



CITY OF CRYSTAL LAKE

AGENDA

CITY COUNCIL REGULAR MEETING

**City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
August 2, 2011
7:30 p.m.**

- 1. Call to Order**
- 2. Roll Call**
- 3. Election of Mayor Pro Tempore**
- 4. Pledge of Allegiance**
- 5. Approval of Minutes – July 19, 2011 Regular City Council Meeting**
- 6. Accounts Payable**
- 7. Public Presentation**
The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.
- 8. Mayor's Report**
- 9. Council Reports**
- 10. Consent Agenda**
- 11. Façade and Commercial Tenant Improvement Program grant application request – Kyoto Japanese Steakhouse and Sushi Bar, 5690 Northwest Highway.**
- 12. 935 Hawthorne Drive – Simplified Residential Variations to allow an above-ground pool to be located in the corner side setback as close as 15 feet from the property line along Colony Drive and to allow a 6-foot-high fence in the corner side yard along Colony Drive to be 12 feet from the property line instead of the required 30 feet.**
- 13. Ordinance implementing stop control on Grant Street at the intersection with Brink Street.**
- 14. Ordinance implementing no stopping, standing or parking at any time restrictions on South Walkup Avenue from Franklin Avenue to the southern limit of the roadway.**
- 15. Council Inquiries and Requests**
- 16. Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
- 17. Reconvene to Regular Session.**
- 18. Adjourn**

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



Agenda Item No: 11

**City Council
Agenda Supplement**

Meeting Date: August 2, 2011

Item: Facade and Commercial Tenant Improvement Program grant application request: #11-22-01 Kyoto Japanese Steakhouse and Sushi Bar, 5690 Northwest Highway, request for \$2,500 in matching grant funds.

Shawn Lee, Cyndi Jeon (Kyoto Japanese Steakhouse and Sushi Bar)

Recommendations: City Council's discretion:

1. Motion to approve the retailer façade and commercial tenant improvement grant agreement with Shawn Lee and to award \$2,500 in grant funding for improvements to 5690 Northwest Highway;
2. Motion to deny the grant application request.

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

Background: On April 19, 2011, the City Council approved the retailer façade and commercial tenant improvement program for the 2011-12 fiscal year. This program provides matching grant funding for interior and exterior improvements to retail sales tax generating users. Both existing and new retail sales tax generating businesses are eligible for the grant program, each at different funding levels. Existing retailers who make qualifying improvements are eligible for up to \$2,500, while new businesses occupying vacant space are eligible for up to \$10,000 in matching grant funds.

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

KYOTO JAPANESE STEAKHOUSE AND SUSHI BAR (5689 Northwest Highway)
Shawn Lee, the owner of Kyoto, has applied for matching grant funds to assist him with the build-out to re-purpose the dining room in the former Applebee's property. Kyoto will move

from the existing space that they are leasing at the Commons of Crystal Lake to the Applebee's building, which they will purchase from Apple Illinois, the Applebee's franchise.

As an existing retailer in Crystal Lake, the Ordinance for the Retailer Façade and Commercial Tenant improvement program allows for a maximum award of \$2,500. The intent of the program is to aid in the attraction of new businesses to fill vacant space. However, it was decided that efforts by our existing businesses to expand or relocate should not go unrewarded, and hence a lower amount was approved for these types of projects.

The eligible retailer façade and commercial tenant improvements for this business include life safety improvements to add fire suppression sprinklers to the entire building.

Along with the purchase of the building and property, the cost of the improvement project will exceed \$1 million. The cost of the eligible life safety improvements will be \$14,500. The chart below outlines the evaluation of the applicant's request in relation to our review criteria:

REVIEW CRITERIA	APPLICANT'S ABILITY TO MEET THE REVIEW CRITERIA
Improvement to appearance	Overall redevelopment project will provide improvements to the exterior elevations*
Aesthetic impact to area	Improvements would provide a positive aesthetic impact to the area through occupancy*
Amount of work to be conducted	Eligible improvements total \$14,500; applicant will spend more than \$1M on the project*
Anticipated increase in EAV	An increase to the EAV is expected as a result of the improvements*
Use of property after improvements	Assists a sales-tax-generating restaurant user to occupy vacant retail space*
Contribution to economic vitality	Promotes additional traffic and consumer spending, opens former space for desirable users*
Compatibility with nearby uses	Compatible with adjacent uses*

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

Kyoto Japanese Steakhouse and Sushi Bar qualifies for the Targeted Development Zone Incentive (investment greater than \$250,000) and will receive a 50% reduction on their permit and inspection fees.

