "Village").

PURPOSE

The purpose of this Agreement is to memorialize the transfer from the School District to the Village the property, commonly known as Essex Road, owned by the School District, and more particularly described on Exhibit A, attached to, and incorporated into this Agreement.

LEGAL AUTHORITY

This Agreement is entered into by virtue of the provisions of Article VII, Section 10 of the Illinois Constitution, the *Illinois Intergovernmental Cooperation Act*, 5 ILCS 220/1 *et seq.*, the *Illinois School Code*, 105 ILCS 5/5-22, and the *Illinois Local Government Property Transfer Act*, 50 ILCS 605/0.01 *et seq*. (the "Transfer Act").

Background:

The Village and the School District are authorized by law to enter into agreements with other units of local governmental pursuant to Article VII of the Illinois Constitution and the *Illinois Intergovernmental Cooperation Act* pertaining to matters of mutual concern.

Pursuant to the Transfer Act, the Village adopted an Ordinance on August 3, 2021, and determined that it is necessary and convenient for the Village to use, occupy or improve the Property and it is in the best interest of the Village to acquire the Property.

Pursuant to the Transfer Act, the School District adopted a Resolution on August 23, 2021, and declared the Property to be unsuitable for the School District's purposes, and further, desires to see that the Property be transferred to the Village.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, as well as the mutual covenants, obligations and commitments set forth in this Agreement, the Village and the School District agree as follows:

1. Agreement to Transfer. The School District agrees to transfer to the Village and the Village agrees to accept from the School District all right, title, and interest in and to the Property, including improvements and appurtenants.

2. Consideration for Sale. The purchase price of the Property is TEN DOLLARS ($10.00) ("Purchase Price"). At the Closing (as defined in this Agreement), the Village shall pay to the School District $10.00 and such other consideration as provided in this Agreement.

3. Due Diligence Documents-Review Period. On or before the 30th day after the Effective Date, the School District will deliver or cause to be delivered to the School District the following items relating to the Property:

- A current title commitment issued by the Chicago Title Insurance Company (the "Title Company") with copies of all exception documents.

- A current staked survey of the Property in whatever form necessary to allow the Title Company to provide title insurance with extended coverage as described in Section 5 of this Agreement.

- Such other information concerning the Property which the Village or its representatives may reasonably request and that is in the possession of the School District.

4. Transfer of the Property. The School District agrees to transfer the Property on or before October 1, 2021 ("Closing Date") at the office of the title company in accordance with the terms and conditions of this Agreement. This conveyance shall be by quit claim deed conveying fee simple title to the Property, subject only to permitted encumbrances, which shall only include title exceptions and disclosures made in the title commitment and survey, which are not objected to by the Village, and if objected to, are waived ("Permitted Encumbrances"). The Title Company must be prepared to issue an ALTA Owner's Form 1992 Policy with extended coverage in the minimum amount permitted, insuring in the Village fee simple ownership in the Property, subject only to the Permitted Encumbrances.

A. The School District Deliverables. The School District shall, at the Closing, deliver or cause to be delivered to the Village the following:

(i) Quit Claim Deed as provided in this Agreement in recordable form;

(ii) Transfer Tax Declarations as applicable (also to be signed by or for the School District);

(iii) Closing Statement (also to be signed by or for the School District);

(iv) Certificate of Non-Foreign Status;

(v) ALTA Statement;

(vi) Gap Undertakings;

(vii) Possession of the Property;

(viii) Affidavit of Title, Owner's Policy, or waived title commitment with extended coverage; and

(ix) All other documents reasonably necessary and/or customary to effectuate the transfer.

B. City Deliverables. The Village shall, at the Closing, deliver or cause to be delivered to the Village the following:

(i) Payment of the Purchase Price, in accordance with Section 2 of this Agreement;

(ii) ALTA Statement;

(iii) Gap Undertaking; and

(iv) Any and all other documents reasonably necessary and/or customary to effectuate the transfer.

C. Closing Costs. The School District and the Village shall each pay one-half of the title charges and survey costs, any deed and transfer stamps and fees, and any escrow/closing fee charged by the Title Company. The Village shall pay the fee for recording of the deed. Each party shall be responsible for the payment of its own attorneys' fees.

5. Property. The School District represents that as of the Effective Date of this Agreement, to the best of its knowledge, it is not aware of any material physical defects on the Property, the roadway thereon, or title issues that may negatively impact the value of the Property or the use of the Property as a right-of-way.

6. Property Conveyed "As-Is". The School District makes no representations or warranties regarding the Property. The Village shall accept the Property at Closing "AS-IS, WHERE-IS." The Village agrees and acknowledges that neither the School District nor any agent, attorney, or representative of the School District nor any other agent, attorney or representative, has made any representations respecting or has made any warranty whatsoever, express or implied, regarding the Property, including, without limitation, representations as to the physical nature or condition of the Property, the environmental condition thereof, the prior use of the Property, or its compliance with any applicable laws or regulations. The Village acknowledges that this transaction is an "As-Is, Where-Is" conveyance and that the School District shall have no responsibility for any damages caused by the conditions on the Property upon transfer of title. The Village also agrees and acknowledges that in executing, delivering, and performing this Agreement, the Village does not rely upon any statement or information to whomsoever made or given, directly or indirectly, verbally or in writing, by the School District or the School District's agents.

7. Notices. All notices provided for in this Agreement shall be in writing and served by personal delivery or reputable private commercial courier service or by registered or certified mail, return receipt requested, postage prepaid, at the following address:

If to the School District: New Trier Township High School District No. 203
7 Happ Road
Northfield, IL 60093
Attention: Superintendent

If to the Village: Village of Winnetka
510 Green Bay Rd.
Winnetka, IL 60093
Attn: Village Manager

With copies to counsel: Brian P. Crowley
Franczek
300 South Wacker
Suite 3400
Chicago, Illinois 60606

Peter M. Friedman
Elrod Friedman LLP
325 N LaSalle St.
Suite 450
Chicago, IL 60654

Any notice personally delivered or delivered by reputable courier service during normal business hours with confirmation of receipt, shall be effective on the date of delivery, and any notice mailed as provided in this Agreement shall be deemed given and effective on the second business day following the date so mailed.

8. Broker Warranty. The Village warrants to the School District and the School District warrants to the Village that each is not a party to or in any way obligated under any contract for payment of fees and expenses to any broker or finder in connection with the origin, negotiation, execution, or confirmation of this Agreement.

9. Default and Remedies. If the School District fails or refuses to convey the Property in accordance with the terms of this Agreement or otherwise perform its obligations under this Agreement, and such failure or refusal is not cured within 15 days after notice from the Village, then the Village shall have the right to specific performance, or all other rights and remedies available at law or in equity for such breach. If the Village fails to perform its obligations under this Agreement, and such failure or refusal is not cured within 15 days after notice from the School District, then the School District shall have the right to specific performance, or all other rights and remedies available at law or in equity for such breach.

10. Severability. If any term, covenant, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

11. Entire Agreement. This Agreement is a total and complete integration of all agreements relating to the transfer of the Property existing between the Village and the School District, and supersedes any prior oral or written agreements, promises, or representations between them, with respect to the subject matter hereof.

12. Amendment. This Agreement shall only be amended by the adoption and execution of an appropriate written instrument duly approved by the corporate authorities of the Village and the School District.

132. Assignment. This Agreement may not be assigned by the School District or the Village without the prior written consent of the other party.

14. Execution. This Agreement and any amendment to this Agreement may be approved and executed in counterparts.

15. Time of Essence. Time is of the essence of this Agreement and of every term, covenant, and condition hereof.

16. Successors. All terms, covenants, and conditions of this Agreement shall be binding upon an inure to the benefit of and shall apply to the respective successors and assigns of the Village and the School District.

17. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Illinois without regard to conflict of law principles. Jurisdiction and venue for all disputes shall be the Circuit Court located in Cook County, Illinois, or the federal district court for the Northern District of Illinois.

18. Effective Date. This Agreement shall be deemed dated and become effective on the date the last of the parties signs as set forth below the signature of their duly authorized representatives.

BOARD OF EDUCATION OF NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT NO. 203, COOK COUNTY, ILLINOIS By:_____ Its Superintendent Attest: _____ Its Secretary Dated: _____, 2021	VILLAGE OF WINNETKA By:_____ Its Village Manager Attest: _____ Its Village Clerk Dated: _____, 2021

EXHIBIT A
LEGAL DESCRIPTION

A TRACT OF LAND 50 FEET WIDE AND 767.58 FEET LONG SHOWN AS ESSEX ROAD ON "PLAT OF SURVEY" OF SUBDIVISION OF LOT 5 IN THE CIRCUIT COURT PARTITION OF LOTS 3 AND 4 OF SIMON'S AND OTHERS SUBDIVISION OF PART OF THE FRACTIONAL SOUTH EAST ONE QUARTER OF SECTION 21 AND THE FRACTIONAL SOUTHWEST ONE QUARTER OF SECTION 22 ALL IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Commonly known as Essex Road, Winnetka, Illinois.

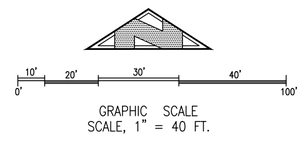
EXHIBIT C

PLAT OF DEDICATION

PLAT of DEDICATION

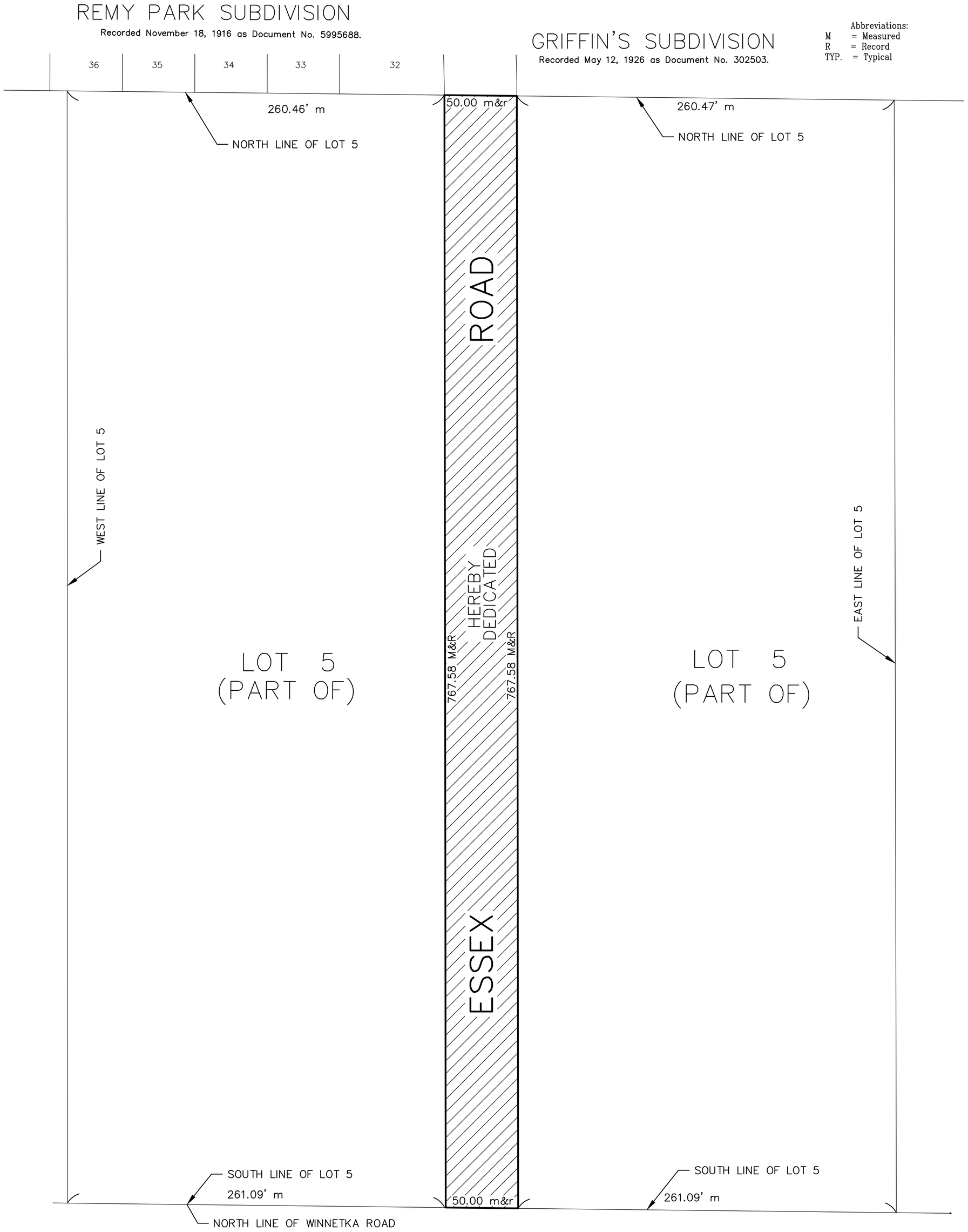
LEGAL DESCRIPTION:
A TRACT OF LAND 50 FEET WIDE AND 767.58 FEET LONG SHOWN AS ESSEX ROAD ON "PLAT OF SURVEY" OF SUBDIVISION OF LOT 5 IN THE CIRCUIT COURT PARTITION OF LOTS 3 AND 4 OF SIMON'S AND OTHERS SUBDIVISION OF PART OF THE FRACTIONAL SOUTH EAST ONE QUARTER OF SECTION 21 AND THE FRACTIONAL SOUTHWEST ONE QUARTER OF SECTION 22 ALL IN TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: **ESSEX ROAD WINNETKA, ILLINOIS.**



GRAPHIC SCALE
SCALE, 1" = 40 FT.

Abbreviations:
M = Measured
R = Record
TYP. = Typical



VILLAGE COUNCIL

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

APPROVED BY THE PRESIDENT OF THE VILLAGE COUNCIL OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS,

THIS DAY _____ OF _____ , 20___ .

BY: _____
VILLAGE PRESIDENT, WINNETKA , IL

ATTEST: _____
VILLAGE CLERK

NOTE:
BOUNDARY AND BEARINGS ARE BASED ON THE PLAT OF SURVEY PREPARED BY DANIEL CREANEY COMPANY JOB NO. 6305 DATED JANUARY 10, 2010

B.H. SUHR & COMPANY, INC.
SURVEYORS ESTABLISHED 1911
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062
TEL. (847) 864-6315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM
Professional Design Firm License No. 184.008027-0008

LOCATION ESSEX ROAD SURVEY DATE, July 28 20 21
ORDER No. 21-129 Dedication ORDERED BY : Village of Winnetka
DRAFTER
© 2021 B. H. Suhr & Company, Inc. All rights reserved.

STATE OF ILLINOIS }
COUNTY OF COOK } ss.

B .H. SUHR & COMPANY, INC. does hereby certify that it has prepared this plat of dedication from existing records, plats and plans.

By _____ Dated JULY 28 , 2021.

Michael E. Farrell
Illinois Professional Land Surveyor No. 035-002639
License Expiration Date 11/30/22

$FILE$

Agenda Item Executive Summary

Title: Resolution No. R-68-2021: Easement Amendment for Thorn Tree Subdivision (Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 08/03/2021

Consent: ☐ YES ☑ NO

☐ Ordinance
☑ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

None.

Executive Summary:

On August 3, the Village Council is scheduled to consider Resolution No. R-68-2021, approving an amendment to an easement for the Thorn Tree Subdivision. Consideration of this resolution is in response to a request by CCN Happy Place LLC (the "Applicant"), owner of 130 Evergreen Lane (the "Subject Property"). The Subject Property is improved with a stormwater detention basin that serves the surrounding subdivision, and as such it is encumbered by stormwater detention and drainage easements. In addition, the Subject Property is encumbered by water and electric utility easements to allow the Village to install and maintain such utility lines. The Applicant is requesting an amendment to the boundaries of those easements to regrade the property, which in turn would establish a suitable location for a swimming pool in the rear yard of the Subject Property.

The attached staff report further elaborates on the request. This request only requires action by the Village Council.

Recommendation:

Consider adoption of Resolution No. R-68-2021, which would approve an amendment to the easements on the Subject Property.

Attachments:

1) Staff Report
2) Resolution No. R-68-2021

MEMORANDUM
VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL

FROM: DAVID SCHOON, DIRECTOR

DATE: JULY 29, 2021

SUBJECT: 2021-26-SD: 130 EVERGREEN LANE
AMENDMENT TO EASEMENT FOR THE THORN TREE SUBDIVISION

INTRODUCTION

On August 3, 2021, the Village Council is scheduled to consider Resolution R-68-2021, *A Resolution Approving an Amendment to an Easement Established on the Plat of Subdivision for the Thorn Tree Subdivision*. Consideration of this resolution is in response to a request by CCN Happy Place LLC (the "Applicant"), as the owner of the property located at 130 Evergreen Lane (the "Subject Property"). The Subject Property is improved with an existing stormwater detention basin that serves the surrounding subdivision, and as such it is encumbered by stormwater detention and drainage easements. In addition, the Subject Property is encumbered by water and electric utility easements allowing the Village to install and maintain such utility lines. The Applicant is requesting an amendment to the boundaries of those easements to regrade the property, which in turn would establish a suitable location for a swimming pool in the rear yard of the Subject Property.

As part of the easement modification request, the Applicant has submitted detailed grading and drainage plans, as well as stormwater detention volume calculations as required by Village Code to establish that required stormwater detention and floodplain compensatory storage volumes will continue to be met.

PROPERTY DESCRIPTION

The Subject Property is located on the north side of the Evergreen Lane cul-de-sac. Evergreen Lane is located in southwest Winnetka, north of Hill Road, and west of Thorn Tree Lane.

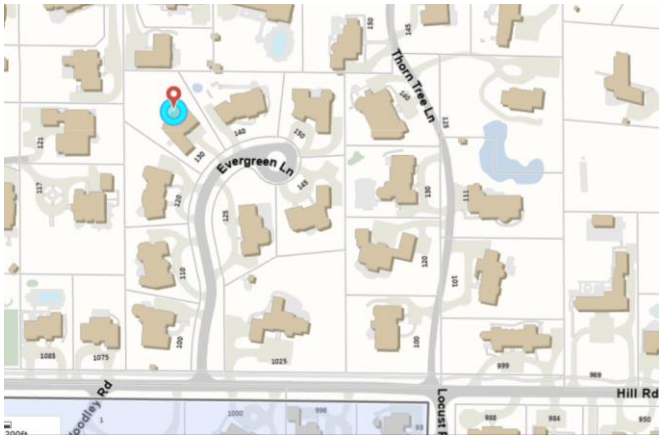


Figure 1 - Location Map – 130 Evergreen Lane

The Subject Property, the Subdivision, and the surrounding property to the north, west, and east are zoned the R-2 Single Family Residential District.

