CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
January 7, 2020
7:30 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – December 17, 2019 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. **Class 16 Temporary Liquor License Request – Knights of Columbus Fr. McCormick Council 3880 Polish Dinner – January 11, 2020**
   b. **Chicago Title Land Trusts 1004004149 & 1004004152 (Whiskey Business and Shopping Center) and Reinhardt/Kirk Annexation Public Hearing Continuation**
   c. **Northside Center and Hawthorn Storage – Annexation Referral 40-60 W. Terra Cotta Avenue and 100 W. Terra Cotta Avenue**
   d. **County Zoning Request – Envizion That, Inc. & Ava's Place III, LLC, 1207 W. Algonquin Road**
   e. **County Zoning Request – Brant and Jennifer Spreitzer, 7018 Hillcrest Drive**
   f. **County Zoning Request – Todd and Danielle Morlock, 6104 Hidden Oak Court**

10. **94 S. Dole Avenue Structure Demolition**

11. **Rezoning from Manufacturing PUD (M PUD) to Manufacturing Light PUD (ML PUD) and Special Use Permit Request for a commercial child-care center – Sarillo, 1095 Pingree Road**

12. **Preliminary and Final Planned Unit Development (PUD) for 36 apartment units, Comprehensive Land Use Plan Amendment from Urban Residential to High-Density Residential, Rezoning from R-2 and R-3A to R-3B Multi-Family Residential, and PUD Variations - Church Street Apartments, 178 McHenry Avenue**

13. **Intergovernmental Agreement between the State of Illinois/Department of Natural Resources and the City for the City of Crystal Lake Flood Hazard Mitigation Project for the Pine Street/Oriole Trail/Crystal Lake Avenue Stormwater Solutions Study Area**

14. Council Inquiries and Requests

15. 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

16. Reconvene to Regular Session

17. Adjourn

If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Melanie Nebel, 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: January 7, 2020

Item: Class 16 Temporary Liquor License Request – Knights of Columbus Fr. McCormick Council 3880

Staff Recommendation: Motion to approve issuance of a Class 16 Temporary Liquor License to the Knights of Columbus Fr. McCormick Council 3880.

Staff Contact: Eric T. Helm, Deputy City Manager

Background:
The City has received a request from the Knights of Columbus Fr. McCormick Council 3880 for the issuance of a Class 16 Temporary Liquor License in order to sell beer and wine at their Polish Dinner on January 11, 2020 from 6:00 p.m. to 10:00 p.m. at the St. Thomas Catholic Church Parish Center at 451 W. Terra Cotta Avenue. This is the same request approved in past years.

Section 329-5-P of the City Code permits the issuance of a Class 16 Temporary Liquor License for the retail sale of beer and wine 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.

Attached for City Council review is a copy of supporting documentation regarding this request. A Certificate of Insurance will be provided prior to the event.

Votes Required to Pass:
Simple majority

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: Chicago Title Land Trusts 1004004149 & 1004004152 (Whiskey Business and Shopping Center) and Reinhardt/Kirk Annexation Public Hearing Continuation

Recommendation: Motion to continue the 1) Chicago Title Land Trusts 1004004149 & 1004004152 and 2) Reinhardt/Kirk requests to the May 5, 2020 City Council meeting for the Annexation Public Hearings.

Staff Contact: Michelle Rentzsch, Director of Community Development
Kathryn Cowlin, Assistant City Planner

Background:

Chicago Title Land Trusts- The petitioner is requesting the annexation of three parcels that total approximately 3.04 acres, located at 4616 Route 176, 4709 Route 176 and lot 13 on Reiland Drive. The parcels are improved with Whiskey Business, a commercial retail shopping center, auto repair business and outdoor storage.

Reinhardt/Kirk- The property is contiguous with the above property and consists of one parcel that totals approximately 0.28 acres, located at 851 Reiland Drive. The property would be involuntarily annexed after the annexation of the Chicago Title Land Trusts.

City staff respectfully requests that the Whiskey Business and Reinhardt/Kirk petitions be continued to the May 5, 2020 City Council meeting for the Annexation Public Hearing in order to continue to work with the petitioner on the annexation agreement for the Chicago Title Land Trusts.

Votes Required to Pass: A simple majority.

Agenda Item No: 9c

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: Northside Center and Hawthorn Storage – Annexation Referral
40-60 W. Terra Cotta Avenue & 100 W. Terra Cotta Avenue

Recommendation: Motion to refer the request to the January 15, 2020 Planning & Zoning Commission meeting for zoning consideration and to the February 4, 2020, City Council meeting for the annexation public hearing.

