



**CITY OF CRYSTAL LAKE**  
**AGENDA**

**CITY COUNCIL**  
**REGULAR MEETING**

City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
September 1, 2015  
7:30 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – August 18, 2015 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**  
*The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.*
7. **Mayor's Report**
8. **City Council Reports**
9. **Consent Agenda**
10. **163 Lakewood Avenue – Variation from the minimum front yard setback requirements to allow a 7.8-foot encroachment for a new covered front porch.**
11. **103 Caroline Street – Special Use Permit for a 1,202-square foot accessory structure and Variations from the required minimum side yard setback of 7 feet to allow for the expansion of a nonconforming structure.**
12. **362 Industrial Drive, Petersen Paving – Final PUD Amendment to allow the addition of 7 overhead doors to the northwest elevation and one overhead door to the northeast elevation, outdoor storage and install a chain link fence with barbwire crown.**
13. **300 Lakeshore Drive, Crystal Lake Park District - Special Use Permit for a park structure exceeding 100 square feet in area.**
14. **5545 Northwest Highway, BMO Harris Bank – Final PUD Amendment to allow changes to the freestanding signage and variation to the sign height and area to allow a 7-foot tall freestanding sign.**

15. **1105 S. Route 31, BMO Harris Bank – Final PUD Amendment to allow changes to the freestanding signage, and variations to the sign height to allow an 11.4 foot tall freestanding sign.**
16. **The Villages Unit 3, Hoffman/Wilson – Final Plat Amendment to lift a plat restriction in order to allow fences in the landscape easement along Golf Course Road, and a variation to allow a 4-foot fence in a yard abutting a street.**
17. **386 W. Virginia, Crystal Spa – Special Use Permit for a massage establishment and Variation to allow the business to open at 10:00 a.m.**
18. **Ordinance amending Chapter 329 of the Crystal Lake City Code to allow for the retail sale and consumption of beer within a tent erected adjacent to the premises specified for Class 26 Liquor Licenses.**
19. **Resolution to execute an agreement and award the proposal for Investment Management Services to Sawyer Falduto Asset Management, LLC, and Charles Schwab & Co., Inc. as asset custodian.**
20. **Resolution authorizing an agreement with Fire Recovery USA for billing services for fire recovery fees for a period of five years.**
21. **Council Inquiries and Requests.**
22. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
23. **Reconvene to Regular Session.**
24. **Adjourn.**

*If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Brad Mitchell, Assistant to the City Manager, at 815-459-2020, at least 24 hours prior to the meeting, if possible, to make arrangements.*



**Agenda Item No: 10**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	September 1, 2015
<b><u>Item:</u></b>	REPORT OF THE PLANNING & ZONING COMMISSION  Edmonson – 163 Lakewood Ave
<b><u>Request:</u></b>	Variations from Article 3-200, Article 7-200(B) and Article 7-300(B)(4) from the minimum front yard setback requirement to allow a 7.8-foot encroachment for a new covered front porch.
<b><u>Petitioner:</u></b>	Susan Edmonson, petitioner
<b><u>PZC Recommendation:</u></b>	To approve the PZC recommendations and adopt an ordinance granting a variation from the minimum front yard setback at 163 Lakewood Avenue.
<b><u>Staff Contact:</u></b>	James Richter II, Planning and Economic Development Manager

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**Background:**

- **Existing Use:** The property is currently improved with a single-family home. Currently, the home has an open air 9-foot by 9-foot front porch and steps. The principal structure currently encroaches 1.8 feet into the front yard setback, not including the existing front porch that provides access to the structure.
- **Background:** The petitioner would like to remove the existing front porch and replace it with a covered front porch. The existing porch is located 15.7 feet from the front property line. The new porch would be larger in total area than the existing porch, but would reduce the encroachment in the front yard setback.

**Key Factors:**

- **Request:** The petitioner is requesting a variation from the minimum front yard setback requirement.
- **UDO Standard:** The minimum front yard setback is 26.5 feet, which is calculated by using the average front yard setbacks of the dwellings on the two closest lots.

**PZC Highlights:**

- The PZC agreed that the hardship is the location of the existing structure, the neighborhood, and the setbacks of the two closest dwellings.

- The PZC felt that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Edmonson, received 07/07/15)
  - B. Site Plan/Survey (received 07/07/15)
  - C. Proposed Porch Picture (received 07/07/15)
2. The architectural style of the new porch shall be complementary to the principal structure. Exterior siding and trim colors shall match the principal structure.
3. The stairs providing access to the new porch shall not exceed 5 feet in width and are allowed to encroach no more than 4 feet beyond the porch, but cannot be closer than 5 feet to the property line.
4. The petitioner shall address all of the review comments and requirements of the Community Development Department.

**Votes Required to Pass:** A simple majority vote.

**DRAFT**

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A VARIATION  
AT 163 LAKEWOOD AVENUE**

WHEREAS, pursuant to the terms of the Application (File #2015-41) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested the granting of a Simplified Residential Variation from Article 3-200, Article 7-200(B) and Article 7-300(B)(4) from the minimum front yard setback requirement to allow a 7.8-foot encroachment for a covered front porch; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Variation be granted as requested in said Application.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That a Variation be granted from the Crystal Lake Unified Development Ordinance Article 3-200, Article 7-200(B) and Article 7-300(B)(4) from the minimum front yard setback requirement to allow a 7.8-foot encroachment for a covered front porch

at the property at 163 Lakewood Avenue (18-01-205-016), Crystal Lake, Illinois.

