CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
April 3, 2018
7:30 p.m.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of Minutes – March 20, 2018 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. City Council Reports

9. Consent Agenda
   a. Run and Roll Event – Special Event Approval for the Run and Roll for the Dole Duathlon, for October 14, 2018 on area roadways; closure of Country Club Road between Lake Avenue and Golf Course Road; waiver of speed limit and traffic laws for bicyclists; and waiver of special event fees and Police Department chargeback fees.

   b. Marine Corps League – Request to waive fees associated with the June 14, 2018 fishing derby at Three Oaks Recreation Area.

   c. Willow Creek Crystal Lake – Request to hold a special event at Three Oaks Recreation Area on Sunday September 9, 2018 from 12:00 p.m. to 5:00 p.m. with a rain date of Sunday, September 16, 2018.

   d. Resolution placing the proposed Annual Budget on public display and setting the Public Hearing date for the proposed Annual Budget for Fiscal Year 2018/2019 for the April 17, 2018 regular City Council meeting.

10. 6315 Northwest Highway, Spa Thera Pe – Special Use Permit for a massage establishment.

11. 5764 Northwest Highway, TJ Maxx – Final Planned Unit Development Amendment to allow changes to the façade and additional signage.

12. **Resolution determining Hotel/Motel Tax Distribution for the Raue Center for the Arts.**

13. **Adoption of an ordinance reserving the State of Illinois volume cap for private activity bonds.**

14. **875 S. Route 31, Mercy Health – Final Planned Unit Development for a hospital and medical center.**

15. **Council Inquiries and Requests.**

16. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**

17. **Reconvene to Regular Session.**

18. **Adjourn.**

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Jillian Austin, Executive Assistant, 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

Meeting Date: April 3, 2018

Item: Run and Roll for the Dole Duathlon Special Event request for closing Country Club Road between Lake Avenue and Golf Course Road and waiving of speed limit and traffic laws for the event.

City Council Discretion: Motion to approve issuance of the Special Event for Run and Roll for the Dole and waiver of the speed limit, traffic laws, the Special Event fee ($50), and Police Department chargeback fees ($1,891.08), pursuant to the recommended conditions.

Staff Contact: Michelle Rentzsch, Director of Community Development

---

Background: This is the ninth year for the Run and Roll for the Dole Duathlon, which benefits the Lakeside Legacy Foundation and is planned for Sunday, October 14, 2018. The race will begin at 8:00 AM and finish at approximately 10:30 AM. The race will consist of a 2-mile run, 20K (12.6 mile) bike course, and another 2-mile run. There will also be a 2-mile family fun run/walk.

The 2-mile running course will take place on Crystal Lake roads. The 20K bike ride will take place throughout the City of Crystal Lake, the Village of Lakewood, and the Village of Lake in the Hills. The City Council approved similar requests in previous years.

The organizers are requesting the following:

- The closure of Country Club Road between Lake Avenue and Golf Road for the duration of the race. This portion of Country Club Road is the beginning and end point of the race.

- Assistance from the Crystal Lake Police Department along the race course that is within the City's jurisdiction. As was approved in previous year's event, the organizer is requesting that the City of Crystal Lake provide police services at no charge for the event this year. The recommended number of Police officers and volunteers for the event is

detailed in the attached Exhibit C. Volunteers will be stationed along the race course to assist with safety and race direction only.

- A waiver of the speed limit and traffic laws for bicyclists, per State Law Chapter 625 Illinois Compiled Statutes 5/11-1514.

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

1) Approval for the Run and Roll for the Dole is contingent upon approval from other participating jurisdictions. The Villages of Lakewood and Lake in the Hills are responsible for coordinating public safety services within and adjacent to their corporate boundaries. The event organizers must submit to the City a letter from the Villages stating their approval for the event.
2) The event organizers must provide the City with a site plan for set-up at the Dole Mansion and parking plan for the event for review by City Departments.
3) The Police Department can designate "No Parking" zones for the event prior to the race date. The petitioner must receive approval from the Village of Lakewood for temporary no parking signs on the north half of Broadway.
4) The volunteers for both races must carry cellular phones or radios to contact 911 in case of an emergency. Volunteers are not to direct traffic.
5) The event organizers must coordinate with the Crystal Lake Police, Fire Rescue, and Public Works Departments regarding assistance during the event. Please contact the Police Department by September 7, 2018, to determine/arrange for police officers for traffic control, lead vehicle, etc.
6) "Race In Progress" signs must be posted a minimum of three days prior to the event.
7) City-owned barricades must be used to block off the street closure sections. Barricades must be placed to allow access to existing crosswalks.
8) The petitioner must send a notice to all affected property owners along Country Club Road.
9) Emergency vehicle access must be maintained throughout the event. Items should not be placed on the roadway to prohibit access, and volunteers should be available to remove barricades to allow emergency vehicles on the roadway, if necessary.
10) Local traffic access to Country Club Road must be maintained throughout the event. Volunteers should be available to remove barricades to allow property owners on the roadway, if necessary.
11) All debris created by the event must be cleaned up during and after the event.
12) 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.
13) Participants are required to sign an Indemnity/Hold Harmless agreement to include the City.
14) If tents or canopies will be used, the petitioner shall contact the Fire Rescue Department (815-356-3640) for further review.
15) Promotional banners and signage are approved via this approval, as requested in the application.
16) Compliance with State Law regarding Bicycle Racing;

625 ILCS 5/11-1514 – (a) *Bicycle racing on a highway shall not be unlawful when a racing event has been approved by the State or local authorities on any highway under their respective jurisdictions. Approval of bicycle racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience highway users.*

(b) By Agreement with the approving authority, participants in an approved bicycle highway racing event may be exempt from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

17) In the case of inclement weather, an alternate date can be approved by the City Manager.

Fee Waivers

Since this is a fundraiser for Lakeside Legacy, they are again requesting that the Special Event application fee of $50 and the Police Department assistance costs be waived. The cost to the City for nine (9) officers for a 3-hour detail would be a maximum of $1,891.08. As stated above, the applicant has requested to waive these fees. In past City Council approvals, these fees have been waived.

The applicant has been made aware of these recommended conditions and advised to attend the April 3, 2018 City Council meeting to answer any questions.

Votes Required to Pass:

Simple majority vote

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date: April 3, 2018

Item: Marine Corps League

Council Discretion: 1) Motion to approve a waiver fees associated with their June 14, 2018 fishing derby event at the Three Oaks Recreation Area.

2) No action.

Staff Contact: Melanie Nebel, Assistant to the City Manager
Eric Helm, Deputy City Manager

Background:

For the last seven years, the Marine Corps League out of Woodstock has held their annual fishing derby event for local disabled/disadvantaged Veterans at the Three Oaks Recreation Area. This year, the Marine Corps League will hold their event at the Three Oaks Recreation Area on June 14, 2018. During the event, members of the Marine Corps League and guest Veterans will utilize Three Oaks fishing boats to participate in a fishing derby out on the lake. Following the fishing derby, the event will conclude with food and drinks at the main pavilion.

