CITY OF CRYSTAL LAKE
AGENDA
CITY COUNCIL
REGULAR MEETING

City of Crystal Lake
100 West Woodstock Street, Crystal Lake, IL
City Council Chambers
August 2, 2022
7:00 p.m.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – July 19, 2022 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. **Crystal Lake Police Department Special Olympics Car Show Special Event Permit – Sunday, August 28, 2022**
   b. **Knights of Columbus Fr. McCormick Council #3880 Class 16 Temporary Liquor License Request – Parish Festival, Saturday, August 13, 2022**
   c. **Adoption of an Ordinance amending Section 515-15(J), Water and Sewer, of the City Code**

10. **267 Dole Avenue - Simplified Residential Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet**

11. **City Code Amendment to increase the number of Class 24 Liquor Licenses – Applicant: Tony's Café, located at 1030 McHenry Avenue**

12. **City Code Amendment to increase the number of Class 28 Liquor Licenses and to increase the number of Video Gaming Licenses – Applicant: Moontime Smokin' Que, 88 Railroad Street, Unit A**

13. **Liquor Code Amendments to Class 26 License requirements for tent events**

14. **Crystal Lake Brewing Company 8th Anniversary Weekend Special Event Request – August 12-14, 2022**

15. **575 E. Crystal Lake Avenue, Evangelical Free Church of Crystal Lake – Final Planned Unit Development (PUD) Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area**

16. 6110 Lou Avenue, Wee Little Paws Inn – Sign Variation for two wall murals totaling 1,640 square feet

17. Bid Award – 2022 Pavement Rejuvenation Program

18. Council Inquiries and Requests

19. 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

20. Reconvene to Regular Session

21. 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: August 2, 2022

Item: Crystal Lake Police Department Special Olympics Car Show Special Event Permit

Recommendation: Motion to approve the Crystal Lake Police Department's Special Event for a Car Show benefiting Special Olympics to include the closure of the City parking lot at 41 Grant Street on August 28, 2022 pursuant to the recommended conditions.

Staff Contact: Kathryn Cowlin, Director of Community Development
Laurrie Fitzgerald, Support Services Coordinator

Background: The City of Crystal Lake Police Department has applied for a Special Event Permit to hold the 1st annual Crystal Lake Police Department Car Show benefiting Special Olympics Illinois. The event is to be held in the City parking lot at 41 Grant Street Sunday, **August 28, 2022** between 11:00 a.m. and 4:00 p.m. The event will include a food sold by local downtown restaurants, a mobile DJ, and Torch Run merchandise for sale.

This request was approved at the May 3, 2022 City Council meeting, with the event to be held on July 23, 2022. Due to uncertain weather, the event was rescheduled to Sunday August 28, 2022. The Downtown Crystal Lake Association has no concerns with this request.

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

1. This approval is contingent upon this event maintaining compliance with the Governor's Restore Illinois Plan
2. This approval is valid for the Special Event Permit and closure of the public parking lot at 41 Grant Street on Sunday **August 28, 2022** from 9:00 a.m. to 5:00 p.m.
3. The event shall be in accordance with the submitted site plan.
4. All electrical must comply with the 2017 National Electric Code and is subject to an inspection prior to starting the event.
5. Promotional and informational banners and signage are approved via this approval. Please contact the Building Division regarding the details of the signage to be used in conjunction with the event. Signs cannot obstruct the view of traffic or be attached to utility poles.
6. The applicant is responsible for obtaining all necessary McHenry County Health Department permits.

7. The applicant must provide adequate trash receptacles, which need to be emptied on a regular basis throughout the event, and following post-event cleanup. Downtown amenities and landscaping must be properly maintained and/or restored to their original condition, as necessary.
8. Provide approved access for emergency vehicles to gain entry to the event as well as maintain access to the existing structures. Any barricades used must be easily moveable for emergency access.
9. Signs indicating the parking lot closure are to be posted a minimum of 24 hours prior to the event.
10. If food trucks are to be utilized, the food truck shall have a current, valid annual inspection for operating issued by Crystal Lake Fire Department.
11. In the case of inclement weather, an alternate date can be approved by the City Manager.

