



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
September 21, 2010
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Administration of Oaths of Office**
 - a. **Police Officer Christopher Sanders**
 - b. **Firefighter/Paramedic Adam Bucheger**
5. **Proclamation**
 - a. **Lions Club Candy Days**
6. **Approval of Minutes – September 7, 2010 Regular City Council Meeting**
7. **Accounts Payable**
8. **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.
9. **Mayor's Report**
10. **Council Reports**
11. **Consent Agenda**
 - a. **Metra Ridgefield Station Annexation Public Hearing Continuation**
12. **Resolution authorizing participation in The Land Conservancy of McHenry County Oak Conservation and Regeneration Program.**
13. **KnowPlace Pets, 825 Munshaw Lane – Land Use Variation to allow Pet Care Service in the “M” Manufacturing zoning district.**
14. **Mobil Oil, 250 N. Route 31 – Special Use Permit for a gasoline station with a convenience store and car wash, and Variation from Section 4-1000, Signs of the UDO to allow electronic pricing signs.**
15. **McHenry County Mental Health Board Building, 620 Dakota Street – Final Planned Unit Development Amendment to allow a two-story addition to the building and a parking lot.**
16. **Façade and Commercial Tenant Improvement Program grant application requests for Yumz Gourmet Frozen Yogurt, 5006 Northwest Highway and Mobil Oil, 250 North Route 31.**
17. **Bid award and resolution authorizing execution of an agreement for the Fall Parkway Tree Planting Program.**

- 18. Council Inquiries and Requests**
- 19. 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.**
- 20. Reconvene to Regular Session.**
- 21. 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 4 a & b

**City Council
Agenda Supplement**

Meeting Date: September 21, 2010

Item: Swearing In Ceremony for new Firefighter/Paramedic Adam Bucheger and new Police Officer Christopher Sanders

Staff Contact: Ann Everhart, Director of Human Resources

Background:

Mayor Shepley will be swearing in one new Firefighter Paramedic and one new Police Officer. Congratulations to Firefighter/Paramedic Bucheger and to Police Officer Sanders. We welcome them to the organization.



Agenda Item No. 5

**City Council
Agenda Supplement**

Meeting Date:

September 21, 2010

Item:

Proclamation – Lions Candy Days

Staff Contact:

Anne O’Kelley, Executive Assistant

Background:

Mayor Shepley has been requested to proclaim October 8, 2010 and October 9, 2010 as Lions Candy Days. Representatives of the Crystal Lake Lions Club will be present to accept the proclamation.



Agenda Item No: 11a

**City Council
Agenda Supplement**

Meeting Date: September 21, 2010

Item: Metra Ridgefield Station Annexation Public Hearing Continuation
Metra, petitioner
Country Club Road at Prairie Drive

Recommendation: Motion to continue the petitioner's request to the November 16, 2010, City Council meeting for the Annexation Public Hearing.

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

Background: The property in question is located in McHenry County, adjacent to the City's limits. Metra is proposing a commuter station and its associated parking lot to service this section of the county with commuter rail access. Metra is requesting annexation to the City, rezoning upon annexation and Preliminary PUD approval for their proposed project plan.

The petitioner respectfully requests that this matter be continued to the November 16, 2010, City Council meeting for the Annexation Public Hearing. The petitioner has been working with McHenry County to understand what road improvements will be required. Presentations and meetings have been conducted and a path to an Intergovernmental Agreement has been laid out for Metra. Some additional time is requested to get this agreement finalized before Metra proceeds to the City Council meeting.

City staff has notified Ridgefield property owners about the continuation request.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: September 21, 2010

Item: The Land Conservancy of McHenry County Oak Tree Planting

Council Recommendation: Motion adopting a resolution to participate in the McHenry County Oak Conservation and Regeneration Program sponsored by The Land Conservancy of McHenry County.

Staff Contact: Eric T. Helm, Deputy City Manager
Brad Mitchell, Assistant to the City Manager

Background:

The City was recently contacted by The Land Conservancy of McHenry County regarding the City's participation in their Oak Conservation and Regeneration Program. The Land Conservancy of McHenry County, in partnership with Glacier Oaks Nursery in Harvard, Illinois, created a program in 2006 to plant hundreds of small oak trees in locations around the County. The goal of this program is to preserve and restore the oak woodlands and savannas that once covered 43% of McHenry County, but today are just found on 4% of land in the County.