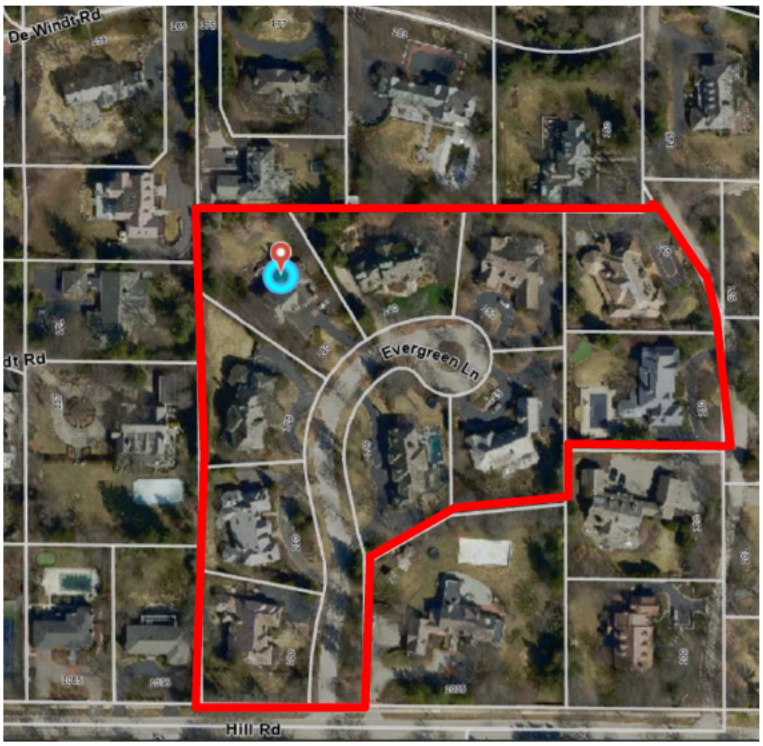


Figure 2 - Aerial Location Map – Thorn Tree Subdivision

BACKGROUND

On September 1, 1992, the Village Council approved the proposed 10-lot Thorn Tree Subdivision *(Resolution R-1175-92).* As part of the subdivision approval, the subdivision was required to provide stormwater detention within the confines of the subdivision area to accommodate and manage the additional stormwater runoff that would result from development within the subdivision. A stormwater detention area was established across the rear of three parcels within the Thorn Tree Subdivision - Lots 3, 4 and 5. An easement was recorded to assure the continued operation and maintenance of the stormwater detention area (highlighted in yellow below). (It should be noted that the individuals involved with the ownership of Lot 4, also own Lot 5, which is 140 Evergreen)

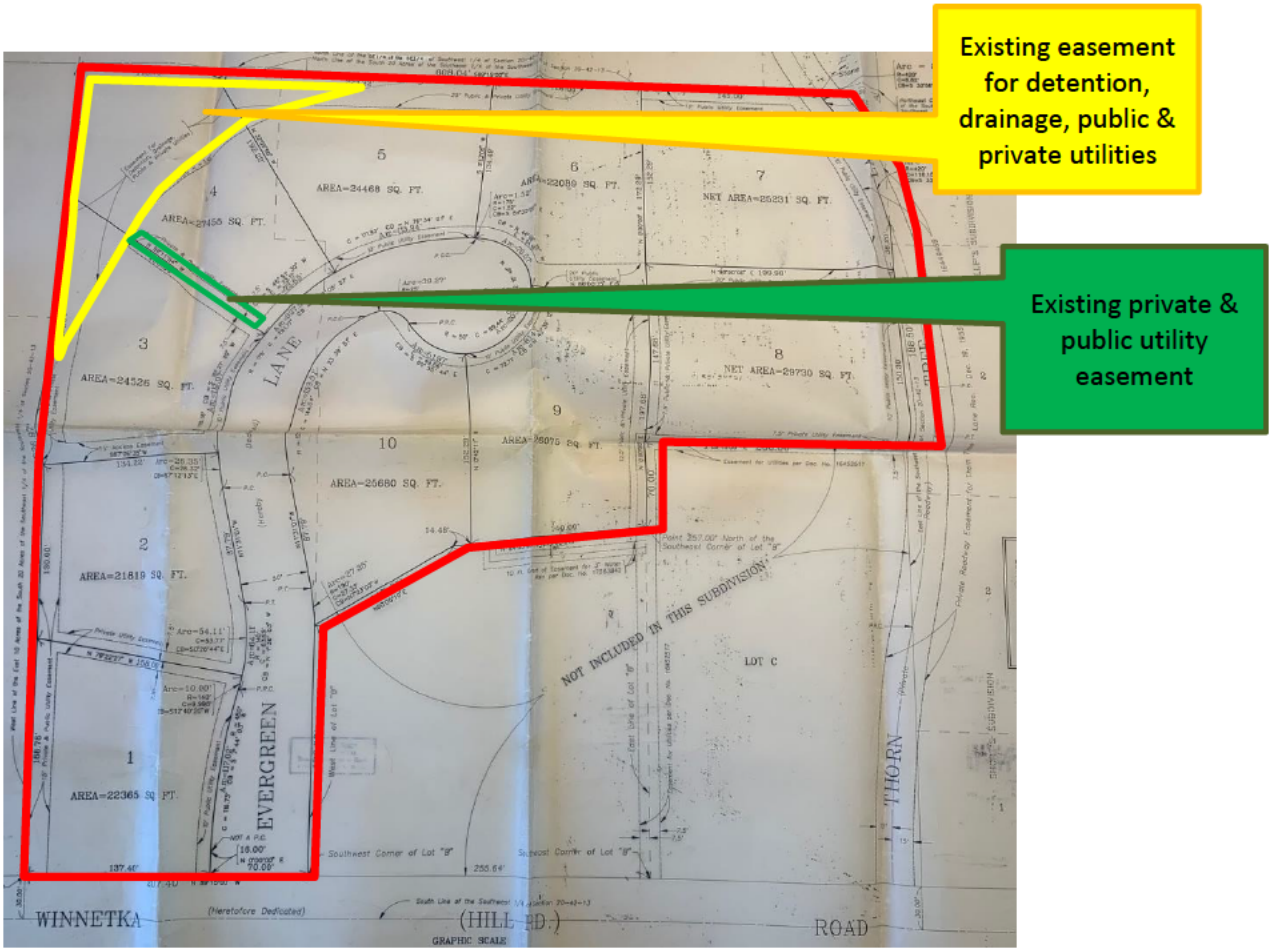


Figure 3 – Thorn Tree Subdivision – 130 Evergreen Existing Easements

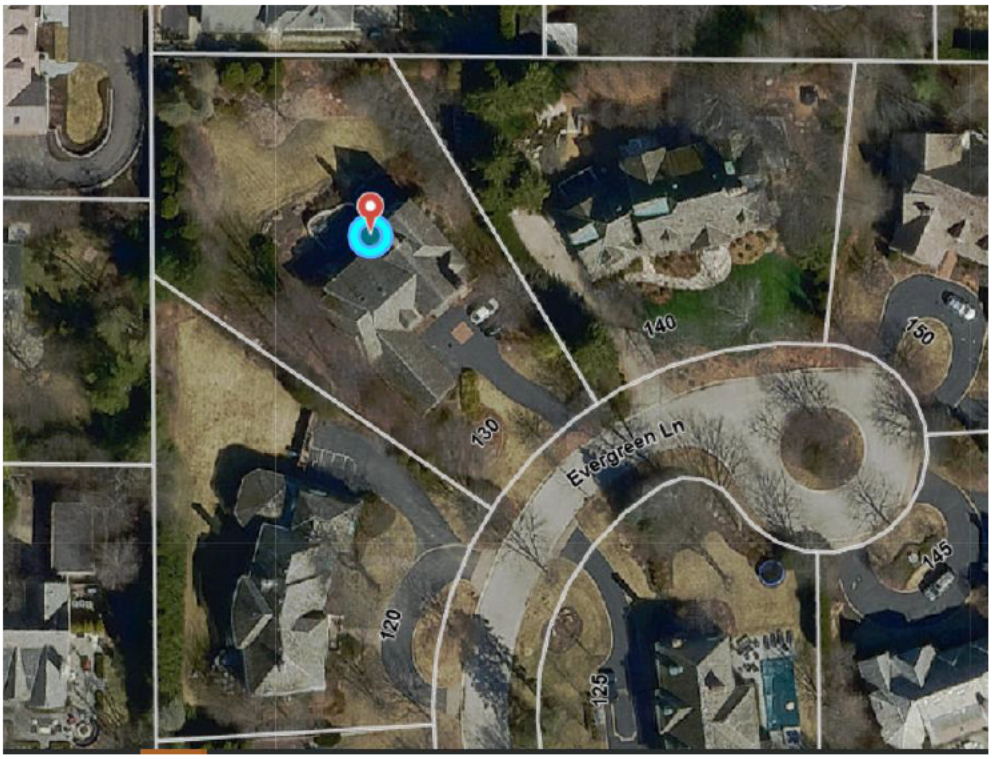


Figure 4 – Aerial of 130 Evergreen Lane

APPLICANT'S REQUEST

The Applicant requests to adjust the easements on the Subject Property would allow them to construct a swimming pool and terrace area behind the existing home at 130 Evergreen Lane (see Figure 5 below). A portion of the proposed pool and terrace lie within what is currently an easement, prompting the request to revise the easement boundaries.

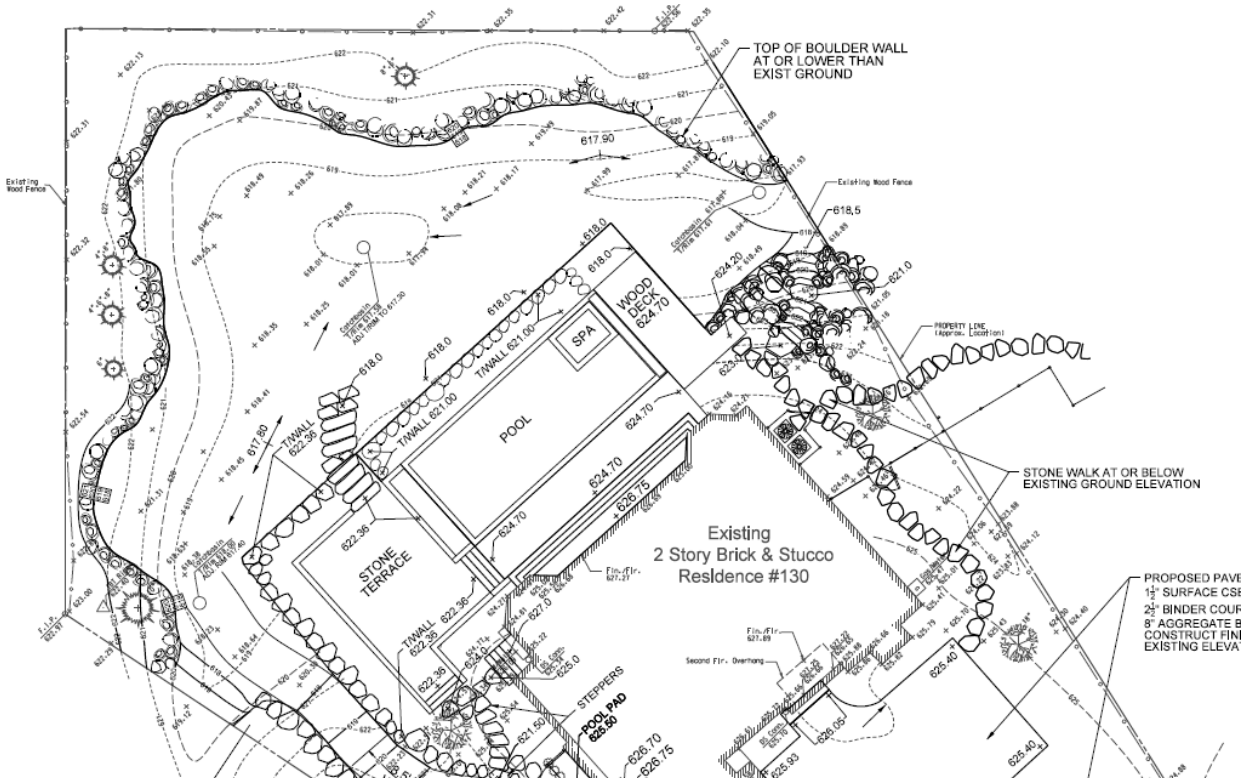


Figure 5 – Proposed Swimming Pool and Terrace

To reduce the footprint of the detention area, the Applicant proposes to regrade the detention basin to accommodate the reduced footprint while still providing the required detention and compensatory storage volumes. As such, they would still provide the required stormwater detention and floodplain compensatory storage in the remaining portion of the easement as well as in a new extension of the easement along the southwest side of the home (See Figure 6 below).

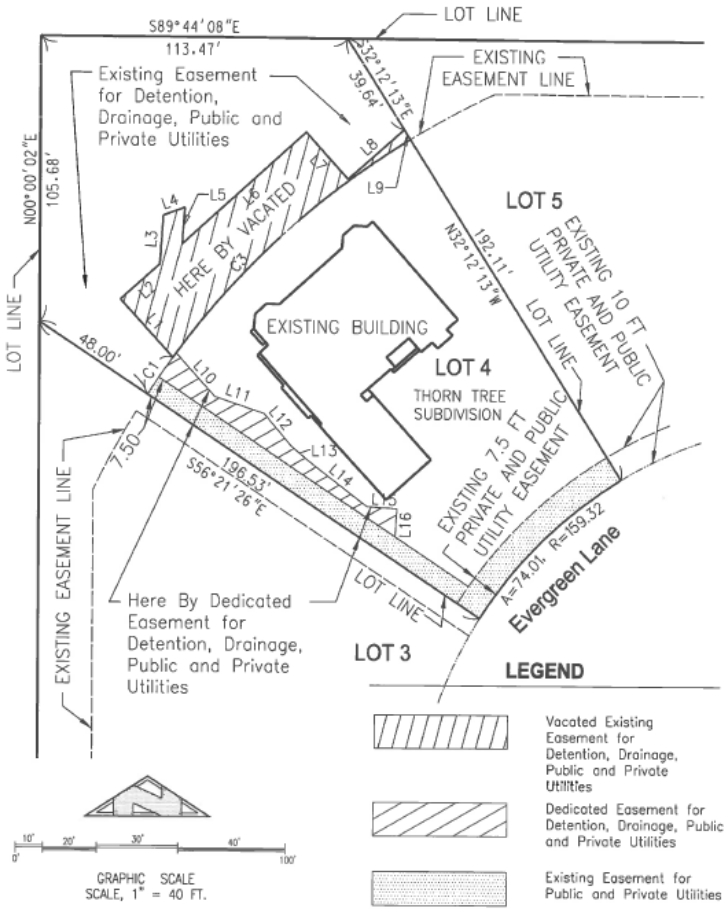


Figure 6 – Revised Easements on 130 Evergreen Lane (Lot 4)

STAFF REVIEW

The Village Engineering Department has reviewed the proposed changes to the stormwater detention and have determined that the proposed improvement will accommodate the Village's stormwater detention and compensatory flood plain storage requirements. Both the Village Engineering Department and the Water & Electric Department have reviewed and approved the proposed changes to the easements to ensure that all other existing Village utilities on the Subject Property (e.g., sanitary sewer, water, electric) will be covered by the amended easements.

The Village Attorney has also reviewed the proposed amendment to the easement to ensure it complies with all subdivision code requirements. Given the amendment is to an easement that was established through the creation of a plat of subdivision, all property owners within the subdivision must sign off on the amendment. The Applicant has secured all the necessary signatures on the amendment.

SUMMARY

The Council is scheduled to consider Resolution No. R-68-2021, which would approve an amendment to the easements on the Subject Property.

ATTACHMENTS

Attachment A: Resolution No. R-68-2021, A Resolution Approving an Amendment to an Easement Established on the Plat of Subdivision for the Thorn Tree Subdivision.

Attachment 2

R-68-2021

A RESOLUTION APPROVING AN AMENDMENT TO AN EASEMENT ESTABLISHED ON THE PLAT OF SUBDIVISION FOR THE THORN TREE SUBDIVISION

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, on September 1, 1992, pursuant to Resolution R-1175-92, the Village approved a plat of subdivision for the Thorn Tree Subdivision, which was recorded in the Office of the Cook County Recorder of Deeds on May 14, 1992, as Document No. 93365595 (***"Plat"***); and

WHEREAS, the Plat subdivides the property legally described in **Exhibit A** into 10 lots of record (***"Property"***); and

WHEREAS, the owner of the Property at the time the Plat was executed dedicated on Plat, for the benefit of all of the owners of the Property, an "Easement for Detention, Drainage, Public & Private Utilities" across a portion of Lots 3, 4, and 5 of the Plat (***"Detention Easement"***);

WHEREAS, CCN Happy Place LLC (***"Lot 4 Owner"***), owns the property commonly known as 130 Evergreen Lane in the Village and designated as Lot 4 on the Plat (***"Lot 4"***); and

WHEREAS, the Lot 4 Owner desires to construct on Lot 4 a swimming pool, pool terrace, wood deck, and other improvements (collectively, ***"Improvements"***).

WHEREAS, to construct the Improvements, the Lot 4 Owner has requested that the Village, with the consent and agreement of all of the owners of the Property (collectively, ***"Owners"***), vacate a portion of the Detention Easement located on Lot 4, and dedicate, for the benefit of the Village and all Owners a new easement for detention, drainage, and public and private utilities (collectively, ***"Amendment"***); and

WHEREAS, the Village desires to allow for the Amendment; and

WHEREAS, the Village Council has determined that it will serve and be in the best interests of the Village and its residents to enter into the Amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: APPROVAL OF EASEMENT AMENDMENT. The Village Council hereby approves the Amendment by and among the Village and Owners in substantially the form attached to this Resolution as **Exhibit B** and in a final form approved by the Village Attorney.

SECTION 3: AUTHORIZATION TO EXECUTE EASEMENT AMENDMENT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and seal, on behalf of the Village, the final Amendment.

SECTION 4: RECORDATION OF FINAL PLAT. Upon execution of the final Amendment as provided in Section 3 of this Resolution, the Village Clerk is hereby directed to cause the Amendment to be recorded in the office of the Cook County Clerk's Recording Division.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from the later of: (i) its passage and approval according to law; and (ii) the installation of the floodplain and compensatory stormwater storage in accordance with the plans attached as **Exhibit C**, except for minor changes approved by the Village Director of Community Development in accordance with all applicable Village standards.

ADOPTED this 3rd day of August, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed

_____

Village President

Countersigned:

_____

Village Clerk

EXHIBIT A

Legal Description of the Property

LOTS 1 – 10 IN THORN TREE SUBDIVISION, BEING A SUBDIVISION OF ALL OF LOT A AND PART OF LOT B IN HELEN BAKER JENNER'S SUBDIVISION OF PART OF THE EAST 10 ACRES OF THE SOUTH 20 ACRES OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, PURSUANT TO A PLAT OF SUBDIVISION RECORDED IN COOK COUNTY, ILLINOIS.