The applicant has been made aware of these recommended conditions and advised to attend the August 2, 2022 City Council meeting to answer any questions.

Votes Required to Pass: A simple majority vote.

City of Crystal Lake

POLICE DEPARTMENT

Illinois

July, 20 2022

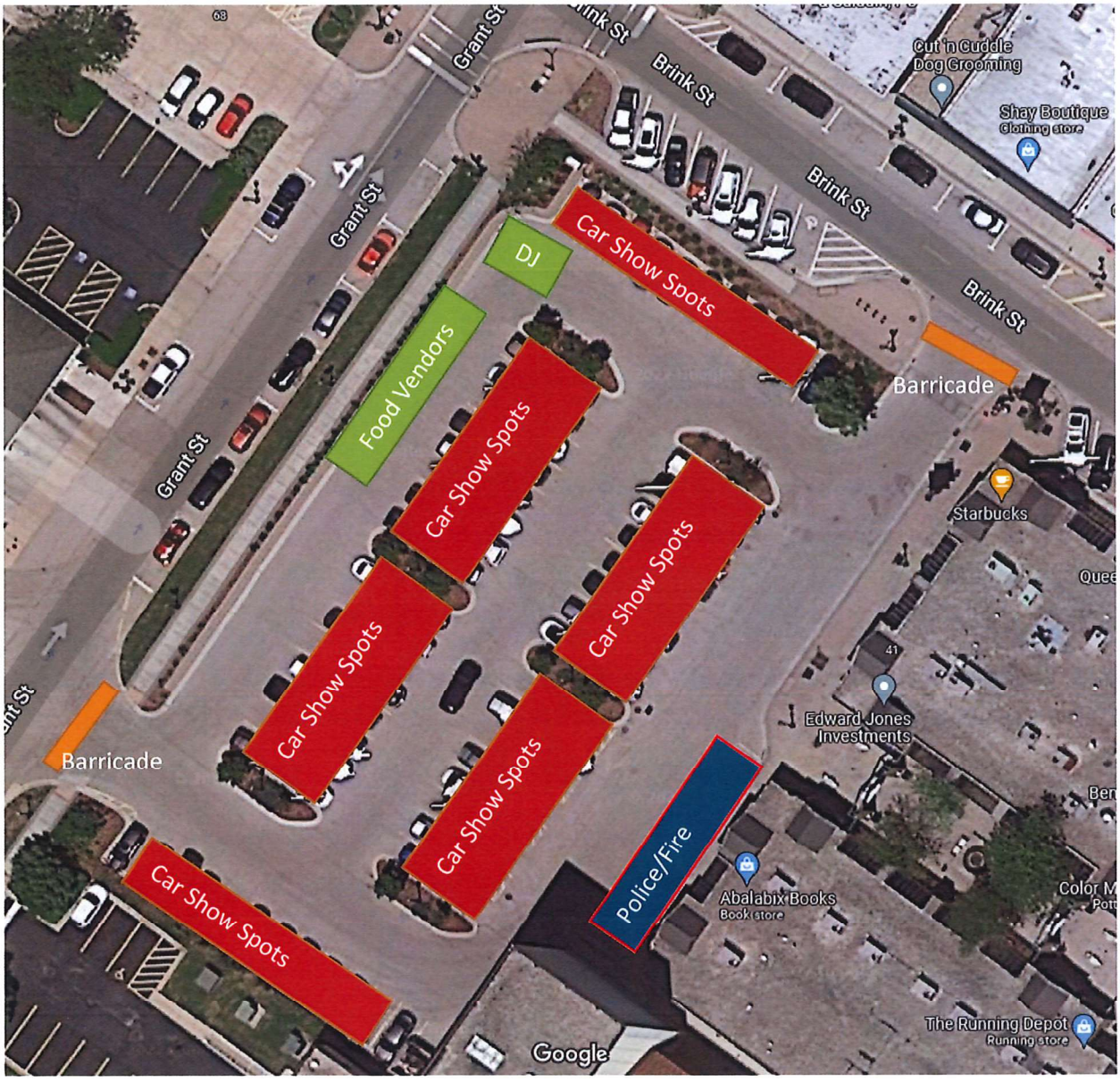
Mr. Gary Mayerhofer:

On Sunday, July 24th, 2022, the Crystal Lake Police Department, along with Downtown Crystal Lake Association, had planned for an Antique Car Show to benefit Special Olympics Illinois. As we monitor upcoming weather, it appears that storms may be present during our event and with that we were hoping to reschedule the event. I have spoken with Lynn Reckamp with Downtown Crystal Lake and we came to an agreement, with your approval of course, on a rescheduled event date of August 28th. All details of the event will remain as is with no further changes at this time.

Please let me know you thoughts on the rescheduled date as we would love for this event to take place.

Sincerely,

Sal Alfano
Community Relations Officer


Grant St
Brink St
Cut 'n Cuddle
Dog Grooming
Shay Boutique
Clothing store
DJ
Car Show Spots
Food Vendors
Barricade
Starbucks
Edward Jones
Investments
Police/Fire
Abalabix Books
Book store
The Running Depot
Running store
Google

Agenda Item No: 9b

City Council
Agenda Supplement

Meeting Date: August 2, 2022

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 for a Parish Festival on August 13, 2022

Staff Contact: Eric T. Helm, Deputy City Manager
Melanie Nebel, Executive Assistant

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 Parish Festival being held at the St. Thomas the Apostle Church Parking Lot at the corner of Oak Street and Route 176, located at 451 West Terra Cotta Avenue, on Saturday, August 13, 2022 from 5:30 p.m. to 9:00 p.m.

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.

The Knights of Columbus Fr. McCormick Council has met all application requirements for the temporary license.

Votes Required to Pass:
Simple majority

City of Crystal Lake
Application for Temporary Liquor License

CLASS "16"
Beer and Wine

The undersigned hereby makes application for a license for the sale at retail of beer and wine under the provisions of the City of Crystal Lake Liquor Licensing Ordinance:

1. Applicant's full name Knights of Columbus Fr. McCormick Council 3880
(Must be not-for-profit organization)

   Address P.O. Box 1365 Phone Number 815-455-5400

2. Location where beer and wine will be sold:
St. Thomas Parish Grounds, Corner of Rt. 176 + Oak Street

3. Dates of the event (**not to exceed three (3) days**): August 13, 2022

4. Hours of operation: 5:30pm to 9:00pm

5. Describe the type of crowd and traffic control licensee will utilize. 300 People
2 entrances/exits on Rt. 176 + Oak St.

6. Describe plan for refuse pickup. 2 dumpsters within 200 feet of the Serving Area

7. Please list the names and addresses of the members of the organization who will be selling beer and wine at the location pursuant to the license. If additional space is needed, please use reverse side.
Robert Kosin 856 Bennington Dr. Crystal Lake IL. 60014
Joseph Scherb 413 Huntley Rd. Crystal Lake IL. 60014
Michael Brucker 9635 Stonecastle Ln Village of Lakewood IL. 60014

8. **Please attach the following to your application:**
   - ☐ **License fee in the amount of *$20.00*. (Make checks payable to the "*City of Crystal Lake*".)**
   - ☐ **Proof of liquor liability insurance**
   - ☑ **Proof of permission from owner of the premises, if different than applicant, authorizing the sale of beer and wine on the property during the time requested.**
   - ☑ **Site plan of area where beer and wine will be sold.**
   - ☑ **Letter to the Mayor and City Council requesting approval of the issuance of a Class "16" Temporary Liquor License to applicant.**

[signature] 7/13/22
Signature of President Date

[signature] 7/13/22
Signature of Secretary Date

Both application and affidavit must be signed by the President and Secretary of the not-for-profit organization.

AFFIDAVIT

STATE OF ILLINOIS)
COUNTY OF MCHENRY)

We swear that we will not violate any of the Ordinances of the City of Crystal Lake or the laws of the State of Illinois or the laws of the United States of America, in the conduct of the place of business described herein and that the statements contained in this application are true and correct to the best of our knowledge and belief.

