



**CITY OF CRYSTAL LAKE**  
**AGENDA**

**CITY COUNCIL**  
**REGULAR MEETING**

**City of Crystal Lake**  
**100 West Woodstock Street, Crystal Lake, IL**  
**City Council Chambers**  
**November 5, 2013**  
**7:30 p.m.**

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Approval of Minutes – October 15, 2013 Regular City Council Meeting**
- 5. Accounts Payable**
- 6. 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.*
- 7. Mayor's Report**
- 8. Council Reports**
- 9. Consent Agenda**
  - a. 4420, 4501, 5201 and 5425 Route 176 - Annexation Referral.**
  - b. Resolution authorizing the appointment of an Intergovernmental Risk Management Agency delegate and alternate delegate.**
- 10. Resolution accepting a donation from Inland Real Estate Corporation and designating them as a Bronze sponsor for the Centennial Celebration year.**
- 11. Existing Retailer Job Creation and Investment Program Matching Grant application request – Shay, 30 N. Williams Street, Suite D.**
- 12. Wheels and Deals, 805 E. Terra Cotta Avenue – Sign Variation amendment to allow the 33-square-foot wall sign installed above the roofline to be internally illuminated.**
- 13. 3 Disciplines Triathlon Event.**
- 14. Crystal Lake Centennial Winter Festival Class 19 Temporary Liquor License request.**
- 15. Unified Development Ordinance provisions relative to lake lots – Discussion Only.**
- 16. Video Gaming – Discussion Only.**
- 17. Bid award and resolution authorizing execution of an agreement for the purchase and delivery of clear southern rock salt and solar salt.**
- 18. Bid award and resolution authorizing execution of an agreement for sludge land application services.**

19. **Proposal award and resolution authorizing execution of an agreement for the Country Club Road Multiuse Path improvement for Phase I Preliminary and Phase II Design Engineering, and approval of changes in scope by 10 percent of the original price.**
20. **Ordinance prohibiting parking on certain areas of Dearborn Court.**
21. **Unified Development Ordinance Text Amendment for various provisions of the Unified Development Ordinance.**
22. **Resolution authorizing execution of an amendment to the Intergovernmental Agreement with the Illinois Office of the Comptroller pertaining to participation in the Illinois Comptroller's Local Debt Recovery Program.**
23. **Council Inquiries and Requests.**
24. **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.**
25. **Reconvene to Regular Session.**
26. **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: 9a**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 5, 2013

**Item:** #2013-29 4420, 4501, 5201 and 5425 Route 176 - Annexation Referral

Patrick Doherty, petitioner

**Recommendation:** Motion to refer the petitioner's request to the November 12, 2013, Planning & Zoning Commission special meeting for zoning consideration and to the December 3, 2013, City Council meeting for the annexation public hearing.

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

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**Background:** The petitioner is requesting annexation of four parcels that total approximately 2.5 acres, located north and south of Route 176, east of Route 31. The parcels are improved and unimproved, with Discount Flooring Warehouse, commercial buildings and a vacant parcel.

The petitioner respectfully requests that this matter be referred to the November 12, 2013, Planning & Zoning Commission special meeting for zoning consideration and the December 3, 2013, City Council meeting for the annexation public hearing.

**Votes Required to Pass:** A simple majority vote.



**Agenda Item No: 9b**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 5, 2013

**Item:**

Appointment of IRMA Delegate

**Council Recommendation:**

Motion adopting a resolution authorizing the appointment of Eric T. Helm, Deputy City Manager, to represent the City of Crystal Lake on the Board of Directors of the Intergovernmental Risk Management Agency, and authorizing the appointment of Bradley S. Mitchell, Assistant to the City Manager, as the alternate delegate.

**Staff Contact:**

Gary J. Mayerhofer, City Manager

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**Background:**

As the City Council is aware, the Intergovernmental Risk Management Agency (IRMA) provides the City with general liability, auto and workers' compensation insurance. IRMA is a risk pool of over 70 Chicago-area municipalities and special districts. Per IRMA's bylaws, each pool member shall appoint one (1) delegate and one (1) alternate delegate to represent the City and serve on the Board of Directors, provided that the alternate delegate may only serve on the Board of Directors in the event of the delegate's absence or inability to act. IRMA's Board of Directors is the governing body of the pool and sets pool policy related to insurance coverage and limits.

Due to a shift in responsibilities and the resignation of Mark Nannini, Director of Finance, it is appropriate to appoint Eric T. Helm, Deputy City Manager, to serve as the IRMA delegate. Bradley S. Mitchell, Assistant to the City Manager, will serve as the City's alternate delegate to IRMA.

**Votes Required to Pass:**

Simple majority vote of the City Council



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## RESOLUTION

WHEREAS, the City of Crystal Lake adopted the Contract and By-Laws of the Intergovernmental Risk Management Agency by Ordinance and thereby became a member of said cooperative; and

WHEREAS, said contract provides that member units of local government shall by majority vote of its corporate authorities select one (1) person to represent that body on the Board of Directors of said Intergovernmental Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, of McHenry County, Illinois, that Eric T. Helm, Deputy City Manager, of the City of Crystal Lake, is hereby appointed to represent the City of Crystal Lake on the Board of Directors of said Intergovernmental Risk Management Agency commencing November 5, 2013.

BE IT FURTHER RESOLVED that Bradley S. Mitchell, Assistant to the City Manager, of the City of Crystal Lake, shall serve as the alternate delegate to serve if Eric T. Helm is unable to carry out his aforesaid duties as the representative of the City of Crystal Lake to said Intergovernmental Agency.

DATED this 5<sup>th</sup> day of November, 2013

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: November 5, 2013

APPROVED: November 5, 2013



**Agenda Item No: 10**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	November 5, 2013
<b><u>Item:</u></b>	Centennial Celebration Sponsorship Acceptance
<b><u>Staff Recommendation:</u></b>	Motion to adopt a Resolution accepting a donation from Inland Real Estate Corporation and designating them as a Bronze Sponsor for the Centennial Celebration year.
<b><u>Staff Contact:</u></b>	Eric Helm, Deputy City Manager Elizabeth Maxwell, Planner

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The City of Crystal Lake will be celebrating its Centennial in 2014 (September 23, 1914 to September 23, 2014) and a City Centennial Committee has been established to develop, support and implement the City's plan to commemorate Crystal Lake's Centennial.

At the January 15, 2013 City Council meeting, the City Council accepted the recommendations of the Crystal Lake Centennial Committee's Final Report. The Final Report is the Centennial Committee's recommended plan for events and projects to commemorate the City's Centennial. The final report included a fundraising plan with various sponsorship levels.

As part of the planning of the yearlong celebration, the Centennial Committee has extended an invitation to area businesses to become sponsors of the celebration. An invitation was sent to all Crystal Lake Chamber of Commerce members. Inland Real Estate Corporation has accepted this invitation and has agreed to be a Bronze Sponsor with a donation of \$1,000.

A representative from Inland will be in attendance to formally present their donation.

More information regarding levels of sponsorship can be found at the Centennial website: [www.crystallake100.com](http://www.crystallake100.com).

**Votes Required to Pass:**

Simple majority vote of the City Council.



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**The City of Crystal Lake Illinois**

**RESOLUTION**

**WHEREAS**, the City of Crystal Lake will be celebrating its Centennial in 2014 (September 23, 1914 to September 23, 2014); and

**WHEREAS**, a City Centennial Committee has been established to develop, support and implement the City's plan to commemorate Crystal Lake's Centennial; and

**WHEREAS**, as part of the planning of the yearlong celebration, the Centennial Committee has extended an invitation to area businesses to become sponsors of the celebration; and

**WHEREAS**, Inland Real Estate Corporation has accepted this invitation and has agreed to be a Bronze Sponsor of the Crystal Lake Centennial with a generous donation of \$1,000.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Council hereby graciously accepts the support of Inland Real Estate Corporation and designates Inland Real Estate Corporation as a Bronze Sponsor of the Crystal Lake Centennial celebrations.

**DATED** this fifth day of November, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois Municipal Corporation

By: \_\_\_\_\_  
Mayor

SEAL

ATTEST:

\_\_\_\_\_  
City Clerk

PASSED: November 5, 2013

APPROVED: November 5, 2013



**Agenda Item No: 11**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 5, 2013

**Item:**

Existing Retailer Job Creation and Investment Program Matching Grant application request #2013-17-06 for Shay, at 30 N. Williams Street, Suite D, to request \$10,000 in matching grant funds.

Lynda Walsh, Shay

**Recommendations:**

City Council's discretion:

1. Motion to approve the Grant Agreement with Shay, and to award \$10,000 in grant funding for the new retail business's furniture, fixtures and equipment and employees;
2. Motion to deny the grant application request.

**Staff Contact:**

Michelle Rentzsch, Director of Planning and Economic Development

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**Background:**

- On November 1, 2011, the City Council approved the Retailer and Manufacturer Job Creation and Investment Programs, which provide grant funding to new and existing retailers who occupy vacant space and hire new full-time or part-time employees and/or install eligible furniture, fixtures, and equipment.
- In March of 2013, several changes were made to the grant program. The Existing Retailer Job Creation and Investment program allows for grant funds to be disbursed to new businesses that purchase furniture, fixtures and equipment and hire new full-time and part-time employees.

**Key Factors:**

SHAY (30 N. Williams Street, Suite D)

Shay is a new retail business to be located in Downtown Crystal Lake at 30 N. Williams Street. They are a unique boutique which has both home and apparel merchandise. They offer affordable and stylish clothing, unique accessories and home accents, gifts, call ahead gift service, shopping registry and interior design services. Shay will be spending \$12,500 on new furniture, fixtures and equipment (FFE). In addition, they will be hiring 3 new full-time employees. In accordance with the matching grant program guidelines, Shay is eligible for a \$10,000 grant award.

In order to objectively analyze the applications for funding, eligibility criteria have been established in the Ordinance approving this program. The list below outlines the evaluation of the applicant's request in relation to our eligibility criteria:

1. The program is open to any new sales-tax generating business that will occupy vacant retail space or a building or that will construct a new building for its business.



*Meets*                       *Does not meet*

2. Applicant must meet a minimum annual taxable sales threshold of at least \$100,000.

*Meets*                       *Does not meet*

*Staff is unsure about this criterion. The petitioner has provided data that estimates possible earnings exceeding \$100,000 per year. With niche market items there is a concern that the threshold will not be met, placing the applicant in the position of having to pay back the City the grant money.*

3. Applicant's business must provide a stocked retail showroom for retail products.

*Meets*                       *Does not meet*

4. Applicant must provide written proof of employment recruitment and of FFE costs.

*Meets*                       *Does not meet*

5. Applicant must file an application for grant funding prior to commencing improvements.

*Meets*                       *Does not meet*

6. Grant recipient may re-apply after 5 years from the date of recipient's previous award.

*Meets*                       *Does not meet*

7. Eligible FFE includes, but is not limited to, shelving, racks, tables, chairs, furniture, point-of-sale systems, fixed computer equipment used in business operation, televisions located in dining rooms or showrooms, office furniture and appliances.

