



CITY OF PEORIA, ILLINOIS

NOTICE AND AGENDA

CITY COUNCIL SPECIAL MEETING

TUESDAY, MARCH 05, 2013

6:15 PM

DATES SET:

TUESDAY, MARCH 5, 2013, at 6:15 P.M.

SPECIAL CITY COUNCIL MEETING to hold a POLICY SESSION to Discuss the PROPOSED INFRASTRUCTURE DESIGN STANDARDS/MANUAL of PRACTICE GUIDELINES for NEW SUBDIVISIONS and REDEVELOPED AREAS of the City - To be held at City Hall, 419 Fulton Street, Room 400 (Council Chambers), Peoria, Illinois.

TUESDAY, MARCH 12, 2013, at 6:15 P.M.

PUBLIC HEARING Regarding the CITY-WIDE SEWER RATE ADJUSTMENTS - To be held at City Hall, 419 Fulton Street, Room 400 (Council Chambers), Peoria, Illinois.

TUESDAY, MARCH 12, 2013, Immediately Following the Previous Public Hearing

PUBLIC HEARING Regarding the Proposed ANNEXATION of 7021 W. Challacombe Road, Edwards, Illinois - To be held at City Hall, 419 Fulton Street, Room 400 (Council Chambers), Peoria, Illinois.

NO DATES SET:

POLICY SESSION - Tree Policy

DISABILITY ACCESS STATEMENT

City Council/Town Board Meetings are wheelchair accessible. Individuals with hearing difficulties can request to use available FM auxiliary aids before or during the meeting by visiting the City Clerk's Office, Room 401, City Hall Building, 419 Fulton Street, Peoria, Illinois. Requests to receive an Agenda in an alternate format or other types of auxiliary aids and services must, when possible, be submitted to the City Clerk's Office a minimum of 48 hours prior to the meeting. To contact the City Clerk's Office, call 309-494-8565 (V). TTY users, call the Illinois Relay Center at 1-800-526-0844 (TTY) or 1-800-526-0857 (V).

CITY COUNCIL/TOWN BOARD AGENDAS

AND PROCEEDINGS ARE ISSUED BY:

**BETH BALL, MMC, OFFICE OF THE CITY CLERK
CITY HALL, ROOM 401
(309) 494-8565**

INTERNET ADDRESS: www.peoriagov.org
(Click on Council Agenda/Minutes)

All matters listed under CONSENT AGENDA are considered to be routine and non-controversial by the City Council/Town Board and will be enacted by one motion and one roll call vote. There will not be separate discussion on these items. If discussion is desired by a Citizen or Members of the City Council/Town Board, the item will be removed from the Consent Agenda and discussed immediately after approval of the Consent Agenda. Citizens desiring discussion on any item listed under the CONSENT AGENDA should contact a City Council/Town Board Member or the City Clerk prior to the meeting and request that the item be removed for discussion.

*CITIZENS WISHING TO ADDRESS AN ITEM NOT ON THE CONSENT AGENDA SHOULD CONTACT A CITY COUNCIL/TOWN BOARD MEMBER PRIOR TO THE MEETING. ALL OTHER PUBLIC INPUT WILL BE HEARD UNDER CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD NEAR THE END OF THE MEETING.

NOTE: THE ORDER IN WHICH AGENDA ITEMS ARE CONSIDERED MAY BE MOVED FORWARD OR DELAYED BY AT LEAST 2/3 VOTE OF THE CITY COUNCIL/TOWN BOARD MEMBERS PRESENT.

EFFECTIVE JULY 1, 2007, THE PEORIA CITY COUNCIL/TOWN BOARD WILL MEET IN REGULAR BUSINESS SESSIONS THE SECOND AND FOURTH TUESDAYS OF THE MONTH AT 6:15 P.M. AT CITY HALL COUNCIL CHAMBERS (Room 400), 419 FULTON STREET, PEORIA, ILLINOIS. TOWN BOARD MEETINGS ARE HELD JOINTLY WHEN CALLED. NOTICES OF ANY SPECIAL MEETING ARE POSTED AT LEAST 48 HOURS PRIOR.

SPECIAL CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
6:15 P.M.

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

PETITIONS, REMONSTRANCES & COMMUNICATIONS

POLICY SESSION

ITEM NO. 1 Communication from the City Manager and Interim Director of Public Works to Hold a POLICY SESSION to Receive Information and Provide Direction Regarding the PROCESS of REVISING the INFRASTRUCTURE DESIGN STANDARDS/SUBDIVISION MANUAL OF PRACTICE for the City of Peoria.

CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD

EXECUTIVE SESSION

ADJOURNMENT



REQUEST FOR COUNCIL ACTION

To: Honorable Mayor and Members of the City Council
From: Patrick Urich, City Manager

AGENDA DATE REQUESTED: March 5, 2013

ACTION REQUESTED: HOLD A POLICY SESSION TO RECEIVE INFORMATION AND PROVIDE DIRECTION REGARDING THE PROCESS OF REVISING THE INFRASTRUCTURE DESIGN STANDARDS/SUBDIVISION MANUAL OF PRACTICE FOR THE CITY OF PEORIA. [ALL COUNCIL DISTRICTS]

BACKGROUND: The City's Infrastructure Design Standards, or Subdivision Standards, were adopted in 1972, and have not been significantly revised since that time. Staff is proposing a revised set of Infrastructure Design Standards (IDS), or Manual of Practice, to incorporate Action Items and Critical Success Factors from the City's Comprehensive Plan. The goal of the revised document is to improve our infrastructure (streets, sidewalks, storm water management, etc.) with regard to sustainability and livability, while positioning Peoria as a desirable place and a competitive city for development.

The purpose of this Policy Session is to inform the City Council about the process to date: to frame the requirements in terms of relationship to the Comprehensive Plan; benefits, costs, peer city comparisons, and public comments; and to solicit discussion and feedback from the City Council.

During the public involvement process, we received diverse opinions on certain issues. The information in the attached document is intended to provide background on these issues and promote discussion and feedback. *Staff recommends allowing the Privilege of the Floor at the Policy Session for public comment.*

FINANCIAL IMPACT: See attached document for financial information.

NEIGHBORHOOD CONCERNS: See attached document for information about the public involvement process to date and comments received to date.

IMPACT IF APPROVED: N/A

IMPACT IF DENIED: N/A

ALTERNATIVES: N/A

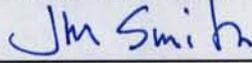
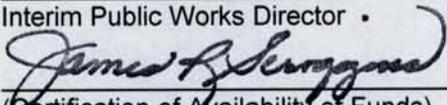
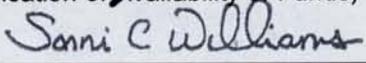
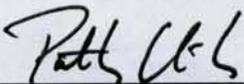
EEO CERTIFICATION NUMBER: N/A

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2011 – 2026 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

1. Smart Population Growth
2. Grow Businesses
3. Responsive, Efficient City Organization

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

1. Invest in our infrastructure and transportation.
2. Support sustainability.
3. Have an efficient government.

REQUIRED SIGNATURES	
Department Director	 _____ Interim Public Works Director •
Finance Director	 _____ (Certification of Availability of Funds)
Corporation Counsel	 _____
City Manager	 _____

Infrastructure Design Standards/Manual of Practice

Peoria City Council Policy Session

March 5, 2013, 6:15 PM, Council Chambers

Introduction and Purpose

Once infrastructure is in place, it rarely goes away. Infrastructure built now will likely be in place for our children and grandchildren. The City's current Infrastructure Design Standards or Subdivision Standards were adopted in 1972, and have not been significantly revised since that time. Staff has proposed a revised set of Infrastructure Design Standards (IDS), or Manual of Practice, to incorporate Action Items and Critical Success Factors from the City's Comprehensive Plan. The goal of the revised document is to improve the design of our infrastructure (streets, sidewalks, storm water management, etc.) with regard to sustainability and livability, **while positioning Peoria as a desirable place and a competitive city for development.**

The purpose of this Policy Session is to inform the City Council about the process to date: to frame the requirements in terms of relationship to the Comprehensive Plan; benefits, costs, peer city comparisons, and public comments; and to solicit discussion and feedback from the City Council.

Relation to the Strategic Plan

This effort—the proposed Infrastructure Design Standards, or Subdivision Manual of Practice—is listed as a High Priority Policy Agenda Item in the City's 2013-2028 Strategic Plan.

*It's our **safety and attractiveness**, lively downtown/warehouse district, **great place** for diverse business, **desirable neighborhoods**, **growing city**, culture of educational achievement, and collaboration for **community excellence** that makes us **unique**.*

--City of Peoria Vision Statement

The proposed Infrastructure Design Standards align with the Strategic Plan Vision Statement Principles below:

- **Safety and Attractiveness**
 - Reputation and reality that the city is safe in which to live, or visit
 - People feeling safe and secure in their homes, in their neighborhoods and anywhere in the city

- City designed for connectivity for all
- Beautiful, well maintained major corridors with attractive streetscapes and businesses
- **Desirable Neighborhoods**
 - Well maintained, connected neighborhood infrastructure: streets, sidewalks and bike lanes
 - Pedestrian friendly and walkable neighborhoods with gathering places
 - Residents feeling safe in their homes and in their neighborhood
- **Growing City**
 - Families want to live in the city
 - Businesses prefer to locate and grow in the city
 - City population is increasing
 - Growing middle class population
 - Our children stay or return to the city to raise their families
 - Positive image of city government with responsible governance and responsive, cost effective service delivery
- **Collaboration for Community Excellence**
 - Shared visions and goals
 - Coordinated plans and actions

Additionally, many of the proposed Infrastructure Design Standards elements, such as street trees, are already in harmony with the intent and requirements of the City's Land Development Code for the Heart of Peoria. The proposed Infrastructure Design Standards will provide more consistency in requirements between the older and newer areas of the City.

Background

A drive around the City will reveal neighborhood streets from 22' to 44' wide, with and without curb and gutter, with and without sidewalks, with and without street lights, and with and without right of way trees. The latest compilation of infrastructure standards is the City's "Standard Specifications for Subdivision Development," circa 1972. These 1972 requirements include 34' wide neighborhood streets with curb and gutter and sidewalks, but do not include street trees or street lights. Stormwater regulations were significantly revised in 1997 to require erosion control during construction and stormwater management (detention areas).

Public Works staff began updating the 1972 standards in 2009 by researching other communities that had comprehensive infrastructure standards, including Bloomington, Normal, and Champaign. The draft Infrastructure Design Standards were based on the City of Champaign's requirements.

As the City's Comprehensive Plan process unfolded in 2010, Critical Success Factors and Actions Items from the Comprehensive Plan (adopted in April, 2011) were incorporated into the draft standards. In 2012, the City hired Dewberry Architects, Inc. to assist with the public involvement process and technical writing to lead to an Ordinance revision to incorporate the new standards.

involvement process and technical writing to lead to an Ordinance revision to incorporate the new standards.

A Steering Committee was formed, with the following members:

- Councilwoman Beth Akeson
- Councilman Chuck Weaver
- Planning Commission Chairman Scott Davis
- Interim Planning and Growth Management Director Ross Black
- Senior Urban Planner Josh Naven
- Interim Public Works Director Jeff Smith
- Civil Engineer Jane Gerdes
- Dewberry staff Ray Lees, Chris Waible, and Gary Rockow

Local developer Jeff Kolbus, Traders Realty, has also participated. City staff is grateful to the Steering Committee members who have devoted many hours to this effort.

The draft Infrastructure Design Standards were posted to the City website in September, 2012. Here is the link to the draft document:

<http://www.peoriagov.org/public-works/public-works-infrastructure-design-standard/>

Please note that this is a draft document of over 200 pages. Chapters 2-5 are intentionally omitted, as these Chapters will relate to the platting/Subdivision Ordinance revisions currently undergoing revision by staff.