Following review of the program by City staff, it is recommended to participate in this program and have the small oak trees planted throughout Three Oaks Recreation Area. As part of the program, The Land Conservancy of McHenry County will plant 10 small oak trees, at no cost to the City. The Land Conservancy of McHenry County will coordinate with members of youth groups or service organizations in the County to plant the small oak trees. The groups will plant, cage and mulch the small oak trees and water them for 1 to 2 growing seasons. After that time, the City would be responsible to maintain the trees. It is anticipated that the planting of the small oak trees will take place on Sunday, October 10, 2010.

Votes Required to Pass:

Simple majority vote of the City Council



DRAFT

RESOLUTION

WHEREAS, the City of Crystal Lake, Illinois, desires to support efforts to preserve and restore the oak woodlands and savannas that once covered forty-three percent (43%) of McHenry County, but today are found on just four percent (4%) of land in the County; and

WHEREAS, the City desires to participate in a program to begin re-establishing oak woodlands and savannas at suitable sites throughout McHenry County; and

WHEREAS, Three Oaks Recreation Area has been determined to be suitable for planting of oak trees; and

WHEREAS, The Land Conservancy of McHenry County will provide trees, volunteers to plant the trees, and volunteers to water the trees for the first two years after planting; and

WHEREAS, the City is willing to maintain the planted trees, to allow them time to grow to maturity; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees, wherever they are planted, are a source of joy and inspiration.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City of Crystal Lake gladly agrees to participate in the McHenry County Oak Conservation and Regeneration Program.

DATED this 21st day of September, 2010

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

DRAFT

ATTEST

CITY CLERK

PASSED: September 21, 2010

APPROVED: September 21, 2010



Agenda Item No: 13

**City Council
Agenda Supplement**

- Meeting Date:** September 21, 2010
- Item:** REPORT OF THE PLANNING & ZONING COMMISSION
#2010-52 KnowPlace Pets
- Request:** Land Use Variation to allow Pet Care Service in the "M" Manufacturing zoning district.

Michelle Hutchinson, petitioner
825 Munshaw Lane
- PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Use Variation for Pet Care Services for KnowPlace Pets at 825 Munshaw Lane.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development
-

Background: KnowPlace Pets is a dog daycare facility. They also would offer boarding, grooming, and training and minimal retail sales, as ancillary uses. Pet Care Service is a Limited Use in the Farming, Estate, Office, General Commercial, Downtown Commercial, and Manufacturing Limited zoning districts. Since the use is not listed under the "M" Manufacturing zoning district, the petitioners have requested a Land Use Variation. The petitioners would locate next to Dolphin Swim Club, in a center suite that is 4,343 square feet. The petitioner would fence four parking spaces internal to the site for the outside dog area.

Since the use is typically considered a Limited Use, the UDO has a list of criteria that shall be met. The criteria are:

- a) Leashing and control: All animals arriving at and leaving the property are to be leashed and under control at all times.
- b) Boarding: All boarding shall be conducted inside of the principal building.
- c) Outside run fencing: Outside run areas are to be fenced with at least a 6-foot tall solid wooden fence. Animals may be released to the outside run areas only between 6:00 a.m. and 9:00 p.m.
- d) Animal waste: Animal waste on the exterior of the property must be removed on a daily basis and disposed of in a sealed container to prevent odors from affecting adjacent tenants or property owners.

- e) Sound: Where located in multi-tenant buildings, the suite may be required to be sound proofed to a level deemed appropriate by the Building Commissioner depending on the size of the kennel and adjacent uses.
- f) Adjacent to residential properties: Where located immediately adjacent to residential properties, a Special Use Permit approval is required.

PZC Highlights

The Commission members had some concerns with the proposed outdoor dog area. Since it will be within the parking lot, there was concern on how the waste would be handled. Originally, the petitioner proposed to add pea gravel to the area for the dogs to walk on. After input from the PZC, the petitioner is now planning to provide larger, more stable gravel material. In addition, the petitioner is required to spray an enzymatic product on the pet waste before washing it away to prevent contamination of water sources.

