



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
May 18, 2010
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – May 4, 2010 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. **Council Reports**
9. **Consent Agenda**
 - a. **First Congregational Church request for the closure of Pierson Street between Florence Street and King Street on May 23, 2010, and the use of McCormick Park on May 30, 2010 and July 19, 2010 through July 23, 2010.**
 - b. **490 W. Terra Cotta Avenue – Annexation Referral**
 - c. **8307 Ridgfield Road – Annexation Public Hearing Continuation**
 - d. **645 McHenry Avenue – Extension of the Final Planned Unit Development Amendment approval.**
10. **Knaack, LLC - Unified Development Ordinance Sign Variation request to install a banner sign at 420 E. Terra Cotta Avenue.**
11. **Home State Bank - Unified Development Ordinance Sign Variation request to change the face of the existing freestanding sign at 5999 Northwest Highway.**
12. **Moe-B-Dick's North Shore Pub, 1050 North Shore Drive – Temporary Use Permit request to allow a washer tournament.**
13. **The Cottage, 6 E. Crystal Lake Avenue – Temporary Use Permit request to hold a Beatles Blast Special Promotion on May 30, 2010.**
14. **Nighttime Entertainment – Special Use Permit request to allow a lounge to be located at 5831 Northwest Highway.**
15. **Nighttime Entertainment, 5831 Northwest Highway – City Code Amendment to increase the number of Class “1” liquor licenses.**

16. **148 Lakewood Avenue – Special Use Permit request to allow an accessory structure over 600 square feet.**
17. **Randall Road Animal Hospital, 1580-1590 Carlemont Drive – Final Plat of Subdivision and Final Planned Unit Development for a veterinary animal hospital.**
18. **Camelot School, 201-299 Congress Parkway – Final Plat of Subdivision of Crystal Courtyards to create a three-lot subdivision; and Final Planned Unit Development to allow two buildings on a zoning lot for Camelot School.**
19. **Sam’s Club, 5679 Northwest Highway – Final Planned Unit Development Amendment for a Final Plat of Subdivision to create a one-acre outlot and variation to the required parking.**
20. **Bryn Mawr Corporation, north side of Route 176, east of Route 47 – Annexation Agreement Amendment Public Hearing.**
21. **Bid award and resolution authorizing execution of a contract for the 2010 Sidewalk Replacement Program and allowing for a 10 percent contingency.**
22. **Resolution authorizing execution of an agreement for participation in the 2010 McHenry County Gypsy Moth Aerial Treatment Program.**
23. **Resolution authorizing the City’s participation in the 2010 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program and the purchase of thermoplastic pavement marking through the Northwest Municipal Conference/IDOT 2010 Pavement Marking Joint Purchasing Program.**
24. **Ordinance repealing Ordinance No. 643, and eliminating the one-way restriction on Church Street between St. Mary’s Episcopal Church and the former Immanuel Lutheran Church on Sundays only between the hours of 7:00 a.m. and 1:00 p.m.**
25. **Council Inquiries and Requests**
26. **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.**
27. **Reconvene to Regular Session.**
28. **Commission reappointment and appointment.**
29. **Adjourn**

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



Agenda Item No: 9a

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	May 18, 2010
<u>Item:</u>	First Congregational Church street closure request and request to use McCormick Park
<u>Staff Recommendation:</u>	Motion to approve the First Congregational Church request for the closure of Pierson Street between Florence Street and King Street on Sunday, May 23, 2010 from 9:00 a.m. to 4:00 p.m.; approve the use of McCormick Park on Sunday, May 30, 2010 from 8:30 a.m. to Noon; and approve the use of McCormick Park on Monday, July 19, 2010 through Friday, July 23, 2010 from 9:00 a.m. to Noon.
<u>Staff Contact:</u>	Brad Mitchell, Assistant to the City Manager

Background:

The City has received the following requests from First Congregational Church:

1. The closure of Pierson Street between Florence Street and King Street on Sunday, May 23, 2010 from 9:00 a.m. to 4:00 p.m. for their Community Festival.
2. The use of McCormick Park on Sunday, May 30, 2010 from 8:30 a.m. to Noon for the Sunday School children to use the park.
3. The use of McCormick Park on Monday, July 19, 2010 through Friday, July 23, 2010 from 9:00 a.m. to Noon for their Vacation Bible School.

City staff has reviewed the petitioner's requests, and does not have concerns regarding the closure of Pierson Street between Florence Street and King Street and the use of McCormick Park, providing the following conditions are met:

- 1) The use of McCormick Park shall be valid on Sunday, May 30, 2010, between the hours of 8:30 a.m. and Noon only and on Monday, July 19, 2010 through Friday, July 23, 2010, between the hours of 9:00 a.m. and Noon only.
- 2) City-owned barricades must be used to block off the street closure sections. The petitioner must complete and submit a Barricade Borrowing Application. In addition, a "Local Traffic Only" sign must temporarily be placed at the entrance to Pierson Street from King Street.
- 3) The petitioner must send a notice to all affected property owners along Pierson Street.
- 4) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway, if necessary.
- 5) Emergency access to the Church must be maintained throughout the event. The petitioner should provide the City with site layouts for each event.
- 6) Local traffic access to Pierson Street must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 7) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department and Planning and Economic Development Department for further review.
- 8) All debris created by the event shall be cleaned up during and after the event.
- 9) Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement.
- 10) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 11) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions. The letter from First Congregational Church requesting approval for the closure of Pierson Street between Florence Street and King Street and the use of McCormick Park is attached for City Council consideration.

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 9b

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: #2010-35 490 W. Terra Cotta Avenue - Annexation Referral

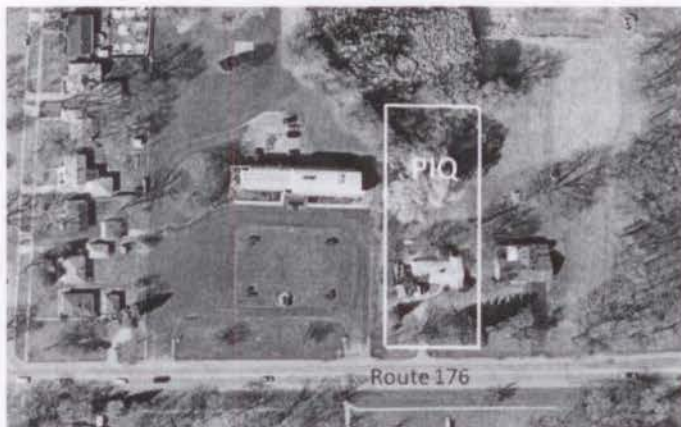
John and Margaret Lecuyer, petitioners
490 W. Terra Cotta Avenue

Recommendation: Motion to refer the petitioner's request to the June 2, 2010, Planning & Zoning Commission meeting for zoning consideration and to the July 6, 2010, City Council meeting for the annexation public hearing.