Staff Contact: Michelle Rentzsch, Director of Community Development
Kathryn Cowlin, Assistant City Planner

Background: As part of the Centennial Strategic Plan, the City Council identified a key strategy in development and reinvestment in the community by exploring annexation opportunities. Also during this process, City staff worked with McHenry County to reconcile any discrepancies in the city boundary and the property tax rolls.

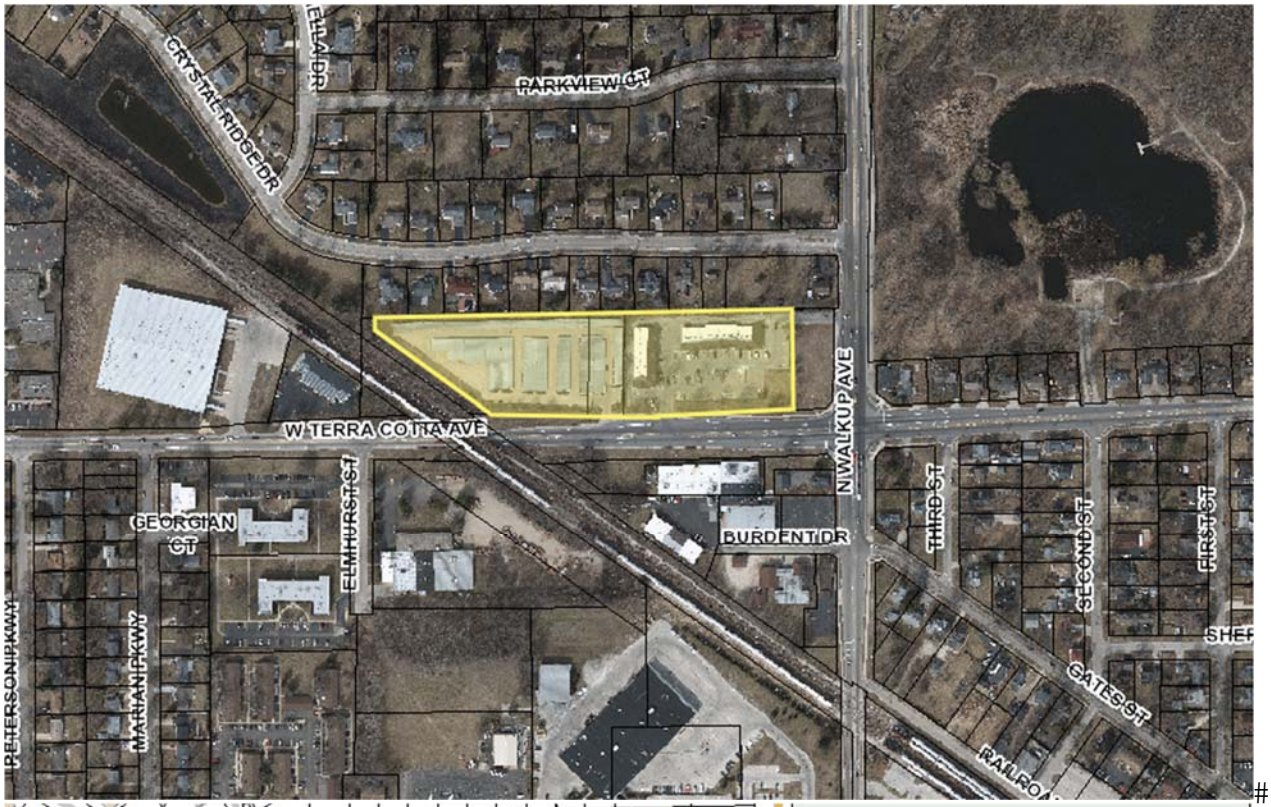
It was discovered that the properties commonly known as the Northside Center and Hawthorn Storage were not included in the property tax roles for the City. Based on City records, it appears the property would have been incorporated during the consolidation of the Village of Nunda and the Village of Crystal Lake in 1914. City staff worked with the County to correct the boundary discrepancy by providing zoning maps dating back to 1927, copies of building permits and zoning approvals on multiple occasions since at least 1945, a copy of the 1981 federal court lawsuit between the City and the property owner, first response service records dating back 15 years and an issued liquor license dating back to 1989.

Despite the documentation listed above, McHenry County will not correct the tax roll unless an annexation ordinance is recorded with the Recorder of Deeds and filed with the McHenry County Clerk.

The property owners have submitted annexation petitions at the City's request. The existing zoning approvals would be requested so the existing tenants and businesses would not be affected by the process. City staff respectfully request that this matter be referred to the January 15, 2020, Planning & Zoning Commission meeting for zoning consideration and the February 4, 2020, City Council meeting for the annexation public hearing.