Notices of Public Meetings were sent to the following groups and organizations:

Media	IDOT	Home Builders Association
City Council	Public Notice group	Peoria Area Association of Realtors
Internal City communication	SPRB Notice group	Local Engineers
Development eAlert subscribers	Zoning Commission	Utilities
Neighborhood Associations	Fiber Optic contractors	
Historic Preservation	Peoria County	
Warehouse Commission	Chamber of Commerce	
	School District 150	

Public meetings and focus group discussions were held on the following dates:

- September 12, 2012
- September 19, 2012
- September 26, 2012
- October 29, 2012
- October 30, 2012
- November 1, 2012
- November 15, 2012 (two meetings)

Staff received two formal, written comments from area developers and the Peoria Area Association of Realtors. We also received comments through the website. See attachment at end of this document for all comments.

Comments received at the meetings and presentations ranged from enthusiasm for the benefits to concerns with the associated costs.

The original intent of the process after holding public meetings was to proceed to the City Planning Commission with an ordinance revision, and then to the City Council. This would require significant technical writing in advance. Rather than proceed in this fashion, City Administration requested a Policy Session to solicit City Council feedback at this point in the process.

The information in this document is intended to frame the issues and promote discussion and direction. Staff recommends allowing the Privilege of the Floor at the Policy Session for public comment.

Topics at Hand

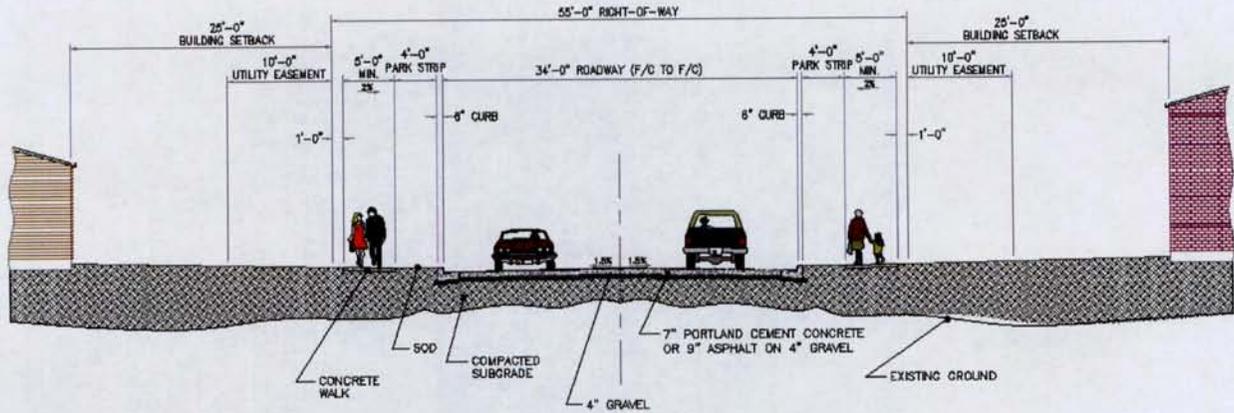
Throughout the public involvement process and Steering Committee meetings, seven (7) main topics recurred as areas where diverging public comments were received. This document will provide information on each of these seven topics:

- Narrower Streets
- Pavement Design
- Sidewalk Installation
- Stormwater
- Street lights
- Testing and Inspection
- Street Trees

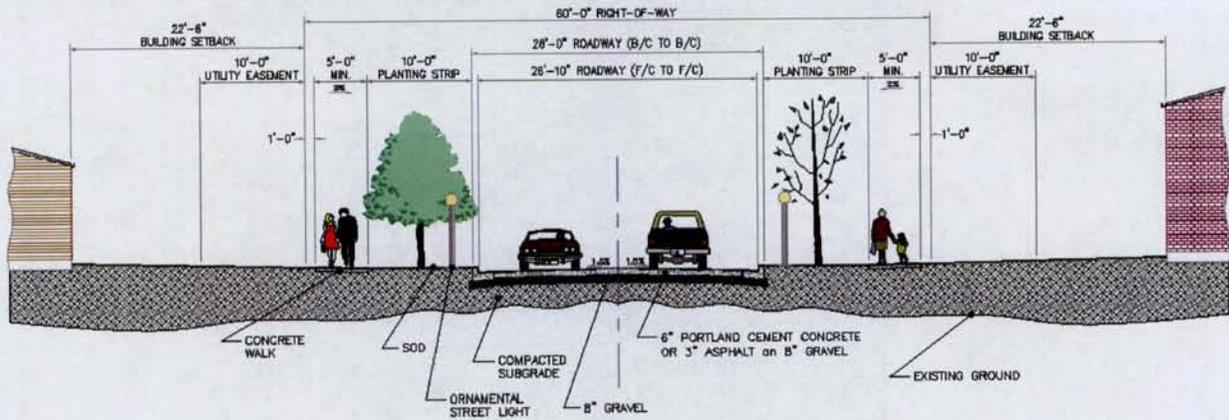
Please note that the information in this document generally refers to local, residential streets. In its final form, the Infrastructure Design Standards or Manual of Practice is intended to provide guidelines on city-sponsored expansion and maintenance projects, in addition to subdivisions.

Please see the next pages for a visual depiction of the current and proposed design elements for a residential street, as well as summary cost and comparison tables. Comparisons were made with neighboring communities, as well as 'scorecard cities' (cities which match our desired vision). Additionally, Scottsdale was added as a comparison city per discussion during public involvement.

EXISTING TYPICAL SECTION FOR NEWLY DEDICATED STREETS

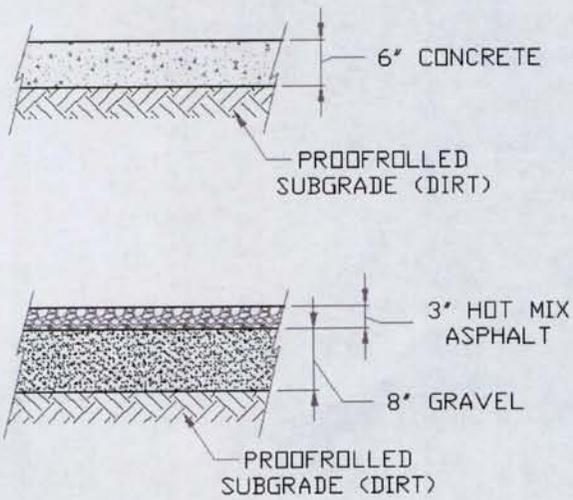


PROPOSED TYPICAL SECTION FOR NEWLY DEDICATED STREETS

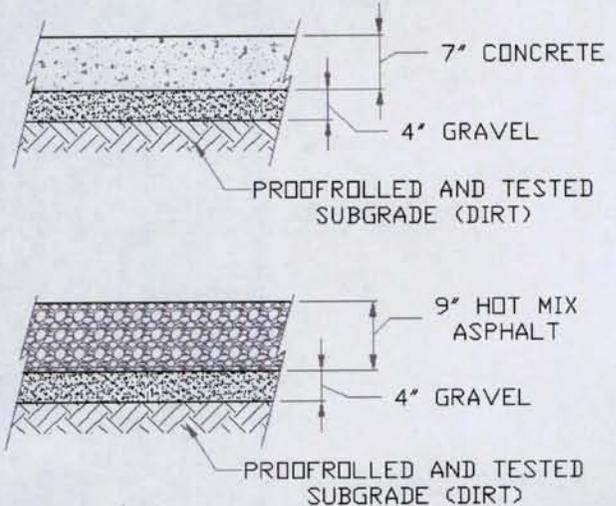


PAVEMENT THICKNESS

EXISTING



PROPOSED



Incremental Initial Cost of Proposed Standards*

Street Width & Pavement Thickness	\$756
Street Lights	\$2,700
Street Trees	\$425
Sidewalk Installation**	\$562
Stormwater	Varies – see explanation in Stormwater section
Testing & Improvement Inspection	\$424
Total:	\$4,867

*These figures represent additional *initial* costs of the proposed standards – shown as cost per 75' frontage, R3 zoning lot

**If sidewalks were installed at 6" thickness along the entire lot frontage, rather than 6" thickness only through the driveways, and 4" thickness elsewhere, as currently required

Peer Community Comparison

[based on readily available information – refer to narratives for design standard details]

Design Standard	Peoria (existing)	Peoria (proposed)	Morton	Washington	Metamora	Pekin	Des Moines	Madison	Omaha	Scottsdale
Street Width	34'	28'	34'	34'	29'	24'	32'	32'	25'	
Pavement Thickness (surface, base)	6" 0" PCC* 3" 8" HMA*	7" 4" 9" 4"	7" 0" 3" 9"	6" 4" 3" 8"	6" 0" 2.5" 10"	6" 0" 3" 8"		3.5" 10"	7" 0"	
Street Lights	No	Yes	Yes	Yes	Sometimes	Yes		Yes	Yes	Yes
Street Trees	No	Yes	No	No	No	Sometimes	Yes	Yes	Yes	Yes
Stormwater	See narrative	See narrative	Similar to Peoria existing	Similar to Peoria existing	Less stringent than Peoria existing	Similar to Peoria existing	Similar to Peoria proposed			
Sidewalk Installation	2 years after 80% occupancy	Prior to occupancy	75% occupancy or 3 years	2 years				18 months	3 yrs	First bldg. permit
Testing and Inspection	Minimal	Yes	Yes	Yes	Yes	Yes		Yes		

*PCC = thickness of concrete pavement, thickness of gravel base;

* HMA = thickness of hot-mix asphalt pavement, thickness of gravel base

TOPIC: NARROWER STREETS

Comprehensive Plan

The Comprehensive Plan identifies two “critical success factors” with an Action Item of Narrower Streets: “Invest in Our Infrastructure & Transportation” and “Support Sustainability”.

Benefits

The benefits of narrower streets are as follows:

- Reduction in impervious cover which reduces the impact on existing and future stormwater assets and helps with erosion control.
- Reduction in speed of traffic. Wide neighborhood streets are a strong contributing factor to higher vehicle speeds which increase the frequency and severity of accidents. Air pollution from vehicle emissions is also reduced.
- Savings in cost of paving, clearing and grading, infrastructure, long-term maintenance and storm-water management.
- Narrower streets also contribute to neighborhood livability and provide a pedestrian and bicycle friendly environment which, in turn, supports sustainability

Current Standards

The current standard for residential street width is 34 feet from face of curb to face of curb.

Proposed Standards

The proposed standard for residential street width is 28 feet from back of curb to back of curb.

Cost Considerations (also see table, page 6)

Please refer to the cost information included in the Pavement Design Section.

Peer Comparisons (also see table, page 7)

Some of our neighboring Tri-County communities have similar requirements to current City requirements. Metamora and Pekin require narrower streets at 29 feet and 24 feet, respectively. ‘Scorecard Cities’ Madison, Dayton, Des Moines and Omaha have narrower street width regulations than the current City requirements.

Comments Received to Date

The primary driver for recommending narrower streets came from comments received through the Comprehensive Plan development process (noted on page 3-JJ of the Plan). The primary concerns staff received were disparity with other neighboring communities’ requirements, and a suggestion to make the street width requirement a *minimum* width, rather than a required width.

TOPIC – PAVEMENT DESIGN

Comprehensive Plan

The Comprehensive Plan repeatedly cites the importance of investing in infrastructure and transportation. Similarly, it emphasizes competitive taxes and fees and supporting sustainability. In response to the Comprehensive Plan, the City of Peoria is proposing modifications to pavement design requirements to improve the structure of the streets initially and to ensure the longevity of the City's infrastructure.

Benefits

The market expects quality infrastructure as a baseline requirement. It is rarely praised, but it is often cited as a complaint of residents and users of public roadways. Quality streets help maintain a safe environment for vehicles and pedestrians alike. Additionally, studies have shown that better streets result in higher market prices. From an article dated January 11, 2004 in the Los Angeles Times, "The Value of Street Smarts":

As with chipped paint and other external factors, dilapidated street conditions can play on the psyche of prospective buyers, said Mike Galieote, an agent at Pinnacle Estate Properties Inc. in Northridge, decreasing property values by 3% to 5%.

The current value of the City's pavements is over \$685 million. Initial construction, as well as a sound maintenance program, will help to deliver the highest level of service at the least cost.