Staff Contact: Michelle Rentzsch, Director of Planning & Economic Development

Background: The petitioner is requesting annexation of a single parcel that totals 0.94 acres, located at 490 W. Terra Cotta Avenue, immediately east of the funeral home. The property is improved with a single family residence. The petitioners are seeking annexation to connect to City sewer.

The petitioner respectfully requests that this matter be referred to the June 2, 2010, Planning & Zoning Commission meeting for zoning consideration and the July 6, 2010, City Council meeting for the annexation public hearing.



Votes Required to Pass: A simple majority vote.



Agenda Item No: 9c

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

Gramme/Topps Annexation Public Hearing Continuation

Heidi Gramme and Anthony Topps, petitioners
8307 Ridgefield Road, Crystal Lake

Recommendation:

Motion to continue the petitioner's request to the June 1, 2010, City Council meeting for the Annexation Public Hearing.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The property in question is approximately 3.25 acres in area, located on Ridgefield Road, just south of Tartan Drive. The property is surrounded by the McHenry County College property on three sides. It is located in unincorporated McHenry County and zoned "A-1" under the County's Zoning Ordinance. Currently, the property is improved with a two-story residence, a number of accessory structures (including a garage, an out-building and several sheds) and an in-ground swimming pool. The petitioner is requesting rezoning upon annexation to the "W" Watershed district and Minor Subdivision approval to create one additional lot.

The petitioner respectfully requests that this matter be continued to the June 1, 2010, City Council meeting for the Annexation Public Hearing. The petitioner is working with McHenry County Highway Department to understand the requirements relative to right-of-way dedication and other conditions in relation to Ridgefield Road, which is under the County's jurisdiction. Some additional time is requested to get this information finalized.

Votes Required to Pass:

A simple majority vote.



Agenda Item No: 9d

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

Extension of the Final PUD Amendment approval for 645 McHenry Avenue.

Jamie Verbrugge, petitioner
645 McHenry Avenue

PZC Recommendation:

Motion to approve a third one-year extension of the Final PUD Amendment approval through June 6, 2011 to allow an office use in the single-family residence at 645 McHenry Avenue.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: On June 6, 2006, the City Council approved a Final PUD Amendment for the house at 645 McHenry Avenue. The property is zoned "R-3b" Multiple Family and the PUD Amendment allows for Office uses in the existing residence. One of the conditions of this PUD Amendment stated, "8. The petitioner is reminded that if an office use is not established within 2 years, the approval for office use is void." The original office use approval would have expired on June 6, 2008. The petitioner came before City Council on May 20, 2008 and May 19, 2009 to request one-year extensions to the Final PUD approval. The petitioner is again requesting a one-year approval which would allow an office use through June 6, 2011. The Zoning Ordinance allows for the City Council to grant three one-year extensions to Final PUD approvals. This is the final extension that can be granted, unless a variation to the ordinance is granted allowing for another extension.

Votes Required to Pass:

A simple majority vote.



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: Unified Development Ordinance Sign Variation Request to Install A Banner Sign at 420 E. Terra Cotta Avenue (Knaack, LLC)

Staff Recommendation: City Council Discretion:
A. Motion to approve the variation as requested.
B. Motion to approve the request with any conditions.
C. Motion to deny the variation request.

Staff Contact: Victor C. Ramirez, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

Carol Grom of Knaack, LLC, located at 420 E. Terra Cotta Avenue, is requesting to install a banner sign on the south wall of the building to commemorate their 50th anniversary. Knaack, LLC is requesting to display the banner until April, 2011.

The proposed banner will be installed on the wall of the building facing Terra Cotta Avenue. The sign copy area is 19 inches by 28 feet for a total of 44 square feet.

The owner has requested a variation from requirements located in UDO Table 4-1000 H: Industrial Signs. The variations are detailed in the following table.

Item	UDO Requirement	Proposed	Sign Meets Ordinance Requirement?
Quantity of Limited Duration Signs	1	1	Yes
Size	16 square feet	44 square feet	No
Height (feet)	Below the roof line	Below the roof line	Yes
Length of Display Time	30 days prior to the event and removed 2 days after the event	To be displayed until April, 2011	No

Attached is a sign variation application and permit application from Knaack, LLC, a sign plan, and a floor plan.

The Sign Ordinance provides that a variation may be granted by the City Council where the literal application of the Code would create a particular hardship for the sign user and the following criteria are met:

- A. A literal application of the Code would not allow the most appropriate type of sign for the property.
- B. The granting of the requested variation would not be materially detrimental to the property owners in the vicinity.
- C. Hardship caused the sign user under a literal interpretation of the Code is due to conditions unique to that property and does not apply generally to the City.
- D. Granting of the variation would not be contrary to the general objectives of this Section.

Carol Grom has made the request on behalf of Knaack, LLC, and will be in attendance at the meeting to discuss this request with the City Council.

Votes Required to Pass:

Simple majority of City Council present.



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: Unified Development Ordinance Sign Variation request to change the face of the existing freestanding sign at 5999 Northwest Highway (Home State Bank).

Staff Recommendation: City Council Discretion:
A. Motion to approve the variation as requested.
B. Motion to approve the request with any conditions.
C. Motion to deny the variation request.

Staff Contact: Victor C. Ramirez, Director of Engineering and Building
Rick Paulson, Building Commissioner

Background:

Home State Bank is requesting to change the face of the existing sign located at 5999 Northwest Highway, to include an electronic message center. The sign currently contains a 19 inch by 48 inch electronic time and temperature sign. Home State Bank is requesting to add the electronic message center element due to aggressive advertising by large national financial institutions and Home State Bank's desire to be competitive.

The electronic message center portion of the proposed sign is 2'5" by 8'3" for a total of approximately 20 square feet. The total sign face is proposed to be 60 square feet.

The owner has requested a variation from requirements located in UDO Section 4-1000 J 2.

J. Prohibited Signs

2. **Animated Signs and Electronic Displays:** An animated sign is any sign that changes its copy by electronic means (lights, motors) and that creates movement or the appearance of movement. Animated signs include but are not limited to, flashing, moving, electronic message or video signs. Electronic displays are visual representation of text, graphics, and/or images through electronic means, either

analog or digital, and whether by cathode ray tube, light emitting diode (LED), liquid crystal display (LCD), plasma, or any other electronic means.

Attached is a sign variation application and permit application from Home State Bank, description of the hardship, a photo of the existing sign, and a sign plan.

The Sign Ordinance provides that a variation may be granted by the City Council where the literal application of the Code would create a particular hardship for the sign user and the following criteria are met:

- A. A literal application of the Code would not allow the most appropriate type of sign for the property.
- B. The granting of the requested variation would not be materially detrimental to the property owners in the vicinity.
- C. Hardship caused the sign user under a literal interpretation of the Code is due to conditions unique to that property and does not apply generally to the City.
- D. Granting of the variation would not be contrary to the general objectives of this Section.

Penny Hughes of Hughes and Son Signs has made the request on behalf of Home State Bank, and will be in attendance at the meeting to discuss this request with the City Council.

Votes Required to Pass:

Simple majority of City Council present.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

Moe-B-Dick's North Shore Pub Temporary Use Permit request to allow a washer tournament.