Votes Required to Pass: A simple majority.

Northside Center and Hawthorn Storage Annexation
40-60 W. Terra Cotta Ave & 100 W. Terra Cotta Ave
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Agenda Item No: 9d

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: COUNTY ZONING REQUEST
Envizion That, Inc. & Ava's Place III, LLC
1207 W. Algonquin Road

Recommendation: City Council's discretion.

a) Motion to object to the proposed variation to allow for a minimum of eight off-street parking spaces, a variation of 10 off-street parking spaces and a setback variation to allow a 70-foot setback, a variation of 20 feet, directing staff to proceed with an objection to the County Hearing Officer.
b) No action.

Staff Contact: Michelle Rentzsch, Director of Community Development
Kathryn Cowlin, Assistant City Planner

Background:

- As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of this request.
- The property in question consists of approximately 0.165 acres and is zoned "B-1" Neighborhood Business District. Currently, the property is improved with a vacant building and detached garage.

Request:

- The petitioner is proposing to demolish the existing detached garage and install a parking lot along Rosemary Street and a new covered porch off the rear facing Algonquin Road.
- The off-street parking requirement per McHenry County is 18 parking spaces. The petitioner is proposing to provide eight spaces due to lot constrictions.
- The petitioner is requesting a setback variation from the centerline of Algonquin Road for the covered porch. The required setback is 90 feet and the petitioner is requesting a 70-foot setback.
- The property is not within the Crystal Lake Watershed and is surrounded by the Village of Lake in the Hills and Village of Algonquin municipal boundaries. City staff does not have any concerns with this request.

Votes Required to Pass: A simple majority.

County Zoning Request – 1207 W. Algonquin Rd







Agenda Item No: 9e

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: COUNTY ZONING REQUEST
Brant and Jennifer Spreitzer
7018 Hillcrest Drive

Recommendation: City Council's discretion.

a) Motion to object to the proposed variation for a detached garage to be located at a 10-foot setback, a variation of 24.62 feet, directing staff to proceed with an objection to the County Hearing Officer.
b) No action.

Staff Contact: Michelle Rentzsch, Director of Community Development
Kathryn Cowlin, Assistant City Planner

Background:

- As is customary with County Zoning requests within the City's mile and a half planning jurisdiction, the City received notice of this request.
- The property in question consists of approximately 0.57 acres and is zoned "R-1" Single Family Residential District. Currently, the property is improved with a house, in ground swimming pool and shed.

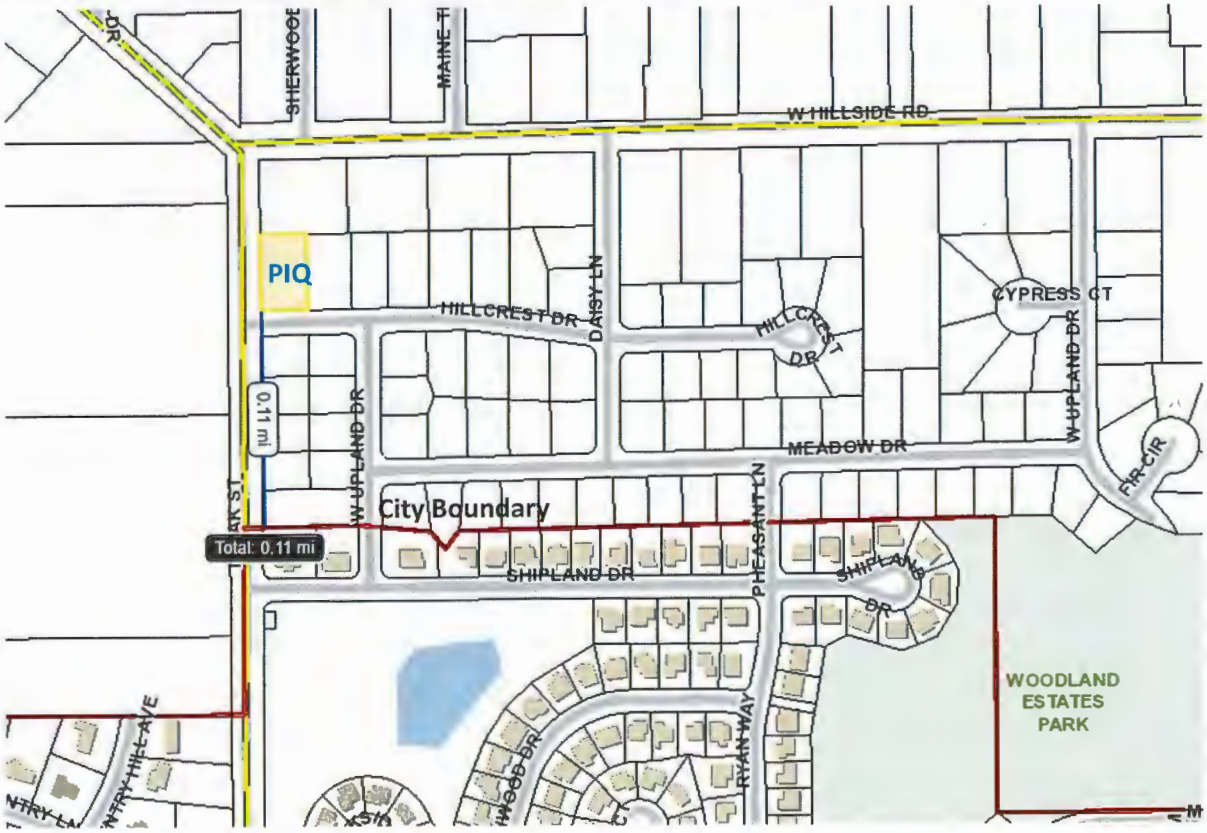
Request:

- The petitioner is proposing to add a 756 square-foot detached garage to the northwest corner of the property.
- The petitioner is requesting a setback variation from the 30-foot yard abutting a street setback to allow for a 10-foot setback along Oak Street.
- The property is not within the Crystal Lake Watershed and staff does not have any concerns with this request.

Votes Required to Pass: A simple majority.

County Zoning Request – 7018 Hillcrest Drive





Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: 94 S. Dole Avenue Structure Demolition

Staff Recommendation:

1. Motion to adopt a resolution waiving the formal bidding process, and authorizing the City Manager to accept the donation of services and to execute a donation acceptance form for the demolition of the structure at 94 S. Dole Avenue, per City Code Chapter 102, and to authorize the City Manager to execute an agreement with Green Demolition Contractors Incorporated for the demolition services in the amount of $10.

2. Motion to adopt a resolution rejecting all bids from the December 20, 2019 bid opening for the structure demolition at 94 S. Dole Avenue.

3. Motion to adopt a resolution waiving the formal bidding process and authorizing the City Manager to execute an agreement with Environmental Cleansing Corporation for asbestos removal services at 94 S. Dole Avenue in the amount of $5,500, with a 10 percent contingency for unforeseen expenses.

Staff Contact: Michelle Rentzsch, Director of Community Development
Eric T. Helm, Deputy City Manager

Background:

On December 20, 2019, the City opened and publicly read the bids received for the demolition of structures at 94 S. Dole Avenue. Several days after the bids were received and opened, City Staff was contacted by Chicago based demolition company, Green Demolition Contractors, Inc., with an offer to donate the services needed to demolish the structures at 94 S. Dole. Information regarding Green Demolition, along with their letter of intent and a signed agreement is attached to this agenda supplement. Per their website (www.greendemolitioninc.com), the company has been in business since 2007 and has performed numerous demolition projects. The company is in good standing with the Illinois Secretary of State.

Green Demolition has offered to enter into an agreement with the City to completely demolish the residential structures at 94 S. Dole Avenue, per the specifications of the City's original demolition

bid, including all accessory structures, concrete walks, driveway, and landscape beds. Green Demolition will also be responsible for abandoning utilities, such as water, sewer, and electricity. The site will be leveled, graded, and seeded. Although Green Demolition is donating its services to the City, the proposed agreement requires the City to pay the sum of $10 as consideration in order to create a binding contract between the City and Green Demolition.

Demolition Bid

As a result of the December 20, 2019 bid opening, the City received six bids and the results are tabulated below. Since City Staff received notice that a contractor desired to donate the demolition services after the bids were opened and publically read, in the event that the City Council adopts the first proposed motion, the City will need to formally reject all the bids received from the opening. The results of the December 20, 2019 bid opening are as follows:

Firm	*Amount of Bid*
Alpine Demolition Services, St. Charles IL	$18,700
S & S Construction and Granite, Zion, IL	$22,000
Copenhaver Construction, Gilberts, IL	$27,000
Langos Corp, Barrington, IL	$28,000
Kanzler Construction, Wauconda, IL	$32,350
DK Contractors, Pleasant Prairie, WI	$45,826

Asbestos Removal

Prior to approving a contract for the demolition, a complete survey of potential areas of asbestos in the building was required to be performed. The survey is attached to this agenda supplement and provides information regarding the presence of Asbestos Containing Building Materials (ACBM). The survey identify two areas, the bathroom and basement containing asbestos materials. Prior to the demolition, the ACBM will need to be removed. Environmental Cleansing Corporation (ECC) provided a proposal to remove the materials for $5,500. City staff recommends utilizing ECC since this firm has experience in performing asbestos remediation and has the ability to meet the tight demolition timeline outlined by the Court. City Staff recommends waiving the formal bidding process and authorizing the City Manager to enter into an agreement with ECC to remove the asbestos and provide the required documentation so that demolition can begin.