ELIGIBLE IMPROVEMENTS FOR REIMBURSEMENT

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

Retailer Façade and Commercial Tenant Improvement Program

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

SUMMARY OF CURRENT REQUESTS

The following chart provides a complete summary of the pending grant funding requests. The City has budgeted \$80,000 for reimbursements to awarded recipients. \$60,000 of the \$80,000 is available to new retailers (at a max award of \$10,000), while \$10,000 is available to *existing retailers* making building improvements (at a max award of \$2,500).

File #	Applicant Name / Business name	Address	New Retailer Improvements	Existing Retailer Improvements	Manufacturing Improvements	Total Requested	Amount Approved
2011-22-01	Eric Johnson, The Fresh Market	6000 Nw Hwy	\$10,000.00			\$10,000.00	Pending
2011-22-02	Shawn Lee, Kyoto	5690 Nw Hwy		\$2,500.00		\$2,500.00	Proposed

TOTALS

\$10,000.00	\$2,500.00	\$0.00	\$12,500.00	\$0.00
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Votes Required to Pass: A simple majority vote.



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date: August 2, 2011

Item: REPORT OF THE PLANNING & ZONING COMMISSION

#2011-05 Ahmed-935 Hawthorne Drive

Simplified Residential Variation from:

- (i) Article 4-600 E, Location of Accessory Structures to allow an above-ground pool to be located in the corner side setback as close as 15 feet from the property line along Colony Drive and
- (ii) Article 4-700 B 3, Height Requirements for Fences, Walls and Screening) to allow a 6-foot-high fence in the corner side yard along Colony Drive to be 12 feet from the property line instead of the required 30 feet.

Robin and Ada Ahmed, 935 Hawthorne Drive, Crystal Lake

PZC Recommendation: Motion to deny the petitioners' request.

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

Background:

- The property is an existing, conforming corner lot, zoned "R-2" single-family district, and located at the northeast corner of Colony Drive and Hawthorne Drive.
- It is improved with a two-story frame residence with an attached garage.
- The petitioner is requesting a variation to allow a 6-foot-tall fence approximately 12 feet from the property line along Colony Drive (in the corner side yard).
- The petitioner is also requesting a variation to allow an above-ground pool to be located in the corner side setback as close as 15 feet from the property line along Colony Drive.

Key Factors

- Per the requirements of the UDO, fences, walls or screening in any front yard or yard abutting a street cannot exceed 3 feet in height. A 6-foot-high fence would have to be installed at or behind the 30-foot building line.
- Similarly, an accessory structure (such as an above-ground pool) is not permitted in the front or corner side yard and must be installed beyond the 30-foot building line.

- The pool and the additional fence panels are already installed without a permit.

PZC Highlights

The Planning and Zoning Commission expressed concerns regarding this request. Overall, the Commission felt that the hardship had been created by the petitioner, and did not meet the findings of fact for granting a variation.

The PZC recommended **denial (7-1)** of the petitioner's request.

If the petitioners' request is approved, the following conditions are recommended:

- 1) Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 1-21-11
 - B. Plat of Survey/Site Plan, Luco, received 10-08-10
- 2) A variation is hereby granted from:
 - A. Article 4-600 E, Location of Accessory Structures to allow an above-ground pool to be located in the corner side setback as close as 15 feet from the property line along Colony Drive and
 - B. ~~Article 4-700 B 3, Height Requirements for Fences, Walls and Screening) to allow a 6 foot high fence in the corner side yard along Colony Drive to be 12 feet from the property line instead of the required 30 feet. (staff's initial recommendation)~~
- 3) Building permits shall be retroactively obtained for the pool. Both the fence and pool must meet all Building Code requirements.
- 4) The lattice portion of the fence must be removed and the fence reduced to 3 feet in height.
- 5) The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

Votes Required to Pass: A super majority vote (5 votes) is required to overturn the Planning and Zoning Commission's recommendation for denial of the request. A simple majority vote is required to deny the petitioner's request.