Recommendation:

Motion to approve issuance of the Temporary Use Permit, for Moe-B-Dick's North Shore Pub for a Special Promotion to allow a Washer Tournament pursuant to the recommended conditions below.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: Moe-B-Dick's (1050 North Shore Drive) has applied for a Temporary Use Permit for a Special Promotion to allow a washer tournament to take place in the backyard of the subject property. This event has been approved yearly since 2004.

The applicant is requesting permission to allow a washer tournament, which is an outdoor game similar to horseshoes, in the backyard of the Moe-B-Dick's property. The applicant would like permission to have the tournaments take place on Saturday, June 12, 2010, Saturday, July 31, 2010, and Saturday, September 11, 2010, from noon until 8:00 p.m.

Section 2-500.7 of the Unified Development Ordinance allows Special Promotions for a time-period not to exceed 3 days in any calendar month, with no more than 4 promotions allowed per year. This request does not exceed the time period allowed by Ordinance.

In addition, the applicant is requesting permission to allow the tournament players to purchase alcohol inside of the bar and bring the beverages outside of the building to the backyard during the washer games. Please note the following information relative to the applicant's liquor license:

- Moe-B-Dick's Class "1" liquor license allows the retail sale of alcoholic liquor for consumption on the premises, interior only, as well as the retail sale of alcoholic liquor in the original package. Their license does not permit alcohol to be sold or served in an outside area.
- Moe-B-Dick's is located in a residential area. As this bar pre-existed the current liquor code, it is allowed to sell and serve alcohol in a predominantly residential section of the City.

If approved, the following conditions are recommended:

1. The Temporary Use Permit shall be valid from noon to 8:00 p.m. on Saturday, June 12, 2010, Saturday, July 31, 2010, and Saturday, September 11, 2010.
2. This event shall remain within the confines of the subject property only. No alcoholic beverages shall be allowed in any other area than the subject property.
3. Area roads allow a minimum of 20 feet of access for fire apparatus. Parking shall be allowed on one side of the street only and signs shall be posted near the event. Work with the Police Department to determine the location of the no parking zones.
4. Fire hydrants in the area shall not be blocked by parking and signs posted.
5. Any junk or debris that may be created by the event shall be cleaned up on a continuing basis.
6. Any other permits or requests for signs shall be made through the Building Division.
7. The outdoor portion of the event in the backyard of the property shall be separated from the adjacent lots by a temporary fence in order to maintain separation between patrons and the surrounding residential neighborhood.
8. The event and its associated customer parking shall not interfere with any accessible parking spaces, emergency access (fire lanes), fire hydrants, or privately owned driveways.

The applicant has been made aware of these recommended conditions and advised to attend the May 18, 2010, City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

The Cottage Temporary Use Permit request for a Special Promotion – Beatles Blast.

Recommendation:

Motion to approve the Temporary Use Permit for The Cottage Special Promotion, pursuant to the recommendations below.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The Cottage is requesting a Temporary Use Permit to allow a Special Promotion to hold a Beatles Blast at 6 E. Crystal Lake Avenue. The event will include a Beatles memorabilia display, boys and girls drawing competition, Beatles Acoustic competition, a Beatles quiz, dance competition and many other events to be held throughout the day from noon to 9:00 p.m. on Sunday, May 30, 2010.

The event will be held both inside The Cottage and outside on the deck area, which will be cordoned off so alcoholic beverages will not leave the deck area. At the north end of the deck area will be the tent where the acoustic competition and dance competition will be held. The tent area will have a small “stage,” approximately 6 feet by 6 feet, and a table with chairs for the judges. There will not be any other seating under the tent area. The tent will also have sides on the north and west to create a “wall” so the entrance to the area will be limited.

This event (Beatles Blast) will be in conjunction with the Lions Club as a fund-raiser for that organization. The Lions Club will also be providing people who will act as security for the event.

Staff has been in contact with the petitioners for details about the event and recommends the following conditions:

1. The Temporary Use Permit shall be valid on Sunday, May 30, 2010 from noon to 9:00 p.m.
2. The tent size shall be reduced to allow a 10-foot separation between the building and the tent as well as allow for another emergency exit from the deck area. A portion of the fence along the west property line may need to be removed to allow for an egress to the public sidewalk.

3. Only the judges and performers shall be permitted in the tent area.
4. **NO** alcoholic beverages shall be permitted outside of the deck area. Security shall be provided at all times.
5. No spectators shall be allowed to loiter in the walkway area.
6. The tie downs for the tent are not allowed in the walkway areas.
7. Access and exit aisles shall be maintained on the deck at all times.
8. The maximum occupancy of the deck and building area for this event is 166.
9. Contact the Building Division and Fire Prevention Bureau to set up a time for inspection of the seating area of the deck and the tent setup prior to the event.

The applicant has been made aware of these recommended conditions and will be attending the May 18, 2010 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-28 Nighttime Entertainment

Special Use Permit to allow a lounge.

Nighttime Entertainment, Inc., petitioner
350 Corrine Avenue, Crystal Lake

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation and approve an ordinance granting a Special Use Permit to allow a lounge to be located at 5831 Northwest Highway.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background: The property in question is the former Great Escape store, located on Northwest Highway, east of Main Street. The property is zoned "B-2" General Commercial. It is the petitioner's intent to locate a lounge that offers dancing on Friday and Saturday nights within a tenant suite at this location. This use is classified as a 'Drinking Place' per the Unified Development Ordinance and is a Special Use in the "B-2" district.

At this time, the only tenant in this building, Designer Shoe Discount, occupies the tenant suite at the eastern end of the building. For the past three years, Halloween Express has occupied an approximately 22,000-square-foot tenant space from around September to November. The lounge will be 6,000 square feet in area including toilets, office and storage space. The petitioner has indicated that there will be no kitchen on-site; therefore, no food will be prepared on-site.

There are 83 parking spaces at this location. For the petitioner's use, the parking requirements per Article 4-200 of the UDO are one parking space per three seats of design capacity or one parking space per 150 square feet of the gross floor area, whichever is greater. Based on the floor plan, it appears that there are approximately 112 seats provided. This generates a parking requirement of 37 spaces. A gross floor area of 6,000 square feet (not including the unutilized space in the rear) generates a parking requirement of 40 spaces. It should be noted, however, that there is a 715-square-foot dance floor in addition to the bar and table seating.

In 1995, the City Council granted a variation for this property to allow a reduced parking setback and a reduction in the required number of parking spaces. In addition, a condition of the approval stated that “all general retail uses, not including those listed in Table 3 “Design Capacity Requirements” in the Zoning Ordinance shall be permitted regardless of the actual usage area”. Since this variation runs with the land indefinitely, this allows all uses permitted in the “B-2” district that were not specifically listed in Table 3 of the (erstwhile) Zoning Ordinance to locate without any parking variations. Uses including beauty and barber shops, restaurants and medical offices were specifically called out in Table 3. If future co-tenants are uses specified in Table 3, such as a restaurant, parking requirements will be computed based on the floor area of each use. If the parking requirement cannot be met, variations will be necessary. However, it should be noted that peak hours for retail and personal service uses are different from the peak hours for a lounge/bar use which are typically later hours.