Recommendation:

Based on the willingness of Green Demolition to donate the services, City staff recommends that the City accept the donation for demolition services, and enter into an agreement with Green Demolition for the demolition services in the amount of $10. Prior to demolition, City staff also recommends entering into an agreement with Environmental Cleansing Corporation for the removal of asbestos.

City special legal counsel, David Pardys, has reviewed the donation and agreement documents. He has determined that there are no legal issues if the City Council approves the donation and agreement documents.

Votes Required to Pass:

Two thirds of the council members holding office.

Res.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be and he is hereby authorized to accept a donation from Green Demolition Incorporated designated for the demolition of the of the structures at 94 S. Dole Avenue, and to execute an agreement with Green Demolition Contractors Incorporated for the demolition services in the amount of $10.

DATED this 7th day of January 2020.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: January 7, 2020
APPROVED: January 7, 2020

DRAFT

Res.

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Council rejects all bids received from the December 20, 2019 94 Dole Avenue Demolition bid opening.

DATED this 7th day of January, 2020.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: January 7, 2020
APPROVED: January 7, 2020

Res.

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Environmental Cleansing Corporation for asbestos removal services at 94 Dole Avenue in the amount of $5,500, with a 10% contingency.

DATED this 7th day of January, 2020.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
MAYOR

SEAL

ATTEST

_____
CITY CLERK

PASSED: January 7, 2020
APPROVED: January 7, 2020

Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date:	January 7, 2020
Item:	REPORT OF THE PLANNING & ZONING COMMISSION
Request:	1. Rezoning from Manufacturing PUD to Manufacturing Limited PUD. 2. Special Use Permit for a commercial child-care center.
Petitioner:	Joe Gottemoller, attorney and Tony Sarillo, petitioner 1095 Pingree Road
PZC Recommendation:	To approve the PZC recommendation for the Rezoning and a Special Use Permit for a child-care center at 1095 Pingree Road.
Staff Contact:	Michelle Rentzsch, Director of Community Development Kathryn Cowlin, Assistant City Planner

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Background:

- The subject property is a two-story building with a mix of office, commercial recreation and service uses.
- A Planned Unit Development was approved for the property in 2007 to allow the construction of a mini-warehouse storage building in the rear of the property. The building has not been constructed.
- UDO Requirements: Commercial child-care centers are required to obtain a special use permit and comply with specific criteria.

Request:

- The site is currently zoned Manufacturing PUD. The petitioner is requesting to rezone the property to Manufacturing Limited PUD.
- The proposed rezoning would not negatively affect any of the current tenants. The rezoning would complement the existing tenant mix.
- The proposed rezoning would allow the commercial child-care center to locate at the property with the approval of a special use permit.
- The commercial child-care center estimates to have up to 100 children. The center would provide daycare services for infants to kindergarten aged children.

- The proposed site/loading plan illustrates a loading area in the rear. The petitioner has worked with city staff to relocate the loading area to the front of the building with designated parking stalls to meet the UDO requirement and comply with Fire Rescue fire lane requirements.

PZC Highlights:

- The petitioner stated the rezoning would not negatively affect any of the existing tenants.
- The PZC agreed the primary land uses in the area around Rakow and Pingree Road are office, light manufacturing and retail. The PZC felt the rezoning would fit in with the existing area.
- The petitioner agreed with the recommended conditions and agreed that the rear area needed to be cleaned up. The junk/debris was from a former tenant.
- The commercial child-care center representative stated that the State of Illinois requires either an indoor play area or outdoor area. The center is going to incorporate an indoor gym to comply with the State's requirements. The proposed outdoor play area is to comply with the UDO. The PZC stressed that children would need to be escorted to the outdoor play area as the rear parking lot is an active parking area.
- The PZC stated that the Findings of Fact had been met.

The PZC recommended **approval (5-0)** 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 (Pingree & Rakow LLC, dated 11/12/19, received 11/12/19)
   B. Site/Evacuation Plan (Pingree & Rakow, dated 11/11/19, received 11/12/19)
   C. Floor Plan (Pingree & Rakow, dated 11/11/19, received 11/12/19)

2. The rubbish, box containers, wood and other materials located in the gravel area behind the building must be removed prior to the occupancy of the child-care center or January 31, 2020, whichever comes first.