City staff received a request from the Marine Corps League asking that all fees for this event be waived as in past years. The following is a breakdown of estimated fees for the event:

20 vehicles x $5 (parking fee):	$100.00
12 - 12' Rowboats:	$300.00
1 Electric Pontoon:	$35.00
Total:	**$435.00**

In the past, the City has waived fees for similar events including, overnight camps held by Boy Scout Troop 15, the Choctaw Girl Scout Service Unit, and the Operation Click Leprechaun Lunge and the District 155 Bass Fishing Club.

Votes Required to Pass:

Simple majority vote of the City Council.

Agenda Item No: 9c

City Council
Agenda Supplement

Meeting Date: April 3, 2018

Item: Willow Creek Crystal Lake, Lake Baptism

Council Discretion: Motion to approve the Willow Creek Crystal Lake request to hold a special event at the Three Oaks Recreation Area from Noon to 5:00 p.m. on Sunday, September 9, 2018 with a rain date of Sunday, September 16, 2018.

Staff Contact: Melanie Nebel, Assistant to the City Manager
Eric Helm, Deputy City Manager

Background:
The City has received a request from Willow Creek Crystal Lake for the use of the Three Oaks Recreation Area beach/wading area and main pavilion for a lake baptism from Noon to 5:00 p.m. on Sunday, September 9, 2018 with a rain date of Sunday, September 16, 2018. From 2011 through 2017, the petitioner successfully complied with the City's requirements and conditions during the lake baptism.

Approximately 600-700 people will participate in this event, including attendees, volunteers and staff. The petitioner is requesting exclusive use of one-half of the sand beach and swim wading area. Per the petitioner's itinerary, the baptism would be staged to ensure that only a portion of the attendees would be in the water at any one time. The petitioner will utilize the park's speaker system, and place crosses on the beach sand. The placement of the crosses would be subject to the conditions in this agenda supplement. Also, similar to last year, the petitioner is requesting that general swimming be allowed from 3:00 p.m. to 5:00 p.m.

The petitioner is also requesting exclusive use of the picnic grove pavilion during this time. All other areas of the park would be open to the public. The petitioner's non-resident attendees will not be subject to beach admission fees, since at the time of the event, the swimming season will be over and non-residents will be allowed to access the beach/playground/spray park area for no charge.

Staff has reviewed this request and would offer the following conditions for approval.

The Petitioner shall:

- Comply with all City Code regulations, Special Event requirements, and Pavilion rental requirements.
- Provide a plan for all on-site signage prior to the event, which shall be reviewed by the City and approved prior to placement.
- Agree that all traffic control activities shall be performed by City staff.
- It is anticipated that all parking will be accommodated onsite with the addition of the two new parking lots, but it is recommended that the Petitioner secure off-site parking for overflow parking, if needed. The petitioner should inform event attendees that off-site overflow parking is available once the Three Oaks parking lot reaches capacity. Also, encourage event attendees to carpool from the church.
- General swimming will take place between 3:00 p.m. and 5:00 p.m. If it is determined that additional guards are needed, the petitioner will compensate the City for additional lifeguard staff time.
- Sound system shall not disturb other users of the park.
- All temporary electrical items shall comply with the 2005 Electric Code and shall be subject to City inspection. Petitioner shall be responsible for contacting the City for an inspection.
- All egress gates will be unobstructed at all times.
- The petitioner's proposed crosses shall not obstruct lifeguard viewing of patrons in the water.
- Reimburse the City for the following:

Special Event Application Fee	$75
One detail Police Officer (minimum) to assist with traffic control	$204.99 ($68.33 per officer, per hour, from Noon – 3:00 PM) (if a second officer is required by the City prior to the event, the petitioner shall compensate the City for this second officer).
Staff Preparation and Restoration Fee	$120 (4 hours, at $30 per hour)
Three City Lifeguards	$145 (5 hours, at $9.72 per hour)
Sound System Fee	$75
Pavilion Rental Fee	$180
Total Non-Refundable Fee	**$799.99**
Special Event Refundable Damage Deposit	$1,000
Pavilion Rental Refundable Damage Deposit	$200

Attached is a copy of the petitioner's submittals. The City's Police and Fire Rescue Departments have reviewed this request.

Votes Required to Pass:

Simple majority vote of the City Council.

Agenda Item No. 9d

City Council
Agenda Supplement

Meeting Date: April 3, 2018

Item: Public Display and Setting of Public Hearing Date for the Proposed Annual Budget for the Fiscal Year 2018/2019

Staff Recommendation: Motion to adopt a resolution placing the Proposed Annual Budget on public display and setting the Public Hearing date for the Proposed Annual Budget for FY2018/2019 for the April 17, 2018 Regular City Council meeting.

Staff Contact: George Koczwara, Director of Finance/Treasurer

---

Background:

The adoption of this resolution would have the effect of placing the Proposed Fiscal Year 2018/2019 Budget document on public display at the Office of the City Manager. This resolution also sets the date for the Public Hearing on the proposed budget for Tuesday, April 17, 2018.

Votes Required to Pass:

Simple majority.

DRAFT

The City of Crystal Lake

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION 1: That the proposed annual budget for the City of Crystal Lake for the fiscal year May 1, 2018 through April 30, 2019 is now available for public inspection at the Office of the City Manager from April 4, 2018 through the date of its adoption by the Crystal Lake City Council.

SECTION 2: A public hearing on the proposed Fiscal Year 2018/2019 Budget will be held on Tuesday, April 17, 2018 at 7:30 p.m., during the regular City Council meeting, held in the City Council Chambers of the Crystal Lake City Hall, 100 W. Woodstock Street, Crystal Lake, Illinois.

DATED this 3rd day of April, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

ATTEST:

_____
Nick Kachiroubas, City Clerk

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date:	April 3, 2018
Item:	REPORT OF THE PLANNING & ZONING COMMISSION Spa Thera Pe – 6315 Northwest Hwy Suite C
Request:	Special Use Permit for a massage establishment.
Petitioner:	Sara Pe, petitioner
PZC Recommendation:	To approve the PZC recommendation and adopt an ordinance granting the Special Use Permit for a massage establishment at 6315 Northwest Hwy, Suite C.
Staff Contact:	Michelle Rentzsch, Director of Community Development

---

Background:

- Existing Use: The subject property is an office building.
- UDO Standard: Special use permits are required for select land uses that have the potential to impact the surrounding area and development of the City. Massage establishments are required to obtain a special use permit and adhere to specific criteria relating to hours of operation, coverage of windows, etc.
    - The subject property is zoned B-2 General Commercial and massage establishments are permitted as a special use in the zoning district.
- Request: The petitioner is requesting a special use permit for a massage establishment.

PZC Highlights:

- The PZC stated the Findings of Fact had been met.

The PZC recommended **approval (4-0)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pe, dated 01/18/18, received 01/19/18)
   B. Floor Plan (Pe, received 01/26/18)
   C. Massage License (Pe, received 01/19/18)

2. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.

3. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.

4. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.

5. At least 75% of the window area of the massage establishment shall be visible, installed with clear, nonreflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.

6. No residential use is permitted within the massage establishment at any time.

7. Alcohol is not permitted to be served in a massage establishment at any time.

8. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.

