



REVISED

#2011-08

Circle K Special Use Permit Amendment for Signs Project Review for Planning and Zoning Commission

Meeting Date:

March 16, 2011

Requests:

Special Use Permit Amendment to allow changes in signage from Shell to Circle K and the addition of an electronic message center sign.

Location:

230 North Route 31

Acreage:

Approximately 1.4 acres

Zoning:

B-2 PUD General Commercial

Surrounding Properties:

North B-2 PUD General Commercial
South B-2 General Commercial
East B-2 General Commercial
West B-2 General Commercial

Staff Contact:

Elizabeth Maxwell (815.356.3615)

Background:

The gas station was originally approved in 1993 with a complete sign package for Shell. In 2000, Shell Gasoline filed for an amendment to their Special Use Permit to allow exterior changes to the principal structure, canopy, gasoline pumps and signage. The petitioners are requesting a new SUP Amendment for the main branding signage for the convenience store and car wash.

Land Use Analysis:

The site is zoned B-2 PUD General Commercial with a Special Use Permit to allow a gasoline service station. The station was approved with certain elevations and a signage package. Circle K and Shell have joined and the property owner is requesting an amendment to the Special Use Permit to allow changes to the elevations for signage. It is noted that the total wall signage for a stand-alone building is 150 square feet. **A recent interpretation made by the City Council states that any areas that are back-lit or halo-lit are considered signage. A single color used as background is not considered signage unless lit. Stripes, patterns or multiple color areas are considered signage. Signage on pumps is counted towards the total wall signage allowance.** The new proposed changes to the signage are as follows:

Type of Sign	Size of Sign	Allowed by Code	Status
Free-Standing Monument sign	42.67 square feet 14 feet high	80 square feet 9 feet high	Existing being refaced with Electronic Message pricing

The addition of the electronic message center pricing sign is allowed as part of the Special Use Permit Amendment. The removal of this sign and the construction of a new monument sign is not feasible at this time. This sign appears to be within the area for future right-of-way and if so would need to be removed at the time of the intersection improvements. The petitioners will be planting landscape around the sign base. A condition has been added that a new sign shall meet the current UDO requirements.

Type of Sign	Original	Revised	Existing Signage/Notes
C-Store wall signs "Circle K"	9 SF	9 SF	
C-Store wall sign front (Rt. 176) stripe	70 SF	70 SF	Existing yellow with red square and small text
C-Store wall sign left side logo	0 SF	9 SF	Existing yellow with red square and small text
C-Store wall sign left side stripe	121 SF	0 SF	
C-Store wall sign right side (Rt. 31) logo	0 SF	9 SF	One-half yellow one-half painted white
C-Store wall sign right side stripe	121 SF	0 SF	
C-Store wall sign rear stripe	80 SF	0 SF	No sign, painted white
Car Wash wall sign "Enter"	42 SF	24 SF	Yellow and blue block with small text "Enter"
Car Wash wall sign front stripe	78 SF	0 SF	
Car Wash wall sign "Circle K" logo	11.5 SF	6.5 SF	
Car Wash wall sign left "Car Wash"	69 SF	40 SF	Existing yellow with blue block and small text
Car Wash wall sign left stripe	102 SF	0 SF	
Car Wash wall sign right stripe	161 SF	0 SF	No sign, painted white
Car Wash wall sign rear "Exit"	30 SF	17 SF	White with yellow and blue block and small text
Car Wash wall sign rear "Circle K" logo	11.5 SF	6.5 SF	
Car Wash wall sign rear stripe	78 SF	0 SF	
Gas Pumps	27 SF	27 SF	Existing to remain. This <u>does not</u> include the square footage of the television monitors above the gas pumps, which are part of this request.
Canopy red illuminated band and "Shell"	188 SF	188 SF	Existing illuminated red band and "Shell" name along canopy.
Total	1,199 SF	406 SF	

Total proposed wall signage is 406 square feet. This is a variation of 256 square feet.

All of the square footages for the wall signs have been reduced and much of the Aimer Stripe has been removed.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Land Use Plan designates the property in question as Commerce. Commerce represents existing retail and service commercial areas and indicates areas for future commercial uses. Within the Commerce/Office/Industry Land Use section of the Comprehensive Plan, the following goal, objective and policy is applicable to this request:

Goal: Facilitate a dynamic and sustainable base of commercial, office and industrial uses that provide jobs, goods and services to people in the city and throughout the surrounding region, as well as a solid tax base to the city.

Objective #2: Encourage business development that maximizes links to related businesses, infrastructure and customers.

- Encourage the reuse and redevelopment of existing buildings and facilities instead of growth into undeveloped land.

Findings of Fact:

SPECIAL USE PERMIT

Article 2 Section 2-400 B of the Unified Development Ordinance establishes general standards for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.

Meets *Does not meet*

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.

Meets *Does not meet*

3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.

Meets *Does not meet*

4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

Meets *Does not meet*

5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.
 Meets *Does not meet*

6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.
 Meets *Does not meet*

7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.
 Meets *Does not meet*

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.
 Meets *Does not meet*

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.
 Meets *Does not meet*

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.
 Meets *Does not meet*

Recommended Conditions:

If a motion to recommend approval of the Special Use Permit Amendment is granted the following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Corporate ID Solutions, received 02/23/11).
 - B. Plat of Survey (First American Professional Land Services, dated 11/16/2009, received 2/23/11)
 - C. Monument sign elevation (Corporate ID Solutions, dated 03/07/11, received 03/09/11).
 - D. Wall Signage exhibit (Corporate ID Solutions, dated 03/7/11, received 03/09/11).
 - E. Car Wash Wall signage exhibit (Corporate ID Solutions, dated 03/7/11, received 03/09/11).

2. Future changes to the signage, which meet all requirements of the Unified Development Ordinance, shall not be required to amend the Special Use Permit.
3. If the free-standing sign is required to be removed or relocated due to roadway improvements or within 10 years whichever occurs first, it shall meet all requirements of the UDO including the maximum height of 9 feet, maximum square footage of 80 square feet and utilize materials or architectural elements from the building.
4. Any dead or missing landscape shall be replaced per the approved landscape plan dated 09/09/01 by Warren Johnson Architects.
5. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

**City of Crystal Lake
Development Application**

Office Use Only
File # 08 2011

Project Title: _____

Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input checked="" type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

RECEIVED
JAN 25 2011
BY _____

Petitioner Information

Name: Corporate Identification Solutions
Address: 5808 N. Northwest Hwy
Chicago, IL 60630
Phone: 773. 763. 9600
Fax: 773. 763. 9606
E-mail: nicole@corporateid.com

Owner Information (if different)

Name: Circle K - Mac's Convenience
Address: 4080 Jonathan Moore Pike
Columbus, IN 47201
Phone: 812. 378. 1772
Fax: _____
E-mail: _____
Circle K & Shell have a
Joint Venture : RDK Ventures, LLC.

Property Information

Project Description: Circle K has joined with shell & owns & operates the store & carwash while selling shell gas. Project includes branding the store building, carwash with circle k's corporate standard signage & re-facing the existing pole sign with circle k faces and LED Gas Price faces.

Project Address/Location: 280 N. IL Rte 31 Crystal Lake, IL

PIN Number(s): 14-34-177-022

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: Sing Agent & Installer : Corporate Id Solutions

Signatures

Nicole Kasznik Nicole Kasznik 1/9/11
PETITIONER: Print and Sign name (if different from owner) Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

Kathy Cunningham Kathy Cunningham Moe's Convenience Stores, LLC its manager.
OWNER: Print and Sign name Date 1/9/11

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.



0 8 2011



LETTER OF AUTHORIZATION

January 09, 2011

TO WHOM IT MAY CONCERN,

This letter authorizes Corporate Identification Solutions, Inc. to install signs at the following location as detailed in the site drawings enclosed, labeled Circle K # 6725.

Circle K
280 N. IL Rte 31
Crystal Lake, IL

Corporate Identification Solutions, Inc. is authorized to secure permits and variances required by the local governing body.

Circle K

By 
Authorized Agent

Exhibit A
Legal Description

CC#116807

08200
RECEIVED
JAN 28 2011
BY:

PARCEL 1:

LOT 1 IN M.G.A.S. VENTURE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 4, 1995, AS DOCUMENT 95R53570, IN MCHENRY COUNTY, ILLINOIS.

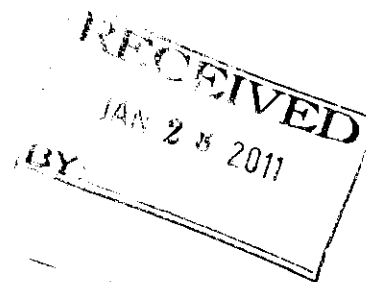
PARCEL 2:

A NON-EXCLUSIVE PERPETUAL EASEMENT FOR PEDESTRIAN AND VEHICULAR ACCESS AS CREATED BY DEED FROM MICHAEL F. MAUDE, SR. TO SHELL OIL COMPANY, A DELAWARE CORPORATION, RECORDED DECEMBER 8, 1995 AS DOCUMENT 95R054327, AND AS SET FORTH IN CRYSTAL LAKE EAST VEHICULAR, PEDESTRIAN, MONUMENT SIGN AND CROSS EASEMENT AGREEMENT RECORDED DECEMBER 3, 1995 AS DOCUMENT 95R054324, AND AS SET FORTH ON PLAT OF M.G.A.S. VENTURE SUBDIVISION AFORESAID, OVER THAT PORTION OF LOTS 2 AND 3 IN SAID M.G.A.S. VENTURE SUBDIVISION AS SET FORTH ON SAID PLAT.

Tax Parcel ID No. 14-34-177-022
Address: 280 N. IL Route 31, Crystal Lake, IL 60012-3769
116807/6725

**Exhibit B
Permitted Encumbrances**

CC# 116807
280 N IL ROUTE 31
CRYSTAL LAKE, IL



08 2011

1. The lien for real property taxes for the year 2009, and any liens for special assessments which as of the date hereof, are not due and payable.
2. Terms, provisions, and conditions relating to the easement described as Parcel 2 contained in the instrument creating said easement;

Rights of the adjoining owner or owners to the concurrent use of said easement.

3. Grants of Easement recorded March 18, 1988, as Document 88R7179, as Document 88R7180 and 88R7181, made by the First National Bank of Chicago as Trustee under the Will of Peter Reiland, known as Trust Number 82217.001 and the City of Crystal Lake relating to a Municipal Utility Easement over the East 20 feet of the underlying land (also depicted on the Plat of Subdivision), and also a Temporary Construction Easement over the West 20 feet of the East 40 feet of the underlying land, and the terms and provisions therein contained.

4. 10 foot Sign Conduit Easement as depicted on Plat of Subdivision aforesaid, and easement provisions as shown on Plat of Subdivision as follows:

An Easement for the installation and use of electric conduit, associated wiring and equipment is hereby granted on Lot 1 for the benefit of Lot 2 and 3. All conduit, associated wiring and equipment shall be buried underground.

5. Sign easement area as shown on Plat of Subdivision, and sign easement provisions as shown on Plat of Subdivision as follows:

An easement for the placement of identification signs is hereby granted on Lot 1, and shall benefit the owners of Lot 2 and 3. An additional sign easement is hereby granted along the common line of Lots 1 and 2 and shall benefit Lots 1, 2 and 3. (Affects a 15 foot by 15 area in the southerly portion of Lot 1, and a 5 foot by 20 foot area along the boundary of Lots 1 and 2)

6. Municipal utility easement as shown on Plat of Subdivision over an irregular area of land in the southerly portion of Lot 1.