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

Votes Required to Pass: A simple majority.

PLN-2019-001181 PINGREE & RAKOW LLC (SARILLO) – 1095 PINGREE ROAD





DRAFT

Ord. No. ……
File No. ….

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING REZONING AND A SPECIAL USE PERMIT AT 1095 PINGREE ROAD

WHEREAS, pursuant to the terms of a Petition (File #PLN-2019-00181) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the Rezoning from "M-PUD" Manufacturing Planned Unit Development to "M-L PUD" Manufacturing Limited Planned Unit Development and the issuance of a Special Use Permit for a commercial child-care center for the property located at 1095 Pingree Road; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 19, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on December 4, 2019 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Rezoning and Special Use Permit; and

WHEREAS, on December 4, 2019, 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 Rezoning and Special Use Permit be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #PLN-2019-00181, dated as of December 5, 2019; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Rezoning and 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 the following described property be rezoned from "M-PUD" Manufacturing Planned Unit Development to "M-L PUD" Manufacturing Limited Planned Unit Development at the property legally described as follows:

Lots 1 and 2 in the Lakeview Business Center, Phase II, being a subdivision of part of the North Half of the Northwest Quarter of Section 15, Township 43 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded January 4, 2001 as Document Number 2001R0000861, in McHenry County, Illinois.

Section II: That a Special Use Permit be issued to allow a commercial child-care center for the property commonly known as 1095 Pingree Road (19-15-101-002, 19-15-101-006), Crystal Lake, Illinois.

Section III: 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 (Pingree & Rakow LLC, dated 11/12/19, received 11/12/19)
   B. Site/Evacuation Plan (Pingree & Rakow, dated 11/11/19, received 11/12/19)
   C. Floor Plan (Pingree & Rakow, dated 11/11/19, received 11/12/19)

2. The rubbish, box containers, wood and other materials located in the gravel area behind the building must be removed prior to the occupancy of the child-care center or January 31, 2020, whichever comes first.

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

Section IV: 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 issuance of a Special Use Permit and zoning classification of the above-described property in accordance with the provisions of this Ordinance, as provided by law.

Section V: 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 7th day of January, 2020.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: January 7, 2020
Approved: January 7, 2020

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Requests:

1. Preliminary and Final Planned Unit Development for 36 apartment units.
2. Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential.
3. Rezoning from R-2 and R-3A to R-3B Multi-Family Residential.
4. PUD Variations:
   a. From the maximum permitted density of 9 units/acre to allow 13.8 dwelling units/acre, a variation of 4.8 units/acre.
   b. From the requirement to bury the overhead utility lines along Church Street, and
   c. From the requirement to install parkway trees along Maple and Church Streets.

PZC Recommendation: To deny the requests

Staff Contact: Michelle Rentzsch, Director of Community Development
Elizabeth Maxwell, City Planner

Background

- The site is the former Immanuel Lutheran church and Faith Lutheran School. The property is currently vacant. This request would reuse the buildings for new apartments.

PZC Highlights

- Traffic: The traffic consultant, Lynn Means with Gewalt Hamilton, presented data showing a reduction in peak hour trips and a reduction in overall daily trips except for Saturday. The traffic would be very minimal about 1 car every 6 to 30 minutes as a daily average.
- Noise: The petitoiner noted that noise and use of the site would be similar to the single family neighborhood and much less than the school activity.
- Comprehensive Land Use Plan & Rezoning: The PZC found that the petitioner did not meet the standards to amend the Comprehensive Land Use Plan and Rezone the proeprty. The petitioner pointed out that the request meets several of the goals in the Comprehensive Land Use Plan including Housing, Historic Preservation and Land Use.

- Density: The developer stated that to attract higher-end renters certain amenities are required and these cost money. In order to recoup the costs a certain number of units are required. In addition, these are existing buildings and there is a variety of apartment sizes that are marketable. Reducing the density either requires dead space in the building or removal of buildings or a portion of the building. Through his experience with two other projects in the City, he demonstrates the market conditions on apartment size and amenities.

The Planning and Zoning Commission recommended **denial (4-2)** of the petitioner's requests.

If a motion is made to approve the petitioner's request, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Ieremciuc, received 11/15/19)
   B. Site Development Plan Set [Site Plan, Landscape Plan, Site Photos, and Floor Plans] (Joseph A Meyer, dated 11/19/19, received 11/18/19)
   C. Traffic Study (GHA, Inc., dated 11-26-19)

2. Site Plan
   A. Remove the freestanding signs from the property.
   B. Provide a trash enclosure area that meets the UDO requirements; location and design to be reviewed and approved by staff.
   C. Repair and maintain the on-street parking spaces along Church Street and Maple Street.
   D. The curb ramps along McHenry Avenue shall be removed along with any striping and signage.
   E. The accessible stalls at the corner of Church Street and McHenry Avenue shall be moved to the west so the cars are not backing into McHenry Avenue.

