



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date:

June 21, 2011

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2011-29 Chick-fil-A

Final PUD Amendment to allow for a single-story quick-serve drive-through restaurant.

Scott Patman, Chick-fil-A, petitioner
4812 Northwest Hwy

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting a Final PUD Amendment with variations for Chick-fil-A at 4812 Northwest Highway.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background:

- The former Hooters was annexed into Crystal Lake in 2001 and granted a Final PUD and variations upon annexation. The site was retrofitted from an existing vacant fast food (Hardees) restaurant with a drive-through into a sit down restaurant.
- In 2005, the PUD was amended to accommodate an outdoor seating area and additional parking lot variations.
- When the Cog Circle ROW was constructed, it resulted in an irregular lot with frontage on Northwest Highway, Cog Circle and Manor Drive.
- Chick-fil-A, is seeking to redevelop the site to demolish the existing building and provide a new 4,833-square-foot quick serve restaurant.

Key Factors

- Chick-fil-A started in 1946 in Georgia and has expanded into a national restaurant chain with over 1,500 locations in 39 states with annual sales over \$3.5 billion. The restaurants are hugely popular, providing quick, friendly service and a popular menu that offers fare for breakfast, lunch and dinner.
- The drive-through meets all the UDO criteria for drive-through facilities.

- The new building would be constructed principally of masonry materials with a partial metal canopy to finish certain sections of the roofline.
- The site exceeds the City's requirements for number of parking spaces.
- Both the monument sign and the wall signage are below what is permitted in the UDO.
- The petitioner and their engineer have been working closely with staff to ensure the site plan with a drive-through lays out safely and efficiently.

PZC Highlights

The PZC felt this was a good redevelopment of the site and discussed the layout of the drive-through lanes and drive aisles in depth. They felt the site had been laid out very well and appreciated the all-brick building and conservative signage.

The PZC recommended **approval (8-0)** with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

- A. Development Application, dated 5-20-11
- B. Site Plan, HR Green, dated 5-16-10
- C. Architectural Plans, Chipman Design, dated 3-4-11
- D. Floor Plan, Chipman Design, dated 3-4-11
- E. Sign Plans, Clayton Signs, dated 5-4-11
- F. Landscape Plan, HR Green, dated 5-16-10
- G. Lighting Info, HR Green, dated 5-23-11
- H. Traffic Analysis, Regina Webster & Associates, dated 5-9-10

2. Site Plan

- A) The current site layout meets the fire apparatus access road requirements. The grade for the north entrance cannot exceed 10 percent.
- B) A fire hydrant is required within 100 feet of the Fire Department connection. Suggested location would be in the main parking lot north parking island. No obstructions are allowed within three feet in all directions of the hydrant.
- C) The locations of the proposed site signage must be at least 10 feet from the property line and not block any sight line provisions.

3. Architectural Elevations

- A) The trash enclosure must be constructed of materials that match the architecture of the building. Special attention should be given to the gates, as they are especially visible upon entrance to the site. Provide plans to staff for review and approval.
- B) Provide the details of the wrought iron fencing for the outside seating area for staff review and approval.

4. Landscape Plan

- A) Provide a final landscape plan for staff review and approval that shows the location, size and varieties of the proposed foundation plantings to meet Article 4-400F4; and the parking lot landscaping to meet the provisions of Section 4-400 Landscaping and Screening Standards.

5. Signage

A) Work with staff to bring the wayfinding signage into compliance with the UDO criteria and to locate the proposed signage in areas with no sightline conflicts.

6. As a condition of the Final PUD Amendment, variations are granted to allow the proposed development plans that meet the final requirements of the Planning & Zoning Commission and the City Council.
7. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments and Regina Webster & Associates Traffic Consultant.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR 4812 NORTHWEST HIGHWAY

WHEREAS, pursuant to the terms of the Petition (File #2011-29) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final PUD Amendment with Variations to allow for a single-story quick-serve drive-through restaurant for Chick-fil-A; and

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

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

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

SECTION I: That a Final PUD Amendment with Variations to allow for a single-story quick-serve drive-through restaurant for Chick-fil-A for the property located at 4812 Northwest Highway, Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

- A. Development Application, dated 5-20-11
- B. Site Plan, HR Green, dated 5-16-10
- C. Architectural Plans, Chipman Design, dated 3-4-11
- D. Floor Plan, Chipman Design, dated 3-4-11
- E. Sign Plans, Clayton Signs, dated 5-4-11
- F. Landscape Plan, HR Green, dated 5-16-10
- G. Lighting Info, HR Green, dated 5-23-11
- H. Traffic Analysis, Regina Webster & Associates, dated 5-9-10

2. Site Plan

- A. The current site layout meets the fire apparatus access road requirements. The grade for the north entrance cannot exceed 10 percent.
- B. A fire hydrant is required within 100 feet of the Fire Department connection. Suggested location would be in the main parking lot north parking island. No obstructions are allowed

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within three feet in all directions of the hydrant.

C. The locations of the proposed site signage must be at least 10 feet from the property line and not block any sight line provisions.

3. Architectural Elevations

A. The trash enclosure must be constructed of materials that match the architecture of the building. Special attention should be given to the gates, as they are especially visible upon entrance to the site. Provide plans to staff for review and approval.

B. Provide the details of the wrought iron fencing for the outside seating area for staff review and approval.

4. Landscape Plan

A. Provide a final landscape plan for staff review and approval that shows the location, size and varieties of the proposed foundation plantings to meet Article 4-400F4; and the parking lot landscaping to meet the provisions of Section 4-400 Landscaping and Screening Standards.

5. Signage

A. Work with staff to bring the wayfinding signage into compliance with the UDO criteria and to locate the proposed signage in areas with no sightline conflicts.

6. As a condition of the Final PUD Amendment, variations are granted to allow the proposed development plans that meet the final requirements of the Planning & Zoning Commission and the City Council.

7. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, Planning & Economic Development Departments and Regina Webster & Associates Traffic Consultant.

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

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

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

MAYOR

ATTEST:

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CITY CLERK

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



Agenda Item No: 11

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	June 21, 2011
<u>Item:</u>	St. Thomas the Apostle Church Street Closure Request
<u>Staff Recommendation:</u>	Motion to approve the closure of Lake Street between Washington Street and the eastern portion of the St. Thomas the Apostle Church property on Sunday, July 31, 2011, from 7:00 a.m. to 6:00 p.m. for an outdoor mass and picnic.
<u>Staff Contact:</u>	Brad Mitchell, Assistant to the City Manager

Background:

The City has received a request from St. Thomas the Apostle Church for the closure of Lake Street between Washington Street and the eastern portion of the St. Thomas the Apostle Church property on Sunday, July 31, 2011, from 7:00 a.m. until 6:00 p.m. for an outdoor mass and picnic. A similar request was approved in July 2010.

City staff has reviewed the petitioner's request and does not have concerns regarding the closure of Lake Street, providing the following conditions are met:

- 1) City-owned barricades must be used to block off the street closure sections. In addition, a "Road Closed Ahead" sign and "Local Traffic Only" sign must be temporarily placed at the entrance to Lake Street from Dole Avenue. The petitioner must complete and submit a Barricade Borrowing Application.
- 2) The petitioner must send a notice to all affected property owners along Lake Street.
- 3) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway, if necessary.

