



#2012-09

Crystal Lake Plaza – 1 - 29 Crystal Lake Plaza Project Review for Planning and Zoning Commission

Meeting Dates:

March 21, 2012

Requests:

Final Planned Unit Development Amendment to allow changes to the existing electronic message center on the existing pylon sign to allow a 3-minute hold for messages

Location:

1-29 Crystal Lake Plaza

Acreage:

≈ 16.2 acres (entire center)

Existing Zoning:

“B-2 PUD” General Commercial PUD

Surrounding Properties:

North: “R-2” and “R-3A” Single and Two-Family Residential
South: “B-2” General Commercial
East: “B-2 PUD” General Commercial PUD
West: “B-2 PUD” General Commercial PUD

Staff Contact:

Latika Bhide (815.356.3615)

Background:

- **Location:** 1-29 Crystal Lake Plaza. The sign in question is located just east of the entrance along the Julie Ann’s building (former Baird and Warner Building).
- **Zoning:** “B-2 PUD” General Commercial PUD.
- **Development:** Initial PUD approval for Crystal Lake Plaza was granted in 1962. Several PUD amendments have been approved subsequently.
- **Request:** Final PUD Amendment to allow changes to the existing electronic message center (EMC) on the existing pylon sign to allow a 3-minute hold for messages.



Land Use Analysis:

- **History:** In 2009, the City Council approved a Final PUD amendment for the Crystal Lake Plaza to allow architectural changes to the center and approved an electronic message center approximately 77 square feet in area within the existing pylon sign. At that time, electronic message centers were not a permitted sign type per the UDO.

- Details: At the Planning and Zoning Commission meeting in 2009, the petitioner requested that the EMC sign be allowed to be changed twice a week (similar to the manual message board that was replaced with the EMC).
- Request: The petitioner has indicated that they would like to change the messages every 3 minutes instead of the twice every week requirement.
- Ordinance provisions: The City Council adopted a text amendment to the UDO in 2011 to allow EMC signs as a Special Use in the “B-2” district. The special use criteria include the following design standards applicable to EMC signs :
 - A. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;
This requirement was included in the previous approval.
 - B. All EMCs located on properties adjacent to residential uses must be extinguished from 11:00 p.m. until 7:00 a.m. This restriction shall apply regardless of the location of the EMC on the property;
Not applicable.
 - C. The message area of an EMC can be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs;
The EMC is illuminated by amber LED.
 - D. The EMC unit must have the “flash” feature disabled and messages shall have a 5-minute “hold” time except for time and temperature messaging which may have a shorter duration, but no less than 1 minute or separate the sign into two areas – one for the message and the other for the time and temperature;
The petitioner is requesting a 3-minute hold time.
 - E. The messages displayed on the EMC may only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages;
No specific conditions were included with the previous approval, however, the messages currently scroll as they transition from one to another.
 - F. Except as otherwise provided herein, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may not be displayed and this function of the EMC must be disabled;
No specific conditions were included with the previous approval, however, the messages currently scroll as they transition from one to another.
 - G. The EMC unit must be equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies, but such override authority for public emergencies shall not exceed 48 total hours within any two week period. The owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority; and
 - H. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.

A summary of previous EMC sign approvals including the hold time for messages is included with this report. With the exception of three approvals (Park District and Crystal Lake South with one-minute hold time and Walgreens at 315 N. Route 31 with a one-hour hold time) all approved EMCs have a five-minute hold time.

Findings of Fact:

FINAL PLANNED UNIT DEVELOPMENT AMENDMENT

The petitioner is requesting a Final Planned Unit Development approval for the petition as presented for the subject property. A Planned Unit Development is a Special Use and Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City.

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

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.
 Meets Does not meet
2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.
 Meets Does not meet
3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.
 Meets Does not meet
4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.
 Meets Does not meet
5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.
 Meets Does not meet
6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.
 Meets Does not meet
7. That the proposed use will maintain, where possible, existing mature vegetation; provide

adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.

Meets Does not meet

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.