Agenda Item No: 13

**City Council
Agenda Supplement**

Meeting Date:

August 2, 2011

Item:

Ordinance implementing stop control on Grant Street at the intersection with Brink Street.

Staff Recommendation:

Motion to adopt an ordinance to implement stop control on Grant Street at the intersection with Brink Street.

Staff Contact:

Traffic Safety Committee
Erik Morimoto, Director of Engineering and Building

Background:

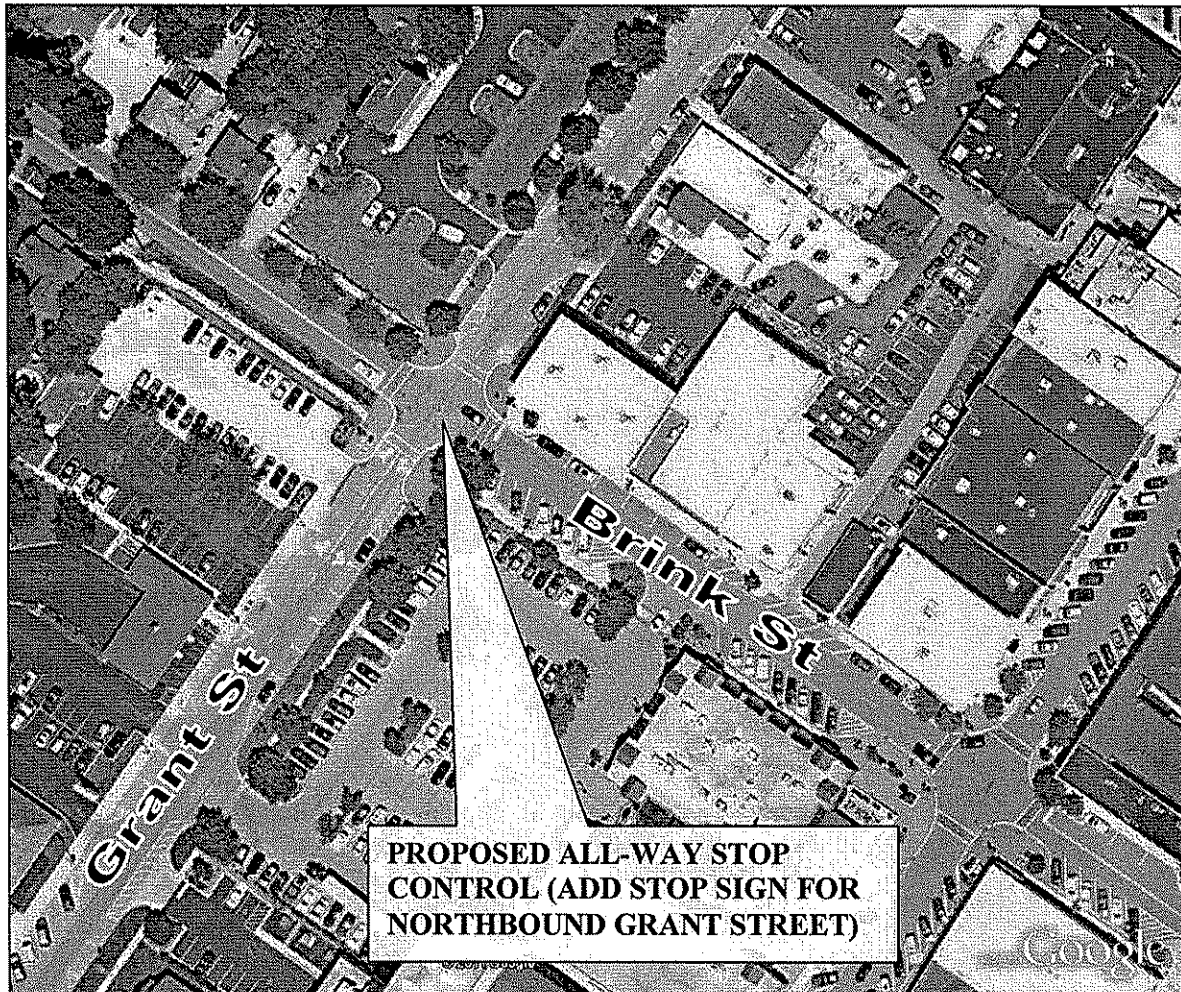
Based on observations by City Staff of the traffic operations at the Grant Street and Brink Street intersection in the historic downtown area, the City's Traffic Safety Committee initiated an investigation of the potential need for new stop control on Grant Street at this intersection. A similar study was conducted in 2010 at the Williams Street and Brink Street intersection, with all-way stop control implemented at that location.