The PZC made a motion for **approval (7-0)**, with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Michelle Hutchinson, received 8/17/10)
 - B. Plat of Survey (VSEI, received 8/17/10)
 - C. Floor Plan (Michelle Hutchinson, received 8/17/10)
2. The Use Variation is granted to allow KnowPlace Pet Services, as described in the application information. The use shall not be significantly increased, i.e., the addition of kennels or conversion to a retail operation without amending this special use.
3. This petition must meet the Limited Use criteria for Pet Care Services.
4. The proposed fence must not extend into the parking lot drive aisle.
5. Storm water runoff from the "Outside Exercise Area" which may contain pet wastes, could enter the site storm system, which is tributary to the subdivision's detention pond. Proper housekeeping and pet waste management will be needed to prevent storm water runoff water quality concerns. Work with staff to address waste management.
6. Signage is limited to 54 square feet of wall signage, per the conditions of the variation previously granted.
7. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.
8. **The dogs are to be supervised when they are in the fenced outdoor area.** (Added by PZC)

Votes Required to Pass:

A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION AT 825 MUNSHAW LANE

WHEREAS, pursuant to the terms of a Petition (File #2010-52) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Pet Care Services as a Permitted Use in the "M" Manufacturing zoning district; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Variation 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 Variation be granted from Article 2, Land Use of the Unified Development Ordinance, to allow a Pet Care Services as a Permitted Use in the "M" Manufacturing zoning district

at the property commonly known as 825 Munshaw Lane, City of Crystal Lake,.

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 (Michelle Hutchinson, received 8/17/10)
- B. Plat of Survey (VSEI, received 8/17/10)
- C. Floor Plan (Michelle Hutchinson, received 8/17/10)

2. The Use Variation is granted to allow KnowPlace Pet Services, as described in the application information. The use shall not be significantly increased, i.e., the addition of kennels or conversion to a retail operation without amending this special use.

3. This petition must meet the Limited Use criteria for Pet Care Services.

4. The proposed fence must not extend into the parking lot drive aisle.

5. Storm water runoff from the "Outside Exercise Area" which may contain pet wastes, could enter the site storm system which is tributary to the subdivision's detention pond. Proper housekeeping and pet waste management will be needed to prevent storm water runoff water quality concerns. Work with staff to address waste management.

DRAFT

6. Signage is limited to 54 square feet of wall signage per the conditions of the variation previously granted.

7. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

8. The dogs are to be supervised when they are in the fenced outdoor 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 a 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 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: 14

**City Council
Agenda Supplement**

Meeting Date: September 21, 2010

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2010-49 Mobil Oil

- 1) Special Use Permit for a gasoline station with a convenience store and a car wash.
- 2) Variation from Section 4-1000, Signs of the UDO to allow electronic pricing signs.

Zahid Hameed, petitioner
250 N. Route 31

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance granting the Special Use Permit and variation for 250 N. Route 31.

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

Background: This property was the location of the former Tareydale restaurant that was annexed into the City in 1990 and razed in 1991. Mobil Oil received a Special Use Permit in 1991 for a gas station with a convenience store; however, that approval lapsed. In 1996, the City approved a Special Use Permit for a gas station, car wash and convenience store/sandwich shop at this location. Per the provisions of the UDO, whenever any special use has been discontinued for a period of six consecutive months, such use after being discontinued or abandoned, cannot be reestablished without notice and public hearing as provided for in the UDO. Accordingly, the petitioner is requesting a special use permit for a gas station with a convenience store/sandwich shop (Subway) and a car wash.

PZC Highlights

The PZC was excited that this corner would be utilized again. Roadway access, signage, and utility line burial were the three topics of discussion. An objector questioned the wisdom of a full access on Route 176, after the intersection improvement is completed. After the Route 176/31 intersection project, a barrier median will be installed that will not permit left turns out of the station's driveways (see attached IDOT exhibit). Regarding signage, the petitioner changed their request and the proposed freestanding sign will now meet the UDO requirements in every respect, except to allow electronic gas pricing. The remaining signage will also meet the UDO

requirements. Finally, the utility line burial request is one that remains unresolved. A number of area businesses have existing deferrals from this requirement (see attached summary sheet). A memo about this very matter dating back to 1991 (attached) details the challenges involved in burying these aerial lines. The contents of this memo were recently confirmed with ComEd and they stated that these provisions would likely hold true today.

Based on the information gathered, it is recommended that a deferral is granted from this requirement until an area-wide program takes place or in connection with the Route 176/31 intersection project, whichever happens first. Staff will work with ComEd and IDOT in the interim to further investigate how these aerial utility lines can be relocated underground without substantially impacting the businesses in this area.