SECTION II: That the Variation be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Edmonson, received 07/07/15)
  - B. Site Plan/Survey (received 07/07/15)
  - C. Proposed Porch Picture (received 07/07/15)
2. The architectural style of the new porch shall be complementary to the principal structure. Exterior siding and trim colors shall match the principal structure.
3. The stairs providing access to the new porch shall not exceed 5 feet in width and are allowed to encroach no more than 4 feet beyond the porch, but cannot be closer than 5 feet to the property line.
4. The petitioner shall address all of the review comments and requirements of the Community Development Department.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of

the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of a Simplified Residential Variation in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**Agenda Item No: 11**

**City Council  
Agenda Supplement**

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- Meeting Date:** September 1, 2015
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION  
Oshinski, 103 N. Caroline Street
- Request:** Special Use Permit for a 1,202-square-foot accessory structure and Variations from the required minimum side yard setback of 7 feet to allow 3.98 feet, and to allow the expansion of a nonconforming structure.
- Petitioner:** Mark Oshinski, petitioner  
103 Caroline Street
- PZC Recommendation:** To approve the PZC recommendations and adopt an ordinance granting the Special Use Permit and Variations to allow the expansion of the garage at 103 Caroline Street.
- Staff Contact:** James Richter II, Planning and Economic Development Manager
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**Background:**

- Existing Use: The property is improved with a single family home and existing 796 square-foot detached garage. The existing garage is approximately 3.98 feet from the side property line.

**Key Factors:**

- Request: The petitioner is proposing an addition to the garage that would result in the expansion of the non-conforming structure that is currently setback less than the ordinance requirement of 5 feet. The garage would measure 1,202 square feet. Accessory structures over 900 square feet require a Special Use Permit.

**PZC Highlights:**

- At the suggestion of the Planning and Zoning Commission, the petitioner eliminated the rear yard setback variation by reducing the depth of the garage. A 20' x 20' expansion is planned.
- The PZC felt that the petitioner met the Findings of Fact and noted that the sizeable area of the lot made consideration of this variation much easier.

The PZC recommended **approval (6-0)** of the petitioner's with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Oshinski, received 06/29/15)
  - B. Plat of Survey (Property Lines, Inc. dated 05/06/14, received 06/29/15)
2. The garage addition shall be one-story with no dormers or openings on the side closest to the side property line and shall match the existing architecture of the garage.
3. The roof overhang shall not extend over the property line and that side of the structure shall be fire-rated to comply with all building codes.
4. The petitioner shall address all of the review comments and requirements of the Community Development Department.
5. **Work with staff to confirm elevations and roof line height.** (Added by the PZC)

**Votes Required to Pass:** A simple majority vote.



**DRAFT**

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
AND VARIATIONS  
AT 103 N. CAROLINE STREET

WHEREAS, pursuant to the terms of a Petition (File #2015-38) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to permit an accessory structure, a detached garage, at 1,202 square feet; and Variations from: A. Article 4-600 from the required minimum side yard setback of 7 feet to allow 3.98 feet and from the required minimum rear yard setback of 20 feet to allow 14 feet; and B. Article 7-300 to allow the expansion of a nonconforming structure for the property located at 103 N. Caroline Street; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit and Variations be issued as requested in said Petition.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit to permit an accessory structure, a detached garage, at 1,202 square feet; and Variations from: A. Article 4-600 from the required minimum side yard setback of 7 feet to allow 3.98 feet; and B. Article 7-300 to allow the expansion of a nonconforming structure for the property commonly known as 103 N. Caroline Street (14-32-454-004), Crystal Lake, Illinois.

Section II: Said Special Use and Variations are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Oshinski, received 06/29/15)
  - B. Plat of Survey (Property Lines, Inc. dated 05/06/14, received 06/29/15)
2. The garage addition shall be one-story with no dormers or openings on the side closest to the side property line and shall match the existing architecture of the garage.
3. The roof overhang shall not extend over the property line and that side of the structure shall be fire-rated to comply with all building codes.
4. The petitioner shall address all of the review comments and requirements of the Community Development Department.

5. Work with staff to confirm elevations and roof line height.

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	September 1, 2015
<b><u>Item:</u></b>	REPORT OF THE PLANNING & ZONING COMMISSION  Petersen Paving – 362 Industrial Drive
<b><u>Request:</u></b>	Final PUD Amendment to allow the addition of 7 overhead doors to the northwest elevation and one overhead door to the northeast elevation; outdoor storage; and to install an 8 foot chain link fence with a barbwire crown on the property.
<b><u>Petitioner:</u></b>	Kris Petersen, petitioner
<b><u>PZC Recommendation:</u></b>	To approve the PZC recommendations and adopt an ordinance granting the Final PUD Amendment for Petersen Paving at 362 Industrial Drive.
<b><u>Staff Contact:</u></b>	James Richter II, Planning and Economic Development Manager

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**Background:**

- Existing Use: The property was formerly occupied by Precision Twist Dormer. The building that Petersen is looking to acquire was a warehouse building where limited manufacturing took place.
- Background: The original Planned Unit Development was approved in 1967 with the condition that no overhead doors were allowed on the northwest and northeast elevations in order to reduce noise from escaping the property and affecting the neighboring residential area. The development of this property as a PUD ensured the protection of the neighbors due to the close proximity. Various building and parking lot alternations were approved in 1991 which required additional landscaping along the north and west property lines to serve as a buffer to the residential neighbors. Lastly, an ordinance was passed in 2003 approving the addition of a loading dock to the office building located at 301 Industrial, which was part of the Precision Twist campus.

**Key Factors:**

- Request: The petitioner is requesting a final PUD amendment to allow the addition of 7 overhead doors on the northwest elevation, one overhead door on the northeast elevation; outdoor storage; and to install an 8-foot chain link fence with a barbwire crown around the outside storage area of the property.

- Petersen Paving is a paving and resurfacing company. Petersen Paving would be using the property as an office and would store their equipment and vehicles on site. There would not be any manufacturing or processing of asphalt on-site.

**PZC Highlights:**

- The PZC appreciated the comments from the Public Works and Fire Departments regarding the types of materials to be stored on-site and their hazard classifications.
- The petitioner agreed to provide additional landscaping on the berm along Park Boulevard to further screen the property from the residential neighbors.
- The PZC discussed the petitioner’s request to have an 8 foot tall fence with a barbwire crown. The PZC agreed that relocating the fence to the inside of landscape berm satisfies both the petitioner and the neighbors and helps keep the contents on the inside of the property safe.
- The PZC agreed that the Findings of Fact had been met.