PZC Highlights

At the Planning and Zoning Commission meeting, the Commissioners had no concerns with the special use request. There was discussion relative to the parking requirements for a use such as this. Since the parking requirements are based on the seating or gross floor area and not the granted occupancy, an additional condition is recommended to ensure that there are no parking issues at the location. The recommended language for the condition is indicated below.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner’s request with the following conditions of approval:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application, received 4-13-10
 - B. ALTA/ACSM Land Title Survey, Mionske, dated 9-5-2003, received 4-13-10
 - C. Floor Plan, JAKL, dated 3-8-10, received 4-13-10
- 2) This Special Use Permit is granted specifically to this applicant based on the floor plans submitted. An increase in the intensity of the use beyond what is indicated in the application is not permitted. A change in ownership will require a new Special Use Permit.
- 3) All proposed signage shall meet the requirements of the Unified Development Ordinance for Commercial Signs (Article 4-1000 F)
- 4) The petitioner shall address all comments of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.
- 5) **The petitioner shall be responsible to ensure that any required parking is provided on-site. Irrespective of the occupancy limit granted, patrons cannot be admitted if all available parking at the location is occupied. (Suggested by staff)**

Votes Required to Pass:

A simple majority vote.

DRAFT

ORDINANCE NO. _____

FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR 5831 NORTHWEST HIGHWAY SUITE C

WHEREAS, pursuant to the terms of the Petition (File #2010-28) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Special Use Permit for Nighttime Entertainment to allow a lounge (Drinking Place); 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 Special Use Permit 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 Special Use Permit be granted to permit a lounge (Drinking Place) for the property located at 5831 Northwest Highway Suite C, Crystal Lake, Illinois.

SECTION II: That the Special Use Permit be granted with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:

A. Application, received 4-13-10

B. ALTA/ACSM Land Title Survey, Mionske, dated 9-5-2003, received 4-13-10

C. Floor Plan, JAKL, dated 3-8-10, received 4-13-10

2. This Special Use Permit is granted specifically to this applicant based on the floor plans submitted. An increase in the intensity of the use beyond what is indicated in the application is not permitted. A change in ownership will require a new Special Use Permit.

3. All proposed signage shall meet the requirements of the Unified Development Ordinance for Commercial Signs (Article 4-1000 F)

4. The petitioner shall address all comments of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

DRAFT

5. The petitioner shall be responsible to ensure that any required parking is provided on-site. Irrespective of the occupancy limit granted, patrons cannot be admitted if all available parking at the location is occupied.

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 and approval as provided 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: 15

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: City Code Amendment to Increase the Number of Class “1” Liquor Licenses – Applicant: Nighttime Entertainment / Buzz Lounge

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class “1” Liquor Licenses from the current permitted 13 licenses to 14 licenses, contingent upon the completion of successful fingerprint/background check requirements.

Staff Contact: George Koczvara, Deputy City Manager

Background:

The City has received a request from Nighttime Entertainment/Buzz Lounge, a new establishment to be located at 5831 Northwest Highway, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class “1” liquor licenses from the current 13 licenses to 14 licenses.

Section 329-5-A of the City Code permits the issuance of a Class “1” liquor license for the retail sale, on the premises specified, of alcoholic liquor, for consumption on the premises as well as the retail sale of alcoholic liquor in the original package between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday; 11:00 a.m. and 2:00 a.m. Friday and Saturday; and noon on Sunday and 1:00 a.m. on Monday.

Although the required fingerprint/background check results from the Illinois State Police and FBI are currently pending for the owners of Nighttime Entertainment, the owners have requested that their petition for the issuance of a Special Use Permit to allow a lounge at 5831 Northwest Highway and their request for the creation of a Class “1” liquor license for use at the same location both be considered at the May 18, 2010 City Council meeting.

Other current holders of a Class “1” liquor license are 1776, Inc., Cucina Bella Due, Dawn’s Bread, El Burrito, Kyoto Japanese Restaurant, Mama Rini’s, Matt’s Tavern, Metro Bowl, Moe-B-Dick’s North Shore Pub, New Sunny Restaurant, Outback Steakhouse, Crystal Lake Pizza Hut and Solid Tap Bar.

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 1 License shall be increased from 13 to 14.

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 18th day of May, 2010.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: May 18, 2010

APPROVED: May 18, 2010

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



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: REPORT OF THE PLANNING & ZONING COMMISSION
#2010-19 Schmidt

Request: Special Use Permit to allow an accessory structure over 600 square feet.

Jeff Schmidt, petitioner
148 Lakewood Avenue

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance granting a Special Use Permit for 148 Lakewood Avenue.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development

Background: The property is made up of two lots, Lots 13 and 14. There is an existing house and detached garage on Lot 13. There is an existing shed on Lot 14. The property requested only one utility stub as part of the Northshore SSA and since the accessory structure was constructed on Lot 14, the lots are considered one zoning lot. The petitioner is currently in the building permitting process for constructing an addition to the house. The petitioner has requested to demolish the existing garage on Lot 13 and locate the existing shed from Lot 14 in its place. He will then construct an 880-square-foot garage on Lot 14 for his personal vehicles. Since the garage is over 600 square feet, he is required to seek a Special Use Permit.

PZC Highlights

The Commission questioned why the structure was only 5 feet from the side or rear lot line, when there is a required 7-foot side yard setback. Principal structures are required to provide a 7-foot interior side yard and a 20-foot rear yard setback. Detached accessory structures can be within 5 feet of any rear or interior side yard lot line. The PZC was happy that the petitioner had addressed his neighbors' concerns about the proposed garage.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Schmidt, received 3/12/10)
 - B. Plat of Survey (Luco Construction, dated 7-07-08, received 4/22/10)
 - C. Site Plan (Schmidt, received 4/22/10)
 - D. Garage floor plan (W. Kost, dated 3/01/10, received 4/12/10)
2. A special use permit to allow an accessory structure over 600 square feet is hereby granted.
3. The lots shall not be subdivided and sold unless a plat of subdivision, variations and impervious coverage reductions have been reviewed by the Planning and Zoning Commission and approved by City Council.
4. The petitioner shall comply with all of the requirements of the Engineering and Building and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 148 LAKEWOOD AVENUE**

WHEREAS, pursuant to the terms of a Petition (File #2010-19) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow an accessory structure over 600 square feet for the property located at 148 Lakewood Avenue; 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 an accessory structure over 600 square feet for the property commonly known as 148 Lakewood Avenue, Crystal Lake, Illinois.