- 4) Local traffic access to Lake Street must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
- 5) All debris created by the event shall be cleaned up during and after the event.
- 6) Petitioner must adhere to the required City insurance provisions for the use of City-owned property by providing a certificate of insurance naming the City as additional insured, and sign the required Indemnity/Hold Harmless agreement.
- 7) Any additional permits or requests for signage shall be made through the Engineering and Building Department.
- 8) Emergency access to the Church must be maintained throughout the event. The petitioner must provide the Fire Rescue Department with a site plan of the outdoor mass and picnic layout on the Church grounds for the event.
- 9) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department for further review.
- 10) The petitioner must comply with any requirements by the Building Division, if needed.
- 11) In the case of inclement weather, an alternate date can be approved by the City Manager.

The petitioner has agreed to meet these conditions. The letter requesting approval for the closure of Lake Street and a map indicating the portion of the roadway to be closed have been attached for City Council consideration.

Votes Required to Pass:

Simple majority vote of the City Council



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

June 21, 2011

Item:

Crystal Lake Historical Society Temporary Use Permit request for a Special Promotion for a Reception/Open House at the Col. Palmer House and Council approval for temporary parking at the former Police/Fire Rescue Department property at Dole and Woodstock Streets.

Recommendation:

Motion to approve the Temporary Use Permit and parking lot use for the request of the Crystal Lake Historical Society Special Promotion, pursuant to the recommendations below and a waiver of the Temporary Use Permit application fee.

Staff Contact:

Michelle Rentzsch, Director of Planning & Economic Development

Background: The Crystal Lake Historical Society (CLHS) is requesting a Temporary Use Permit to allow a Special Promotion for the reception/open house to be held at the Col. Palmer House after the rededication of the Union Soldier statue at Union Cemetery on September 11, 2011. The reception/open house is to be held from 2:00 p.m. to 5:00 p.m. following the rededication of the Union Soldier statue, which was removed a few years ago for extensive repairs. The CLHS is also requesting Council approval to allow temporary parking during the rededication ceremony on the former Police/Fire Rescue Department property on Woodstock Street adjacent to the cemetery.

If approved, the following conditions are recommended:

1. The Temporary Use Permit shall be valid on Sunday, September 11, 2011 from 2:00 p.m. to 5:00 p.m. at the Col. Palmer House – 660 E. Route 176.
2. No parking for this event is allowed along Terra Cotta Road, IL Route 176, or in the parking lot of the adjacent medical arts parking lot.
3. Ensure no signs or other objects are placed that block the sight lines of vehicles exiting onto Terra Cotta Road.
4. All trash and other debris must be removed from City property when the event is finished.
5. Temporary fencing shall be placed around the tree located in the parking area to help protect it.
6. Ensure existing one-way traffic around the circle drive from the house is maintained.

7. The parking area shall be delineated using stakes and taping (nothing permanent is allowed) including the area along Terra Cotta Road to prohibit cars from existing outside of the designated driveway.
8. All tents/canopies shall be anchored using stakes, sand, or concrete blocks.
9. All electrical shall comply with the 2005 National Electric Code.

The applicant has been made aware of these recommended conditions and will be attending the June 21, 2011 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date: June 21, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2011-31 Cal Elite Kids

Request: Land Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Physical Fitness Facility for dance and gymnastic instruction and a commercial daycare/pre-school as a Special Use in the M Manufacturing zoning district.

Georgette Cutler, Petitioner
825 Munshaw Lane, Crystal Lake

PZC Recommendation: Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Land Use Variation for a Physical Fitness Facility and a Special Use Permit for a daycare/pre-school for Cal Elite Kids at 825 Munshaw Lane.

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

Background:

- Cal Elite Kids was founded in 1993 in California and offers dance and gymnastic instruction as part of their curriculum.
- They also have an education based pre-school program that supplements the teaching with dance or gymnastics lessons. The program can be expanded, if the demand exists, to offer language and other specialty classes.
- The daycare/pre-school use starts in the dance room and rotates out to the floor for lessons.

Key Factors

- The proposed use would occupy an existing building with Dolphin Swim Club as the main tenant. The swim club is a commercial recreation use that was granted a Special Use Permit to locate in this building.
- The location of a commercial recreation use changed the intended use and marketing of this building to more recreation or service uses, rather than manufacturing.
- Commercial daycares are considered a Special Use and the UDO has a list of criteria that shall be met.

PZC Highlights

The petitioner had concerns with two of the suggested conditions of approval, #3 and #4, based on the unique nature of their operation. The petitioner stated that most kids were dropped off so there would be few parking spaces in use and only as classes overlapped and daycare/pre-school drop-off and pick-up times coincided with class times would there be a lot of parking lot activity. The petitioner suggested that staff could review the use in a year and if there was a parking problem, they could look at staggering class times.

Condition #4 limited the number of kids in the daycare/pre-school program. One of the City's requirements for daycare uses is to have 75 square feet of outdoor play area. The petitioner will be converting 9 parking spaces as their outdoor area for a total of 2,240 square feet. The petitioner stated that in California they received a waiver from this requirement since they use the inside area for play and class instruction in dance and gymnastics. The petitioner believed that the Illinois DCFS would also grant them a much higher daycare/pre-school enrollment. The Planning and Zoning Commission amended the conditions accordingly to address these two concerns.

The PZC made a motion for **approval (8-0)**, with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Cal Elite Kids, received 5/13/11)
 - B. Floor Plan (DSC LLC, dated 5/12/2011, received 5/13/11)
2. The Use Variation is granted to allow Cal Elite Kids dance and gymnastics training facility as well as a commercial daycare, as described in the application and illustrated on the floor plan. The use shall not be significantly increased, i.e., converted to a full commercial daycare or the removal of additional parking space without amending this request.
3. The tenant shall ensure the scheduling of dance and gymnastic instruction does not coincide with daycare hours of operation **adversely impact parking.** (Amended by PZC)
4. ~~The play area will accommodate 29 kids, which shall be the maximum enrollment for the daycare use~~ **The number of kids allowed shall be subject to DCFS approval. A copy of the DCFS approval shall be provided to the City.** (Amended by PZC)
5. A site plan shall be submitted that illustrates appropriate parent drop-off and pick-up area.
6. A second floor plan shall be provided which illustrates how the space will be arranged for the daycare use.
7. This use will require changes to the fire sprinkler alarm system.
8. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.
9. **Staff is to review parking after one year of operation to determine if classes should be staggered.** (Added by PZC)

Votes Required to Pass:

A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 825 MUNSHAW LANE UNIT B

WHEREAS, pursuant to the terms of a Petition (File #2011-31) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Physical Fitness Facility for dance and gymnastic instruction and a commercial daycare as a Special Use in the M Manufacturing zoning district for Cal Elite Kids at 825 Munshaw Lane Unit B; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Physical Fitness Facility for dance and gymnastic instruction and a commercial daycare as a Special Use in the M Manufacturing zoning district 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 Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Physical Fitness Facility for dance and gymnastic instruction and a commercial daycare as a Special Use in the M Manufacturing zoning district be granted for Cal Elite Kids

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

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Cal Elite Kids, received 5/13/11)
 - B. Floor Plan (DSC LLC, dated 5/12/2011, received 5/13/11)
2. The Use Variation is granted to allow Cal Elite Kids dance and gymnastics training facility as well as a commercial daycare, as described in the application and illustrated on the floor plan. The use shall not be significantly increased, i.e., converted to a full commercial daycare or the removal of additional parking space without amending this request.
3. The tenant shall ensure the scheduling of dance and gymnastic instruction does not adversely impact parking.