This intersection is located on the west side of the historic downtown area and is utilized by not only vehicular traffic travelling through the downtown business district, but also a significant volume of pedestrians. Pedestrian activity has increased since the construction of the Grant Street Municipal Lot, which is utilized by employees of downtown businesses by permit during weekdays, and the completion of the Grant Street curb extension and streetscape project.

The City also anticipates increased pedestrian traffic along Brink Street in the future. The Engineering and Building Department has received notice that the Crystal Lake Avenue and Walkup Avenue Bikeway Corridor project is a finalist for federal Congestion Mitigation and Air Quality (CMAQ) funding. This grant would fund 80 percent of the costs to connect Lippold Park to Downtown via bike lanes.

Existing Conditions:

Staff reviewed the existing field conditions, traffic counts, available crash reports, and comments from the downtown businesses related to the intersection of Grant Street and Brink Street. Currently, stop signs are located on Brink Street for both directions of traffic. There are no stop signs for traffic on Grant Street, which is a one-way street that heads northeast.



Public Input:

Staff requested input from the Downtown Crystal Lake/Main Street Association and received several responses from local business owners. Of the 21 comments received, 62 percent did not object to this change based on their observations of near misses, increased pedestrian activity, and confusion from drivers that perceive it is stop controlled already. Only seven business owners were not in favor of the new stop sign along Grant Street, citing lack of traffic volume on Brink Street and concerns with slowing down traffic further.

Comments were also received regarding the curb extensions noting that the size slows traffic too much and makes turns challenging. This improvement was intended as a safety enhancement and traffic calming measure due to the pedestrian activity at the intersection and appears to be performing as intended.

Engineering Study:

A study of traffic and pedestrian volume was conducted by staff in 2010. A summary of the traffic counts is attached.

Based on traffic volume, pedestrian movement, and crash history, this intersection does not meet the federal Manual on Uniform Traffic Control Design (MUTCD) criteria for all-way stop control, mainly due to insufficient volumes of traffic on Grant Street. If the standard traffic volume or crash history warrants are not met, stop control for both streets at an intersection may still be considered per the MUTCD if:

- There is a need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes.
- An intersection of two collector streets of similar design and operating characteristics where multi-way stop control would improve operational characteristics of the intersection.

Grant Street and Brink Street are close in character and traffic volume, and there is a significant pedestrian and bicycle destination in downtown that will be accessed via this intersection on the future bike route master plan and from the recently constructed municipal parking lot. On-street parking along Grant Street also limits visibility of oncoming traffic or pedestrians.

Based on these criteria, the Traffic Safety Committee would support a 6-month trial period for all-way stop control. If approved, the Traffic Safety Committee would closely monitor the intersection following the installation of the stop sign for any issues with traffic congestion or unintended safety consequences. Temporary flags would also be added to help inform motorists of this new traffic control configuration.

Votes Required to Pass:

Simple majority of City Council present

DRAFT



The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, the Crystal Lake Traffic Safety Committee has reviewed the existing geometry, traffic counts, and available crash reports for traffic concerns related to the intersection of Grant Street and Brink Street; and

WHEREAS, the one-way traffic in a northeasterly direction on Grant Street is not currently under stop control at the intersection with Brink Street; and

WHEREAS, multi-way stop control should be considered if there is a need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes; and

WHEREAS, on-street parking on Grant Street restricts the sight distance for vehicles at the intersection with Brink Street; and

WHEREAS, as a result of said study, the Mayor and City Council of the City of Crystal Lake have determined to implement stop control for all approaches at the intersection of Williams Street and Brink Street.