7. Easement in favor of the Commonwealth Edison Company, the Illinois Bell Telephone Company, Northern Illinois Gas Company, and to any electric, gas, telephone or telecommunication company, cable T. V. company and the City of Crystal Lake, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the

provisions relating thereto contained in the plat of M.G.A.S. Venture Subdivision, including provisions that no permanent buildings or other structures are to be erected thereon.

8. Notation as shown on Plat of Subdivision aforesaid, as follows:

There shall be only one right-in/right-out only access driveway to IL Rte. 31 to serve Lots 1, 2 & 3, which shall be constructed on the common lot line of Lots 1 & 2, and one access driveway to IL Rte. 176 from Lot 1. There shall be no other access allowed to the roadways from these lots.

9. Terms, provisions, covenants, conditions, restrictions, and easements as set forth in Deed from Michael F. Maude, Sr. to Shell Oil Company, a Delaware corporation, recorded December 8, 1995, as Document 95R054327:

a) That said property shall not be used for a restaurant use, the primary business of which is the sale of hamburgers, hamburger products, or chicken sandwiches (or any combination thereof). Notwithstanding, the above, this restriction shall not apply to a Boston Chicken, Boston Market, or to a Subway restaurant facility.

b) Said property shall not be used for the performance of quick oil change services on motor vehicles.

c) The restrictions shall burden land for twenty years, and benefit lots 2 & 3 in M.G.A.S. Venture Subdivision, aforesaid.

10. Terms, provisions, conditions and limitations set forth in the restrictive covenant executed by Equilon Enterprises LLC, a Delaware limited liability company, recorded August 15, 2005, as Document 2005R0067267.

11. Matters of survey depicted on the survey by Williams & Works, Job No. 08-02-021:001 last revised November 16, 2009 as follows:

a) Rights of public or quasi public utilities as disclosed by sanitary manhole, monitoring well, round catch basins, phone booth.

b) Proposed IDOT right of way and proposed IDOT temporary easements as noted on survey and per Sheet 9 of IDOT Plat of Highway Job No. R-91-005-002.

c) Car wash building encroaches 11.3 feet into rear setback.

EXHIBIT C

Right of First Refusal

Until December 31, 2029, if at any time Grantee (i) receives an acceptable bona fide offer to purchase or lease from a ready, willing, and able purchaser or lessee which Grantee desires to accept, or (ii) makes a bona fide offer to sell, lease or otherwise transfer to such a purchaser or lessee, all of Grantee's right, title and interest in and to the Premises ("Offer"), Grantee shall provide written notice to Grantor, specifying the name and address of the proposed grantee or lessee and the price and complete terms of the Offer, accompanied by Grantee's affidavit that the proposed sale or lease transaction described in the Offer is in good faith. Grantor will then have the prior option to purchase or lease the Premises at the price and on the terms of the Offer, but subject to the terms provided below ("Right of First Refusal").

If the Offer received by Grantee or Grantee's own bona fide Offer relates to more than one Premises, Grantor must elect to purchase or lease (as applicable) all of the Premises that are the subject of the Offer. For the avoidance of doubt, the Right of First Refusal extends only to the Premises even if the Offer giving rise to the Right of First Refusal involves a combination of the Premises and other real property owned or leased by Grantee which is not the Premises.

Grantor shall provide written notice to Grantee of Grantor's election to exercise its Right of First Refusal within 30 days after Grantor receives Grantee's written notice of the Offer. If Grantor does not timely exercise its Right of First Refusal with respect to the Premises, Grantee shall be free to sell, lease or otherwise transfer the Premises in accordance with the transaction described in Grantee's notice. If such transaction is not consummated as described in the Grantee's notice, this Right of First Refusal shall thereafter apply to the Premises.

Within 20 days after the date of the notice provided to Grantee of Grantor's election to exercise its Right of First Refusal, Grantor shall designate a title company and provide written notice to Grantee of the same. Grantee shall deposit with the title company a recordable special warranty deed comparable to the Special Warranty Deed to which this Exhibit relates or a lease containing terms consistent with the Offer described in Grantee's notice and acceptable to Grantor. Grantor shall deposit with the title company any earnest money required by the Offer. Promptly thereafter, Grantee shall (or Grantor may), at Grantor's expense, order from the title company a report on title to (or leasehold interest in) the Premises and a commitment for an owner's or lessee's (as applicable) policy of title insurance. Upon written notice from Grantor to Grantee and the title company that title is acceptable, the title company shall deliver to Grantor the deed or lease executed by Grantee, together with the owner's or lessee's (as applicable) policy of title insurance, against payment by Grantor of the purchase price (which shall include payment of any costs, fees, expenses, documentary, transfer and like taxes required to be paid by Grantor), as such allocation of costs, fees and expenses may be set forth in the Offer, less any earnest money. Thereafter, the title company shall deliver to Grantee the purchase price required by the Offer less the amount of any liens accepted by Grantor and less the amount of any and all costs, fees, expenses, documentary, transfer and like taxes required to be paid by Grantee as set forth in the Offer. Taxes and rent will be prorated as of the date of delivery of the deed (or the assignment of lease, as applicable) from the title company to the Grantor. Upon receipt from Grantor of written notice that the title is not acceptable, Grantee shall use commercially reasonable efforts to cure such title objections by the closing, including, without limitation, insuring against or providing a bond or suitable escrow for, any lien or other

encumbrance that represents a liquidated amount or sum of money. No objection shall be made to any encumbrance that was set forth as a permitted encumbrance for such Premises in the deed from Grantor to Grantee. In no case shall Grantee be required to convey any interest in the Premises greater than the interest it is vested in. If Grantee is unable to cure the title to Grantor's satisfaction, Grantor may elect not to purchase the Premises, in which case the title company shall return the deed (or assignment of lease) to Grantee, and the earnest money to Grantor. If Grantor elects to not exercise its Right of First Refusal for any reason, Grantee may sell the Premises under the terms described in the notice of the Offer provided to Grantor. Any proposed sale of the Premises under different terms than those described in such notice of the Offer is subject to the Right of First Refusal provisions described herein.

This Right of First Refusal shall not apply to (i) Grantee's sale (in a sale-leaseback transaction) of a Premises to an affiliate of Grantee or to a Third-Party, provided, as part of such transaction Grantee concurrently leases back and operates such Premises from the affiliate or Third-Party or (ii) any sale or lease of a Premises to an Affiliate of Grantee.

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF Circle K - Mac's Convenience

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of Corporate Identification Solutions, an behalf of Circle K - Mac's Convenience, for approval of a Special Use Permit Amendment relating to the following described real estate commonly known as Shell Gas Station 280 North Route 31, Crystal Lake, Illinois 60014, PIN: 14-34-177-022

This application is filed for the purposes of seeking a Special Use Permit Amendment and Variations to allow an electronic message center sign and the addition of 882 square feet of wall signage to allow the joint branding of a Shell Gas Station with a Circle K convenience store, pursuant to Article 2 Section 2-300 and Article 4-1000. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

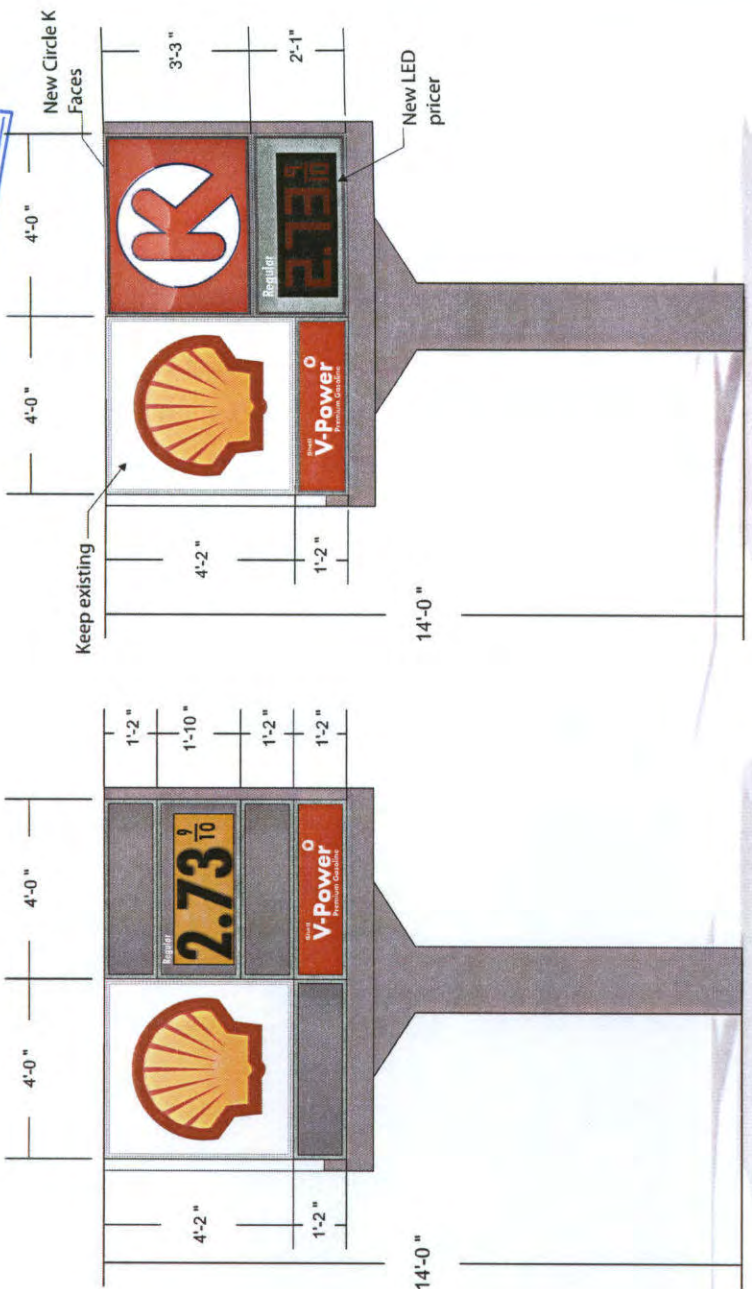
A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday March 2, 2011, at the Crystal Lake City Hall,

100 West Woodstack Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
February 12, 2011)

CIRCLE K 6725: Crystal Lake, IL

RECEIVED
MAR 09 2011
BY:



EXISTING
S.F.: 42.67

PROPOSED (REFACE)
S.F.: 42.67



EXISTING PHOTO

CUSTOMER ACCEPTANCE		CUSTOMER		LOCATION		SHEET		DATE		NOTES:	
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CUSTOMER ACCEPTANCE: _____ DATE: _____		STORE #	CIS ACCOUNT REP	DRAWN BY	REVISION	SCALE					
		6725	Ben Delhaye	MT	R2	3/8"=1'					



CORPORATEIDENTIFICATION.COM

CIRCLE K - 6725, Crystal Lake, IL PROPOSED BUILDING SIGNAGE

PRODUCT ROLLUP		
QTY	DESCRIPTION	SIZE
3	Circle K sign	36" x 36"
1	32" Aimer Stripe	32 LF

*VERIFY ALL SIZES



EXISTING STORE

36" x 36" ILLUMINATED
CIRCLE K SIGN ON ADJACENT
ELEVATION (NOT SHOWN)