Signature of President

Signature of Secretary

Subscribed and sworn to before me this 13 day ~~of~~ July, 2022.

Notary Public

OFFICIAL SEAL
KELLY S ROEWER
Notary Public, State of Illinois
My Commission Expires 11/06/2025

ST. THOMAS THE APOSTLE
CATHOLIC CHURCH

June 30, 2022

Mayor Haig Haleblian
City Council Members
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

Dear Mayor Haig Haleblian and City Council Members,

With this letter we are requesting your permission to serve beer and wine at our Parish Fest. This festival will be held in our St. Thomas the Apostle Oak Street Church parking lot at 451 W. Terra Cotta Avenue, Crystal Lake, on Saturday, August 13, 2022.

The Fest is expected to be held between 5:30 pm to 9:00 pm with participation of around 300 people. We are planning this activity to be a fun activity which will help strengthen our community.

Thank you for your consideration of this request, and please contact us if you have any questions.

Sincerely in Christ,

Robert W. Jones

Rev. Robert W Jones, Pastor
St. Thomas the Apostle Church

272 King St, Crystal Lake, IL 60014 *(Parish Office)*
451 W. Terra Cotta Ave, Crystal Lake, IL 60014 *(Oak Street Church)*
453 Pierson St, Crystal Lake, IL 60014 *(Pierson Street Church)*

Phone 815-455-5400
Fax 815-455-2733
www.stthomascl.church

Knights of Columbus
Fr. McCormick Council #3880
P.O. Box 1365
Crystal Lake, IL 60014

June 30th, 2022

Mayor Haig Haleblian
City Council Members
City of Crystal Lake
100 W. Woodstock Street
Crystal Lake, IL 60014

Honorable Mayor Haig Haleblian and City Council Members,

With this letter we are respectfully requesting your permission to sell beer and wine during the St Thomas Parish Picnic. This will be held in the Oak Street Church parking lot at 451 W. Terra Cotta Avenue, Crystal Lake, on Saturday August 13, 2022 from 5:30pm to 9pm.

We are expecting the participation of around 300 people. As usual the net proceeds of the sales will be used to support our parish ministries and local charitable organizations. The Knight's are a 100% volunteer organization and have appreciated the long history of support from The City of Crystal Lake.

Thank you for your consideration of this request, and please let us know if there are any further questions.

Joe Scherb, Grand Knight
Fr. McCormick Council #3880
Knights of Columbus

St. Thomas the Apostle Church
451 W. Terra Cotta Ave.
Crystal Lake, IL 60014

← to Woodstock via Rt. 14

Rt. 176

ENTER ONLY

← HANDICAP PARKING →

EXIT ONLY

NO PARKING

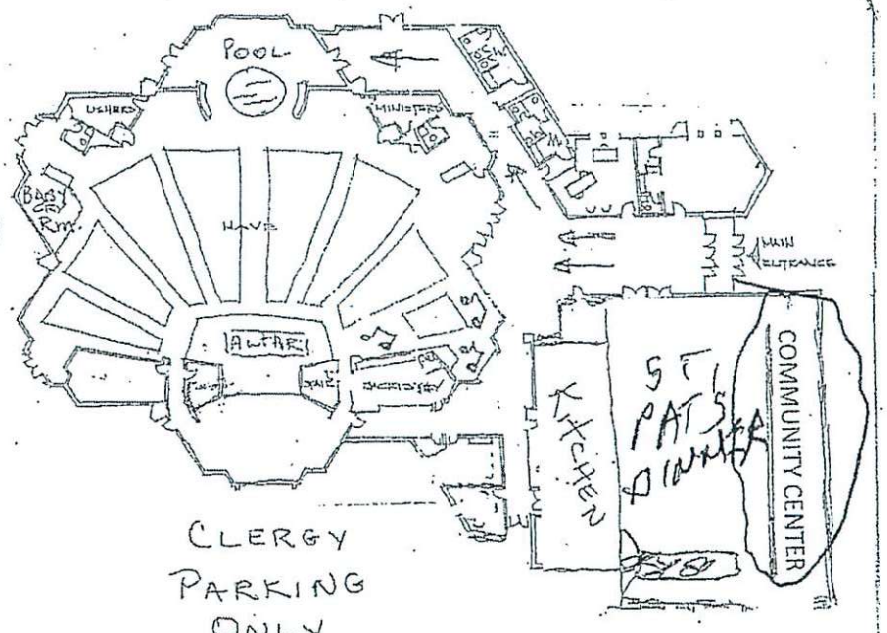
OAK ST.