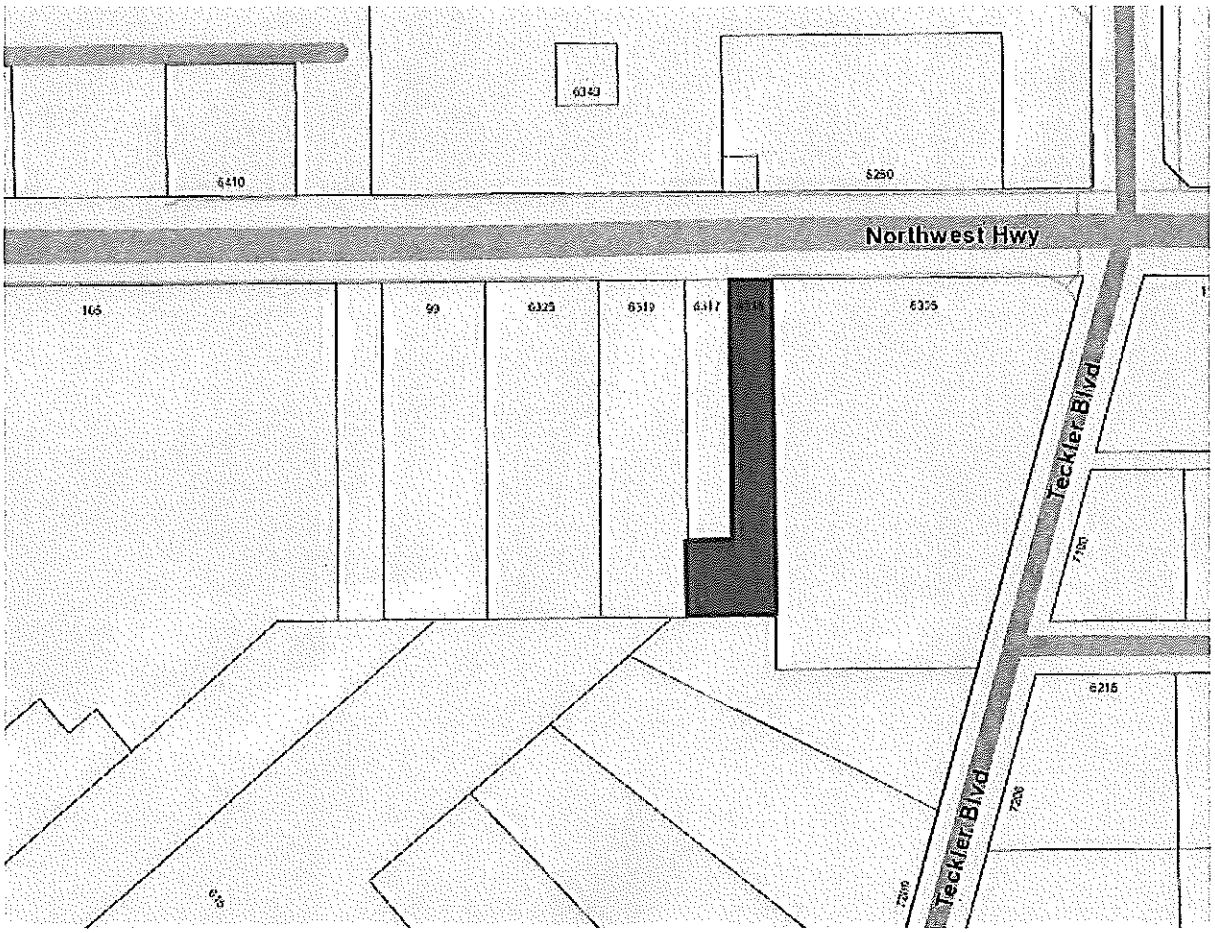
9. A business license for massage establishments is required. The petitioner must comply with the business license requirements.

10. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.

11. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.

Votes Required to Pass: A simple majority vote.

2018-06 Spa Thera Pe – 6315 Northwest Hwy.





Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AT 6315 NORTHWEST HIGHWAY SUITE C

WHEREAS, pursuant to the terms of a Petition (File #2018-06) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow a massage establishment for the property located at 6315 Northwest Highway Suite C; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on February 23, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on March 21, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit; and

WHEREAS, on March 21, 2018, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Special Use Permit be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2018-06, dated as of March 22, 2018; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued as requested in said Petition.

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

Section I: That a Special Use Permit be issued to allow a massage establishment for the property commonly known as 6315 Northwest Highway, Suite C (19-08-201-005), Crystal Lake, Illinois.

Section II: Said Special Use is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pe, dated 01/18/18, received 01/19/18)

B. Floor Plan (Pe, received 01/26/18)
C. Massage License (Pe, received 01/19/18)

2. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.

3. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.

4. Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.

5. At least 75% of the window area of the massage establishment shall be visible, installed with clear, non-reflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.

6. No residential use is permitted within the massage establishment at any time.

7. Alcohol is not permitted to be served in a massage establishment at any time.

8. The applicant consents to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.

9. A business license for massage establishments is required. The petitioner must comply with the business license requirements.

10. Upon the petitioner's sale, transfer or relocation of this massage establishment, this special use will be considered null and void.

11. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue and Police Departments.

Section III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this 3rd day of April, 2018.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: April 3, 2018
Approved: April 3, 2018

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: April 3, 2018

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Crystal Point Mall Final PUD Amendment

Request: Final Planned Unit Development Amendment to allow changes to the façade and additional signage for TJ Maxx.

Petitioner: Jeff Brownell, petitioner
5764 Northwest Highway

PZC Recommendation: To approve the PZC recommendations and adopt an ordinance granting the Final Planned Unit Development Amendment for TJ Maxx at 5764 Northwest Highway.

Staff Contact: Michelle Rentzsch, Director of Community Development

---

Background:

- TJ Maxx will be moving into the remaining portion of the former inline Sports Authority space adjacent to the recently approved ULTA. They plan to occupy 23,000 square feet of space.
- The redevelopment of this space will improve the overall shopping center and the City.

Analysis

- Wall Signs:
  - The Sports Authority was permitted 353 square feet of signage.
  - ULTA used 103 square feet of signage, leaving 250 square feet for the TJ Maxx tenant.
  - TJ Maxx is requesting signs on the front elevation and on the side elevation, which would total 333 square feet, an additional variation of 83 square feet of signage.

Main Wall Sign	222 square feet
Side Wall Sign	100 square feet
Canopy Blade Sign	3 square feet
2 Column Signs	8 square feet (total)

- The chart below illustrates the approved size of other wall signs in Crystal Lake in relation to TJ Maxx's request.

Tenant	Wall Sign Size	Distance to ROW	Store Size
Savers	127.4 SF	360 feet	32,000 SF
Hobby Lobby	147.6 SF	767 feet	58,000 SF
Ross	175 SF	470 feet	38,000 SF
Burlington Coat Factory	194 SF	287 feet	61,000 SF
Best Buy	195 SF	444 feet	38,000 SF
Buy Buy Baby	211.58 SF	833 feet	32,000 SF
Fresh Thyme	239.5 SF	899 feet	30,000 SF
Bed, Bath & Beyond	256 SF	493 feet	51,000 SF
Menards	310 SF	830feet	200,000 SF
TJ Maxx	**333 SF**	**472 feet**	**23,000 SF**
Joseph's Marketplace	350 SF	326 feet	41,000 SF
Home Depot	411 SF	878 feet	131,000 SF
Wal-Mart	567.91 SF	712 feet	225,000 SF
Steinhafel's	571 SF	450 feet	100,000 SF

PZC Highlights:

- The PZC members discussed the sign variation and suggested that TJ Maxx use the remaining 250 square feet and not request an additional variation.
- The PZC noted the request meets the Findings of Fact.