3. Landscape Plan
   A. Provide landscape screening materials along Maple Street in the parkway and to the east of the two parking areas, which consists of evergreen and deciduous shrubs and trees to screen the parking area from the adjacent residential areas, where practical.
   B. Work with staff to replace dead and dying foundation landscape material with refreshed landscape materials.

4. Traffic Study
   A. To the extent possible, moves in and out of units should occur during off-peak hours.
   B. Provide bicycle parking on-site that is easily accessible.
   C. Remove the signing and pavement markings (school zone speed limits and crossings) along both Maple Street and McHenry Avenue provided in connection with the former school use on the site.

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

6. No major changes can be made to the exterior of the building without first obtaining a Final PUD Amendment approval.

7. The following variations are granted:
   A. From the requirement to bury the existing overhead utility line along Church Street.
   B. From the requirement to plant parkway trees along Church Street.
   C. From the maximum net density of 9 dwelling units per acre to allow 13.8 dwelling units per acre.

Votes Required to Pass: A super majority vote (5 votes)

PLN-2019-00157 174 McHenry Avenue – Conceptual Review





PLN-2019-182 174 McHenry Avenue - Rezone, Preliminary & Final Planned Unit Development

DRAFT

Ord. No. ……
File No. ….

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT, COMPEHENSIVE LAND USE PLAN MAP AMENDMENT, REZONING, AND VARIATIONS FOR CHURCH STREET APARTMENTS

WHEREAS, pursuant to the terms of the Petition (File #PLN-2019-182) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Preliminary and Final Planned Unit Development for 36 apartment units, Comprehensive Land Use Plan Amendment from Urban Residential to High Density Residential, Rezoning from "R-2" Single Family and "R-3A" Two Family to "R-3B" Multi Family, and Variations from: A. the maximum permitted density of 9 units/acre to allow 13.8 dwelling units/acre, a variation of 4.8 units/acre; B. The requirement to bury the overhead utility lines along Church Street; and C. The requirement to install parkway trees along Maple and Church Streets; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 21, 2019 in the Northwest Herald, held a public hearing at 7:30 p.m., on December 9, 2019 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Final Planned Unit Development; and

WHEREAS, on December 9, 2019, 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 Preliminary and Final Planned Unit Development, Comprehensive Land Use Plan Amendment, Rezoning, and Variations be denied, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #PLN-2019-182, dated as of December 10, 2019; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Preliminary and Final Planned Unit Development, Comprehensive Land Use Plan Amendment, Rezoning, and Variations 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:

Ord. No. ……
File No. ….

SECTION I: That a proposed Preliminary and Final Planned Unit Development, Comprehensive Land Use Plan Amendment, Rezoning, and Variations be granted for the property located at 178 McHenry Avenue (19-05-131-013, 19-05-131-023, 19-05-131-024, 19-05-131-025, 19-05-131-027, 19-05-131-031, 19-05-131-032, and 19-05-131-033), Crystal Lake, Illinois.

SECTION II: That the proposed Preliminary and Final Planned Unit Development, Comprehensive Land Use Plan Amendment, Rezoning, and Variations be granted with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Ieremciuc, received 11/15/19)
   B. Site Development Plan Set [Site Plan, Landscape Plan, Site Photos, and Floor Plans] (Joseph A Meyer, dated 11/19/19, received 11/18/19)
   C. Traffic Study (GHA, Inc., dated 11-26-19)

2. Site Plan
   A. Remove the freestanding signs from the property.
   B. Provide a trash enclosure area that meets the UDO requirements; location and design to be reviewed and approved by staff.
   C. Repair and maintain the on-street parking spaces along Church Street and Maple Street.
   D. The curb ramps along McHenry Avenue shall be removed along with any striping and signage.
   E. The accessible stalls at the corner of Church Street and McHenry Avenue shall be moved to the west so the cars are not backing into McHenry Avenue.

3. Landscape Plan
   A. Provide landscape screening materials along Maple Street in the parkway and to the east of the two parking areas, which consists of evergreen and deciduous shrubs and trees to screen the parking area from the adjacent residential areas, where practical.
   B. Work with staff to replace dead and dying foundation landscape material with refreshed landscape materials.

4. Traffic Study
   A. To the extent possible, moves in and out of units should occur during off-peak hours.
   B. Provide bicycle parking on-site that is easily accessible.
   C. Remove the signing and pavement markings (school zone speed limits and crossings) along both Maple Street and McHenry Avenue provided in connection with the former school use on the site.