Liquor Sales

PARKING

PARKING

PARKING →



CLERGY PARKING ONLY

PADRES, MONSEÑORES, EL OBISPO

ENTER →

EXIT →

← PARKING →

OAK ST.

to C. L. via Rt. 14

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 7/25/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 265 Exchange Dr Crystal Lake IL 60014	CONTACT NAME: PHONE (A/C, No, Ext): 815-459-3300 FAX (A/C, No): 815-459-3360 E-MAIL ADDRESS:
INSURED KNIGOFC-25 Knights of Columbus Father McCormick Council #3880 1802 Cashel Lane McHenry IL 60050	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Westfield Insurance Company — 24112 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** 996178706 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			4846448	7/13/2022	7/13/2023	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						PER STATUTE OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBEREXCLUDED? (Mandatory In NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Equipment Floater			4846448	7/13/2022	7/13/2023	Limit	6,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Parish Picnic August 13,2022

CERTIFICATE HOLDER

St. Thomas the Apostle Church
272 King St.
Crystal Lake IL 60014

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Agenda Item No: 9c

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: Adoption of an Ordinance amending Section 515-15(J), Water and Sewer, of the City Code.

Staff Recommendation: Motion to Adopt an Ordinance amending Section 515-15(J), Water and Sewer, of the City Code, and

Staff Contact: Jodie Hartman, Director of Finance/Treasurer

Background:
The Water and Sewer Fund is a self-supporting utility. §515-15(J) of the City Code currently provides for a "New Account Deposit" of $50 for all new accounts. The deposit requirement was last amended in 2006 to allow for a waiver of the deposit requirement provided that the account holder agreed to participate in the City's Direct Debit program. Following review of the current language of §515-15(J), staff is recommending updates to the existing policy and related City Code modifications.

Discussion:
The current policy per City Code §515-15(J), requires all new accounts to provide a $50 deposit to their utility account prior to receiving water/sewer service. This deposit remains on the account for at least two years. After twenty-four (24) months of consecutive timely payments, the deposit is returned to the customer via a credit to their utility account. If a customer elects to enroll in the City's direct debit program, they may have the deposit credited to their account after just two (2) months of consecutive timely payments as long as they keep their account in good standing.

Staff is recommending the following changes to the existing policy:

1. Revise the terminology to consistently refer to the deposit as a "New Account Deposit". There has been some confusion as the policy refers to the deposit as both a new account deposit and a new customer deposit. This would eliminate any confusion for existing customers who open an additional account or customers who move from one location to another.
2. Adjust the waiver for enrollment in the direct debit program from a two-month trial deposit to an immediate waiver. Should the customer's account fall out of good standing in the direct debit program within the first two years, the deposit would be charged on the next subsequent billing period. This proposed policy change is consistent with the original intent of the waiver option instituted in 2006 and staff is recommending amendments to §515-15, consistent with the proposed policy changes.

This adjustment has two primary benefits. First, by offering an immediate waiver of the deposit, more customers would be likely to enroll in the direct debit program. This not only provides an option for a lower first bill for the customer, but also encourages on-time payment from the direct debit automation. Second, this would reduce the administrative burden of manually adjusting accounts two months after creation.

3. Add a section that allows current customers in good standing to have the deposit requirement waived, provided their existing account has been in good standing for the preceding twenty-four (24) month period. Returning customers without a current active account would not be included in this waiver.

The rates contained in the relevant section of the City Code are NOT being amended at this time; all current rates will remain at their previously approved amounts.