36" x 36" ILLUMINATED
CIRCLE K SIGN

32" VINYL AIMERS ON BOTH SIDES
OF CIRCLE K CABINET SIGN

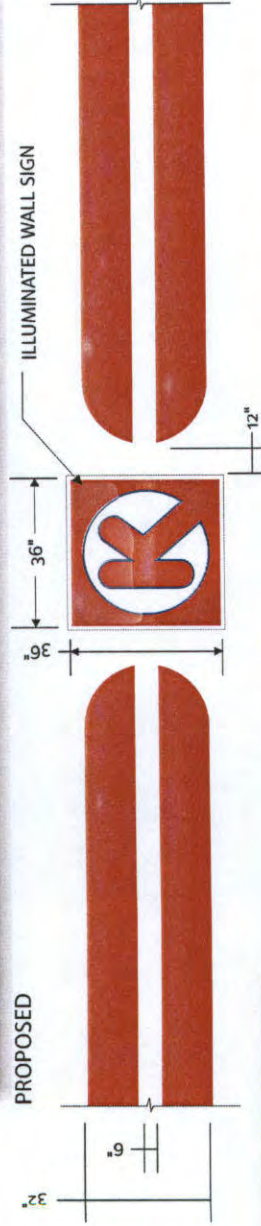
36" x 36" ILLUMINATED
CIRCLE K SIGN

BUILDING PAINTED
FRONT, REAR AND BOTH SIDES
TO MATCH NEW CIRCLE K
PAINT SCHEDULE

FASCIA INFO:
36" H } V.I.F.
37" W }
56" D }

PROPOSED

ILLUMINATED WALL SIGN



CONCEPTUAL ARTWORK ONLY

CUSTOMER ACCEPTANCE: _____ DATE: _____
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CUSTOMER	LOCATION	SHEET	DATE	NOTES:
CIRCLE K	Crystal Lake, IL	01/01	3/7/11	
STORE # 6725	CS ACCOUNT REP Ben DeHayes	DRAWN BY REVISION	SCALE	
		MT	R1	NTS

CIRCLE K - 6725 Crystal Lake, IL

PROPOSED BUILDING SIGNAGE

PRODUCT ROLLUP		
QTY	DESCRIPTION	SIZE
1	Entrance	30.5" x 113"
1	Exit	30.5" x 81"
1	Car Wash	30.5" x 186"
2	Circle K Logo	30.5" x 30.5"

*VERIFY ALL SIZES

CIRCLE K VINYL LOGO
APPLIED DIRECTLY TO FASCIA

7125-63 GERANIUM RED VINYL
"Exit" APPLIED DIRECTLY



FASCIA INFO:
44" H } V.I.F.
27'-0" W }
56'-0" D }

BUILDING PAINTED ALL SIDES
TO MATCH NEW CIRCLE K
PAINT SCHEDULE



PROPOSED LAYOUT OF
CAR WASH BUILDING
GRAPHICS

"Exit" - 30.5" x 6'-9" [17.16 SF]
Circle K logo - 30.5" x 30.5" [6.46 SF]

CUSTOMER ACCEPTANCE: _____ DATE: _____

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CUSTOMER	LOCATION	SHEET	DATE	NOTES:
CIRCLE K	Crystal Lake, IL	02/02	3/7/11	
STORE #	CIS ACCOUNT REP	DRAWN BY	REVISION	SCALE
6725	Ben DeHuyes	MT	RZ	NTS

CORPORATE DESIGN SOLUTIONS
5300 W. JACKSON AVE.
CHICAGO, IL 60632
773-763-6001 / 773-763-6006

CIS CORPORATEDESIGN SOLUTIONS.COM

CONCEPTUAL ARTWORK ONLY

1 TITLE DESCRIPTION

PARCEL 1: LOT 1 IN M.G.A.S. VENTURE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 4, 1995, AS DOCUMENT 95R53570, IN MCHEMERY COUNTY, ILLINOIS.

2 TITLE INFORMATION

The commitment for this insurance prepared by Chicago Title Insurance Company as Commitment No. 1401 008428010, dated September 15, 2009 lists the following assessments in Schedule B which affect/do not affect the subject property as follows:

3 SCHEDULE B ITEMS

- (1) TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 2 CONTAINED IN THE INSTRUMENT CREATING SAID EASEMENT... (2) RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT... (3) GRANT OF EASEMENT RECORDED MARCH 18, 1986 AS DOCUMENT 887176...

4 SURVEYOR CERTIFICATION

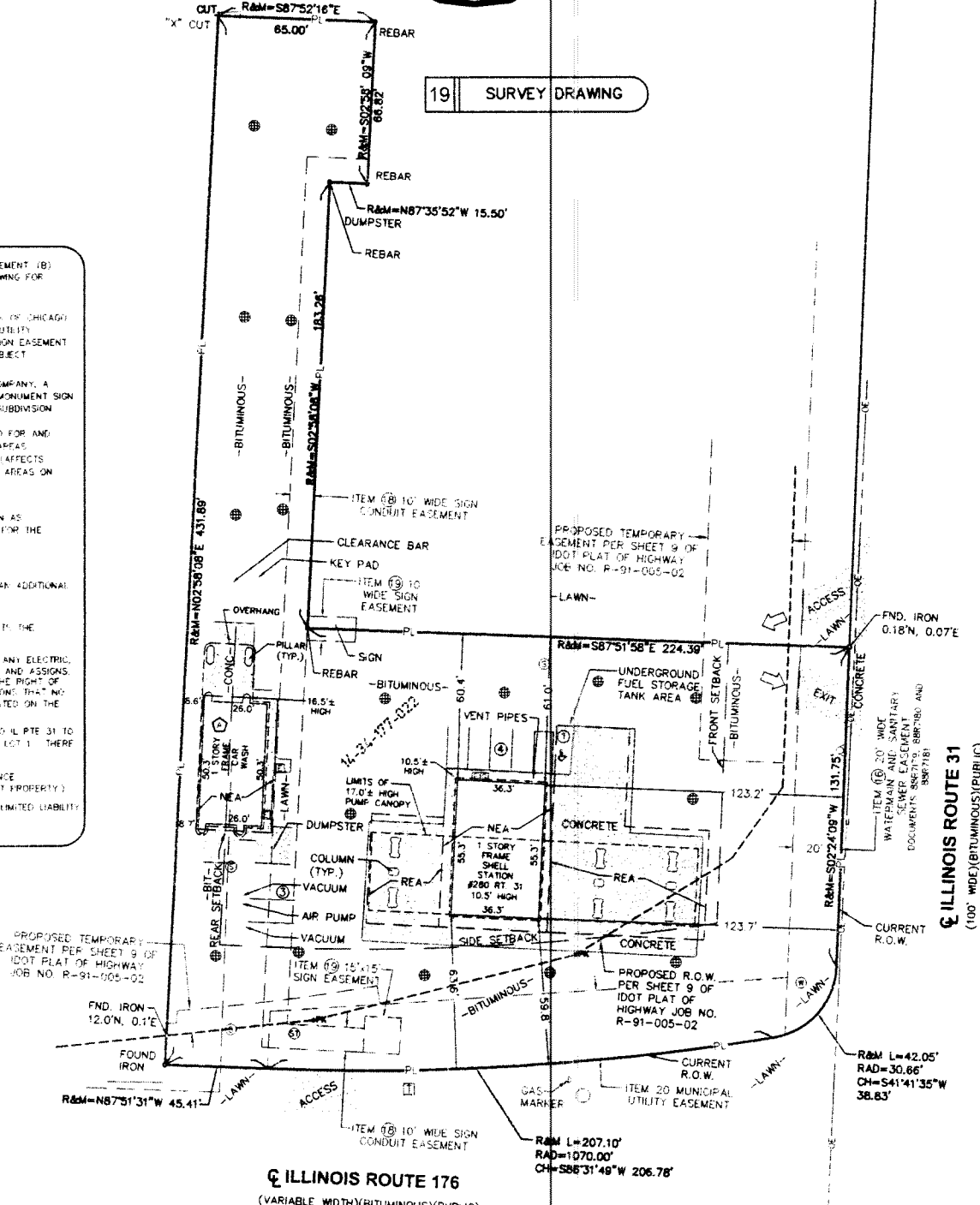
To: RDK Ventures LLC, Mac's Convenience Store LLC, Baker & Daniels LLP, Equilon Enterprises LLC and its Counsel, and Chicago Title Insurance Company. This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standards for ALTA/ACSM Land Title Surveys...

KEY TO ALTA-SURVEY

Table with 3 columns: 1 TITLE DESCRIPTION, 2 TITLE INFORMATION, 3 SCHEDULE B ITEMS, 4 SURVEYOR CERTIFICATION, 5 FLOOD INFORMATION, 6 CEMETERY, 7 POSSIBLE ENCROACHMENTS, 8 ZONING INFORMATION, 9 LEGEND, 10 BASIS OF BEARING, 11 SURVEYOR'S NOTES, 12 PARKING INFORMATION, 13 LAND AREA, 14 BUILDING AREA, 15 BUILDING HEIGHT, 16 VICINITY MAP, 17 SCALE, 18 CLIENT INFORMATION BOX, 19 SURVEY DRAWING.

Surveyor Title Block: Williams & Works, 616.224.1500, 5410 Crown Ave NW, Grand Rapids, MI 49503

19 SURVEY DRAWING



5 FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 170478 0335 J WHICH BEARS AN EFFECTIVE DATE OF NOVEMBER 18, 2008 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA...

6 CEMETERY

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

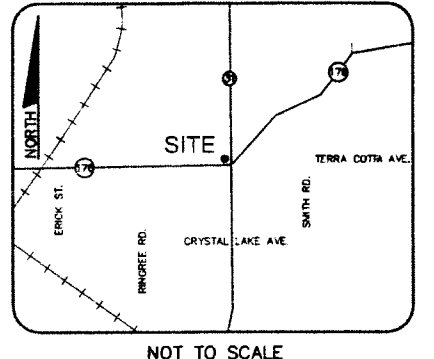
7 POSSIBLE ENCROACHMENTS

CAR WASH: BUILDING ENCROACHES 11 3/4 INTO REAR SETBACK

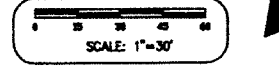
8 ZONING INFORMATION

SITE RESTRICTIONS: ZONED: B-3 PLANNED BUSINESS DISTRICT CITY OF CRYSTAL LAKE ZONING (815)434-2020. SETBACKS: FRONT - 50', SIDE - 50' (ABUTTING STREET), REAR - 20'. HEIGHT - 25' (2 STORIES), BULK AREA - 50% LOT COVERAGE, AREA - 80,000 SQ. FT.

16 VICINITY MAP



17 SCALE



10 BASIS OF BEARING

BEARINGS ARE BASED ON M.G.A.S. VENTURE SUBDIVISION, AS RECORDED DECEMBER 4, 1995, AS DOCUMENT NO. 95R53570 IN MCHEMERY COUNTY, ILLINOIS RECORDS, USING A BEARING OF S02°24'09\"/>

11 SURVEYOR'S NOTES

- 1. No observable evidence of earth moving work, building construction or building additions within recent months. 2. Proposed changes in street rights of way per IDOT Job No. R-91-005-02 are shown...