*Meets*                       *Does not meet*

The applicant's request has been evaluated based on the above eligibility criteria and their planned purchase of FFE and the new employees. The current application would meet 7 of the 7 eligibility criteria.

### SUMMARY OF CURRENT REQUESTS

The chart below provides a complete summary of the grant funding requests. For the 2013-2014 Fiscal Year, there would be \$80,000 budgeted for reimbursements to awarded recipients. The job creation and investment programs will share the same funding source (\$80,000).

File #	Applicant Name / Business name	Address	New Retailer Programs	Existing Retailer Programs	Manufacturer Programs	Total Requested	Amount Approved
2013-17-01	Dream Gowns Bridal	16 W. Crystal Lake Plaza	\$10,000.00			\$10,000.00	\$10,000.00
2013-17-02	ABC Supply Company	171 Erick St			\$20,000.00	\$20,000.00	\$20,000.00
2013-17-03	Kitchen Outfitters	64 N. Williams	\$10,000.00			\$10,000.00	\$10,000.00
2013-17-04	Greek's Pizza	6000 NW Hwy	\$10,000.00			\$10,000.00	\$10,000.00
2013-17-06	Shay	30 N. Williams Suite D	\$10,000.00			\$10,000.00	
	<b>Totals</b>		<b>\$40,000.00</b>	<b>\$0.00</b>	<b>\$20,000.00</b>	<b>\$60,000.00</b>	<b>\$50,000.00</b>

A suggested condition for the City Council's consideration would be:

1) The grant will be disbursed in two equal payments. The first half payable after the signed agreement and receipts for FFE purchases have been verified. The second half once verification of taxable sales generated for the preceding year have been submitted to the City for review.

**Votes Required to Pass:** A simple majority vote.

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**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is hereby authorized and directed to execute an agreement with Lynda Walsh of Shay LLC, for a Retailer Job Creation & Investment Matching Grant in an amount not to exceed \$10,000.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL  
ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED:  
APPROVED:



## Agenda Item No: 12

### City Council Agenda Supplement

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**Meeting Date:** November 5, 2013

**Item:** Sign Variation amendment to allow the 33-square-foot wall sign installed above the roofline to be internally illuminated, for Wheels and Deals at 805 E. Terra Cotta Ave.

**Staff Recommendation:** City Council Discretion:  
A. Motion to approve an ordinance with the recommended conditions for the amendment as requested.  
B. Motion to deny the request.

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

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#### **Background:**

- In late 2012, Wheels and Deals relocated their business from their previous location at 580 E. Terra Cotta Avenue to the location formerly occupied by Black Forest Auto Sales at 805 E. Crystal Lake Avenue.
- At the August 6<sup>th</sup> City Council meeting, the petitioner received a sign variation to allow a sign to be installed on the roof, just above the gutter line. The petitioner intended to relocate an approximately 33-square-foot wall sign from their previous location.
- As part of this approval, there was a condition that the sign must be externally illuminated. This was indicated on the petitioner's application, detailed in the Council packet information, and listed as a condition of the approval.
- At this point, the petitioner would like to internally illuminate the sign. As this is clearly outside of the earlier approval, a sign variation amendment is necessary.

#### **Analysis**

- Per the UDO, single-tenant properties in the "B-2" district are permitted wall signage up to 150 square feet in area with no single sign or single façade exceeding 75 square feet in area.
- Internally illuminated signs are permitted in the "B-2" district. Where abutting a residential district, the signs are required to be turned off between 11:00 p.m. and 7:00 a.m.
- The petitioner will be reusing the wall sign from the previous location. The sign is 18 inches in height and 22 feet in length. The petitioner had previously indicated that the sign cannot be installed across the front of the building below the roof line because the

existing stoop does not leave adequate roof to accommodate the sign height on the side of the building. The previous conditions of approval required that the sign be externally illuminated. The petitioner has explored this option and feels that internally illuminating the sign will be preferable.

The City Council can grant a variation from the requirements of the Ordinance to overcome an exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent the display of a sign as intended by the Ordinance and where the following standards are met:

- A. The proposed variation will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.
- B. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The proposed variation will not by itself, or with other signs, contribute to the creation of a visual distraction which may lead to personal injury or a substantial reduction in the value of the property.
- C. The proposed variation is in harmony with the intent, purpose and objectives of the Ordinance.

Frank Marone has made the request on behalf of Wheels and Deals, and will be in attendance at the meeting to discuss this request with the City Council.

**Recommended Conditions:**

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application, Marone, received 7-25-2013
  - B. Sign Details, received 7-25-2013
2. All conditions of Ordinance #6950, as applicable shall apply.
3. The sign illumination must remain turned off between 11:00 p.m. and 7:00 a.m.
4. The proposed signs shall meet all of the other requirements in the UDO, as applicable.

**Votes Required to Pass:** Simple majority vote

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ORDINANCE NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A SIGN VARIATION AMENDMENT FOR  
WHEELS AND DEALS, 805 E. TERRA COTTA AVENUE

WHEREAS, pursuant to the terms of the request (File #2013-04-I) before the City of Crystal Lake, the Petitioner has requested a sign variation amendment to allow an internally illuminated sign for Wheels and Deals; and

WHEREAS, a hearing of the request was held before the City of Crystal Lake City Council in the manner and in the form as prescribed by Ordinance and Statute; and

WHEREAS, as a result of said hearing, the City Council made a motion to approve the sign variation amendment as requested; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the sign variation amendment be granted as requested,

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

SECTION I: That a sign variation amendment be granted to allow an internally illuminated wall sign for Wheels and Deals located at 805 E. Terra Cotta Avenue, Crystal Lake, Illinois with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application, Marone, received 7-25-2013
  - B. Sign Details, received 7-25-2013
2. All conditions of Ordinance #6950, as applicable shall apply.
3. The sign illumination must remain turned off between 11:00 p.m. and 7:00 a.m.
4. The proposed signs shall meet all of the other requirements in the UDO, as applicable.

SECTION II: 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 III: That this Ordinance shall be in full force and effect from and after its passage and

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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: 13**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	November 5, 2013
<b><u>Item:</u></b>	3 Disciplines Triathlon Event
<b><u>Council Discretion:</u></b>	Motion authorizing approval of 3 Disciplines to conduct a triathlon in the City of Crystal Lake, including the use of the Three Oaks Recreation Area on Sunday, June 22, 2014, with the conditions contained in this agenda supplement.
<b><u>Staff Contact:</u></b>	Michelle Rentzsch, Director of Planning and Economic Development Eric Helm, Deputy City Manager

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**Background:**

3 Disciplines is requesting approval from the City to organize and offer a triathlon in the City of Crystal Lake on Sunday, June 22, 2014. The triathlon will begin at approximately 7:30 a.m. and end at approximately 12:00 p.m. Setup at the Three Oaks Recreation Area would begin on Friday, June 20th, and take place during the entire weekend. The swim and run portion of the triathlon will take place at the Three Oaks Recreation Area. The bicycle portion will take place on the following roads: Northwest Highway (Route 14), Pingree Road, Rakow Road and Virginia Road, as depicted on the attached triathlon map.

The race format will include an Olympic Triathlon and a Sprint Triathlon. The Olympic Triathlon will consist of a 1.5k swim, 40k bike, and 10k run. The Sprint Triathlon will consist of a 500m swim, 20k bike, and 5k run. It is estimated that 500 individuals will participate, with an additional 500 – 1000 spectators. It is anticipated that registration costs for participants will be between \$60 - \$100.

**Petitioner Background**

3 Disciplines, a for-profit organization, was originally started to help raise funds for a high school cross-country and track team for new uniforms, travel, awards banquet and team dinners. As of January 2013, 3 Disciplines produced 440 events and timed and consulted on another 300+ events, including Regional Championships and World Junior Qualifiers. 3 Disciplines has hosted events in 11 states, including running, mountain biking, road racing, triathlon, duathlon and adventure races. A petitioner letter is attached, along with documents from their website.



## **Swimming Portion of the Race – Three Oaks Lake Usage**

The use of the lake at the Three Oaks Recreation Area will require three restrictions on the public access. First, City Staff recommends that sailboats not be allowed on the lake during the event. Sailboats are often difficult to control and may inadvertently travel into the race course area. Due to the imprecise movements of sailboats, City Staff recommends that sailboats not be allowed on the lake from 7:30 AM – approximately 10 AM.

Second, the public will not be able to access the entire lake during the swim portion of the race. The northern portion of the south lake will be restricted from public access by buoy markers. In addition, public access to the lake may be delayed while swimmers are in the water. Renters will be notified of the race on the lake and instructed to stay clear of the race area on the water. The Fire Rescue Department and Three Oaks staff will have emergency/service boats on the water to ensure the public's safety.

Third, the public access to the sand beach will be limited during the swim portion of the race. Since public swimming does not begin until 10:00 AM, it is anticipated that public access to the swim water will not be substantially impacted.

In addition, the petitioner will need sole use of approximately ½ of the parking lot to act as a “transition” zone for the swimmers to access bicycles for the next stage of the race.

## **Running Portion of the Race – Three Oaks Trail Usage**

The race portion of the triathlon will occur on existing trails. It is anticipated that these areas will need to be closed to the general public during the race.

## **Bicycle Portion of the Race - Traffic Control and Detour Plan**

Since the race takes place on City of Crystal Lake, Village of Lake in the Hills, County and State roadways, this triathlon also requires the approval of the Village of Lake in the Hills, the McHenry County Division of Transportation (MCDOT) and the Illinois Department of Transportation (IDOT). The petitioner is requesting that the City prepare and draft submittals on their behalf for the McHenry County Division of Transportation and Illinois Department of Transportation review. While typically the responsibility of the applicant, this request would include preparation of engineering plans for the detour routes and traffic control necessary due to the extensive road and lane closures. Note that the Engineering & Building Department did prepare basic sign plans for the Prairie State Cycling Series event held in July in Downtown Crystal Lake, but it did not include any State or County roadways and was on a smaller scale. Regarding the proposed triathlon, the Engineering & Building Department estimates that it will take them approximately 40 staff hours to complete the following:

1. Prepare and draft traffic control and detour plans for submittal to MCDOT;
2. Prepare and draft traffic control and detour plans for submittal to IDOT;

3. Prepare any plan revisions that are necessary and miscellaneous coordination time with Lake in the Hills, MCDOT, and IDOT.