P.I.N.s: 05-20-319-033-0000
05-20-319-034-0000
05-20-319-035-0000
05-20-319-036-0000
05-20-319-037-0000
05-20-319-038-0000
05-20-319-039-0000
05-20-319-040-0000
05-20-319-041-0000
05-20-319-042-0000

EXHIBIT B

Easement Amendment

PREPARED BY AND AFTER RECORDING RETURN TO:
Benjamin L. Schuster
Elrod Friedman LLP
325 N. Lasalle Street, Suite 450
Chicago, IL 60654

For Recorder's Use Only

FIRST AMENDMENT TO EASEMENT ESTABLISHED ON THE PLAT OF SUBDIVISION FOR THE THORN TREE SUBDIVISION

THIS FIRST AMENDMENT TO EASEMENT ESTABLISHED ON THE PLAT OF SUBDIVISION FOR THE THORN TREE SUBDIVISION (***"First Amendment"***) is made as of this ____ day of _____, 2021 (***"Execution Date"***) by and between the **VILLAGE OF WINNETKA**, an Illinois home rule municipal corporation (***"Village"***), and the following individuals and entities:

1. Susan S. Meyer, as Trustee of the Susan Meyer Revocable Trust dated 12/26/2006, owner of the property commonly known as 100 Evergreen Lane, Winnetka, Illinois (PIN: 05-20-319-033);

2. Neil S. Novich and Deborah W. Novich, as Co-Trustees, and on behalf of all successor trustees, of the Deborah Novich Declaration of Trust, as amended and restated u/a/d 10/22/2010, owner of the property commonly known as 110 Evergreen Lane, Winnetka, Illinois (PIN: 05-20-319-034);

3. Paul J. Hulseman and Patrice M. Hulseman, owners of the property commonly known as 120 Evergreen Lane, Winnetka, Illinois (PIN: 05-20-319-035);

4. CCN Happy Place LLC (***"Lot 4 Owner"***), owners of the property commonly known as 130 Evergreen Lane, Winnetka, Illinois (PIN: 05-20-319-036);

5. David and Courtney Nelson, owners of the property commonly known as 140 Evergreen Lane, Winnetka, Illinois (PIN: 05-20-319-037);

6. Gregory S. Bailey and Julie D. Bailey, owners of the property commonly known as 150 Evergreen Lane, Winnetka, Illinois (PIN: 05-20-319-038);

7. Laura McCorvie, owner of the property commonly known as 140 Thorn Tree Lane, Winnetka, Illinois (PIN: 05-20-319-039);

8. Marcia S. Grenesko, Trustee of the Marcia S. Grenesko Trust u/a/d 9/23/1999, owner of the property commonly known as 130 Thorn Tree Lane, Winnetka, Illinois (PIN: 05-20-319-040);

9. Thomas Tingle and Kathleen Prassas Tingle, owners of the property commonly known as 145 Thorn Tree Lane, Winnetka, Illinois (PIN: 05-20-319-041); and

10. Stacey Loftus Cohen as Trustee of the Eric A. Cohen Trust and of the Stacey Cohen Trust, owner of the property commonly known as 1005 Hill Road (also known as 125 Evergreen Lane), Winnetka, Illinois (PIN: 05-20-319-042).

(Collectively, ***"Owners"***.)

W I T N E S S E T H:

WHEREAS, on September 1, 1992, pursuant to Resolution R-175-92 the Village approved that certain a plat of subdivision for the Thorn Tree Subdivision, which was recorded in the Office of the Cook County Recorder of Deeds on May 14, 1993 as Document No. 93365595 (***"Plat"***).

WHEREAS, the Plat subdivides the property legally described in **Exhibit A** in to 10 lots of record.

WHEREAS, the Owners own the various lots within the Property.

WHEREAS, the owner of the Property at the time the Plat was executed dedicated on Plat, for the benefit of all of the owners of the Property, an "Easement for Detention, Drainage, Public & Private Utilities" across a portion of Lots 3, 4, and 5 of the Plat (***"Detention Easement"***).

WHEREAS, Lot 4 Owner owns the portion of the Property commonly known as 130 Evergreen Lane, Winnetka, Illinois, and legally described in **Exhibit B** (***"Lot 4"***).

WHEREAS, Lot 4 Owner desires to construct on Lot 4 a swimming pool, pool terrace, wood deck, and other improvements (collectively, ***"Improvements"***).

WHEREAS, to construct the Improvements, Lot 4 Owner has requested that the Village, with the consent and agreement of all Owners, vacate a portion of the Detention Easement located on Lot 4, and dedicate, for the benefit of the Village and all Owners a new easement for detention, drainage, and public and private utilities.

WHEREAS, the Village and Owners desire to vacate a portion of the Detention Easement and for Lot 4 Owner to dedicate and provide a new easement to the Village and Owners.

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Village and Owner hereby covenant and agree as follows:

1. Recitals. The Recitals set forth above are hereby incorporated by this reference and shall be deemed terms and provisions hereof with the same force and effect as if fully set forth in this Section 1.

2. Vacation of Detention Easement. The Village and Owners hereby vacate the portion of the Detention Easement depicted in **Exhibit C** and marked thereon "Here By Vacated."

3. Grant and Use of New Easement. Lot 4 Owner grants, convey, warrant, and dedicates to the Village and all other owners of any portion of the Property, a perpetual easement in, at, over, along, across, through, upon, and under that portion of Lot 4 depicted on Exhibit C and labeled as "Here By Dedicated for Detention, Drainage, Public and Private Utilities" (***"New Easement Premises"***) for use for stormwater detention, drainage, and to survey, construct, operate, use, maintain, own, test, inspect, repair, remove, and replace or abandon in place (collectively, the "Installation") public and private utilities and any appurtenances thereto (the "Facilities"), together with all reasonable rights of ingress and egress over, along, across, and upon Lot 4 necessary for the exercise of the rights granted herein (***"New Easement"***).

4. Reserved Right. Lot 4 Owner reserves the right to use the New Easement Premises in any manner that will not prevent or interfere in any way with the exercise by the Village and Owners of the rights granted herein; provided, however, that the Owner shall not permanently or temporarily improve or obstruct the New Easement Premises or cause any improvements or obstructions to be constructed on the New Easement Premises that would impair the exercise by the Village or Owners of the rights granted herein without the express prior written consent of the Village Manager.

5. Indemnification. Lot 4 Owner hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with this First Amendment and the vacation of the Detention Easement.

6. Covenants Running With the Land. The New Easement and rights granted in this First Amendment, the restrictions imposed by this First Amendment, and the agreements and covenants contained in this First Amendment shall be easements, rights, restrictions, agreements and covenants running with the land, shall be recorded against the Property and shall be binding upon and inure to the benefit of the Owners and the Village and their respective heirs, executors, administrators, successors, assigns, agents, licensees, invitees, and representatives, including, without limitation, all subsequent owners of the Property, or any portion thereof, and all persons claiming under them. If any of the easements, rights, restrictions, agreements or covenants created by this First Amendment would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provision, (b) the rule restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits, then such easements, rights,

restrictions, agreements or covenants shall continue only until 21 years after the death of the last survivor of the now living lawful descendants of the current Governor of the State of Illinois..

7. **Counterparts**. To facilitate execution of this First Amendment, this First Amendment may be executed in multiple counterparts, each of which, when assembled to include an original signature for each party contemplated to sign this First Amendment, will constitute a complete and fully executed original.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

ATTEST: **VILLAGE OF WINNETKA**

_____ By:_____

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

This instrument was acknowledged before me on _____, 20__, by _____, the Village _____ of the Village, an Illinois home rule municipal corporation, and by _____, of the Village Clerk of said municipal corporation.

_____
Signature of Notary

SEAL

My Commission expires:_____

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

SUSAN S. MEYER, AS TRUSTEE OF THE SUSAN MEYER REVOCABLE TRUST DATED 12/26/2006

By [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 26, 2021, by Susan S. Meyer, as Trustee of the Susan Meyer Revocable Trust dated 12/26/2006, which individual is known to me to be the identical person who signed the foregoing instrument, and that they executed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

NEIL S. NOVICH AND DEBORAH W. NOVICH, AS CO-TRUSTEES, AND ON BEHALF OF ALL SUCCESSOR TRUSTEES, OF THE DEBORAH NOVICH DECLARATION OF TRUST, AS AMENDED AND RESTATED U/A/D 10/22/2010

By: [redacted]

By: [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 26, 2021, by Neil S. Novich and Deborah W. Novich, as Co-Trustees, and on behalf of all successor trustees, of the Deborah Novich Declaration of Trust, as amended and restated u/a/d 10/22/2010, which individuals are known to me to be the identical persons who signed the foregoing instrument, and that they executed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

PAUL J. HULSEMAN AND PATRICE M. HULSEMAN

By [redacted]

By [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 12, 2021, by Paul J. Hulseman and Patrice M. Hulseman, known to me to be the persons whose names are subscribed to the foregoing instrument and who did acknowledge that they executed the above instrument, duly authorized, voluntarily and their free act and deed.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

CCN HAPPY PLACE LLC

By: [redacted]
David B. Nelson
Manager

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 12, 2021, by DAVID B. NELSON, MANAGER of CCN Happy Place LLC, which individual is known to me to be the identical person who signed the foregoing instrument as such officer of the limited liability company for and in behalf of said company, and that they executed the same as their free and voluntary act and deed and as the free and voluntary act of the company, for the uses and purposes herein mentioned.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

DAVID AND COURTNEY NELSON

By: [redacted]

By: [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 12, 2021, by David and Courtney Nelson, known to me to be the persons whose names are subscribed to the foregoing instrument and who did acknowledge that they executed the above instrument, duly authorized, voluntarily and their free act and deed.

[redacted]

Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

GREGORY S. BAILEY AND JULIE D. BAILEY

By: [redacted]

By: [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 26, 2021 by Gregory S. Bailey and Julie D. Bailey, known to me to be the persons whose names are subscribed to the foregoing instrument and who did acknowledge that they executed the above instrument, duly authorized, voluntarily and their free act and deed.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

LAURA MCCORVIE

By: [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 26, 2021, by Laura McCorvie, known to me to be the person whose name is subscribed to the foregoing instrument and who did acknowledge that she executed the above instrument, duly authorized, voluntarily and her free act and deed.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

MARCIA S. GRENESKO, TRUSTEE OF THE MARCIA S. GRENESKO TRUST U/A/D 9/23/1999

By: [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 26, 2021 by Marcia S. Grenesko, Trustee of the Marcia S. Grenesko Trust u/a/d 9/23/1999, which individual is known to me to be the identical person who signed the foregoing instrument, and that they executed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.

[redacted]

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

THOMAS TINGLE AND KATHLEEN PRASSAS TINGLE

By: [redacted]

By: [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 26, 2021, by Thomas Tingle and Kathleen Prassas Tingle, known to me to be the persons whose names are subscribed to the foregoing instrument and who did acknowledge that they executed the above instrument, duly authorized, voluntarily and their free act and deed.

[redacted]

Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals as of the Execution Date first above written.

STACEY LOFTUS COHEN AS TRUSTEE OF THE ERIC A. COHEN TRUST AND THE STACEY COHEN TRUST

By [redacted]

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

This instrument was acknowledged before me on July 12, 2021 by Stacey Loftus Cohen as Trustee of the Eric A. Cohen Trust, and Stacey Loftus Cohen as Trustee of the Stacey Cohen Trust, which individual is known to me to be the identical persons who signed the foregoing instrument, and that she executed the same as her free and voluntary act and deed for the uses and purposes herein mentioned.

[redacted]
Signature of Notary

JESSICA L YEE
Official Seal
Notary Public – State of Illinois
My Commission Expires Nov 13, 2021

EXHIBIT A

Legal Description of the Property

LOTS 1 – 10 IN THORN TREE SUBDIVISION, BEING A SUBDIVISION OF ALL OF LOT A AND PART OF LOT B IN HELEN BAKER JENNER'S SUBDIVISION OF PART OF THE EAST 10 ACRES OF THE SOUTH 20 ACRES OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, PURSUANT TO A PLAT OF SUBDIVISION RECORDED IN COOK COUNTY, ILLINOIS.

P.I.N.s: 05-20-319-033-0000
05-20-319-034-0000
05-20-319-035-0000
05-20-319-036-0000
05-20-319-037-0000
05-20-319-038-0000
05-20-319-039-0000
05-20-319-040-0000
05-20-319-041-0000
05-20-319-042-0000

EXHIBIT B

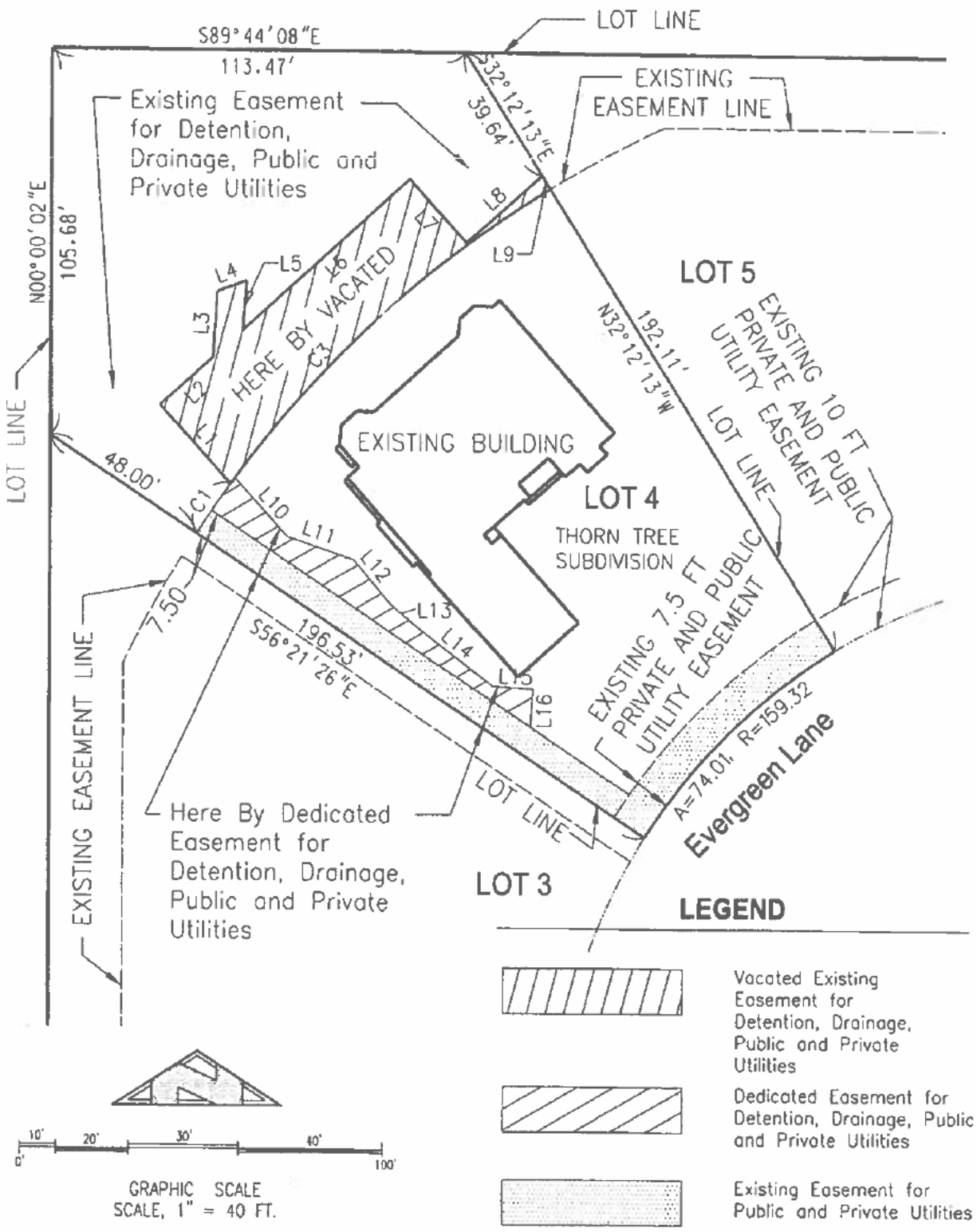
Legal Description of Lot 4

LOT4 IN THORN TREE SUBDIVISION, BEING A SUBDIVISION OF ALL OF LOT A AND PART OF LOT B IN HELEN BAKER JENNER'S SUBDIVISION OF PART OF THE EAST 10 ACRES OF THE SOUTH 20 ACRES OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, PURSUANT TO A PLAT OF SUBDIVISION RECORDED IN COOK COUNTY, ILLINOIS.