12 PARKING INFORMATION

7 STANDARD SPACES, 1 HANDICAPPED SPACES, 8 TOTAL SPACES

13 LAND AREA

81,325 SQUARE FEET (1.41 ACRES)±

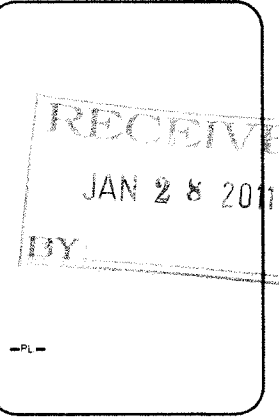
14 BUILDING AREA

MAIN BUILDING: 2,007 SQ. FT.±, CAR WASH: 1,308 SQ. FT.±

15 BUILDING HEIGHT

MAIN BUILDING: 10.5'±, CAR WASH: 16.5'±, PUMP CANOPY: 17.0'±

9 LEGEND



18 CLIENT INFORMATION BOX

Client information form with fields for Drawn By (J. FISCHER), Date (11.16.2009), Surveyor Ref No (208036.001), Date, and Project Address (280 NORTH ROUTE 31, CRYSTAL LAKE, IL).

8. All technical issues of the Building, Engineering and Fire Department shall be addressed throughout the planning and development of this project.

Mr. Morehead seconded the motion. On roll call, all members voted aye. Motion passed.

#94-74 MGAS VENTURE

This petition was sent back to the Plan Commission for review of a new plan.

Preliminary PUD: For 3 lots.

Final PUD: For 3 lots.

Preliminary PUD: Section 6.5-10

Final PUD: Section 6.5-6

Special Use Permit: Section 6.5-6 to allow a Gas Station

Special Use Permit: Section 6.5-2 to allow a Car Wash

Special Use Permit: Section 6.5-5 to allow a Drive-Through Facility

Vitas Maciukcius and Scott Tripahn, W.T. Engineering; Gary Erb, MGAS; Ted Treesh, Metro Transportation Group; Alan Stefaniak, attorney; Greg Marsh, Wendy's; and David Beebe, Lube Plus, were present to represent the petition. Mr. Stefaniak said they were before the Plan Commission a few weeks ago and the recommendation to the Zoning Board of Appeals was one of denial. There were several concerns raised by the Commission that included the changes in the right of way along Route 31 and the location of the car wash. Mr. Stefaniak said they made major changes to the site plan and the Zoning Board of Appeals felt the Plan Commission should see the plan and make recommendations prior to the Zoning Board discussion.

Mr. Maciukcius said they went back to the drawing board with the 19 conditions recommended by Staff and the Plan Commission concerns. He said they were going to provide rumble strips, etc. for the car wash but not to the extent that staff wanted. Mr. Maciukcius said the biggest concern of the Plan Commission was with the IDOT SRA that would require additional right of way on Route 31. He said they have adjusted the plan to show any future land taking. The plan shows a blanket 28 feet across the east property line as IDOT is not sure how the right of way will be configured. Mr. Maciukcius said that moving everything to the west allowed for better movement on the site. He said many questions were raised about the entrance/exit onto Route 176 near the car wash. They lengthened the stacking area and also four cars stacking for the exit of the car wash near the entrance/exit.

Mr. Maciukcius said there are now concerns about the open area between the gas station and Wendy's and Staff has asked for striping. He said they would add striping if they knew what the requirements would be. Mr. Maciukcius said there are concerns about the aisle width in the parking area to the west of Wendy's. He said the aisle is wider because it is to allow cars to get to Lube Plus to the north.

Mr. Maciukcius said there is concern about the radius in the stacking lane for the car wash. He said a slow moving vehicle can make the maneuver. Mr. Viger said the engineering concern was that a pickup truck would not be able to make the turn. He said they "coned" off a section in the rear of City Hall and tried to put a small pickup through that area. Mr. Goss said the area would need to be plowed and asked where the snow would be put as this site has a lot of paved area. Mr. Maciukcius said it would be put in the landscaped areas all over the site and not just in one area.

Mr. Treesh said there was an issue of ingress/egress from the site. He presented a board that showed the present lane striping for Route 176 and was the current entrances to businesses were located and where their proposed entrance is. He said the cars wanting to turn into the site off of Route 176 would be able to stack in the left turn lane already present on Route 176. Mr. Goss said they would have to cross two lanes of traffic. Mr. Treesh said there is only one. Mr. Goss said if IDOT takes the additional right of way, there will be two lanes of traffic to cross. Mr. Treesh said they received a letter from IDOT more than one year ago regarding the entrance.

Mr. Goss said on the last plan there was an area for vehicles with trailers and trucks to park for Wendy's and now it is gone. He asked where they are going to park. Mr. Marsh said it is not necessary to have that type of parking area but Wendy's does not require it.

Mr. Treesh said the car wash meets the standard for car stacking and there are two exits so people can get out if the stacking lane. He said there was a concern with the stacking for Wendy's. It goes 3/4 around the building and does not interfere with any traffic lanes.

Ms. Marek asked about the traffic flow around Lube Plus. Mr. Treesh said the building was pushed to the north and there will be a "DO NOT ENTER" sign placed to the east of the building so people do not come in the wrong way.

Mr. Goss asked why is the Wendy's building not turned to face Route 31 and not the gas station. Mr. Treesh said there are Wendy's in Bloomingdale and Aurora that are configured the same way. Mr. Goss said it doesn't make sense.

Mr. Vause is concerned with the traffic on Saturday on Route 176 with cars leaving the car wash and turning left onto Route 176. Mr. Treesh said there is enough time in the car wash cycle to allow for cars to turn left onto Route 176. Mr. Goss said that is a 5-way intersection and not a normal light sequence.

Mr. Smith feels this is the best design for the car wash and there is more than adequate stacking. He feels there is a problem with traffic for Lube Plus. Mr. Smith asked if there will be directional signs to help people find their way to Lube Plus. Mr. Goss said he has a problem with deliveries for Lube Plus. Mr. Beebe said they have deliveries once every three weeks. Mr. Goss is concerned that in the winter the lane will be blocked.

Mr. Goss said there is a lot of pavement on this site. Mr. Tripahn said there is more landscaping on this plan than the other presented. Mr. Goss said until IDOT takes their additional 28 feet, then there wont be more landscaping than the previous plan.

Mr. Erb said they had three users in mind from the beginning for this property. He said they have been told they are squeezing these uses into this property. Mr. Erb handed out a list of building/site coverage for other developments in Crystal Lake (copy attached). Mr. Goss said those developments have side yards on all sides of the uses to help buffer the use. Mr. Erb said he thought staff would like this site as there are just a few curb cuts. He said it is safer. Mr. Goss said the City took a curb cut away from Amoco on Route 14 and McHenry Ave. He said most of these projects were developed prior to the IDOT SRA. Mr. Goss does not believe there is a valid comparison. Mr. Erb does not feel the coverage is excessive. He said anyone could say the vacant lot is better. Mr. Goss said the City is not saying that at all.

Mr. Erb said they have addressed the comments. Mr. Goss said the comments have not been addressed at all. He said that in the August 23 Staff Report there were 19 conditions. Now there are seven for the Preliminary PUD but they are grouped differently. Mr. Goss asked why signage was not addressed since they had time.

Mr. Morehead feels the site plan is better than before but feels that Lube Plus will be a problem. He suggested going over the staff conditions.

Mr. Stefaniak said they agree with the three conditions of the Final Plat.

Mr. Goss asked about the placement of the signs since IDOT will be taking some of that property. Mr. Erb said the signs will be removed when needed.

Mr. Stefaniak said they agree with the Preliminary PUD condition 1, and would prefer #2A to allow the 30-foot aisle as presented not the 24 feet as requested by Staff. Mr. Smith felt the reason for the aisle width is valid. Mr. Morehead agreed.

Mr. Stefaniak said #2 will be taken care of. Mr. Smith feels that if they make the radius 10 feet for the turn arc of the car wash stacking lane that it would be sufficient.

Mr. Erb said he spoke with Joe Misurelli, City Manager, earlier in the day and he felt there would be enough time to take care of the conditions.

Mr. Stefaniak said they agree with condition 3. Mr. Erb said he spoke with staff regarding condition #5. Mr. Viger said Staff as asked for this in the past and would like it but it is not terminal. Mr. Ambrose said the buildings will be tied together with similar colors. Ms. Marek asked what the main issue was. Mr. Viger said they didn't envision the buildings to be mirror images of each other but would like them to be compatible colors and materials. He said they don't want to see a purple Lube Plus next to a pink Wendy's. The lights in the parking areas will be the same.

Mr. Stefaniak said they agree with conditions 6 & 7 but would prefer that the Final PUD be approved. Mr. Viger said the level of detailed submittals was not there.

Mr. Goss asked about on-site stormwater. Mr. Maciukcius said they will have to hook up to the IDOT storm water because it is there. Mr. Tripahn said IDOT has approved their taking the water. Mr. Goss said the City has historically said to keep water on-site. Mr. Maciukcius said because the site is tributary to the system, they must hook up. Mr. Goss said there will be about 3-4" on the pavement if there is a heavy rain. Mr. Tripahn said the water will be there for approximately six hours because of the release rate.

Mr. Stefaniak said they would prefer a 6-foot sign not a 3-foot sign as requested in condition 4-B-2. He said a 3-foot sign would not be noticed in the winter. Ms. Marek asked where did Staff get the 3 feet. Mr. Viger said we require all directional signs to be no higher than 3 feet. Mr. Morehead said 6 feet won't fly but maybe there could be a compromise. Ms. Marek asked how many identification signs could they have for the site. Mr. Viger said one. Mr. Goss said the directional sign doesn't show Shell. Mr. Erb said the sign was designed for three users. Mr. Morehead said that he can understand that needing a directional sign for Wendy's and Lube Plus but if someone can't figure out where the gas station is then there is trouble since there are right on the corner. Mr. Otto feels that condition #4 regarding the signs should have been ironed out with Staff and not hashed out

here.

Mr. Stefaniak said they need certain signage. He said they meet the requirements of the Sign Ordinance. He said there are users in the area that have signs like the ones there are requesting. Mr. Stefaniak said they will argue the signs before the City Council. Mr. Smith asked if they were willing to bend. Mr. Erb said no. Mr. Smith said this is a stupid little issue. Mr. Vause said he disagreed and that when he was on the Zoning Board they were and still are very concerned with signage in the City. He said the Crystal Lake needs to decide to make a course change regarding signage. Mr. Vause said the Draft Sign Ordinance has been held up in the Building Department. Signs have a direct effect on the way the City looks and especially at an entrance to the City. Mr. Erb agrees that monument signs are more attractive but wants signs like what is around them. Mr. Goss said there are many signs in that area that are under County jurisdiction and the City has no control over them. Mr. Erb said they will change their signs when everyone else has to change their sign. Mr. Stefaniak said there is no telling if the Draft Sign Ordinance will be changed by the City Council. Mr. Smith said they will get into the same battle with the City Council. Mr. Stefaniak said that is fine since they make the final decision not the Commission. Mr. Goss said some of the developments noted on the list Mr. Erb provided are old developments that were done under an old ordinance that has since been changed.

Jim Militello, officer of Superwash south of this property across Route 176, said that they will find that 3/4 of their traffic will come in and out of the Route 176 entrance. Mr. Militello said the drip lane for the Shell on Routes 176 & 14 is from 80 to 90 feet and the water is not from dripping cars but from the water picked up from the tires. He feels that this will create a difficult situation not only in the winter with ice but also in the summer when there will be standing water. Mr. Militello also feels there will be difficulty for people to find their way to the Wendy's drive-through and will possibly enter the car wash stacking lane the wrong way to get around the site. He feels there are too many uses for this site and also a need for too many signs. Mr. Militello suggests taking out one of the uses to make the site work.

There was no one else in the public who wished to speak on this matter.

Mr. Viger agreed that the site is better now that it was before.