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4. The number of children allowed shall be subject to DCFS approval. A copy of the DCFS approval shall be provided to the City.
5. A site plan shall be submitted that illustrates appropriate parent drop-off and pick-up area.
6. A second floor plan shall be provided which illustrates how the space will be arranged for the daycare use.
7. This use will require changes to the fire sprinkler alarm system.
8. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.
9. Staff is to review parking after one year of operation to determine if classes should to be staggered.

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

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date:

June 21, 2011

Item:

REPORT OF THE PLANNING & ZONING COMMISSION

#2011-32 Alexander Leigh Center for Autism

Request:

Land Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow an Educational Service Elementary or Secondary School as a Special Use in the O Office zoning district.

Kelly Weaver, Petitioner
620 N. Route 31

PZC Recommendation:

Motion to approve the Planning and Zoning Commission recommendation and adopt an ordinance granting the Land Use Variation and Special Use Permit for Alexander Leigh Center for Autism at 620 N. Route 31.

Staff Contact:

Michelle Rentzsch, Director of Planning and Economic Development

Background:

- Alexander Leigh Center for Autism provides Illinois Board of Education approved specialized education for autistic children ages 3 to 14.
- The petitioner currently has a location in Lake in the Hills, which they have outgrown.
- This building is 10,500 square feet allowing them to increase their enrollment from 19 kids up to 45 kids.
- Kids will be brought to this facility by parents or from other school districts by car, taxi or bus. The center will be open Monday through Friday, 9:00 am to 3:00 pm, 12 months of the year, with 5 weeks off for vacations.

Key Factors

- This use will function similar to an office building rather than a traditional elementary or secondary school.
- The UDO criterion for elementary and secondary schools is met with this petition.

PZC Highlights

Two members of the public, both living on Glenbrook Road, had questions about noise and smells from school buses. The petitioner explained that currently they have 1 regular size bus and 2 small

buses that drop kids off. The remaining kids arrive in typical passenger vehicles. If they double their student enrollment in the future, the bus total could also double. The Center is very cautious about noises and smells, since they could greatly affect one of the autistic children.

The PZC made a motion for **approval (8-0)**, with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Kelly Weaver, received 05/16/11)
 - B. Narrative (Weaver undated, received 05/16/11)
 - C. Floor Plan (Vanderstappen, dated 01/18/08, received 05/17/11)
 - D. Site Plan (Vanderstappen, dated 01/25/00, received 05/17/11)
2. Provide a striping plan illustrating bus stacking and loading, while maintaining two-way access for vehicles and access for emergency vehicles. The plan shall also indicate the location of staff parking.
3. The owner shall make a commitment to building the land-banked parking if the City determines that it is needed due to a lack of parking impacting other units within the development.
4. Bus idling shall be kept to a minimum. Buses shall turn off the engines if they are stopped for more than 5 minutes.
5. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, and Planning and Economic Development Departments.

Votes Required to Pass: A simple majority vote.

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ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE GRANTING A VARIATION
AT 620 NORTH ROUTE 31

WHEREAS, pursuant to the terms of a Petition (File #2011-32) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the granting of a Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow an Educational Service, Elementary or Secondary School as a Special Use in the "O" zoning district for Alexander Leigh Center for Autism; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Variation be granted as requested in said Petition.

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

Section I: That a Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow an Educational Service, Elementary or Secondary School as a Special Use in the "O" zoning district for Alexander Leigh Center for Autism

at the property commonly known as 620 North Route 31, City of Crystal Lake,.

Section II: That the Variation and Special Use Permit be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Kelly Weaver, received 05/16/11)
 - B. Narrative (Weaver undated, received 05/16/11)
 - C. Floor Plan (Vanderstappen, dated 01/18/08, received 05/17/11)
 - D. Site Plan (Vanderstappen, dated 01/25/00, received 05/17/11)
2. Provide a striping plan illustrating bus stacking and loading, while maintaining two-way access for vehicles and access for emergency vehicles. The plan shall also indicate the location of staff parking.
3. The owner shall make a commitment to building the land banked parking if the City determines that it is needed due to a lack of parking impacting other units within the development.

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4. Bus idling shall be kept to a minimum. Buses shall turn off the engines if they are stopped for more than 5 minutes.

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

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

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

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

MAYOR

ATTEST:

CITY CLERK

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



Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: June 21, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2011-25 BP McDonald's

ANNEXATION PUBLIC HEARING

Requests:

- 1) Rezoning from B-1V County to W PUD Watershed Planned Unit Development upon annexation.
- 2) Special Use Permits to allow a gasoline station and fast food restaurant with drive-through.

Donald Hemmesch, attorney
10 S. LaSalle Street, Chicago

PZC Recommendation: Motion to adopt ordinances authorizing execution of the annexation agreement and annexation of the property; and to approve the Planning and Zoning Commission recommendations approving an ordinance for rezoning upon annexation to W PUD Watershed and Special Use Permits; and approving the annexation agreement as provided, for the property located at 7615 Route 176.

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

Background:

- The petitioner would like to annex and rezone the property to W PUD Watershed allowing the uses and bulk standards associated with the B-2 zoning district.
- The Watershed zoning district is the most appropriate, as it is located within Crystal Lake's Watershed.
- The site is currently developed with a gas station, convenience store and McDonald's with a drive-through. The petitioners need Special Use Permits for the gas station and the drive-through.
- This property is subject to all watershed requirements and if they choose to expand or redevelop the site, it will be required to meet the Crystal Lake Watershed Storm Water Management Design Manual.

PZC Highlights

- The Planning and Zoning Commission asked if this petition would need to be amended if new ownership were to occur. It was explained that a new user would be able to move into the existing buildings without needing to amend this request. If a new owner chose to demolish the buildings, all new structures would need to meet the UDO requirements.
- The Commission also had questions regarding the utility line extensions for this site.

The Planning and Zoning Commission recommended **approval (7-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Donald Hemmesch, Jr., received 04/26/11).
 - B. Plat of Annexation (Cemcon, Ltd., dated 4-18-11, received 04/26/11)
 - C. Plat of Survey (Cemcon, Ltd., dated 4-18-11, received 4-26/11)
2. Changes to the site which affect the building architecture, on-site structures, parking and traffic circulation, increase the impervious surface coverage or change uses shall be required to be reviewed by the City and may require a PUD Amendment. Changes to sign copy are not required to amend the PUD.
3. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.
4. The owner shall provide the City with a copy of their spill protection plan for review and approval.

The draft annexation agreement is attached. This document has been reviewed by the City Attorney and staff and is an acceptable format.

Votes Required to Pass: A simple majority vote to approve the petitioner's request. A super majority vote (5 votes) is required to approve the annexation agreement.