The PZC recommended **approval (4-0)** of the petitioner's request with the following conditions:

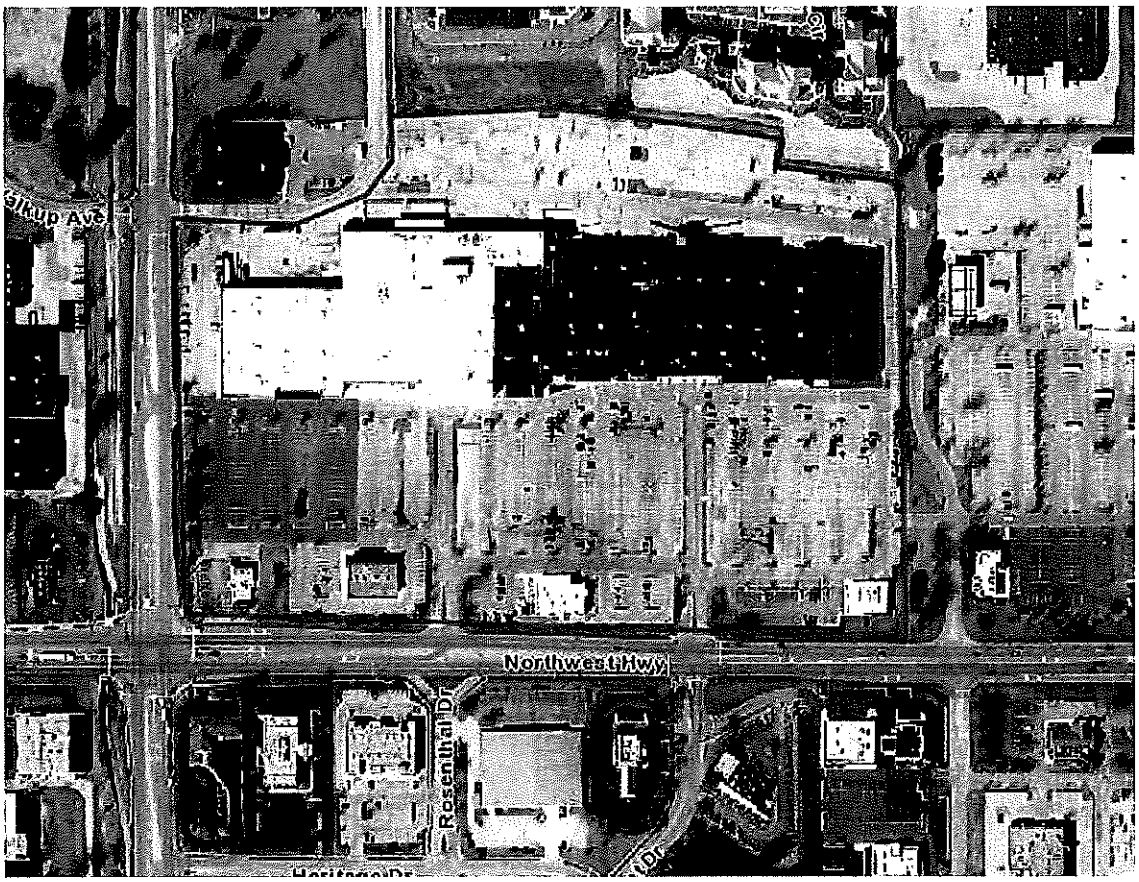
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (IRC Retail Centers, received 12/05/17)
   B. Narrative (PFDA Architects, dated 12/01/17, received 12/05/17)
   C. Elevation with Signage (PFDA Architects, dated 12/01/17, received 12/05/17)
   D. Floor Plan (PFDA Architects, dated 11/28/17, received 12/05/17)
   E. Alta Survey (American Surveying & Mapping, dated 03/24/16, received 12/05/17)

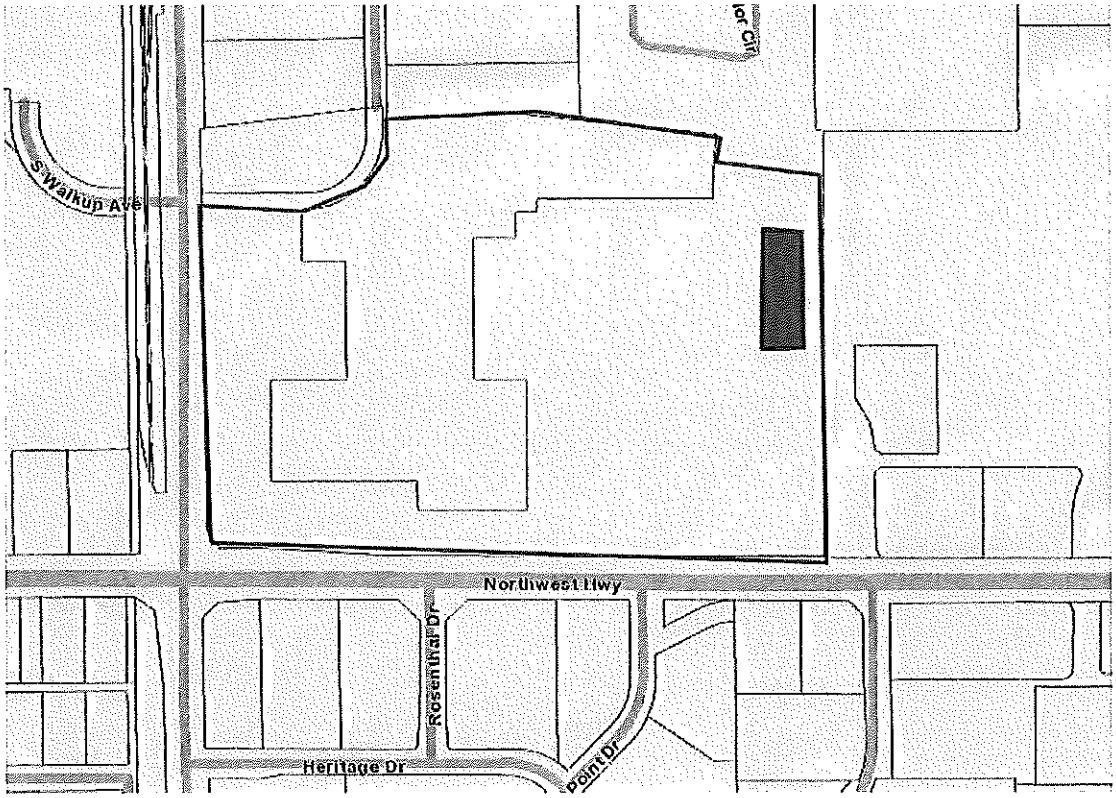
2. The overall planned unit development approval and all subsequent amendments are still in effect, as applicable.

3. The petitioner must address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.

Votes Required to Pass: A simple majority vote.