The Planning and Zoning Commission recommended **approval (7-0)** 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, received 8-6-10
 - B. Plan Set, (including site plan, landscape plan, floor plan, elevations), Eric R Carlson, architect, dated 08-04-10, received 8-6-10
 - C. Plat of Survey, VSEI, dated 11-30-06, received 8-6-10
2. A special use permit is hereby granted for the gasoline station.
3. Any missing landscaping on-site shall be replaced in accordance with the landscaping plan submitted.
4. Any new site lighting must comply with the Unified Development Ordinance (UDO) including, but not limited to, minimum and maximum average light levels, maximum permissible light levels at property lines, etc. Submit lighting catalog cuts and photometric sheet.
5. All sidewalks that are out of the ROW should be in an easement. Submit an easement document for review.
6. Future cross access to south provision should be maintained as part of the SUP.
7. Any outside storage must meet the provisions of the UDO. Only two vending machines in total (including, but not limited to air compressors and vacuums) are permitted on-site. This number is in addition to one propane container that is permitted through the UDO.
8. A rumble strip shall be provided at the car wash exit.
9. The total wall signage (including all canopy signage, any signage on the pumps, convenience store, and car wash) shall not exceed 150 SF in area and shall meet the provisions of the UDO.
10. ~~The existing free standing sign on the property can be utilized with the proposed face changes for 5 years. The sign shall be brought into compliance at the end of 5 years (in~~

2015). The petitioner has agreed to comply with the UDO requirements for the freestanding sign. (Changed by PZC)

11. A variation is hereby granted to allow the future freestanding sign to have electronic pricing. The total area of the electronic sign is limited to 20 SF.
12. 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.
13. **A right-in/right-out on Route 176 is appropriate. When Route 176 is upgraded, there will be a median on Route 176 that will prohibit any left turns from this property.**
(Added by PZC)

Votes Required to Pass: A simple majority vote.

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT 250 N. ROUTE 31

WHEREAS, pursuant to the terms of a Petition (File #2010-49) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a gasoline station with a convenience store and a car wash; Variation from Section 4-1000, Signs of the UDO to allow electronic pricing signs for the property located at 250 N. Route 31; 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 gasoline station with a convenience store and a car wash for the property commonly known as 250 N. Route 31, 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, received 8-6-10
 - B. Plan Set, (including site plan, landscape plan, floor plan, elevations), Eric R Carlson, architect, dated 08-04-10, received 8-6-10
 - C. Plat of Survey, VSEI, dated 11-30-06, received 8-6-10
2. A special use permit is hereby granted for the gasoline station.
3. Any missing landscaping on-site shall be replaced in accordance with the landscaping plan submitted.
4. Any new site lighting must comply with the Unified Development Ordinance (UDO) including, but not limited to, minimum and maximum average light levels, maximum permissible light levels at property lines, etc. Submit lighting catalog cuts and photometric sheet.
5. All sidewalks that are out of the ROW should be in an easement. Submit an easement document for review.

DRAFT

6. Future cross access to south provision should be maintained as part of the SUP.
7. Any outside storage must meet the provisions of the UDO. Only two vending machines in total (including, but not limited to air compressors and vacuums) are permitted on-site. This number is in addition to one propane container that is permitted through the UDO.
8. A rumble strip shall be provided at the car wash exit.
9. The total wall signage (including all canopy signage, any signage on the pumps, convenience store and car wash) shall not exceed 150 SF in area and shall meet the provisions of the UDO.
10. The petitioner has agreed to comply with the UDO requirements for the freestanding sign.
11. A variation is hereby granted to allow the future free standing sign to have electronic pricing. The total area of the electronic sign is limited to 20 SF.
12. 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.
13. A right-in/right-out on Route 176 is appropriate. When Route 176 is upgraded, there will be a median on Route 176 that will prohibit any left turns from this property.

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 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:

September 21, 2010

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2010-50 McHenry County Mental Health Board Building

Final PUD Amendment to allow a two-story addition to the building.

Dave Hemple, Charles River Development
620 Dakota Street

PZC Recommendation:

A motion to approve the Planning and Zoning Commission recommendation and to adopt an ordinance granting a Final PUD Amendment to allow a two-story addition and parking lot to the existing McHenry County Mental Health Board building at 620 Dakota Street.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: This lot was landlocked behind the existing McHenry County Mental Health Board building. The lot was annexed and zoned in early 2009 and the petitioners came before Council in August of 2009 and requested a height variation. Now that the building has been designed, the height ranges from 21 feet at the lowest portion and up to a total height of 31 feet where the ground slopes away, which is below the approved 45-foot height maximum. The petitioners plan to construct a two-story building with a partial basement and additional parking in order to consolidate the McHenry County Mental Health Board's offices. The new addition is designed to match the existing building's architecture.