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

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Schmidt, received 3/12/10)
 - B. Plat of Survey (Luco Construction, dated 7-07-08, received 4/22/10)
 - C. Site Plan (Schmidt, received 4/22/10)
 - D. Garage floor plan (W. Kost, dated 3/01/10, received 4/12/10)
2. A special use permit to allow an accessory structure over 600 square feet is hereby granted.
3. The lots shall not be subdivided and sold unless a plat of subdivision, variations and impervious coverage reductions have been reviewed by the Planning and Zoning Commission and approved by City Council.
4. The petitioner shall comply with all of the requirements of the Engineering and Building and Planning and Economic Development 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 and

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approval as provided 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: 17

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-31 Randall Road Animal Hospital

Requests:

- 1) Final Plat of Subdivision of Kaper's Business Park Second Resubdivision, and
- 2) Final Planned Unit Development for a veterinary animal hospital.

Dr. Mandeep Sandhu, petitioner
Carlemont Drive, Crystal Lake

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation approving an ordinance granting the Final PUD and Final Plat of Subdivision for Randall Road Animal Hospital at Carlemont Drive.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background: The property is the southern half of a lot created by the Kids R Kids approval in 2008, with frontage along Carlemont Drive and is part of the Kaper Business Park development. The petitioner received Preliminary PUD approval on April 6, 2010. The petitioner is now requesting a Final Plat of Subdivision and Final Planned Unit Development approval for the proposed veterinary hospital.

The petitioner has addressed the majority of the concerns from the Preliminary PUD approval. The few minor outstanding conditions have been referenced in staff comments and can be addressed at permit.

PZC Highlights

The PZC was unanimous in their approval of this use located on this lot as well as the quality of the proposed building's architecture.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's requests with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Mandeep Sandhu and William Kaper, received 04/28/10).
 - B. Final Plat of Subdivision (VSEI, dated 4/2/10, received 4/22/10)
 - C. Plan Set (Engineering plans, site plan, landscape plan, floor plan, elevations) (Korte Architects, dated 4/21/10, received 4/22/10)
2. Relocate the Little Leaf Linden tree and 7 Forsythia at the southeast corner of the parking lot slightly farther south to be out of the 20' MUE.
3. A cross-access shall be provided to the north at such time as the neighboring property (Lot 1) is required to provide cross access to this property.
4. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT, AND FINAL PLAT OF SUBDIVISION FOR RANDALL ROAD ANIMAL HOSPITAL

WHEREAS, pursuant to the terms of the Petition (File #2010-31) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development and Final Plat of Subdivision for Randall Road Animal Hospital to allow a veterinary animal hospital; 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 Final Planned Unit Development and Final Plat of Subdivision 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 Planned Unit Development and Final Plat of Subdivision be granted to permit a veterinary animal hospital for the property located at 1580-1590 Carlemont Drive, Crystal Lake, Illinois.

SECTION II: That the Final Planned Unit Development and Final Plat of Subdivision be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Mandeep Sandhu and William Kaper, received 04/28/10).
 - B. Final Plat of Subdivision (VSEI, dated 4/2/10, received 4/22/10)
 - C. Plan Set (Engineering plans, site plan, landscape plan, floor plan, elevations) (Korte Architects, dated 4/21/10, received 4/22/10)
2. Relocate the Little Leaf Linden tree and seven Forsythia at the southeast corner of the parking lot slightly farther south to be out of the 20' MUE.
3. A cross-access shall be provided to the north at such time as the neighboring property (Lot 1) is required to provide cross access to this property.
4. The petitioner shall address all of the review comments and requirements of the

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Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development 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 and approval as provided 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:

May 18, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-30 Camelot School

Requests:

- 1) Final Plat of Subdivision of Crystal Courtyards to create a three-lot subdivision;
- 2) Final Planned Unit Development to allow two buildings on a zoning lot for Camelot School.

Dwight Avram, Petitioner
Congress Parkway

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation for the Final Plat of Subdivision and Final Planned Unit Development and variations, approving an ordinance granting the Final Plat of Subdivision, Final Planned Unit Development and variations for Camelot School on Congress Parkway.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background:

Camelot School is a special education facility and dormitory for autistic children and other children with learning disabilities. The petitioner received Preliminary Plat, Preliminary Planned Unit Development and a Use Variation to allow the educational facility approval on February 16, 2010. The petitioners are requesting a Final Plat of Subdivision to create three five-acre lots and a Final Planned Unit Development including a variation to exceed the maximum impervious coverage limit for the proposed school.

Originally a condition was placed on this property to provide an emergency access to the south through the Crystal Point Shopping Center. This condition took the place of requiring the roadway planned from Sam's Club. The emergency access road was not required by any City staff. The petitioners have requested with the Final PUD approval that the requirement for the emergency access road be eliminated. This would allow them to fully fence and secure their property.

PZC Highlights

The Planning and Zoning Commission was very happy the petitioner has worked so hard to address the Commission's concerns by buying additional land to eliminate the one variation and proposing such a high quality aesthetically pleasing development.

The Planning and Zoning Commission recommended **approval (6-0)** of the petitioner's requests with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Avram Builders LLC., received 01/13/10).
 - B. Final Plat of Subdivision (Terra Technology Land Surveying, dated 04/5/05, received 04/13/10)
 - C. Landscape Plan (Schefflow Engineering, dated 3/15/10, received 4/23/10)
 - D. Final Engineering Plans (Schefflow Engineering, dated 03/15/10, received 04/13/10)
 - E. Off Site Engineering Plans (Schefflow Engineering, dated 3/16/10, received 4/23/10)
 - F. Stormwater Management Report (Schefflow Engineering, dated 4/23/10, received 4/23/10)
 - G. Architectural Plans (K. Peterson Associates, dated 04/19/10, received 04/23/10)

2. Site Plan
 - A. Cross-access should be provided with the parcel to the west. The cross-access shall be revised to provide a smooth logical transition between both properties.
 - B. Upon development of the western parcel, the proposed entrance ~~should~~ **shall** be converted to a right in-right out ~~or closed~~. Congress Parkway pavement markings should be changed to a two-way left-turn lane east of the entrance. **A concrete island/pork chop shall be constructed for the right-in/right-out entrance to prevent left turns.** (Amended by the PZC)
 - C. Five accessible parking stalls are required for the proposed 136 parking spaces. The accessible stalls should be located as close to the public accessible entrances for both buildings as possible.
 - D. The minimum lighting levels are not being met for some areas of the public walkways. The rearrangement or addition of lights may be necessary to meet the minimum requirements.

3. The area of the roof used for mechanical units shall contain exterior materials and screening panels which closely match the color of the roof shingles to better hide the mechanical areas.

4. The amount of parking constructed shall be sufficient for the total number of on-site employees.

5. The following Variation is hereby granted as part of this PUD:
 - A. Maximum permitted 65% impervious surface coverage limit to allow 71% impervious surface as illustrated on the site plan, a variation of 6% or 10,890 square feet.