In order to adequately maintain its street pavements in "good" condition the following strategies need to be employed:

1. All new streets should be constructed to a higher standard. A 30 year design life should be employed. There is a relatively small incremental cost when better drainage, subgrade, pavement thickness is employed up front. With the number of deteriorating streets the City currently has, along with scarce resources, it makes little sense to keep allowing pavements which need significant maintenance early in their life cycles to come under the City's responsibilities.
2. Preventative maintenance programs such as the chip-seal program should be re-established.
3. The pavement management system should be fully funded and implemented. Without knowing the extent of what the City currently has, along with its condition, management information and decisions become very short term and reactionary.
4. Additional funding sources should be developed to improve and maintain the City's pavements. One source of possible funding could be an additional 2 cent gasoline tax, which would generate about \$590,000 in annual revenue.

5. Programs need to be developed to include the drainage along the edges of roads, which include curbs and ditches. Other than special assessment projects, or reconstruction projects, there are no programs for either of these items.

6. Continue to include sustainable features in projects. Sustainable items include items like roadside bio-swales and cisterns in sandy areas, using recycled concrete and asphalt in pavements, and using recycled asphalt shingles. Most importantly is to build streets so they do not need to be recycled so soon.

The remainder of this report will focus on the first strategy listed above, with respect to subdivision design.

Current Standards

The City's current pavement design standards for new subdivisions were developed in 1972. The standards are based on a "structural number" process where the local streets are designed to a lower structural number, and major streets to a higher number.

There is a premise that the sub-grade in itself needs to meet a minimal standard, and the base course and surface course are added to develop the structure necessary for the street classification. In practice, local streets have typically been constructed by using the lowest cost alternative of the five minimum sections that are included in the standards.

Engineers have not designed pavements, but simply utilized the minimums the City will allow. Thus, the minimums become the standard in practice. Pavements, for the most part, have been 3" of asphalt over 8" of gravel base, over untreated sub-grade. An alternative section of 6" of concrete over untreated sub-grade has been used to a lesser extent. (See figure on page 5.)

For new streets and major street repair projects, the City currently follows IDOT design procedures, which are based on a 'mechanistic design' process and life cycle analysis. Mechanistic design considers factor like traffic volume, construction materials and subgrade (underlying dirt) support.

Performance of Existing Streets

A survey was done on about 8 miles of streets that were built in Growth Cell One over the past 10+ years. The pavement condition was rated as Excellent, Good, Fair, or Poor according to the University of Wisconsin PASER system (a pavement rating system). In the area surveyed, 8% of the streets are excellent, 11.8% are good, 74.3% are fair, and 5.9% of the streets are poor.

**Patched pavement****Cracked pavement****Failed pavement**

In general, the City should strive to have streets in “good” condition and by this standard, the streets in Growth Cell One have fallen too short, too early.

Proposed Standards (see also figures on page 5)

Streets have many components, including sanitary sewers, storm drainage which may include storm sewers, gutters, and ditches, sidewalks for pedestrians, bicycle paths, water, power, and communication facilities, street trees, street and pedestrian lighting, and pavements. This section of the report focuses on the pavements.

A well designed, constructed and maintained pavement system is essential to the well being and long term stability and viability of the community. Over time, each pavement system will deteriorate due to weather conditions and traffic. How fast it deteriorates depends to a great deal upon the original design and the level of maintenance.

To develop measures of the condition of pavements, systems have been developed which can rate pavements based on a Pavement Condition Index (PCI) with numerical scales of 1-10, or in broader terms such as Excellent, Good, Fair, and Poor. Peoria has a pavement management software system with inventory information included, but it does not have the condition rating data.

The City currently has 443 centerline miles of streets. Of these, 50 miles have an asphalt surface without chip-seal treatment, 351 miles are a variety of compositions of pavements which have received chip-seal treatment, 41 miles of concrete streets, and 1 mile of gravel road. In addition, the City has 80 miles of alleys and maintains 18 miles of IDOT roads and 2 miles of County roads. This amounts to 8.5 million square yards of pavement. At an estimated removal and replacement value of \$80 per square yard, the value of the City’s pavements is over \$685 million. This represents a significant asset which needs to be managed.

Pavement maintenance strategies can be broken into three categories. *Routine maintenance* includes pothole patching, square and patching, and crack sealing. *Preventative maintenance* includes thin seals, rejuvenating agents, chip seal, and thin overlays. *Restoration and reconstruction* includes mill and overlays, major patching or panel replacement, and total reconstruction. Investment in routine and preventative maintenance will result in an overall higher level PCI at a lower cost than will result from deferring these activities and letting roads deteriorate to the point where restoration or reconstruction is required.

Currently, the City's pavement maintenance program includes minimal routine maintenance activities like the patching of asphalt and concrete pavements by Public Works staff. Major restoration and reconstruction is done by contractors, and about \$4 million per year has recently been budgeted for arterial streets. The chip-seal preventative maintenance major work was discontinued in 2010.

Proposed Sustainable Design

The design standards that are currently being used for new subdivisions do not serve the City and its residents very well. The Illinois Department of Transportation (IDOT) has adopted the Mechanistic Design process for pavement design. Mechanistic Design considers factor like traffic volume, construction materials and subgrade (underlying dirt) support. IDOT's Bureau of Local Roads and Streets standards outline this process very well, and they update them when needed. It is recommended that the City use that process as well, but adopt a 30-year design period and design for potential traffic, to include heavy construction trucks delivering concrete and other building materials, garbage trucks, occasional moving and delivery vans, cars, and buses.

There should be a minimum 4" gravel base course sub-base to give a firm and uniform platform to distribute the loads between the surface course and sub-grade. The surface course should be a minimum of 7" of concrete or 9" of asphalt. If extremely poor soils or significant undersurface water conditions exist, then there will need to be more effort in stabilizing sub-grades and dealing with the subsurface drainage. This could include undercutting and adding 12" of gravel or using lime or cement-stabilized sub-grade and under-drain systems. These standards will serve well for a 30-year design life and result in a high level of reliability. The pavements will continually be in a "good" condition, providing they receive a reasonable amount of maintenance.

Cost Considerations (see also table on page 6 and figures on page 5)

Initial Cost (Developers)

A cost comparison was done for existing sections with a 34' f-f pavement and for the proposed sections with a 28' b-b pavement. These cost comparisons are shown in the following table.

Initial Pavement Costs to Developers

Existing sections for 34' f-f wide pavement		
Conventional Asphalt - 3" asphalt with 8" gravel sub-base	\$127 per foot	\$4,773 per 75' lot
Concrete – 6" PCC with no sub-base	\$143 per foot	\$5,374 per 75' lot
Full Depth Asphalt – 8" HMA with no sub-base	This section is never used	This section is never used
Proposed Section for 28' b-b wide pavement		
Conventional Asphalt	Not Allowed	
Concrete – 7" PCC with 4" gravel sub-base	\$147 per foot	\$5,529 per 75' lot
Full Depth Asphalt - 9" HMA with 4" gravel sub-base	\$185 per foot	\$6,964 per 75' lot

While these proposed costs are about \$750 to \$2,350 per lot more than current costs, with reasonable maintenance they will provide a higher condition rating for a much longer period and save the City significant maintenance dollars, as shown below. Please note that the incremental costs are based on a comparison of the lowest cost, conventional asphalt, existing pavement section.

Future Maintenance Costs (Citizens)

A comparison was made of the initial costs and reasonable maintenance costs for a variety of scenarios. These costs are based on the premise that you get the highest condition level at the lowest cost through preventive maintenance. By using surface treatments and crack sealing on a regular basis the need for more costly rehabilitation strategies such as mill and overlays or total reconstruction will be delayed, while giving the motoring public much better roads on which to drive.

Future Maintenance Costs (Citizens)

(Costs are expressed as 60 year Net Present Value)

Existing sections for 34' f-f wide pavement		
Conventional Asphalt - 3" asphalt with 8" gravel sub-base	\$549 per foot	\$20,575 per 75' lot
Concrete – 6" PCC with no sub-base	\$370 per foot	\$13,866 per 75' lot
Full Depth Asphalt – 8" HMA with no sub-base	This section is never used	This section is never used
Proposed Section for 28' b-b wide pavement		
Conventional Asphalt	Not Allowed	
Concrete – 7" PCC with 4" gravel sub-base	\$265 per foot	\$9,948 per 75' lot
Full Depth Asphalt - 9" HMA with 4" gravel subbase	\$261 per foot	\$9,770 per 75' lot

As shown on the maintenance strategies, for local streets, the City should budget \$76 per square yard over a 60-year period for road maintenance, providing the initial construction is done to the above-recommended standards.

Cost-Benefit Analysis

The following table shows the incremental costs and benefits for moving to the recommended pavement designs. These numbers are based on the proposed section for a typical 75' lot as compared with the current typical conventional asphalt pavement with 3" of asphalt over and 8" gravel base.

Benefits to Costs

Proposed Section	Incremental Benefit (Citizens)	Incremental Cost (Developer)	Benefit to Cost Ratio
Concrete – 7" PCC with 4" gravel sub-base	\$ 10,627	\$ 756	14: 1
Full Depth Asphalt - 9" HMA with 4" gravel subbase	\$ 10,805	\$ 2,345	4.6 : 1

Peer Comparisons (see also table page 7)

Morton requires 7' concrete or 3" of asphalt over 9" of gravel. They have had a program to completely replace streets on a 35 year cycle. Metamora requires 6" concrete or 2.5" of asphalt over 10" of gravel. Perkin requires 6" of concrete or 3" asphalt over 8" of gravel. Madison requires 3.4" of asphalt over 10" of gravel. Omaha requires 7" of concrete.

Champaign requires 7" of concrete or 9" of asphalt. This was a section developed about 20 years ago after an extensive study involving contractors, developers and their engineers and professors at the University of Illinois who specialized in pavement design and performance. After adopting these new standards the development in Champaign resulted in streets that have performed very well. This is one of the main reasons behind the recommendations being proposed at this time.

Comments Received to Date

Comments received from the development community indicate that they cannot compete in the market if there are any additional requirements placed on them. They have indicated that providing that the streets are narrowed, perhaps going to a 4" or 4.5" asphalt pavement would be acceptable in that there is no increase in overall cost. Some have said the current condition of the streets in Growth Cell One is acceptable. The proposed 30-year design period for the roads was questioned as excessive.

While an additional inch or inch and a half of asphalt would certainly be an improvement, staff does not believe this is the sustainable design needed to withstand initial construction traffic and longer term traffic needs.

TOPIC: SIDEWALK INSTALLATION

Comprehensive Plan

“Critical success factors” related to sidewalk installation include “Invest in Our Infrastructure & Transportation,” “Reinvest in Neighborhoods,” and “Reduce Crime.” Specific action items in the Plan include, “require sidewalks,” “require connectivity,” “adopt complete streets,” “enforce accessibility standards,” “safe and attractive infrastructure,” “plan for more attractive neighborhoods,” and “safe streets.” These action items are closely correlated to the provision of sidewalks.

Benefits

Sidewalks allow for pedestrian safety, and they promote social interaction and healthier residents, among other positives. In addition, “walkable neighborhoods” have been shown to have higher property values.

Current Standards

While sidewalks are a requirement in residential areas, the installation of sidewalks in front of undeveloped lots is not required until two years after the development is 80% occupied. In residential subdivisions, each homebuilder installs the sidewalk along the new home’s frontage. The consequence of the delay is that neighbors who move in early are often without completed sidewalks to use for many years. Sidewalk requirements in commercial and redeveloped areas are a “gray area” of the current Code, occasionally requiring Commissions/Council to consider staff recommendation for conditions on a site per site basis. There are no current requirements for sidewalks in industrial zones.

Proposed Standards

The proposed standard is to require the installation of sidewalks in all residential, commercial, and industrial areas with the initial installation of infrastructure in new subdivisions, and prior to the occupancy of buildings in redeveloped areas. “Piece-meal” installation of sidewalk would not be allowed, resulting in better quality control.

Cost Considerations (see also table page 6)

Since sidewalks are already required in residential subdivisions, theoretically, there would be no additional installation cost to developers. Installing the sidewalks prior to home construction, however, could require thicker pavement or rework to prevent/fix damage caused during adjacent building construction, if all sidewalks were installed with a thickness of 6” rather than the required 4” (outside of driveways, where 6” thickness is required).