P.I.N.: 05-20-319-036-0000

EXHIBIT C

EXHIBIT C



Note:
The basis of bearing is assumed

Prepared By: B.H.Suhr&Co. Order No.: 21-086 Date: 05/19/2021 REVISED 06/25/2021

EXHIBIT C

2 of 2

Vacated Easement Dimensions

Line Table		
Line #	Length	Direction
L1	28.98	S42° 08' 09"E
L2	19.48	S47° 51' 51"W
L3	18.03	S03° 54' 10"W
L4	8.48	S69° 31' 55"W
L5	13.53	N03° 54' 10"E
L6	62.03	S47° 51' 54"W
L7	23.27	N41° 49' 52"W
L8	27.56	S48° 10' 08"W
L9	4.26	N32° 12' 13"W

Proposed Easement Dimensions

Line Table		
Line #	Length	Direction
L10	21.61	S42°8'8.7"E
L11	19.44	S71°16'18.9"E
L12	15.66	S40°42'56.8"E
L13	8.75	S49°48'5.9"E
L14	27.07	S52°06'59.5"E
L15	11.07	S86°26'38.6"E
L16	10.40	S3°33'21.4"W

Note:
The basis of bearing is assumed

Curve Table				
Curve #	Arc Length	Radius	Chord	Chord Bearing
C1	16.45	310.000	16.44	S34° 35' 27"W
C3	120.09	310.000	119.34	N47° 12' 29"E

Prepared By: B.H.Suhr&Co. Order No.: 21-086 Date: 05/19/2021

EXHIBIT C

Plans

REMOVE EXISTING SLATE PATIO
STONE WALL AND STEPS

REMOVE EXISTING DRIVEWAY SURFACE.
UTILIZE EXISTING STONE BASE
COURSE IF SUITABLE

Existing
2 Story Brick & Stucco
Residence #130

GARAGE

LANDSCAPE AREA

LANE

EVERGREEN

PROPERTY LINE
(Approx. Location)

Existing Wood Fence

Stone Wall

Catchbasin
T/Rim 621.70

Storm M.H.
T/Rim 624.89

Inlet
T/Rim 624.44

Storm M.H.
T/Rim 624.63

Sanitary M.H.
T/Rim 624.21

Storm M.H.
T/Rim 625.15

10" Area Drain
T/Rim 624.21

Fire Hydrant
624.89

SCALE: 1"=10'

UTILITY LEGEND

- STORM SEWER
- SPOT ELEVATION (+655.42)
- CONTOUR (656)
- MANHOLE
- CATCHBASIN
- INLET
- FIRE HYDRANT
- VALVE VAULT
- LIGHT POLE
- UTILITY POLE
- TREE

DEMOLITION LEGEND

- EXISTING PATIO AND DRIVEWAY TO BE REMOVED
- TREE TO BE REMOVED

INDEX



PROJECT LOCATION

INDEX	
SHEET 1	EXISTING CONDITIONS AND DEMOLITION
SHEET 2	TREE REMOVAL/PRESERVATION AND EROSION CONTROL PLAN
SHEET 3	PROPOSED GRADING PLAN
SHEET 4	COMPENSITORY STORAGE ANLYSIS CONTOUR AREA
SHEET 5	COMPENSITORY STORAGE ANLYSIS CROSS SECTIONS
SHEET 6	COMPENSITORY STORAGE ANLYSIS CROSS SECTIONS
SHEET 7	SPECIFICATIONS, NOTES AND DETAILS

Benchmark Determined Using GPS With the
Illinois East 1201 Coordinate System, NAVD'88

Call Before You Dig
JULIE ILLINOIS ONE-CALL SYSTEM

DANIEL A. CREANEY
PE 062-33917
EXPIRATION DATE: 11/30/21

THESE PLANS OR ANY PART THEREOF SHALL BE CONSIDERED VOID WITHOUT THE ENGINEER'S ORIGINAL SIGNATURE, SEAL, AND ENDORSEMENT DATE

DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: D.A.C. CHECKED BY: SCALE: 1" = 10'
DRAWN BY: J.S. JOB NO.: 7999 BOOK:

130 EVERGREEN LANE
WINNETKA, IL 60093

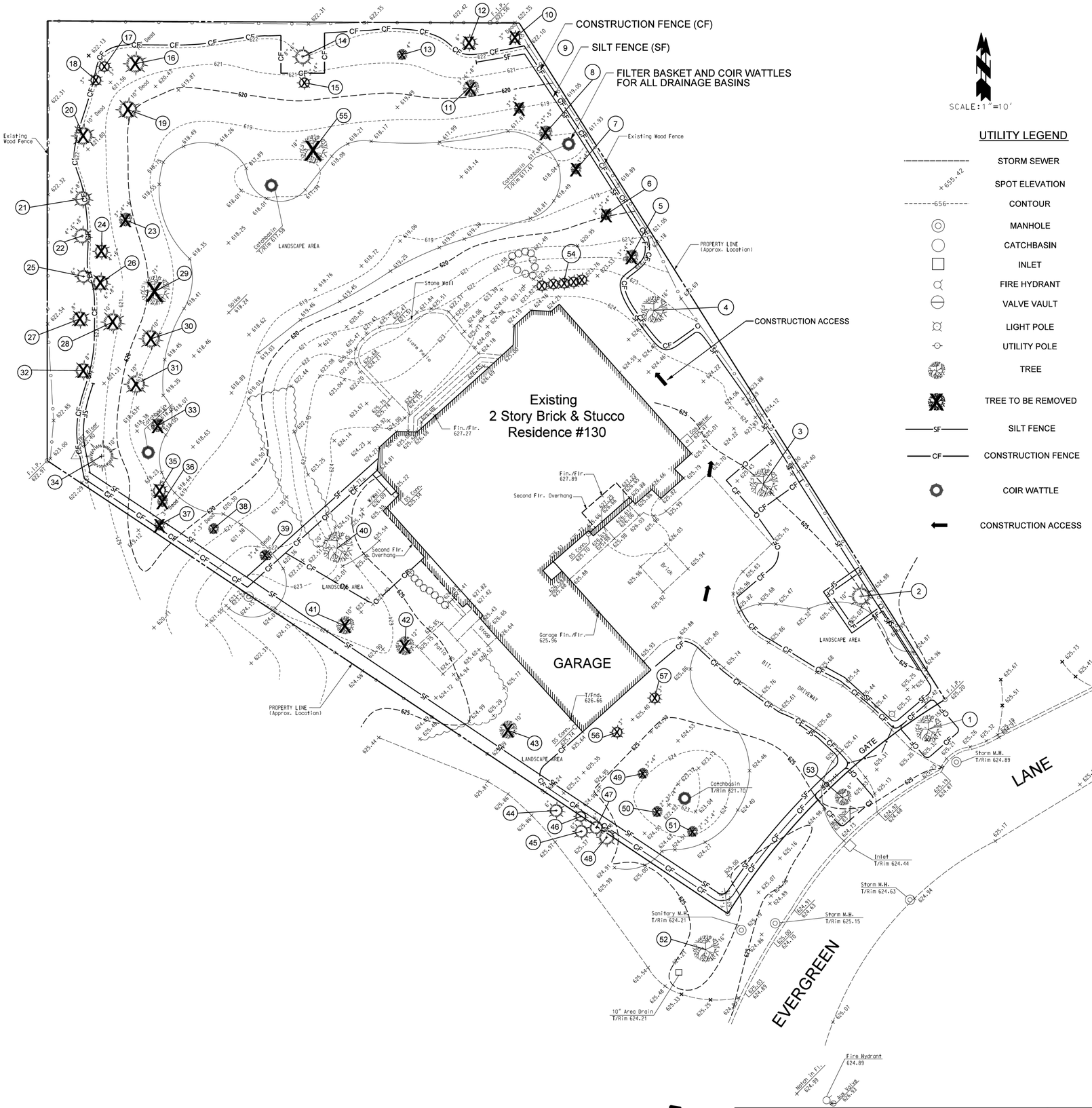
EXISTING CONDITIONS AND DEMOLITION PLAN

DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 1 OF 8
DATE 7-27-2021

Project No. 7999

7/27/2021
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SCALE: 1"=10'

UTILITY LEGEND

- STORM SEWER
- SPOT ELEVATION
- CONTOUR
- MANHOLE
- CATCHBASIN
- INLET
- FIRE HYDRANT
- VALVE VAULT
- LIGHT POLE
- UTILITY POLE
- TREE
- TREE TO BE REMOVED
- SILT FENCE
- CONSTRUCTION FENCE
- COIR WATTLE
- CONSTRUCTION ACCESS

TREE SURVEY AND INVENTORY

TAG NO.	TREE	SPECIES	DBH	CONDITION	DESCRIPTION/ ACTION
TREE CONDITION LEGEND: 1- Excellent; 2- Good; 3- Fair; 4- Poor; 5- Dying/Hazard; 6- Dead					
1	PEAR		15"	2	
2	WHITE PINE		10"	4	
3	NORWAY MAPLE		17"	3	
4	NORWAY MAPLE		14"	3	
5	HAWTHORN		MS	4	REMOVE
6	HAWTHORN		MS	3	REMOVE
7	HAWTHORN		MS	3	REMOVE
8	HAWTHORN		MS	3	REMOVE
9	HAWTHORN		MS	3	REMOVE
10	ARBORVITAE		4"	6	REMOVE
11	HAWTHORN		MS	3	REMOVE
12	ARBORVITAE		4"	3	REMOVE
13	RED MAPLE			3	REMOVE
14	ARBORVITAE		MS	3	
15	ARBORVITAE		MS	3	REMOVE
16	BLUE SPRUCE		9"	6	REMOVE
17	BLUE SPRUCE		10"	6	REMOVE
18	ARBORVITAE		MS	3	REMOVE
19	BLUE SPRUCE		14"	5	REMOVE
20	BLUE SPRUCE		10"	5	REMOVE
21	ARBORVITAE		4" - 8"	3	
22	ARBORVITAE		3" - 4"	3	
23	CRABAPPLE		3" - 4" - 6"	4	REMOVE
24	ARBORVITAE		4" - 3" - 3"	4	REMOVE
25	ARBORVITAE		4" - 4" - 3"	3	
26	ARBORVITAE		5" - 3" - 2"	3	REMOVE
27	ARBORVITAE		6" - 4" - 2"	3	REMOVE
28	ARBORVITAE		6" - 4" - 3"	3	REMOVE
29	HONEY LOCUST		15"	3	REMOVE
30	ARBORVITAE		10"	3	REMOVE
31	ARBORVITAE		10"	3	REMOVE
32	ARBORVITAE		5" - 5"	3	REMOVE
33	HAWTHORN		5" - 3" -2"	4	REMOVE
34	AUSTRIAN PINE		17"	4	
35	ASH		6"	-	REMOVE
36	ASH		3"	DEAD	REMOVE
37	ASH		2"	-	REMOVE
38	SERVICEBERRY		MS	4	REMOVE
39	SERVICEBERRY		MS	5	REMOVE
40	SILVER MAPLE		20"	3	
41	RIVER BIRCH		9" - 9"	6	REMOVE
42	RIVER BIRCH		9" - 11" - 11"	3	REMOVE
43	LINDEN		12"	3	REMOVE
44	CEDAR		3"	4	
45	CEDAR		4"	4	
46	CEDAR		2"	4	
47	CEDAR		4"	4	
48	CEDAR		5"	4	
49	HAWTHORN		MS	4	REMOVE
50	HAWTHORN		MS	4	REMOVE
51	HAWTHORN		MS	4	REMOVE
52	ASH		19"	3	
53	RED MAPLE		7"	4	
54	ROW OF ARBORVITAE				REMOVE
55	ASH		17"	3	REMOVE
56	ARBORVITAE		3" - 3"	4	REMOVE
57	ARBORVITAE		3"	3	REMOVE

FORESTRY NOTES

1. SCOTT BYRON AND COMPANY SHALL ENSURE THAT ALL CONTRACTORS, SUBCONTRACTORS OR OTHER PARTIES PERFORMING WORK ON PROJECT ARE FULLY AWARE OF THE APPROVED TREE PROTECTION PLAN AND ABIDE BY ALL REQUIREMENTS THEREIN.
2. TREE PROTECTION FENCING IS REQUIRED. PLANS FOR FENCING LOCATIONS AND MINIMUM DISTANCES FROM PROTECTED TREES. PROTECTED TREE FENCES MUST BE 6-FOOT CHAIN LINK OR SIMILAR MATERIAL ON DRIVEN POSTS. TREE PROTECTION SHALL NOT BE MOVED FOR ANY REASON FOR ANY PERIOD OF TIME WITHOUT FORESTRY APPROVAL.
3. SCOTT BYRON AND COMPANY CALL FOR A TREE FENCING INSPECTION PRIOR TO ANY CONSTRUCTION OR DEMOLITION. FAILURE TO DO SO SHALL RESULT IN A STOP WORK ORDER ON THE CONSTRUCTION PROJECT.
4. TREE REPLACEMENT IS AS FOLLOWS: REMOVAL INCHES: 122', REQUIRED REPLACEMENT INCHES: 50", REQUIRED REPLACEMENT DEPOSIT: $12,500.00. SEE ATTACHED FOR DETAILS.
5. GRADE CHANGES WITHIN THE TREE PROTECTION ZONES OF ANY PROTESTED TREE ARE PROHIBITED.
6. NO STOCKPILING OF ANY MATERIAL FOR ANY PERIOD OF TIME WITHIN TREE PROTECTION ZONES.
7. NO HEAVY MACHINERY MAY OPERATE WITHIN THE TREE PROTECTION ZONE DURING ANY PHASE OF CONSTRUCTION PROJECT, INCLUDING AFTER PROTECTIVE TREE FENCES HAVE BEEN REMOVED. OPERATING HEAVY MACHINERY WITHIN TREE PROTECTION ZONE WILL RESULT IN A STOP WORK ORDER.
8. DIRECTIONAL BORE UTILITIES/UTILITY REMOVAL WITHIN DRIP LINE OF EXISTING TREES AT A MINIMUM DEPTH OF 36 INCHES.
9. SCOTT BYRON AND COMPANY SHALL CALL FORESTRY DEPARTMENT FOR PERMISSION TO REMOVE PROTECTIVE TREE FENCING ONCE PROJECT IS COMPLETE.
10. FAILURE TO COMPLY WITH THE PRECEDING ITEMS SHALL RESULT IN A STOP WORK ORDER.

Benchmark Determined Using GPS With the Illinois East 1201 Coordinate System, NAVD'88

Call Before You Dig — JULIE ILLINOIS ONE-CALL SYSTEM

DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: D.A.C. CHECKED BY: _____ SCALE: 1" = 10'
DRAWN BY: J.S. JOB NO.: 7999 BOOK: _____

130 EVERGREEN LANE
WINNETKA, IL 60093

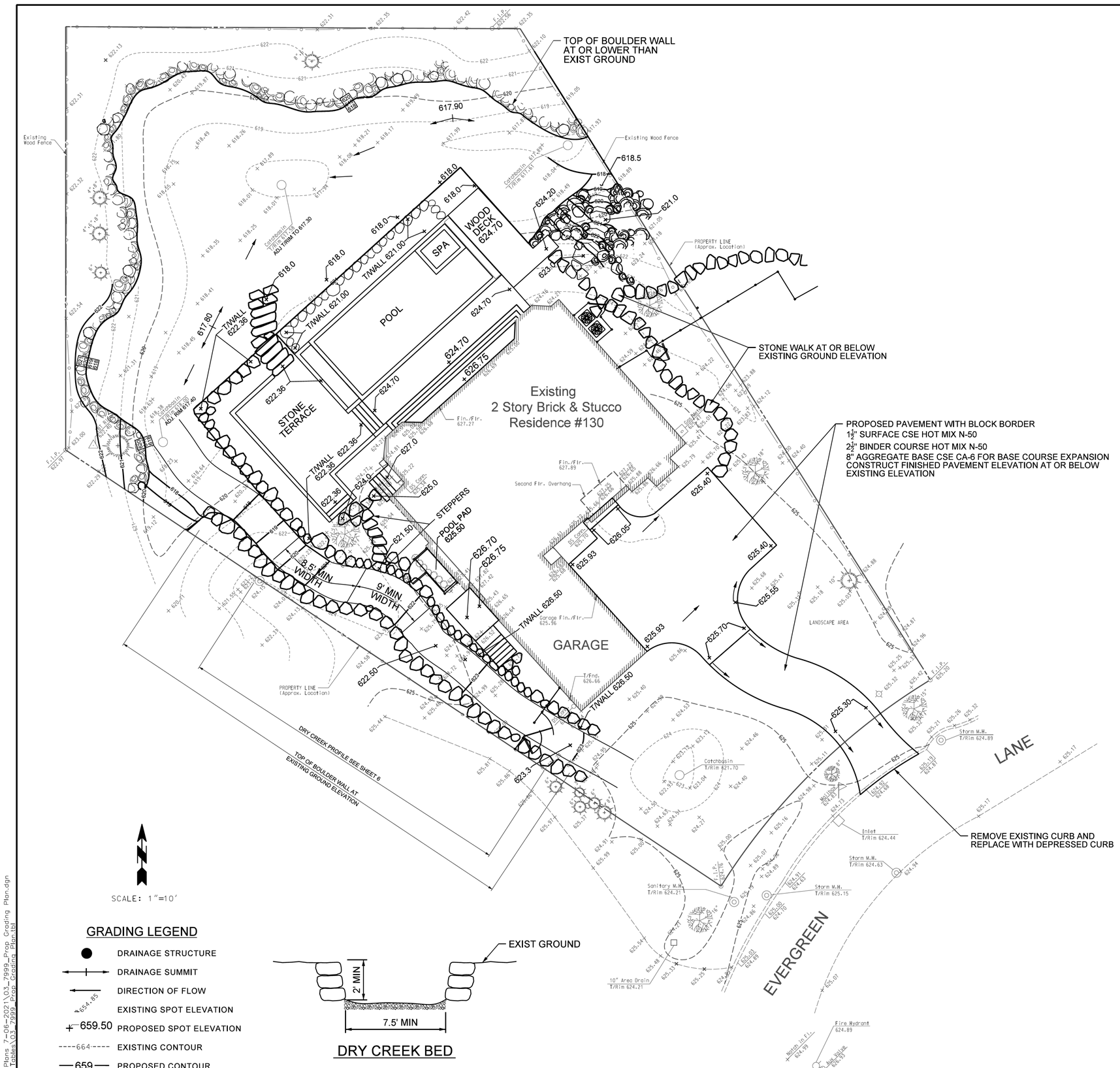
TREE PROTECTION/REMOVAL AND EROSION CONTROL

DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 2 OF 8
DATE 7-27-2021

Project No. 7999

7/27/2021
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SCALE: 1"=10'

GRADING LEGEND

- DRAINAGE STRUCTURE
- DRAINAGE SUMMIT
- DIRECTION OF FLOW
- 654.85 EXISTING SPOT ELEVATION
- + 659.50 PROPOSED SPOT ELEVATION
- ----664---- EXISTING CONTOUR
- —659— PROPOSED CONTOUR
- OVERFLOW ROUTE

DRY CREEK BED

Benchmark Determined Using GPS With the Illinois East 1201 Coordinate System, NAVD'88

EXISTING IMPERVIOUS AREAS 130 EVERGREEN LANE	
LOT AREA*	**27,448**
HOUSE, WINDOW WELLS, FRONT STOOP	3,759
DRIVEWAY	1,758
WEST PATIO AND STOOP	122
LEDGE ROCK LANDACAPE FEATURES	1,140
REAR SLATE PATIO AND STEPS	556
TOTAL IMPERVIOUS AREA	7,334
	26.7 %

$$C = \frac{7{,}334(0.95) + 20{,}114(0.25)}{27{,}448} = 0.437$$

PROPOSED IMPERVIOUS AREAS 130 EVERGREEN LANE	
LOT AREA*	**27,448**
HOUSE, WINDOW WELLS, FRONT STOOP	3,759
DRIVEWAY	1,938
POOL,SPA,AND DECK	2,394
POOL EQUIPEMENT PAD, WEST STEPS AND STOOPS	200
WOOD DECK,GRASS BELOW	0
BOULDER WALLS, STEPPERS	2,484
TOTAL IMPERVIOUS AREA	10,776
	39.3 %

$$C = \frac{10{,}776(0.95) + 16{,}672(0.25)}{27{,}448} = 0.525$$

Call Before You Dig — JULIE ILLINOIS ONE-CALL SYSTEM

DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: D.A.C. CHECKED BY: _____ SCALE: 1" = 10'
DRAWN BY: J.S. JOB NO.: 7999 BOOK: _____

130 EVERGREEN LANE
WINNETKA, IL 60093

PROPOSED GRADING PLAN

DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 3 OF 8
DATE 7-27-2021

Project No. 7999

7/27/2021
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SCHEDULE A
BASIC INFORMATION

MWRDGC Permit No. 92 359

1. NAME OF PROJECT Proposed Subdivision Improvements for Thorn Tree (as shown on plans)

2. APPURTENANCES (check all applicable items)
- ☐ Siphon
- ☐ Drop Manholes
- ☐ Stream Crossing
- ☐ Direct Connections to MWRDGC

3. RECEIVING SANITARY SEWER SYSTEM

A. System that project will connect to is:

☒ Existing ☐ Proposed/Under Construction—>MWRDGC Permit # _____

B. List owners of all sewers from project to MWRDGC interceptor Village of Winnetka

4. EXISTING LIFT STATION

☒ No ☐ Yes—> Receiving system includes existing lift station

If Yes, indicate location _____

5. FLOOD PLAIN

Is any part of the project area in a flood plain?