In regards to the bike portion of the triathlon, below are City staff recommendations regarding the closure of streets/street lanes:

1. Pingree Road: Preference would be to close Pingree Road to thru traffic between Northwest Highway and Virginia Road due to the 2-way bike traffic needed for the new route. However, MCDOT and IDOT will require a signed detour with signage on Rakow Road, Route 14, and Route 31.
2. Virginia Road: Also prefer to close Virginia Road between Rakow Road and Trinity Drive to thru traffic as well, given limited number of driveways and need for local access during that timeframe on a Sunday morning. Requires submittal and approval from McHenry County DOT. MCDOT and IDOT will require a signed detour with signage on Rakow Road and Route 31.
3. Northwest Highway (US Route 14): Only the outside lane of eastbound Route 14 would need to be closed. Traffic control (barrels, cones, etc.) would need IDOT approval and meet their standards for a typical temporary lane closure.
4. Rakow Road: Only the outside lane of eastbound Rakow Road would need to be closed. Bike traffic would travel westbound in this lane to avoid crossing active vehicle traffic except at the Rakow/Pingree intersection.
5. Police Traffic Control:
  - a. Rakow/Pingree intersection: This intersection will require at least 2 Crystal Lake police officers for traffic control.
  - b. Rakow/Virginia intersection: 1 Crystal Lake police officer
  - c. Virginia/Pingree: 1 LITH police officer
  - d. Northwest Highway/Pingree: 1 Crystal Lake police officer
  - e. Northwest Highway/Crystal Court Entrance: 1 Crystal Lake police officer

### **Petitioner Request:**

In addition, the petitioner is requesting from the City:

1. A waiver of the speed limit for bicyclists. It is State law that bicyclists follow the speed limit as posted on a road. It is anticipated that bicyclists will exceed the speed limit on some roads during the race.
2. A waiver of City Staff costs and signage costs associated with the triathlon. A summary of each cost is listed below:

- a. *Police Department Costs:* It is anticipated that, at a minimum, five Police officers will be needed to assist with traffic control during the race. The anticipated cost for Police officers to assist with the triathlon is:

$$\text{\$46 per hour} \times \text{5 officers} \times \text{4 hours} = \text{\$920}$$

- b. *Fire Rescue Department Costs:* Fire Rescue would require an ambulance with two personnel to standby for the race, as well as a boat with two personnel. The following is a breakdown of Fire Rescue Department costs for one hour of lake monitoring:

\$248.00 (Ambulance and Boat personnel \$124/hours each):

x 4 (Four hour minimum)

**Minimum Total:                    \\$992.00**

- c. *Signage Cost Waiver – City Stock Signage.* In order to support traffic control, the City could allow 3 Disciplines to utilize the City’s stock of signage and traffic control items. Outlined below is the City’s Public Works cost to install and place this signage. A waiver of costs associated with traffic control, which includes: cones, drums, type 2 barricades, type 3 barricades, saw horses, arrow boards, type 2 barricades with signs and portable changeable message signs. The anticipated cost for Public Works services with the triathlon is:

3 staff members for the event to setup and take down, 6 hours each =  
18 hr. @ \$40.00 per hr. \$720.00

2 staff members to load the day before, unload the day after, and put  
everything away, 4 hours each = 8 hr. @ \$40.00 per hr. \$320.00

2 one-ton trucks 6 hours each = 12 hr. @ \$40.00 per hr. \$480.00

**Total labor and equipment: \$1,520.00**

- e. *Signage Cost Waiver – Additional Contractor Supplied Signage.* In order to support traffic control, 3 Disciplines will need to utilize additional signage and traffic control items, over and above what can be provided by the City. Attached is a breakdown of the estimated traffic control quantities. This includes: cones, drums, type 2 barricades, type 3 barricades, saw horses, arrow boards, type 2 barricades with signs and portable changeable message signs.

**Total estimated labor and equipment: \$5,250** (includes \$4,963 plus additional signs for a detour required by the McHenry County Department of Transportation).

f. *Three Oaks Recreation Area Usage Fees:*

Application Fee	\$75
Out of City Organization Fee	\$150
Pavilion Rental Fee	\$200
Three Oaks Service Boat Fee	\$24 ( \$12 per hour x 2 hours)
Three Oaks Overnight Security (could be provided by applicant)	\$96 (\$12 per hours x 8 hours)
Three Oaks General Staff Fee	\$450 (\$15 per hour x 6 staff (5 hours))
Three Oaks Lifeguard Fee	\$240 (\$10 per hour x 12 guards (2 hours))
<b>Total Non-Refundable Fee</b>	<b>\$1,235</b>
Refundable Pavilion Damage	\$200
Refundable Event Damage	\$1000
<b>Total Refundable Fee</b>	<b>\$1200</b>

3. 3 Disciplines has also requested that it receive a commitment from the City to offer this event for five years. If the City Council were to approve this event, it is recommended that the City approve the event for one year, and reevaluate the event for future years.
4. City staff expenses related to the preparation of any traffic control and detour signage plans required by IDOT and MCDOT, at no cost to the petitioner. The City estimates that it would take staff about 40 hours to accomplish this task.

## **Recommended Conditions:**

City staff has reviewed the petitioner's request and offers the following conditions:

1. Three Oaks Recreation Area Conditions:
  - a. Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements, including all insurance requirements.
  - b. 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.
  - c. 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.
  - d. Receive approval from 3<sup>rd</sup> party property owners for off-site parking. Remote parking / shuttle service locations and signing plans will need to be submitted. A sign plan for the remote parking locations will be submitted to the City's Building Division for approval.
  - e. Agree that all traffic control activities shall be performed by City Staff.
  - f. Submit for City approval, severe weather plans, specifically, the number and passenger size of buses/shuttles that will be present during the entire duration of the event.
  - g. Provide shuttle buses for attendees utilizing off-site parking. Petitioner shall provide adequate evacuation plan for attendees utilizing shuttle buses.
  - h. Sound system shall not disturb other users of the park.
  - i. All temporary electrical items shall comply with the 2005 Electric Code and shall be subject to City inspection.
  - j. All egress gates will be unobstructed at all times.
2. Approval for the triathlon is contingent upon approval from other participating jurisdictions, including the Illinois Department of Transportation, McHenry County Division of Transportation and the Village of Lake in the Hills. Provide written documentation of the other agency approvals.
3. The City will have flexibility in designing the race course based on any concerns from City Departments.
4. 3 Disciplines must provide the City with a site plan for set-up at the Three Oaks Recreation Area and parking plan for the event for review by City Departments.
5. Work with the Police Department as to the positioning of volunteers. If no volunteers are willing and/or able to participate, the additional locations will need to be covered by officers. Volunteers must wear traffic safety vests, and have the ability to

communicate via radio or cellular telephone with organizers and police in the event of an emergency. Volunteers are not to direct traffic.

6. "Race In Progress" signs must be posted a minimum of one (1) day prior to the event.
7. Streets are not to be marked with paint or any permanent materials.
8. All debris created by the event shall be cleaned up during and after the event.
9. 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. Also, all participants should sign a waiver releasing the City from any liability related to their participation in the triathlon.
10. (same as 1b)Any additional permits or requests for signage shall be made through the Engineering and Building Department.
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.

## **Economic Impact**

City staff has been working with various sports organizations through the McHenry County Convention and Visitors Bureau (McCVB) to help recruit sporting events to Crystal Lake. "Sports Tourism" along with heritage tourism are the two fastest growing segments of the tourist industry. The State of Illinois conservatively estimates that a daytripper will spend on average \$81 per day while an overnight traveler will spend on average \$122 per day. Triathlons, for the most part, attract an overnight traveler due to the starting time for the event. An estimated 1,500 people will participate or spectate at this event (500 – 750 participants and 500 – 100 spectators). Outside of the hotel stays, restaurants visits, and shopping trips, the exposure to the Crystal Lake community and the Three Oaks Recreation Area ensures return visitors.

The impact to the City's Departments is outlined below:

<u>Department</u>	<u>Estimated Cost</u>
Police	\$920.00
Fire Rescue	992.00
Public Works	1,520.00
Additional Signage (material and labor)	5,250.00
Three Oaks Recreation Area Fees	<u>1,235.00</u>
<b>TOTAL FEES</b>	<b>9,917.00</b>
Three Oaks Deposits (Refundable)	1,200.00

Next year, the petitioner could apply for Hotel Motel Tax Funding. In the interim, if the City Council is agreeable to approving the proposed triathlon, the waiver of the \$9,917 in fees could be budgeted from the City's economic development line item in the fiscal year 2014/2015 budget.

## **Votes Required to Pass:**

Simple majority vote of the City Council



**Agenda Item No: 14**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	November 5, 2013
<b><u>Item:</u></b>	Crystal Lake Centennial Winter Festival, Class 19 Temporary Liquor License
<b><u>Staff Recommendation:</u></b>	Motion to adopt a Resolution approving the issuance of a Class "19" Temporary Liquor License, with fee waiver, for the Centennial Winter Festival.
<b><u>Staff Contact:</u></b>	Eric T. Helm, Deputy City Manager

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**Background:**

On December 7, 2013, the City will continue its centennial celebration with a Winter Festival. The Winter Festival will be held at the Lakeside Center/Dole Mansion and Main Beach. As part of the festivities, it has been contemplated that the City, or City approved contractor, would offer spiced wine and other seasonal alcoholic beverages. These beverages would be offered for this one day only from 11 AM – 4 PM. In order to offer alcoholic beverages, the City would obtain a Class "19" Temporary Liquor License.

Section 329-5-S of the City Code permits the issuance of a Class "19" Temporary Liquor License for the retail sale of beer, wine and alcoholic liquor drinks for consumption upon the premises specified in the license where sold. The license shall be issued to not-for-profit corporations qualified to do business in the State of Illinois. The license shall be for a period not to exceed three (3) days, and shall be issued only for special events sponsored by the not-for-profit corporation requesting the license.

The following conditions will be followed:

- Compliance with all City Code regulations.
- Alcoholic beverages would only be allowed in an outside fenced in area and within the Lakeside Center/Dole Mansion.
- Proof of Insurance for liquor sales. The City's Risk Pool will provide liquor liability coverage for the event.
- Uniformed City of Crystal Lake Police Officers will be on the grounds during all hours of the festival operation.
- Signage shall be provided indicating that alcoholic beverages may not be taken outside of designated areas.

**Votes Required to Pass:**

Simple majority





DRAFT

## RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that a Class 19 Temporary Liquor License with fee waiver for the Crystal Lake Centennial Winter Festival is hereby approved; and

Dated this 5<sup>th</sup> day of November, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois Municipal Corporation

By: \_\_\_\_\_  
Mayor

SEAL

ATTEST:

\_\_\_\_\_  
City Clerk

PASSED: November 5, 2013

APPROVED: November 5, 2013



**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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<b><u>Meeting Date:</u></b>	November 5, 2013
<b><u>Item:</u></b>	Unified Development Ordinance provisions relative to lake lots.
<b><u>Recommendation:</u></b>	Discussion only.
<b><u>Staff Contact:</u></b>	Michelle Rentzsch, Director of Planning & Economic Development

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**Background:**

At the September 17<sup>th</sup> City Council meeting, the Council discussed the Unified Development Ordinance provisions relative to lake lots. The Council directed staff to seek input from the property owners abutting the lake.