Mr. Stefaniak said the last time was before the Commission this was denied because of the SRA dedication and car wash location. They have been addressed. He feels the site meets the ordinance. Mr. Erb said the site requires three users to make any development feasible. Mr. Stefaniak said they are under time restraints and can work with staff. They are asking for approval of the entire request.

Mr. Vause moved to approve the Preliminary Plat of Subdivision for MGAS Venture for three lots. Mr. Smith seconded the motion. On roll call, members Morehead, Otto, Smith, Vause and Marek voted aye. Mr. Goss voted no. Motion passed 5-1-0.

Mr. Goss said he voted no because he did not feel three uses were appropriate for the site.

Mr. Vause moved to approve the Final Plat of Subdivision for MGAS subdivision with the following conditions:

1. Add and define the sign easement on the plat.
2. Correct typos and change "President and Board of Trustees" to "Mayor and City Council" on City Council certificate.
3. Remove City Engineer Certificate.

Mr. Morehead seconded the motion. On roll call, members Morehead, Otto, Smith, Vause and Marek voted aye. Mr. Goss voted no. Motion passed 5-1-0.

Mr. Vause moved to approve the Preliminary Planned Unit Development for MGAS with the following conditions:

1. The City does hereby grant Special Use Permits for a gas station, car wash and drive-throughs (both Shell and Wendy's).
2. Site Plan revisions:
 - A. DELETE.
 - B. Modify 180 degree turn for the car wash.
 - C. Additional channelization is recommended; particularly at the Route 31 access and at the large pavement expanse northwest of the Shell building.
 - D. A 3-lane (center dual left) aisle may aid on-site circulation.
3. Landscape Plan revisions:
 - A. Add trees in parking lot islands accordingly:
 1. East of Lube Plus
 2. Near Wendy's/Lube Plus lot line
 3. At car wash lane entrance
 - B. Add landscaping in the setback along Routes 31 and 176. This landscaping should be of a species that will not conflict City utilities in these areas.
4. Sign revisions:
 - A. Install all directional signage per Engineering Department comments.
 - B. Directional sign revisions:
 1. The sign on Route 176 shall be in the easement
 2. Reduce sign height to 3 feet.
 3. Sign must be at least 10 feet from property line.
 - C. Incorporate a ground sign no taller than 9 feet including 3 foot brick base for Shell.
 - D. Wendy's sign revisions:
 1. Eliminate copy change.
 2. Incorporate a ground sign no taller than 9 feet including 3 foot brick base.
 - E. Lube Plus sign revisions:
 1. Eliminate illumination on awning signs.
 2. Eliminate copy change.
 3. Incorporate a ground sign no taller than 9 feet including 3 foot brick base.
5. DELETE.

6. The developer shall screen all rooftop mechanicals.

7. The developer shall comply with all technical requirements of the Building, Engineering, Fire and Planning Departments.

Mr. Morehead seconded the motion. On roll call, members Morehead, Otto, Smith, Vause and Marek voted aye. Mr. Goss voted no. Motion passed 5-1-0.

Mr. Vause moved to approve the Final Planned Unit Development the MGAS with the following condition:

1. The developer shall comply with all technical requirements of the Building, Fire, Engineering and Planning Departments and subject to final engineering review and approval.

Mr. Smith seconded the motion. On roll call, members Morehead, Smith, Vause and Marek voted aye. Members Goss and Otto voted no. Motion passed 4-2-0.

REPORT FROM PLANNING

- #95-40 SPIKE'S PEAK SPECIAL USE PERMIT, PRELIMINARY/FINAL PLAT OF SUBDIVISION

COMMENTS FROM COMMISSION

Mr. Goss suggested that the Sign Ordinance be on the next agenda or have Ken Smith, Building Director, come before the Commission. The Commission agreed that not having the revised Sign Ordinance in place makes their job harder.

Mr. Vause said that the EDC the night before discussed the FPA issue as it relates to the 400+ acres that Lakewood wants from our FPA. Mr. Goss said he has personally filed an objection with the EPA as there were no public hearings before the NIPC as required and the facts stated in their application are not true. Ms. Marek asked if the City could still file an objection. Mr. Goss said he had not heard where his objection stands. Mr. Viger said the issue was brought before the City Council the first week in September and no action was taken. Mr. Vause said the EDC will be making a recommendation to the City Council to keep the property in our FPA. It was the consensus of the Commission to request the City Council revisit this issue.

Mr. Vause said there is a push on to find deficiencies with the Watershed Ordinance and to get a new study done.

The meeting was adjourned at 9:45 p.m.

2. The use shall comply with all of the technical requirements of the Building, Engineering and Fire Departments.

Mrs. Kurtz seconded the motion. On roll call, all members voted aye. Motion passed.

The Board feels the request meets the Standards for all Special Uses in Section 6.3 of the Zoning Ordinance as follows: 1. That the proposed use is necessary or desirable, at the location involved; 2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity; 3. That the proposed use will comply with the regulations of the zoning district; 4. That the proposed use will not negatively impact the existing off-site traffic circulation; will provide adequate on-site parking facilities; 5. That the proposed use will not negatively impact on existing public utilities and municipal service delivery systems; 6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views; 7. That the proposed use will maintain the existing mature vegetation; 8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof; 9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use; and 10. That the proposed use shall conform to the regulations established for specific special uses as provided in this section.

There is already a Commercial Recreation use already in the complex and the Board believes that this use would certainly not be hindrance to the other uses in the complex. Also the Board feels that the parking situation is well-taken care of as far as total number of spaces on that property.

#94-74 MGAS VENTURE

This petition was sent back to the Plan Commission for review of a new plan from the September 6, 1995 Zoning Board of Appeals meeting.

Preliminary PUD: For three lots.

Final PUD: For three lots.

Preliminary PUD: Section 6.5-10

Final PUD: Section 6.5-6

Special Use Permit: Section 6.5-6 to allow a Gas Station

Special Use Permit: Section 6.5-2 to allow a Car Wash

Special Use Permit: Section 6.5-5 to allow a Drive-Through Facility

Mr. Landon read the legal notice. He said the green cards for notification of surrounding property owners and the certificate of publication are in the file. The fees have been paid.

Eugene DeMonte, attorney, Vitas Maciukcius, W.T. Engineering; Gary Erb, MGAS; David Miller, Metro Transportation Group; Mike Kinse, Shell Oil; and Greg Marsh, Wendy's were present to represent the petition.

Mr. Maciukcius showed the landscape/site plan that was presented to the Plan Commission. He

said currently there are three parcels of land. They would move the lot lines for Lube Plus, Wendy's and Shell. Mr. Maciukcius said the Plan Commission was originally concerned with the site standing in the way of the IDOT SRA plans for Routes 31 and 176. He said the current plan shows the possible future right-of-way line and also if IDOT would take the right-of-way there would be no building that would need to be removed only a sign. The entrances shown on the plan have been approved by IDOT and there will be cross access agreements among the three lots. Mr. Maciukcius said the Plan Commission was also concerned with the on-site circulation, so they turned the Wendy's building. He said there are three corporate identities on the property and they need their corporate colors and styles. They felt that when they added site lighting that is the same and additional landscaping that would be enough to show cohesiveness. Mr. Maciukcius said the Final engineering has not been approved but feels confident it will be.

Mr. Miller said they conducted the traffic analysis. He said they did three counts: one during morning peak time; one during evening peak time and one during Saturday peak time. They feel the morning peak time will be primarily gas station traffic. Mr. Miller said evening and Saturday peak times will be all three uses. He described the traffic at peak times. Mr. Miller said they believe that the traffic for the site will not be new traffic but will be existing traffic that will use the site. He described the internal traffic flow. Mr. Miller said the stacking for the car wash is approximately 25 cars which is excessive and the stacking for the Wendy's drive-through is approximately 12 cars. He said in their experience that is more than adequate.

Mr. Erb said they have gone through growing pains with Staff review. He said one issue has been raised that there are too many uses on the site. Mr. Erb said this site is the 3rd lowest ratio of building coverage in the files he looked at. He said staff recommended reduction in the directional sign from 6 feet to 3 feet. The Plan Commission was talking about a compromise of 4 1/2 feet. He gave the members a copy of a revised sign using the 4 1/2 feet not the 6-foot tall sign as originally proposed. Mr. Erb said there are many businesses that use a reader board and they feel that a reader board is very important.

Mr. Landon asked about the conditions recommended by the Plan Commission. Mr. Erb said they agree with most. They would prefer in #4b to have a 4 1/2 foot sign and not the 3 foot directional sign requested by Staff. Mr. Erb said they have a problem with #4c, #4d, and #4e, although #4e1 has been eliminated.

Mrs. Kurtz said she read that Wendy's is getting into the breakfast business. She said there will be additional traffic in the morning. Mrs. Kurtz asked about the engineering concerns. Scott Viger, Planning Director, said under the General Comments he was not sure if the soil borings had been submitted. Mr. Erb said the soil borings were required for the drywells but they will not be having drywells on the site.

Mrs. Kurtz asked about the gas recovery system. Mr. Maciukcius said that will be taken care of. Mr. Landon said that is a Federal requirement, they have to do that.

Mr. Miller said if Wendy's will be serving breakfast it will not increase the traffic that much. A representative from Wendy's said this facility will not be large enough to serve breakfast.

Mr. Foley said he is concerned with the traffic on Route 176. He said the traffic study shows the

speed as 40 mph but that is not reality. The speed is considerably higher. This is a very fast intersection. Mr. Miller said usually speeding happens during off peak times. Mr. Foley asked about a deceleration lane on Route 31. Mr. Miller said they will be using the existing right turn lane for the deceleration lane into the site.

Mr. Erb said he is a Crystal Lake resident and is very familiar with the intersection. He said the traffic count on this intersection is low compared to the counts they usually look for for these types of uses. He feels the traffic problems will be minimal.

Mr. Fox said this is a 5-street intersection and a person can only enter the site off of Route 31 if they are going south on Route 31. All other traffic must enter on Route 176. Mr. Fox feels that there should be more length and width into the site for cars to enter off Route 176. Mr. Miller said the pumps near the Route 176 entrance will not affect traffic entering or exiting the site.

Mr. Fox feels that there will not be enough time for someone to make a right turn out of the site onto Route 31 and the left onto Route 176. Mr. Miller said they will need to wait for gaps. Mr. Fox asked if the City regulates the traffic signal. Mr. Viger said no the State does. Mr. Fox said it is scary that we are relying on IDOT. He doesn't feel that they know the population of McHenry County.

Mr. Erb mentioned other sites and their building coverage. Mr. Fox said that Plan Commission member Goss was concerned that these were old sites and developed under old ordinances. Mr. Erb said Mr. Goss was concerned with signs.

Mr. Fox said he is concerned with the traffic flow at the car wash near the entrance/exit onto Route 176. He said the motion approved by the Plan Commission included the 3-foot sign not the 4 1/2 foot height. Mr. Erb feels that was an oversight.

Mr. Landon said they shouldn't look at today but what the future will hold. He feels the site has good landscaping and setbacks now but when IDOT takes their portion for the right of way, the landscaping will be gone. Mr. Landon said the City will look at this as a single PUD and there needs to be unified control. He said the PUD ordinance requires a unified coordinated design. This is very stringent. The City is very proud of what they have accomplished and businesses are still successful even without their colors, designs, etc. Mr. Landon said he would prefer that since this is an entrance into the City that it look better. He said that cross access with the property to the north would aide traffic flow. Mr. Landon feels there is too much on the site.