The PZC recommended **approval (5-1)** of the petitioner’s request with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (ACT 362 LLC, received 07/07/15)
  - B. Survey (received 07/07/15)
  - C. Elevations (received 07/07/15)
  - D. Proposed Fence Drawing (received 07/07/15)
2. The fence shall be located inside of the landscape buffer, along the perimeter of the pavement area.
3. The addition of seven overhead doors on the northwest elevation and one overhead door on the northeast elevation is hereby granted, with the condition that all doors shall remain closed until such time as they are used to transfer vehicles/product in and out of the building.
4. The outdoor storage of materials and vehicles shall be limited to the area screened by the landscape buffer.
5. The petitioner shall submit a copy of the signed agreement for the water supply to the fire suppression system (sprinklers) or an alternate water supply source for the fire suppression system will be necessary.
6. The petitioner shall comply with all of the requirements of the Community Development, Fire Rescue, Police and Public Works Departments.
7. **Work with the neighbors on a plan to extend the berm and landscaping south along Park Boulevard.**
8. **An 8-foot tall chain link fence with barbed wire is allowed around the paved area.**

**Votes Required to Pass:** A simple majority vote.

**DRAFT**

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING AN AMENDMENT  
TO THE FINAL PUD FOR PETERSEN PAVING

WHEREAS, pursuant to the terms of the Petition (File #2015-42) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for Petersen Paving to allow the addition of 7 overhead doors to the northwest elevation and one overhead door to the northeast elevation, outdoor storage, and to install an 8-foot chain link fence with a barbwire crown around the property; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development be granted as requested in said Petition,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That a Final PUD Amendment be granted to allow the addition of 7 overhead doors to the northwest elevation and one overhead door to the northeast elevation, outdoor storage, and to install an 8-foot chain link fence with a barbwire crown around the property for the property located at 362 Industrial Road (14-33-179-002), Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (ACT 362 LLC, received 07/07/15)
  - B. Survey (received 07/07/15)
  - C. Elevations (received 07/07/15)
  - D. Proposed Fence Drawing (received 07/07/15)
2. The fence shall be located inside of the landscape buffer, along the perimeter of the pavement area.
3. The addition of seven overhead doors on the northwest elevation and one overhead door on the northeast elevation is hereby granted, with the condition that all doors shall remain closed until such time as they are used to transfer vehicles/product in and out of the building.

4. The outdoor storage of materials and vehicles shall be limited to the area screened by the landscape buffer.
5. The petitioner shall submit a copy of the signed agreement for the water supply to the fire suppression system (sprinklers) or an alternate water supply source for the fire suppression system will be necessary.
6. The petitioner shall comply with all of the requirements of the Community Development, Fire Rescue, Police and Public Works Departments.
7. Work with the neighbors on a plan to extend the berm and landscaping south along Park Boulevard.
8. An 8-foot tall chain link fence with barbed wire is allowed around the paved area.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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MAYOR

ATTEST:

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CITY CLERK



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	September 1, 2015
<b><u>Item:</u></b>	REPORT OF THE PLANNING & ZONING COMMISSION  Crystal Lake Park District– 300 Lakeshore Drive
<b><u>Request:</u></b>	A Special Use Permit for a park structure exceeding 100 square feet in area.
<b><u>Petitioner:</u></b>	Ann Viger, Crystal Lake Park District, petitioner
<b><u>PZC Recommendation:</u></b>	To approve the PZC recommendations and adopt an Ordinance granting a Special Use Permit at 300 Lakeshore Drive (Main Beach).
<b><u>Staff Contact:</u></b>	James Richter II, Planning and Economic Development Manager

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**Background:**

- Existing Use: The property is Main Beach Park; in particular, the existing boat rental house and boat dock.
- Background: The Crystal Lake Park District will be updating the park facilities at Main Beach. The project includes a new boat rental house, boat dock, playground equipment and additional seating areas. The applicant is requesting approval for the boathouse, as it exceeds 100 square feet in area.

**Key Factors:**

- Request: The petitioner is requesting a special use permit for a park structure exceeding 100 square feet in area, which is the proposed boathouse. The proposed boathouse will be approximately 546 square feet.
- UDO Standard: A special use permit is required for structures over 100 square feet in a park or recreation field.

**PZC Highlights:**

- The PZC agreed the new boat house would be a great improvement to Main Beach.
- The Crystal Lake Park District stated that they are not increasing the size of their boat rental fleet, only improving the structures to better accommodate what is existing.
- The PZC felt that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Crystal Lake Park District, received 07/28/15)
  - B. Site Plan (received 07/28/15, dated 7/27/15)
  - C. Existing Conditions Plan (received 07/28/15, dated 7/23/15)
  - D. Preliminary Boat House Floor Plan (received 7/28/15, dated 7/24/15)
2. The building is restricted to Park District employees only and public entry is not allowed.
3. The Crystal Lake Park District shall follow the applicable maintenance, monitoring and inspection requirements outlined in the Crystal Lake Watershed Stormwater Management Design Manual and Crystal Lake Watershed Stormwater Management Program Implementation Plan. The stormwater management system will not be required to be in a deed or plat restriction. The Crystal Lake Park District shall keep and provide to the City all documentation as needed.
4. The petitioner shall address all of the review comments and requirements of the Community Development, Public Works, Fire and Police Departments.

**Votes Required to Pass:** A simple majority vote.



**DRAFT**

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
AT 300 LAKESHORE DRIVE

WHEREAS, pursuant to the terms of a Petition (File #2015-46) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a structure exceeding 100 square feet in area for the property located at 300 Lakeshore Drive; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued as requested in said Petition.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit be issued to allow a structure exceeding 100 square feet in area for the property commonly known as 300 Lakeshore Drive (19-06-401-054, 19-06-301-022, 19-06-301-021), Crystal Lake, Illinois.