**Public Input Process:**

- ✓ A survey was sent to all property owners along Crystal Lake.
- ✓ An open house was held on October 16<sup>th</sup> - approximately 30 people were in attendance. Information about the open house was sent to property owners both abutting the lake and those properties that are adjacent to lake lot owners.
- ✓ 41 surveys were returned out of the 121 surveys mailed.
- ✓ 4 phone calls were made to City staff and are recorded in the attachment.
- ✓ A summary of the feedback received is compiled and included below along with the recommendations for changes to the UDO.

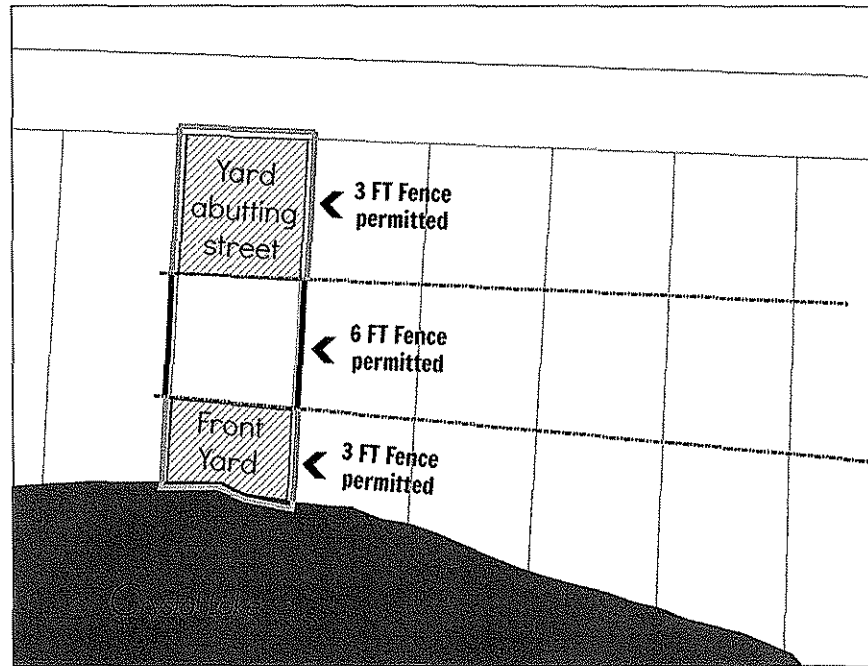
If changes to the UDO are recommended by the Council, the matter can be referred to the Planning and Zoning Commission to their November 12, 2013 special meeting for final consideration at the November 17<sup>th</sup> City Council meeting.

**Fences**

**Existing Regulations**

- Yard abutting street - For lake lots, the height of a fence is limited to 3 feet in the yard abutting street. There is no limitation on the type of fence. A variation is needed to install a taller fence.

- Front (Lake-side) Yard - For lake lots, the height of a fence is limited to 3 feet in the front yard. There is no limitation on the type of fence. A variation is needed to install a taller fence.



### Existing Conditions

A visual survey of properties along Leonard Parkway, Woodland Drive, Oak Court, North Shore Drive and Edgewater Drive was completed.

Leonard Parkway: there are very few fences along the street and a few properties with fences along the side lot line.

Woodland Avenue: lots are larger in width and very few have a fence along the street or the side lot line. More common is a hedge or privet fence that runs along the side lot line to the lake.

Oak Court: lots are narrow (40-feet wide on average) and for most, the garage along Oak Court extends across most of width of the lot. Fences along the side lot extending to the lake are more prevalent for these lots.

North Shore Drive: lots are on an average 50-feet wide and more varied fence types are prevalent here. There are a few 6-foot board-on-board fences along North Shore. There are some board-on-board fences that are 6 feet along the side yard and transition to a 3-foot fence within the front (lake side) setback. There are a few chain link fences and a few instances of hedge rows which serve as natural fences.

Edgewater Drive: some fences along the side lot extending to the lake are seen for some lots.

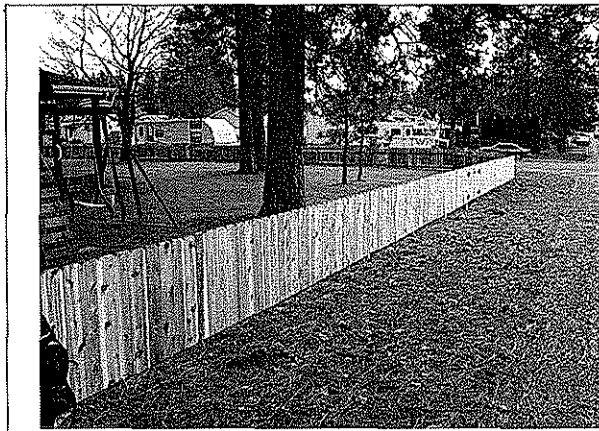
### Survey Results

The results received through the surveys that were returned and input received are compiled below along with the comments received.

	No Change (3-FT fence)	4-FT tall fence only if open style	Other
Yard abutting street	16	20	2
Waterfront Yard	19	17	4

Other feedback received included:

- No chain link fences.
- No Spite fences or plantings like solid, privet hedges or pines. No solid view restrictions.
- Allow 42-inch tall fences on the lake side (no picket fence allowed).
- Allow 3 FT open-style fence on the lake side.
- No storing of piers, docks, boat lifts or any structure that distracts from views of lake, during winter season.
- Allow 4-FT-tall fence on the street side without any restriction.
- Fence height does not matter because if the home owner plants a line of trees, it still blocks view of the lake.
- 6-FT-tall fences, garages, bushes are all in use as privacy screening on Oak Court and North Shore and this should be allowed to continue. Oak Court and North Shore are distinctly different from the other neighborhood in this regard.
- No fence preferred - if allowed, 4-FT tall fence is permitted if open split rail or wrought-iron style, no picket fences.



Existing Regulation  
3-FT tall fence, no limitation on type of fence

Proposed Regulation  
4-FT tall fence, only if open style

Discussion Points

- For lake lots, if a fence taller than 3 feet is requested, standards for fence material and opacity can be instituted.
- By creating a new definition for waterfront lots, this new standard would not affect the myriad of other double frontage lots in the City.

Recommended Language

Lake lots are considered as double frontage lots. There are several other double frontage lots in the City - along Briarwood Road, Swanson Road, Golf Course Road, Huntley Road or

sections of Walkup Avenue, where similar requests for taller fences along the street could be requested in the future.

While lake lots are double frontage lots, they are different in character than other double frontage lots that front two right-of-ways. Therefore, it is recommended that rather than defining the lake side yard as the 'front yard', it be defined as the 'waterfront yard'. The street side yard will continue to be the 'yard abutting street'.

The following definitions could be added to the UDO.

**LOT, DOUBLE FRONTAGE:** An interior lot having frontage on two more or less parallel streets as distinguished from a corner lot. In the case of a lot abutting upon a street and a waterway, the yard separating the principal structure from the street shall be designated as the "side abutting street"; the yard separating the principal structure from the water shall be designated as the "waterfront yard".

**FENCE, NATURAL:** Trees, shrubs, or other woody landscaping materials that have been planted for the purpose of enclosing or screening areas of land or to mark a boundary. Such a fence typically consists of closely spaced plantings that, based on typical growing conditions, will form a visual or physical barrier thirty-six (36") inches or higher above ground level. Plant material in a natural fence may be planted in rows, staggered, or at random. Natural fence heights shall be measured from finished grade, as defined herein, to the highest point of the landscape material or if the natural fence is planted on a fill area, the height shall be measured from the existing grade (as defined herein).

**WATER LINE:** In the case of a lot abutting Crystal Lake, the water line shall mean the line separating the above-ground portion of the lot from water or the sea wall, where present.

**SETBACK, WATERFRONT:** The setback for a principal structure determined by drawing a straight line between the adjacent homes on each side of the subject property, provided that the adjacent houses are within five hundred (500') feet of the subject property. Boat houses, decks, patios, porches and similar accessory structures or attachments shall be disregarded when determining the waterfront setback.

**YARD, WATERFRONT:** An open space extending the full width of the lot, the depth of which is the horizontal distance between the water line and the nearest building line (waterfront setback), as defined herein.

The following changes could be made to Article 4-700 Fences, Walls and Screening

3. Height Requirements for Fences, walls and screening

- a. Fences, walls or screening (including natural fences) in any front yard, corner side yard or yard abutting a street shall not exceed 3 feet in height and meet the clear view provisions listed in Section 4-700 B-4 below.
- b. Fences, walls or screening (including natural fences) shall not exceed 6 feet in height in any side or rear yard.
- c. Fences, walls or screening (including natural fences) in a waterfront yard shall not exceed 3 feet in height. Fences 4 feet in height are permitted only if split rail, wrought iron style, or picket, open fencing are used, such that the fence does not obscure

visibility and is at least 75% open. Spacing between pickets must be at least three times the width of the picket.

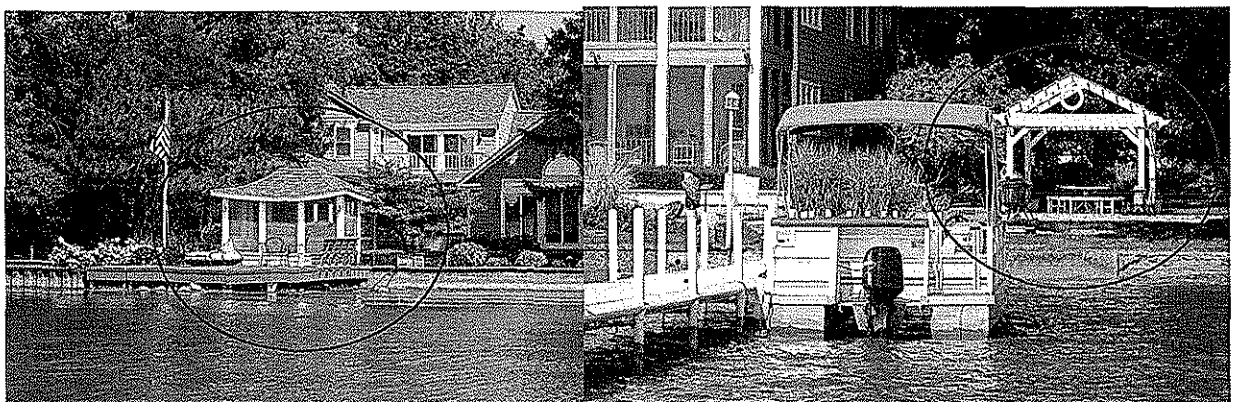
## Accessory Structures

### Existing Regulations

- Accessory structures are not permitted within either the front yard or corner side yard setback for any property. Exceptions are made for boat docks, boat houses, piers, seawalls, benches, decks and any other structures used for water related activities, children's playhouses and play equipment for lots abutting Crystal Lake.
- Decks that are at least 6 feet from the residence are treated as detached accessory structures. Decks smaller than 600 square feet in area can be as tall as 15 feet in height.
- Decks attached to the residence are considered part of the residence and must meet the setbacks for the residence with a 4-foot encroachment allowed into the setback. There is no limitation on how tall the deck can be as long as it meets the setbacks.
- The City code provides regulations for boat docks. Docks must be no wider than 10 feet and no closer than 10 feet from the straight-line projection of the property line. Non-fabric roofs and elevated decks are not permitted. Seasonal shore stations/boat lifts must be located adjacent to the boat dock or seawall and must not cross the straight-line of the property lines.