2018-11 TJ Maxx – 5764 Northwest Hwy





Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING AN AMENDMENT TO THE FINAL PUD FOR CRYSTAL POINT SHOPPING CENTER (TJ MAXX) INCLUDING A VARIATION TO ALLOW 250 SQUARE FEET OF SIGNAGE

WHEREAS, pursuant to the terms of the Petition (File #2018-11) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested an Amendment to the Final Planned Unit Development to allow exterior changes including a variation to allow 333 square feet of signage to the facade; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on March 6, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on March 21, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Amendment to the Final Planned Unit Development; and

WHEREAS, on March 21, 2018, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Amendment to the Final Planned Unit Development be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2018-11, dated as of March 22, 2018; and

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

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

SECTION I: That a Final PUD Amendment be granted to allow exterior changes including a variation to allow 250 square feet of signage to the facade for the property located at 5764 Northwest Highway (19-04-351-009), Crystal Lake, Illinois.

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (IRC Retail Centers, received 02/23/18)
   B. Narrative (PFDA Architects, dated 02/21/18, received 02/22/18)
   C. Elevation with Signage (PFDA Architects, dated 02/13/18, received 02/22/18)

2. The overall planned unit development approval and all subsequent amendments are still in effect, as applicable.

3. The petitioner must address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.

SECTION III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Planned Unit Development in accordance with the provisions of this Ordinance, as provided by law.

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

DATED at Crystal Lake, Illinois, this 3rd day of April, 2018.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: April 3, 2018
Approved: April 3, 2018

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: April 3, 2018

Item: Hotel/Motel Tax Funding Allocation

City Council Discretion: Motion to adopt a Resolution Determining Hotel/Motel Tax Distribution for the Raue Center for the Arts.

Staff Contact: George Koczwara, Director of Finance

Background:

At the February 21, 2017 City Council meeting, the City Council adopted a Resolution allocating Hotel Motel tax distributions for Fiscal Years 2017-2018 & 2018-2019. One of the awarded grantees was the Raue Center for the Arts. Recently, they submitted a request to the City Council requesting an accelerated distribution of their grant award.

The City receives Hotel Motel tax revenues on a quarterly basis. Because of this, it has be past precedent that for large grant distributions, the grantee receive its grant allocation quarterly. These distributions would correspond with the timing associated with the collection of the Hotel Motel tax revenue. The Raue Center would like to receive almost their entire allocation at the beginning of the upcoming fiscal year.

The City's hotel/motel tax rate is currently at 5.0%. Based on preliminary estimates, the City is projected to collect approximately $290,000 in hotel/motel tax receipts during the 2018-2019 Fiscal Year. Based on remaining hotel/motel tax receipts that the City is anticipated to collect for the 2017-2018 Fiscal Year, the projected year-end balance that the City will have in reserve on April 30, 2018 will be $77,846.07.

Votes Required to Pass:

Simple majority vote of the City Council.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE to allocate Hotel/Motel Tax funding for fiscal year 2018-19 for the Raue Center for the Arts in the following schedule:

May 3, 2018 - $140,000
June 1, 2018 - $10,000

Dated this 3rd day of April, 2018.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Mayor

ATTEST

_____
City Clerk

PASSED: April 3, 2018
APPROVED: April 3, 2018

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: April 3, 2018

Item: Private activity bond volume cap reservation.

Recommendation: Motion to adopt an ordinance reserving the State of Illinois volume cap for private activity bonds.

Staff Contact: Michelle Rentzsch, Director of Community Develoment

---

Background: The City of Crystal Lake received notification from the Governor's office regarding the reservation of Crystal Lake's volume cap. Private activity bonds can be issued as Industrial Revenue Bonds using the volume cap allocation. The State requires that all eligible municipalities pass an Ordinance to reserve their volume cap for the fiscal year.

For 2018, each home rule municipality is authorized a volume cap amount equal to $105 per capita. Using this formula, Crystal Lake's allocation equals $4,278,015, based upon the State's assigned population of 40,743.

At this time, there have been no official applications from private businesses for the City to allocate our volume cap in the form of Industrial Revenue Bonds. However, staff has had discussions with several businesses recently regarding the issuance of Industrial Revenue Bonds for pending or prospective developments. According to the State Office of Management and Budget, after the volume cap has been reserved, the municipality is supposed to allocate the amount reserved for private activity bonds by December 31 of that year. If the City does not allocate our volume cap by December 31, we can request to carry-over our allocation for up to three years for a variety of different projects, but not for qualified small issue bonds (Industrial Revenue Bonds). The attached ordinance reserves the City's allocation for possible future use.

There is no obligation to the municipality in issuing Industrial Revenue Bonds. All the payment responsibility rests with the private party. The lien is on the property, secured by the Industrial Revenue Bonds. Under Federal law, the City can utilize the authorized volume cap as additional incentive for industrial firms to relocate or expand facilities within its jurisdiction. Industrial Revenue Bonds can be attractive to industrial firms because of the difference to the bond buyers between the tax-free interest rates and the prevailing taxable interest rates.

Votes Required to Pass: A simple majority vote.

ORDINANCE NO. ____
FILE NO. 140

DRAFT

AN ORDINANCE RESERVING VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS.

WHEREAS, the City of Crystal Lake, McHenry County, Illinois *(the "Municipality")*, is a Municipality and a home rule unit of government under Section 6 of Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986, as amended *(the "Code")*, provides that the Municipality has volume cap equal to $105 per resident of the Municipality in each calendar year, which volume cap may be reserved and allocated to certain tax-exempt private activity bonds; and

WHEREAS, the Illinois Private Activity Bond Allocation Act, *30 Illinois Compiled Statutes 1998, 345/1 et seq.*, as supplemented and amended *(the "Act")*, provides that a home rule unit of government may transfer its allocation of volume cap to any other home rule unit of government, the State of Illinois or any agency thereof or any non-home rule unit of government; and

WHEREAS, it is now deemed necessary and desirable by the Municipality to reserve all of its volume cap allocation for calendar year 2018 to be applied toward the issuance of private activity bonds *(the "Bonds")*, for unidentified projects, as provided in this Ordinance, or to be transferred, as permitted by this Ordinance.

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

SECTION I: That, pursuant to Section 146 of the Code and the Act, the entire volume cap of the Municipality for calendar year 2018, in the amount of $4,278,015, based upon the State of Illinois assigned population of 40,743, is hereby reserved by the Municipality, which shall issue Bonds using such volume cap, or shall transfer such cap, without further action required on the part of the Municipality; and the adoption of this Ordinance shall be deemed to be an allocation of such volume cap to the issuance of the Bonds or such other bonds, provided

that any such transfer shall be evidenced by a written instrument executed by the Mayor or any other proper officer or employee of the Municipality.

SECTION II: That the City of Crystal Lake shall maintain a written record of this Ordinance in its records during the term that the Bonds or any other such bonds to which such volume cap is allocated remain outstanding.

SECTION III: That the Mayor, the City Clerk and all other proper officers, officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to further the purposes and intent of this Ordinance.

SECTION IV: That the provisions of this Ordinance are hereby declared to be separable, and if any section, phrase, or provision of this Ordinance shall for any reason be declared to be invalid, such declaration shall not affect the remainder of the sections, phrases, and provisions of this Ordinance.

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

DATED at Crystal Lake, Illinois, this 3rd day of April, 2018.