Meets Does not meet

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

Meets Does not meet

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

Meets Does not meet

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, the following conditions are suggested:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 10-13-11
2. A Final PUD Amendment to rescind the condition of Ordinance #6523 that the EMC messages be changed twice a week is hereby granted. A 5-minute hold time for messages is approved. All other applicable conditions of previous Ordinances shall apply.
3. The messages displayed on the EMC can only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.
4. Messages must be static and not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video are not permitted.
5. If the EMC unit is equipped to override commercial messages for emergency situations such as an "Amber Alert" or other such acute public emergencies, the owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority
6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

City of Crystal Lake Development Application

Office Use Only

File #

10 2012

Project Title: _____

Action Requested

Annexation

Comprehensive Plan Amendment

Conceptual PUD Review

Final PUD

Final PUD Amendment

Final Plat of Subdivision

Preliminary PUD

Preliminary Plat of Subdivision

Rezoning

Special Use Permit

Variation

Other

RECEIVED
JAN 30 2012
BY: _____

Petitioner Information

Name: KATIE VANDIGGELLEN
OWNER / CL PLAZA ASSOC

Address: NEW BALANCE / PRESIDENT
1AW CRYSTAL LAKE PLAZA

Phone: 815.444.7239

Fax: 815.444.8710

E-mail: Ktdige@aol.com

Owner Information (if different)

Name: Tom EILERS (JA/SE)

Address: _____

Phone: _____

Fax: _____

E-mail: _____

Property Information

Project Description: Final PUD Amendment to allow
the EMC to change every 5 mins.

Project Address/Location: CRYSTAL LAKE PLAZA

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

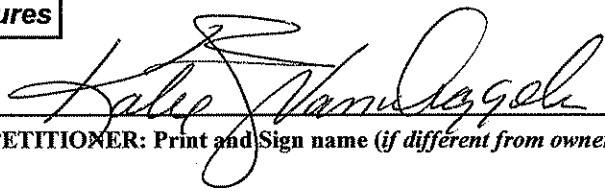
Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

 *Kate Handberg* President CI Plaza Assoc.

PETITIONER: Print and Sign name (if different from owner) Date 1/30/2012

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

OWNER: Print and Sign name Date

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

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICA-

TION OF KATIE VAN DIGGELEN

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application of the Katie Van Diggelen on behalf of the Crystal Lake Plaza Association, for approval of a Final Planned Unit Development Amendment, relating to the Crystal Lake Plaza (located north of US Route 14 and east of Keith Avenue), located at 1-29 Crystal Lake Plaza. PINs: 19-05-382-005,-007,-010 and -011; 19-05-453-008,-011 and 012.

This application is filed for the purpose of seeking a Final Planned Unit Development Amendment pursuant to Article 4-500 and Article 9 of the Unified Development Ordinance to allow changes to the existing electronic message center on the existing pylon sign to allow a 3-minute hold for messages; as well as any other variations that may be necessary to complete the petitioner's request, as presented. Plans for this project can be viewed at the City of Crystal Lake Planning and Economic Development Department at City Hall.

A public hearing before the Planning and Zoning Commission on the request will be held at 7:30 p.m. on Wednesday, March 7, 2012 at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
February 18, 2012)



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, DECEMBER 2, 2009
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chair Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Goss, Jouron, McDonough, Skluzacek and Hayden were present. Mr. Greenman was absent.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Hayden stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station.

2009-67 CRYSTAL LAKE PLAZA – 1-29 Crystal Lake Plaza – PUBLIC HEARING

Final PUD Amendment for façade and signage changes.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

David Kennedy, architect, Tom Eilers Jr., partner in the ownership of the property, and Scott Freres, land planner, and Nate Postma with Vertical Endeavors, were present to represent the petition. Mr. Kennedy said they want to enhance the center. It has been remodeled 3 times under its current ownership. The proposed changes include adding new streetscape elements, new roofs, and awnings. Mr. Kennedy showed a Power Point presentation of the existing and proposed elevations of the Plaza. He said they are going for a more traditional look to enhance areas of the Plaza. They are reducing the roof height but keeping and revising the tower elements. They are not planning to change the portion of the Plaza where Joseph's Market is nor will they change the outlots at this time. There is an archway planned for the "V" which will have signage on it that is yet to be determined. Mr. Kennedy said they would like to use 4 different colors of awnings to allow for some variation to the building. The building will also have varying roof heights. He also said they would like to allow 85% of the sign band area above the storefront for signage. This will allow for more flexibility for tenants. Mr. Kennedy added that they would prefer to not to use the coated fabric awnings since the available colors are limited.

Referencing condition #2D, Mr. McDonough asked what items would be seen if there were no alternatives permitted. Mr. Kennedy listed several items including the sign band above the awnings, decorative brackets, cultured stone base, etc. He said the overall massing will remain the same.

Mr. Postma handed out information on their company, which is indoor rock climbing. They are looking forward to coming to Crystal Lake. The construction will hopefully start in the spring with opening in the fall next year.