### Existing Conditions

An analysis of properties along Leonard Parkway, Woodland Drive, Oak Court, North Shore Drive and Edgewater Drive, reveals that other than decks and patios, there are few detached accessory structures in the waterfront yard. These include storage sheds, screened porch, gazebos, and play equipment. A majority of the houses have an attached deck or patio; however, that is not considered an accessory structure, as long as it is attached to the residence.



## Survey Results

The results received through the surveys that were returned and input received are compiled below along with the comments received.

	Yes	No
New boat houses, screen houses, gazebos, sheds or other structures in the waterfront yard require a special use permit	21	12
Flatwork such as patios and decks (not more than 12 inches above the ground) be permitted within the waterfront yard as long as the 5-foot side yard setback is met.	18	
Retaining or landscaping walls within the waterfront yard are limited to 3-feet in height.	16	

Other feedback received included:

- There isn't a deck on the lake that I know of that isn't more than 12" off the ground.
- Lakeside decks should be allowed up to the height of the first level interior floor, provided that the deck and railing do not obstruct neighboring views.
- Keep the special use permit on ALL lakeside projects.
- No storing of piers, docks, boat lifts or any structure that distracts from views of the lake during winter season.
- A special use permit is not needed. The City has the right to okay the structure. Don't make people jump through hoops unnecessarily. The lake is eclectic and always has been and if just Crystal Lake is adhering to certain rules and Lakewood is not, what difference does it make.
- The City has the right to okay accessory structures. A special use permit is not needed.
- Decks and patios are ok as long as the flow of rainwater is not blocked, and water stays on the property.
- Patios should be at grade so water can flow from street to lake without obstruction or, in other words do not let people build a dam in their front yard and push their rain water off on their neighbor's lot.
- Limit retaining or landscaping walls within the waterfront yard to 1 foot in height.
- No change in current regulations for accessory structures.
- Retaining or landscaping walls are ok to be 4 feet tall.
- We don't need boat houses, gazebos or other structures on the lake side. Forget special use or variations. No landscaping over 3 feet.
- Flatwork such as patios and decks are ok to be 3FT above the ground.
- Limit the number of accessory structures on the lake side.
- Boat houses are ok, but no other structures along the water's edge.
- Was under the impression that no accessory structures are allowed on the lake side. Accessory structures can block a neighbor's view.

## Discussion Points

- Should all new accessory structures in the waterfront yard be required to obtain a Special Use Permit?

If not,

- Are accessory structures such as screened porches and storage sheds considered water-related and therefore permitted in the waterfront yard?
- Currently, detached decks are permitted in the waterfront yard and can be as tall as 15 feet in height. Is this desirable?

### Recommended Language

Waterfront accessory structures are approved through the approval of a Special Use Permit. This will allow for a site specific analysis of each proposed structure and its impact on surrounding properties based on the conditions for each lot.

Because of the unique nature of the lake lots, flatwork such as patios and decks not more than 12 inches (or another determined height) above the ground are recommended to be permitted within the waterfront yard as long as the 5-foot side yard setbacks are met and the maximum allowable impervious coverage is not impacted. Seat walls are recommended to be no taller than 18 inches in height. A continuous wall around the patio or deck is not considered a seat wall.

It is recommended that retaining or landscaping walls not exceed three (3) feet in height, measured at any point on either side of the wall, from the finished grade level adjacent to the wall to the top of the wall. Walls shall not be used to alter the overall natural topography of the land.

### Height of Structure

#### Existing Regulations

- Within the single-family residential zoning districts, houses are permitted to be 28 feet and 2-stories in height.
- Building Height is defined as “the vertical distance from the curb level, or its equivalent established grade, opposite the middle of the front of the building.” For lake lots, the front is on the lake side. Therefore, building height is measured on the lake side.
- Story is defined as “that portion of a building included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and ceiling above it. Any basement or cellar with more than ½ of its height above the average level of the adjoining ground at the front of the building shall be considered a story for purposes for both height and area measurements.

#### Existing Conditions

A visual survey of properties along Leonard Parkway, Woodland Drive, Oak Court, North Shore Drive and Edgewater Drive reveals that most of the homes are two stories high, predominantly with high knee walls. These are likely to be crawl space or basement knee walls. There are several homes that have a third story within the attic. However, where the wall plates are not more than 4 ½ feet above the finished floor level, it is considered a half-story (and therefore not counted as a full story). There are a few examples of houses that have a full walk-out basement on the lake side. These have been built within the last decade or so.



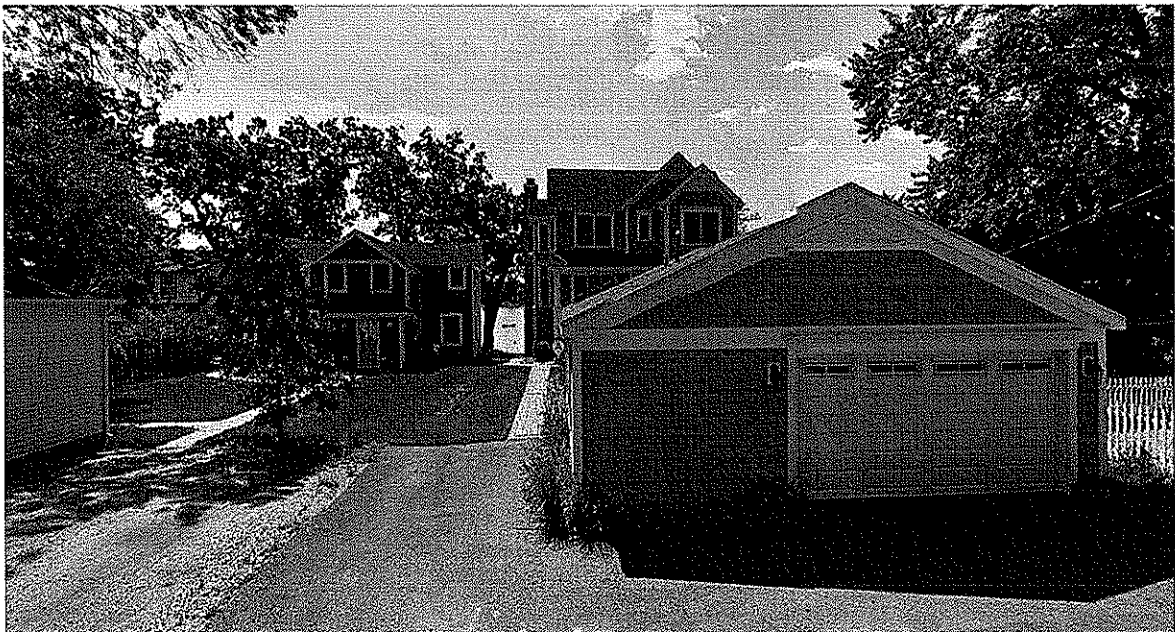
## Survey Results

The results received through the surveys that were returned and input received are compiled below along with the comments received.

Height should be measured on street side (3 stories along lake side acceptable)	18
Height should be measured on lake side (3 stories along lake side not acceptable)	21

Other feedback received included:

- 3 stories OK along street side.
- No 3 stories; they are too much impact on our environment.
- No 3 stories at all.
- Allow "3 stories" lake side - measure 28 FT from the street.
- Do not label "3 stories" or "2 stories". Label a height from street side. 28 feet is fine; let the homeowner decide how they want to use the 28 feet (one-story, two-story, 3-story, English, walk-out, etc.)
- Street side is the only side that is consistent throughout in terms of flatness (streets are engineered to be level) and perspective of lakeside of homes are from a boat on the lake, so very far away and not the same as a perspective from the street. We have today and have for decades, allowed various story combinations along the lake - 1, 2, 2 ½, 3. This must continue.
- We are opposed to the idea of 3-story houses, at least on the north side of the lake. They would disturb the feel of the neighborhood that is one of summer houses and openness. Yes, there are some that could qualify as 3-story because of the way that they're built. But then the 3-story buildings could be built in a way to be really 4-story homes.
- For lake side, maximum 2 stories + walkout basement is OK; other would need variation.
- Do not want neighbors to look down on other neighbors.
- Not necessarily concerned that 3 stories are allowed. But houses built a lot higher than the neighboring houses is a problem.



### Discussion Points

Where the natural contour of the land does not facilitate the creation of a walk-out or where ground water is high, it may be prohibitive to excavate to allow for a third story. Additional fill dirt may need to be brought in or the residence may need to be built up to create the necessary height. This can cause the resulting house to tower over the adjoining properties.

- Should building height for lake lots be measured along the lake side or the street side?
- If building height is measured on the lake side, where a lot naturally slopes to the lake, should an allowance be made for maximum building height?

### Recommended Language

The 'Building Height' definition could be clarified to state where the height is measured and what the 'equivalent established grade' is.

The following definitions could also be added to the UDO.

**BUILDING HEIGHT:** The vertical distance measured from the curb level, or its equivalent established grade, opposite the middle of the front of the building to the highest point of the roof in the case of a flat roof; to the deckline of a mansard roof; and to the mean height level between eaves and ridge for a gable or hip, and to the highest pitch break or the mean height level between the lowest eaves and the highest ridge, whichever is greater; excluding elevator or mechanical equipment rooms; and provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the existing lot grade at the front of the building. For properties abutting Crystal Lake, building height shall be measured opposite the middle of the side of the building along the side abutting street. For all nonresidential structures, where the overall vertical grade of the area occupied by the footprint of the building varies more than three feet, the height of the building shall be measured from the average of all grade elevations of the building.

**OR**

**HEIGHT, BUILDING:** Building Height, Waterfront lots: For waterfront lots, a lower level walk-out along the front is not counted as a story. For buildings with a lower level walk-out, the maximum height may be increased by 10 feet for residential buildings having a lower level walk-out, provided that the walk-out was created because of the natural contour of the land, and provided that the natural contour of the land provides a grade change of at least six (6') feet within the proposed lot.

**GRADE, EXISTING:** The grade prior to excavating, filling, re-grading or other similar changes or improvements to the land.

**GRADE, FINISH:** The grade after excavating, filling, re-grading or other similar changes or improvements to the land.

**Votes Required to Pass:** Discussion only.



**Agenda Item No: 16**

## **City Council Agenda Supplement**

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**Meeting Date:** November 5, 2013  
**Item:** Video Gaming  
**Staff Recommendation:** Discussion Only  
**Staff Contact:** Eric T. Helm, Deputy City Manager

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### **Background:**

Recently, City Staff received a letter from several Crystal Lake businesses requesting that the City reconsider its ordinance which expressly prohibits video gaming. As the Council may recall, at the May 1, 2012 City Council meeting, it approved an ordinance expressly prohibiting gambling, except gambling that is legally allowed under the Illinois Charitable Gambling Act.