Mr. Erb showed where landscaping will be taken. He said they tried to negotiate with the property owner to the north but was not successful. Mr. Erb said there would be a common management because of the cross access, etc. He said he takes offense that the site does not look good. Mr. Erb said they could have brought each lot in separately but they felt this was more attractive. Mr. Landon said the PUD must be under a unified design and control per the PUD Ordinance.

Mrs. Kurtz feels they are comparing apples to oranges. She said this site has three businesses with four buildings on it. Mrs. Kurtz would like to have the car wash eliminated. She said the car wash is not a "survival" item such as gas or food. Mrs. Kurtz also feels that the left turn from

the site will be horrendous.

Jim Militello, an officer of the Superwash and owner of two lots across Route 176 from the site, said there will be more than 330 traffic movements in and out of the site. He asked what percentage of the traffic will be entering and exiting on Route 176. Mr. Militello asked how many cars can be stacked in the left turn lane, and what is the timing of the light on Route 176.

Mike Kinse, Shell Oil, said the car wash is an intricate part of business today. He said it is very convenient for customers and doesn't create traffic congestion. Mr. Kinse feels that Mr. Militello is more concerned about losing business than safety.

Mr. Miller showed a board that shows where the turn lanes and businesses entrances are on Route 176 near Route 31. Mr. Miller said they could stack five to six cars in the left turn lane from the western most side of their Route 176 entrance. He said during peak hours the left turn lane does fill up. Mr. Miller said he does not know the timing of the traffic signal.

Mr. Militello said he was asking for the stacking of cars from the intersection to the far western side of the entrance into the property. Mr. Miller said it is approximately 240 feet which would be approximately 12 cars before the entrance would be blocked.

Mr. Militello said he is not objecting on the basis of competition but on common sense. He said five uses with limited ingress and egress as well as internal traffic flow problems. Mr. Militello said that everyone going to Wendy's will need to cross the drive through lane, and to get to Lube Plus must go through Wendy's parking area. He is also concerned that someone will enter the stacking lane for the car wash going the wrong way which is very dangerous and also the water dripping from the cars to the major entrance/exit for the site. Mr. Militello stated that he has not seen any evidence presented that would cover the standards presented in the Zoning Ordinance in Section 6.5. He asked that the Zoning Board turn down this petition.

There was no one else in the public who wished to speak on this petition.

Mr. Erb handed out a letter from Mr. Maciukcius dated October 4, 1994 regarding a conversation he had with Mr. Militello (see attached). He said that Mr. Militello said if the car wash was removed he would stand up and say great things about the petition. Mr. Erb said this is the USA and competition is allowed here. He said that Mr. Militello said he has opposed any car wash within a mile of Superwash and Mr. Militello said he had successfully kept a car wash off the site that Mobil owns on the southwest corner of Routes 176 & 31. Mr. Erb said Mr. Militello said he is friends with members of the Plan Commission, Zoning Board and City Council and unless the car wash is not removed he would see to it that the petition was defeated. Mr. Erb said he has kept his word and he is here. Mr. Erb said he suspects that Mr. Militello is friends with the Board because of Mrs. Kurtz's comment about the car wash. Mr. Erb said that Mr. Militello is not opposing the petition because of safety, because he would not have said what he said to their engineer. Mr. Militello would have opposed it no matter what the use was.

Mr. Erb said because he is a resident that he knows the people and that this should be a relatively pleasant experience. He said they worked with staff closely and they felt if they did what staff wanted it would pass but tonight he was surprised. He said that it should be when

you go to staff and work out problems you take their word for it that the problem is solved. There should be some kind of consistency with the Plan Commission and Zoning Board of Appeals and it seems that the Board is reaching for answers just like Mr. Militello is. Mr. Erb said it reminds him of the O.J. Simpson trial where you have witnesses that say anything they want to say to make anything look bad or good. He is offended by some of the issues because it is a low count intersection and we have IDOT approval feels it's a wonderful development and is a great asset to the City in terms of tax revenues that the City desperately needs.

Mr. Landon said he needs to respond to Mr. Erb's comments. He said he is proud to say Mr. Militello is a friend of his and he has brought petitions before the Board a number of times and has said yes sometimes and no sometimes. Mr. Landon said the inference that the Board would be influenced by him because we know him is insulting to him. The Board bases their decision on what is best for the City and feels he is speaking for everyone on the Board when he said that.

Mrs. Kurtz said she is known as the official car wash objector of the Board. She has voted against car washes on areas with limited space several times in the past.

Mr. Landon said that most people will turn left out of Lube Plus and go against the one way traffic on the east side of Wendy's. He said that many times he has gone through the McDonald's drive-through and exited out the entrance/exit at Superwash. He said he has waited a very long time, several minutes, to make a left turn onto Route 176 going west and it wasn't at noon but much earlier. Mr. Miller said traffic is self-limiting.

Mr. DeMonte believes the application is responsible for the site. He said the Board is probably right that the traffic will get worse in the future but this petition is well thought out.

The public hearing was closed at this time.

Mr. Fox asked if they could get a cross access to the bar to the west. Mr. Landon said that property is owned by the same person who owns the property to the north and there isn't enough room.

Mr. Landon feels there is a potential for problems with the site. He agrees with the Plan Commission regarding the signs. Mr. Landon said the Zoning Board has always been sensitive about signs. He said the petition would need four affirmative votes to pass. Mr. Landon feels they are missing traffic concerns, signs, cross access and uniform design.

Mr. Foley moved that the Zoning Board of Appeals recommends to the City Council denial of the petition. Mrs. Kurtz seconded the motion. On roll call, members Foley and Kurtz voted aye. Members Fox and Landon voted no. Motion did not pass.

Mrs. Kurtz moved for a trial vote to approve the petition with the elimination of the car wash. Mr. Fox seconded the motion. On roll call, members Fox and Kurtz voted aye. Members Foley and Landon voted no. Trial motion did not pass.

Mrs. Kurtz moved that the Zoning Board of Appeals recommends to the City Council approval

of the MGAS petition with the following conditions:

1. The City does hereby grant Special Use Permits for a gas station, car wash and drive-throughs (both Shell and Wendy's).
2. Site Plan revisions:
 - A. DELETE.
 - B. Modify 180 degree turn for the car wash.
 - C. Additional channelization is recommended; particularly at the Route 31 access and at the large pavement expanse northwest of the Shell building.
 - D. A 3-lane (center dual left) aisle may aid on-site circulation.
3. Landscape Plan revisions:
 - A. Add trees in parking lot island accordingly:
 1. East of Lube Plus
 2. Near Wendy's/Lube Plus lot line
 3. At car wash lane entrance
 - B. Add landscaping in the setback along Routes 31 and 176. This landscaping should be of a species that will not conflict City utilities in these areas.
4. Sign revisions:
 - A. Install all directional signage per Engineering Department comments.
 - B. Directional sign revisions:
 1. The sign on Route 176 shall be in the easement
 2. Reduce sign height to 3 feet.
 3. Sign must be at least 10 feet from property line.
 - C. Incorporate ground sign no taller than 9 feet including 3 foot brick base for Shell.
 - D. Wendy's sign revisions:
 1. Eliminate copy change.
 2. Incorporate ground sign no taller than 9 feet including 3 foot brick base.
 - E. Lube Plus sign revisions:
 1. Eliminate illumination on awning sign.
 2. Eliminate copy change.
 3. Incorporate ground sign no taller than 9 feet including 3 foot brick base.
5. DELETE.
6. The developer shall screen all rooftop mechanicals.
7. The developer shall comply with all technical requirements of the Building, Engineering, Fire and Planning Departments.
8. The car wash is to be eliminated.

Mr. Fox seconded the motion. On roll call, members Kurtz and Fox voted aye. Members Foley and Landon voted no. Motion did not pass.

Mr. Fox moved for a trial vote to approve the petition with the Plan Commission conditions, and elimination of the car wash and Lube Plus. On roll call, members Fox and Kurtz voted aye. Members Foley and Landon voted no. Trial motion did not pass.

The Board made several different motions with several different combinations. The traffic generated by the proposed uses cannot be adequately handled by surrounding or interior road networks. The Board sees no problem with the parking nor PUD although some members have a problem with the number of proposed uses on the site. The absence of cross access to surrounding properties is contributory to the traffic problems as the Board sees it. Although the Board did not discuss at any length the signage, the Board agrees with the Plan Commission relative to signage. The Board does not believe the proposed uses are necessary nor desirable at the location. The uses do not promote the health and safety of the community. The Board believes the uses will negatively impact the existing off-site traffic circulation.

REPORT FROM PLANNING

- #95-39 290 N. OAK STREET (HECHT) VARIATION
- #95-42 ZONING ORDINANCE TEXT AMENDMENT - TEMPORARY USES

The meeting was adjourned at 9:35 p.m.

The Council considered a request from Eileen Porcaro for a Special Use Permit for a dance studio to be located in Unit J of the SMK Planned Unit Development at 835 South Virginia Road. Councilwoman Chamberlain asked where the unit was located, stating that the repetition of songs might bother other tenants. Ms. Porcaro stated that Unit J was on the end, and the adjacent tenant's business was such that he was not there very often. Councilman Nystrom moved to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council authorizing the requested Special Use Permit. Councilman Christensen seconded the motion. On roll call, all present voted aye. Motion passed.

SPECIAL USE
PERMIT
835 VIRGINIA

The Council considered a request regarding the proposed Preliminary and Final Planned Unit Development and Special Use Permits for the M.G.A.S. Venture property, located at the northwest corner of Illinois Route 31 and Illinois Route 176, consisting of approximately 2.66 acres, and currently vacant. The petitioner requested approval for the Preliminary and Final Plat of Subdivision and Preliminary and Final Planned Unit Development to provide for a gas station, car wash, and drive-thru fast food restaurant facility. The petitioner has also requested the issuance of three Special Use Permits to allow the gas station, car wash and drive-thru restaurant facility at this location.

PRELIM. AND
FINAL PUD
MGAS VENTURE
ROUTES 31 AND
176

Alan Stefaniak, attorney for the petitioner, stated that they were in agreement with all of the recommendations and conditions requested by the staff and the Plan Commission, except those relating to signage. He stated that they would like approval of their requested directional sign on Route 176 and proposed sign on Route 31. He stated that the proposed signage complies with the City's current sign ordinance, but would not comply with the square footage under a proposed sign ordinance which had not yet been adopted by the City Council.

In response to Mayor Wagner's question, Mr. Stefaniak stated that the two main issues were traffic ingress/egress on Route 176 and the signage. Councilman Christensen stated that he was very concerned about traffic inside the development going from the gas station to the car wash to the restaurant, etc., and that it could be very confusing. Councilman Nystrom agreed, stating that he was also very concerned about where they would pile the snow in the winter, and that the traffic traveling to the restaurant from different points could be very unsafe. He also stated that the detention areas could have ponding and very quick freezing, which could also cause unsafe travel. He stated that he believed the traffic pattern inside the development was too confusing that the development was much too dense.

Mayor Wagner asked if the developer had any similar developments. Gary Erb of M.G.A.S, the development company, stated that they were presently constructing a

similar facility in Aurora. Mr. Erb gave an example of the layout of most shopping centers, stating that he was responding to a Plan Commission comment that there were too many uses on one side of the property. Mr. Erb offered that Dave Miller of Metro Transportation could address concerns regarding the traffic pattern. Councilman Nystrom stated that he had attended the Plan Commission meeting, so he was aware of Mr. Miller's commentary.