☐ No ☒ Yes—> Percentage of area in flood plain 53 %

Flood crest elevation 624.8 Ft.

Identify any manholes in flood plain: _____

6. SIZE OF PROJECT

A. What is the size of this project? 6.62 acres

B. Total contiguous ownership, including project 6.62 acres

C. Existing impervious area within project 0.27 acres

D. New impervious area created within project 2.01 acres

7. DETENTION

A. Is detention provided under this permit?

☐ No ☒ Yes —> Detention required by: ☒ MWRDGC ☐ Other

B. Is project in the service area of existing detention reservoir?

☒ No ☐ Yes —> MWRDGC Permit No. _____

SCHEDULE D - DETENTION

MWRDGC Permit No. 92 359

A. PROJECT INFORMATION

Name of Project Proposed Subdivision Improvements for Thorn Tree (as shown on plans)

B. Method of Detention:

☒ Reservoir ☐ Rooftop ☐ Parking Lot

☐ Other _____

C. UNDEVELOPED SITE-DETERMINATION OF ALLOWABLE RELEASE

1. Area of site	6.62		acres
2. Average ground slope	1/100		text/xxx
3. Overland flow distance	480		feet
4. Overland flow time of concentration	28		minutes
5. Average slope of channelized flow (see note)	N/A		text/xxx
6. Channelized flow distance (see note)	N/A		feet
7. Channelized flow time of concentration	N/A		minutes
8. Total time of concentration (line 4 + line 7)	28		minutes
9. Rainfall intensity for 2-year storm	2.56		inches/hr
10. Allowable release rate, (0.15*line 9*line 1 or Q=0.15*7A)	2.54	0.66*	cfs
11. Actual release rate (cannot be greater than line 10)	0.66		cfs
12. Restrictor size	4		inches

* Allowable release rate used to size detention basin is based on 0.10 C.F.S. per acre.

NOTE: For flow time in a well defined channel, determine time of concentration from measured lengths, cross-sections and slopes. Submit necessary calculation.

PAGE 1 of 2

SCHEDULE D - DETENTION (continued)

MWRDGC Permit No. 92 359

D. DEVELOPED SITE-DETERMINATION OF RESERVOIR SIZE

(Submit calculations for 3 and 4)

1. Impervious drainage area	2.28	acres
2. Pervious drainage area	4.34	acres
3. Composite runoff coefficient(c)	0.49	
4. Required detention capacity	0.55	acre-feet
5. Actual detention capacity provided	1.209	acre-feet

E. REQUIRED BYPASS RATE THROUGH DEVELOPMENT SITE FROM UPSTREAM AREA

NOTE: Design frequency shall be determined by local ordinance. If no local requirement is established use 5 year storm frequency.

1. Total area upstream	None	acres
2. Impervious area	N/A	acres
3. Pervious area	N/A	acres
4. Composite runoff coefficient (minimum of 0.35)	N/A	
5. Design storm frequency for the upstream area	N/A	year
6. Time of concentration for upstream area at point of entry; upstream area to be considered as developed	N/A	minutes
7. Rainfall intensity for time of concentration	N/A	inches/hr
8. Permissible bypass rate (line 1*line 4*line 7)	N/A	cfs

Name Don R. Fielding, P.E.

Title President

Signature Don R. Fielding P.E. Date 5-19-92

Engineering Firm Charles W. Greengard Associates, Inc.

P.E. SEAL

PAGE 2 of 2

DANIEL CREANEY COMPANY
450 Skokie Blvd. Suite 105
Northbrook, Illinois 60062
(847) 480-5757

PROJECT NAME: 130 Evergreen
PROJECT NO.: 7999
DATE: 05/18/2021
BY: DAC

ORIGINAL SUBDIVISION DESIGN WITH BULLETIN 75 AND "C" = 0.490
DETENTION CALCULATIONS (Bulletin 75 - 100 Yr. Storm)

Existing Site

1. AREA OF SITE, (ACRES)		6.620
2. HEIGHT OF MOST REMOTE POINT OVER OUTLET, (FT)		
3. OVERLAND FLOW DISTANCE, (FT)		
4. AVERAGE GROUND SLOPE, (FT/FT)		
5. OVERLAND FLOW TIME OF CONCENTRATION, (MIN)		
6. RAINFALL INTENSITY 3 YEAR STORM, (IN/HR)		
7. RUNOFF COEFICIENT		
8. ALLOWABLE RELEASE RATE, (CFS)	0.10 CFS per acre	0.662

Developed site

9. "C" FACTOR IMPERVIOUS	0.95
10. "C" FACTOR PERVIOUS	0.25
11. IMPERVIOUS DRAINAGE AREA, (ACRES)	
12. PERVIOUS DRAINAGE AREA, (ACRES)	
13. COMPOSITE RUNOFF COEFICIENT	0.490

REQUIRED VOLUME

A DURATION TIME HRS	MIN	B DURATION COEF A/12	C INTENSITY 100 YR IN/HR	D INFLOW RATE CFS LN1xLN13xC	E STORED RATE CFS D-LN8	F REQUIRED VOLUME ACRE FT B-E
0.08	5	0.007	12.36	40.093	39.431	0.2629
0.17	10	0.014	10.80	35.033	34.371	0.4869
0.25	15	0.021	9.28	30.102	29.440	0.6133
0.33	20	0.028	8.04	26.080	25.418	0.6990
0.50	30	0.042	6.34	20.566	19.904	0.8293
0.67	40	0.056	5.28	17.127	16.465	0.9193
0.83	50	0.069	4.55	14.759	14.097	0.9751
1.00	60	0.083	4.03	13.073	12.411	1.0342
1.50	90	0.125	3.03	9.829	9.167	1.1458
2.00		0.167	2.49	8.077	7.415	1.2358
3.00		0.250	1.83	5.936	5.274	1.3185
4.00		0.333	1.48	4.801	4.139	1.3796
5.00		0.417	1.25	4.055	3.393	1.4136
6.00		0.500	1.07	3.471	2.809	1.4044
7.00		0.583	0.96	3.114	2.452	1.4304
8.00		0.667	0.86	2.790	2.128	1.4184
9.00		0.750	0.79	2.563	1.901	1.4255
10.00		0.833	0.72	2.336	1.674	1.3946
11.00		0.917	0.67	2.173	1.511	1.3854
12.00		1.000	0.62	2.011	1.349	1.3492
18.00		1.500	0.45	1.460	0.798	1.1966
24.00		2.000	0.36	1.168	0.506	1.0115

1.4304 PRORATED FOR 130 EVERGREEN (0.63 AC)
0.63/6.62 (1.4304) = 0.1361 AC FT

DANIEL CREANEY COMPANY
450 Skokie Blvd. Suite 105
Northbrook, Illinois 60062
(847) 480-5757

PROJECT NAME: 130 Evergreen
PROJECT NO.: 7999
DATE: 05/18/2021
BY: DAC

ORIGINAL SUBDIVISION DESIGN WITH BULLETIN 75 AND "C" = 0.525
DETENTION CALCULATIONS (Bulletin 75 - 100 Yr. Storm)

Existing Site

1. AREA OF SITE, (ACRES)		6.620
2. HEIGHT OF MOST REMOTE POINT OVER OUTLET, (FT)		
3. OVERLAND FLOW DISTANCE, (FT)		
4. AVERAGE GROUND SLOPE, (FT/FT)		
5. OVERLAND FLOW TIME OF CONCENTRATION, (MIN)		
6. RAINFALL INTENSITY 3 YEAR STORM, (IN/HR)		
7. RUNOFF COEFICIENT		
8. ALLOWABLE RELEASE RATE, (CFS)	0.10 CFS per acre	0.662

Developed site

9. "C" FACTOR IMPERVIOUS	0.95
10. "C" FACTOR PERVIOUS	0.25
11. IMPERVIOUS DRAINAGE AREA, (ACRES)	
12. PERVIOUS DRAINAGE AREA, (ACRES)	
13. COMPOSITE RUNOFF COEFICIENT	0.525

REQUIRED VOLUME

A DURATION TIME HRS	MIN	B DURATION COEF A/12	C INTENSITY 100 YR IN/HR	D INFLOW RATE CFS LN1xLN13xC	E STORED RATE CFS D-LN8	F REQUIRED VOLUME ACRE FT B-E
0.08	5	0.007	12.36	42.957	42.295	0.2820
0.17	10	0.014	10.80	37.535	36.873	0.5224
0.25	15	0.021	9.28	32.253	31.591	0.6581
0.33	20	0.028	8.04	27.943	27.281	0.7502
0.50	30	0.042	6.34	22.035	21.373	0.8905
0.67	40	0.056	5.28	18.351	17.689	0.9876
0.83	50	0.069	4.55	15.814	15.152	1.0480
1.00	60	0.083	4.03	14.006	13.344	1.1120
1.50	90	0.125	3.03	10.531	9.869	1.2336
2.00		0.167	2.49	8.654	7.992	1.3320
3.00		0.250	1.83	6.360	5.698	1.4245
4.00		0.333	1.48	5.144	4.482	1.4939
5.00		0.417	1.25	4.344	3.682	1.5343
6.00		0.500	1.07	3.719	3.057	1.5284
7.00		0.583	0.96	3.336	2.674	1.5601
8.00		0.667	0.86	2.989	2.327	1.5513
9.00		0.750	0.79	2.746	2.084	1.5627
10.00		0.833	0.72	2.502	1.840	1.5336
11.00		0.917	0.67	2.329	1.667	1.5277
12.00		1.000	0.62	2.155	1.493	1.4928
18.00		1.500	0.45	1.564	0.902	1.3330
24.00		2.000	0.36	1.251	0.589	1.1784

1.5627 PRORATED FOR 130 EVERGREEN (0.63 AC)

0.63/6.62 (1.5627) = 0.1487 AC FT
0.1487 - 0.1361 = 0.0126 AC FT
= 549 CU FT
STORM WATER DETENTION REQUIRED = 549 CU FT

DETENTION CALUCALTIONS
130 EVERGREEN LANE
WINNETKA, IL

OVERVIEW
THE PROPERTY AT 130 EVERGREEN LANE IS PART OF A 10 LOT SUBDIVISION DEVELOPED IN 1992 UNDER THE VILLAGE OF WINNETKA'S DETENTION REQUIREMENTS. BECAUSE A PORTION OF THE SUBDIVISION WAS BELOW THE FLOOD PLAIN ELEVATION AND FILLED IN AT THE TIME OF DEVELOPMENT, COMPENSATORY STORAGE WAS ALSO REQUIRED AND ADDED TO THE STORM WATER DETENTION VOLUME. A LARGE DETENTION AND COMPENSATORY STORAGE AREA WAS CREATED IN THE REAR OF SEVERAL LOTS AS PART OF THE ORIGINAL DEVELOPMENT, INCLUDING 130 EVERGREEN LANE.

THE PROPOSED POOL, STONE TERRACE, DECK, AND STAIRS (POOL IMPROVEMENTS) WILL FILL IN A PORTION OF THE DETENTION AND COMPENSATORY STORAGE BASIN AT 130 EVERGREEN LANE. CALCULATIONS SHOWN ON THE POOL CONSTRUCTION IMPROVEMENT PLANS SHOW THAT THE DISPLACED VOLUME FROM THE POOL IMPROVEMENTS IN BEING REPLACED, AS PART OF THE POOL IMPROVEMENT, ADDITIONAL IMPERVIOUS AREA WILL BE ADDED TO THE LOT.

THE VILLAGE OF WINNETKA HAS A REQUIREMENT THAT IF THE EXISTING IMPERVIOUS AREA ON A SINGLE FAMILY LOT INCREASES, THEN STORM WATER DETENTION IS REQUIRED FOR THE INCREASED IMPERVIOUS AREA. THE CALCULATION FOR THIS INCREASE IN IMPERVIOUS AREA SUBTRACTS THE THEORETICAL EXISTING DETENTION VOLUME FROM THE PROPOSED DETENTION VOLUME, IN OUR CASE, RATHER THAN THE THEORETICAL EXISTING DETENTION VOLUME. I HAVE USED THE ACTUAL DETENTION VOLUME PROVIDED. I HAVE REVIEWED THE 1992 MWRD PERMIT APPLICATION, SCHEDULE D (ATTACHED) THAT SHOWS THE FOLLOWING INFORMATION:

AREA OF SITE (10 LOT SUBDIVISION)= 6.62 AC
COMPOSITE RUNOFF COEFFICIENT= 0.49
ACTUAL DETENTION CAPACITY PROVIDED= 1.209 AC/FT
ACTUAL RELEASE RATE= 0.10 CFS/AC

THE PROPOSED "C"VALUE FOR THE POOL IMPROVEMENTS IS 0.525. THEREFORE, I HAVE PROVIDED ADDITIONAL STORM WATER DETENTION FOR THE INCREASE IN THE "C"VALUE FROM 0.49 TO 0.525.

STORM WATER DETENTION CALCULATION ARE PROVIDED FOR THE C = 0.49, A RELEASE RATE OF 0.10 CFS/AC AND USING BULLETIN 75, PROPOSED STORM WATER DETENTIONS ARE PROVIDED FOR THE PROPOSED "C"VALUE OF 0.525 A PROPOSED RELEASE RATE OF 0.10 CFS/AC, USING BULLETIN 75.

THE ADDITIONAL VOLUME STORM WATER DETENTION FROM THE ENCLOSED CALCULATIONS IN 0.1487 0.1361 = 0.0126 AC/FT OR 549 CU/FT

ENCLOSURES

1. 1992 MWRD PERMIT, SCHEDULE D
2. EXISTING STORM WATER DETENTION CALCULATIONS FOR THE 10 LOT, 6.62 ACRE SITE, CALCULATIONS PRORATED FOR DETENTION AT 130 EVERGREEN LANE.
3. PROPOSED STORM WATER DETENTION CALCULATIONS FOR THE 10 LOT, 6.62 ACRE SITE, CALCULATIONS PRORATED FOR DETENTION AT 130 EVERGREEN LANE.

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DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: _____ CHECKED BY: _____ SCALE: NA
DRAWN BY: _____ JOB NO.: 7999 BOOK: _____

130 EVERGREEN LANE
WINNETKA, IL 60093

STORMWATER DETENTION CALCULATION

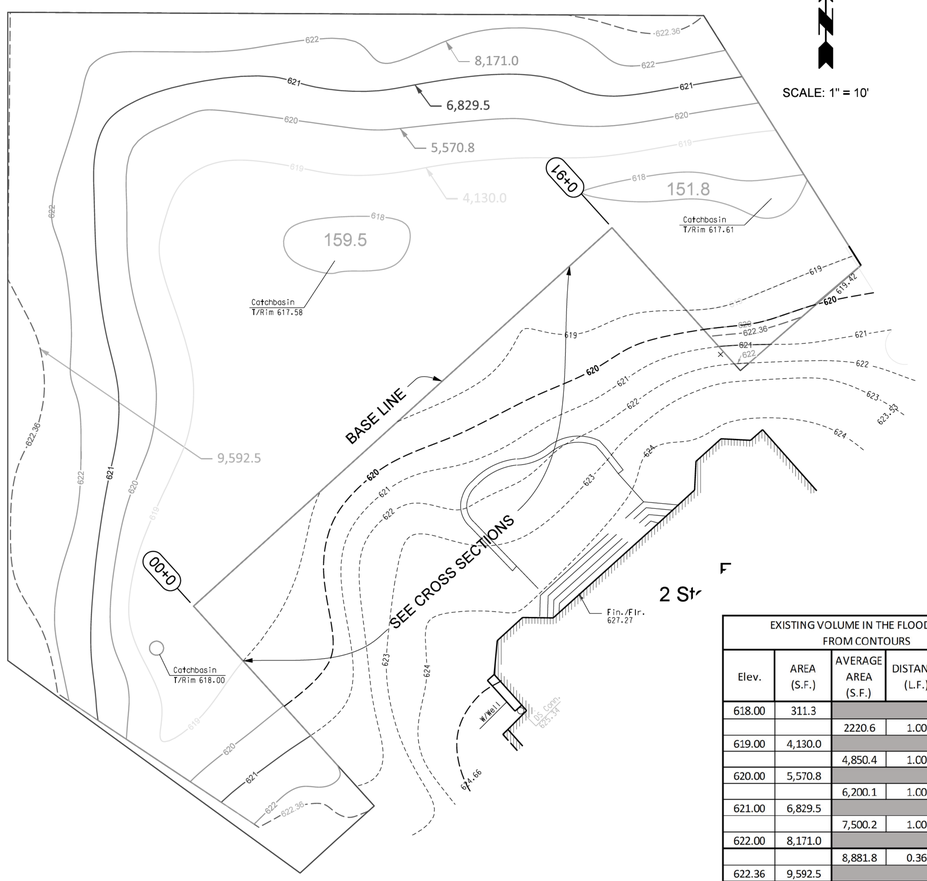
DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 4 OF 8
DATE 7-27-2021

Project No. 7999

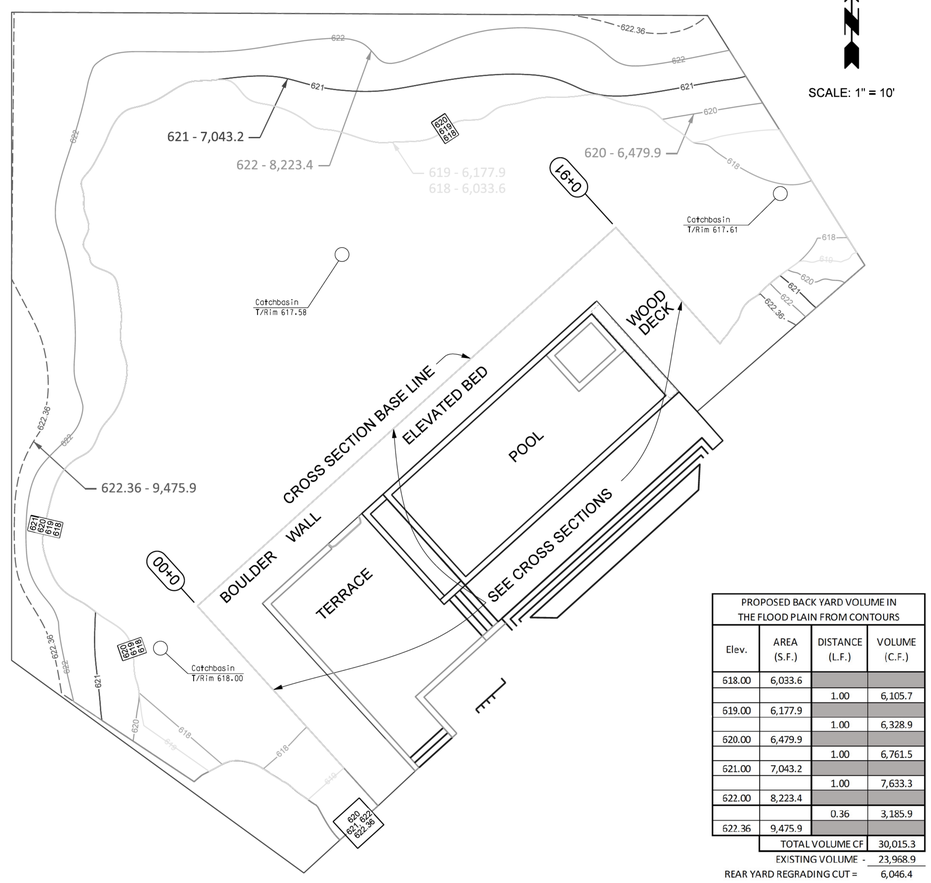
7/27/2021
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EXISTING AREAS REAR YARD