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED: April 3, 2018

APPROVED: April 3, 2018

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date:	April 3, 2018
Item:	REPORT OF THE PLANNING & ZONING COMMISSION #2018-12 Mercyhealth Crystal Lake
Request:	Final Planned Unit Development for a hospital and medical center.
Petitioner:	Jen Hall, Mercyhealth, petitioner 875 S. Route 31
PZC Recommendation:	Motion to adopt an ordinance approving the Final PUD with Variations for a hospital for Mercyhealth at 875 S. Route 31.
Staff Contact:	Michelle Rentzsch, Director of Community Development

---

Zoning:

- January 16, 2018, Mercyhealth received the Preliminary Planned Unit Development Approval with a Special Use Permit for the hospital and helipad.
- At the Council meeting, there was discussion regarding the realignment of Raymond Road to align with Tek Drive. The realignment was determined to be unnecessary, but the Council did add a condition that a right-in / right-out at Raymond Drive should be explored.

  Mercy maintains the position that the right-in / right-out is the City's responsibility. With this logic they are not amenable to modifying the traffic study to reevaluate the right-in / right-out at Raymond and calculate the final percentage of traffic distribution.

  The minutes from the Preliminary PUD approval are included in this packet. Clarification is needed if the traffic study shall be amended by Mercy to account for the right-in / right-out at Raymond and if it is their responsibility to construct the right-in / right-out as part of their site improvements.

- The changes between the Preliminary PUD and Final PUD are as follows:
  - Increased height of the helipad. The helipad is now 9 feet above the surrounding grade.
  - Revisions and new variations for the landscape plan. The trees and buffer adjacent to the helipad were removed as to not interfere with the flight path. There was also the additional reduction of trees in the parking lot and along the perimeter.

- Minor changes to the site and engineering plans as they continue to finalize their design.
- Illustration of the proposed floor plan and uses within the building, which was not provided with the preliminary PUD.

Traffic:

On-Site/Development Specific

The development specific improvements are those required to be installed by Mercy for Day 1 operations.

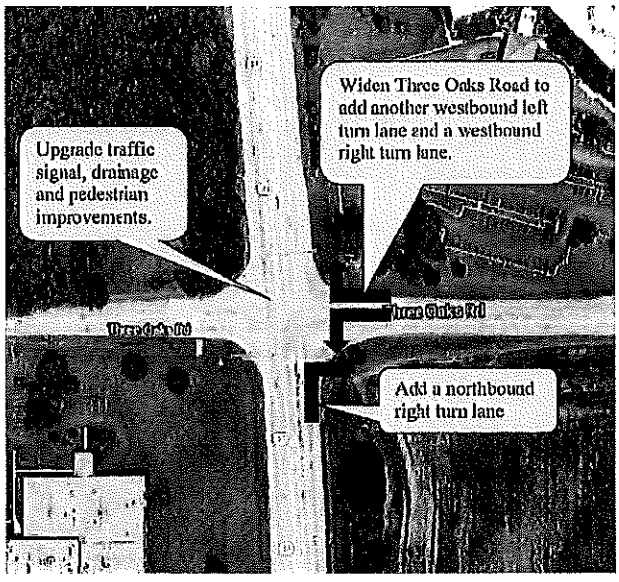
- Installation of a ¾ access driveway off Three Oaks Road that permits right-in/right-out and left-in.
- Installation of a right-turn lane along Three Oaks Road into the ¾ access driveway. The turn lane should provide a 175-foot storage lane with a 145-foot taper.
- Installation of a left-turn lane along Three Oaks Road into the ¾ access driveways. The turn lane should provide a 175-foot storage lane with a 145-foot taper.
- Right-in / right-out at Raymond Drive and Route 31.

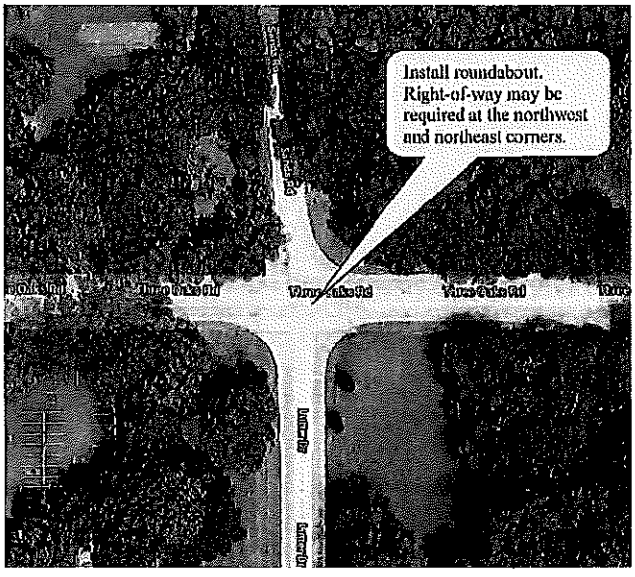
Off-Site Improvements

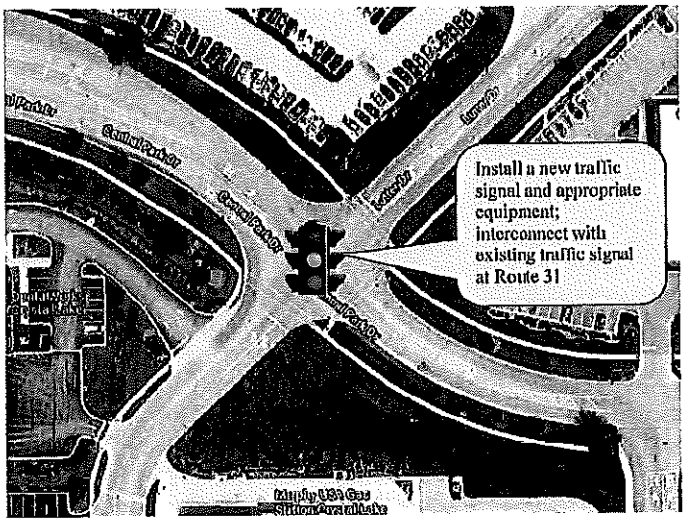
The off-site improvements are those, which require participation by Mercy for their share based on the percentages identified in the traffic study. An exhibit noting the proposed improvements is included with the packet and the illustrations are included below.

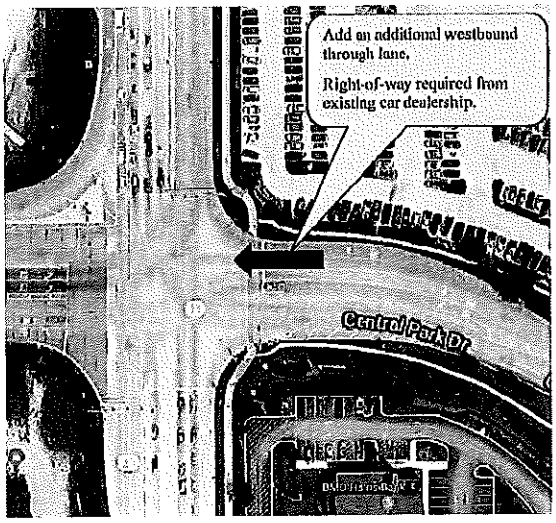
- Illinois Route 31 and Three Oaks Road
- Lutter/Sands Drive and Three Oaks Road
- Lutter Drive and Central Park Drive
- Illinois Route 31 and Rakow Road

Final percentages for these improvements are to be determined once the final traffic study is accepted.