Section II: Said Special Use is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Crystal Lake Park District, received 07/28/15)
  - B. Site Plan (received 07/28/15, dated 7/27/15)
  - C. Existing Conditions Plan (received 07/28/15, dated 7/23/15)
  - D. Preliminary Boat House Floor Plan (received 7/28/15, dated 7/24/15)
2. The building is restricted to Park District employees only and public entry is not allowed.
3. The Crystal Lake Park District shall follow the applicable maintenance, monitoring and inspection requirements outlined in the Crystal Lake Watershed Stormwater Management Design Manual and Crystal Lake Watershed Stormwater Management Program Implementation Plan. The stormwater management system will not be required to be in a deed or plat restriction. The Crystal Lake Park District shall keep and provide to the City all documentation as needed.
4. The petitioner shall address all of the review comments and requirements of the Community Development, Public Works, Fire and Police Departments.

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the issuance of a

Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 14**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	September 1, 2015
<b><u>Item:</u></b>	REPORT OF THE PLANNING & ZONING COMMISSION  BMO Harris Bank – 5545 Northwest Highway
<b><u>Request:</u></b>	1) Final PUD Amendment to allow changes to the freestanding signage, 2) Variation from Article 4-1000 sign height and area to allow a 7-foot tall freestanding sign with an area of 42 square feet.
<b><u>Petitioner:</u></b>	Doug Merritt, Professional Permits, and Jamie Maravich, BMO Harris Bank, petitioners
<b><u>PZC Recommendation:</u></b>	To approve the PZC recommendations and to adopt an Ordinance granting a Final PUD Amendment and variations for BMO Harris Bank at 5545 Northwest Highway.
<b><u>Staff Contact:</u></b>	James Richter II, Planning and Economic Development Manager

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**Background:**

- **Existing Use:** BMO Harris Bank is a financial institution with an existing 6-foot tall and 30 square foot freestanding sign.
- **Background:** The subject property was developed as part of the Crystal Court shopping center. The Final PUD and SUP for Harris Bank (now BMO Harris Bank) was approved in 1991. In 2000, a Final PUD Amendment to allow the addition of a freestanding sign was granted. In 2011, a Final PUD Amendment to allow changes to the copy of the sign was granted. The Final PUD Amendment in 2000 specified color and therefore, any change to the sign requires a Final PUD Amendment.

**Key Factors:**

- **Request:** The petitioner is requesting a Final PUD Amendment to allow changes to the existing freestanding sign. The request would also require variations from Article 4-1000 Signage, to allow a 7-foot tall, 42-square-foot freestanding sign, which results in a height variation of 1 foot and an area variation of 10 square feet. The proposed sign will be re-located to 10 feet from the property line, which is the required setback for signs per the UDO.

- UDO Standard: Financial institutions are classified as an office use per the permitted use table in Section 2-300. Signage for office uses is limited to 6 feet in height and 32 square feet in area.

Sign	Item	UDO Standard	Proposed Signage	Variation
Freestanding	Height	6 ft	7 feet	1 ft
	Size (sq ft)	32 sq ft	42 sq ft	10 sq ft

- The petitioner conducted a site visibility study for the proposed freestanding sign. The study found that a 7 foot tall sign would be visible from the eastbound and westbound lanes of traffic on Route 14.
- City staff compiled a survey of the freestanding signage for all financial institutions in Crystal Lake and found that since the Unified Development Ordinance was passed freestanding signs for financial institutions were on average 7 feet tall.

**PZC Highlights:**

- The petitioner revised their plans after their first meeting with the PZC to minimize the size of the sign and adjust the location of the sign.
- The PZC agreed that the original PUD was restrictive and created a hardship.
- The PZC agreed that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioner’s request with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Professional Permits, received 05/27/15).
  - B. Revised Sign Plans (Icon dated 2/12/15, received 07/23/15)
2. Any future changes to the sign copy on the freestanding sign or wall signage shall comply with the Unified Development Ordinance, and does not require an amendment to the PUD.
3. Both parties agree to enter into a municipal utility management agreement to locate the sign in the municipal utility easement. The petitioner shall work with staff to locate the sign within the easement in a position to prevent, as practical, utility conflicts.
4. The petitioner shall comply with all of the requirements of the Community Development Department.

**Votes Required to Pass:** A simple majority vote.

DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING AN AMENDMENT  
TO THE FINAL PUD FOR BMO HARRIS BANK

WHEREAS, pursuant to the terms of the Petition (File #2015-33) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for BMO Harris to allow changes to the freestanding signage and Variations from Article 4-1000 sign height and area to allow a 7-foot tall freestanding sign with an area of 42 square feet; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development be granted as requested in said Petition,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That a Final PUD Amendment be granted to allow changes to the freestanding signage and Variations from Article 4-1000 sign height and area to allow a 7-foot tall freestanding sign with an area of 42 square feet, for the property located at 5545 Northwest Highway (19-09-126-017), Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Professional Permits, received 05/27/15).
  - B. Revised Sign Plans (Icon dated 2/12/15, received 07/23/15)
2. Any future changes to the sign copy on the freestanding sign or wall signage shall comply with the Unified Development Ordinance, and does not require an amendment to the PUD.
3. Both parties agree to enter into a municipal utility management agreement to locate the sign in the municipal utility easement. The petitioner shall work with staff to locate the sign within the easement in a position to prevent, as practical, utility conflicts.
4. The petitioner shall comply with all of the requirements of the Community Development Department.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	September 1, 2015
<b><u>Item:</u></b>	REPORT OF THE PLANNING & ZONING COMMISSION  BMO Harris Bank – 1105 S. Route 31
<b><u>Request:</u></b>	1) Final PUD Amendment to allow changes to the freestanding signage, 2) Variations from Article 4-1000 sign height and area to allow an 11.4 foot tall freestanding sign with an area of 60.90 square feet.
<b><u>Petitioner:</u></b>	Doug Merritt, Professional Permits, and Jamie Maravich, BMO Harris Bank, petitioners
<b><u>PZC Recommendation:</u></b>	To approve the PZC recommendations and adopt an Ordinance granting a Final PUD Amendment and Variations for BMO Harris Bank at 1105 S. Route 31.
<b><u>Staff Contact:</u></b>	James Richter II, Planning and Economic Development Manager

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**Background:**

- Existing Use: BMO Harris Bank is a financial institution with an existing 9-foot tall, 41.25 square foot freestanding sign, located along the east access drive.
- Background: The property was developed as part of the Lutter Center. The Final PUD and SUP for Harris Bank (now BMO Harris Bank) was approved in 2006. The Final PUD in 2006 references the approved signage plan and the applicant agreed to comply with the sign ordinance through this process. Therefore, any change to the signage requires a Final PUD Amendment.