6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT,
A VARIATION, AND FINAL PLAT OF SUBDIVISION
FOR CAMELOT SCHOOL**

WHEREAS, pursuant to the terms of the Petition (File #2010-30) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development, Variation, and Final Plat of Subdivision for Camelot School to allow two buildings on a zoning lot, and a Variation to the maximum permitted 65% impervious surface coverage limit to allow 71% impervious surface as illustrated on the site plan, a variation of 6% or 10,890 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 Final Planned Unit Development, Variation, and Final Plat of Subdivision 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 Planned Unit Development be granted to allow two buildings on a zoning lot, a Variation to the maximum permitted 65% impervious surface coverage limit to allow 71% impervious surface as illustrated on the site plan, a variation of 6% or 10,890 square feet, and Final Plat of Subdivision for the property located at 201-209 Congress Parkway, Crystal Lake, Illinois.

SECTION II: That the Final Planned Unit Development and Final Plat of Subdivision be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Avram Builders LLC., received 01/13/10).
 - B. Final Plat of Subdivision (Terra Technology Land Surveying, dated 04/5/05, received 04/13/10)
 - C. Landscape Plan (Schefflow Engineering, dated 3/15/10, received 4/23/10)
 - D. Final Engineering Plans (Schefflow Engineering, dated 03/15/10, received 04/13/10)
 - E. Off Site Engineering Plans (Schefflow Engineering, dated 3/16/10, received 4/23/10)
 - F. Stormwater Management Report (Schefflow Engineering, dated 4/23/10, received 4/23/10)
 - G. Architectural Plans (K. Peterson Associates, dated 04/19/10, received 04/23/10)

2. Site Plan

A. Cross-access should be provided with the parcel to the west. The cross-access shall be revised to provide a smooth logical transition between both properties.

B. Upon development of western parcel, proposed entrance shall be converted to a right in-right out. Congress Parkway pavement markings should be changed to a two-way left-turn lane east of the entrance. A concrete island/pork chop shall be constructed for the right in-right out entrance to prevent left turns.

C. Five accessible parking stalls are required for the proposed 136 parking spaces. The accessible stalls should be located as close to the public accessible entrances for both buildings as possible.

D. The minimum lighting levels are not being met for some areas of the public walkways. The rearrangement or addition of lights may be necessary to meet the minimum requirements.

3. The area of the roof used for mechanical units shall contain exterior materials and screening panels which closely match the color of the roof shingles to better hide the mechanical areas.

4. The amount of parking constructed shall be sufficient for the total number of on-site employees.

5. The following Variation is hereby granted as part of this PUD:

A. Maximum permitted 65% impervious surface coverage limit to allow 71% impervious surface as illustrated on the site plan, a variation of 6% or 10,890 square feet.

6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development 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 and approval as provided by law.

DATED at Crystal Lake, Illinois, this _____ day of _____, _____.

MAYOR

ATTEST:

DRAFT

CITY CLERK

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:** May 18, 2010
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION
#2010-10 Sam's Club
- Request:** Final PUD Amendment for a Final Plat of Subdivision to create a one-acre outlot and variation to the required parking.

Henry Minor, petitioner
5679 Northwest Highway
- PZC Recommendation:** Motion to deny the petitioner's request.
- Staff Contact:** Michelle Rentzsch, Director of Planning & Economic Development
-

Background: Sam's Club received their original PUD approval in April of 1991. Sam's Club has made improvements to their building and site over the past 18 years, with the most recent being an amendment to install a covered customer loading area. The current request is to allow the creation of a one-acre outlot in the farthest corner of Sam's Club's parking lot. No use is slated for this lot at this time. The entire Sam's Club property is held by their real estate trust. Trust law prohibits the advertisement of a lot for sale. Sam's Club is requesting the subdivision of the lot so they can transfer ownership to a separate Wal-Mart real estate ownership and actively market the lot for development. Any future development of this one-acre lot will require PUD review and approval.

The one-acre lot would be within the southwest corner of the parking lot, encompassing 120 parking spaces. Sam's Club is requesting a variation to allow a reduction in the required parking from the required 675 parking spaces to 653 parking spaces. Since the lot will be in the center of an existing parking lot with defined traffic patterns, the petitioner has placed several easement conditions on the Final Plat to ensure an appropriate site design of a future use. The easements are:

Any future owner(s) of Lot 2 in Lot 101 of Walker-Crystal Subdivision shall be responsible for addressing the following conditions/restrictions with the development of Lot 2

- Any and all necessary site modifications made during the development of Lot 2 to ensure that the grading, drainage, storm water facilities and exfiltration structures

existing at the time of this plat's recording will function at a level of capacity equal to or better than they did prior to development of Lot 2. Any modifications to the existing system must be reviewed and approved by the City of Crystal Lake. Easements must also be created to accommodate storm water facilities utilized by Lot 1 in Lot 101 of Walker-Crystal Subdivision that cross onto or through Lot 2.

- Prior to any site modifications being made to Lot 2, a cross-access easement providing Lot 2 with pedestrian and vehicular ingress and egress rights to cross Lot 1 in Lot 101 of Walker-Crystal Subdivision in order to access public roads shall be established. This easement is subject to review and approval of the City of Crystal Lake as determined by proposed traffic flow patterns of the development.
- Per Document 93R066345 and 93R063590, the terms and conditions of the existing dedicated parking area at the southern end of Lot 2 shall remain at the time of purchase or development of Lot 2.
- All necessary site modifications, including possible modifications to Lot 1 in Lot 101 of Walker-Crystal Subdivision, must be made to ensure safe, functional vehicular circulation routes are established through and around the perimeter of Lot 2. No dead end parking aisles shall result from the development of Lot 2.

PZC Highlights

The Planning and Zoning Commission did not feel comfortable granting the subdivision approval without knowing the end-user.

In addition, they had concerns about the location of the second cross-access, as it would relate to the new use's site layout. Sam's Club representatives maintain that a second cross-access closer to their store front and on the curve of their frontage road would be more unsafe to the existing pedestrians and traffic flow. The existing cross-access to the south is at a four-way intersection. The Commission members were split, with some requesting that the second cross-access be installed and some saying the existing access point was sufficient. The attached Exhibit A illustrates the proposed new additional cross-access between the two properties as well as the eliminated Camelot emergency access.

The Planning and Zoning Commission recommended **denial (6-0)** of the petitioner's requests.

If the City Council chooses to approve the petitioner's request, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Sam's Club, received 2/4/10)
 - B. Preliminary Plat (B&G Surveying Company, dated 7/20/09, received 3/18/10)
 - C. Final Plat of Resubdivision (B&G Surveying Company, dated 7/20/09, received 3/18/10)
2. All conditions from the original PUD Ordinance #3394 and subsequent amendments Ordinances #5431, #5551, #5670 and #6516 shall remain valid, as applicable.

3. The following variations are approved as part of the PUD:
 - a. To allow the creation through subdivision of a lot without frontage on a public street, and
 - b. A reduction from the 675 required parking spaces to allow 653 parking spaces, a variation of 22 spaces.
4. Condition #9 of Ordinance 3394 shall be amended by this Ordinance to read, “The cross-access road at the northwest corner of the site is not required to be constructed provided that a cross-access shall be provided to the west at such time as the neighboring property (Crystal Point Shopping Center) is required to provide cross-access to this property.”
5. The new Lot 2 shall be required to submit for Preliminary PUD and Final PUD approvals.
6. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

Votes Required to Pass: A super majority vote (5 votes) is required to overturn the PZC’s unanimous negative recommendation.