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

Mr. Goss thanked the petitioner for what was done with the fence behind the building. He asked if the message board sign could be used for "Amber Alerts." Mr. Eilers said that is not a problem. Mr. Goss asked that the petitioner respect the ordinance in terms of square footage. Mr. Eilers said they want a sign on each side. Mr. Goss asked if the sign in the rear of the building would be internally illuminated. Mr. Postma said yes. Mr. Goss said that would require a Special Use Permit because it is adjacent to residentially zoned property. Mr. Goss said he likes the elimination of the raceway since it is hard to see oncoming traffic.

Mr. McDonough said this is a much fresher look. He thanked the petitioner for investing in Crystal Lake. He said everyone in town knows where the "V" is. Currently it is dangerous to exit the businesses. He suggested adding a small sidewalk area so people have a place to stand and look for traffic. Mr. McDonough asked about the outlots. Mr. Eilers said they don't own Fannie Mae or Auto Zone. Mr. McDonough asked about the former Baird & Warner building. Mr. Eilers said the upgrade on that building will be tenant driven. He said they are in discussions with a possible tenant at this time.

Mr. McDonough asked even if the sign is recessed that will make a difference in the elevation and the culture stone base is not important to him. He feels that they could use a different block. There are great fixtures on the building. Mr. McDonough said this is very nice but he is not sure about the percentage requesting for the signage for each tenant but he is certain that there won't be many cases. Ms. Bhide said that - not including a square footage requirement - only a percentage width requirement could mean that the tenant could have any square footage of signage and she was concerned about that. A sign variation can be requested. Mr. Eilers said they want the signs to have a consistent look than what we have now. Mr. McDonough said he doesn't want to allow unlimited square footage.

Mr. Skluzacek said he likes the improvements and the different colored awnings. He is concerned that the plans show the elimination of the existing trees. Mr. Kennedy said they did not show the trees so the elevations could be seen. He assured the Commission that the trees would not be eliminated and bushes would be added.

Mr. Jouron said the petitioner did a nice job. He asked if this plan conforms to the landscaping requirements for the parking lot. Ms. Bhide said a condition could be added about replacing dead or dying landscaping. Mr. Goss stated that this is the only center that replaces landscaping.

Mr. Batastini thanked the petitioner for what they are doing with the Plaza and he is looking forward to Vertical Endeavors opening.

Mr. Hayden said it is refreshing to have an owner interested in their property. He can't find anything that he doesn't like about the project. He also doesn't have a problem with the 85% or 50 square feet because he knows the petitioner will do what is best for the community.

Mr. Kennedy said they would like to request that the copy on the marquee be changed twice a week like it is currently being done and not every two weeks. Mr. Hayden said they are only requesting what they currently have.

Ms. Bhide said the height variation request should be changed from 40-feet to 45-feet to reflect the change to the rear of the building. She also suggested that a cap on the allowable square footage for signage for the Vertical Endeavors may want to be included.

Mr. Postma said there will be an entrance in the "V" for their business with an additional small sign over that door. He said they are requesting a total of 3 signs. He added that they are in negotiations for a possible sign on the arch, so there would be 4 total signs.

Mr. McDonough moved to approve the Final PUD Amendment for: A. Architectural changes; B. A variation from the maximum allowable height requirement for the "B-2" district of 28 feet to allow 45 feet; and C. Tenant sign criteria changes to allow additional signage and allow an electronic message center on the existing pylon sign for Crystal Lake Plaza at 1-29 Crystal Lake Plaza with the following conditions:

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

- A. Application, received 11-12-09
- B. Letter to PZC, received 11-12-09
- C. Plan Set, ppk architects, dated 11-12-09, received 11-12-09

2. Façade Changes

- A. Detailed plans must be provided to clarify exactly which portions of the covered walkway would be removed and replaced by canvas awnings.
- ~~B. Canvas awnings must be coated fabric to make them stronger/more resistant to weathering elements.~~
- C. Provide material and color samples (including awnings) of all exterior materials to be used to be used on the buildings for review and approval by the Planning and Zoning Commission and the City Council.
- D. Several of the elements proposed to be used on the façades, including the cultured stone base, cultured stone at the false balconies, decorative brackets, precast ornaments, etc. are denoted as alternates on the drawings. If none of these elements are included in the final project, the elevation will lose some of its appeal. At a minimum, the cultured stone base **or contrasting masonry**, recessed EIFS for signage frame, cultured stone **or contrasting masonry** at the false balconies, ~~and decorative bracket for awning support~~ must be incorporated in the final improvements.