PZC Highlights:

- The PZC had a significant discussion regarding the traffic. Without the final traffic study they felt at a loss on approving the plan without knowing the final requirements. Some of their questions related to the specific design elements of the improvements, which would not be known at this time or part of the traffic study, but determined later during the design phase.
- The PZC discussed the ability for Mercy to provide additional landscape along the front detention areas and along the proposed berm. A height variation was granted for the building so it should be visible above any tree line.
- **The petitioner's attorney discussed removing several conditions.**
    - **The requirement to pay into the City's tree bank fund for the deficit of trees. The petitioner maintains that the additional landscape is a burden on their budget and would block visibility into their site. Their proposed use as health care is very different than a retail establishment.**

      It was explained that the landscape requirements help balance out the large impervious surface and the several hundred parking spaces provided.

    - **The requirement to finalize the traffic study.**

      It was explained that with the change to include the right-in / right-out at Raymond the percentages and traffic distribution would change and the study needs to be amended.

    - **The requirement to provide a Letter of Credit or other surety for the future traffic improvements. The petitioner requests that at such time that the improvements are planned, they will pay their share of those construction costs.**

      The elimination of the Letter of Credit requirement would require a variation from our code and could be precedent setting.

- **The elimination of the condition that they provide right-of-way without compensation.**

  With any development proposal, when right-of-way is required we receive a plat of dedication with the development. This ensures that the future project can be completed and right-of-way does not need to be purchased. If the amount of right-of-way was known at this time, Mercy would be responsible for providing the plat of dedication without compensation. Since the amount of dedication is unknown, it is request that Mercy follow the same procedure and agree to provide the right-of-way without compensation at the time it is determined.

The PZC recommended **approval (4-0)** of the petitioner's request for a **Final PUD with Variations for a hospital** with medical offices and accessory helipad with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (MercyHealth, received 02/26/18)
   B. Site Development Plan Set [Sheets C-001 – C703] (Fehr Graham, dated 02/26/18, received 02/26/18)
   C. Plat of Dedication (Fehr-Graham, dated 02/26/18, received 02/27/18)
   D. Landscape Plan (Ken Saiki Design, dated 02/26/18, received 02/26/18)
   E. Elevations (AECOM, dated 02/26/18, received 02/26/18)
   F. Floor Plans (AECOM, dated 02/26/18, received 02/26/18)

2. All conditions of approval from Ordinance #7432 remain valid, as applicable.

3. Site Plan
   A. Provide sidewalk around the site. Work with staff on the appropriate location and future connections to adjacent properties along Three Oaks Road, where the installation or payment for this segment would be required at a future time. Sidewalk is required to be provided during construction along Raymond Drive to allow for connection to the existing path along Route 31.

4. Landscape Plan
   A. If the 30 feet of landscape adjacent to the east side of the site for parcels 19-10-400-011, 19-10-401-008, and 19-10-401-010 is eliminated, then this site must provide the required landscape buffer and screening on this property.
   B. The petitioner shall provide funds to the City's Tree Bank in the amount of $29,325 for the deficit of 69 trees.
   C. Landscape is required around the future signs at a 1 square foot per square foot of signage requirement.
   D. Work with staff to finalize the plan, which includes providing berm details along the ring road and planting details adjacent to the helipad.

5. Signs
   A. All signage must meet the UDO requirements.

B. No signs can be placed within 10 feet of the future dedication of right-of-way along Three Oaks Road.
C. Work with staff on an overall sign plan which includes directional signs.

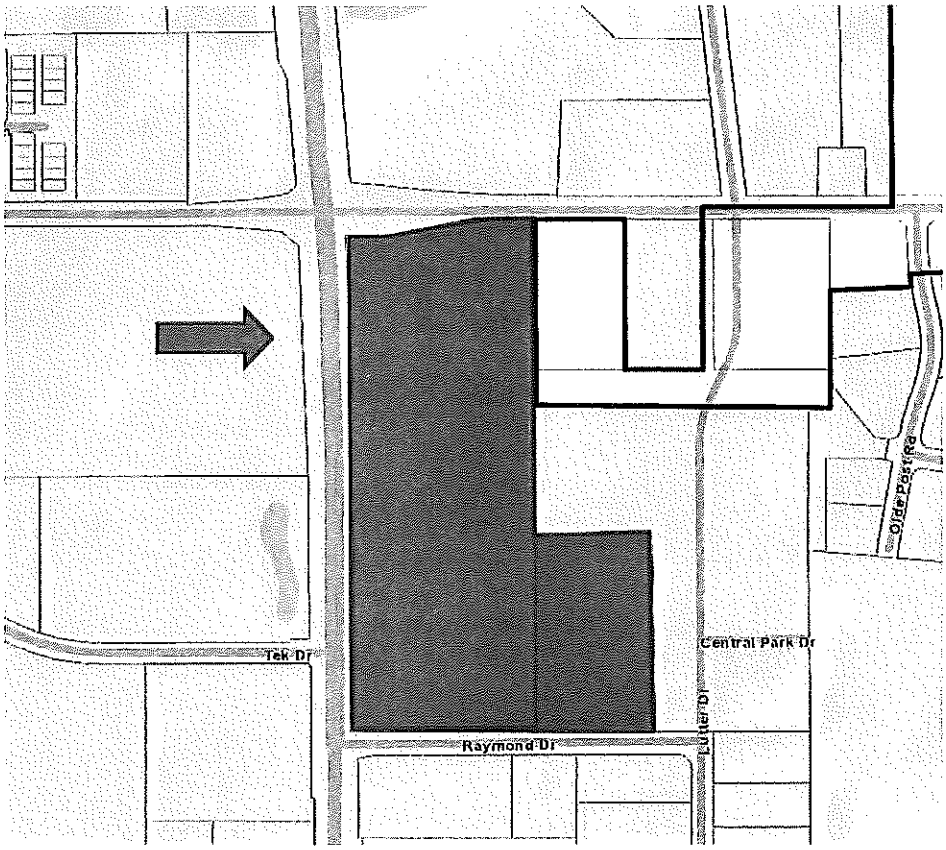
6. Submit the IDOT approval for the helipad.