Agenda Item No: 20

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: Bryn Mawr Annexation Agreement Amendment

**ANNEXATION AGREEMENT AMENDMENT
PUBLIC HEARING**

Bryn Mawr Corporation, petitioner
308 W. Erie Street, Chicago, IL 60610

Recommendation: City Council's discretion:

1. Motion to approve the annexation agreement amendment and to adopt an ordinance authorizing the amendment to the annexation agreement, for the approximately 65 acres located on the westernmost portion of the Bryn Mawr project.
2. Motion to deny the petitioner's request for an annexation agreement amendment.

Staff Contact: Michelle Rentzsch, Director of Planning & Economic Development

Background: The annexation agreement amendment request was continued from the May 4th City Council meeting.

On March 21, 2001, the City of Crystal Lake entered into an annexation agreement with Bryn Mawr Corporation, et al., the owners of the land located on the north side of Route 176, east of Route 47. As part of the annexation, a Preliminary Plat illustrating 331 single-family lots (provided at 20,000-square-feet in area) and land zoned for office uses was approved. Phase I of the Bryn Mawr Subdivision received Final PUD approval for 90-single-family lots and 3-outlots in 2004. Ryland purchased the lots approved in Phase I and has constructed single-family models and homes.

The 2001 annexation agreement contains stipulations requiring that the residential portion of the development be developed as single-family residential lots, which are at least 20,000-square-feet in area. The petitioner is seeking an annexation agreement amendment that acknowledges the possibility of townhomes within a portion of the development. The petitioner has presented a concept plan in conjunction with this request. The concept plan illustrates townhomes on the

westernmost 65 acres of the development, immediately to the east of Route 47. The concept plan presented at the PZC meeting illustrates the possibilities of a conservation development, whereby, a significant portion of the trees in this area could be preserved instead of being mass graded and destroyed, as would have likely occurred with the current preliminary plat approval. It should be noted that the Bryn Mawr Subdivision, Phase I (Ryland Homes) was approved with significant restrictions on sanitary sewer capacity, pending the construction of the downstream sanitary sewer infrastructure (NWATS). The NWATS project has not proceeded and there is no firm date or expectation that the project will go forward in the near future. Therefore, any approval of a future PUD for townhomes must be contingent on the availability of sanitary sewer capacity.

Because the request is not consistent with the City's Boundary Line Agreement (BLA) with the Village of Lakewood, the City Council, at the May 4, 2010 meeting directed the petitioner to provide a response pertaining to the request from the Village of Lakewood. Accordingly, the petitioner has provided a letter of support for the proposed amendment to include town homes.

Boundary Line Agreement Amendment Process

Under State law, the City cannot enter into a boundary agreement or modify an existing boundary agreement unless, not less than 30 days and not more than 120 days prior to formal approval thereof, the City has provided public notice of the proposed boundary agreement or amendment by both of the following:

- (1) The posting of a public notice for not less than 15 consecutive days in the same location at which notices of city council meetings are posted; and
- (2) Publication on at least one occasion in a newspaper of general circulation within the territory that is subject to the proposed agreement.

Annexation Agreement Amendment

This annexation agreement amendment does not grant the applicant any vested rights to develop townhomes. No density rights are being sought with this amendment. If the Council approves the annexation agreement amendment, the future developer would be required to request a rezone to the "R-3B" Multi-Family district. Along with the rezone, Preliminary and Final Planned Unit Development approvals will be required along with the necessary engineering, traffic, and other studies, for a potential clustered townhome development.

The attached annexation agreement amendment was prepared by special counsel. It includes a provision that it will not become effective until after the boundary agreement amendment is finalized. This protects the City against the possibility that the annexation agreement amendment would be inconsistent with the boundary agreement.

Votes Required to Pass: A supermajority of 5 votes is needed to approve the annexation agreement amendment.

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ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE AUTHORIZING THE AMENDMENT
TO AN ANNEXATION AGREEMENT**

WHEREAS, it is in the best interests of the City of Crystal Lake, McHenry County, Illinois, that a certain Annexation Agreement Amendment, a copy of which is attached hereto and incorporated herein, be entered into; and

WHEREAS, Bryn Mawr of Crystal Lake, Sycamore National Bank & Trust (Trust #899), and 1st Midwest Trust Company NA (Trust #6603), Owners, are ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

WHEREAS, the statutory procedures provided in Division 15.1 of Article 11 of the Illinois Municipal Code, as amended, for the execution of said Agreement have been fully complied with; and

WHEREAS, the effective date of said Agreement is conditioned on completion of an amendment of the boundary agreement between the City and the Village of Lakewood, a portion of which relates to the terms of said Agreement;

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

SECTION I: That the Mayor be and he is hereby authorized and directed to execute, and the City Clerk is directed to attest, the Annexation Agreement Amendment, a copy of which is attached hereto and made a part hereof.

SECTION II: That said Annexation Agreement Amendment will not be of any force or effect until after the terms of the boundary agreement between the City and the Village of Lakewood that are inconsistent with the terms of said Annexation Agreement Amendment have been amended to eliminate that inconsistency.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

AYES:

NAYS:

ABSENT:

PASSED this ____ day of _____, 200__.

APPROVED by me this ____ day of _____, 200__.

MAYOR

ATTEST:

CITY CLERK



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: 2010 Sidewalk Replacement Program

Staff Recommendation: Motion to award the 2010 Sidewalk Replacement Program bid to the lowest responsive and responsible bidder, Suburban Concrete, Inc., in the bid amount \$61,979.50, and adopt a resolution authorizing the City Manager to execute the contract with Suburban Concrete, Inc., allowing for a 10 percent contingency.

Staff Contact: Victor C. Ramirez, Director of Engineering and Building

Background:

On May 7, 2010, bids that had been received for the sidewalk replacement program were opened and publicly read. The City received six bids, and the results are tabulated below.

<i>Firm</i>	<i>Amount of Bid</i>
Suburban Concrete, Inc. ¹ Mundelein, IL	\$61,979.50
M&A Cement Work Inc. Bensenville, IL	\$63,224.00
D'Land Construction, LLC Bensenville, IL	\$72,845.35
Copenhaver Construction, Inc. Gilberts, IL	\$81,166.50
Globe Construction, Inc. Addison, IL	\$83,328.39
Alliance Contractors, Inc. Woodstock, IL	\$143,248.95

¹ Indicates Recommended Lowest Responsive and Responsible Bidder

Every year, the City Engineering Division surveys one quarter of the City, and evaluates all of the sidewalks in that section of the City. The City also routinely responds to reports of damaged sidewalks that are received from our residents. The City keeps records of all the damaged sidewalks and prepares a sidewalk repair program annually to repair all of the sidewalks that meet the replacement criteria.

Specifications were mailed to various contractors and standard bid advertisement procedures were followed. The City Attorney has reviewed the proposed contract. This project is included in the Fiscal Year 2010-2011 budget.