Peer Comparisons (see also table page 7)

Many of the peer communities sampled do not require sidewalk completion prior to occupancy. In those that do require it, slightly thicker pavement, and presumably extra caution, has prevented damage to sidewalks installed prior to home construction. A 6" thick sidewalk standard, as compared to Peoria's 4" standard, has proven effective in Champaign.

Comments Received to Date

We have received concerns from developers about the cash flow implications that result from a shift of timing and responsibility. Currently, sidewalks are installed by each homebuilder as each new home is built. As proposed, subdivision developers would be required to provide the sidewalk construction "up front," along with the construction of roads and utilities.

Installing the sidewalks in advance of home construction could require the developer to "guess" where the driveway will be located along each lot, because sidewalks through driveways must be 6" thick, rather than 4" thick at all other locations. The location of the thicker sidewalk would need to be tracked for each lot, so that the homebuilder could remove the 4" sidewalk and replace it with 6" sidewalk, if they chose to install the driveway at another location on the lot. A possible solution to this issue is to install 6" thick sidewalks *everywhere*, at an increased cost. This is currently being done in Champaign.

We have also received concerns that subsequent building construction will damage the previously-installed sidewalks. In such cases, the homebuilder would be responsible for removing and replacing damaged sidewalks before a Certificate of Occupancy is issued.

A suggestion was discussed to require the developer to complete the sidewalks on a block by block basis as a threshold of occupancy, perhaps 80%, was reached.

TOPIC: STORMWATER

Comprehensive Plan

The Comprehensive Plan identifies three “critical success factors” which relate to stormwater management: “Invest in Our Infrastructure & Transportation”—with the “Action Item” *Green Infrastructure*; “Grow Employers & Jobs”—with the “Action Item” *Increase Green Development*; and “Support Sustainability”—with the “Action Items” *Protect Streams and Floodways*, *Regional Stormwater Solutions*, *Use Permeable Pavement*, and *Preserve & Protect Resources*.

Benefits

The Illinois River is perhaps our greatest natural resource. The river is currently polluted with bacteria, and sedimentation threatens wildlife, recreation, and commerce. The proposed stormwater management standards include both water quantity and water quality requirements, in order to enhance the protection of our environment. Also, from a flooding standpoint, homes would be protected to the same 100-year level of protection as currently adopted and administered under the Flood Insurance Program.

Current Standards

The current standard for stormwater management was effective in 1997, requiring detention of the 2 year and 25 year, 24-hour rainfalls. Post construction infiltration (letting rainwater soak into the ground) and other water quality impacts are not addressed. Erosion control during construction is required.

Proposed Standards

The proposed standards are taken from the ‘Unified Stormwater Ordinance’ developed by Tri County Regional Planning Corporation (TCRPC) in 2003, and recommended for adoption in TCRPC’s 2009 Regional Stormwater Plan, prepared for the Illinois River Valley Council of Governments’ Stormwater Advisory Committee. These documents can be viewed at <http://www.tricountyrpc.org/environment-documents>.

The proposed requirements address both water quantity and water quality. The proposed water quantity standard requires detention or infiltration (soaking into the ground) of the 1 year, 10 year, and 100 year, 24-hour rainfalls. Designing stormwater management to these lower (1 year) and higher (100 year) storms, compared to current 2 year/25 year requirements, will lessen erosion of creeks and will provide greater flooding protection. Infiltration is highly encouraged to recharge the groundwater and to improve water quality. Design elements like permeable pavers for driveways and patios, rain gardens, rain barrels and bioswales are measures that would be allowed and encouraged. Post-construction water quality must be

considered and addressed. Erosion control during construction is required, similar to current requirements.

Cost Considerations

Because stormwater management is dependent on the topography of the land, it is difficult to assess a general cost increment per acre of development. Meeting stormwater management requirements on very flat sites generally costs more than meeting the same requirements on steeper sites with a very defined 'low spot'.

As an example, a comparison was made of the current and proposed requirements for a flat, 40 acre residential subdivision site without the benefit of soils that will infiltrate, or soak up, stormwater. It should be noted that this example represents the extreme end of the differences. For the current requirements, the traditional detention area footprint would be about 1.3 acres. For the proposed requirements, the traditional detention area footprint would be about 3.9 acres. The net difference is 2.6 acres, which would represent about 7 lots in Growth Cell One A with its current 2.7 dwelling units per acre restriction. It is likely that developers would design slightly smaller lots in this example subdivision to keep the lot yield comparable, if possible.

Peer Comparisons (also see page 7)

Most of our neighboring Tri-County communities have similar requirements to current City requirements. Bloomington and Champaign require stormwater detention for the 100 year storm. 'Scorecard Cities' Dayton, Des Moines and Omaha have stricter stormwater regulations than the current City requirements, in terms of detention, water quality, and flood control.

Comments Received to Date

The primary concerns staff received were cost increase and disparity with other neighboring communities' requirements.

Although the proposed standards were approved in concept by the Illinois River Valley Council of Governments, no neighboring community has adopted the ordinance to date. A suggestion was heard to adopt the proposed standards only if other communities did the same.

A comment was heard that the proposed standard would require significant education and training of the local development community so that the emphasis on infiltration and 'green design elements' could be understood and incorporated.

Finally, staff is aware that the Illinois EPA is in the process of developing stormwater infiltration requirements (for sites larger than one acre) that will be even more stringent than the City's proposed requirements. The timing of these new IEPA requirements becoming law is unknown. A suggestion was heard to keep the current City requirements until the new IEPA requirements become law.

TOPIC: STREET LIGHTS

Comprehensive Plan

The Comprehensive Plan identifies three “critical success factors” which relate to the provision of street lights. “Invest in Our Infrastructure & Transportation”, “Reinvest in Neighborhoods”, and “Reduce Crime” are all objectives outlined in the Plan. Specific action items in the Plan include “street and alley lighting”, “safe and attractive infrastructure”, and “safe streets”.

Benefits

Studies have shown a connection between street lighting and reduction in crime. It is difficult to quantify the exact effect of additional lighting; however, it is clear that additional lighting increases neighbors’ perception of safety. Studies show that neighbors who feel safer are more likely to spend time outside, and that added presence monitoring the streets adds additional safety. According to the Pacific Institute, improved lighting also allows safer operation of vehicles at night, reduces accidents, and assists in traffic flow.

Current Standards

Currently, the City of Peoria does not require street lights for new residential subdivisions. Exterior yard lighting can be required by homeowners’ associations; however, it is not mandated by the City. Maintenance of the yard lights is the responsibility of the individual homeowners. A recent example of good street lighting is the Lynnhurst Subdivision in Peoria, which recently voted as a neighborhood to install street lights as part of the City’s Special Assessment process.

Proposed Standards

The proposed standard is approximately one, pedestrian scale street light every three (3) lots on both sides of a residential street. Developers would be required to install the streets lights, and the City would maintain them. The proposed street lights for residential streets would be similar to the street lights installed in Lynnhurst.

Cost Considerations (see also page 6)

The installation of one pole every three lots would come at an estimated initial cost of \$2,700/lot. Although the City does not track costs for streetlight maintenance separately, the post-installation maintenance/bulb changing/energy costs are expected to be minimal, in that the City currently maintains thousands of streetlights.

Peer Comparisons (see also page 7)

Many of our surrounding peers require street lights (I.e. Morton, Washington, and Pekin). Madison and Omaha are example "Scorecard cities" which also require streetlights.

Comments Received to Date

We have received concerns from developers about the initial cost of streetlight installation and the future maintenance costs to the City. The concerns were related to increased cost to developers and the ability of the City of Peoria to compete with surrounding communities for homeowners.

Developers suggested an alternative standard which would require brighter yard lights located on private property, but within a set distance, perhaps 5'-10', of the public sidewalk. The yard light would be installed by the homeowner, rather than by the developer. The maintenance of the yard light would be the homeowners' responsibility.

Possible concerns with this brighter yard light suggestion include a delay in the completion of the neighborhood lighting system (as the yard lights would be installed as homes were built) and lessening the 'street framing' and traffic calming effect of light poles in the right of way. In addition, the brighter yard lights would not provide the same coverage as street lights, as their spread likely would not be as large.

TOPIC: TESTING AND INSPECTION OF PUBLIC IMPROVEMENTS

Comprehensive Plan

The Comprehensive Plan repeatedly cites the importance of investing in infrastructure and transportation. Similarly, it emphasizes competitive taxes and fees and supporting sustainability. In response to the Comprehensive Plan, the City of Peoria is proposing modifications to testing and improvement inspection requirements to improve quality control and ensure the longevity of the City's infrastructure.

Benefits

The market expects quality infrastructure as a baseline requirement. It is rarely praised, but it is often cited as a complaint of residents and users of public roadways. Quality streets help maintain a safe environment for vehicles and pedestrians alike. Additionally, studies have shown that better streets results in higher market prices, as referenced on page 24 of this document.

Current Standards

Currently, the City requires minimal inspection and material testing of new roads, and storm sewers. Most municipalities studied require some level of third-party inspection during the installation of required improvements.

Note the inspection-ownership paradigm that exists in Peoria. Currently, the City's sanitary sewers are inspected by personnel of the GPSD, and developers pay GPSD for this service. In contrast, storm sewers and streets are self-inspected by the developers, who hire the design engineer to inspect and certify to the City that the streets are constructed to standards. The City currently has no staff to provide oversight and is contracting with Dewberry Architects Inc for these services. Compare the inspection of infrastructure to the inspection of buildings: The City inspects buildings that it will not own, yet permits developers to self-certify infrastructure that the City will own.

Proposed Standards

The City of Peoria is proposing to require additional testing and inspection of public infrastructure construction by a third-party professional during the installation of improvements.

Cost Considerations (see also table page 6)

Estimated testing costs are \$40/lot. Third party inspections are estimated at \$384/lot. As a comparison, the cost for sanitary sewer inspections per GPSD requirements ranges from \$130 to \$1090 per lot. Inspection of streets is expected to be 5%-7.5 % of construction cost, whereas developers have indicated they are currently paying only 2%. The City could opt to subsidize inspection costs and only charge developers 2%, or the City could charge the actual inspection cost like GPSD currently does.

Peer Comparisons (see also table page 7)

Comparative cities analyzed require varying degrees of frequency and acceptable testing authority, but almost all of them require testing. A third-party observer is typically required to be present during critical periods of the installation process, and to make periodic inspections. The frequency of the inspections can vary with the experience and workmanship of the contractor involved.

Comments Received to Date

Developers have expressed concerns over the efficiency of proposed enhanced street design requirements, proposed increased testing and construction requirements, and proposed increased bonding time period. They have generally agreed with the importance of street quality, but urged the City to achieve a balance of these three factors, which together impact quality control. Redundancy should be avoided.

TOPIC: TREE POLICY AND PROGRAM

Please note: This Topic is broken into two separate but related parts-- the Infrastructure Design Standards and the City Tree Policy and Program. The second part will address the policy session topic that has been listed as unscheduled on the Council agenda.

INFRASTRUCTURE DESIGN STANDARDS

Comprehensive Plan

The Comprehensive Plan adopted goals to provide attractive public spaces, design for pedestrians, and promote safety. Street trees were one of the features that the public strongly encouraged, and requiring street trees was an action item in the plan.

Benefits

The benefits of trees are numerous and include:

- Barrier between pedestrians and vehicles
- Traffic Calming
- Combat greenhouse effect
- Clean the air
- Provide oxygen
- Conserve energy
- Save water
- Detain runoff and prevent water pollution
- Provide visual screening
- Increase property values

Current Standards

The City of Peoria does not require street trees in new developments, and the narrow 4' parkways prevent trees from being planted later.

Proposed Standards

The proposed standard is a 10' wide parkway (area between the curb and sidewalk) with the developer responsible for the cost of planting trees at a maximum 60' spacing with at least one tree per lot.