**Key Factors:**

- Request: The petitioner is requesting a Final PUD Amendment and variations from Article 4-1000 to add a new freestanding sign along Route 31 that exceeds the permitted height and area requirements. The petitioner is proposing to remove the existing freestanding sign on the back side of the property, therefore eliminating the variation for two freestanding signs.

- **UDO Standard:** Financial institutions are classified as an office use per the permitted use table in Section 2-300. Signs for offices are limited to 6 feet in height and 32 square feet in area.

Sign	Item	UDO Standard	Proposed Signage	Variation
Freestanding	Quantity	1	1	None
	Height	6 ft	11.4 ft	5.4 ft
	Size (sq ft)	32 sq ft	60.90 sq ft	28.9 sq ft

- The petitioner conducted a site visibility study for the proposed freestanding sign. The study found that an 11.4 foot tall sign would be visible from the northbound and southbound lanes of traffic on Route 31.
- City staff compiled a survey of the freestanding signage for all financial institutions in Crystal Lake and found that since the Unified Development Ordinance was passed freestanding signs for financial institutions were on average 7 feet tall.

**PZC Highlights:**

- The petitioner revised their plans after their first meeting with the PZC to minimize the size of the sign, adjust the location and to eliminate a variation for the number of freestanding signs.
- The PZC agreed that Route 31 is a wide and busy roadway and that the hardship is the visibility of the property from the north and south.
- The PZC agreed that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioner’s request with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Professional Permits, received 05/27/15).
  - B. Revised Sign Plans (Icon dated 06/18/15, received 07/23/15)
2. All wall signage for the building shall meet the requirements of the Unified Development Ordinance.
3. ~~The freestanding sign along Route 31 shall meet the requirements of the Unified Development Ordinance for area and height.~~ (Removed by the PZC)
4. The petitioner shall comply with all of the requirements of the Community Development Department.
5. The petitioner shall work with staff on the wall signage.

**Votes Required to Pass:**

A simple majority vote.



# DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

## AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD FOR BMO HARRIS BANK

WHEREAS, pursuant to the terms of the Petition (File #2015-34) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for BMO Harris Bank to allow changes to the freestanding signage; and Variations from Article 4-1000 sign height and area to allow an 11.4 feet tall freestanding sign with an area of 60.90 square feet; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Unified Development Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Amendment to the Final Planned Unit Development be granted as requested in said Petition,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: That a Final PUD Amendment be granted to allow changes to the freestanding signage; and Variations from Article 4-1000 sign height and area to allow an 11.4 foot tall freestanding sign with an area of 60.90 square feet permit for the property located at 1105 S. Route 31 (19-15-203-001), Crystal Lake, Illinois.

SECTION II: That the Final PUD Amendment be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Professional Permits, received 05/27/15).
  - B. Revised Sign Plans (Icon dated 06/18/15, received 07/23/15)
2. All wall signage for the building shall meet the requirements of the UDO.
3. The petitioner shall comply with all of the requirements of the Community Development Department.
4. The petitioner shall work with staff on the wall signage.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**Agenda Item No: 16**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	September 1, 2015
<b><u>Item:</u></b>	REPORT OF THE PLANNING & ZONING COMMISSION  Hoffman/Wilson – The Villages Unit 3
<b><u>Request:</u></b>	1) Final Plat Amendment for the Villages Unit 3 to lift a plat restriction in order to allow fences in the landscape easement along Golf Course Road and, 2) A variation from Article 4-700(B)(3) fence height to allow a 4-foot fence in a yard abutting a street, a variation of 1 foot.
<b><u>Petitioner:</u></b>	Chris Hoffman and Jeffrey Wilson, petitioners
<b><u>PZC Recommendation:</u></b>	The motion for approval failed by a (1-5) vote, thereby producing a negative recommendation.
<b><u>Staff Contact:</u></b>	James Richter II, Planning and Economic Development Manager

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**Background:**

- **Background:** The original Plat of Subdivision was approved in 1988 with the restriction that no fences shall be permitted in the 20-foot landscaping, screening and drainage easement along Golf Course Road. A 10-foot municipal utility easement is located along the rear of the properties abutting Golf Course Road in between the landscaping, screening, and drainage easement and the property line. In 1993, the homeowners at 778 and 782 Village Road were permitted to construct a 4 foot tall fence 30 feet from the property line abutting Golf Course Road (see attached building permit application). However, the fence was installed approximately 17.5 feet from the property line, which created a 12.5-foot encroachment into the landscaping, screening and drainage easement. Final inspections of the fence were not completed and the owners claim that the City gave consent verbally to allow them in their current locations. The homeowners were advised throughout 1994-1996 to remove the fence and install it outside of the landscaping, screening and drainage easement. The fence was never removed and relocated. Several months ago, the applicants applied for permits to maintain or replace these fences, which were denied by the Building Division.

**Key Factors:**

- **Request:** The petitioner is requesting a final plat amendment to lift a plat restriction in order to allow fences in the landscape easement along Golf Course Road and a variation

from Article 4-700(B)(3) fence height to allow a 4-foot fence in a yard abutting a street, a variation of 1 foot.

- UDO Requirements: Fences, walls or screening in any front yard or yard abutting a street shall not exceed three feet in height and meet the clear view provisions. The setback for a yard abutting a street in the R-1 Single-Family Residential zoning district is 30 feet.
- The intent of the plat restriction was to preserve the view corridor along Golf Course Road. In 2003, the City Council denied a similar petition to allow fences in the landscape easement along Miller Road.

**PZC Highlights:**

- The PZC agreed that the purpose of the landscape easement was to reduce the “alley effect” on Golf Course Road.
- The PZC discussed that lifting this restriction would set the precedent for the rest of the subdivisions along Golf Course Road.