As part of the overall PUD, a variation is being requested to allow a total of 114 parking spaces, instead of the required 126 spaces. Ninety-eight spaces are to be built with the two-story addition and the remaining 14 could be installed in the future. The area will be graded and readied for future parking, if needed.

PZC Highlights

The PZC liked the architecture and only had questions about the requested parking variation. Dave Gillespie, the architect, explained that a portion of the building's upstairs would not be

constructed at this time and was reserved for future build-out. The petitioners believe that there will be sufficient parking on-site with the 98 parking spaces.

The Planning and Zoning Commission recommended **approval (7-0)** 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 (McHenry County Mental Health Board, received 08/16/10)
 - B. Site Plans (Gillespie Design Group, dated 08/16/10, received 08/16/10)
2. The following Variation is hereby granted as part of this PUD:
 - A. The reduction in the required parking from 126 spaces to allow 114 spaces, with 98 of those spaces to be constructed with the building addition construction.
3. Should the City's Building Division find insufficient parking on-site through routine inspection or complaint, McHenry County Mental Health Board shall immediately construct the additional 16 parking spaces.
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.
5. The existing monument sign may be changed to be internally illuminated. (Added by PZC)

Votes Required to Pass: A simple majority vote

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR 620 DAKOTA STREET

WHEREAS, pursuant to the terms of the Petition (File #2010-50) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow an addition to the existing McHenry County Mental Health Board Building; 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 permit an addition to the existing McHenry County Mental Health Board Building for the property located at 620 Dakota Street, Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (McHenry County Mental Health Board, received 08/16/10).
 - B. Site Plans (Gillespie Design Group, dated 08/16/10, received 08/16/10)
2. The following Variation is hereby granted as part of this PUD:
 - A. The reduction in the required parking from 126 spaces to allow 114 spaces, with 98 of those spaces to be constructed with the building addition construction.
3. Should the City's Building Division find insufficient parking onsite through routine inspection or complaint, McHenry County Mental Health Board shall immediately construct the additional 16 parking spaces.
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.

DRAFT

5. The existing monument sign may be changed to be internally illuminated.

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: 16

**City Council
Agenda Supplement**

Meeting Date: September 21, 2010

Item: Facade and Commercial Tenant Improvement Program grant application requests:

1. #10-32-001 Yumz Gourmet Frozen Yogurt, 5006 Northwest Highway, request for \$10,000 in matching grant funds;
2. #10-32-004 Mobil Oil, 250 North Route 31, request for \$10,000 in matching grant funds.

Matt Thelander (Yumz Gourmet Frozen Yogurt)
Zahid Hameed (Mobil Oil)

Recommendations: City Council's discretion:

1. Motion to approve the retailer façade and commercial tenant improvement grant agreement with Matt Thelander and to award \$10,000 in grant funding for improvements to 5006 Northwest Highway (Yumz Gourmet Frozen Yogurt);
2. Motion to approve the retailer façade and commercial tenant improvement grant agreement with Mobil Oil and to award \$10,000 in grant funding for improvements to 250 North Route 31 (Mobil Oil);
3. Motion to deny the grant application request/s.

Staff Contact: Michelle Rentzsch, Director of Planning and Economic Development
James Richter II, Assistant Director of Economic Development

Background: On May 4, 2010, the City Council approved the retailer façade and commercial tenant improvement program. This program provides matching grant funding for interior and exterior improvements to retail sales tax generating users. Both existing and new retail sales tax generating businesses are eligible for the grant program, each at different funding levels. Existing retailers who make qualifying improvements are eligible for up to \$1,000, while new businesses occupying vacant space are eligible for up to \$10,000 in matching grant funds.

To objectively analyze the applications for grant funding, review criteria have been established in the Ordinance approving this program. Charts have been provided for each grant application to summarize how well each request meets the review criteria.

YUMZ GOURMET FROZEN YOGURT (5006 Northwest Highway)

Matt Thelander, the owner of Yumz Gourmet Frozen Yogurt, has applied for matching grant funds to assist him with the build-out expenses related to his new self-serve frozen yogurt shop. Yumz will be taking half of the former 2nd Wind space (approximately 1440 sf), at the in-line retail center in front of the Showplace Theatre.