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

SECTION I: All traffic proceeding in a northeasterly direction on Grant Street shall stop at the intersection of Williams Street and Brink Street before continuing.

SECTION II: All traffic proceeding in a northwesterly direction on Brink Street shall stop at the intersection of Grant Street and Brink Street before continuing.

SECTION III: All traffic proceeding in a southeasterly direction on Brink Street shall stop at the intersection of Grant Street and Brink Street before continuing.

SECTION IV: That suitable signs and markers shall be erected.

DRAFT

SECTION V: That any person, firm, or corporation violating any provision of this Ordinance shall be fined in accordance with Chapter 1, Article II providing for General Penalty Provision in the Code of Ordinances of the City of Crystal Lake, Illinois.

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

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

DATED at Crystal Lake, Illinois, this second day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

PASSED: August 2, 2011

APPROVED: August 2, 2011

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:

August 2, 2011

Item:

Ordinance implementing no stopping, standing or parking at any time restrictions on South Walkup Avenue from Franklin Avenue to the southern limit of the roadway.

Staff Recommendation:

Motion to adopt an ordinance to implement no stopping, standing or parking at any time restrictions on South Walkup Avenue from Franklin Avenue to the southern limit of the roadway.

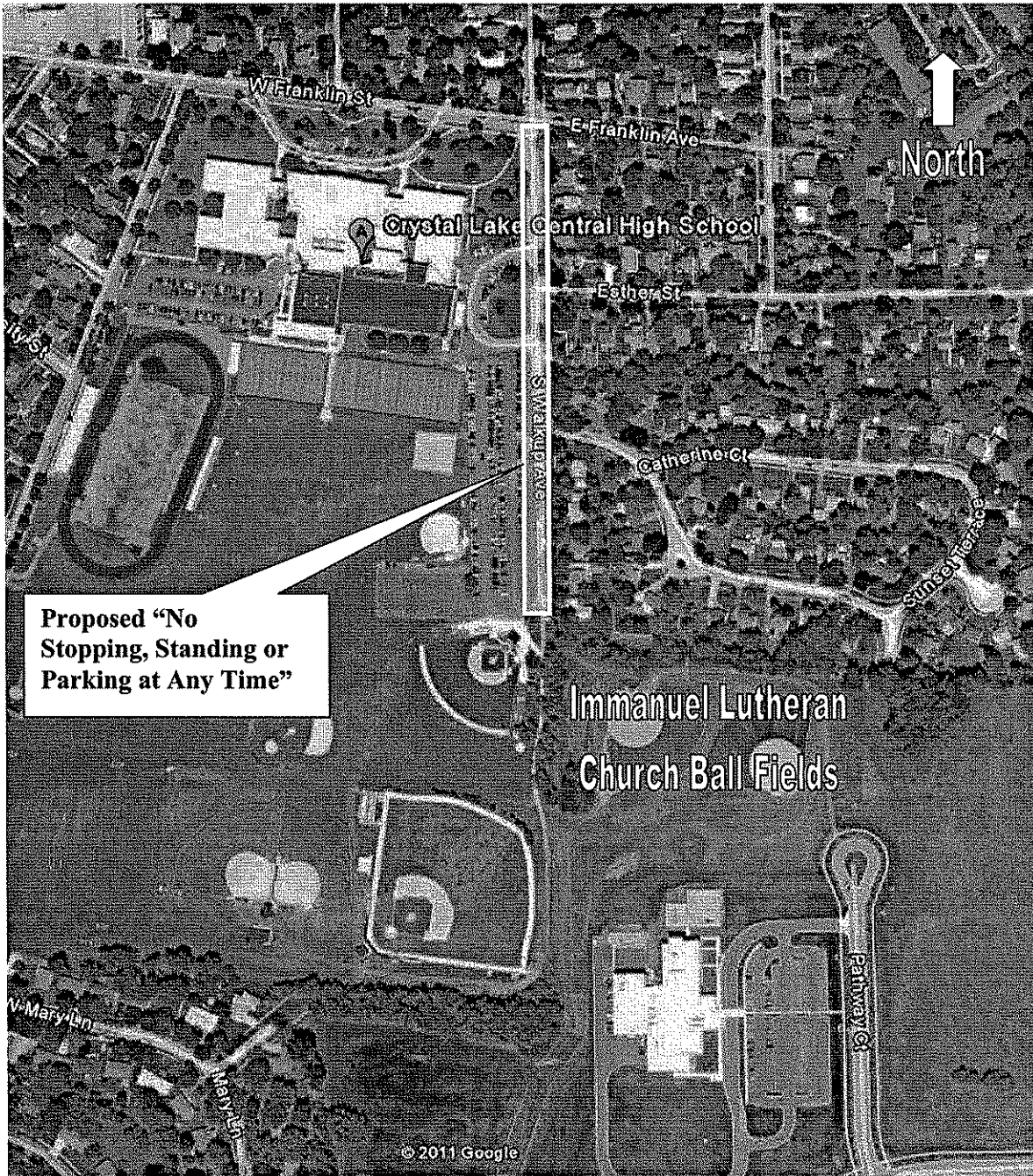
Staff Contact:

Traffic Safety Committee
Erik Morimoto, Director of Engineering and Building

Background:

The City of Crystal Lake Traffic Safety Committee has reviewed traffic concerns related to vehicle congestion on South Walkup Avenue in front of Crystal Lake Central High School near the parking lot and Immanuel Lutheran Church ball fields. Parking is currently restricted on both sides of South Walkup Avenue adjacent to Crystal Lake Central High School with “No Parking” signs posted on both sides. Despite the current parking restrictions, congestion occurs during non-school hours when this section of South Walkup Avenue is utilized as a drop-off or pick-up area for the ball fields to the south on the Immanuel Lutheran Church property.

City staff has coordinated with the church to help educate parents on the need to park on Pathway Court or in the Immanuel Lutheran Church parking lot when utilizing the ball fields. To supplement this educational approach, the Traffic Safety Committee recommends amending the current parking restrictions on South Walkup Avenue between Franklin Avenue and the southern limit of the roadway to implement *no stopping, standing or parking at any time* restrictions. This would eliminate the ability to legally stage in this area as a drop-off zone and would be consistent with the restrictions found along most other school properties in town.



Votes Required to Pass:

Simple Majority of City Council Present



DRAFT

The City of Crystal Lake Illinois

ORDINANCE

WHEREAS, a review of traffic concerns related to vehicle congestion on South Walkup Avenue adjacent to Crystal Lake Central High School, near the Immanuel Lutheran Church ball fields, was conducted by the Crystal Lake Traffic Safety Committee and the Crystal Lake Police Department; and

WHEREAS, parking is currently restricted along South Walkup Avenue in front of Crystal Lake Central High School and signed No Parking; and

WHEREAS, vehicles legally stopped along South Walkup Avenue adjacent to Crystal Lake Central High School do not allow enough space for emergency vehicles to access the road during an emergency; and

WHEREAS, stopped traffic from the vehicle congestion decreases the sight line visibility for approaching motorists and can obstruct drivers' views of pedestrian traffic that may be in the area; and

WHEREAS, as a result of said review, the Mayor and City Council of the City of Crystal Lake have determined that to help reduce traffic congestion around Crystal Lake Central High School and allow enough space for emergency vehicles to access the roads, that additional parking restrictions must be implemented.

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

SECTION I: That there shall be no stopping, standing or parking at any time on South Walkup Avenue from Franklin Avenue to the southern limit of the roadway.

DRAFT

SECTION II: That suitable signs and markers shall be erected.

SECTION III: That any person, firm, or corporation violating any provision of this Ordinance shall be fined in accordance with Chapter 1, Article II providing for General Penalty Provision in the Code of Ordinances of the City of Crystal Lake, Illinois.

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

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

DATED at Crystal Lake, Illinois, this second day of August, 2011.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: August 2, 2011

APPROVED: August 2, 2011

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