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ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS**

WHEREAS, a written Petition, signed by all of the legal owners and all of the electors of record of all land within the territory hereinafter described, has been filed with the City Clerk of the City of Crystal Lake, McHenry County, Illinois, requesting that said territory be annexed to the City of Crystal Lake; and

WHEREAS, the said territory is not within the corporate limits of any municipality but is contiguous to the City of Crystal Lake; and

WHEREAS, said territory is not part of any public library district; and

WHEREAS, legal notices regarding the intention of the City to annex said territory have been sent to all public bodies required to receive such notice by State statute; and

WHEREAS, MIDWEST PETROLEUM DEVELOPMENT COMPANY OF CRYSTAL LAKE, INC., has entered into a valid and binding Annexation Agreement relating to said territory; and

WHEREAS, all Petitions, documents and other necessary legal requirements are in full compliance with the requirements of said Annexation Agreement and with the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8; and

WHEREAS, it is in the best interests of the City of Crystal Lake that said territory be annexed thereto.

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

SECTION I: That the following described territory:

PARCEL 1:

That part of the West Half of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14, Thence in a Northwesterly direction along the North of (as measured at right angles to) the center line of State Route 176, a Distance of 265.32 feet to a point; Thence in a Southerly direction and at right angles to the center line of State Route 176, a Distance of 261.50 feet to a point on the center line of said highway that is 462.10 feet West to the Point of Beginning; Thence in an Easterly direction along the center line of State Route 176, a Distance of 462.10 feet to the Point of Beginning excepting that part thereof taken for highway purposes measuring 50.00 feet Southwesterly of (as measured at right angles to) the center line of US Route 14 and also that part taken for highway purposes lying 50.00 feet North of (as measured at right angles to) the center line of State Route 176, also excepting therefrom that part of the West Half of Section 31, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14; Thence in a Northwesterly direction along the center line of US Route 14, 350.00 feet to a point; Thence in a Southwesterly direction at right angles to the last described course, 162.00 feet to a point; Thence in a Southerly direction at right angles to Illinois Route 176 to a point on the center line of said Highway, 340.00 feet West from the Place of Beginning; Thence in an Easterly direction, 340.00 feet along the center line of Illinois Route 176 to the Place of Beginning, in McHenry County, Illinois.

PARCEL 2:

That part of the West Half of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14, Thence in a Northwesterly direction along the center line of US Route 14, 350.00 feet to a point; Thence in a Southwesterly direction at right angles to the last described course, 162.00 feet to a point; Thence in a Southerly direction at right angles to Illinois Route 176 to a point on the center line of said highway, 340.00 feet West from that Point of Beginning; Thence in an Easterly direction 340.00 feet along the center line of Illinois Route 176 to the Point of Beginning, excepting that part thereof taken for highway purposes lying 50.00 feet Southwesterly of (as measured at right angles to) the center line of US Route 14 and also excepting that part thereof taken for highway purposes lying 50.00 feet North of (as measured at right angles to) the center line of State Route 176, and also excepting that part thereof taken for highway purposes described by Beginning at the Point of Intersection of a line 50.00 feet North of (as measured at right angles to) the center line of Illinois Route 176 and a line 50.00 feet Southwesterly of (as measure at right angles to) the centerline of US Route 14; Thence Northwesterly along said line 50.00 feet Southwesterly of the centerline of US Route 14, 50.10 feet to a Point of Curvature; Thence Southwesterly along a curve to the right, having a

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radius of 25.00 feet for an arc distance of 55.40 feet to a Point of Tangency; Thence East along said line 50.00 feet North of Tile Centerline of Illinois Route 176, 50.10 feet to the Point of Beginning, all in McHenry County, Illinois.

PINs# 14-31-177-005 & 14-31-177-011

be and the same is hereby annexed to the City of Crystal Lake, McHenry County, Illinois.

SECTION II: That the City Clerk of the City of Crystal Lake is hereby directed to record in the Office of the Recorder of Deeds of McHenry County, Illinois, being the County in which the aforesaid annexed territory is situated, a certified copy of this Ordinance together with an accurate map of the territory hereby annexed, said map being attached hereto and made a part hereof and labeled Exhibit "I".

SECTION III: That this Ordinance shall be in full force and effect from the after its passage and approval, and when a certified copy thereof, together with an accurate map is recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and filed in the Office of the County Clerk of McHenry County, Illinois; and thereupon said territory shall be subject to the jurisdiction of the City of Crystal Lake.

AYES:

NAYS:

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

DRAFT

ORDINANCE NO. _____
FILE NO. _____

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT

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

WHEREAS, MIDWEST PETROLEUM DEVELOPMENT COMPANY OF CRYSTAL LAKE, INC., Owner, is ready, willing and able to enter into said Agreement and to perform the obligations as required thereunder; and

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

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

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

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

AYES:

DRAFT

NAYS:

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

DRAFT

ORDINANCE NO. _____
FILE NO. _____

**AN ORDINANCE ZONING CERTAIN PROPERTY
“W-PUD” WATERSHED PLANNED UNIT DEVELOPMENT AND
SPECIAL USE PERMITS**

WHEREAS, certain territory is the subject of a certain Annexation Agreement; and

WHEREAS, said territory has been duly annexed by ordinance to the City of Crystal Lake;

and

WHEREAS, by the terms of said Annexation Agreement, said territory is to be zoned “W-PUD” Watershed Planned Unit Development; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the property legally described hereinbelow be classified and zoned as indicated.

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

SECTION I: That the following described property be and the same is hereby zoned and classified “W-PUD” Watershed Planned Unit Development:

PARCEL 1:

That part of the West Half of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14, Thence in a Northwesterly direction along the North of (as measured at right angles to) the center line of State Route 176, a Distance of 265.32 feet to a point; Thence in a Southerly direction and at right angles to the center line of State Route 176, a Distance of 261.50 feet to a point on the center line of said highway that is 462.10 feet West to the Point of Beginning; Thence in an Easterly direction along the center line of State Route 176, a Distance of 462.10 feet to the Point of Beginning excepting that part thereof taken for highway purposes measuring 50.00 feet Southwesterly of (as measured at right angles to) the center line of US Route 14 and also that part taken for highway purposes lying 50.00 feet North of (as measured at right angles to) the

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center line of State Route 176, also excepting therefrom that part of the West Half of Section 31, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14; Thence in a Northwesterly direction along the center line of US Route 14, 350.00 feet to a point; Thence in a Southwesterly direction at right angles to the last described course, 162.00 feet to a point; Thence in a Southerly direction at right angles to Illinois Route 176 to a point on the center line of said Highway, 340.00 feet West from the Place of Beginning; Thence in an Easterly direction, 340.00 feet along the center line of Illinois Route 176 to the Place of Beginning, in McHenry County, Illinois.