Votes Required to Pass:

Simple majority of City Council present.



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The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute the contract with Suburban Concrete, Inc. for the 2010 Sidewalk Replacement Program in the amount of \$61,979.50. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

DATED this eighteenth day of May, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: May 18, 2010

APPROVED: May 18, 2010

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



Agenda Item No: 22

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

Gypsy Moth Aerial Treatment Agreement

Staff Recommendation:

Motion authorizing participation in the 2010 McHenry County Gypsy Moth Aerial Treatment Program and adopting a resolution authorizing the City Manager to execute an agreement with the County of McHenry and Hendrickson Flying Service, Inc.

Staff Contact:

Eric Lecuyer, Director of Public Works

Background:

Beginning in 2005, McHenry County has been coordinating a Gypsy Moth Aerial Treatment Program for areas infested with Gypsy Moths. For the past five years, the City has participated in the County's Gypsy Moth Aerial Treatment Program.

Locations of treatment areas in Crystal Lake were determined as part of the City's comprehensive site evaluation program in which City arborists surveyed the City for evidence of Gypsy Moth infestation. The number of infested acres has decreased from 440 in 2005 to 248.45 total acres that will be treated in the 2010 program.

Upon Council approval, notifications in the form of press releases, website information, sign placement and direct contact with institutions in treatment areas will be sent.

McHenry County has entered into an agreement with Hendrickson Flying Service, Inc. for the Gypsy Moth Aerial Treatment Program. Based on the bid price received of \$30.00 per acre, the City will be able to treat 248.45 acres twice for a total cost of \$14,907.00. Gypsy Moth infested sites will be treated by helicopter with an application of *Bacillus thuringiensis var. kurstaki* (Bt.k.), a naturally occurring bacteria used by gardeners as an environmentally friendly alternative to chemical pesticides. With the rapidly changing weather patterns this year, the anticipated first helicopter aerial application date could be as early as May 20th or soon thereafter. This will be followed by another application seven to ten days later. Two treatments are required for best control efforts. The first application date depends on weather conditions.

In addition to the applications, Hendrickson Flying Service, Inc. will (1) coordinate all operations with the Federal Aviation Administration (FAA), (2) coordinate with all other required local, regional, State, and federal agencies, and (3) perform a pre-application survey.

Votes Required to Pass:

Simple majority

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City is hereby authorized to participate in the 2010 McHenry County Gypsy Moth Aerial Treatment Program and the City Manager is hereby authorized to execute an agreement with the County of McHenry and Hendrickson Flying Service, Inc. for the 2010 McHenry County Gypsy Moth Aerial Treatment Program.

Dated this 18th day of May, 2010.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By: _____
Mayor

SEAL

ATTEST:

City Clerk

PASSED:

APPROVED:



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date:

May 18, 2010

Item:

2010 Thermoplastic Program Funding Authorization

Staff Recommendation:

Motion to adopt a resolution authorizing the City's participation in the 2010 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program, and the expenditure of \$28,000 for the purchase of thermoplastic pavement marking through the Northwest Municipal Conference/IDOT 2010 Pavement Marking Joint Purchasing Program.

Staff Contact:

Victor C. Ramirez, Director of Engineering and Building

Background:

The Northwest Municipal Conference (NWMC) conducts joint purchasing programs for several different goods and services for its member municipalities. Among those is a joint purchase for thermoplastic lane marking services. Since many different municipalities participate in this program, the NWMC is able to leverage the large quantities into better unit prices for thermoplastic marking. The Engineering Division has participated in this program for the last several years and it has yielded a significant unit cost savings over when the City bids this program out on its own. This year, 26 municipalities participated in the joint purchase.

Superior Road Striping was this year's low bidder for the program. They have been the low bidder for the previous four years in the NWMC's thermoplastic program. Superior was also the low bidder for the City's own thermoplastic program several times.

According to the City's Purchasing Policy, the City Council must approve any purchases over \$10,000. Since the contract for this service is between the NWMC and the contractor, the authorization to use \$28,000 of Road and Vehicle License Funds for thermoplastic pavement marking services is requested of the Council. Funds have been budgeted for this purpose.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED that the City is hereby authorized to participate in the 2010 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program.

BE IT FURTHER RESOLVED that the City is authorized to expend \$28,000 for the purchase of thermoplastic pavement marking through the 2010 Northwest Municipal Conference/IDOT Pavement Marking Joint Purchasing Program.

DATED this eighteenth day of May, 2010.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: May 18, 2010

APPROVED: May 18, 2010



Agenda Item No: 24

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	May 18, 2010
<u>Item:</u>	Ordinance Repealing Ordinance No. 643
<u>Staff Recommendation:</u>	Motion to adopt an Ordinance repealing Ordinance No. 643, which established a one-way restriction on Church Street on Sundays only between the hours of 7:00 a.m. and 1:00 p.m.
<u>Staff Contact:</u>	Dave Linder, Chief of Police Victor Ramirez, Director of Engineering and Building

Background:

The City's Traffic Safety Committee received a request from St. Mary's Episcopal Church to consider the removal of the limited one-way restriction on Church Street between St. Mary's Episcopal Church and the former Immanuel Lutheran Church. The one-way restriction is confusing for motorists and is no longer needed since Immanuel Lutheran Church has relocated their Sunday church services to their new location. The one-way traffic flow was instituted in order to better distribute traffic leaving the two large churches that have driveways and parking off Church Street.

On March 29, 2010, the Traffic Safety Committee sent a letter to residents affected by the one-way restriction seeking their input regarding the proposed elimination of the one-way restriction on Church Street. The responses received by the City were in favor of the proposed elimination of the one-way restriction on Church Street. It is, therefore, the recommendation of the Traffic Safety Committee to repeal Ordinance No. 643, which established a one-way restriction on Church Street on Sundays only between the hours of 7:00 a.m. and 1:00 p.m.

Votes Required to Pass:

Simple majority vote of the City Council

DRAFT

AN ORDINANCE REPEALING ORDINANCE NO. 643
OF THE CITY OF CRYSTAL LAKE

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

SECTION I: That Ordinance No. 643 is hereby repealed.

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

SECTION III: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 18th day of May, 2010.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: May 18, 2010

APPROVED: May 18, 2010

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



Agenda Item No: 28

**City Council
Agenda Supplement**

Meeting Date: May 18, 2010

Item: Commission Reappointment and Appointment

Staff Recommendation: Motion to reappoint and appoint members to the Fire and Police Commission.

Staff Contact: Aaron T. Shepley, Mayor

Background:

There is currently one vacancy on the Fire and Police Commission with a term expiration of June 30, 2012. Mayor Shepley will present a nomination for appointment to this position. Additionally, the term of current Commission member, Larry O'Meara expires on June 30, 2010. Mr. O'Meara has expressed interest in reappointment to a 3-year term on the Fire and Police Commission. Fire and Police Commission appointments are made by the Mayor with City Council confirmation.

Should the Council have any questions, please contact Mayor Shepley.

Votes Required to Pass: Simple majority