Cost Considerations (see also table page 6)

The cost to install a new tree is in the \$350 to \$500 range. Staff was assisted by Davey Resource Group, a tree industry leader, to help estimate long term maintenance costs. They prepared a scenario which included 50 large, 35 medium, and 25 small trees. Based on a 40 year scenario they estimated the annual maintenance cost for trees to be \$21 per tree per year. This included costs for replanting, pruning, removals, pest and disease control, infrastructure repair, cleanup, irrigation, liability, legal and administrative costs. The benefit to cost ratio from this analysis is 2.2 to 1.

Peer Comparisons (see also table page 7)

Street tree planting is currently required in Des Moines, Madison, Scottsdale, and Omaha.

Comments Received to Date

We have received concerns from developers regarding the cost of trees, their potential long term maintenance costs to the City, and leaves potentially clogging storm drainage inlets. Another concern is with the timing of tree planting. A suggestion was heard that planting trees toward the end of the home building cycle would prevent damage and allow new homeowners to water them. To address these concerns, the developers have suggested that rather than planting trees in the parkways, it would be better to require each homeowner to plant and maintain a tree in their front yard.

Staff agrees that planting toward the end of the building cycle would be best. The concerns with trees in the front yard rather than the parkway is that many of the benefits of street trees are lost considering in that there would be no street canopy, no 'wall' to slow traffic and no separation for pedestrians and vehicles.

CITY OF PEORIA TREE POLICY / PROGRAM

CURRENT CITY OF PEORIA TREE PROGRAM

Maintenance - Currently the City of Peoria has a very limited tree maintenance program. Funding is provided in the Streets, Sewers, and Forestry Division budget in two line items:

101-3124-546.36-02	Forestry Services	\$170,000
101-3124-546.36-33	Tree Planting	<u>\$ 5,000</u>
Total Budget for Tree Services		\$172,000

Tree Services includes work under several contracts. Prior to 2011 the services provided were performed under a long standing contract with the Peoria Park District. In 2011 City staff recommended adjusting how services are provided and conducted public open bids for tree services. The previous budgets for Tree Services are as noted herein:

2009	\$252,150
2010	\$322,529
2011	\$252,500
2012	\$170,000

The work covered under the 2012 contracts includes the following services:

Tree Removals (Fixed list of 229 Trees)	\$ 86,101 (Includes stump removals)
Tree Removals (Unplanned)	\$ 30,000 (Includes stump removals)
Planned Tree Maintenance Services	\$ 4,000
Emergency Tree Services	\$ 5,000
Existing Stump Removals	<u>\$ 15,000</u>
Total Contracts Awarded for 2012	\$140,101

Planting - The funds budget cover only partnering on up to 20 trees per year if we do nothing else. If we do plant a reasonable size tree costs could be between \$350 and \$400. The City has a Tree Partners Program but its use has been very limited in the past and the program has not been marketed due to limited funds. Under this program a property owner can plant a tree (from the City's list of approved trees) in the right-of-way or within 15 feet of the property line and the City will pay 50% up to \$100 to assist in the cost of the tree and its installation. Funds in the amount of \$6,000 were approved in 2009 but were reduced to \$3,000 in 2010 and have been reduced further to \$2,000 for 2011 and 2012. In 2013 \$5000 was budgeted and another \$4500 was received from Ameren for tree replacements. Some of these funds will be allocated to match the State grant for downtown trees.

Staffing - City staff does provide some basic tree services. We have a bucket truck, log grapple truck and chippers for brush and limbs. Most of our internal effort is focused on tree trimming and removal of branches blocking signs and street lights. During the winter months when we are not addressing snow removal needs and pot hole patching we dedicate staff to tree trimming activities. During the mild winter of 2011-2012 we dedicated over 6,000 hours of time to tree trimming and 2012-2013 is expected to be similar. These were unusually warm winters and it is normally not possible to dedicate that much time to tree trimming. Staff also addresses some emergency work when trees and/or limbs fall.

PROPOSED CITY OF PEORIA TREE PROGRAM

If the City were interested in enhancing a tree program there are several facets that would be key to any program. These key features would include the following components to provide a full service operation.

Tree Inventory – The first item necessary is to develop a full inventory of the City's Urban Forest. This listing should be in our GIS format and should show the location of each tree in our City under the control of the City's Streets, Sewers & Forestry Division. The summary should identify the type of tree, the condition of the tree, when the tree was planted (if known), and any other particular information related to each tree that would be useful in developing a maintenance program. This inventory would show all City trees in the public right-of-way as well as in any unopened alleys that are still under the control and responsibility of the City. The current estimate based on sample counts is that the City had about 20,000 trees in the streets and alleys.

An RFP has been solicited for this system. Proposals will be received on March 1 and an agreement will be presented to council in the near future. (Estimate for Initial Inventory: \$75,000)

Tree Pruning Program (Tree Health & Development) – Once an inventory is completed a Tree Pruning Program should be developed to prune excess wood from the tree to assure proper growth of the trees and to eliminate unnecessary limbs that add to the mass of the tree but hinder full tree development. Excess wood in a tree can lead to excessive wind damage and damage from heavy snow on trees resulting in limb damage. A proper pruning cycle should be about once every 3-4 years for trees less than 10 years and about every 7 years for older trees. For older trees pruning more often than every 7 years is unnecessary and beyond seven years is not often enough to keep the proper wood mass in the trees. (Estimated Budget: \$100,000 annually)

Tree Clearance Trimming Program (Safety & Clearance) – The City staff currently provides tree trimming services in the winter as weather permits. During this past mild winter 6,000 staff hours were expended for clearance trimming. During a normal winter we cannot afford to dedicate this level of staff time to tree trimming services and it might be necessary to supplement City staff with services from an outside contractor to keep up with tree trimming needs throughout the City. This operation is intended to remove limbs that are overhanging roadways, alley and sidewalks that interfering with vehicles, pedestrians, bicyclists, obstructing signs and street lights. Many of the vehicles that use our roads and alleys, like our snow removal vehicles, garbage collection vehicles and street sweeping vehicles need to get close to the curbs and overhanging limbs can cause damage to the vehicles, and occasionally to the drivers, when they are operating close to the curb line. Tree trimming should be a program established to drive every neighborhood at least once per year to check on hanging limbs. (Estimated Budget: \$150,000)

Tree Removal Program – Currently the City removes between 150 and 250 trees annually. Trees removed are of varying sizes and costs can be as little as a few hundred dollars to as much as a few thousand dollars. For many years we only removed the tree and left the stump. Since 2011 we have started to catch up on stump removal for stumps left in the City right-of-way. All trees removed under contract in 2011 and 2012 include the removal of the stump. This program can be established annually once a good tree inventory is in place and a full listing of diseased and dead trees can be developed and competitively bid early each year. Scheduled tree removals should be accomplished annually for less than \$100,000 unless the final inventory identifies a much greater number of trees that need to be removed than has been seen in past years. (Estimated Budget: \$50,000)

Scheduled and Emergency Tree Services – We have included these services into the 2011 and 2012 contracts and unless we have a significant wind event or ice event that damages a lot of our trees we believe keeping contractors available for these services is an appropriate way to address these needs. (Estimated Budget: \$15,000)

Stump Removal Program – Currently we have included a portion of our budget for removal of existing stumps left in the right-of-way from previous removals. We do not have a complete inventory of these stumps and suggest an amount annually until all stumps are removed. The budget for this service should be left at about \$15,000 for a few more years but it will eventually be eliminated and made a part of the tree removal program. (Estimated Budget: \$15,000)

Tree Planting Programs – This is one area the City has not addressed in any significant way. There are a few identified areas where the City could address the planting of new trees. There are issues that will need to be addressed with planting of any trees in the right-of-way and these include overhead and **underground utility systems and limited right-of-way widths in many older sections of the City that may preclude the installation of trees.**

Tree Partners Program (approved in 2003) - The previous funding level of \$2,000 for the Tree Partners Program was increased to \$5,000 for 2013. This will provide for at most 50 new trees annually based on the City's maximum contribution of \$100. This program could be advertised and promoted to attract customers who would be interested in planting trees. The City should consider increasing its share of the cost to \$200 per tree to attract more customers. (Estimated Budget: \$10,000)

Gaps in the Urban Forest (Infill) - Once the City's Tree Inventory is complete, it can be used to identify gaps in the urban forest and a plan could then be developed to initiate a city-wide tree planting program to fill in these gaps over a period of time. New trees planted by contract would probably cost between \$350 and \$500 for a new tree (2" to 2-1/2" caliper). To match the number of trees removed and to catch up on the lack of tree planting in the past an annual tree planting program should include planting about 400 trees each year – half in the spring and half in the fall. (Estimated Budget: \$150,000).

New Construction Projects (Public) – The Public Works staff is currently considering opportunities to include tree planting as a part of capital projects. When any street and/or sidewalk project is initiated these plans should identify areas where new trees can be planted.

Trees can be planted as part of the contracted work or added to an annual tree planting contract. (Budget will be part of project cost)

New Construction Projects (Private) – This effort would be mostly focused on new residential subdivisions. Narrow rights-of-way per our current subdivision standards preclude space for the planting of new trees. Any required trees under the current Code would need to be planted on private property in front or side yards. Rights-of-way widths would need to be widened to accommodate tree planting between the sidewalk and the back of curb. Should Council want to see more trees planted, City Council needs to clarify their position relative to tree planting and modify City Codes related to tree planting for new development. In many towns, developers pay the City upfront for required new trees in residential subdivisions based on tree planting guidelines. When the development is more than 80% or 90% complete the City proceeds to plant the trees paid for initially by the developer. This process has been more successful in obtaining quality trees that tend to survive longer and are more uniform in appearance when planted at the same time. (No City Budget Needed)

Emerald Ash Borer Preparation – Millions of native ash trees are being killed by the emerald ash borer (EAB). EAB is spreading relentlessly and has dramatically affected the tree populations in cities such as Naperville and Bloomington. The Illinois Department of Agriculture recommends starting a program of public education and treatment, along with preparations for removals, when the EAB is found within 20-40 miles of a community. To date Peoria has been fortunate to have very low EAB counts but with significant infestations to the north and east it is time to start preparing. (Estimated Budget: \$5,000 for Community partnering, Budget for treatment and removals can be determined after an inventory is complete)

Tree Removal Ordinance – Many communities have implemented tree removal ordinances that to some level control the ability of private property owners to remove trees on their property. In some cases these ordinances are citywide and in other they are more directed to saving trees on property being developed. This may be especially important given the imminent infestation of EAB. If City Council is interested in moving in this direction, City staff will need to do research and bring back a report on possible Tree Removal Ordinances for City Council consideration.

Staffing - If the scope of the City's efforts were to increase, additional management time would need to be allocated, either through contract or part of a staff person's time. (Estimated budget: \$25,000 to \$50,000)

Public Feedback

[collected via mail, email, and Peoria Public Works website]

1.

Subject: Infrastructure Design Guidelines revisions
Message: A few resources to consider in the Infrastructure Design Guidelines updates:

Complete Streets - <http://www.smartgrowthamerica.org/complete-streets>

Road Diet - http://safety.fhwa.dot.gov/provencountermeasures/fhwa_sa_12_013.htm

Metrics for 21st Century Streets -
<http://www.nyc.gov/html/dot/downloads/pdf/2012-10-measuring-the-street.pdf>

Green Streets / Integrated Stormwater BMPs -
<http://www.portlandonline.com/bes/index.cfm?c=44407>

Pedestrian Friendly Intersections -
http://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/sidewalk2/sidewalks208.cfm

2.

MEMORANDUM

TO: Steering Committee
FROM: Tony Berry
DATE: 9-27-12
SUBJECT: Infrastructure Design Standards

Thanks for the opportunity to review and provide input to this planning process. There were a number of good ideas contained in your presentation. I'm writing to convey some thoughts that we didn't have time to discuss.

Let me start with a suggestion for process improvement.

- * Involve the affected parties at step 1. Change the relationship between city and the developer / builder community from adversarial to one of cooperation.

Page 6 of the power point presentation outlines a 5 step process used to develop the draft of standards. The affected parties (public, developers, builders, engineers) are not involved until step 4. The direction and most specifics had already been determined by this point. A great many staff hours and billed consultant hours were spent (possibly wasted) before getting ideas and input from the very people who deal with these issues every day.

Among the stated objectives of this effort are:

- * "encourage development"
- * "Create a Competitive Environment for Development"
- * "Establish – a livable ... community"

How livable is a community that is unaffordable?