PARCEL 2:

That part of the West Half of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point where the center line of State Route 176 intersects with the center line of US Route 14, Thence in a Northwesterly direction along the center line of US Route 14, 350.00 feet to a point; Thence in a Southwesterly direction at right angles to the last described course, 162.00 feet to a point; Thence in a Southerly direction at right angles to Illinois Route 176 to a point on the center line of said highway, 340.00 feet West from that Point of Beginning; Thence in an Easterly direction 340.00 feet along the center line of Illinois Route 176 to the Point of Beginning, excepting that part thereof taken for highway purposes lying 50.00 feet Southwesterly of (as measured at right angles to) the center line of US Route 14 and also excepting that part thereof taken for highway purposes lying 50.00 feet North of (as measured at right angles to) the center line of State Route 176, and also excepting that part thereof taken for highway purposes described by Beginning at the Point of Intersection of a line 50.00 feet North of (as measured at right angles to) the center line of Illinois Route 176 and a line 50.00 feet Southwesterly of (as measure at right angles to) the centerline of US Route 14; Thence Northwesterly along said line 50.00 feet Southwesterly of the centerline of US Route 14, 50.10 feet to a Point of Curvature; Thence Southwesterly along a curve to the right, having a radius of 25.00 feet for an arc distance of 55.40 feet to a Point of Tangency; Thence East along said line 50.00 feet North of Tile Centerline of Illinois Route 176, 50.10 feet to the Point of Beginning, all in McHenry County, Illinois.

PINs# 14-31-177-005 & 14-31-177-011

That the City agrees to grant Special Use Permits to allow a gas station and fast food restaurant with a drive-through with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Donald Hemmesch, Jr., received 04/26/11).
 - B. Plat of Annexation (Cemcon, Ltd., dated 4-18-11, received 04/26/11)
 - C. Plat of Survey (Cemcon, Ltd., dated 4-18-11, received 4-26/11)
2. Changes to the site which affect the building architecture, on-site structures, parking

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and traffic circulation, increase the impervious surface coverage or change uses shall be required to be reviewed by the City and may require a PUD Amendment. Changes to sign copy are not required to amend the PUD.

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

4. The owner shall provide the City with a copy of their spill protection plan for review and approval.

SECTION II: That the City Clerk be and he 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 zoning and classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

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

AYES:

NAYS:

ABSENT:

PASSED this ____ day of _____, 20__.

APPROVED by me this ____ day of _____, 20__.

MAYOR

ATTEST:

DRAFT

CITY CLERK



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date: June 21, 2011

Item: City Code Amendment to Increase the Number of Class "13" Liquor Licenses– Applicant: BP McDonald's, 7615 Route 176

Staff Recommendation: Motion to adopt an ordinance increasing the number of Class "13" Liquor Licenses from the current permitted 16 licenses to 17 licenses.

Staff Contact: George Koczvara, Deputy City Manager

Background:

The City has received a request from BP McDonald's, 7615 Route 176, for the Council to consider the adoption of an ordinance providing for an amendment to the liquor license restriction provisions of the City Code, increasing the number of Class "13" liquor licenses from the current 16 licenses to 17 licenses. BP McDonald's currently holds a Class "B" liquor license with McHenry County, which allows the retail sale of alcoholic liquor in the original package. They are requesting the issuance of an equivalent liquor license with the City of Crystal Lake upon annexation to the City of Crystal Lake.

Section 329-5-M of the City Code permits the issuance of a Class "13" liquor license, which authorizes the sale of alcoholic liquors on the premises specified in the license in packages only but not for consumption on the premises where sold between the hours of 7:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday, Thursday, Friday and 7:00 a.m. Saturday and 2:00 a.m. Sunday and 7:00 a.m. Sunday and 2:00 a.m. Monday.

Votes Required to Pass:

Simple majority



Agenda Item No: 17

**City Council
Agenda Supplement**

Meeting Date: June 21, 2011

Item: Crystal Lake Rural Fire Protection District Agreement

Staff Recommendation: Motion to adopt a resolution approving the agreement for fire protection and emergency lifesaving and rescue services with the Crystal Lake Rural Fire Protection District, and authorizing the City Manager to execute the agreement.

Staff Contact: James Moore, Fire Rescue Chief

Background:

The City of Crystal Lake and the Crystal Lake Rural Fire Protection District (CLRFPD) have had a mutual agreement for fire protection and emergency lifesaving and rescue services since the 1970's. These agreements have generally been in five-year terms, with our latest agreement expiring on April 30, 2011.

The Crystal Lake Rural Fire Protection District encompasses an area immediately outside the corporate boundaries of the City of Crystal Lake. The CLRFPD is a separate governmental body that is presided over by a Board of Fire Trustees.

The attached agreement maintains many of the provisions of the previously approved 2005 agreement. The Trustees of the Crystal Lake Rural Fire Protection District agreed in concept to this agreement at their May 17, 2011 meeting and are planning to vote on the contract at their June 21, 2011 meeting. The CLRFPD Trustees also expressed their commitment for continuing their strong relationship with the City.

Recommendation:

The City of Crystal Lake and the Crystal Lake Rural Fire Protection District have had a long and productive relationship and it is staff's belief that the attached agreement will continue this relationship. Therefore, it is staff's recommendation to approve the agreement with the Crystal Lake Rural Fire Protection District for fire protection and emergency lifesaving and rescue services. The City Attorney has reviewed the agreement.

Votes Required to Pass:

Simple majority

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RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to approve the agreement with the Crystal Lake Rural Fire Protection District for fire protection service and emergency lifesaving and rescue services and to authorize the City Manager to execute the Agreement.

Dated this 21st day of June, 2011.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

By: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED:

APPROVED:



Agenda Item No: 18

**City Council
Agenda Supplement**

Meeting Date:

June 21, 2011

Item:

Sanitary Sewer Joint Grouting Services Contract
Amendment

Staff Recommendation:

Motion to amend the contract with National Power Rodding Corporation for sanitary sewer pipe joint grouting services of City infrastructure to include grouting of two-foot sections of pipe in addition to the other sections identified in the bid document, and to adopt a resolution authorizing the City Manager to execute a contract amendment with National Power Rodding Corporation in the not-to-exceed amount of \$10,769.75.

Staff Contact:

Victor Ramirez, P.E., Director of Public Works

Background:

On April 5, 2011, the City awarded the contract for sanitary sewer joint grouting for City infrastructure to National Power Rodding Corporation. The grouting of sewer joints is an effective way to eliminate documented sources of heavy inflow and infiltration (I&I) to the City's wastewater collections and treatment systems. I&I puts a great burden on the City's wastewater treatment plants during heavy rain events. By grouting these critical sections of sewer, the volume of I&I within the sanitary sewer system will be reduced, which will ultimately reduce the operating costs and restore capacity to the collections system and wastewater plant.

The City utilized a sewer pipe joint grouting process, which costs one-third the amount of the common cured-in-place pipe lining processes, but will be just as effective at permanently removing I&I. The contract identifies five total areas to be grouted, three in the base bid with two additional areas listed as options:

1. Rockland Road (1,030 feet) – *Base Bid*
2. Oriole Trail (2,367 feet) – *Base Bid*
3. Crystal Lake Avenue (1,094 feet) – *Base Bid*
4. Victor Parkway (773 feet) – *City Option*
5. Pine Street (493 feet) – *City Option*

While determining the feet of sewer to be grouted is fairly simple, determining the length of individual segments of sewer is much more difficult. Typically, sewer segments range from 4 ft

to 8-foot in length, with the longer segments being more structurally stable, but also having fewer joints to treat with the grouting process. In this contract, bidders were instructed to submit prices based on 4-foot sections of pipe based on initial televising footage and historical information. However, an issue was created when a long stretch of sewer on Oriole Trail was discovered to be 2-foot sections. While 4-foot sections of sewer have, on average, a 10% failure rate that would require grouting, 2-foot sections of sewer have an 80-90% failure rate.