3. Signage

- A. Individual tenants are allowed to have signage that fits within 85% of the sign band area above the store. However, the square footage of the signage is limited to the Ordinance allowed 50-square-foot per tenant.
- B. If an electronic message center is approved:

- i. The EMC sign must be illuminated by amber incandescent lamps, LED or magnetic discs (not red as proposed).
- ii. The illumination portion of the sign shall not cause excessive brightness. The levels shall be determined by the Building Commissioner.
- iii. Messages ~~must stay stationary for a period of two weeks~~ **may be changed twice a week.**
- iv. The sign must have an automatic phased proportional dimmer, which must be used to reduce nighttime brightness levels (compared to daytime brightness levels). The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed levels specified and the intensity level is protected from end-user manipulation by password-protected software or other method deemed appropriate by the Building Commissioner.

C. Additional details for the proposed signage on the decorative arch must be provided prior to the City Council meeting.

D. The elevated portion of the proposed tenant space for '*Vertical Endeavors*' shows a sign area. No additional signage other than that permitted through the PUD approvals is granted. If additional signage is requested at that location, details must be provided.

4. As a condition of the PUD, variations from the provision of the UDO are granted to allow:
 - A. Up to ~~40-45~~-foot building height for the ~~approximately 10,000~~ **not to exceed 5,000** square feet of the former Karate studio.
 - B. Up to 38 feet for the tower elements.
5. 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.

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

Councilwoman Brady Mueller stated that the Council has never allowed balloons or pennants, and felt that with the current signage, the business would be well noticed without them. Councilman Dawson agreed, stating that he was fine with the proposed banners, but not the balloons or pennants. The rest of the Councilmembers were in agreement. Mayor Shepley explained that allowing balloons and pennants would set a precedent for every other business to request the same. Councilwoman Brady Mueller noted that the requested banners were allowed by City ordinance, so permission from the Council was not needed for them.

Councilwoman Ferguson moved to deny the request for the balloon and pennants. Councilwoman Schofield seconded the motion. On roll call, all voted yes. Motion to deny passed.

Crystal Lake Collision, 6704 Pingree Road – Unified Development Ordinance Sign Variation request to install an additional freestanding sign.

No one was present for the matter, so the Council moved to the next item on the agenda. This matter was discussed again at the end of the meeting.

Crystal Lake Office Park, 741 and 757 McHenry Avenue – Comprehensive Land Use Plan Amendment from Office to Commerce; rezoning from “O-PUD” Office to “B-2 PUD” General Commercial; and Final Planned Unit Development Amendment to allow wall signs.

Councilwoman Brady Mueller moved to continue this matter to the January 19, 2010 regular City Council meeting at the petitioner's request. Councilman Thorsen seconded the motion. On roll call, all voted yes. Motion passed.

→ **Crystal Lake Plaza, northwest corner of Keith Avenue and Northwest Highway – Final Planned Unit Development Amendment for architectural changes, a variation from the maximum allowable height requirement for the “B-2” district of 28 feet to allow up to 45 feet, and tenant sign criteria changes to allow additional signage and allow an electronic message center on the existing pylon sign.**

Tom Eilers, Jr. with Madison Corporate Group and David Kennedy, architect, were present for the matter. Mr. Kennedy reviewed the primary design objectives of the project, stating that they would like to enhance Crystal Lake Plaza by adding a streetscape, reducing the hardscape of the center (columns and covered walkways), and simplifying the facades to make the center look timeless and more traditional. He stated that they would like to add colored, fabric awnings for the storefronts. He presented a slideshow showing the proposed changes. He spoke about the proposed signage, stating that they would like the "Vertical Endeavors" sign approved that evening, but would come back to the Council with a proposal for evaluating future signage, store by store, with an 85% ratio for storefront signage. Mayor Shepley expressed concerns about 85% not looking proportional to him. Mr. Kennedy stated that the proposal still needed to be refined, and it would be based on the size of the tenant and distance from the right-of-way, etc.

Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilwoman Schofield stated that the proposal would be a great improvement for the center. She asked if the height issue for Vertical Endeavors had been worked out with the Fire Rescue Department. Mr. Eilers stated that they felt they had a solution that works, but it still needed to be reviewed by the Fire Rescue Department. Michelle Rentzsch, Director of Planning and Economic Development, concurred. Councilwoman Schofield asked about exact sizes for the Vertical Endeavors signage. Ms. Rentzsch stated that with 72.6 square feet for the small wall sign, and the two larger signs at 267.9 square feet per sign, the total would be 608 square feet, not inclusive of the archway.