Mayor Wagner stated that the M.G.A.S. petition was one of the most detailed and thorough petitions he had yet seen as Mayor. He stated that the City's professional planning staff and Plan Commission were satisfied with the plan, and so was he.

Councilwoman Chamberlain stated that she would support the petitioner's request for signage, stating that she did not believe they should be held to any standards other than the City's current ordinance.

Councilman Nystrom asked why the developer had chosen to develop the three parcels as one unit. Mr. Erb replied that for traffic safety reasons, they did not want numerous curb cuts on Routes 31 and 176. Councilman Nystrom commented that they would also have more usable space inside the development.

Jim Militello, attorney for the Superwash facility on Route 176, requested that prior to a Council vote on the matter, a disclosure of the beneficiaries of the trust under which the property was held be provided. He also stated that 3/4 of the traffic from the development would enter and exit onto Route 176, near the car wash. He stated that the drippings from the car wash could exceed 80 feet, and the area would be wet and slippery for traffic. He suggested moving the car wash back further into the site to reduce the drippings and slippery area. He also stated that he believed the traffic pattern inside the development was very confusing for drivers.

George Steffen, Superintendent of Prairie Grove School District 46, stated that he was in favor of commercial development on the site to alleviate the tax burden on homeowners in the District.

Dave Miller, President of Metro Transportation, stated that he had worked very closely with the Illinois Department of Transportation on access points to the development, and the plan had been approved by IDOT. He stated that the site plan also incorporated all of the City staff's suggestions. He stated that traffic studies of the area had not indicated any potential problems. He stated that there would be spacing of the vehicles exiting the car wash, along with rumble strips to shake off excess water and dripping. Mr. Miller stated that he believed that there was more than ample maneuvering room inside the development. Councilman Nystrom stated that the intersection of Route 31

and Route 176 was a major traffic area, and he did not want to sacrifice safety for tax dollars.

Mr. Erb stated that the Plan Commission had asked them to honor the Strategic Regional Arterial designation of Route 31, and they had moved everything back 18 feet, adding a long stacking area for car wash customers and taking out landscaping. Councilman Nystrom stated that Route 31 could be increased to six lanes in the future, and the intersection could get much busier.

Councilman Nystrom asked when the peak time would be for car washes. A representative from Shell Oil replied that the only real peak times were two or three times during the winter on a sunny weekend.

Mayor Wagner stated that he was interested in maintaining consistency, and that the proposed plan was far superior to any other car wash facilities in the City.

Councilman Nystrom moved to deny the petitioner's request. Motion died for lack of a second.

Councilman Christensen moved to approve the recommendations of the Plan Commission with the exception that the proposed signage be permitted, the Preliminary and Final Plat of Subdivision, the Preliminary Planned Unit Development and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council approving the Final Planned Unit Development and the requested Special Use Permits for the property located at the northwest corner of Illinois Route 31 and Illinois Route 176. Councilwoman Chamberlain seconded the motion. On roll call, Councilmembers Chamberlain, Christensen and Mayor Wagner voted aye. Councilman Nystrom voted no. Motion passed.

The Council considered the Final Plat of Subdivision for the Crystal Lake Business Center - Unit #4, consisting of approximately 71.23 acres, zoned "M" Manufacturing, and currently vacant. The Final Plat of Subdivision provides for 8 lots totaling 71.23 acres, with the average lot size at 8.9 acres. John Pagliari of Amli Development was present to represent the request. Mr. Pagliari stated that the Plan Commission had recommended that Congress Parkway be the only access onto Pingree Road, and he would like to leave the Final Plat flexible to allow an additional curb cut on Pingree Road. He stated that they would have to come back before the Council anyway for approval of an additional curb cut if they chose to request one in the future. The City Attorney stated that the Council could amend the Final Plat and leave the number of curb cuts open for review at the time the lots are developed.

FINAL PLAT
OF SUBDIV.
C. L. BUSINESS
CENTER
UNIT #4

ORDINANCE NO. 3843
FILE NO. 440

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR A FINAL PUD FOR PROPERTY LOCATED ON
THE NORTHWEST CORNER OF ROUTES 176 & 31

WHEREAS, pursuant to the terms of the Petition (File #94-74) before the Crystal Lake Zoning Board of Appeals, the Petitioner has requested a Final Planned Unit Development and Special Use Permits from: (1) Section 6.5-6 to allow a Gas Station; (2) Section 6.5-2 to allow a Car Wash; and (3) Section 6.5-5 to allow a Drive-Through Facility; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Zoning 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 Special Use Permits 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 Special Use Permits be granted from: (1) Section 6.5-6 to allow a Gas Station; (2) Section 6.5-2 to allow a Car Wash; and (3) Section 6.5-5 to allow a Drive-Through Facility for the property legally described as follows:

PARCEL A: The South 277 feet (except the West 1,004 feet thereof), of the East half of the Northwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois. ALSO

PARCEL 2: The North 137 feet of the South 414 feet (except the West 1,004 feet thereof), of the East half of the Northwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois. ALSO

PARCEL 3: The North 70 feet of the South 484 feet (except the West 1,004 feet thereof), of the Southeast Quarter of the Northwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

The property is located on the northwest corner of Routes 176 and 31, Crystal Lake, Illinois.

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

1. The City does hereby grant Special Use Permits for a gas station, car wash and drive-throughs (both Shell and Wendy's).
2. Site Plan revisions:
 - A. Modify 180 degree turn for the car wash.
 - B. Additional channelization is recommended; particularly at the Route 31 access

and at the large pavement expanse northwest of the Shell building.
C. A 3-lane (center dual left) aisle may aid on-site circulation.

3. Landscape Plan revisions:
 - A. Add trees in parking lot island accordingly:
 1. East of Lube Plus
 2. Near Wendy's/Lube Plus lot line
 3. At car wash lane entrance
 - B. Add landscaping in the setback along Routes 31 and 176. This landscaping should be of a species that will not conflict City utilities in these areas.
4. The petitioner agrees that should the City adopt a new Sign Ordinance that establishes different standards for sign types, sizes, heights, etc., they will bring the signs on this subject property into conformance with the new Ordinance promptly.
5. The developer shall screen all rooftop mechanicals.
6. The developer shall comply with all technical requirements of the Building, Engineering, Fire and Planning 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 Special Use Permits 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.

AYES: 3

NAYS: 1

ABSENT: 1

PASSED this 17th day of October, 1995.

APPROVED by me this 17th day of October, 1995.



MAYOR

ATTESTED:



CITY CLERK

Mrs. Granell moved to approve the Zoning Variation from Section 4.4-2 to permit a 100-foot lot width instead of the required 150 feet and a Special Use Permit for Outdoor Display, Sales and Storage for a plant nursery and is exempt from the 6-foot screening requirement for the Barn Nursery property at the southwest corner of Rakow Road and Route 31 with the following conditions:

1. The Outside Display, Storage and Sales area is limited to the 6.2 acres indicated on the plat of survey (Mrochek, dated 5/27/98) for living plant materials and mulch only and the materials and uses indicated on the site plan submitted 6-21-00
2. A site plan should be submitted illustrating the area to be used and what materials are to be stored.
3. The petitioner shall address all the review comments of the Building and Planning Departments.
4. The variation is granted as long as the property is used as described. If the property is ever to be used as manufacturing then the Barn Nursery must provide property from the east to make it a conforming parcel.

Mr. Ehlert seconded the motion. On roll call, all members voted aye. Motion passed

Mr. Hayden suggested that the next petitions for Shell all be discussed at the same time since they had the same request. The Board agreed.

2000-16 SHELL OIL - 4811 NORTHWEST HWY. - PUBLIC HEARING

This petition was continued from the June 7, 2000 Zoning Board of Appeals meeting.
Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage.

2000-17 SHELL OIL - 220 E. VIRGINIA ST. - PUBLIC HEARING

This petition was continued from the June 7, 2000 Zoning Board of Appeals meeting.
Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage.

2000-18 SHELL OIL - 681 W. TERRA COTTA AVE. - PUBLIC HEARING

This petition was continued from the June 7, 2000 Zoning Board of Appeals meeting.
Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage.

2000-19 SHELL OIL - 280 N. ROUTE 31 - PUBLIC HEARING

This petition was continued from the June 7, 2000 Zoning Board of Appeals meeting.

Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage.

Mr. Hayden said the fees have been paid, the signs have been posted and the surrounding property owners have been notified. He said the notices of publication for the legal notices are in the file.

Ron Ambrose and Peter Balmes, both architects, were present to represent the petition. Mr. Ambrose said they are trying to eliminate signs and trying to re-image their stations. They want all of their stations to look the same. Mr. Ambrose said they will use the same paint scheme for all of the buildings. There will only be one sign on the building which will say "Food Mart." He said the logo will be removed and the letters on the canopy will go from white to red.

Mr. Ambrose said the car wash on Routes 31 & 176 is a stand alone building and will have columns in bright silver. Mrs. Granell asked if the columns would match anything. Mr. Ambrose said the columns will match the base of the building which is also silver.

Mr. Richter said he handed out copies of photos he took of the sites in St. Charles and Aurora.

Mr. Ambrose said they can meet the square footage requirements but is confused with the sight triangle, etc. Ms. Rentzsch asked if the signs will be a monument sign. Mr. Ambrose said no they prefer the single pole. Ms. Rentzsch said it doesn't matter where the single pole sign is located, the 8-foot minimum clearance is a requirement.

Mr. Hayden asked if they would need to amend their annexation agreement for the property at 4811 Northwest Hwy. Ms. Rentzsch said yes.

Mr. Ehlert said he likes what they are doing with the buildings but the signs on the pumps are not allowed. Mr. Ambrose said that is not a problem.

Mrs. Granell asked about the additional existing sign on Route 31 for the Wendy's, Lube Pro and Shell. She said that third sign is not allowed. Mr. Ambrose said that sign was granted as part of the PUD. Ms. Rentzsch said that sign was granted but only for Wendy's and Lube Pro. Mr. Ambrose said they are not making any changes to the existing sign for Wendy's and Lube Pro.

Mrs. Granell asked about the sign dimensions for the sign on the car wash, "Soft Cloth." Mr. Ambrose said the letters are 12 inches high and 8 feet long. Ms. Rentzsch said that is allowed under the Sign Ordinance.

Mrs. Granell asked about additional landscaping. Mr. Ambrose said that Shell is landscape happy and they will work with Staff. He is concerned with the station at 4811 Northwest Highway because it is a small lot. Mr. Nering said there is not much room there.

Mrs. Granell said she would prefer that the signs meet the Sign Ordinance. Ms. Ferrentino and Mr. Nering agreed. Mr. Ambrose said there is no problem with the square footage but the height is a problem. Ms. Ferrentino said they are asking merchants who have been in town for

years to change their signs to meet the Sign Ordinance.

Mr. Hayden requested that the landscaping they use will be all living plant material and not plastic flowers, etc, stuck in the ground. Mr. Ambrose agreed.

Mr. Hayden said he does not care for the color scheme. He said these stations are the nicest looking in town and now they will look like McDonald's. He also would like to have the signs meet the ordinance.

Mr. Ehlert said the Shell stations in Europe are this color scheme. Mr. Hayden suggested the petitioner have color elevations at the Council meeting. He feels it will be helpful.

There was no one in the public who wished to speak on this petition. The public hearing was closed at this time.

Mr. Ehlert moved to approve a Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage for Shell Oil at 4811 Northwest Highway with the following conditions:

1. Plans approved by City Council, with changes reflecting staff and advisory board recommendations:

Sheet SP-1

1. Identify the center lines in order to accurately determine the sight triangle
2. Provide a landscaping plan with additional landscaping (which abides by the Zoning Ordinance) in the areas surrounding the parking lot which only have grass in them.
3. Relocate the new sign so it is at least 10' from the property line and out of the sight line triangle.