National Power Rodding continued to grout the joints as needed. The result was an overage of \$10,769.75 from the original contract. Staff deemed it important to complete the work on Oriole Trail while the contractor was mobilized. The project was then terminated to eliminate any further overages.

The following table illustrates the status of the grouting budget in FY10/11:

Original Grouting Contract Value	\$ 42,601.00
Contract Amendment	\$ 10,769.75
Total	\$ 53,370.75
Grouting Budget Amount	\$ 63,000.00
Total Amt. Under Budget	\$ 9,629.25

Recommendation

The Public Works Department has reviewed the work done by National Power Rodding in excess of the original contract value. Based on the work performed, the Public Works Department recommends that the contract with National Power Rodding Corporation for Sanitary Sewer Joint Grouting services be amended in the amount of \$10,769.75 for work performed in excess of the contract. The rehabilitation of this sewer line is a FY 10/11 Budget Goal, and funds are still available from general obligation bond revenues in the FY 10/11 budget for this project.

Votes Required to Pass:

Simple majority

RESOLUTION

DRAFT

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract amendment with National Power Rodding Corporation in the not-to-exceed amount of \$10,769.75, for sanitary sewer pipe joint grouting services of City infrastructure.

DATED this _____ day of _____, 2011.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: _____

APPROVED: _____



Agenda Item No: 19

**City Council
Agenda Supplement**

Meeting Date:

June 21, 2011

Item:

Renewal of Agreements for Traffic Signal Maintenance Along State Routes with the Illinois Department of Transportation

Staff Recommendation:

Motion to adopt a resolution authorizing the City Manager to execute an intergovernmental agreement with the Illinois Department of Transportation for State participation in City-maintained traffic signals along State Routes; and

Motion to adopt a resolution authorizing the City Manager to execute an intergovernmental agreement with the Illinois Department of Transportation for City participation in State-maintained traffic signals along State Routes.

Staff Contact:

Erik D. Morimoto, Director of Engineering and Building

Background:

The City and the Illinois Department of Transportation (IDOT) share in the responsibility of maintaining and repairing traffic signals along U.S. Route 14, Illinois Route 176, and Illinois Route 31 within the City's corporate limits. The attached intergovernmental agreements (IGA) outline the percentage each agency is responsible for funding maintenance, and which agency performs the maintenance. Exhibit A lists all the intersections covered under the agreements and summarizes the percentage of maintenance responsibilities for each intersection.

Under the first IGA, labeled Agreement 1, the City performs maintenance and repairs on 21 signals along U.S. Route 14 and Illinois Route 176. The City invoices IDOT their share of the maintenance and repairs as outlined in the agreement. The second IGA, labeled Agreement 2, covers traffic signals maintained by IDOT in the corporate limits on Illinois Route 31. The City funds all traffic signal maintenance and repairs with Motor Fuel Tax revenues.

The City has renewed traffic signal maintenance agreements in the past with IDOT routinely. This maintenance agreement renewal contains standard language required in all intergovernmental agreements from the State where IDOT is obligated to expend funds.

The maintenance agreement was last renewed on April 2, 2002. There are no changes in the maintenance responsibility percentages from the last agreement. The term for both proposed agreements will run from July 1, 2011 to June 20, 2021. The City Attorney has reviewed both agreements.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an intergovernmental agreement with the Illinois Department of Transportation for State participation in City maintained traffic signals along State Routes.

DATED this twenty-first day of June, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: June 21, 2011

APPROVED: June 21, 2011

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an intergovernmental agreement with the Illinois Department of Transportation for City participation in State maintained traffic signals along State Routes.

DATED this twenty-first day of June, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: June 21, 2011

APPROVED: June 21, 2011



Agenda Item No: 20

City Council Agenda Supplement

Meeting Date: June 21, 2011

Item: American Heart Association Heart Walk Event

Staff Recommendation: Motion to approve the American Heart Association request to hold a special event at the Three Oaks Recreation Area from 6:30 a.m. to Noon on Saturday, September 17, 2011.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:

The City has received a request from the American Heart Association for the use of the Three Oaks Recreation Area picnic grove, trails, island boardwalk, and volleyball area for a Heart Walk Event from 6:30 a.m. to Noon on Saturday, September 17, 2011. Approximately 212 people will participate in this event, including attendees, volunteers and staff. The attendees will participate in a fundraising walk on the trails at the Three Oaks Recreation Area. The walkers will begin in the picnic grove and proceed along each of the trails. Sponsors will set up health related information booths in the picnic grove pavilion, along the volleyball court trails, and at the island pavilion.

Based on the anticipated attendance, approximately 75-100 vehicles would utilize the parking lot. In addition, the petitioner may utilize small tents or canopies, and request a display from the Crystal Lake Fire Rescue Department.

The petitioner is also requesting the exclusive use of the picnic grove pavilion and island pavilion during this time. All other areas of the park would be open to the public.

Staff has reviewed the submittals and would offer the following conditions for approval. The Petitioner shall:

- Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements.
- The use of tents or canopies is subject to review by the Fire Prevention Bureau. The petitioner shall provide a detailed site plan for tents or canopies prior to the event.
- If more than 212 people participate in the event, the petitioner shall utilize offsite parking. Remote parking / shuttle service locations and a sign plan will need to be submitted. A sign plan for the remote parking locations will be submitted to the City's

Building Division for approval. If necessary, the petitioner shall provide shuttle buses for attendees utilizing off-site parking. Petitioner shall provide adequate evacuation plan for attendees utilizing shuttle buses.

- Maintain access to all fire lanes and the south lake marina boat ramp.
- Provide a plan for all on-site signage prior to the event, which shall be reviewed by the City and approved prior to placement.

The petitioner is requesting a waiver from the following fees:

- Requirement that non-resident attendees pay \$5.00 per vehicle for parking.
- Wavier of the following event fees:

<u>Item</u>	<u>Fee</u>
Special Event Application Fee	\$50
Out of City Organization Fee	\$150
Staff Preparation and Restoration Fee	\$120 (4 hours, at \$30 per hour)
Picnic Grove Pavilion Rental Fee	\$200
Island Pavilion Rental Fee	\$100
Total Non-Refundable Fee:	\$620
Special Event Refundable Damage Deposit	\$500
Picnic Grove Pavilion Rental Refundable Damage Deposit	\$200
Island Pavilion Rental Refundable Damage Deposit	\$100

For reference, the City has not waived these fees for previous special events. The only two special events that have been approved by the City Council have been the Illinois League of Bicyclists overnight camping event and the Willow Creek Church Baptism event.

Attached for your information is a copy of the petitioner’s submittals. The City’s Police Department, Fire Rescue Department, Public Works Department, and the Engineering and Building Department have reviewed the request.