How does increasing costs "encourage development" or "Create a Competitive Environment for Development"?

We live in a dynamic marketplace. As such, we compete with other communities for population growth and retention. According to census information, The City of Peoria had a population of 112,936 in 2000 and 115,007 in 2010. By this measure, it appears the city isn't competitive in the marketplace.

I'll give the remainder of my comments in the order in which the topics were presented:

* **Narrower streets**

28' roadway back side of curb to back side of curb nets 26'-10" face of curb to face of curb. Parking cars with a design width of 8' on both sides of the street would result in usable road surface of 10'-10". This would not allow for two-way traffic. It may even be a problem for one-way traffic if the cars are not parked close to the curb.

This may not be well received by the buying public. This may not be very safe.

F.Y.I., the 28' roadway appears to be taken from Champaign's street standard. Neighboring Urbana requires 37' roadway with parking on both sides and 31' with parking on one side.

* **Steel forms required in sidewalk construction**

I assume the objective is to end up with straighter sidewalks. If this is the case, can the objective be obtained by other means? Could a specification be established for straightness?

Requiring steel forms will result in higher prices. Many concrete contractors do not have steel forms. The purchase would be a meaningful expense.

* **Construction of sidewalks prior to building occupancy, including single-family residential subdivisions**

Winter construction makes this difficult. During most winters, the months of January and February are too cold and the ground is frozen. This makes pouring sidewalks impossible without huge expense.

If the objective is to insure that sidewalks are installed, then what other means can be employed to achieve this objective? L.O.C., bond, or some form of surety can be used. An assessment can be placed on the property.

Some of the photos used showed vacant lots without sidewalks. I hope the city is not considering requiring the installation of sidewalks on developed lots without houses. This would greatly increase costs. Sidewalks would not survive the home building process. As such, they would need to be torn out and replaced.

* **Thicker pavement section required**

I spoke briefly to this point, but it deserves more attention.

This would result in a very large increase in the cost of a developed lot. The reduction in the street width will not offset the increased cost. As time permits, I will get current unit costs and calculate the true impact of this proposed requirement.

The objective seems clear, to reduce the ongoing costs to the city. I understand there is an aesthetic aspect, but cost would seem to be the real driver.

The goal of building residential streets that will last 30 years seems "a bridge too far". The cost to achieve this goal will be borne, disproportionately, by the first purchaser of a new lot. This presumes that the developer can sell lots at the higher price. Contrary to the common misconception, the marketplace will not allow all increased costs to be passed along to the consumer. We live in a marketplace and other buying options exist. And, the option not to buy always exists. (How many new residential permits has the city issued in the last few years?)

* **Required street tree planting**

Not only is this an additional cost to the developed lot price, it has the potential to increase the long term costs to the city. As roots grow under the sidewalks, curbs, and streets, damage can be done to the aforementioned. Adding to this is the cost of trimming and maintaining. Are we considering whether the lot buyer wants the type of tree that is required? Or, whether the lot buyer wants a tree in that location?

* **Final plat must be approved before construction begins**

What's the objective?

If the preliminary plat is approved and the construction plans are approved, what purpose is being served?

* **1 yr. and 3 yr. warranty**

In what form would these warranties be acceptable and / or required?

L.O.C., insurance, the road construction company's warranty (R. A. Cullinan, I.C.C.I, Atherton)?

* **Storm water**

This was talked about at great length. All proposed changes result in higher costs and some unintended consequences. Much more discussion and research is necessary and warranted.

* **Minimum topsoil depth requirements**

Stated objective was to provide better soil for growing grass. By inference, another objective was to reduce the number of phone calls from citizens to city staff complaining about grass not growing in yards.

Whatever the objective, the result would be increased cost of developed lots. Machine and / or truck time for material handling and storage would add up quickly.

It used to be a matter of personal responsibility to get grass to grow. Either by diligently caring for your yard or making the landscaper and / or builder stand behind deficiencies if applicable. Now it seems citizens call on the government for action when something needs attention. This may be a learned response?

I understand the need for vegetation to reduce soil erosion. But, grass will grow in most soil conditions with reasonable care. The city may be money ahead to provide written instructions on the care of new lawns and explanations of the city's responsibilities as opposed to writing new top soil standards.

According to City-Data, in 2000, Peoria issued 401 building permits with an average cost of \$115,200 (this number seems low, but doesn't change the trend line). In 2010, 146 building permits were issued with an average value of \$247,400. The trend is clear.

The good intentions of this effort are admirable, but many come with costs. Jeff Kolbus was correct when he said the changes outlined will increase the cost of housing.

Increasing the cost to develop and build within the city and the 1 ½ mile extra-territorial jurisdiction will not reverse the trend of lesser permits and higher costs.

I would welcome the opportunity to participate in future meetings on this subject.

Thank you.

3.

Subject: Developer

Message: Hi--- I don't think a focus group should be formed without a major residential developer or several being named to the group:

Here are concerns/problems with your additional regulations:

1) Top Soil- should be located between street and city walk-and stockpiled for use (dumb to install where desired before home construction).

- 2) Sidewalks- I would propose that all subdivision sidewalks should be installed within 2 years of final plat recording. DUMB to require installatin of sidewalks in below freezing temperatures before occupancy can be granted.
- 3) Tree plantings-- I would be for tree plantings in the front yard- Long term planting trees in easements is a problem for underground utilities burried there.
- 4) Farm Tiles--- How would you propose farm tiles be located--- This is very vague and could get very expensive-- I would propose that any farm tiles discoverd on site during construction be brought to the attention of municipality and dealt with on a per case basis (since there are two many variables to detail in an ordinance).

thanks,
Bill Peifer

4.

Subject: Infrastructure Design Standards Implementation Schedule
Message: While I am in agreement with the need to update and standardize the City's infrastructure code, I feel as though the process is being rushed. I have made it through a very small portion of the draft code since it was uploaded to the internet last week, but even a cursory look reveals many changes that will affect every engineer, developer, and the like, wishing to do business in Peoria. The public meetings are a great start, but they are simply providing a very broad overview without delving into the specific issues and changes that will have a major impact.

I would like to suggest that the process be slowed down to some extent to allow more discussion and understanding of the new requirements. Perhaps it would be beneficial to break the code into 3 or 4 sub-categories and facilitate meetings to discuss items in each sub-category?

Again, I appreciate the opportunity to be involved. I look forward to another good discussion at the upcoming meeting on Wednesday.

Respectfully submitted,

Laura Tobben
Farnsworth Group, Inc.

5.

Subject: Proposed Infostructure Design Standards
Message: Thanks for updating these standards. As decisions are made to the new standards... please make a walk-able and bike-able community as high priority. Using infrastructure such as sidewalks and bike paths on streets to connect residential areas with business and districts (ie. increase non-motorized accessibility between homes to grocery marts, schools, & recreation). Thanks on behalf of the Central IL Wellness Coalition.

6.

Message: Great to see this happening. I always thought the street widths in the existing standards were "unusual." The final product will be a huge improvement for the City and their developers and engineers. Thanks for taking this on.

PAAR

PEORIA AREA ASSOCIATION OF REALTORS®

November 20, 2012

Ms. Jane Gerdes, Civil Engineer II
City of Peoria
Public Works Department
3503 N. Dries Ln.
Peoria, IL 61604

*Rec'd
11-27-12*

Dear Mr. Smith:

I am submitting to you comments, developed in conjunction with a consultant for the National Association of REALTORS®, that express the concerns of the Peoria Area Association of REALTORS® (PAAR) regarding the City of Peoria's proposed Infrastructure Design Standards Manual (IDSM).

Overall, the PAAR has concerns about the Draft IDSM and its potential to affect the rights of private property owners and the costs of residential and commercial construction. We have concerns that the many substantive requirements for infrastructure construction are likely to make the development process more costly, which in turn, could have a negative impact on housing affordability. As you know from discussion with some of our members who are developers, we also have particular concerns with the Street Trees and Pavement Standards requirements within the Draft IDSM. We are sensitive to the issues raised by area developers with whom you have met.

Chapter 17 of the Draft IDSM would unfairly make property owners responsible for correcting violations on private property, even if they are not responsible for the violation. Chapter 17 also imposes a mandatory disclosure requirement on the owner(s) of any property that has a storm water detention basin. The concern is that the Draft IDSM places the burden of providing the required notice on the property owner (and possibly listing agent) who then would be subject to a potential \$1,500 fine for noncompliance. This concern may also extend to the listing agent, if the disclosure provisions is interpreted to apply to the agents of detention basin owners, or an owner seeks damage from the listing agent for failure to comply with the requirement.

In addition, although it is unclear precisely when the notice must be given to a subsequent owner, if disclosure is required prior to closing, it could negatively affect the marketability of affected properties to the extent that potential buyers are deterred by the maintenance, reporting, and inspection requirements.

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The PAAR is asking the City to consider other ways to ensure that the property owners are aware of ongoing maintenance and inspection requirements of Chapter 17 without placing the burden on property owners and REALTORS. For example, the City could post notice of the requirement on its website. It could also provide notice via direct mail to affected property owners.

The following issues provide you with our detailed concerns on specific items in the proposed IDSM:

Issue One

The number of submittals and approvals required by the Draft IDSM will make it more costly and time-consuming to obtain development approvals in the City.

The Draft IDSM would require developers to submit several types of plans and specifications and obtain numerous approvals, in order to proceed with construction of a proposed project. Even without the preliminary, final and other platting requirements of Chapter 2 through 5, the Draft IDSM imposes unusual submittal/approval requirements on new development in the City:

- *Engineering/Construction Plans and Specifications* (section 6.00)
- *Hydrologic Design Data and Calculations*, for projects located in flood-prone areas (Section 6.00.C)
- *Grading Plan, Subsidiary Drainage Plat, and Erosion Control Plan* (Section 6.02.D)
- *Final Subdivision Plat* (Section 6.00.H) Note: This represents a significant change from the City's current policy of allowing final plats to be filed before construction plans are completed and approved. Under Section 6.00.H of the Draft IDSM, construction plans must be completed and approved before final platting.
- Street Access approval from the City Engineer (*Section 9.02.B*)
- *Traffic Impact Analysis* performed by a professional engineer licensed in Illinois who is prequalified for traffic studies by the Illinois Department of Transportation ("IDOT") (Section 9.02.C)
- *Soil Report* (Section 10.02.B.1) This report "may be required" on all new or reconstructed City streets.
- *Traffic Management Plan*(Section 12.01.A) This requirement applies to certain types of developments, including those that can be expected to generate more than 100 new peak-hour vehicle trips on the adjacent street, and developments that produce less than 100 new peak-hour trips but are located in the "problem areas," such as high accident locations or congested areas (Section 9.02.C.1)
- *Intersection Design Study* for all projects involving the installation or modernization of traffic signals (Section 14.01.C)
- *Grading and Drainage Permit* (Chapter 17, Section 2, Article II)
- *Storm water Pollution Prevention Plan ("SWP3")* (Chapter 17, Section 2, Article II)
- *Tree-planting permit* (Section 24.01.C)

All of these submittals and approvals will likely make it costly and time-consuming to obtain development approval, especially because the Draft IDSM does not contain time frames for most of these decision-making processes.

Issue Two

Many of the substantive requirements for infrastructure construction are likely to make the development process more costly, which in turn, could have a negative impact on housing affordability.

