

CITY OF WARRENVILLE

MEMO

TO: Mayor, City Council, and City Administrator Coakley
FROM: Senior Civil Engineer Hocking *KH*
SUBJECT: SUMMERLAKES HOA STREAMBANK STABILIZATION
PROJECT PERMIT FEE WAIVER REQUEST and STAFF
RECOMMENDATION
DATE: November 5, 2020

The purpose of this memo is to provide information regarding the permit fee waiver request the City has received from the Summerlakes Homeowner's Association (HOA) for the streambank stabilization project it intends to implement on the main Summerlakes detention pond.

Streambank Stabilization Project

Summerlakes Homeowner's Association identified the need to stabilize the shoreline of the Summerlakes detention pond near their clubhouse and the pond outlet structure. This pond provides stormwater detention for a majority of the Summerlakes Subdivision. It is an inline detention pond on Ferry Creek.

The HOA hired a consultant to prepare design plans and obtain permits from the City, County, and Army Corps of Engineers and hired a contractor to perform the work. The HOA incurred \$16,000 in consulting expenses for this work. The total estimated cost of the planned stabilization work is \$146,786. In addition, since the pond acts as a regional detention pond and has floodplain, floodway and wetlands associated with it, the HOA had to obtain permits from multiple other governmental agencies in order to perform the planned stabilization work.

Summerlakes HOA Fee Waiver Request

The total City permit related review and inspection fees for this project are \$2,712.58. To date, the City has incurred approximately \$2,200 in outside consulting expenses in the review of the permit application and proposed plans for this project. Summerlakes HOA has submitted the attached October 3, 2020, letter to request the City waive all City permit fees for the project.

Staff Recommendation

The City has incurred out-of-pocket consulting expenses during its review and approval of this project that the City's fees are designed to off-set. Also, the City does not have a policy or record of waiving stormwater review and inspection fees for privately owned projects. However, staff believes this project is a very desirable project and will enhance the existing detention pond. It will provide a watershed benefit by stabilizing the banks and reducing erosion as well as providing

extra detention and floodplain volume due to excess compensatory storage created.

While staff cannot support the approval of the request fee waiver, staff supports the City contributing \$5,000 (or approximately 3% of construction costs) from the fee-in-lieu of detention funds that has been collected from previous private development projects once this project is completed. The DuPage County Stormwater and Floodplain Ordinance (DCSFO) requires the fee-in-lieu funds to be accounted for in a separate account and should be used to enhance site runoff storage facilities, construct off-site facilities, provide maintenance of stormwater facilities or undertake other development that provides a watershed benefit. It cannot be used for developers to fulfil the Ordinance requirements. Staff confirmed with the County that this project falls within the permitted uses of collected fee-in-lieu fees. Furthermore, the County uses their collected fees in a similar manor. Currently, the City has \$47,850 accounted for in the detention fee-in-lieu account.

In summary, it is recommended that the City Council direct Staff to work with the City Attorney and the Summerlakes HOA on the preparation of a reimbursement agreement that would be presented for City Council final action at an upcoming meeting.



City of Warrenville
Warrenville, Il

October 3, 2020

Dear City of Warrenville

The SummerLakes Homeowners Association is experiencing extreme bank erosion of Summerlake's lake. The expert consensus is that the erosion must be contained, or the lake will merge with our pool in 5 years. The SummerLakes Homeowner Association has engaged ER Engineering to develop a plan to halt the erosion. The project called SummerLakes Pond Shoreline Stabilization has been approved by the City and County.

We are hoping that the city would provide some financial support by eliminating stand permit fee to mitigate the extremely high cost of this necessary and city wide beneficial project.

Reasons:

- 1) The halting of the erosion will be a benefit to every property bordering Ferry Creek by reducing the amount of dirt in water in Ferry Creek.
- 2) The changes made by Fermi Lab and established Wet Land may have contributed to the erosion issue.
- 3) The lake acts as storm water retention pond for all of Summerlakes and surrounding areas.
- 4) The project is being paid for by those who comprise SummerLakes Homeowners Association, 926 Warrenville homeowners. While other sections of city have benefited by city-paid improvements, Summerlakes has seen little benefits.

We are looking forward to hearing from you soon.

Yours sincerely,

Steven Lewis