The PZC recommendation of approval of the petitioner’s request with the following conditions failed (1-5):

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (received 7/01/15)
  - B. Plat of Subdivision (received 7/01/15, dated 4/19/88)
  - C. Plat of Survey 778 Village Ct (received 7/01/15, dated 08/21/89)
  - D. Plat of Survey 782 Village Ct (received 7/01/15, dated 6/24/14)
2. If allowed to remain, the fence cannot impede drainage flow as the landscape easement is also a drainage easement.
3. The petitioner shall comply with all of the requirements of the Community Development, Fire Rescue, Police and Public Works Departments.

**Votes Required to Pass:** A simple majority vote.

DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A FINAL PLAT OF SUBDIVISION AMENDMENT  
AND A VARIATION FOR FENCE HEIGHT  
FOR THE VILLAGES UNIT 3

WHEREAS, a Final Plat of Subdivision Amendment and a variation from Article 4-700(B)(3) fence height to allow a 4-foot fence in a yard abutting a street, a variation of 1-foot has been submitted for The Villages Unit 3 (File #2015-40) in general conformance with the pertinent ordinances of the City of Crystal Lake, Illinois; and

WHEREAS, the Final Plat of Subdivision Amendment and a variation from Article 4-700(B)(3) fence height to allow a 4-foot fence in a yard abutting a street, a variation of 1-foot for The Villages Unit 3 complies with the Crystal Lake Comprehensive Land Use Plan; and

WHEREAS, the Final Plat of Subdivision Amendment and a variation from Article 4-700(B)(3) fence height to allow a 4-foot fence in a yard abutting a street, a variation of 1-foot for The Villages Unit 3 meets the requirements of the Unified Development Ordinance; and

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

SECTION I: The Final Plat of Subdivision Amendment and a variation from Article 4-700(B)(3) fence height to allow a 4-foot fence in a yard abutting a street, a variation of 1-foot for The Villages Unit 3 attached thereto is hereby approved as submitted.

SECTION II: Said Final Plat of Subdivision Amendment for The Villages Unit 3 is issued with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (received 7/01/15)
  - B. Plat of Subdivision (received 7/01/15, dated 4/19/88)
  - C. Plat of Survey 778 Village Court (received 7/01/15, dated 8/21/89)
  - D. Plat of Survey 782 Village Court (received 7/01/15, dated 6/24/14)
2. If allowed to remain, the fence cannot impede drainage flow as the landscape easement is also a drainage easement.
3. The petitioner shall comply with all of the requirements of the Community Development, Fire Rescue, Police and Public Works Departments.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of Variations in accordance with the provisions of this Ordinance, as provided by law.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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**Meeting Date:** September 1, 2015

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION  
  
Crystal Spa– 386 W. Virginia Street

**Request:**

- 1) A Special Use Permit for a massage establishment, and
- 2) Variation from Article 2-400(C)(65):
  - A) To allow the business to be open at 10 a.m., in lieu of 11:00 a.m.
  - B) To allow 100% covered windows instead of the 25% requirement.

**Petitioner:** Fred and Te Yuan Gerber, petitioner

**PZC Recommendation:** The Planning and Zoning Commission's motion to approve the petitioner's request failed to receive the required number votes to pass (3-3), thereby producing a non-recommendation.

**Staff Contact:** James Richter II, Planning and Economic Development Manager

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**Background:**

- Existing Use: The property is currently a commercial strip center in the Virginia Street Corridor. The subject unit is improved with a massage establishment.
- Background:
  - The petitioner purchased J & H Massage from the previous owner. Pre-UDO, massage businesses did not require a Special Use Permit, so J & H Massage had no special zoning approval.
  - The business is now known as Crystal Spa, and they plan to offer foot and body massages. They also plan to provide skin care and nail services in the future.
  - The UDO was amended in June 2014 to allow massage establishments as a special use permit with criteria for limitations on window signage, hours of operation, etc.
  - In May 2014 (before the UDO criteria were established), a sign variation was granted to allow the window signage to cover more than 25% of the total window and door area for J & H Massage.

**Key Factors:**

- Request: The petitioner is requesting a special use permit for a massage establishment and a variation from Article 2-400 to allow the business to be open at 10 a.m. and full window coverings.
- UDO Standard:
  - Massage establishments are required to obtain a special use permit. The special use permit requires all massage establishments to comply with certain criteria, one of which is that upon the sale of a massage establishment, the new owners must obtain a new special use permit.
  - Massage establishments are held to limited hours of operation per the UDO criteria. No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 11:00 a.m. This criterion is consistent with other communities' restrictions on hours of operations for massage establishments. Although, other massage and spa businesses are open prior to 10 a.m., since they were established prior to the special use permit requirement.
  - At least 75% of the window area of the massage establishment shall be visible, and installed with clear, non-reflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.
  - Alternatives for screening the front windows have been discussed, such as window blinds. However these alternative options would allow for the windows to be totally screened at various times, which is not an acceptable alternative.

**PZC Highlights:**

- The PZC discussed the proposed hours of operations and agreed that 10:00 a.m. is an acceptable opening time for this business, in lieu of the ordinance requirement of 11:00 a.m.
- The PZC understands the petitioner's concerns regarding the window coverage requirements and the need for privacy, but requested that they meet the ordinance.



View of doors from the interior



Windows from the interior  
(foot massage chairs pictured)



Windows from the exterior



The PZC recommendation of approval of the petitioner's request with the following conditions **failed (3-3)**:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Gerber, received 07/10/15)
  - B. Interior Layout Plan (received 07/16/15)
  - C. State License (received 07/16/15)
2. The hours of operation for the massage establishment shall be 10 a.m. to 9 p.m.
3. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
4. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.

5. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.
6. No residential use is permitted within the massage establishment at any time.
7. Alcohol is not permitted to be served in a massage establishment at any time.
8. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining if the provisions of this section are met.
9. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.
10. At the time any new massage therapists are employed, the owner shall provide a copy of their massage license to the City.
11. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.
12. **All windows shall comply with the requirement of no more than 25% of the window area coverage. (Added by PZC)**

**Votes Required to Pass:**

A simple majority vote.