The attached letter requests that the City reconsider its decision to not allow video gaming. Also attached are several recent articles regarding video gaming in McHenry County.

### **Votes Required to Pass:**

Discussion Only



**Agenda Item No: 17**

**City Council  
Agenda Supplement**

**Meeting Date:** November 5, 2013

**Item:** Clear Southern Rock Salt and Solar Salt Bid

**Staff Recommendation:** Motion to award the bid for the purchase and delivery of clear southern rock salt and solar salt to the lowest responsive, responsible bidder, Cargill Inc., and to adopt a resolution authorizing the City Manager to execute a one-year purchase agreement with Cargill Inc. for clear southern rock salt in the amount not to exceed \$84.10 per ton, and for solar salt not to exceed \$135.00 per ton.

**Staff Contact:** Victor Ramirez P.E., Director of Public Works

**Background:**

On October 23, 2013, the City of Crystal Lake publicly opened and read aloud the bids received for a one-year contract for the purchase and delivery of clear southern rock salt and solar salt. Clear southern rock salt is used daily by the Public Works Department for the City's water softening processes at Water Treatment Plants 2, 3, 4, and 5, and solar salt is used for the softening process at Water Treatment Plant 1. The City expects to use approximately 3,500 tons of rock salt and 400 tons of solar salt during the term of this contract.

The following is a breakdown of the bids received:

<b>Bidder</b>	<b>Clear Southern Rock Salt</b>	<b>Solar Salt</b>
√ Cargill Inc. St. Clair, MI	\$84.10 per ton	\$135.00 per ton
Morton Salt Chicago, IL	\$85.18 per ton	No bid
North American Salt Overland Park, KS	No Bid	No Bid

√ Indicates recommended lowest responsive and responsible bidder

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**Discussion:**

The 2010 softening system that was installed at the City's Water Treatment Plant #1 is requiring the use of solar salt, which has a lower level of sulfate than the clear southern rock salt used at the other four water treatment plants. The ion exchange softeners installed at WTP #1 are a proprietary system and have been determined by the manufacturer to, after two years of intermittent operation, require solar salt for backwashing of the resin. The lower sulfate content salt will reduce the likelihood of barium buildup in the system.

In addition to being publicly posted, bid requests were sent directly to three area suppliers for commercial salt who regularly bid for the City's clear southern rock salt contract. Cargill was the only supplier that submitted a bid proposal to supply the City with solar salt. North American and Morton Salt did not bid due to concerns that they would not be able to meet delivery requirements because they do not stock this product in the Chicago area. While solar salt is commonly used in the water treatment process in other areas of the country, it is not very prevalent in the Midwest due to the higher cost with delivery charges.

*NOTE:* Cargill's price for clear southern rock salt reflects a \$3.13 per ton reduction from the current unit price of \$87.23. The price for solar salt reflects no change from the 2013 unit price.

**Recommendation:**

The Public Works Department has reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. Cargill Inc. has provided salt to the City of Crystal Lake in past years. They have been a very responsive supplier to the City's salt requirements. It is staff's recommendation to award the contract for clear southern rock salt and solar salt to the lowest responsive and responsible bidder, Cargill Inc., and to authorize the City Manager to execute a purchase agreement with Cargill Inc. for the purchase and delivery of clear southern rock salt and solar salt.

**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 one-year Purchase Agreement between the CITY OF CRYSTAL LAKE and Cargill Inc. for the provision of Clear Southern Rock Salt and Solar Salt.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_



**Agenda Item No: 18**

**City Council  
Agenda Supplement**

**Meeting Date:** November 5, 2013

**Item:** Sludge Land Application

**Staff Recommendation:** Motion to award the bid for sludge land application services to the lowest responsible and responsive bidder, Stewart Spreading, in the submitted bid amounts, and adopt a resolution authorizing the City Manager to execute a three-year service agreement with Stewart Spreading for sludge land application services.

**Staff Contact:** Victor Ramirez, P.E., Director of Public Works

**Background:**

On October 7, 2013, the City of Crystal Lake publicly opened and read aloud the bids received for sludge land application by the Public Works Department. The contract involves the land application of sludge generated at the City's two (2) wastewater treatment facilities, and shall be effective through 2015. The City produces approximately 1,000 dry tons of sludge per year between both facilities. The chart below indicates the breakdown of the bids received.

	2013	2014	2015
√ Stewart Spreading Sheridan, IL	\$85.00 per dry ton	\$85.00 per dry ton	\$85.00 per dry ton
Synagro Central, LLC Baltimore, MD	\$83.00 per dry ton	\$85.17 per dry ton	\$87.00 per dry ton
Dahm Enterprises Wonder Lake, IL	\$89.00 per dry ton	\$90.00 per dry ton	\$91.50 per dry ton
*Walter & Son Waste Hauling Darien, WI	\$81.05 per dry ton	\$81.49 per dry ton	\$81.93 per dry ton

√ Indicates recommended lowest responsible and responsive bidder.

\* Indicates non-responsive bidder

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**Discussion:**

Walter & Son is a Wisconsin company that has proposed hauling the sludge to Wisconsin. The bid specification mandates that the land application site conform to the City's Water Pollution Control Permit 2011-SC-1387. The City does not possess a permit which would allow it to deposit sludge in the State of Wisconsin. As Walter & Son's proposal provides for hauling of sludge to Wisconsin, the bid is not in conformance with the City's permit and is, therefore, not responsive. Additionally, as the City monitors the locations to which its sludge is hauled, in order to assure compliance with the terms of its permit, sending City personnel to a deposit site in Wisconsin would impose an undue burden upon the City.

Stewart Spreading is an established, nationally recognized bio-solids disposal company. They have the experience and resources necessary to handle the City's bio-solids materials and will be depositing the sludge on northeastern Illinois fields, in conformity with the bid specifications.

**Recommendation:**

The Public Works Department has reviewed all bids received for completeness and accuracy with the request for proposal documents. Stewart Spreading has hauled sludge for the City in the past, and has demonstrated that they are a capable, responsible firm. Therefore, it is the recommendation of the Public Works Department staff to award the three-year contract for sludge land application to Stewart Spreading in the amount bid.

**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 three-year Service Agreement between the CITY OF CRYSTAL LAKE and Stewart Spreading for sludge land application services in the submitted bid amounts.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_



**Agenda Item No: 19**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 5, 2013

**Item:**

Consultant Selection Approval for the Country Club Road Multiuse Path improvement for Phase I Preliminary and Phase II Design Engineering.

**Staff Recommendation:**

Motion to award the proposal for the Country Club Road Multiuse Path improvement for Phase I Preliminary and Phase II Design Engineering to the most qualified, responsible, and responsive proposer, Alfred Benesch & Company, and adopt a resolution authorizing the City Manager to execute an agreement with Alfred Benesch & Company in the amount of \$82,663.33 and approve changes in scope by 10 percent of the original price.

**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building

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**Background:**

The Country Club Road Multiuse Path improvement will construct a multiuse path along the south side Country Club Road. This path will connect the neighborhoods in the southwest side of town with South Elementary School, Lundahl Middle School, the Lakeside Legacy Foundation, and Main Beach. There are currently no sidewalks or paths on Country Club Road or any of the streets in this corridor. Construction of this project will be funded using Federal Safe Routes to School program grant funds. In order for the City to design this project, the City must engage a qualified engineering consultant to complete the Phase I and Phase II engineering.

*Consultant Selection Process*

The City sent the Request for Qualifications & Proposal (RFQ&P) directly to qualified engineering firms. The City also placed an advertisement of the RFQ&P in the *Northwest Herald*. Through this notification process, the City received eight proposals.

Staff from the Engineering and Building Department reviewed the proposals based on their qualifications and proposed cost. The qualifications criteria considered during the review were:

- Proposal completeness

- Firm's reputation and integrity
- General experience and history of performance on similar projects
- Current or past projects related to the scope of services
- Understanding of the project
- Experience of personnel
- Miscellaneous – additional items which made the firm stand out

During the qualification review, a point system was established for each category, with items being weighted differently depending upon the importance of each item. The attached table was provided to each firm prior to their final submittal, and utilized to objectively rate each firm's proposal. The following summarizes the points received by each firm as well as their proposal cost, in order of their final rank:

FIRM	Baxter & Woodman	Alfred Benesch	Hampton, Lenzini & Renwick	CBBEL	CivilTech	Knight	Ciorba	Primera
<b>TOTAL POINTS</b> Max = 345	327	311	308	297	247	221	176	137
<b>PROPOSAL COST</b>	\$179,359.00	\$82,663.33	\$108,021.38	\$165,052.19	\$169,913.50	\$133,373.57	\$154,897.38	\$88,088.00

Of the eight proposals received, Alfred Benesch & Company (Benesch) had the second highest number of qualification points and the lowest overall cost and was therefore deemed the most qualified and responsible proposer.

**Recommendation:**

Staff is currently working with Benesch on the Phase I preliminary and Phase II design engineering for the Crystal Lake Avenue at Main Street project of which they are successfully completing. Staff has also worked extensively in the past with the Benesch project manager who has always demonstrated he is very knowledgeable of the process for IDOT federally funded projects. Therefore, it is the recommendation of the Engineering and Building Department to select Alfred Benesch & Company to perform the Country Club Road Multiuse Path improvement for Phase I Preliminary and Phase II Design Engineering.

The City has budgeted for this project, and has sufficient reserves in its MFT fund for the engineering.

**Votes Required to Pass:**

Simple majority



**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 agreement with Alfred Benesch & Company for the Country Club Multiuse Path Improvement for Phase I Preliminary Engineering and Phase II Design Engineering in the amount of \$82,663.33. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

**DATED** this fifth day of November, 2013.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
Aaron T. Shepley, Mayor

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED: November 5, 2013

APPROVED: November 5, 2013



**Agenda Item No: 20**

**City Council  
Agenda Supplement**

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**Meeting Date:** November 5, 2013

**Item:** Dearborn Court Parking Restrictions

**Staff Recommendation:** Motion to adopt an ordinance prohibiting parking on certain areas of Dearborn Court

**Staff Contact:** Erik Morimoto, Director of Engineering and Building

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**Background:**

The City constructed an improvement to Dearborn Court in 2012 to assist with redevelopment of the northeast quadrant of the US Route 14 and Illinois Route 176 intersection. After the project was completed, one of the business owners requested the implementation of a no parking restriction on one side of the street and the cul-de-sac to assist with truck access.

City staff evaluated the request and determined that prohibiting parking in certain areas would be advantageous. The exhibit shows the areas where parking will be prohibited. The proposed parking restrictions offer a good balance of allowing delivery of cars to the new Brilliance Honda dealership while allowing the other businesses along Dearborn Court direct access to on-street parking.

On July 17, 2013, the Engineering and Building Department asked for feedback on a proposal that would have restricted parking on the west side of the street and the cul-de-sac. The City received one letter and a phone inquiry about the restrictions, and both were generally supportive. The City sent another letter on October 23, 2013 to all of the property owners regarding the proposed parking restrictions. The City did not get any feedback on the second letter.