Votes Required to Pass:
Simple majority

ORDINANCE AMENDING SECTION 515-15(J) OF THE CRYSTAL LAKE CITY CODE

WHEREAS, Section 515-15(J) of the City Code addresses the subject of deposits to be made in connection with new water/sewer accounts; and

WHEREAS, the Mayor and City Council have found and determined that it is in the best interests of the City and its residents to amend Section 515-15(J) of the City Code in order to clarify certain language and provide a mechanism for the waiver of deposits for existing customers who relocate or add an additional property requiring water/sewer service.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY AND STATE OF ILLINOIS, THAT:

Section 1: Amendment of City Code § 515-15 (J). Section 515-15(J), New Account Deposit of Chapter 515, Water and Sewer, of the City Code is hereby repealed and replaced in its entirety with the following:

J. New Account Deposit.

(1) Upon the establishment of a new water/sewer account, a deposit shall be made to such account prior to any water/sewer service being received at the property associated with the new account. Upon application for service, all new account owners must indicate whether the service is being requested for property that is owned or rented.
(2) The new account deposit shall be fifty dollars ($50.00) for water/sewer service.
(3) New account deposits shall be credited to water/sewer service customers in "good standing" for a period of twenty-four (24) consecutive months with a minimum of twenty-two (22) timely payments and no payments or drafts having been returned for insufficient funds. Such credits shall be applied to the customer's next bill following the 24th consecutive month of timely payments. No deposits to current accounts shall be refunded directly to the customer until account closure.
(4) The Finance Director is authorized to waive the deposit requirement in the event that the City has received an executed application for participation in the City's Direct Debit Program from the new account applicant prior to the first billing cycle. Such waiver shall remain in effect during such time as the customer is enrolled in the Direct Debit Program and the account remains in good standing. An account in good

Draft

standing is one that has not had direct debit payments returned to the City for insufficient funds on two consecutive billing periods. Should the account not remain in good standing at any point during the first twenty-four months following the establishment of the new account the new account deposit will be added to the customer's account, regardless of enrollment in the Direct Debit program. The Finance Director is authorized to process a refund of deposits held by the City on behalf of water and sewer customers who participate in the Direct Debit Program. Refunds shall be processed in the form of an account billing credit.

(5) The deposit requirement shall be waived for any existing customer relocating to a new location and establishing a new account, or adding an account for an additional property within the City service area, provided that during the preceding twenty-four consecutive months such customer's existing account has been kept in good standing.

Section 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

DATED at Crystal Lake, Illinois, this 2nd day of August, 2022.

APPROVED:

_____

Haig Haleblian, Mayor

ATTEST:

_____

Nick Kachiroubas, City Clerk

PASSED: August 2, 2022

APPROVED: August 2, 2022

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

Draft

Agenda Item No: 10

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Request: Simplified Residential Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet

Petitioner: John Freese
267 Dole Avenue

PZC Recommendation: To approve the Planning and Zoning Commission (PZC) recommendation and adopt an Ordinance granting a Simplified Residential Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet at 267 Dole Avenue

Staff Contact: Kathryn Cowlin, Director of Community Development
Katie Rivard, Assistant City Planner

Background:

- Request: The petitioner is requesting to replace the existing detached garage that was significantly damaged in a fire. The petitioner would like to build on the existing foundation, which is setback 4.67 feet from the interior side lot line.

- Land Use: The Comprehensive Land Use map shows the area as Urban Residential, which is an appropriate land use designation.

- Zoning: The site is zoned R-2 – Single-Family Residential. This property is used as a single-family home.

- The UDO requires detached garages, 600 square feet or less, to be setback a minimum of 5 feet from the interior side and rear lot lines.

- The detached garage is approximately 536 square feet. The garage appears to meet the UDO's maximum height of 15 feet from grade to the midpoint of the gable. It is approximately 18 feet overall and approximately 13 feet from grade to the midpoint of the gable.

- The detached garage will have similar building colors of the existing residence.

PZC Highlights:

- The petitioner explained the garage was significantly damage in a fire and considered a total loss by the insurance company. He noted the detached garage would not be of similar building material but would complement the principal structure in building colors.

- The PZC was supportive of the request. They agreed that Condition #2 should state "complement" instead of "match".