DRAFT

ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
AND VARIATION  
AT 386 W. VIRGINIA STREET

WHEREAS, pursuant to the terms of a Petition (File #2015-44) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a massage establishment and a variation from Article 2-400(C)(65) to allow the business to be open at 10a.m. for the property located at 386 W. Virginia Street; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit and Variation be issued as requested in said Petition.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit be issued to allow a massage establishment and a variation from Article 2-400(C)(65) to allow the business to be open at 10a.m. for the property commonly known as 386 W. Virginia Street (19-05-154-013), Crystal Lake, Illinois.

Section II: Said Special Use and Variation are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Gerber, received 07/10/15)
  - B. Interior Layout Plan (received 07/16/15)
  - C. State License (received 07/16/15)
2. The hours of operation for the massage establishment shall be 10am to 9pm.
3. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
4. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.
5. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.

6. No residential use is permitted within the massage establishment at any time.
7. Alcohol is not permitted to be served in a massage establishment at any time.
8. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining if the provisions of this section are met.
9. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.
10. At the time any new massage therapists are employed, the owner shall provide a copy of their massage license to the City.
11. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.
12. All windows shall comply with the requirement of no more than 25% of the window area coverage.

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 18**

**City Council  
Agenda Supplement**

**Meeting Date:**

September 1, 2015

**Item:**

City Code Amendment-Liquor License Restrictions

**Staff Recommendation:**

City Council Discretion:

1. Motion to adopt an ordinance to amend the Language of Class "26" Liquor License to allow for two special events, or
2. Motion to allow a temporary variance to the Class "26" Liquor License to allow beer to be sold in tents at an Oktoberfest event.
3. Motion to deny the petitioner's request.

**Staff Contact:**

Eric Helm, Deputy City Manager

**Background:** The City has received a request from Crystal Lake Beer Company, located at 150 N. Main St, to amend their Class "26" liquor license, which allows the retail sale of beer manufactured at such premises for consumption on the premises, both the interior of the building and an open unroofed area immediately contiguous to the building or structure, to allow additional language to include: "Retail sale and consumption of beer within a tent erected adjacent to the premises specified permitted two times during any calendar year." The hours allowed for the sale of beer, and the type of beer allowed to be served, would not change with the amendment of the Class "26" liquor license. The petitioner wishes to make this change to accommodate their two annual events, the Maibock festival and Oktoberfest. The proposed language for the Crystal Lake Beer Company would be similar to that of The Cottage, located at 6 E. Crystal Lake Avenue, which currently holds a Class "22" liquor license that allows for: "Retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified permitted two times during any calendar year."

If the Council chooses to deny the request for an amendment to their Class "26" liquor license, the petitioner is asking for a temporary allowance on September 18<sup>th</sup> and 19<sup>th</sup>, 2015 to sell beer for consumption in two tents in the parking lot of their building. Their current license only allows for the sale and consumption of beer in an open unroofed area adjacent to their building or structure. Attached is a letter of request from the petitioner.

Crystal Lake Beer Company is currently the only holder of a "Class 26" liquor license.

Votes Required to Pass: **Simple majority**



**DRAFT**

**ORDINANCE AMENDING THE CODE  
OF THE CITY OF CRYSTAL LAKE, ILLINOIS**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

1. Class 26 License shall include the following language: The retail sale, on the premises specified, of beer for consumption on the premises may include the retail sale and consumption of beer within a tent erected adjacent to the premises specified, subject to the following conditions:

(a) Such sale and consumption within a tent shall only be permitted two times during any calendar year over not more than two consecutive days per event and only during the hours specified for retail sale of beer pursuant to this license.

(b) Such sale and consumption shall only be allowed pursuant to application made to and approved by the Liquor Commissioner.

(c) Any application made pursuant to this subsection shall be made to the Liquor Commissioner not less than 90 days prior to the date requested for the tent sale.

(d) All of the conditions applicable to the retail sale and consumption of beer pursuant to Subsection V(1)(a) through (c) and (1)(e) through (1)(i) of this section shall be applicable to the retail sale and consumption of beer pursuant to this Subsection V(2).

(e) The Liquor Commissioner may impose such reasonable conditions and restrictions upon retail sales and consumption of beer within a tent as may be deemed necessary by the Liquor Commissioner to assure that such sale and consumption can be conducted in a safe manner without posing any material risk to patrons of the licensed premises or others. Such conditions may include mandating a minimum number of BASSETT-trained personnel to secure the perimeter of the tent and assure that no patron of the premises attempts to leave the premises while holding open beer containers.

(f) The applicant must provide proof of ownership of the property on which the tent will be located or provide documentation confirming the ability to utilize the property for the tent event.

SECTION II: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 1st day of September, 2015.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED: September 1, 2015

APPROVED: September 1, 2015

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.





**Agenda Item No: 19**

**City Council  
Agenda Supplement**

**Meeting Date:**

September 1, 2015

**Item:**

Investment Management Services

**Staff Recommendation:**

Motion to award the proposal for Investment Management Services to the lowest responsive, responsible proposer, Sawyer Falduto Asset Management, LLC, and Charles Schwab & Co., Inc. as asset custodian, and to adopt a resolution authorizing the City Manager to execute agreements with Sawyer Falduto Asset Management, LLC and Charles Schwab & Co., Inc. in accordance with the submitted proposal.

**Staff Contact:**

George Koczvara, Director of Finance

**Background:**

On July 7, 2015, the City opened proposals received for Investment Management Services. The investment management consultant will be responsible for actively managing the City's idle cash to obtain the maximum return possible while at the same time:

1. Meeting the requirements of the Illinois Public Funds Investment Act and the parameters of the City's investment policy,
2. Emphasizing the protection of principal at all times, and
3. Ensuring cash flow as needed.

Below is a summary of the proposals received.