Many of the Draft IDSM's substantive requirements for infrastructure development can be expected to increase the cost of development on affected projects in the City. Below are some examples:

- *Construction Observer Requirement: Section 7.01* would require an experienced observer who is approved by the City Engineer to observe construction of all public improvements. This would presumably be at the developer's cost. The observer is required to be present 100% of the time when construction is taking place on the "major infrastructure items," including but not limited to pavements, sidewalks, storm sewers, bridges, and culverts.
- *Sidewalks in Industrial Zoned Areas: Section 8.01.A.2* would require that sidewalks be constructed along one side of every local street in any area zoned or planned for industrial development. Currently, sidewalks are not required for industrial development.
- *Increased Right-of-Way Widths: Although Section 8.00.B and Table A of Chapter 8* would reduce the required pavement width for local residential streets from 34 feet to 28 feet, the required right-of-way dedication would increase from 55 feet to 60 feet. The required right-of-way width for collector streets would also increase under the Draft IDSM, with the minimum width rising from 65 feet to 66 feet for residential collector street and from 66 feet to 80 feet for commercial and industrial collector streets.
- *Increased Pavement Standards: Under Section 10.02.C.1* of the Draft IDSM, thicker pavement would be required for residential street (9 inches for asphalt or 7 inches for PCC Portland cement).
- *Underground Utility Requirement: Section 15.02* would require that all electric, telephone, and cable lines be constructed underground except where existing lines are overhead.
- *Maintenance and Inspection of Detention Basins: Chapter 17, Section 3, Article III, Paragraph E* would require property owners to file an annual report on the condition of detention basins and would require that basins be inspected by a registered professional engineer every five years.
- *Street Tree Requirements: Chapter 24* of the Draft IDSM would require all new subdivisions in the City to plant street trees at a minimum rate of one tree every 60 feet, with at least one tree planted for every lot in the subdivision. In addition, Section 24.02 would establish a detailed set of "subdivision planting standards" governing the placement of street trees, including their location, type (the trees must be of an approved species), size, and minimum watering, fertilization, and guarantee requirements.

In addition, although it is not technically a substantive requirement, we note that Chapter 17, Section 1, Article VII would triple the maximum penalty for violation of the City's storm water regulations from \$500 to \$1,500.

In general, to the extent to which a developer can shift the burden of the higher costs of the development under the Draft IDSM depends largely on the strength of demand for housing or other types of development in the market area, buyer sensitivity to increases in price, and the availability of comparable product that is located within the same market area, but outside the jurisdiction imposing the regulatory requirements. If market conditions allow, developers will pass along the increased costs resulting from the Draft IDSM to home buyers, or deduct those costs from the price it is willing to pay for land in the City, as a means of maintaining their profit margins. If the market conditions do not allow developers to pass along the increased costs, developers may simply choose to pursue development opportunities in other jurisdictions that have less onerous infrastructure requirements rather than developing in the City for a lower return on investment.

Issue Three

Some provisions of the Drafts IDSM contain vague standards that are susceptible to inconsistent and potentially unfair interpretation and application, while others contain grants of decision making authority that are completely void of criteria.

Development regulations can be held invalid under the "void for vagueness" doctrine if their language lacks sufficient clarity or certainty and therefore is subject to arbitrary and discretionary interpretation, application, and enforcement. The "void for vagueness" doctrine is a constitutional doctrine rooted in the procedural due process clause of the Fourteenth Amendment to the U.S. Constitution. In a frequently cited explanation of the concept, the U.S. Supreme Court has stated that "[a]n ordinance is unconstitutionally vague when men of common intelligence must necessarily guess at its meaning."

A lack of precision and clarity in development regulations leads to uncertainty on the part of property owners as to what is required or desired, and can make it difficult for the City to provide guidance and apply the provisions consistently. As currently written, various provisions in the Draft IDSM are vague and could lead to inconsistent and unfair administration by the City. Similar concerns are raised by provisions of the Draft IDSM that grant City officials decision-making authority but do not establish criteria to be applied in making those decisions. Below we provide several examples of vague provisions, with vague terms highlighted in *italics*, followed by examples of provisions that lack decision-making criteria:

Examples of Vague Provisions

- **Section 9.02.C.1.b** (Vehicular Access Control Standards-Traffic Generation)-requires a Traffic Impact Analysis to be prepared for: "Developments of less than 100 new peak-hour trips in

problem areas such as *high accident locations, congested areas* or other *areas of critical local concern to the City.* How is a "high accident location" or a "congested area" determined? Similarly, what is an "area of critical local concern to the City?"

- **Chapter 17, Section 1, Article IV** (Inspections and Plan Modifications-Special Precautions) states, in relevant part:

If at any stage of the grading of any development site the jurisdiction determines by inspection that *the nature of the site is such that further work authorized by an existing permit is likely to imperil* any property, public way, stream, lake, wetland, or drainage structure, the jurisdiction shall require, as a condition of allowing the work to be done, that *such reasonable special precautions to be taken as is considered advisable to avoid the likelihood of such peril.* "Special precautions" may include, but shall not be limited to, a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and recommendations of Certified Professional in Erosion and Sediment Control (CPESC) or registered Professional Engineer which may be requirements for further work.

Notwithstanding the apparent attempt to define the term "special precautions" by providing examples, it is not clear *who* would determine whether "peril" exists or on what basis that decision would be made. Similarly, it is not clear how the City would determine whether certain special precautions are "reasonable" and "advisable."

- **Chapter 17, Section 1, Article IV** (Inspections and Plan Modifications Amendment of Plans) states: "*Any significant amendments* to grading plans or storm water pollution prevention plans shall be submitted to the appropriate official of the jurisdiction and shall be processed and approved or disapproved in the same manner as the original plans." What constitutes a "significant amendment" to a grading plan or storm water pollution prevention plan?

Examples of Provisions that Lack Decision-Making Criteria

- **Section 8.00.C** (dead End Streets) limits the cul-de-sacs to a maximum length of 400 feet "unless approved by the City Engineer and Fire Chief," but contains no criteria for them to apply in determining whether a longer cul-de-sac length is acceptable.
- **Section 10.02.B.1** (Pavement Standards – Soils Report) states that a soils report prepared by an experienced, independent materials testing firm "may be required" for new or reconstructed City streets, but lacks criteria for determining whether such a report will be required.
- **Section 10.02.G.1** (Pavement Standards – Pavement Constructed Out of Specifications) appears to grant the City Engineer unfettered discretion to determine whether pavement that is found to contain defects must be removed and replaced or may be secured with a long-term bond in lieu of removal.
- **Chapter 17, Section 3, Article III, Paragraph C** (Detention System Design Criteria – Waiver of Requirements) states: "The requirement for storm water detention and release rate shall be

waived by the appropriate jurisdiction official when he/she determines it is in the best interest of the jurisdiction to require fee in lieu of detention as described in Section Three, Article III, Paragraph Q. More importantly, however, neither of these provisions contains criteria for determining whether a fee in lieu of detention will be accepted. At best, Article III, Paragraph C can be interpreted as relying on a vague "best interest of the City" standard, which fails to provide any guidance for determining precisely when it is in the City's best interest to accept a fee in lieu of detention.

Issue Four

The proposed Unified Storm water Ordinance appears to be virtually identical to the "Final Draft Tri-County, Illinois Unified Storm water Ordinance." Although it is not uncommon for municipalities to study the ordinances of other jurisdictions and use them as models for developing their own, the seemingly wholesale adoption of the draft Tri-County Ordinance raises the question whether the proposed storm water regulations of Chapter 17 are necessary and appropriate for the City of Peoria. It also results in a chapter that is incompatible with the remainder of the Draft IDSM.

Based on a comparison of the two documents, the proposed Unified Storm water Ordinance (Chapter 17 of the Draft IDSM) appears to be virtually identical to the "Final Draft Tri-County Illinois Unified Storm water Ordinance" (Tri-County Ordinance), which can be found on the Tri-County Regional Planning Commission's website. According to its website, the Tri-County RPC "provides regional planning services to the Tri-County Region which includes Peoria, Tazewell, and Woodford Counties in Central Illinois." Although the Tri-County Ordinance is described as a "model ordinance [that] outlines a storm water management program to improve water quality, reduce flood damage, and facilitate sustainable development," it is not clear who authored the draft ordinance or for what purpose. Based on visits to their respective websites, it appears that none of the counties in the Tri-County Region has actually adopted the Tri-County Ordinance.

The City's apparent decision to adopt the Tri-County Ordinance to replace its existing storm water regulations raises a number of questions. If the Tri-County Ordinance is a model ordinance for the Tri-County Region, why has it not been adopted by Peoria, Tazewell, and Woodford Counties? What is the City's rationale for using the Tri-County Ordinance rather than updating and modernizing its existing storm water regulations? Did the City review and evaluate the storm water regulations of other Illinois cities before deciding to use the Tri-County model? Moreover, to the extent that Chapter 17 is virtually unchanged from the Tri-County Ordinance, it is reasonable to question whether the "drafters" of the Draft IDSM carefully considered and evaluated every Article, Section, and line of the document to assess the appropriateness of the proposed substantive and procedural requirements for the City.

The apparent use of the Tri-County Ordinance also results in a chapter that is organized differently than the remainder of the Draft IDSM and consistently uses vague and undefined terms.

- **Incompatible Organization:** With the exception of Chapter 17, the Draft IDSM uses a numerical system for organizing chapter and sections. Chapter 1 (administrative Procedures), for example,

is organized onto eleven sections numbered 1.00 through 1.22. By contrast, Chapter 17 is divided into a confusing system of Sections, Articles, and alphabetical paragraphs. At a minimum, Chapter 17 should be renumbered in the same manner as the remainder of the Draft IDSM. For example, Section 1, Article I, Paragraphs A through D would become Sections 1.00 through 1.04 and Section I, Article II, Paragraphs A through H would become Sections 2.00 through 2.08.

- **Decision-Making Authorities Should be Clearly Identified:** Chapter 17 consistently uses the vague terms "the appropriate official," "the appropriate authority," or "appropriate jurisdiction official" when delegating authority or establishing notification or submittal requirements. For example, Section 2, Article II, Paragraph II (Revocation of Permit) authorizes the "appropriate official" to revoke a Grading and Drainage Permit and establishes the following appeal process:

In cases where the permittee wishes to appeal the decision of *the appropriate official*, the appeal process outlined in Section One, Article IX will be followed. An appeal shall stay all proceedings in furtherance of the action appealed from unless the *appropriate official* certifies to the *appropriate authority*, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property.

Although Chapter 17 defines the term "appropriate official" to mean "the Zoning Administrator or delegated agent," it is unclear whether that definition is a carry-over from the Tri-County Ordinance or a conscious decision by the City to establish the Zoning Administrator as the appropriate official to administer Chapter 17. Currently, it appears that the City's existing Erosion, Sediment, and Storm water Control Ordinance is administered by the Erosion Control Administrator and the Public Works Engineering Division, not the Zoning Administrator. Whatever City official is authorized to administer the ordinance, Chapter 17 should be revised to clearly identify the appropriate authority rather than using generic undefined terms.

Issue Five

Chapter 17 of the Draft IDSM would unfairly make property owners responsible for correcting violations on private property, even if they are not responsible for the violation.

Chapter 17, Section One, Article VII, Paragraph C (Notice of Violation) states:

Whenever an authorized enforcement person determines that a person has violated or failed to meet a requirement of this Ordinance, the enforcement person will order compliance by written Notice of Violation to the *responsible person*. Posting the written notice on the property will constitute written notice. *Whenever possible, a courtesy copy of the Notice of Violation will be mailed by ordinary mail to the address of the property owner according to the records of the Peoria County Assessor's Office.*

The enforcement provision (Paragraph E) further states that "any person who fails to comply with or appeal a Notice of Violation or fails to comply with an appeal decision" will be subject to enforcement actions. These provisions seem to establish that enforcement action will be taken against the person who is determined to be responsible for a violation of Chapter 17, regardless of whether they are the property owner. However, in cases where the City takes abatement action, Chapter 17 would require reimbursement from the property owner, apparently even if the owner is not responsible for the violation. For example, Section One, Article VII, Paragraph E.2 (Abatement of an Illicit Connection) states:

The appropriate official may order jurisdiction representatives to terminate all illicit connection. Any expenses related to such abatement by jurisdiction representatives shall be fully reimbursed by the property owner.

Paragraph E.3 would go even further, making property owners responsible for correcting a violation on private property – again, apparently even if they are not responsible for the violation – and for any expenses related to any abatement action taken by the City. Paragraph E.3 states:

When a property owner is not available, not able or not willing to correct a violation, the appropriate official may order jurisdiction representatives to enter private property to take any and all measures necessary to abate the violation. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow jurisdiction representatives to enter upon the premises for these purposes. Any expense related to such abatement by jurisdiction representatives shall be fully reimbursed by the property owner.