The eligible retailer façade and commercial tenant improvements for this business include wall framing, drywall, electrical, plumbing, and life-safety improvements.

The cost of the eligible improvements for Yumz Frozen Yogurt will be \$38,426.50. The total improvement costs will be \$67,040, not including equipment or fixtures. The applicant is requesting \$10,000 in matching grant funds, which is approximately 15% of the total project costs. The chart below outlines the evaluation of the applicant’s request in relation to our review criteria:

REVIEW CRITERIA	APPLICANT’S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to appearance	Minor improvements to the appearance of the subject property would be provided
Aesthetic impact to area	Improvements would not provide a significant aesthetic impact to the area
Amount of work to be conducted	Total cost of improvements is \$67,040; applicant is requesting 15% of the total costs*
Anticipated increase in EAV	A minor increase to the EAV is expected as a result of the improvements
Use of property after improvements	Assists a sales-tax-generating restaurant user to occupy vacant retail space*
Contribution to economic vitality	Promotes additional traffic and consumer spending, especially to those visiting the theatre*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant’s request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill 4 of the 7 review criteria (marked with an asterisk*).

MOBIL OIL (250 North Route 31)

Zahid Hameed, the new lessee of the former Mobil gas station and car wash at 250 North Route 31 will be renovating the station and bringing back the Mobil name and products to this property. Mr. Hameed has applied for matching grant funds to assist him with the renovation costs for this building.

The eligible retailer façade and commercial tenant improvements for this business are the exterior façade repairs and repainting of the convenience store and car wash buildings.

The cost of the eligible improvements for Mobil Oil will be \$24,000. The total improvement costs will exceed \$465,000. The applicant is requesting \$10,000 in matching grant funds, which is approximately 2% of the total project costs. The chart below outlines the evaluation of the applicant’s request in relation to our review criteria:

REVIEW CRITERIA	APPLICANT’S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to appearance	Significant improvements to the appearance of the subject property would be provided*
Aesthetic impact to area	Improvements would provide a positive aesthetic improvement to the area*
Amount of work to be conducted	Total cost of improvements is \$465,000; applicant is requesting 2% of the total costs*
Anticipated increase in EAV	An increase to the EAV is expected as a result of the improvements*
Use of property after improvements	Promotes the occupancy of a vacant building with a sales tax generating retailer*
Contribution to economic vitality	Promotes the reuse of a vacant building with a new gas station and car wash user*
Compatibility with nearby uses	Compatible with adjacent uses*

The applicant's request has been evaluated for the value of the improvement, the extent of proposed work, and its potential impact. The current application would fulfill 7 of the 7 review criteria (marked with an asterisk*).

ELIGIBLE IMPROVEMENTS FOR REIMBURSEMENT

There are a variety of different improvements that are eligible for reimbursement through the Retailer Façade and Commercial Tenant Improvement Program. The chart below is taken from the Ordinance approving the program. The current requests contain the improvements that are *italicized* in the chart.

Retailer Façade and Commercial Tenant Improvement Program

Exterior brick cleaning	Exterior tuck pointing	<i>Exterior painting</i>
<i>Wall façade construction, repair & treatment</i>	Original exterior architectural features repair or replacement	<i>Interior drywall or feature walls</i>
Improvements for ADA accessibility compliance	<i>Life safety improvements</i>	<i>Electrical or plumbing repair, installation, or upgrade</i>
Interior/exterior demolition	Historic renovation to interior	

SUMMARY OF CURRENT REQUESTS

The following chart provides a complete summary of the pending grant funding requests. The City has budgeted \$75,000 for reimbursements to awarded recipients. \$60,000 of the \$75,000 is available to new retailers (at a max award of \$10,000), while \$15,000 is available to *existing retailers* making improvements to their buildings (at a max award of \$1,000).

File #	Applicant Name / Business name	Address	Retailer Improvements	Manufacturing Improvements	Total Requested	Amount Approved	Status	Date Approved
2010-32-001	Matt Thelander Yumz Frozen Yogurt	815 Cog Circle, #350	\$10,000.00	\$0.00	\$10,000.00		Proposed	
2010-32-002	Ann Nevills Building owner	33-37 N Williams	\$10,000.00	\$0.00	\$10,000.00		Ineligible	
2010-32-003	Dan Calendrino Centro Properties	6340 Nw Hwy	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00	Approved	8/17/10
2010-32-004	Zahid Hameed Mobil Oil	250 N Rte 31	\$10,000.00	\$0.00	\$10,000.00		Proposed	

TOTALS	\$31,000.00	\$0.00	\$31,000.00	\$1,000.00
---------------	--------------------	---------------	--------------------	-------------------

Votes Required to Pass: A simple majority vote.