- The PZC found that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioners' request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (Freese, dated 06/10/2022, received 06/17/2022)
    B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
    C. Foundation Plan (Freese, received 06/17/2022)
    D. Elevations (Freese, received 06/17/2022)

2. The detached garage should ~~match~~ **complement** the existing exterior house in material, color, and style of roof. **(Amended by PZC)**

3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.

4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

Votes Required to Pass: A simple majority.

Acknowledgement Form

Regarding the Simplified Residential Variation at 267 Dole Avenue. Please check one of the choices and sign below.

I hereby acknowledge that I have read, understand, and agree to the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable).

I hereby acknowledge that I have read, understand, and agree to most of the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable) but have concerns with the following items:

I am concerned with the siding option I would like to use what is currently on the garage I am not 100% sure that was agreed upon.

Petitioner's Name: [signature] Date: 7-25-2022
Signature

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Freese, dated 06/10/2022, received 06/17/2022)
   B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
   C. Foundation Plan (Freese, received 06/17/2022)
   D. Elevations (Freese, received 06/17/2022)

2. The detached garage should complement the existing exterior house in material, color, and style of roof.

3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.

4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

RECEIVED
JUL 25 2022
By

PIQ Map
267 Dole Avenue



Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SIMPLIFIED RESIDENTIAL VARIATION AT 267 DOLE AVENUE

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-135) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet at 267 Dole Avenue; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 2, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on July 20, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the variation; and

WHEREAS, on July 20, 2022, 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 Variation be approved, as documented in the minutes, and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Variation 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 Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet be approved for the property commonly known as 267 Dole Avenue (19-06-401-002), Crystal Lake, Illinois is hereby approved.

Section II: Said Variation is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City
   Council:
   A. Application (Freese, dated 06/10/2022, received 06/17/2022)
   B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
   C. Foundation Plan (Freese, received 06/17/2022)
   D. Elevations (Freese, received 06/17/2022)

Draft

2. The detached garage should complement the existing exterior house in material, color, and style of roof.

3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.

4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

Section III: That the City Clerk be and is hereby directed that all pertinent records of the City of Crystal Lake to show the issuance of a Variation 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 2nd day of August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____

Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: August 2, 2022
Approved: August 2, 2022

Draft

#2022-135
267 Dole Avenue – Simplified Residential Variation
Project Review for Planning and Zoning Commission

Meeting Date:	July 20, 2022
Requests:	Simplified Residential Variation from Article 4-600 Simplified Residential Variation from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet
Location:	267 Dole Avenue
Acreage:	Approximately 29,000 square feet
Existing Zoning:	R-2 – Single-Family Residential
Surrounding Properties:	North: RE – Residential Estate South: RE – Residential Estate East: R-2 – Single-Family Residential West: R-2 – Single-Family Residential
Staff Contact:	Katie Rivard (815.356.3612)

Background:

- Existing Use: The subject property is currently improved with a single-family residence and detached garage.

Development Analysis:

General:

- Land Use: The Comprehensive Land Use map shows the area as Urban Residential, which is an appropriate land use designation.
- Zoning: The site is zoned R-2 – Single-Family Residential. This property is used as a single-family home.

Request Overview:

- The petitioner is requesting to replace the existing detached garage that was significantly damaged in a fire. The petitioner would like to use the existing foundation, which is setback 4.67 feet from the interior side lot line.
- The UDO requires detached garages, 600 square feet or less, to be setback a minimum of 5 feet from the interior side and rear lot lines.

- The detached garage is approximately 536 square feet. The garage appears to meet the UDO's maximum height of 15 feet from grade to the midpoint of the gable. It is approximately 18 feet overall and approximately 13 feet from grade to the midpoint of the gable.

- The detached garage will have similar building colors of existing residence.

- The subject property is at the intersection of Dole Avenue and Lake Shore Drive. It is adjacent to Main Beach Park. Detached garages near the property line are common in this neighborhood.



Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use - Residential

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioners are requesting a Simplified Residential Variation from Article 4-600 from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.

☒ *Meets* ☐ *Does not meet*

b. Also, that the variation, if granted, will not alter the essential character of the locality.