To the extent that Paragraphs E.2 and E.3 would unfairly penalize owners for the actions of others (e.g., a developer with a leasehold interest in the property), they should be revised to make the party in violation responsible for taking corrective action and for the cost of abatement in the event that the City takes measures necessary to abate the violation.

Issue Six

Chapter 17 authorizes the City to revoke a Grading and Drainage Permit but does not include a revocation process.

Chapter 17, Section Two, Article II, Paragraph H (Revocation of Permits) states that the "appropriate official may revoke a [grading and drainage] permit" and identifies two grounds for revocation: (1) providing false or inaccurate information on an application or plans, and (2) performing work "contrary to the provisions of the application or plans on which the permit is based." When a permit is revoked, the City is required to "inform the permittee, in writing, of the specific steps the permittee must take in order to have the permit reissued." In cases where the permittee chooses to appeal the revocation decision, Paragraph H states that the appeal process outlined in Section One, Article IX will be followed.

What Paragraph H does not do, however, is establish procedures that the City must follow in order to revoke a Grading and Drainage Permit. Will permit holders be given written notice and an opportunity to cure before a permit is revoked? Is a hearing required to revoke a permit, or can the City summarily issue a notice of revocation?

Issue Seven:

It is not clear whether the Best Management Practices (BMP) Hierarchy of Chapter 17 will be applied to development permit applications in a mandatory or advisory way.

Chapter 17, Section Three, Article I (Best Management Practices Hierarchy) establishes an inventory of BMP's that developers must use "in obtaining approval for Subdivisions, Building Permits, and Grading and Drainage Permits." Section Three, Article I encourages applicants to submit alternative BMPs for approval by the City, but it also states that the applicant's drainage plan submittal "shall include site design features that are *consistent with the following hierarchy.*"

The proposed BMP hierarchy is comprised of nine tiers, with "Buffer Zones" and "Conservation Easements" occupying the top tier, followed by "Open Space Design, Conservation Development" and four other BMPs designed to minimize impervious surfaces in the second tier. It is not clear, however, how this BMP hierarchy will be applied to the development permit applications. Will an applicant have to prove that it is not possible to implement upper-tier BMPs before a site design and drainage plan that incorporates lower-tier BMPs can be approved? For example, if an applicant for a residential subdivision submits a site design and drainage plan that incorporates third- and fourth-tier BMPs, could the City deny the subdivision application if it determines that first- or second-tier BMPs could be implemented, and therefore the plan is not "consistent" with the BMP hierarchy? If that is not the City's intent, then Section Three, Article I should be revised to clarify that the proposed BMP hierarchy is advisory rather than mandatory and does not establish grounds for denial of a subdivision, building permit, or a Grading and Drainage Permit application.

Issue Eight:

The Chapter 17, Section Three, Article III, Paragraph E would impose a mandatory disclosure requirement on the owner(s) of any property that has a storm water detention basin.

Chapter 17, Section Three, Article II, Paragraph E states, in part:

Detention basin owners shall notify subsequent owners of their maintenance responsibilities and transfer basin maintenance records to the party with active maintenance responsibility. These requirements shall be effective for all detention basins existing in the City of Peoria on the date of adoption of this Ordinance as well as detention basins constructed after the effective date.

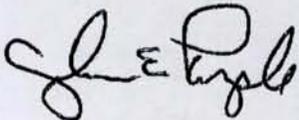
Presumably the intent of this requirement is to put subsequent owners on notice that the property contains a storm water basin subject to the ongoing maintenance and inspection requirements of

Chapter 17, Section Three, Article III. An owner who is aware of the requirement is far more likely to comply than one who is not. The concern, however, is that the Draft IDSM places the burden of providing the required notice on the property owner (and possibly listing agent) who then would be subject to a potential \$1,5000 fine for noncompliance. This concern may also extend to the listing agent, if the disclosure provisions is interpreted to apply to the agents of detention basin owners, or an owner seeks damage from the listing agent for failure to comply with the requirement.

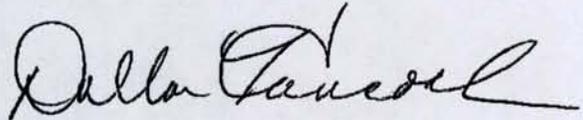
In addition, although it is unclear precisely when the notice must be given to a subsequent owner, if disclosure is required prior to closing, it could negatively affect the marketability of affected properties to the extent that potential buyers are deterred by the maintenance, reporting, and inspection requirements. *Recommendation:* The Association is asking the City to consider other ways to ensure that the property owners are aware of ongoing maintenance and inspection requirements of Chapter 17 without placing the burden on property owners and REALTORS. For example, the City could post notice of the requirement on its website. It could also provide notice via direct mail to affected property owners.

Thank you for your consideration of these comments, and we urge you to take a closer look at these important issues. Please feel free to contact us if you have any questions.

Sincerely,



John Purple, President
Peoria Area Association of REALTORS®



Dallas Hancock, CEO
Peoria Area Association of REALTORS®

November 20, 2012

Mr. Jeffrey Smith, Interim Director
City of Peoria, Public Works
419 Fulton St.
Peoria, IL 61602

RE: Proposed Infrastructure Design Standards Manual

Dear Jeffrey,

Thank you very much for the opportunity to communicate concerns that we have with the City of Peoria's proposed Infrastructure Design Standards Manual (IDSM). The development community understands your department's massive undertaking in re-writing these standards and appreciates the Steering Committee's willingness to hear from those whose livelihoods depend on the growth of Peoria.

We agree with the items in the letter from the Peoria Area Association of REALTORS® and will try to avoid repetition as much as possible. Below are areas of the proposed IDSM that we have concerns. As you read this please remember that we are not only concerned with the costs, to the City of Peoria and to the development community, associated with these proposed changes but also with the implementation of these standards and sustainability of our community.

Chapter 2: Preliminary Plat

2.02 Para. B6: Locating field tiles for the preliminary plat is not feasible. Language such as "field tiles, if found, will be noted on the Final Plat and connected to the storm sewer system" should be incorporated in the Final Plat chapter.

Chapter 3: Final Plat

We oppose the approval of the Final Plat prior to the start of construction.

Chapter 6: Construction Plans and Specifications

We feel that the testing of the subgrade moisture content needs to be clarified and a workable process can be reached.

6.02 Para. C: The City does not need to know the developer's cost schedule, thus the City of Peoria Infrastructure Inventory Sheet needs redesigned.

Chapter 7: Subdivision Construction, Inspection and Bonding

7.04 Para. A: If material specifications and inspection requirements are increased we think that a Three Year Warranty is asking too much. We would be OK increasing the current One Year Warranty to Two years.

7.05 Para. B1: A performance bond of 100%, not 115%, of the estimated cost of construction for the unfinished work should suffice.

7.05 Para. B3: What is the reasoning behind not allowing the bond to be reduced 25% of the total? If a warranty is still in place and less than 25% of the work is not complete there is no reason to not allow the Bond to be reduced below 25%.

7.05 Para. B4: If all the work has been completed and there is a warranty in place can't the bond be retired?

Chapter 8: Streets, Sidewalks, Crosswalks, Driveways, Street Names and Signage, Alleys and Parking

8.00 Para C1: Please provide the reasoning behind a Cul-de-Sac having a maximum length of 400 feet.

8.05 Table A: Local Residential streets to have a minimum 28' pavement width. We feel that this should be a minimum and not the required.

Chapter 9: Vehicular Access Control

9.02 Para B5d: The language in this paragraph is confusing. By "single driveway" do you mean a single car garage or for a single residence? Please clarify.

9.02 Para B6d: The driveway setback of 6' is greater than the building setback of 5'. Driveways should be allowed to be built to the property line if storm water is controlled properly.

9.02 Para C1a-h: Traffic Impact Analysis' were discussed at length in our meetings and there were numerous points discussed. A development over xxx lots will require a Traffic Impact Analysis should be suitable language. Language such as "high accident location" or "congested areas" or "areas of critical local concern to the City" are not defined and too vague.

Chapter 10: Pavement Standards

10.02 Para C

GARY ZUMWALT to provide additional info at a later date.

Chapter 11: Pedestrian Facilities Standards

11.02 Para H5: We oppose the required construction of sidewalks prior to home construction.

Chapter 13: Right-of-Way Light Design and Construction Standards

We oppose the required construction and installation of street lights on the Right-of-Way. Not only is this an added cost to the developer but also an on-going, expensive, cost to the City. Required yard lights with minimum illumination and location requirements would accomplish the goal.

Chapter 15: General Utility Requirements

15.02 Para B: Easements should be granted to both the City and Utility companies, not just the City.

15.03 Para E3B: Required landscaping around utility facilities should not be required. The installation and on-going maintenance of this landscaping will be expensive and asking the utility companies to maintain will simply not happen.

Chapter 17: Stormwater Ordinance

Para D24: \$1,000 seems very low as a cost associated with development of real estate. Under this definition, an example would be the replacement of two windows would be defined as development and thus, subject to the Stormwater Ordinance.

Section One, Article VII Para C: Delete the language "Whenever possible, a courtesy." A copy should always be mailed to the property owner.

Section One, Article VII Para F: Maximum penalty should remain at \$500.

Section Two, Article II Para B e xi: Asking a developer to locate farm drain tiles is unreasonable. Language such as, "If found, farm drain tiles will be connected to the storm sewer system and noted on the plan."

Section Two, Article II Para B g: Define "immediate vicinity." We are strongly against a requirement of a tree survey as required in subparagraph ii.

Section Three, Article III Para E3: The owner, a developer, homeowner's association or the City, will incur ongoing costs with an inspection of a stormwater basin by a professional engineer. The inspection checklist is not available at this time so we don't know what will be involved.

Section Three, Article III Para F9: We are strongly opposed to accommodating for upstream areas in the property's drainage system.

Chapter 21: Earthwork Standards

21.02 Para C2: The existing requirement of 6" of topsoil should be maintained for all public infrastructure property in the development. This requirement should be consistent throughout this Chapter.

21.02 Para E: We oppose the requirement of a developer having to submit a grading plan for an entire residential subdivision. (Also noted in Paragraph 6: Construction Plans and Specifications Para D) We would agree to an overall conceptual plan submitted and a Grading Plan be required at the time a building permit is requested.

Chapter 24: Right-of-Way Street Tree Standards

We oppose the requirement of required street trees in this ordinance. Numerous concerns arise from this requirement. The upfront cost to either the developer or the property owner is a concern in addition to the ongoing costs that the City will incur. The City will be responsible for the watering, trimming and replacement of trees in the ROW. Any damage (ex.: leaves in storm sewer, upheaving of sidewalk, curb or street due to root systems) as a result of these trees to the public infrastructure will also result in additional costs to the City. A topic that was brought up numerous times was concern over whether or not the City is responsible for the safety of children/pedestrians/autos accessing public streets with trees in their site lines.

24.02 Para B1a: If a lot is 80' wide, does the homeowner have to put in 2 trees? How does the driveway affect the placement? Does this mean corner lots will have double the requirement?

24.02 Para B2h: The City does not currently employ a "City Forester." With the adoption of this ordinance will the City be required to hire a forester?

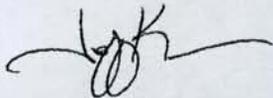
24.02 Para B3c: How will the developer/owner or the City determine that the trees are free from pests and diseases?

24.02 Para B3e: We are not sure how the verification of where the trees were grown and under what conditions they were grown can possibly be required.

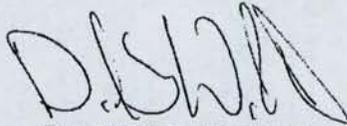
24.02 Para B3h: A "guarantee" of a tree for one year is vague at best. The tree will be planted, accepted by the City and maintained by the City. How can a developer or owner be responsible for this tree and thus, guarantee the tree for one year?

Again, we thank you for "listening" and we hope that your department will consider all of our concerns prior to going forward with this proposed ordinance. Please don't hesitate to contact anyone of us with questions.

Thanks,



Jeff Kolbus, President
Trader Realty Corp.



Dan Waibel, President
Dan Waibel Designer/Builder

Tim Shea, President
Peoria Builders, Inc.