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: September 21, 2010

Item: Fall Parkway Tree Planting Program Bid

Staff Recommendation: Motion to award the bid for the Fall Parkway Tree Planting Program to the lowest responsive & responsible bidder, Goodmark Nurseries, and to adopt a resolution authorizing the City Manager to execute a purchase agreement with Goodmark Nurseries, for the Fall Parkway Tree Planting Program in an amount not to exceed \$5,165.00.

Staff Contact: Eric R. Lecuyer, Director of Public Works

Background:

On Monday, September 13, 2010, the City of Crystal Lake publicly opened and read aloud the bids received for the 2010 Fall Parkway Tree Planting Program. The successful bidder will supply 83 trees of various species that are 2 ½" in diameter. Trees listed in the specifications include: Emerald Luster Maple, Red Sunset Maple, Norwegian Sunset Maple, Green Spire Little Leaf Linden, Shade Master Honey Locust, Hackberry, and Regal Hybrid Elm, or equivalents thereof. The fall planting program has been expanded this year to replace many trees that were damaged during spring and summer storms, as well as trees removed due to disease. Following is a breakdown of the bids received:

Vendor	Price for Trees	Price for Delivery	Total Price for 83 Trees Delivered to the Municipal Complex
√ Goodmark Nurseries LLC Wonder Lake, IL	\$ 5,165.00	No Charge	\$ 5,165.00
Spring Grove Nursery Mazon, IL	\$ 5,373.00	\$ 200.00	\$ 5,573.00
Schichtels Nursery Springville, NY	\$ 6,006.00	No Charge	\$ 6,006.00
St. Aubin Kirkland, IL	\$ 6,546.00	No Charge	\$ 6,546.00

Fox Ridge Nursery Harvard, IL	\$ 6,285.00	\$ 700.00	\$ 6,985.00
Pugsley & Lahaie, Ltd Lake Zurich, IL	\$ 7,832.00	\$ 830.00	\$ 8,662.00
Landscape Concepts Mgt., Grayslake, IL	\$ 9,589.50	\$ 285.00	\$ 9,874.50
Arthur Weiler Inc. Zion, IL	\$ 10,110.00	\$ 600.00	\$ 10,710.00
GN Develop & Landscape McHenry, IL	\$ 11,590.00	\$ 695.00	\$ 12,285.00
Ryco Landscaping Lake in the Hills, IL	\$ 12,635.00	No Charge	\$ 12,635.00
John Deere Landscaping Cleveland, OH	\$ 7,454.00	\$ 7,454.00	\$ 14,908.00
Sebert Landscaping Bartlett, IL	\$ 15,735.00	\$ 750.00	\$ 16,485.00
Copenhaver Construction Gilberts, IL	\$ 25,720.00	\$ 12,860.00	\$ 38,580.00
*Prairie Acres Tree Farm Hoffman Estates, IL	\$ 2,160.00	\$ 350.00	\$ 2,160.00
*Hayden Farms Woodstock, IL	\$ 4,024.67	Not Available	\$ 4,024.67

√ Indicates the lowest responsive & responsible bidder
 *Did Not Meet Bid Specifications

**Prairie Acres Tree Farm failed to submit a complete bid document to the City. In addition, the tree substitutions that they proposed did not meet the City's standards for parkway trees. Therefore, their bid was disqualified.*

**After reviewing Hayden Farms' inventory at their facility, it was determined that many of the trees do not meet the size and quality standards set forth in the bid document. Being that they could not provide a product that meets the City's requirements, their bid was disqualified.*

Recommendation:

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The City has purchased trees from Goodmark Nurseries in the past with excellent results, and has visited their site to review their current stock. It is staff's recommendation to award the 2010 Fall Parkway Tree Planting Program bid to the lowest responsive and responsible bidder, Goodmark Nurseries in the amount of \$5,165.00.

Votes Required to Pass:

Simple Majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Goodmark Nurseries for the Fall Parkway Tree Planting Program.

DATED this _____ day of _____, 2010.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____