EXISTING VOLUME IN THE FLOOD PLAIN FROM CONTOURS				
Elev.	AREA (S.F.)	AVERAGE AREA (S.F.)	DISTANCE (L.F.)	VOLUME (C.F.)
618.00	311.3			
		2220.6	1.00	2,220.6
619.00	4,130.0			
		4,850.4	1.00	4,850.4
620.00	5,570.8			
		6,200.1	1.00	6,200.1
621.00	6,829.5			
		7,500.2	1.00	7,500.2
622.00	8,171.0			
		8,881.8	0.36	3,197.4
622.36	9,592.5			
		TOTAL VOLUME CF		23,968.9

PROPOSED AREAS REAR YARD



PROPOSED BACK YARD VOLUME IN THE FLOOD PLAIN FROM CONTOURS			
Elev.	AREA (S.F.)	DISTANCE (L.F.)	VOLUME (C.F.)
618.00	6,033.6		
		1.00	6,105.7
619.00	6,177.9		
		1.00	6,328.9
620.00	6,479.9		
		1.00	6,761.5
621.00	7,043.2		
		1.00	7,633.3
622.00	8,223.4		
		0.36	3,185.9
622.36	9,475.9		
	TOTAL VOLUME CF		30,015.3
	EXISTING VOLUME -		23,968.9
	REAR YARD REGRADING CUT =		6,046.4

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DESIGNED BY: _____ CHECKED BY: _____ SCALE: _____
DRAWN BY: _____ JOB NO.: 7999 BOOK: _____

130 EVERGREEN LANE
WINNETKA, IL 60093

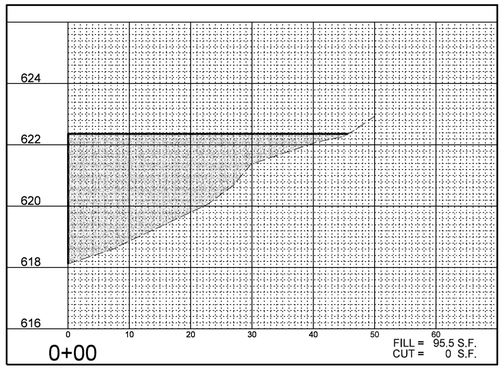
CONTOUR AREA
COMPENSATORY STORAGE ANALYSIS

DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 5 OF 8
DATE 7-27-2021

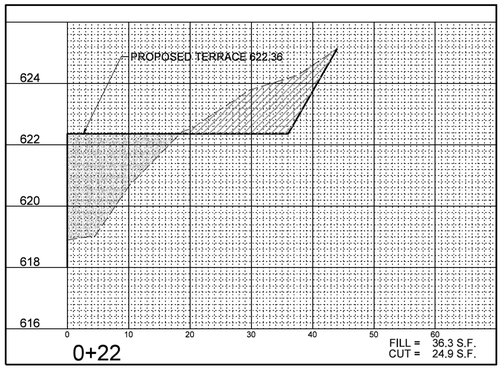
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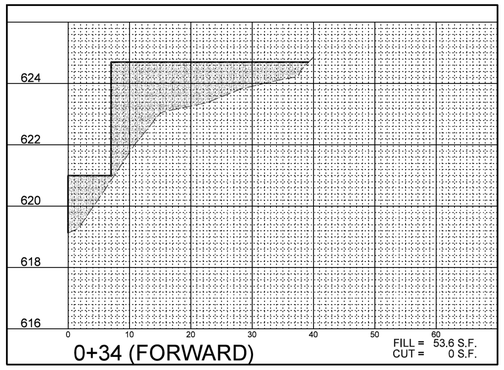
0+00

FILL = 95.5 S.F.
CUT = 0 S.F.



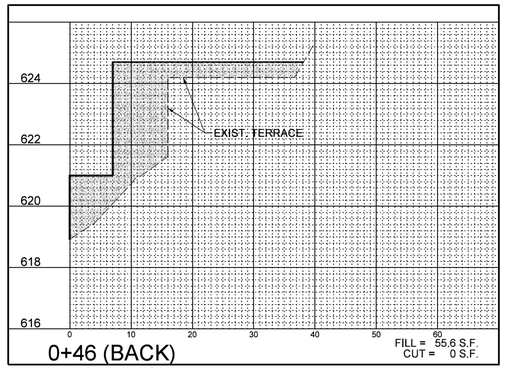
0+22

FILL = 36.3 S.F.
CUT = 24.9 S.F.



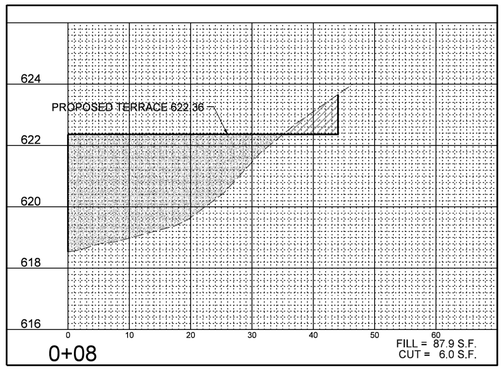
0+34 (FORWARD)

FILL = 53.6 S.F.
CUT = 0 S.F.



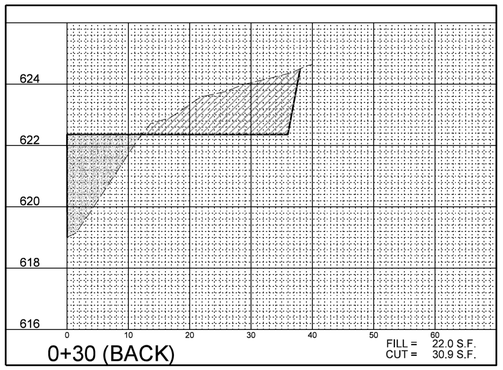
0+46 (BACK)

FILL = 55.6 S.F.
CUT = 0 S.F.



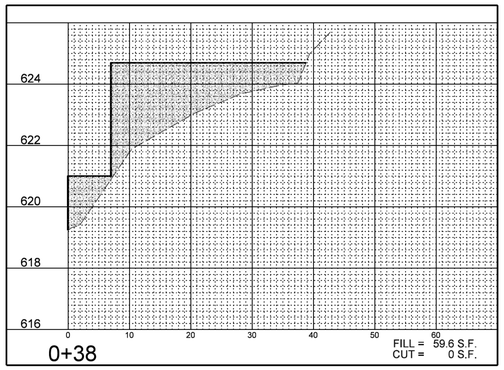
0+08

FILL = 87.9 S.F.
CUT = 6.0 S.F.



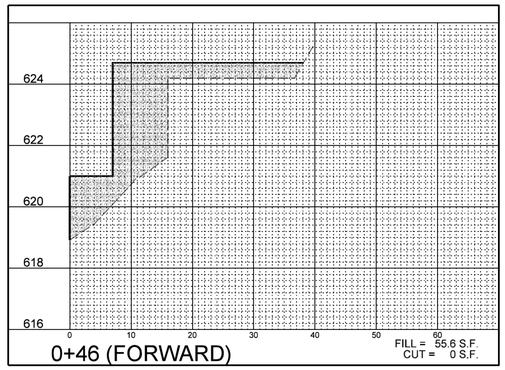
0+30 (BACK)

FILL = 22.0 S.F.
CUT = 30.9 S.F.



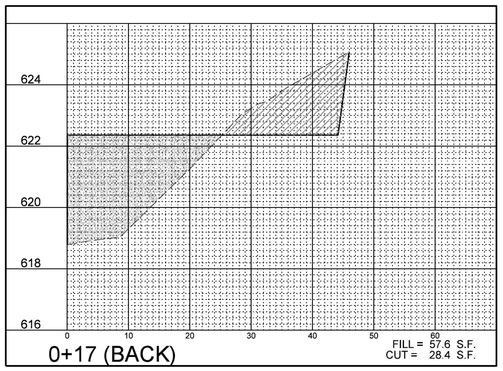
0+38

FILL = 59.6 S.F.
CUT = 0 S.F.



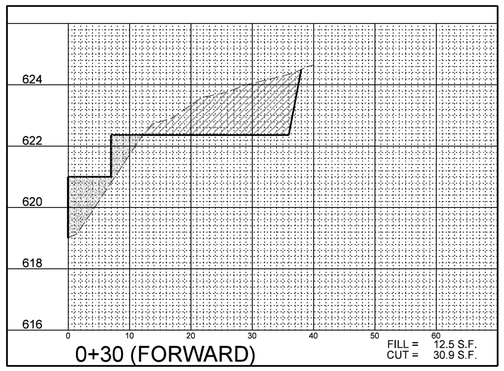
0+46 (FORWARD)

FILL = 55.6 S.F.
CUT = 0 S.F.



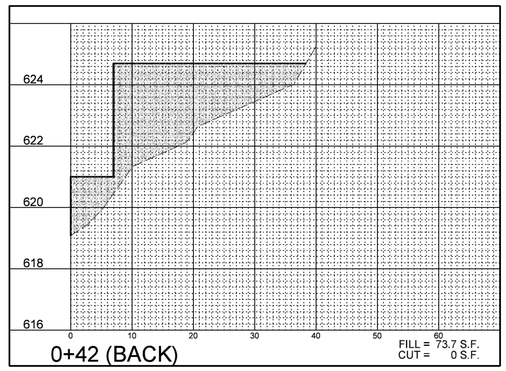
0+17 (BACK)

FILL = 57.6 S.F.
CUT = 28.4 S.F.



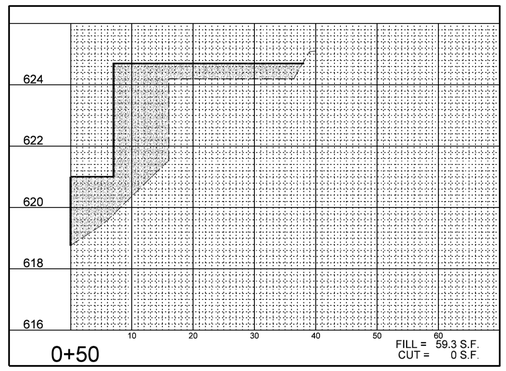
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FILL = 12.5 S.F.
CUT = 30.9 S.F.



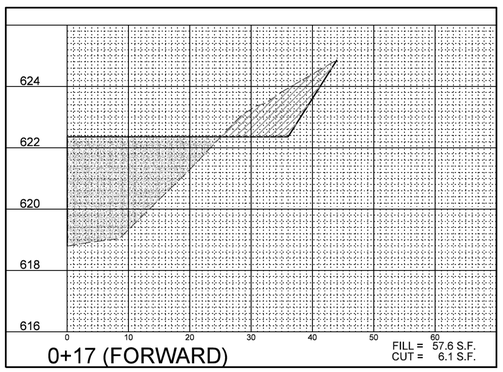
0+42 (BACK)

FILL = 73.7 S.F.
CUT = 0 S.F.



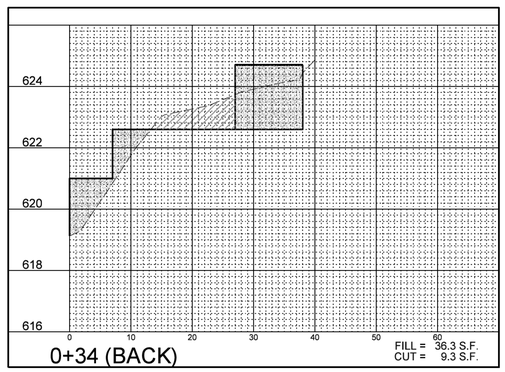
0+50

FILL = 59.3 S.F.
CUT = 0 S.F.



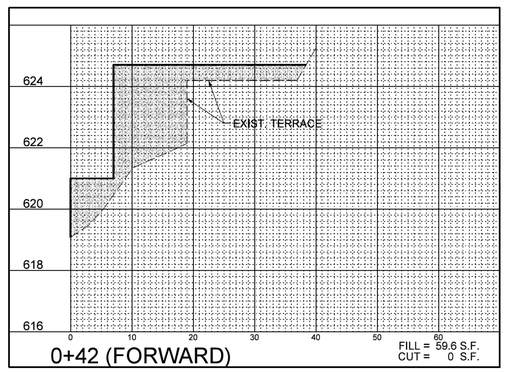
0+17 (FORWARD)

FILL = 57.6 S.F.
CUT = 6.1 S.F.



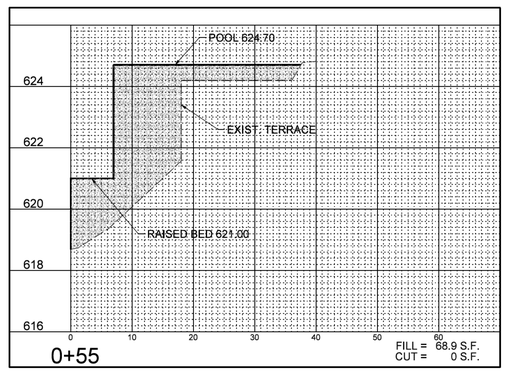
0+34 (BACK)

FILL = 36.3 S.F.
CUT = 9.3 S.F.



0+42 (FORWARD)

FILL = 59.6 S.F.
CUT = 0 S.F.



0+55

FILL = 68.9 S.F.
CUT = 0 S.F.

CROSS SECTIONS LEGEND

FILL

CUT

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DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: DAC CHECKED BY: SCALE:
DRAWN BY: JOB NO.: 7999 BOOK:

130 EVERGREEN LANE
WINNETKA, IL 60093

CROSS SECTIONS AND
COMPENSATORY STORAGE ANALYSIS

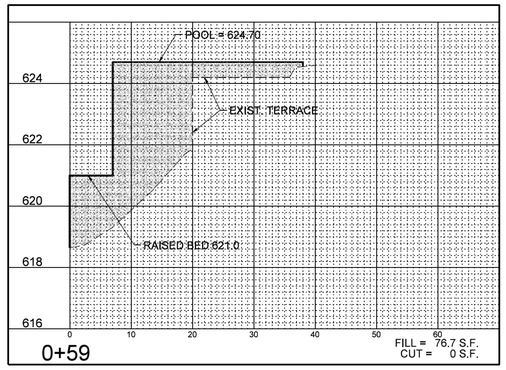
DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 6 OF 8

DATE 7-27-2021

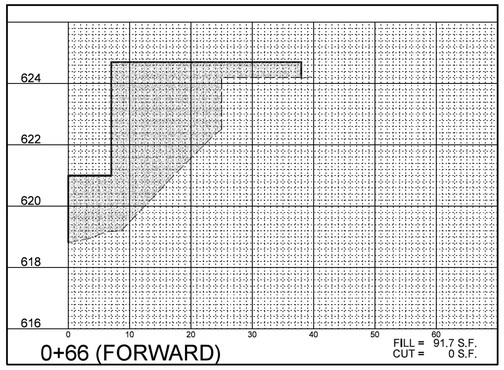
Project No. 7999

7/27/2021
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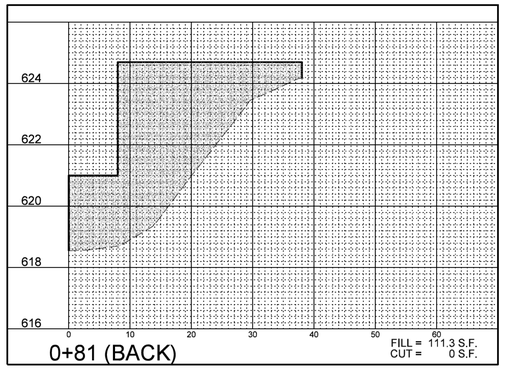
0+59

FILL = 76.7 S.F.
CUT = 0 S.F.



0+66 (FORWARD)

FILL = 91.7 S.F.
CUT = 0 S.F.



0+81 (BACK)

FILL = 111.3 S.F.
CUT = 0 S.F.