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

6. No major changes can be made to the exterior of the building without first obtaining a Final PUD Amendment approval.

7. The following variations are granted:
   A. From the requirement to bury the existing overhead utility line along Church Street.
   B. From the requirement to plant parkway trees along Church Street.
   C. From the maximum net density of 9 dwelling units per acre to allow 13.8 dwelling units per acre.

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

SECTION V: 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 7th day of January, 2020.

City of Crystal Lake, an
Illinois municipal corporation

_____
Aaron T. Shepley, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: January 7, 2020
Approved: January 7, 2020

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: January 7, 2020

Item: Intergovernmental Agreement between the State of Illinois/Department of Natural Resources and the City for the City of Crystal Lake Flood Hazard Mitigation Project for the Pine Street/Oriole Trail/Crystal Lake Avenue Stormwater Solutions Study Area

Staff Recommendation: Motion to adopt a resolution authorizing the Mayor to execute an Intergovernmental Agreement with the State of Illinois/Department of Natural Resources for the City of Crystal Lake Flood Hazard Mitigation Project for the Pine Street/Oriole Trail/Crystal Lake Avenue Stormwater Solutions Study Area and documenting availability of funds.

Staff Contact: Michael Magnuson, Director of Public Works
Abigail Wilgreen, City Engineer

Background

Through the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR) Flood Mitigation Program, the City submitted a grant application for the Pine Street/Oriole Trail/Crystal Lake Avenue Stormwater Solutions Study Area to fund the voluntary acquisition and subsequent demolition of five residences in this study area at an estimated cost of $1,268,803. The proposed improvements are expected to significantly reduce the risk of flooding, thereby reducing the flood damage to residences and City staff hours in flood responses. It also provides an auxiliary benefit of additional stormwater storage capacity on the vacated parcels in an area where there are no stormwater detention facilities. The project is economically cost effective as demonstrated by a benefit-cost analysis required by the State grant.

Staff is pleased to announce that the City is a recipient of a grant award which will fund project costs up to $1,268,803 with no local match required (100% state funding.) The grant is a reimbursement. The City will invoice the state for the project costs after they are incurred by the City and receive reimbursement. This is similar to other projects the City has completed with State funds.

The homeowners of the five residences are not required as part of this grant to sell their home. It is a voluntary program, neither the City nor the State will use its eminent domain authority. Increasing storage through acquisition of homes was discussed at the stakeholder meeting for this study area held on August 8, 2017. The residents present at the meeting did not object to this concept, including several that own homes that would be acquired through this project. Subsequent to that meeting, as part of a FEMA grant application, all five owners indicated they were open to acquisition. If all five residences are not purchased and removed, the area would still see a benefit. At least two homes (one on Pine Street and one on Oriole Trail) will have to be acquired in order to realize a benefit.

The attached Intergovernmental Agreement is the first step in acceptance of the grant award. It has been reviewed by the City's special legal counsel and deemed acceptable. Some items to highlight include:

- As the project moves forward, each step will be reviewed and approved by IDNR/OWR before the City can expend funds.
- A formal appraisal, completed by a Certified General Appraiser, licensed in the State of Illinois, will be completed for each home and reviewed and approved by IDNR/OWR.
- Once the home is acquired and demolished, the property will be owned and maintained by the City and will be dedicated as open space in perpetuity.
- Should the project costs exceed the grant award amount, the City would be responsible for the additional costs. The estimate of cost was based on an estimate of fair market value from property assessments.
- The project must be completed by June 30, 2021.

Votes Required to Pass:
A simple majority vote.

STORMWATER SOLUTIONS - PINE STREET/ORIOLE TRAIL/CRYSTAL LAKE AVE STUDY AREA



1" = 100'
0 50 100 200 Feet

City of Crystal Lake, IL

BAXTER & WOODMAN

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 Mayor be authorized to execute the intergovernmental agreement with the State of Illinois/Department of Natural Resources (IDNR) for the City of Crystal Lake Flood Hazard Mitigation Project for the Pine Street/Oriole Trail/Crystal Lake Avenue Stormwater Solutions Study area; and

BE IT FURTHER RESOLVED that the City has obligated funds for the project as part of the City's current Fiscal Year 2019/2020 Budget; and

BE IT FURTHER RESOLVED that the City will be responsible for the payment of all costs over and above the IDNR's funding obligation.

DATED this 7th day of January, 2020

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
MAYOR

SEAL

ATTEST:

_____
CITY CLERK

PASSED: January 7, 2020

APPROVED: January 7, 2020