Sheet A1

1. Provide measurements for the "Food Mart" lettering

Sheet FS-1

1. Show color on the existing canopy
2. Remove all proposed advertisements from the gasoline pumps
3. Alter the proposed "Main ID" freestanding sign to conform in its entirety with the Sign Ordinance.
4. Provide full dimensions for both the existing and proposed gasoline pumps
5. Provide full dimensions for the gasoline pump canopy.
6. DELETED.

2. The petitioner shall address all comments of the Building, Engineering and Planning Departments.

Mrs. Granell seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Ehlert moved to delete from Condition #1 Sheet FS-1 #6. Mrs. Granell seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Ehlert moved to approve a Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage for Shell Oil at 220 E. Virginia Street with the following conditions:

1. Plans approved by City Council, with changes reflecting staff and advisory board recommendations:
 - A. Plan set (Warren Johnson Architects, received 05/05/00)
 - Sheet SP-1
 1. Identify the center lines in order to accurately determine the sight triangle.
 2. Show the plan to scale.
 3. Provide a landscaping plan with additional landscaping (which abides by the Zoning Ordinance) in the areas surrounding the parking lot which only have grass in them.
 - Sheet A1
 1. Provide measurements for the "Food Mart" lettering
 2. List all existing colors in changes descriptions
 - Sheet FS-1
 1. Remove the proposed advertisements from the gasoline pumps.
 2. Alter the proposed "Main ID" freestanding sign to conform in its entirety with the Sign Ordinance.
 3. Provide full dimensions for both the existing and proposed gasoline pumps.
 4. Provide full dimensions for the gasoline pump canopy
 5. DELETED.
 - B. 2. The petitioner shall address all comments of the Building, Engineering and Planning Departments

Mrs. Granell seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Ehlert moved to approve a Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage for Shell Oil at 681 W. Terra Cotta Avenue with the following conditions:

1. Plans approved by City Council, with changes reflecting staff and advisory board recommendations:
 - A. Plan set (Warren Johnson Architects, received 05/05/00)
 - Sheet SP-1
 1. Identify the center lines in order to accurately determine the sight triangle.
 2. Show plan to scale.
 3. Insure that the proposed freestanding sign is outside of the sight line triangle.
 - Sheet A1
 1. List existing colors in all descriptions.
 - Sheet FS-1

1. Show color on the existing canopy
2. Show all measurements for the canopy and its descriptions

Sheet FS-2

1. Remove all proposed advertisements from the gasoline pumps.
2. DELETED.
3. Provide full dimensions for both the existing and proposed gasoline pumps.
4. The left side of the plan is cut-off. Provide accurate plans illustrating the project in its entirety.
5. Show the south elevation. It has been left off.
6. Illustrate sign number 9, the instructional building sign.

2. The petitioner shall address all comments of the Building, Engineering and Planning Departments.

Mrs. Granell seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Ehlert moved to approve a Special Use Permit Amendment to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage for Shell Oil at 280 N. Route 31 with the following conditions:

1. Plans approved by City Council, with changes reflecting staff and advisory board recommendations:

Plan set (Warren Johnson Architects, received 05/05/00)

Sheet SP-1

1. Identify the center lines in order to accurately determine the sight triangle.
2. Provide a landscaping plan with additional landscaping (which abides by the Zoning Ordinance) in the areas surrounding the parking lot which only have grass in them.
3. Insure that the proposed freestanding sign is outside of the sight line triangle.

Sheet A1

1. Provide all existing colors for the building, especially the masonry panels.
2. Provide the height and other measurements for the entire principal building.

Sheet A2

1. Provide color identifications for the following items:
 - A. Overhead doors
 - B. Dual menu services kiosk
 - C. Internally illuminated wait/go kiosk
 - D. The 8-inch strip between the vinyl decal accent band and the yellow ACM metal light wall.
2. Provide dimensions for the Soft Cloth Car Wash sign.

Sheet FS-1

1. Provide a to scale site plan
2. Provide all colors on the proposed car wash elevations

Sheet FS-2

1. Eliminate sign #7, the ID sign
2. Remove all proposed advertisements from the gasoline pumps.
3. Provide full dimensions for both the existing and proposed gasoline pumps.
4. Provide full dimensions for the gasoline pump canopy.
5. DELETED.

2 The petitioner shall address all comments of the Building, Engineering and Planning Departments.

Mrs. Granell seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

Ms. Rentzsch stated that at the City Council meeting the evening prior, Mrs. Granell was reappointed to the Zoning Board of Appeals.

- 2000-11 85 Brink Street Bar & Grille
- 2000-12 Crystal Lake Park Dist - American Little League
- 2000-13 Crystal Lake Park Dist - CL Raiders
- 2000-15 Regional Sports Center - Ridgefield Rd. - Rezone, SUP, Plat of Sub, Pre/F PUD
- 2000-20 Schneider - 1306 Hunters Trail - Variation
- 2000-21 Franks Nursery & Crafts - 5701 Northwest Highway - Special Use Permit Amendment

COMMENTS FROM THE BOARD

Mr. Ehlert asked about clarification for the attendance requirements that was in their packets. He is concerned that if a member does not make the 75% of the meetings they will be kicked off. He said there is no exception regarding valid reason with the 75%. Mr. Ehlert said that because of the number of meetings that have been canceled already this year, his travel with his position and his vacations he will not make the 75% of the meetings. Mr. Hayden feels that if there is a valid reason that is not a problem. Ms. Ferrentino felt that it was directed mostly at other boards and commissions whose members don't show up or call. Mr. Hayden feels that a canceled meeting because of lack of petitions is not their fault and should not be counted into the 75%. Ms. Rentzsch explained the intent of the resolution.

Mr. Hayden said they could establish their own rules. Ms. Rentzsch said she would have to check on that. Mrs. Granell said if the intent of the resolution is what Staff stated, there is no reason for additional rules.

Mr. Hayden asked if the Board should ask the City Council if they should look into building heights. Ms. Rentzsch said staff could research the question and get back to the Board regarding the findings, and then decide if they want to ask the City Council about it. The Board agreed.

The meeting was adjourned at 9:15 p.m.

JULY 18, 2000

Ms. Winters responded by stating they are primarily a restaurant and, as such, believed the availability of beer and wine was justified as an accommodation to the 25% of the customers that are adult. She pointed out that youngsters are not allowed in the restaurant without a guardian or parent, all alcoholic beverages are served in clear glasses, no one is given more than one drink at a time, and ID's were required.

There was a consensus among the Council that beer and wine sales should be allowed. Mayor Shepley asked for assurance that the employees have BASSET training so they could responsibly carry out the City and State laws regarding liquor sales. Ms. Winters said most of the restaurants require that training for the Manager and Assistant Managers, but in this instance she would make sure all cashiers will be trained.

Councilman Thorsen moved to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council increasing the number of Class "14" liquor licenses from the currently permitted 2 licenses to 3 licenses. Councilwoman Ferguson seconded the motion. On roll call, all present voted aye. Motion carried.

Councilwoman Ferguson moved to approve a request from Chuck E. Cheese for the issuance of Mechanical Amusement and Audio-Visual Device licenses. Councilman Christensen seconded the motion. On roll call, all present voted aye. Motion carried.

The Council considered proposed Special Use Permit Amendments for Shell Oil in order to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage for the Shell stations at 280 N. Route 31, 681 W. Terra Cotta Ave., 220 W. Virginia St., and 4811 Northwest Highway.

**SPECIAL USE
PERMIT
AMENDMENTS
FOR SHELL OIL**

Ron Ambrose of Warren Architects presented the Council with color renderings depicting the proposed changes. The Planning Director confirmed all four Special Use Permits were basically for the same improvements, with some added work to be done on the car wash at the new station on Route 31.

Councilwoman Ferguson moved to approve the recommendations of the Zoning Board of Appeals; the requested Special Use Permit Amendments, and to adopt ordinances to be published in pamphlet form by the authority of the Mayor and City Council authorizing the issuance of the Special Use Permit Amendment for the four Shell Oil stations. Councilman Thorsen seconded the motion. On roll call, all present voted aye. Motion passed.

AN ORDINANCE GRANTING AN AMENDMENT
TO THE SPECIAL USE PERMIT FOR 280 N. ROUTE 31

WHEREAS, pursuant to the terms of the Petition (File #200C-19) before the Crystal Lake Zoning Board of Appeals, the Petitioner has requested an Amendment to the Special Use Permit to allow for exterior changes to the principal structure, canopy, gasoline pumps and signage, and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Zoning 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 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 allow for exterior changes to the principal structure, canopy, gasoline pumps and signage for the property legally described as follows:

PARCEL 1: The South 277 feet (except the West 1,004 feet thereof) of the East Half of the Northwest Quarter of Section 34 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois. ALSO

PARCEL 2: The North 137 feet of the South 414 feet (except the West 1,004 feet thereof) of the East Half of the Northwest Quarter of Section 34 Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois. ALSO

PARCEL 3: The North 70 feet of the South 484 feet (except the West 1,004 feet thereof), of the East Half of the Northwest Quarter of Section 34 Township 44 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois.

The property is located 280 N. Route 31, Crystal Lake, Illinois

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

1. Plans approved by City Council, with changes reflecting staff and advisory board recommendations.

Plan set (Warren Johnson Architects, received 05/05/00)

Sheet SP-1

1. Identify the center lines in order to accurately determine the sight triangle.
2. Provide a landscaping plan with additional landscaping (which abides by the Zoning Ordinance) in the areas surrounding the parking lot which only have grass in them.
3. Insure that the proposed freestanding sign is outside of the sight line triangle.

Sheet A1

1. Provide all existing colors for the building, especially the masonry panels
2. Provide the height and other measurements for the entire principal building

Sheet A2

1. Provide color identifications for the following items:

- A. Overhead doors
 - B. Dual menu services kiosk
 - C. Internally illuminated wait/go kiosk
 - D. The 8-inch strip between the vinyl decal accent band and the yellow ACM metal light wall
2. Provide dimensions for the Soft Cloth Car Wash sign.

Sheet FS-1

- 1. Provide a to scale site plan
- 2. Provide all colors on the proposed car wash elevations

Sheet FS-2

- 1. Eliminate sign #7, the ID sign
- 2. Remove all proposed advertisements from the gasoline pumps.
- 3. Provide full dimensions for both the existing and proposed gasoline pumps
- 4. Provide full dimensions for the gasoline pump canopy
- 5. DELETED.

2. The petitioner shall address all comments of the Building, Engineering and Planning 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.

AYES: 5

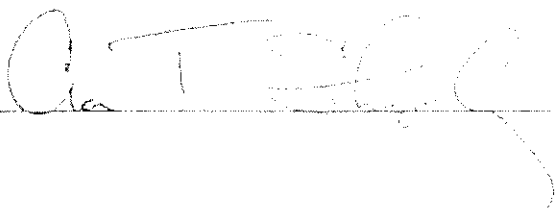
NAYS: 0

ABSTENTIONS: 0

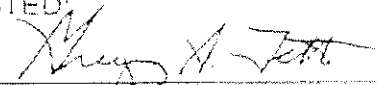
ABSENT: 1

PASSED this 13th day of July, 2000

APPROVED by me this 13th day of July, 2000

MAYOR 

ATTESTED:



CITY CLERK Pro Tempore

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