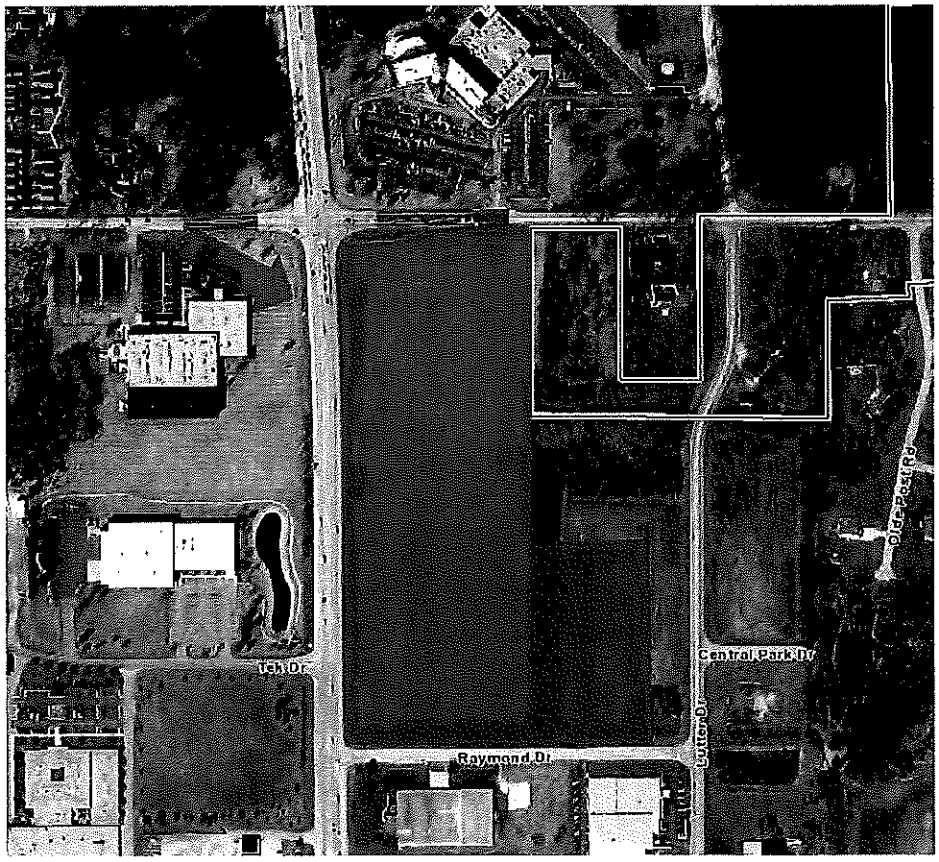
7. Traffic / Site Improvements
   A. The petitioner hereby agrees to pay their proportionate fair share of the roadway improvements identified in the final traffic study for:
      - Illinois Route 31 and Three Oaks Road
      - Lutter/Sands Drive and Three Oaks Road
      - Lutter Drive and Central Park Drive
      - Illinois Route 31 and Rakow Road
   B. The petitioner hereby agrees to dedicate adequate right-of-way (without compensation) for the above mentioned improvements.
   C. The petitioner shall provide a Letter of Credit, Bond or Escrow payment for their share of the above mentioned improvements. Cost participation for off-site improvements will be calculated once final cost estimates have been provided.
   D. The petitioner hereby agrees to install their required site improvements:
      - Installation of a ¾ access driveway off Three Oaks Road that permits right-in/right-out and left-in.
      - Installation of a right-turn lane along Three Oaks Road into the ¾ access driveway. The turn lane should provide a 175-foot storage lane with a 145-foot taper.
      - Installation of a left-turn lane along Three Oaks Road into the ¾ access driveways. The turn lane should provide a 175-foot storage lane with a 145-foot taper.
   E. Explore the possibilities of a right-in/right-out at the existing Raymond Drive at Route 31.

8. The petitioner shall address all of the review comments and requirements of the Fire Rescue, Police, Public Works, and Community Development Departments in addition to those of the City's stormwater and traffic consultants.

Votes Required to Pass: A simple majority vote.

2018-12 Mercyhealth Crystal Lake – 875LT S. Route 31





Ord. No. .....
File No. ....

DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT FOR MERCYHEALTH CRYSTAL LAKE

WHEREAS, pursuant to the terms of the Petition (File #2018-12) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development for a hospital and medical offices and Variations; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on March 5, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on March 21, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Final Planned Unit Development; and

WHEREAS, on March 21, 2018, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Final Planned Unit Development be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2018-12, dated as of March 22, 2018; and

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

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

SECTION I: That a Final Planned Unit Development be granted to permit (CHANGE TO THE PUD) for the property located at 875LT S. Route 31 (19-01-401-007), Crystal Lake, Illinois.

SECTION II: That the Final Planned Unit Development be granted with the following conditions:

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

A. Application (MercyHealth, received 02/26/18)
B. Site Development Plan Set [Sheets C-001 – C703] (Fehr Graham, dated 02/26/18, received 02/26/18)
C. Plat of Dedication (Fehr-Graham, dated 02/26/18, received 02/27/18)
D. Landscape Plan (Ken Saiki Design, dated 02/26/18, received 02/26/18)
E. Elevations (AECOM, dated 02/26/18, received 02/26/18)
F. Floor Plans (AECOM, dated 02/26/18, received 02/26/18)

2. All conditions of approval from Ordinance #7432 remain valid, as applicable.

3. Site Plan
   A. Provide sidewalk around the site. Work with staff on the appropriate location and future connections to adjacent properties along Three Oaks Road, where the installation or payment for this segment would be required at a future time. Sidewalk is required to be provided during construction along Raymond Drive to allow for connection to the existing path along Route 31.

4. Landscape Plan
   A. If the 30 feet of landscape adjacent to the east side of the site for parcels 19-10-400-011, 19-10-401-008, and 19-10-401-010 is eliminated, then this site must provide the required landscape buffer and screening on this property.
   B. The petitioner shall provide funds to the City's Tree Bank in the amount of $29,325 for the deficit of 69 trees.
   C. Landscape is required around the future signs at a 1 square foot per square foot of signage requirement.
   D. Work with staff to finalize the plan, which includes providing berm details along the ring road and planting details adjacent to the helipad.

5. Signs
   A. All signage must meet the UDO requirements.
   B. No signs can be placed within 10 feet of the future dedication of right-of-way along Three Oaks Road.
   C. Work with staff on an overall sign plan which includes directional signs.

6. Submit the IDOT approval for the helipad.

7. Traffic / Site Improvements
   A. The petitioner hereby agrees to pay their proportionate fair share of the roadway improvements identified in the final traffic study for:

- Illinois Route 31 and Three Oaks Road
- Lutter/Sands Drive and Three Oaks Road
- Lutter Drive and Central Park Drive
- Illinois Route 31 and Rakow Road

B. The petitioner hereby agrees to dedicate adequate right-of-way (without compensation) for the above mentioned improvements.

C. The petitioner shall provide a Letter of Credit, Bond or Escrow payment for their share of the above mentioned improvements. Cost participation for off-site improvements will be calculated once final cost estimates have been provided.

D. The petitioner hereby agrees to install their required site improvements:

- Installation of a ¾ access driveway off Three Oaks Road that permits right-in/right-out and left-in.
- Installation of a right-turn lane along Three Oaks Road into the ¾ access driveway. The turn lane should provide a 175-foot storage lane with a 145-foot taper.
- Installation of a left-turn lane along Three Oaks Road into the ¾ access driveways. The turn lane should provide a 175-foot storage lane with a 145-foot taper.

E. Explore the possibilities of a right-in/right-out at the existing Raymond Drive at Route 31.

8. The petitioner shall address all of the review comments and requirements of the Fire Rescue, Police, Public Works, and Community Development Departments in addition to those of the City's stormwater and traffic consultants.

SECTION III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Planned Unit Development in accordance with the provisions of this Ordinance, as provided by law.

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

Ord. No. .....
File No. ....

DATED at Crystal Lake, Illinois, this 3rd day of April, 2018.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: April 3, 2018
Approved: April 3, 2018