CROSS SECTIONS LEGEND

FILL

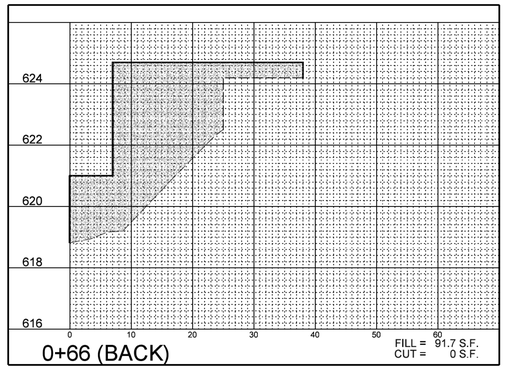
CUT

CUT: POOL, STONE TERRACE, AND DECK
CROSS SECTION

Station		MEASURED AREA	AREA	AVG	DISTANCE LF	Volume CF
0+0		0	0.0			
				3.0	8	24.0
0+08		30.2486	6.0			
				17.2	9	154.8
0+17	Back	142.1978	28.4			
0+17.	Forward	80.4194	16.1			
				20.5	5	102.5
0+22.		124.4786	24.9			
0+30.	Back	154.5405	30.9			
				30.9	0	0.0
0+30.	Forward	154.3009	30.9			
0+34.	Back	46.3093	9.3			
0+81.	Forward	36.2509	7.3			
				7.5	10	75.0
0+91.		38.2803	7.7			
				Total Volume CF		356.3

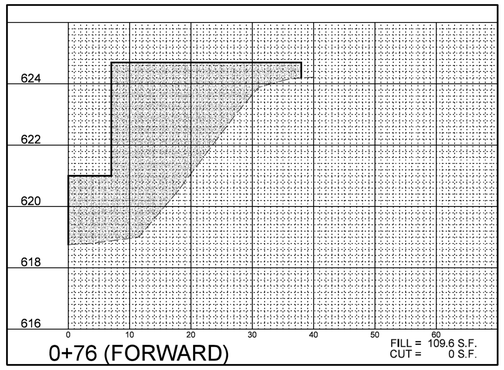
FILL: POOL, STONE TERRACE, AND DECK
CROSS SECTION

Station		MEASURED AREA	AREA	AVG	DISTANCE LF	Volume CF
0+0		477.7132	95.5			
				91.7	8	733.6
0+08		439.3469	87.9			
				72.8	9	654.8
0+17	Back	287.8668	57.6			
0+17.	Forward	285.544	57.1			
				46.7	5	233.5
0+22.		181.6154	36.3			
				29.2	8	233.2
0+30.	Back	109.8348	22.0			
0+30.	Forward	62.5615	12.5			
				24.4	4	97.6
0+34.	Back	181.5463	36.3			
0+34.	Forward	267.7934	53.6			
				56.6	4	226.4
0+38.		297.9613	59.6			
				66.7	4	266.6
0+42.	Back	368.2594	73.7			
0+42.	Forward	297.9613	59.6			
				57.6	4	230.4
0+46.	Back	277.8866	55.6			
0+46.	Forward	277.8866	55.6			
				57.5	4	229.8
0+50.		296.2891	59.3			
				64.1	5	320.5
0+55.		344.3766	68.9			
				72.8	4	291.2
0+59.		383.3227	76.7			
				78.7	4	314.6
0+63.		402.9534	80.6			
				86.2	3	258.5
0+66.	Back	458.6673	91.7			
				91.7	0	0.0
0+66.	Forward	458.6948	91.7			
				100.7	10	1,006.5
0+76.	Back	547.892	109.6			
0+76.	Forward	547.8772	109.6			
				110.5	5	552.3
0+81.	Back	556.3787	111.3			
				Total Volume CF		5,649.4



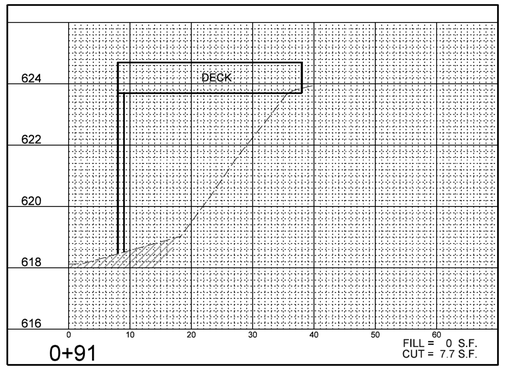
0+63

FILL = 80.6 S.F.
CUT = 0 S.F.



0+76 (BACK)

FILL = 109.6 S.F.
CUT = 0 S.F.



0+81 (FORWARD)

FILL = 0 S.F.
CUT = 7.3 S.F.

0+66 (BACK)

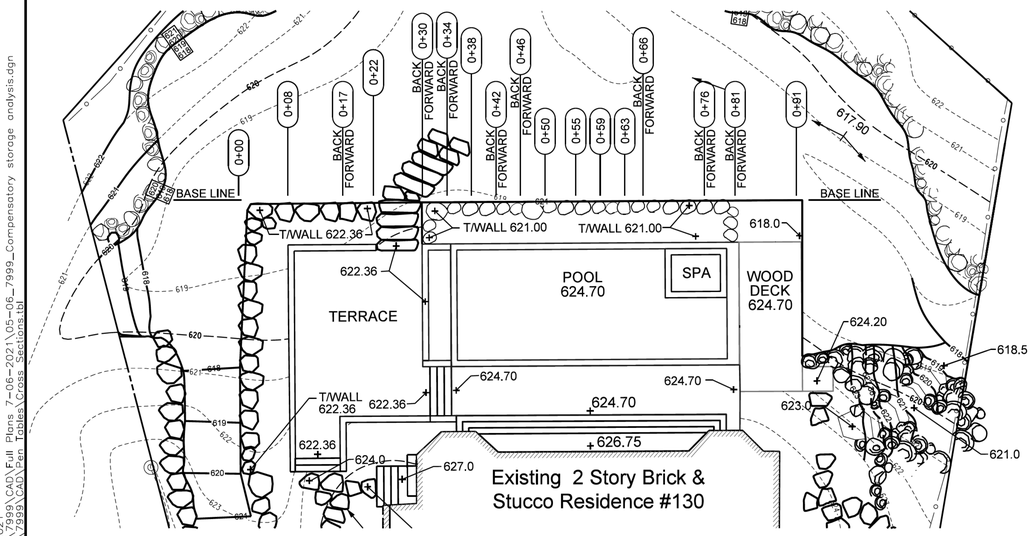
FILL = 91.7 S.F.
CUT = 0 S.F.

0+76 (FORWARD)

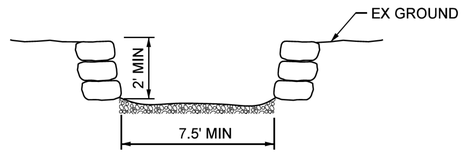
FILL = 109.6 S.F.
CUT = 0 S.F.

0+91

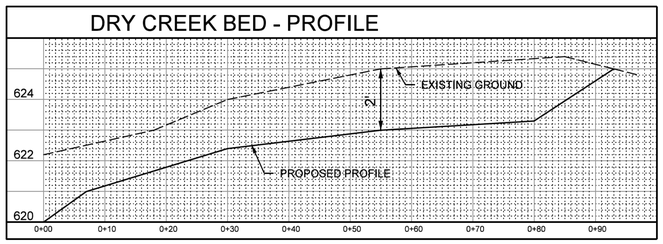
FILL = 0 S.F.
CUT = 7.7 S.F.



CROSS SECTION KEY



DRY CREEK BED



VOLUME SUMMARY

FILL

POOL, STONE TERRACE AND DECK	=		5,649.4 CF
DECKING	(10') 24 (0.125)	= 3.0 CF	
JOISTS	(88') 0.94)(0.25)	= 20.7 CF	
POSTS		6.7 CF	
		57.4 CF	57.4 CF
BOULDER STAIRS			
10(5) $\frac{4.36 + 0.50}{2}$ = 121.5			121.5 CF
TOTAL FILL	=		5,828.3 CF
COMP STORAGE = 5,828.3 (1.1)	=		6,411.1 CF
STORM WATER DETENTION FOR INCREASED 'C' FROM 0.49 TO 0.525	=		549 CF
TOTAL REQUIRED	=		6,960 CF

CUT

POOL, STONE TERRACE AND DECK	=		356.3 CF
REAR YARD REGRADING	=		6,046.4 CF
DRY CREEK BED 80(7.5)2	=		1200 CF
TOTAL	=		6,960 CF
TOTAL PROVIDED	=		7,202.7 CF
			OK

Call Before You Dig
JULIE ILLINOIS ONE-CALL SYSTEM

DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: DAC CHECKED BY: SCALE: N/A
DRAWN BY: TCK JOB NO.: 7999 BOOK:

130 EVERGREEN LANE
WINNETKA, IL 60093

CROSS SECTIONS AND
COMPENSATORY STORAGE ANALYSIS

DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 7 OF 8
DATE 7-27-2021

Project No. 7999

7/27/2021
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J:\DOCS\7999\CAD\Pen Tables\Cross Sections.tbl

GENERAL NOTES/SPECIFICATIONS

A. GENERAL

1. EARTHWORK AND PAVING SPECIFICATIONS
THE ILLINOIS DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", LATEST EDITION, AND ALL ADDENDA THERETO, SHALL GOVERN THE EARTHWORK AND PAVING WORK UNDER THIS CONTRACT, EXCEPT AS MODIFIED BY THESE SPECIFICATIONS.

2. UNDERGROUND SPECIFICATIONS
THE "STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS", LATEST EDITION, SHALL GOVERN THE UNDERGROUND WORK UNDER THIS CONTRACT, EXCEPT AS MODIFIED BY THESE SPECIFICATIONS.

3. WORK
WORK SHALL MEAN THE FURNISHING OF ALL LABOR, MATERIAL, EQUIPMENT AND OTHER INCIDENTALS NECESSARY OR CONVENIENT TO THE SUCCESSFUL COMPLETION OF THE IMPROVEMENTS DESIGNED BY THE ENGINEER AND SHOWN ON THIS SET OF PLANS. WORK SHALL ALSO INCLUDE CARRYING OUT OF ALL THE DUTIES AND OBLIGATIONS IMPOSED BY THE AGREEMENT BETWEEN THE OWNER AND THE CONTRACTOR FOR THE PROPER INSTALLATION AND ACCEPTANCE OF THE IMPROVEMENTS DESIGNED BY THE ENGINEER AND SHOWN ON THIS SET OF PLANS.

4. COMPLIANCE WITH LOCAL ORDINANCES
ALL WORK PERFORMED UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE VILLAGE OF WINNETKA'S ORDINANCES AND STANDARDS.

5. GUARANTEE
ALL WORK PERFORMED BY THE CONTRACTOR AND/OR SUBCONTRACTOR UNDER THIS CONTRACT SHALL BE GUARANTEED TO THE VILLAGE OF WINNETKA AND OWNER BY EACH CONTRACTOR AND SUBCONTRACTOR AND HIS SURETY FOR A PERIOD OF 12 MONTHS AFTER FINAL ACCEPTANCE OF THE WORK AGAINST ALL DEFECTS IN MATERIALS AND WORKMANSHIP OF WHATEVER NATURE.

6. EXISTING UTILITIES
WHEN THE PLANS OR SPECIAL PROVISIONS INCLUDE INFORMATION PERTAINING TO THE LOCATION AND ELEVATIONS OF UTILITY FACILITIES, SUCH INFORMATION REPRESENTS ONLY THE OPINION OF THE ENGINEER AS TO LOCATION AND ELEVATION OF SUCH UTILITIES AND IS ONLY INCLUDED FOR THE CONVENIENCE OF THE BIDDERS. THE ENGINEER AND THE VILLAGE ASSUME NO RESPONSIBILITY WHATEVER IN RESPECT TO THE SUFFICIENCY OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS RELATIVE TO THE LOCATION AND ELEVATION OF UTILITY FACILITIES, NOR THE MANNER IN WHICH THEY ARE TO BE REMOVED OR ADJUSTED. IT IS EACH CONTRACTOR'S AND SUBCONTRACTOR'S RESPONSIBILITY TO VISIT THE SITE AND DETERMINE THE ACTUAL LOCATION AND ELEVATION OF ALL UTILITIES. EACH CONTRACTOR AND SUB-CONTRACTOR SHALL OBTAIN FROM ALL RESPECTIVE UTILITY COMPANIES DETAILED INFORMATION RELATIVE TO THE LOCATION AND ELEVATION OF THEIR FACILITIES AND THE WORKING SCHEDULES OF THE UTILITY COMPANIES FOR REMOVING OR ADJUSTING THEM.

EACH CONTRACTOR AND SUBCONTRACTOR PERFORMING UNDERGROUND WORK SHALL CONTACT J.U.L.I.E. AT 1-800-892-0123 AT LEAST 48 HOURS PRIOR TO START OF WORK.

7. SAFETY OF WORK
EACH CONTRACTOR AND SUBCONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. EACH CONTRACTOR AND SUBCONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE SAFETY OF, AND SHALL PROVIDE THE NECESSARY PROTECTION TO PREVENT DAMAGE, INJURY OR LOSS TO:

A) ALL EMPLOYEES ON THE WORK AND OTHER PERSONS AND ORGANIZATIONS WHO MAY BE AFFECTED THEREBY;

B) ALL THE WORK AND MATERIALS AND EQUIPMENT TO BE INCORPORATED THEREIN, WHETHER IN STORAGE ON OR OFF THE SITE; AND

C) OTHER PROPERTY AT THE SITE OR ADJACENT THERETO, INCLUDING TREES, SHRUBS, LAWNS, WALKS, PAVEMENTS, ROADWAYS, STRUCTURES, UTILITIES AND UNDERGROUND FACILITIES NOT DESIGNATED FOR REMOVAL, RELOCATIONS OR REPLACEMENT IN THE COURSE OF CONSTRUCTION.

D) EACH CONTRACTOR AND SUBCONTRACTOR SHALL DESIGNATE A RESPONSIBLE REPRESENTATIVE AT THE SITE WHOSE DUTY SHALL BE THE PREVENTION OF ACCIDENTS. THIS PERSON SHALL BE THE CONTRACTOR'S SUPERINTENDENT UNLESS OTHERWISE DESIGNATED IN WRITING BY THE CONTRACTOR TO OWNER.

8. EXISTING ELEVATIONS AND LOCATIONS
EVERY CONTRACTOR AND SUBCONTRACTOR SHALL VERIFY THE ELEVATIONS AND LOCATIONS OF ALL EXISTING INFORMATION AS SHOWN ON THE PLANS AND NOTIFY THE ENGINEER OF ALL DISCREPANCIES, IN WRITING, PRIOR TO THE COMMENCEMENT OF THE WORK.

EXISTING UNDERGROUND UTILITIES SHALL BE EXPOSED BY THE CONTRACTORS AND SUBCONTRACTORS PRIOR TO THE START OF CONSTRUCTION TO DETERMINE IF A PROBLEM OR CONFLICT EXISTS WITH THE PROPOSED IMPROVEMENTS AND TO AVOID DELAYS IN THE PROGRESS OF THE WORK ONCE THE WORK COMMENCES.

9. NOTIFICATION
THE VILLAGE OF WINNETKA'S ENGINEER SHALL BE NOTIFIED BY EVERY CONTRACTOR AND SUBCONTRACTOR AT LEAST TWO WORKING DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

10. COMPLIANCE WITH LAWS AND REGULATIONS
EVERY CONTRACTOR SHALL COMPLY WITH ALL LOCAL AND STATE SAFETY LAWS, REGULATIONS AND ORDINANCES; AND FEDERAL SAFETY REGULATIONS AS OUTLINED IN THE LATEST REVISIONS OF THE FEDERAL CONSTRUCTION SAFETY STANDARDS AND WITH ALL PROVISIONS AND REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS. EACH CONTRACTOR AND SUBCONTRACTOR IS RESPONSIBLE FOR PROVIDING A SAFE WORKING PLACE FOR HIS EMPLOYEES. EACH CONTRACTOR AND SUBCONTRACTOR IS RESPONSIBLE FOR THE SUPERVISION, DIRECTION AND CONDUCT OF THEIR EMPLOYEES, AGENTS, MATERIAL SUPPLIERS AND VENDORS.

11. INDEMNIFY AND HOLD HARMLESS
EVERY CONTRACTOR AND SUBCONTRACTOR, BY USING THESE PLANS FOR HIS WORK, AGREES TO INDEMNIFY AND HOLD HARMLESS THE OWNER, THE VILLAGE OF WINNETKA, DANIEL CREANEY COMPANY (THE ENGINEER), HIS EMPLOYEES AND AGENTS WHILE ACTING WITHIN THE SCOPE OF THEIR DUTIES FROM AND AGAINST ANY AND ALL LIABILITY, CLAIMS, DAMAGES, AND THE COST OF DEFENSE, ARISING OUT OF THE CONTRACTOR'S OR SUBCONTRACTOR'S PERFORMANCE OF THE WORK DESCRIBED HEREIN, BUT NOT INCLUDING THE SOLE NEGLIGENCE OF THE OWNER, HIS AGENTS, THE ENGINEER, HIS EMPLOYEES AND AGENTS.

EVERY CONTRACTOR AND SUBCONTRACTOR SHALL PROVIDE ALL REQUIRED INSURANCE TO THE LIMITS REQUIRED BY THE OWNER AND VILLAGE OF WINNETKA PRIOR TO THE START OF CONSTRUCTION. BY USE OF THESE PLANS, EACH CONTRACTOR AND SUBCONTRACTOR AGREES TO NAME THE VILLAGE OF WINNETKA, DANIEL CREANEY COMPANY, ITS EMPLOYEES AND AGENTS, AND THE OWNER AS ADDITIONAL INSURED.

12. TRAFFIC CONTROL
TRAFFIC CONTROL SHALL BE USED WHEN NECESSARY AS DETERMINED BY THE CONTRACTOR AND SUBCONTRACTOR AND SHALL BE IN ACCORDANCE WITH THE VILLAGE OF WINNETKA AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION STANDARDS. COST OF TRAFFIC CONTROL SHALL BE INCIDENTAL TO THE CONTRACT.

13. MANHOLES, CATCH BASINS AND INLETS
MANHOLES, CATCH BASINS AND INLETS SHALL BE PRECAST REINFORCED CONCRETE WITH PRECAST REINFORCED CONCRETE BOTTOMS CONFORMING TO ASTM C-478.

14. FRAMES & LIDS
ALL FRAMES AND GRATES SHALL BE NEENAH MANUFACTURE OF THE TYPES SHOWN ON THE PLANS. MANHOLE AND VALVE VAULT COVERS SHALL BE TYPE "B" MACHINED BEARING WITH CONCEALED PICK HOLES AND SHALL BE IMPRINTED WITH THE WORD "SANITARY", "STORM" OR "WATER", AS APPROPRIATE. CATCH BASIN AND INLET GRATES SHALL BE TYPE "D".

15. UTILITY TRENCHES
ALL UTILITY TRENCHES UNDER AND WITHIN TWO FEET OF PAVEMENT, SIDEWALK, CURB AND GUTTER, ETC., SHALL BE BACK FILLED WITH CA-6 CRUSHED STONE (GRADE 8 OR 9), COMPACTED IN 9" LIFTS TO 95% OF MODIFIED PROCTOR.

16. GRASS AREAS WITHIN RIGHT-OF-WAY
ALL GRASS AREAS WITHIN THE RIGHT-OF-WAY DISTURBED DURING CONSTRUCTION SHALL BE RESTORED BY PLACING A MINIMUM 6" TOPSOIL AND SOD.

17. EXISTING DITCH DRAINAGE
EXISTING DITCH DRAINAGE SHALL BE MAINTAINED DURING CONSTRUCTION. THE DITCH SHALL BE RESTORED BY GRADING TO UNIFORM SLOPE AND SEEDING.

18. PAVEMENT DISTURBED DURING CONSTRUCTION
ANY EXISTING ROADWAY PAVEMENT OR SHOULDER DISTURBED DURING CONSTRUCTION SHALL BE RESTORED IN ACCORDANCE WITH THE VILLAGE OF WINNETKA AND I.D.O.T. STANDARDS.

19. EXISTING DRAIN TILE
ALL EXISTING FIELD DRAINAGE TILE ENCOUNTERED OR DAMAGED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION, PROPERLY REROUTED AND/OR CONNECTED TO THE STORM SEWER SYSTEM.