**Votes Required to Pass:**

Simple Majority of City Council Present

DRAFT



**The City of Crystal Lake Illinois**

**ORDINANCE**

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

**SECTION I:** That it shall be unlawful to park any vehicle on Dearborn Court in the following areas:

1. On the east side of Dearborn Court between the intersection of Illinois Route 176 at Dearborn Court and a point 50 feet north of that intersection.
2. On the west side of Dearborn Court between the intersection of Illinois Route 176 at Dearborn Court and a point 200 feet north of that intersection.
3. On the west side of Dearborn Court between a point 1,400 feet north of the intersection of Route 176 at Dearborn Court and a point 1,625 feet north of the intersection of Illinois Route 176 at Dearborn Court.

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

DRAFT

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 fifth day of November, 2013.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: \_\_\_\_\_  
Mayor

SEAL

ATTEST:

\_\_\_\_\_  
City Clerk

PASSED: November 5, 2013

APPROVED: November 5, 2013

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



**Agenda Item No: 21**

**City Council  
Agenda Supplement**

**Meeting Date:** November 5, 2013

**Item:** UDO Text Amendment for various provisions of the Unified Development Ordinance

**PZC Recommendation:** Motion to approve the Planning and Zoning Commission recommendations and to adopt an ordinance amending Chapter 650 of the Code of Ordinances of the City of Crystal Lake for the changes to the UDO.

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

**Background:**

- When the City Council adopted the Unified Development Ordinance (UDO) in 2009, it was intended to be a dynamic document that would be updated periodically.
- The proposed text amendments would address issues observed by staff, based on their day-to-day application of the UDO, and would simplify the requirements and procedures for businesses and residents.

***Key Factors***

The proposed text amendments would address the following provisions of the UDO:

	<b>Current Provisions</b>	<b>Proposed Provisions</b>
Article 2 Land Use (various provisions)	Currently, vehicle sales as ancillary uses to major automobile repair are not permitted in the M-L and M districts	The proposed amendment would allow vehicle sales as an ancillary use to major automobile dealers as a Limited Use.
	Funeral Homes (and crematories) are currently permitted by right in the B-2 and B-4 districts.	It is recommended that funeral homes and crematories be permitted as limited uses so required cross-access and parking arrangements can be verified.



Article 2 Land Use (various provisions)	Electronic Message Signs (except Gasoline Electronic Pricing Signs) are currently permitted through a Special Use Permit. There are several restrictions on these signs including the minimum lot area and width where the sign can be installed and design standards such as brightness, requiring static messages, etc.	All the current standards for Electronic Message Signs (except Gasoline Electronic Pricing Signs) would remain. The proposed change would permit the sign to be approved as Limited Use if all requirements are met and requiring a Special Use Permit to be approved by the City Council if the requirements are not met.
	Supermarkets and other Grocery Stores, Junior Colleges and Physical Fitness places are currently permitted in various districts.	The proposed amendment would allow these uses in additional districts as permitted uses.
	Specific criteria are provided for the various uses permitted as limited and special uses.	Clarification or additional standards for Home Occupations and Gasoline Stations are recommended.
Article 4-200 Off-Street Parking and Loading	Currently, the UDO provides no standards if double stripes are proposed for delineating parking spaces.	The proposed language provides standards where double stripes are proposed to delineate parking spaces. It is not mandatory to double stripe parking spaces.
Article 4-300 Tree Preservation	The provisions of the Tree Preservation section of the Ordinance are not applicable to properties where a landscaping or tree preservation plan was approved.	The proposed amendment clarifies that it is the property owners' responsibility to maintain the landscaping per the approved plan.
Article 4-600 Accessory Structures	Currently, accessory structures greater than 600 square feet in area are required to obtain a Special Use Permit.	It is recommended that the threshold for requiring a Special Use Permit be increased to 900 square feet.
	Currently, no accessory structures are permitted in the side or yard abutting street for properties that abut Crystal Lake. Therefore a variation is	It is recommended that detached accessory structures be permitted by right in the yard abutting street for properties abutting Crystal Lake.

	necessary if a detached accessory structure is proposed in the yard abutting street.	
Article 7 Nonconformities	Currently, if properties are annexed involuntarily into the City, there are no provisions in the Ordinance to bring non-compliant signs, parking areas or other development features into compliance.	The proposed language provides standards to detail the nonconformities, establish an amortization period and bring the properties into compliance.
Article 9 Administration	For residential Final Planned Unit developments, the Ordinance does not clearly identify the entities that are required to file the application.	The proposed amendment clarifies who needs to sign the application for a residential PUD Amendment.

***PZC Highlights***

- Following discussion, the PZC recommended **approval** of the proposed changes at the August 7<sup>th</sup> meeting (7-0) and at the October 16<sup>th</sup> meeting (7-0).

The language in the UDO will be amended as follows:

**TABLE 2-300 PERMITTED USES TABLE**

		F	E	R	R	R	R	R	O	B	B	B	M	M	W	USE CRITERIA	NAICS
				1	2	3A	3B			1	2	4	L				
<b>COMMERCIAL</b>																	
Major Automotive Repair uses with Automobile Dealer as an ancillary use													L	L		2-400C-64	
Food and Beverage Stores	Supermarkets and Other Grocery (except Convenience) Stores									P	P	P					445110
Educational Services	Junior Colleges								P	S	S	S	S			2-400C-22	611210
Personal & Laundry Services	Funeral Homes								L		P	P				2-400 C-63	812210
	Crematories								L		L	L				2-400C-15	
Signs	Electronic Message Center (EMC) Sign except Gasoline Electronic Pricing Signs										S	L				2-400C-61	
Commercial Recreation	Physical fitness facilities, weight training centers, strength development centers, weight loss center								P	P	P	P	P	P			

## Article 2 Land Uses

### **Section 2-400 Limited and Special Use Criteria**

#### 3. Home Occupations

All Home Occupations must comply with the following standards:

a. General: The use for the occupation must be clearly incidental to the use of the dwelling as a residence, so that its existence is not apparent except for the signage as provided in Article 4-1000, Signs of this Ordinance. Any home occupation must not alter the exterior residential character of the dwelling or the neighborhood.

b. Use: The uses permitted as home occupations may include, but are not limited to:

- (i) Instruction in music, musical instruments, home crafts and arts and dance provided the total class size does not exceed 4 students at any time;
- (ii) Tutoring, limited to 4 students at any time;
- (iii) Home Day Care, subject to the standards listed in Section 203C-26;
- (iv) Offices offering professional services including, but not limited to, architects, brokers, engineers, insurance agents, lawyers, real estate agents, accountants, consultants, stockbrokers, financial planners, urban planners, etc;
- (v) Offices of salesmen, contractors, sales representatives or manufacturers representatives provided that no retail transaction shall take place on the premises, except through telephone, facsimile, telegraph or mail communication, electronic or wireless communication;
- (vi) Studios of artists, authors, composers, photographers, sculptors;
- (vii) Workrooms of dressmakers, seamstresses and tailors;
- (viii) Workrooms for home crafts, crafts and trade people, including, but not limited to model making, rug weaving, lapidary work and cabinet making.
- (ix) Limited personal services including, but not limited to cosmetology, massage therapy, etc.
- (x) Office of a home-based call center agent.

The following uses are prohibited as home occupations:

- (i) Human or animal care facilities, such as hospitals, clinics, stables, veterinarian clinics, kennels;
- (ii) Repair shop (excluding personal or small household goods repair such as clock repair, cutlery sharpening, watch repair, etc.);
- (iii) Rooming/Boarding House;
- (iv) Rental Outlets (including but not limited to rental of mobile homes, trailers, camper trailers)
- (v) Contractor Yards;
- (vi) Scrap/Salvage Services; and
- (vii) Automobile Repair Services.
- (viii) Eating and drinking establishments
- (ix) General Retail

c. Size: The Home Occupation may not occupy more than 20 percent or 500 square feet of the gross floor area of the dwelling unit, whichever is less;

d. Ownership: The Home Occupation must be managed and owned by a person residing in the dwelling unit;

e. Employment: It does not depend on the employment of more than one employee other than members of the immediate family living in the structure, provided however that appropriate off-street parking must be provided for the non-resident employee;

f. Site Design: The site design must comply with the following requirements:

- (i) An entrance may not be specifically dedicated for the home occupation, unless otherwise required by law;
- (ii) No alteration may be made which changes the exterior residential character or appearance of the dwelling. Home Occupations that require a structural alteration of the dwelling to comply with non-residential building codes are prohibited. This prohibition does not apply to modifications required to comply with any accessibility requirements;
- (iii) The Home Occupation may not require or use outdoor storage or involve conducting business activity outdoors;
- (iv) No commercial display of materials, merchandise, goods, or equipment is visible from the exterior of the dwelling;
- (v) Signage is restricted to an unlighted name plate or business sign with an overall size of no more than 1-square-foot, per the provisions of Article 4 -1000, Signs.

g. Operation: The Home Occupation does not require the delivery or shipment of materials, merchandise, goods, or equipment other than by parcel delivery businesses. Sale of merchandise directly to customers on premises is not permitted.

h. The Home Occupation must be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence; and

i. The Home Occupation must be operated in accordance with all applicable laws and, if any state, federal or local permit or license is required.

**Note: Certain home occupations may require approval by the McHenry County Health Department and involve modifications per the Building Code. It is the applicant's responsibility to check and ensure that all applicable McHenry County Health Department and all applicable local, county, state and federal requirements are met.**

### 13. Gasoline Stations (with and without convenience stores)

Gasoline stations must comply with the following standards:

- a. Location: Gasoline stations are not permitted within the City's wellhead protection areas. Stations in the Crystal Lake watershed require a site specific analysis by the City's watershed consultant.
- b. Environmental impact: No gasoline station shall commence operations unless it has first provided an environmental impact statement from a qualified expert in the related field that the use will not negatively affect ground water resources or contaminate the soil.

- c. Screening: Gasoline stations adjacent to residential properties shall provide a 6-foot-tall solid screen consisting of a solid wooden fence, in accordance with the provisions of Article 4-700, Fences, Walls and Screening or opaque landscaping along the perimeters of the property abutting the residential district or use, in accordance with the provisions of Article 4-400, Landscaping and Screening Standards.
- d. Canopy: **Flat canopies are not permitted. Canopies must have a minimum 4:12 pitch.** The edge of the pump canopy shall be setback at least 15 feet from all property lines
- e. Curb cuts: There shall be a maximum of 2 curb cuts per property. Corner lots shall be limited to 1 curb cut per street frontage. Curb cuts for corner lots shall be located at least 75 feet from the intersection, or as deemed appropriate by the City Engineer.
- f. Vending machines: One vacuum and one air compressor shall be permitted on-site. Vending machines are treated as outside sales and display. Refer to the handout on Outdoor Sales, Service, Storage and Display available through the Planning and Economic Development Department for further clarification.
- g. Outside sales: Outside product display and sales of seasonal items are prohibited.
- h. Propane tanks stored in 1 locked metal cage are not treated as outside sales and permitted subject to the approval of the City's Fire Prevention Bureau. For any other outside display and sales, refer to the handout on Outdoor Sales, Service, Storage and Display available through the Planning and Economic Development Department for further clarification.
- i. Monitoring: Monitoring wells finished at appropriate depths and locations best suited to detect a contaminate plume are required to be designed and located by a groundwater professional for stations within the Crystal Lake watershed or as determined by the City Engineer.
- j. Electronic Pricing Signs: Electronic pricing signs must be requested as part of the Special Use Permit.