Councilman Hopkins stated that he really liked the proposed facade changes, and he was impressed with the enhancements to the "v" area of the center. Councilman Hopkins stated that although he agreed with some aspects of going above and beyond the normal, he was a little concerned about the amount of signage for Vertical Endeavors. Mr. Eilers stated that the goal was to be seen from both directions, particularly for visitors from out of town, noting the setback of the "v" area from Route 14 as an additional factor. Councilwoman Ferguson stated that she also really liked the changes, stating that safety would be improved for drivers and pedestrians with the removal of the large columns near the walkways. Regarding signage, she stated that she understood the need for visibility, and would reserve judgment at this time. Councilman Dawson agreed that it was a great project, but he also had concerns about the signage request for Vertical Endeavors.

Councilwoman Brady Mueller stated that she was very much in favor of the proposed changes, and did not have concerns about the signage proposals, saying that she saw the need for additional signage in the "v" area for Vertical Endeavors. She stated that by attracting visitors to Vertical Endeavors, other shops in the center would also benefit. Councilman Thorsen agreed, stating that the proposal made the center look very inviting for visitors and shoppers. Mayor Shepley stated that he felt the proposed changes were very nice, and would attract new tenants and shoppers. Regarding signage, he stated that he was fine with all of the signs, including Vertical Endeavors proposal and the 85% ratio. Regarding Vertical Endeavors, he stated that the archway could be viewed as an aesthetic feature, and having signage on the upper portion of the building would make it look more attractive than a plain wall. He stated that this was a truly unique situation, and he fully supported the petition. Councilwoman Brady Mueller suggested eliminating "indoor rock climbing facility" on the lower sign, as a possible compromise. Mr. Eilers stated that he could ask the tenant, and Councilwoman Brady Mueller stated that it was only a suggestion, not a deal breaker. She also commended them on their lighting choice, which mirrors what had been chosen for the Virginia Street Corridor. Councilman Dawson agreed with Councilwoman Brady Mueller's suggestion, stating that would put their sign more in line with the other tenant signs.

Councilwoman Brady Mueller moved to approve the Planning and Zoning Commission recommendations and to adopt an ordinance approving the Final Planned Unit Development amendment and requested variations for Crystal Lake Plaza, including the signs as presented for Vertical Endeavors minus the words underneath on the smaller sign. Councilwoman Ferguson seconded the motion.

Councilwoman Schofield stated that she felt it was unfair to not have more staff input on the signage.

Ms. Rentzsch asked for a clarification of the motion. Councilwoman Brady Mueller restated the motion to approve the Planning and Zoning Commission recommendations, eliminating the sentence in Condition 3a which would have limited signs to the allowed 50 square feet per tenant, and instead approving tenants to have signage that fits within 85% of the sign band, and to adopt an ordinance approving the Final Planned Unit Development amendment and requested variations for Crystal Lake Plaza, including the signs as presented for Vertical Endeavors minus the words underneath on the smaller sign. Councilwoman Ferguson seconded the motion. On roll call, all voted yes, except Councilwoman Schofield voted no, noting her concerns that staff did not have an opportunity for more input on the signage. Motion passed.

Bid award and resolution authorizing execution of a three-year service agreement for generator maintenance services.

Councilman Hopkins moved to award the bid for generator maintenance services to the lowest responsible and responsive bidder, Alternate Power, Inc., and to adopt a resolution authorizing the City Manager to execute a three-year service agreement with Alternate Power, Inc. Councilman Thorsen seconded the motion. On roll call, all voted yes. Motion passed.

Bid award and resolution authorizing execution of a purchase agreement for the provision of Ortho Poly Blended Phosphate.

Councilman Hopkins moved to award the bid for the provision of Ortho Poly Blended Phosphate to the lowest responsible and responsive bidder, Hawkins, Inc., and to adopt a resolution authorizing the City Manager to execute a one-year purchase agreement with Hawkins, Inc. in the not-to-exceed amount of \$7.91 per gallon. Councilwoman Schofield seconded the motion. On roll call, all voted yes. Motion passed.

Bid award and resolution authorizing the execution of a service agreement to complete Water Treatment Plant #5 water softener repairs and approval of changes in scope of up to 10% of the project cost.