20. ITEMS NOT SPECIFICALLY SHOWN
ALL ITEMS THAT ARE NOT SPECIFICALLY SHOWN ON THE PLANS OR IN THE SUMMARY OF QUANTITIES BUT CAN REASONABLY BE INTERPRETED TO BE INCLUDED IN THE WORK DESCRIBED SHALL BE INCIDENTAL TO THE COST OF THE CONTRACT.

21. EXCESS TRENCH MATERIAL
THE UNDERGROUND CONTRACTOR SHALL DISPOSE OF EXCESS TRENCH MATERIAL OFF-SITE.

22. FINAL FRAME ADJUSTMENTS
THE PAVING CONTRACTOR SHALL MAKE ALL NECESSARY FINAL ADJUSTMENTS TO EXISTING AND PROPOSED FRAMES, GRATES, LIDS AND STRUCTURES TO MEET FINAL FINISHED GRADES.

23. RECORD DRAWINGS
EACH CONTRACTOR AND SUBCONTRACTOR SHALL MAINTAIN AND KEEP UP TO DATE A SET OF "RECORD DRAWINGS" SHOWING ALL CHANGES FROM THE ORIGINAL PLANS. ALL CONTRACTORS AND SUBCONTRACTORS SHALL DELIVER THE "RECORD DRAWINGS" TO THE ENGINEER AT THE CONCLUSION OF THE PROJECT.

24. SHEETING AND BRACING
WHERE DETERMINED BY THE CONTRACTOR AND/OR SUBCONTRACTOR, SHEETING AND BRACING SHALL BE PLACED IN THE TRENCH AS MAY BE NECESSARY FOR THE SAFETY OF THE WORK AND PUBLIC, FOR THE PROTECTION OF THE WORKMEN, ADJACENT PROPERTIES, PAVEMENT OR STRUCTURES, AND FOR THE PROPER INSTALLATION OF THE WORK. IN ANY EVENT, THE MINIMUM PROTECTION SHALL CONFORM TO THE RECOMMENDATIONS IN O.S.H.A. SAFETY AND HEALTH STANDARDS FOR CONSTRUCTION.

25. NOTICE TO CONTRACTOR
BEFORE BEGINNING CONSTRUCTION, EACH CONTRACTOR AND SUBCONTRACTOR MUST VERIFY THE LINE AND GRADE STAKES. IF THERE ARE ANY DISCREPANCIES FROM WHAT IS SHOWN ON THE PLANS, THEY MUST IMMEDIATELY REPORT SAME TO ENGINEER BEFORE DOING ANY WORK, OTHERWISE THE CONTRACTOR AND SUBCONTRACTOR ASSUMES FULL RESPONSIBILITY.

26. CONTRACTOR(S)
FOR THE PURPOSES OF THESE SPECIFICATIONS, THE TERMS CONTRACTOR AND SUBCONTRACTOR SHALL MEAN ANY PERSON OR ENTITY THAT PROVIDES WORK FOR THE IMPROVEMENTS AS SHOWN ON THESE PLANS. THE ENGINEER, OWNER AND THE ARCHITECT ARE NOT CONSIDERED CONTRACTORS OR SUBCONTRACTORS.

B. EARTHWORK

1. EARTHWORK UNDER THIS CONTRACT WILL INCLUDE, BUT IS NOT NECESSARILY LIMITED TO, THE FOLLOWING:

A) INSTALL ALL EROSION CONTROL MEASURES AS REQUIRED.

B) PROTECTION OF CERTAIN TREES, AS DIRECTED BY THE VILLAGE OF WINNETKA OR OWNER.

C) REMOVAL OF EXISTING PAVEMENT FROM THE SITE.

D) STRIPPING OF ALL TOP SOIL AND OTHER UNSUITABLE MATERIALS AND STOCKPILING WHERE DIRECTED BY THE VILLAGE OF WINNETKA OR OWNER.

E) CLAY EXCAVATION, PLACEMENT AND COMPACTION AS NECESSARY TO OBTAIN DESIGN SUBGRADE ELEVATIONS FOR PAVEMENT, LAWN, AND STORM WATER DETENTION AREAS.

F) REMOVAL OF ALL EXCESS MATERIALS FROM THE SITE LEAVING SUFFICIENT TOPSOIL FOR LANDSCAPING, INCLUDING BERMS.

G) GRADING OF ALL SWALES AS INDICATED ON PLANS.

2. ALL WORK SHALL CONFORM TO THE APPLICABLE PROVISIONS OF SECTION 200 OF THE STANDARD SPECIFICATIONS.

3. PAVEMENT AREAS SHALL BE GRADED TO THE PROPOSED SUBGRADE ELEVATION. FINE GRADING OF PAVEMENT AREAS SHALL BE THE RESPONSIBILITY OF THE PAVING CONTRACTOR.

4. EMBANKMENTS FOR PAVEMENT AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%), BASED ON ASTM D-1557-90 LABORATORY PROCEDURE. EMBANKMENTS IN LAWN AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY PERCENT (90%) BASED ON ASTM D-1557-90.

5. THE EARTHWORK CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING THE REQUIREMENTS OF ALL APPLICABLE SOIL EROSION AND SEDIMENT CONTROL ORDINANCES. THE COST OF ALL WORK NECESSARY TO MEET THESE REQUIREMENTS SHALL BE CONSIDERED AS INCIDENTAL TO THE CONTRACT, AND NO SEPARATE PAYMENT WILL BE MADE.

C. SOIL EROSION CONTROL

1. SILT FENCE SHALL BE INSTALLED PRIOR TO ANY GRADING OPERATION.

2. ALL STORM STRUCTURES SHALL BE PROTECTED BY COIR WATTLE FILTERS, "CATCH-ALL" FILTER BASKETS OR EQUAL, UNTIL PAVEMENT HAS BEEN INSTALLED AND PERMANENT VEGETATION HAS BEEN ESTABLISHED.

3. CONTRACTOR AND SUBCONTRACTOR SHALL INSPECT THE COIR WATTLE FILTERS, "CATCH-ALL" FILTER BASKETS OR EQUAL AND SILT FENCING PERIODICALLY AND MAINTAIN OR REPLACE AS NECESSARY.

4. ALL OTHER SOIL EROSION CONTROL DEVICES AND MEASURES DEEMED NECESSARY BY THE VILLAGE ENGINEER SHALL BE IMPLEMENTED IMMEDIATELY UPON NOTIFICATION OF THE CONTRACTOR AND SUBCONTRACTOR.

5. THE EARTHWORK CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING THE REQUIREMENTS AS SHOWN ON THE PLANS AND ALL APPLICABLE SOIL EROSION AND SEDIMENT CONTROL ORDINANCES. THE COST OF ALL WORK NECESSARY TO MEET THESE REQUIREMENTS SHALL BE CONSIDERED AS INCIDENTAL TO THE CONTRACT, UNLESS A SEPARATE PAY ITEM IS SHOWN.

D. RESTORATION AND TREE PRESERVATION

1. ALL OFF-SITE AREAS DISTURBED BY CONSTRUCTION SHALL BE RESTORED BY SEEDING, EXCEPT WHERE SOD IS SPECIFICALLY INDICATED ON THE PLANS.

2. SEEDING SHALL INCLUDE A MINIMUM OF 6 INCHES OF TOPSOIL AND SHALL BE DONE IN CONFORMANCE WITH SECTION 250 OF I.D.O.T. STANDARD SPECIFICATIONS FOR CLASS 1 SEEDING.

3. SODDING SHALL INCLUDE A MINIMUM OF 6 INCHES OF TOPSOIL AND SHALL BE DONE IN CONFORMANCE WITH SECTION 252 OF I.D.O.T. STANDARDS.

4. CERTAIN TREES WILL BE DESIGNATED BY THE OWNER TO BE PRESERVED. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY DAMAGE TO SUCH TREES AND SHALL PROVIDE TEMPORARY FENCES AND OTHER MEASURES, AS NECESSARY, WITH ALL SUCH MEASURES CONSIDERED AS INCIDENTAL TO THE CONTRACT.

5. ALL DISTURBED LAWN AREAS WITHIN THE PUBLIC RIGHT-OF-WAY/EASEMENTS WILL BE RESTORED WITH 6" OF TOPSOIL AND SOD AND ALL DAMAGED PORTIONS OF PUBLIC SIDEWALK ARE TO BE REPLACED WITH 5" P.C.C., CLASS S1 OVER A 3" CA-6 BASE.

VILLAGE OF WINNETKA NOTES

1. ALL PROPOSED DRAINAGE SWALES MUST HAVE SUFFICIENT WIDTH TO DIRECT STORM WATER RUNOFF TO THE PROPOSED YARD INLET(S). SWALES MUST BE AT LEAST 6" DEEP AND 2' WIDE. SWALES MUST MEET THE EXISTING GRADES AT THE PROPERTY LINES. DAMMING OR DISPLACING STORM WATER ONTO NEIGHBORING PROPERTIES IS NOT ALLOWED.

2. DOWNSPOUTS MUST BE SPLASHED AT GRADE. DOWNSPOUT DISCHARGE MUST NOT DRAIN TOWARD OR ONTO ADJACENT PROPERTIES. DOWNSPOUTS SHOULD DRAIN TOWARD THE PROPOSED YARD DRAIN(S)/SWALES.

3. ALL EXISTING GRADES ALONG THE PROPERTY LINE MUST BE MAINTAINED.

4. ALL PROPOSED SERVICES MUST BE CONNECTED AT THE MAIN. IF EXISTING WYES OR TEES ARE IN GOOD CONDITION, THEY MAY BE REUSED. OTHERWISE, A NEW CONNECTION MAY BE MADE AT THE MAIN. REMOVING THE OLD CONNECTION. ALL EXISTING LOCATIONS MUST BE FIELD VERIFIED BY THE CONTRACTOR/OWNER.

5. SERVICE CONNECTIONS INTO MAINS THAT ARE 10" OR LESS IN DIAMETER MUST BE MADE BY THE FOLLOWING METHOD: USING A PIPE CUTTER, NEATLY AND ACCURATELY CUT OUT THE DESIRED LENGTH OF PIPE FOR INSERTION OF THE PROPERTY FITTING. USE "BAND-SEAL" COUPLINGS, AND SHEAR RINGS AND CLAMPS TO FASTEN THE INSERTED FITTING AND HOLD FIRMLY IN PLACE. MISSION COUPLINGS SHALL HAVE LENGTH OF BOOT APPROXIMATELY EQUAL TO THE PIPE DIAMETER. FOLLOW THE MANUFACTURER'S RECOMMENDATIONS FOR THE INSTALLATION.

6. ALL PROPOSED CUTS IN THE PAVEMENT, SIDEWALK, OR CURB AND GUTTER MUST BE SAW-CUT, FULL-DEPTH, PRIOR TO REMOVAL.

7. ALL TRENCHES UNDER PUBLIC ROADWAY MUST BE BACK-FILLED WITH CONTROLLED LOW STRENGTH MATERIAL (CLSM) MIX 1, OR MORE COMMONLY KNOWN AS "FLOWABLE FILL". CA-7 MATERIAL SHOULD BE USED FOR THE BEDDING OF PIPE AND 12" OVER THE TOP OF PIPE. THE REMAINDER OF THE BACK-FILL MATERIAL MUST BE CLSM.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY DAMAGED PUBLIC PROPERTY AS A RESULT OF CONSTRUCTION ON THIS SITE. ALL PUBLIC PROPERTY TO BE REMOVED/REPLACED AS PART OF THIS PROJECT WILL BE DONE SO IN THE ACCORDANCE WITH VILLAGE STANDARDS, AND MEET OR EXCEED PRESENT CONDITIONS.

9. IT IS THE HOMEOWNER'S/CONTRACTOR'S RESPONSIBILITY TO DYE TEST THE EXISTING STORM SYSTEM TO ENSURE THAT IT IS NOT ILLICITLY CONNECTED TO THE SANITARY SEWER SYSTEM. RESULTS OF THIS DYE TEST MUST BE SUBMITTED TO THE VILLAGE OF WINNETKA FOR THEIR RECORDS. SHOULD THE STORM SERVICE BE TIED INTO THE SANITARY SYSTEM, THE STORM SERVICES MUST BE DISCONNECTED AND TIED INTO THE STORM SEWER SYSTEM.

10. PLANTING, LANDSCAPING AND/OR MULCHING ALONG THE PROPERTY LINES THAT EFFECTIVELY CHANGE ELEVATIONS, CREATES A BERM AND/OR DISPLACES WATER AT THE PROPERTY LINE WILL NOT BE PERMITTED. LANDSCAPING/PLANTING FINISHED GRADES MUST BE AT THE EXISTING GRADE OR LOWER, ALONG THE PROPERTY LINES. LANDSCAPING PLANS MUST MEET AND COMPLY WITH THE APPROVED ENGINEERING AND GRADING PLAN FOR THE SITE.

11. THE VILLAGE APPROVAL DOES NOT INCLUDE OR ALLOW FOR LANDSCAPING THAT EFFECTIVELY CHANGES YARD ELEVATIONS OR EXISTING DRAINAGE PATTERNS, OTHER THAN THOSE SHOWN ON THE PLANS.

12. ALL EXCAVATED MATERIALS WILL BE REMOVED FROM THE SITE IMMEDIATELY. NO TEMPORARY STOCKPILING OF MATERIAL CAN OCCUR WITHIN THE FLOOD PLAIN LIMITS.

13. ALL PARKWAY EXCAVATION SHALL BE RESTORED WITH 4" OF TOPSOIL AND SOD.

14. FOR UTILITY TRENCHES PASSING UNDER PUBLIC SIDEWALKS, PROVIDE THREE (3) EQUALLY SPACED #4 EPOXY COATED REBARS TO BE CENTERED IN THE SIDEWALK OVER THE TRENCH.

15. PUBLIC CURB AND GUTTER CONSTRUCTED OVER UTILITY TRENCHES SHALL HAVE TWO (2) EQUALLY SPACED #4 EPOXY COATED REBARS CENTERED IN THE FLAG OVER THE TRENCH.

16. ALL PORTLAND CEMENT CONCRETE SHALL BE TREATED WITH A PROTECTIVE COAT APPLICATION.

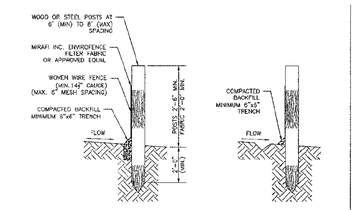
17. THE CONTRACTOR SHALL KEEP ALL PUBLIC RIGHT-OF-WAY FREE FROM DIRT AND DEBRIS. TRUCKS AND OTHER CONSTRUCTION EQUIPMENT SHOULD BE CLEANED ONSITE TO PREVENT MUD FROM BEING DEPOSITED ON THE PUBLIC RIGHT-OF-WAY.

18. STOCKPILES (FOR FOUNDATION BACK-FILL MATERIAL ONLY) REMAINING FOR A PERIOD GREATER THAN 7 DAYS MUST BE STABILIZED WITH SEED AND MULCH. STOCKPILES SHOULD NOT BE LOCATED NEAR DRAINAGE WAYS OR ROADWAYS.

19. WHERE NATURAL VEGETATION IS REMOVED DURING GRADING, SE/SC SHALL BE INITIATED AND VEGETATION SHALL BE PROMPTLY REESTABLISHED WITHIN 30 DAYS IN SUFFICIENT DENSITY TO PROVIDE EFFECTIVE EROSION CONTROL. MINIMIZE THE AMOUNT OF NATURAL VEGETATION REMOVED.

20. BUILDING MATERIALS AND OTHER CONSTRUCTION SITE WASTES MUST BE PROPERLY MANAGED AND DISPOSED OF TO REDUCE THE RISK OF POLLUTION.

21. AN AS BUILT TOPOGRAPHIC SURVEY (TOPOGRAPHIC SURVEY AFTER ALL CONSTRUCTION GRADING AND LANDSCAPING IS COMPLETED) IS REQUIRED TO VERIFY COMPLIANCE WITH GRADING AND DRAINAGE AND FLOOD PLAIN REQUIREMENTS. PRIOR TO FINAL INSPECTION APPROVAL. THE AS-BUILT COMPENSATORY STORAGE VOLUME SHALL BE CERTIFIED BY DANIEL CREANEY COMPANY.



WITH TRENCH WITHOUT TRENCH

NOTES:
WITH TRENCH
1) FILTER BARRIERS SHALL BE PLACED AT THOSE LOCATIONS SHOWN ON THE PLANS INCLUDING STOCK PILE AREAS AND WHERE INDICATED BY THE ENGINEERING DIVISION.
2) ATTACH FABRIC TO WIRE MESH WITH HOG RINGS, TO WOOD POSTS WITH NAILS, AND TO STEEL POSTS WITH TIE-WIRES AT TOP AND MID-SECTION.
3) OVERLAP FILTER FABRIC BY 6" AND FOLD AROUND EACH POST ONE FULL TURN WHERE 2 SECTIONS ADJOIN.
4) DRIVE POSTS TIGHTLY TOGETHER AND SECURE TOPS OF POSTS BY TYING OFF WITH CORD OR WIRE TO PREVENT FLOW-THROUGH OF SILT-UP SEDIMENT AT JOINT.
5) INSPECTION OF SILT FENCES SHALL BE AT LEAST ONE PER WEEK AND AFTER RAIN EVENTS IN EXCESS OF 1". REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
6) SEDIMENT TRAPPED BY THE FENCE SHALL BE REMOVED (AND PROMPTLY DISPOSED OF) WHENEVER SIGNIFICANT ACCUMULATION OCCURS.
7) BARRIERS SHALL BE MAINTAINED IN PLACE UNTIL COMPLETION OF CONSTRUCTION AND THE UPSLOPE AREA HAS BEEN STABILIZED, AND SHALL BE REMOVED ONLY WHEN DIRECTED BY THE VILLAGE ENGINEER.

WITHOUT TRENCH
1) TOE-IN CAN ALSO BE ACCOMPLISHED BY LAYING THE FABRIC FLAP ON UNTRENCHED GROUND AND TAMPING AND TAMPING SOIL OVER FLAP AT THE BASE OF STRUCTURE.

ENGINEERING AND SPECIFICATIONS MANUAL	JULY 2016	
SILT FENCE	SHEET 1 OF 1	
	NOT TO SCALE	

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DANIEL CREANEY COMPANY
CONSULTING CIVIL ENGINEERS
450 SKOKIE BLVD. SUITE 105
NORTHBROOK, ILLINOIS (847) 480-5757

DESIGNED BY: _____ CHECKED BY: _____ SCALE: NA
DRAWN BY: _____ JOB NO.: 7999 BOOK: _____

130 EVERGREEN LANE
WINNETKA, IL 60093

DETAILS

DATE	BY	REVISION
7-27-2021	DAC	REV. DRY CREEK BED WIDTH
5-21-2021	DAC	VILLAGE REVISIONS
3-24-2021	DAC	VILLAGE SUBMITTAL
3-16-2021	DAC	CLIENT REVIEW

SHEET 8 OF 8
DATE 7-27-2021

Project No. 7999

7/27/2021
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