### **63. Funeral Homes**

**All Funeral Homes must comply with the following standards:**

- a. **Cross-access agreements with adjoining properties are required to handle overflow parking. Where a cross-access is not possible, other arrangements approved by the City Engineer are necessary. Where cross-access is provided, accommodations must be made such that pedestrians are able to utilize the parking safely.**

### **64. Major Automotive Repair uses with Automobile Dealer as an ancillary use.**

**All automobile dealers as an ancillary use to Major Automotive Repair uses must comply with the following standards:**

- a. **Vehicles for sale: Vehicles available for sale are limited to automobiles and light trucks, such as sport utility vehicles, and passenger and cargo vans.**
- b. **Display areas: All vehicle display areas must be paved with an approved surface (Approved surface shall mean asphalt/bituminous, concrete/P.C.C. and any surface that is approved by the City Engineer). Display areas shall be setback a minimum of 5 feet from all adjacent property lines and 10 feet from roadways.**
- c. **Site Plan: A striping plan for the parking lot, illustrating the location of the customer/employee parking, display area for vehicles for sale, location of any screening materials for the principal use including fences or landscape, and on-site circulation patterns must be provided. Areas for customer and employee parking and**

vehicles for sale must be clearly identified on the site plan. The required number of parking spaces must be maintained at all times.

- d. **Landscaping:** Landscaping is not required within or surrounding vehicle display areas. Parking lot landscaping in accordance with Article 4-400, Landscaping and Screening Standards shall be provided for employee and customer parking areas.
- e. **Signage:** All signage including all vehicle and window signage must meet the provisions of the UDO for Industrial Uses.

#### Section 4-200 Off-Street Parking and Loading

##### H. Dimensional Standards for Parking Spaces and Aisles

###### 1. General

The minimum dimensional standards for standard vehicle parking spaces and parking lot aisles shall comply with Table 4-200 H (1), Dimensional Standards for Parking Spaces and Aisles. **All parking spaces shall be separated by painted stripes or an approved alternative method of space separation. Where a single stripe is used, the stripe shall be four inches in width. For parking lots greater than 200 spaces, a double stripe design is recommended. Double stripes for space striping are recommended as they help parkers center their vehicles between stripes, maximizing the space between vehicles. The double stripe shall be separated by eighteen inches and parking spaces shall be measured from the center to center of double stripes. Parking facilities shall be regularly restriped to provide clearly visible separation between spaces.** Where wheel stops are provided, an overhang of 1 1/2 feet is permitted.

#### Article 4-300 Tree Preservation

##### B. Exemptions

- c. Properties for which a landscaping or tree preservation plan was approved, pursuant to the terms of an annexation agreement, special use permit or other agreement or ordinance, as long as the development activity is in compliance with said approved plans. **It is the property owner's responsibility to maintain the landscaping per the approved plan.**

#### Section 4-600 Accessory Structures and Uses

D. Special use permit required: Any individual structure or accessory to a single-family detached, single-family attached or a two-family dwelling, greater than 600 square feet **but less than 900 square feet are required to meet principal structure setbacks. Any structures greater than 900 square feet in area** are required to obtain a special use permit.

**Commentary:** The requirement for a special use permit is applicable to enclosed accessory structures including, but not limited to garages, sheds, greenhouses, playhouses, etc. This requirement **does not apply** also applies to other accessory structures including, but not limited to gazebos, decks, porches, terraces, etc. **as long as applicable setbacks are met.** ~~that are at least 12 inches above the average ground elevation surrounding the particular accessory structure.~~ This requirement ~~also applies~~ **does not apply** to above-ground swimming pools or

above-ground swimming pool and deck combinations as long as the applicable setbacks are met (and is not applicable to in-ground swimming pools).

Article 4-600 Accessory Structures and Uses

E. Location of Accessory Structures

2. Side and Rear Yards

- b. For residential uses fronting Crystal Lake: Accessory buildings or structures are not permitted in the side and rear (street) yards. **Accessory buildings or structures in the rear (street) yard are permitted as long as they meet the setback requirements of the Ordinance.** Signs (in compliance with Section 4-1000, Signs); mailboxes; flagpoles; fences (in compliance with Section 4-700, Fences, Walls and Screening) are excluded from this requirement. All existing accessory structures located in side and rear (street) yards as of May 16, 2006 are considered as legal non-conforming structures and shall conform with the requirements set forth in Article 7, Non-conformities of this Ordinance.

Article 7 Nonconformities

**Section 7-400 Nonconformities upon annexation**

**Upon annexation of property or lot containing any non-conforming sign, parking area or other development feature, the following requirements of this section of the Ordinance shall apply. For nonconforming uses, signs, parking areas or other development features, upon annexation, an amortization period shall be established by the City Council either through an annexation agreement or within one hundred twenty (120) days after annexation.**

**The following information shall be required from the owner/operator of the nonconformity to establish the amortization period and shall be provided within sixty (60) days from the receipt of written notice from the City requesting such information:**

- (1) Scale drawing or map showing the existing use and all existing structures related to the use; and**
- (2) Written description of the existing use; and**
- (3) Detailed, written description of investment in the land, buildings, structures and equipment related to and used in the use, based on most recent County Assessor's records; and**
- (4) Any other information determined necessary by the City to conduct a comprehensive review of the application.**

**Upon submittal of all information required above, or refusal to do the same by the owner/operator, the City shall schedule a public hearing on the matter before the Planning and Zoning Commission on the next open agenda. Notice given for the public hearing shall be as provided for in Article 9. The Planning and Economic Development Director shall**



cause to have prepared a staff report which shall be presented to the Planning and Zoning Commission. In making a recommendation on an amortization period, the Commission shall consider the staff report and recommendation; all comments received from the owner/operator and the public, and shall consider the following:

(1) Criteria above; and

(2) Unique or special circumstances which may be related to the particular request. The Planning and Zoning Commission recommendation shall be in the form of minutes of the meeting, copies of which shall be furnished to the owner/operator. The details of the established amortization shall be recorded against the property. (Added by PZC)

#### Article 9 Administration

Section 9-200 Specific standards and other requirements for applications for development approval

E. Planned Unit Developments

**12. Amendment to a Final PUD Plan - For residential Planned Unit Developments, when amending an approved Final PUD Plan, unless the Home Owners' Association, where one is present, is authorized to act on behalf of the entire development, every property owner within the PUD is required to consent to the amendment to the PUD.**

**Votes Required to Pass:** A simple majority vote.



**Agenda Item No: 22**

**City Council  
Agenda Supplement**

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**Meeting Date:**

November 5, 2013

**Item:**

Amendment to Intergovernmental Agreement pertaining to the Illinois Comptroller's Local Debt Recovery Program

**Staff Recommendation:**

Motion to adopt a Resolution authorizing the City Manager to execute an amendment to the Intergovernmental Agreement with the Illinois Office of the Comptroller pertaining to participation in the Illinois Comptroller's Local Debt Recovery Program.

**Staff Contact:**

George Koczwar, Interim Director of Finance

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**Background:**

In April of 2012, the City Council approved an Intergovernmental Agreement between the City of Crystal Lake and the Illinois Office of the Comptroller which allowed the City to participate in the Comptroller's Offset System. Pursuant to this system, the City would certify to the Comptroller's office that a debt was owed from a particular individual or company. In the event that the State owed money to that same person or entity, the amount of the debt owed to the municipality would be offset from the payment due from the State and would then be paid to the City.

Recently, the Comptroller's office initiated a new online portal as well as new documents for the submittal and certification of debt to be recovered through the offset system. Additionally, the Comptroller's office has requested that municipalities execute the attached amendment to the intergovernmental agreement. The amendment provides additional safeguards to prevent unauthorized persons from submitting claims to the offset system. These include assurances from the City that the login information to the offset system will be kept confidential and that the City will not allow third party vendors or consultants (collection services, etc.) to submit claims to the offset system on the City's behalf. The amendment further provides that the claims submitted to the system cannot include debt which resulted in the issuance of a warrant for the arrest of the debtor or which resulted in the attachment of a lien against the debtor. Finally, the amendment increases the transaction fee for each offset payment from \$15.00 to \$20.00.

**Recommendation:**

It is the recommendation of the Finance Department to adopt a resolution authorizing the City Manager to execute an amendment to the Intergovernmental Agreement with the Illinois Office of the Comptroller to participate in the Illinois Comptroller's Local Debt Recovery Program. The City's Special Counsel has reviewed the amendment to the Intergovernmental Agreement.

**Votes Required to Pass:**

Simple Majority



**DRAFT**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN  
AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
CITY OF CRYSTAL LAKE  
AND THE ILLINOIS OFFICE OF THE COMPTROLLER**

**WHEREAS**, the City of Crystal Lake, Illinois, is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

**WHEREAS**, pursuant to Article VII, Section 6(a) of the Illinois Constitution, 1970, the City of Crystal Lake may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public, health, safety, morals and welfare; and

**WHEREAS**, the Illinois Office of the Comptroller (hereinafter "IOC"), as representative of the State of Illinois, has the responsibility to collect debts owed to public bodies; and

**WHEREAS**, the City and the IOC previously entered into an intergovernmental agreement which allowed the City to participate in the Comptroller's Offset System, for collection of debt owed the State by persons receiving payments from the State ("the Agreement"); and

**WHEREAS**, the IOC has requested that the Agreement be modified in accordance with the proposed amendment attached hereto as Exhibit A ("the Amendment"); and

**WHEREAS**, the City Council finds that it is in the best interest of the City of Crystal Lake to approve the Amendment.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF CRYSTAL LAKE, ILLINOIS, AS FOLLOWS:**

**SECTION 1.** That the City Council approves the adoption of the Amendment to the Agreement, in substantially the form attached hereto as Exhibit A.

**SECTION 2.** That the City Manager is hereby authorized to sign the said Amendment attached hereto as Exhibit "A".

**SECTION 3.** The City Manager is hereby authorized to implement the Amendment, attached hereto as Exhibit "A".

**DRAFT**

This Resolution is adopted at a regular meeting of the City Council of the City of Crystal Lake, Illinois on the 5<sup>th</sup> day of November, 2013.

APPROVED:

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Aaron T. Shepley, Mayor

ATTEST:

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Nick Kachiroubas, City Clerk

PASSED: November 5, 2013

APPROVED: November 5, 2013

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