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 21

**City Council
Agenda Supplement**

Meeting Date:

June 21, 2011

Item:

Three Oaks Recreation Area Non-Resident Business and Non-Resident Property Owner Admission

Staff Recommendation:

Motion to adopt a resolution allowing a non-transferable annual family pass for free parking and beach access, and resident marina rental rates to the Three Oaks Recreation Area for:

Option 1: All non-resident business owners or non-resident property owners paying City property tax.

Option 2: All non-resident business owners owning a business that remits sales taxes to the Illinois Department of Revenue (IDOR) on behalf of the City of Crystal Lake.

Option 3: All non-resident business owners or non-resident property owners paying City property tax *and* all non-resident business owners owning a business that remits sales taxes to the Illinois Department of Revenue (IDOR) on behalf of the City of Crystal Lake.

Option 4: Maintain current policy.

Staff Contact:

Eric T. Helm, Deputy City Manager

Background:

At the May 17, 2011 City Council meeting, the City Council considered options that would allow non-resident business owners and non-resident property owners to receive resident benefits at the Three Oaks Recreation Area. As a result of this discussion, the City Council requested that City Staff provide the number of non-resident business owners and non-resident property owners that have requested to use the facility as residents, and the number of non-resident businesses and property owners eligible for resident benefits.

Number of Requests

Collectively, City Staff has received approximately 65 requests from non-resident business owners for a pass to use the Three Oaks Recreation Area. In addition, the City has received about 10 requests from individuals who own property in Crystal Lake, but do not have a primary residence in Crystal Lake (i.e. individuals that own a vacation home or rental property).

Possible Impact

The options presented to the City Council would allow non-resident businesses and non-resident property owners to receive resident benefits at Three Oaks. While it is difficult to identify the number of non-residents that own property or businesses in the City, two measures show the approximate number of businesses that pay property taxes and/or sales taxes. The Chamber of Commerce has approximately 559 members, not counting churches, civic organizations, or businesses with a mailing address outside of Crystal Lake. In addition, the City receives sales taxes from approximately 1,700 businesses. While many of these businesses have owners that have a primary residence in the City of Crystal Lake, a sizable number of business owners may be non-Crystal Lake residents. Moreover, the options listed below would also allow the immediate family of the non-resident business owner to utilize the facility as a resident.

For reference, the Crystal Lake Library provides library cards, at no charge, to non-resident business owners. Sixty two (62) businesses have requested cards and each business is allowed to have three users. This equates to 186 total library users who originate from non-resident business owners. In addition, the library provides cards to non-resident tax parcel owners. The library provides 67 of these cards.

Possible Options

City Staff proposes four options to address non-resident business owners and non-resident property owners.

Option 1

All non-resident business owners or non-resident property owners paying City property tax to McHenry County will receive a non-transferable annual pass for free parking and beach access, and resident marina rental rates. Pass holders must renew their pass each year. The pass would be available to the following parties:

- Non-resident business owners or non-resident property owners who can prove that they pay City property taxes to McHenry County, or reimburse their landlord for property taxes.
- Non-resident franchise owners and/or non-resident business/commercial renters who rent commercial or business property and can prove that all or a portion of their rent is used to pay City taxes to McHenry County.

The eligible party would receive a pass for himself or herself and family members under the following conditions:

1. All family members, defined as parent(s) and dependents (under 18) living at the same address.
2. A maximum of two adults are allowed on the pass.
3. Excludes non-dependent nephews, nieces, cousins, and aunts, uncles, grandparents, and grandchildren.
4. Children under 3 are free and do not need a pass.

Option #1 Analysis:

This option excludes City businesses or property owners who do not pay real estate taxes (i.e. property owners that require the tenants to pay for the property taxes). Prior to the issuance of a pass to business/commercial renters, City Staff will require that the interested party verify that City property taxes are paid to McHenry County. City Staff may request a copy of the current lease/rental agreement. City staff will then evaluate the submitted leases to ensure that payment of property taxes are stipulated in the lease. Eligible individuals will receive a photo identification pass to ensure that the pass could

not be transferred or used by another party. As a matter of clarification, non-resident staff members or employees of the business would not receive resident privileges.

Option 2

All non-resident business owners owning a business in the City of Crystal Lake that remit sales taxes to the Illinois Department of Revenue (IDOR) on behalf of the City of Crystal Lake would receive a non-transferable annual pass for free parking and beach access, and resident marina rental rates. Pass holders must renew their pass each year. A non-resident business owner will be eligible for an annual pass to the Three Oaks Recreation Area if they produce a current ST 1 form submitted to the Illinois Department of Revenue (IDOR) or a current IBT form that has been recorded with the IDOR, or if a new business, a current IBT form. The ST 1 form verifies that sales taxes are remitted on behalf of the City.

The eligible party would receive a pass for himself or herself and family members under the following conditions:

1. All family members, defined as parent(s) and dependents (under 18) living at the same address.
2. A maximum of two adults are allowed on the pass.
3. Excludes non-dependent nephews, nieces, cousins, and aunts, uncles, grandparents, and grandchildren.
4. Children under 3 are free and do not need a pass.

Option #2 Analysis:

This option excludes businesses who do not pay sales tax (i.e. doctors, attorney offices, etc.). Eligible individuals would receive a photo identification pass to ensure that the pass could not be transferred or used by another party. As a matter of clarification, non-resident staff members or employees of the business would not receive resident privileges.

Option 3

Combine option 1 and option 2. This would allow non-resident business owners or non-resident property owners paying City property tax and sales taxes to the Illinois Department of Revenue (IDOR) access to the Three Oaks Recreation Area as residents.

Option #3 Analysis:

This is the most inclusive option available.

Option 4

Maintain current policy of providing free parking to parties eligible to purchase a vehicle sticker, and maintain the current policy of providing beach access and discounted marina rental rates to individuals and families with a primary home address in the corporate limits of Crystal Lake.

Option #4 Analysis:

This option excludes the non-resident business owners and non-resident property owners that have requested they receive the same benefits as residents for the Three Oaks Recreation Area.

Votes Required to Pass:

Simple majority vote of the City Council.



Agenda Item No: 22

City Council Agenda Supplement

<u>Meeting Date:</u>	June 21, 2011
<u>Item:</u>	An Amendment to the Crystal Lake Watershed Stormwater Design Manual Enhancing the Regulation of Existing Urbanized Areas and Minor Development
<u>Recommendation:</u>	Discussion Only
<u>Staff Contact:</u>	Erik Morimoto, Director of Engineering and Building Michelle Rentzsch, Director of Planning and Economic Development

Background:

The Crystal Lake Watershed Stormwater Management Design Manual (“Design Manual”) has been in effect since November 6, 2007. The current Design Manual is applied uniformly throughout the watershed with no consideration to the size of the proposed development or status as redevelopment. Staff is suggesting the addition of language in Chapter 1.3 – Stormwater Management in Crystal Lake Watershed, which would further define and clarify the requirements for each category of development within the watershed. The proposed language is attached for discussion.

The addition of this language seeks to enhance the ability for property owners to redevelop sites with existing urbanized development with smaller scale additions, while still protecting the quality and quantity of water reaching the lake. The current regulations make additions to existing buildings on smaller properties in the geographical boundaries of the watershed somewhat challenging, due to the substantial size of the required pre-treatment basins and infiltration-basins specified in the Design Manual. The recommended changes below will result in a net benefit to the water quality in the watershed while allowing for development and redevelopment of smaller properties within the Crystal Lake Watershed.