Proposer	Annual percentage fee of total portfolio
Sawyer Falduto Asset Management, LLC <input checked="" type="checkbox"/> Elmhurst, IL	.10% (10 basis points)
Prudent Man Advisors, Inc. Naperville, IL	.12% (12 basis points)
Columbia Capital Management, LLC Chicago, IL	.15% (15 basis points)

Indicates lowest responsible, responsive proposer

**Recommendation:**

City staff has reviewed all proposals received for completeness and accuracy in accordance with the request for proposals document. It is staff's recommendation to award the proposal for Investment Management Services to the lowest responsive, responsible proposer, Sawyer Falduto Asset Management, LLC, and Charles Schwab & Co., Inc. as asset custodian, and to adopt a resolution authorizing the City Manager to execute agreements with Sawyer Falduto Asset Management, LLC and Charles Schwab & Co., Inc. in accordance with the submitted proposal.

Sawyer Falduto currently works with three (3) Municipal/Park Districts, eleven (11) Illinois Fire Protection Districts, and one hundred ten (110) Illinois Police/Fire Pension Funds including serving as the investment advisor for the Crystal Lake Firefighters' Pension Fund. In addition to positive experience as investment advisors to the Crystal Lake Firefighters' Pension Fund, Sawyer Falduto received positive recommendations from their municipal/park district clients.

**Votes Required to Pass:**

Simple majority



**DRAFT**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized and directed to execute an agreement with Sawyer Falduto Asset Management, LLC for Investment Management Services and Charles Schwab & Co., Inc. as asset custodian, in accordance with the submitted proposal.

DATED this 1<sup>st</sup> day of September, 2015.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL  
ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: September 1, 2015  
APPROVED: September 1, 2015



**Agenda Item No: 20**

**City Council  
Agenda Supplement**

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**Meeting Date:** September 1, 2015

**Item:** Fire Recovery Billing Services

**Staff Recommendation:** Motion to adopt a resolution authorizing the City Manager to execute an agreement with Fire Recovery USA for the billing services for fire recovery fees for a period of five (5) years.

**Staff Contact:** Paul DeRaedt, Fire Rescue Chief

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**Background:**

*Fire Recovery Fees*

On July 24, 2015, the City opened proposals for Fire Recovery Billing Services. Two proposals were received, one from Fire Recovery USA and another from Lifequest Services.

Both proposals were thoroughly evaluated by the Fire Rescue and Finance Departments. Both companies complied with most of the specifications as listed in the RFP. A comparison of the two proposals is included in this supplement and a few key points are explained in this supplement. Examination of the proposals; determined that Lifequest's proposal was primarily based on ambulance billing, not fire recovery billing. Fire Recovery USA does ONLY fire billing, as they are partnered with Andres Medical Billing, which does our ambulance billing.

The fees involved in this billing are certainly a critical point for evaluation of the proposals. A quick glance at this area show that Lifequest proposes that they will take 9.6% (Phase I) of the fees collected, whereas Fire Recovery USA proposes a flat fee of 20%. Lifequest's fees, however, increase to 22% for account aging of 120-150 days and 34% after 150 days. Again, Fire Recovery USA is consistent at 20% regardless of the account age. Lifequest considers an account in "Phase II", or collections, at 120 days. Fire Recovery USA considers an account in collections only after we tell them to take it to collections. Lifequest states that approximately 12% of the accounts move to collections, whereas Fire Recovery USA states that 3-5% of accounts proceed to collections.

One specification of the RFP stated that each proposer must have a "history of success with Illinois providers with a 70% or greater collection rate". Lifequest was not able to provide any references from Illinois providers; therefore making is impossible to determine whether or not they meet this criteria. Fire Recovery USA has an extensive history with Illinois providers, such

as Algonquin/Lake in the Hills Fire Protection District, Plainfield, Waukegan and Elgin. Fire Recovery USA states a 70-90% success rate in Illinois. References were contacted for both companies. The references contacted for Fire Recovery USA were all positive. References for Lifequest were not so positive, in fact, mostly negative or difficult to assess based on the limited amount of billing done in this area. One supplied reference from Oklahoma stated that they were not happy with the service of Lifequest and will be looking to discontinue services with them. They had stated that Lifequest had reported to them, on many of the accounts, that the insurance company had paid the claim to the insured, who in turn had not forwarded payment to the provider. Another supplied reference in Wisconsin stated that they also will be looking to dissolve their relationship with Lifequest soon as their projections at \$400,000 have only equated to less than \$20,000. In fact, they will be looking to contract with Fire Recovery USA. Their decision to go with Lifequest was based solely on the 9.6% fee.

Another key factor in processing this proposal was the ability of the billing company to access the billing information. Fire Recovery USA is the only company that is able to access information directly from the Firehouse reporting software, which the Fire Rescue Department will be utilizing in the very near future. Lifequest's billing is dependent on the information we would provide them. While the exact time it would take our staff to extract and prepare this information for billing is currently unknown, it is estimated that our staff could spend approximately 240 hours annually, or approximately \$5,709 in administrative costs. The current estimates in revenue budgeted is based on 20% of \$60,000 or \$48,000 net receipts. This is consistent with Fire Recovery USA's fee structure, or a cost of \$12,000 annually. While estimates using Lifequest's 9.6% fee, would cost approximately \$5,760 for a difference of \$6,240 annually. However, at the estimated administration costs associated with our staff extracting the information and processing is nearly negated by Fire Recovery USA's difference in fees, since they are able to access the needed information directly from our reporting software.

**Recommendation:**

After careful examination by Fire Rescue and Finance staff, it is recommended that the City Council approve an agreement with Fire Recovery USA for Fire Recovery Fee billing based on the proposal and the criteria outlined above. Fire Recovery USA has a proven success rate with providers in Illinois and throughout the United States. The difference in fees associated with collection of these is negligible when the administrative costs, positive references and collection rate are considered.

**Votes Required to Pass:**

Simple Majority



**DRAFT**

## RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and is hereby authorized and directed to execute, and the City Clerk is hereby directed to attest, an agreement with Fire Recovery USA for Fire Recovery Fee billing for the period of (5) five years.

Dated this 1st day of September, 2015.

CITY OF CRYSTAL LAKE, an  
Illinois Municipal Corporation

By: \_\_\_\_\_  
Mayor

SEAL  
ATTEST:

\_\_\_\_\_  
City Clerk

PASSED: September 1, 2015  
APPROVED: September 1, 2015