Councilman Hopkins moved to award the bid for Water Treatment Plant #5 softener repairs to the lowest responsible and responsive bidder, Dahme Mechanical, and to adopt a resolution authorizing the City Manager to execute a service agreement with Dahme Mechanical to complete repair work to Water Softener #2 at Water Treatment Plant #5 in the amount of \$71,250.00, and authorize the City Manager to approve changes in scope of up to 10% of the project cost. Councilwoman Schofield seconded the motion. On roll call, all voted yes. Motion passed.

Property Tax Levy Ordinance/Truth in Taxation Public Hearing.

Mayor Shepley opened the Public Hearing and asked if anyone in the audience wished to speak. No one wished to speak. Mayor Shepley then closed the Public Hearing.

Councilman Hopkins moved to adopt the 2009 property tax levy ordinance and Certificate of Compliance. Councilwoman Schofield seconded the motion. On roll call, Councilmembers



AN ORDINANCE GRANTING AN AMENDMENT
TO THE FINAL PUD FOR CRYSTAL LAKE PLAZA

WHEREAS, pursuant to the terms of the Petition (File #2009-67) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development for: A. Architectural changes; B. A variation from the maximum allowable height requirement for the "B-2" district of 28 feet to allow 45 feet; and C. Tenant sign criteria changes to allow additional signage and allow an electronic message center on the existing pylon sign for Crystal Lake Plaza at 1-29 Crystal Lake Plaza; and

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

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

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

SECTION I: That a Special Use Permit be granted to permit: A. Architectural changes; B. A variation from the maximum allowable height requirement for the "B-2" district of 28 feet to allow 45 feet; and C. Tenant sign criteria changes to allow additional signage and allow an electronic message center on the existing pylon sign for the property located at 1-29 Crystal Lake Plaza (northeast corner of Northwest Highway and Keith Avenue), Crystal Lake, Illinois.

SECTION II: That the 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, received 11-12-09
 - B. Letter to PZC, received 11-12-09
 - C. Plan Set, ppk architects, dated 11-12-09, received 11-12-09

2. Façade Changes

- A. Detailed plans must be provided to clarify exactly which portions of the covered walkway would be removed and replaced by canvas awnings.
- B. Provide material and color samples (including awnings) of all exterior materials to be used on the buildings for review and approval by the Planning and Zoning Commission and the City Council.
- C. Several of the elements proposed to be used on the facades, including the cultured stone base, cultured stone at the false balconies, decorative brackets, precast ornaments, etc. are denoted as alternates on the drawings. If none of these elements are included in the final project, the elevation will lose some of its appeal. At a minimum, the cultures stone base or contrasting masonry, recessed EIFS for signage frame, and cultured stone or contrasting masonry at the false balconies must be incorporated in the final improvements.

3. Signage

- A. Individual tenants are allowed signage that fits within 85% of the sign band area above the store.
- B. If an electronic message center is approved:
 - i. The EMC sign must be illuminated by amber incandescent lamps, LED or magnetic discs (not red as proposed).
 - ii. The illumination portion of the sign shall not cause excessive brightness. The levels shall be determined by the Building Commissioner.
 - iii. Messages may be changed twice a week.
 - iv. The sign must have an automatic phased proportional dimmer, which must be used to reduce nighttime brightness levels (compared to daytime brightness levels). The applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset not to exceed levels specified and the intensity level is protected from end-user manipulation by password-protected software or other method deemed appropriate by the Building Commissioner.
- C. Additional details for the proposed signage on the decorative arch must be provided prior to the City Council meeting.
- D. The '*Vertical Endeavors*' signage is approved as presented at the City Council meeting.

4. As a condition of the PUD, variations from the provision of the UDO are granted to allow:

- A. Up to 45-feet building height for the '*Vertical Endeavors*' tenant space.
- B. Up to 38-feet for the tower elements.

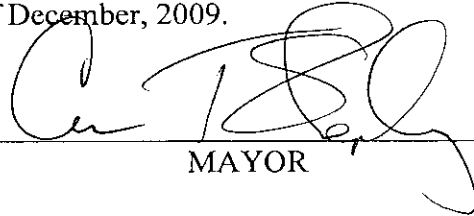
5. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

SECTION III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting of

Variations in accordance with the provisions of this Ordinance, as provided by law.

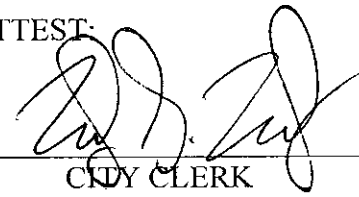
SECTION IV: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATED at Crystal Lake, Illinois, this 15th day of December, 2009.



MAYOR

ATTEST:



CITY CLERK

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