Staff seeks the Council’s direction on whether the City should consider a modified approach for smaller-scale development (i.e., existing urbanized areas) within the watershed and move forward with finalizing the proposed amendment to the Design Manual.

Recommendation:

By utilizing a tiered approach for the requirements of the Design Manual based on development size, property owners with smaller projects (minor and some intermediate category developments) would now have the opportunity to redevelop and incorporate the use of many best management practices, where previously they may not redevelop at all. The proposed levels of Design Manual regulation for each category of development are summarized below:

EXISTING:

	Minor ($\geq 5,000$ & $< 20,000$ sf)	Intermediate ($\geq 20,000$ sf & < 5 ac)	Major (≥ 5 ac)
Apply Standard Stormwater Ordinance & Pollutant Control Requirements?	Yes	Yes	Yes
Pre-Treatment Basin & Infiltration Basin Required?	Yes ¹	Yes ¹	Yes ¹
Watershed Stormwater Management Program Participation Required? <i>(Monitoring/Inspection/Maintenance)</i>	Yes	Yes	Yes

¹ unless new impervious area is < 20 percent of total site area

PROPOSED:

	Minor ($\geq 5,000$ & $< 20,000$ sf)	Intermediate ($\geq 20,000$ sf & < 5 ac)	Major (≥ 5 ac)
Apply Standard Stormwater Ordinance & Pollutant Control Requirements?	Yes	Yes	Yes
Pre-Treatment Basin & Infiltration Basin Required?	No	Yes ²	Yes ¹
Watershed Stormwater Management Program Participation Required? <i>(Monitoring/Inspection/Maintenance)</i>	No	Enforcement Officer Discretion	Yes

¹ unless new impervious area is < 20 percent of total site area

² subject to Enforcement Officer discretion for redevelopment

This approach would still provide the necessary levels of protection for the watershed for all classes of regulated development, and is recommended by staff.

Application of Crystal Lake Watershed Design Guidance



Regulated Development is defined in Section 595-6 of the Crystal Lake Stormwater Ordinance (CLSO). All regulated development within the City of Crystal Lake must meet the minimum stormwater management requirements of the CLSO. The purpose of the Crystal Lake Watershed Stormwater Design Manual is to provide guidance on additional requirements within the Crystal Lake Watershed that will allow for the protection of the quantity and quality of water reaching Crystal Lake. The design guidance in this Design Manual and the monitoring, inspection and maintenance requirements of the Crystal Lake Watershed Stormwater Management Program Implementation Plan shall be applied to regulated development within the Crystal Lake Watershed as follows:

- Minor Development and all other development that does not require a detention facility per Section 595-21.E of the CLSO shall meet the Pollutant Source Control Measures outlined in Chapter 3.2 and the Impervious Area Reduction requirements in Chapter 3.3. At a minimum, all minor development must agree to control pollutants and follow the CLSO Runoff Volume Reduction Hierarchy. The monitoring, inspection, and maintenance requirements of the Crystal Lake Watershed Stormwater Management Program Implementation Plan do not apply to Minor Development.
- Intermediate Development shall meet the full requirements of the Crystal Lake Watershed Design Manual. As discussed in Chapters 3.3 and 3.4 of this Manual, the addition of minimal new impervious areas below 20 percent of the total site area can waive the infiltration basin and pre-treatment requirements. Re-development of existing sites that do not change or intensify the land use may qualify for a waiver of infiltration basin and pre-treatment requirements, upon approval by the Enforcement Officer. The monitoring, inspection and maintenance requirements of the Crystal Lake Watershed Stormwater Management Program Implementation Plan will be applied at the discretion of the Enforcement Officer.
- Major Development shall meet the full requirements of the Crystal Lake Watershed Design Manual. As discussed in Chapters 3.3 and 3.4 of this Manual, the addition of minimal new impervious areas below 20 percent of the total site area can waive the infiltration basin and pre-treatment requirements. The monitoring, inspection and maintenance requirements of the Crystal Lake Watershed Stormwater Management Program Implementation Plan are required for all major developments.
- Public Road Development shall meet the Impervious Area Reduction requirements in Chapter 3.3. The monitoring, inspection, and maintenance requirements of the Crystal Lake Watershed Stormwater Management Program Implementation Plan do not apply to Public Road Development.
- Special Flood Hazard Area Development shall fall into one of the previous development categories based on the size of the development (Minor, Intermediate or Major) and at the discretion of the Enforcement Officer.



Agenda Item No: 23

**City Council
Agenda Supplement**

Meeting Date: June 21, 2011

Item: Economic Development Business Retention Response Plan review

Recommendation: For discussion only.

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

Background: Business retention is an important component of economic development. As a result of the recent income tax increases, other states have taken to courting Illinois businesses, most notably, Wisconsin, Indiana, and New Jersey. In the wake of Catalyst Exhibits' relocation to Wisconsin, the Economic Development Committee expressed an interest in creating a formal plan of action to address situations where our existing manufacturers and job providers are courted by other government organizations in other locations.

The Economic Development Committee and City Council have participated in the City's retention efforts through business visitations and networking with existing businesses. The Chamber and McHenry County Economic Development Corporation have also pledged their support in this area of economic development.

During the March Economic Development Committee Workshop, the Committee discussed a general outline for creating a business retention response plan. The first draft of the plan was reviewed in April and subsequently in May. During the May EDC meeting, Mayor Shepley, who attended the meeting, recommended that the Committee finalize this plan and forward it to the City Council for review.

Discussion: The proposed plan includes a flow-chart of actions, organized by chronology, along with notes regarding who is responsible for handling each action. The plan also references an incentives package, which would be a collection of State, County and Local government incentives that would be available to the business. City staff would coordinate the incentives package. A sample has been attached for your reference.

As primary stakeholders, the Mayor and City Council can provide support through timely networking with business owners that are contemplating relocation.

Votes Required to Pass: No action required.



Agenda Item No: 27

**City Council
Agenda Supplement**

Meeting Date: June 21, 2011

Item: Board, Committee and Commission Reappointments

Mayor's Recommendation: Motion to reappoint members to the Historic Preservation Commission, Library Board, and Senior Citizens Committee as indicated below.

Contact: Aaron T. Shepley, Mayor

Background:

On June 30, 2011, terms on the Library Board for Robert Cairone, Mary Alice Fellers and William Weller will expire. Mr. Cairone, Ms. Fellers and Mr. Weller have all expressed interest in reappointment to 3-year terms on the Library Board. Library Board appointments are made by the Mayor with City Council confirmation.

In addition, the terms of several members of the Historic Preservation Commission and Senior Citizens Committee will expire on June 30th. These include Historic Preservation Commission members Brice Alt and Thomas Nemcek and Senior Citizens Committee members Daphne Starr and Corrine Zoellick, all of whom have expressed an interest in reappointment to 3-year terms. Appointments to the Historic Preservation Commission and Senior Citizens Committee are made and confirmed by the Mayor and City Council.

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

Votes Required to Pass: Simple majority