☒ *Meets* ☐ *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;

☒ *Meets* ☐ *Does not meet*

b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

☒ *Meets* ☐ *Does not meet*

c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

☒ *Meets* ☐ *Does not meet*

d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.

☒ *Meets* ☐ *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Recommended Conditions:

If a motion to recommend approval of the petitioners' request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Freese, dated 06/10/2022, received 06/17/2022)
   B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
   C. Foundation Plan (Freese, received 06/17/2022)
   D. Elevations (Freese, received 06/17/2022)

2. The detached garage should match the existing exterior house in material, color, and style of roof.
3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.
4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: John Freese

Address: 267 Dole Ave
Crystal Lake IL 60014

Phone: [redacted]

E-mail: [redacted]

Project Name & Description: Garage reconstruction after Fire had done significant damage

Project Address/Location: 267 Dole Ave.

Signature

John Freese [signature] 6-10-2022

Owner: Print and Sign name Date

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

CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JULY 20, 2022
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Mr. Greenman at 7:00 p.m.

CALL TO ORDER

On roll call, members, Greenman, Gronow, Skluzacek, Atkinson, Repholz and Teetsov were present. Mr. Jouron was absent.

Katie Rivard, Assistant City Planner, was present from Staff.

Mr. Greenman said this meeting is being recorded for broadcast and future playback on the City's cable channel. He led the group in the Pledge of Allegiance.

APPROVE MINUTES OF THE JULY 6, 2022 PLANNING AND ZONING COMMISSION MEETING

Mr. Skluzacek moved to approve the minutes from the July 6, 2022 regular Planning and Zoning Commission meeting as presented. Mr. Gronow seconded the motion. On roll call, members Greenman, Gronow, Skluzacek, Atkinson, and Teetsov voted aye. Mr. Repholz abstained. Motion passed.

2022-135 – 267 DOLE AVENUE – SIMPLIFIED RESIDENTIAL VARIATION

A Simplified Residential Variation from the required interior side setback of 5 feet for an accessory structure to allow 4.67 feet.

John Freese, homeowner, was present to represent the petition. Mr. Freese stated the detached garage was significantly damaged in a fire, and he now needed to bring it up to Code. He stated he would like to build on the same foundation and that the Variation is for approximately three inches. He can meet the conditions of approval.

Mr. Greenman opened the public hearing. There being no one in the public wishing to speak Mr. Greenman closed the public hearing portion and turned it over to staff for a summary of the request.

Ms. Rivard provided a summary of the request.

Mr. Atkinson asked if the garage was a total loss. Mr. Freese stated it is a total loss per the insurance company. Mr. Atkinson asked if they had the footing tested. Mr. Freese responded that fire ruined the back corner of the garage on the footing and wall. Mr. Atkinson had no concerns with the setback.

Ms. Repholz stated it was clear what they are requesting. She asked the petitioner if he was tearing the entire garage down. Mr. Freese stated they have to tear down the garage to meet Code. He stated it makes sense to tear down the garage and build new rather than repair.

Ms. Teetsov stated she has no concerns with the setbacks. She is in favor of the garage matching the house as much as possible.

Mr. Gronow states he is fine with the request and spoke to revising Condition #2.

Mr. Greenman stated the petition met the Findings of Fact and evidence for hardship is due to the uniqueness of location. He is in support of the request. He opened discussion to Condition #2 recommending that instead of saying "match" it be revised to "complement".

The PZC discussed amending Condition #2 that instead of "match" it says "complement".

Mr. Skluzacek made a motion to approve the Simplified Residential Variation with the following recommendations:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (Freese, dated 06/10/2022, received 06/17/2022)
    B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
    C. Foundation Plan (Freese, received 06/17/2022)
    D. Elevations (Freese, received 06/17/2022)

2. The detached garage should complement the existing exterior house in material, color, and style of roof.

3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.

4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

Mr. Atkinson seconded the motion. On roll call Members Gronow, Skluzacek, Repholz, Teetsov, Atkinson and Greenman voted aye. Motion passed 6-0.

2022-130 – 575 E. CRYSTAL LAKE AVENUE – EVANGELICAL FREE CHURCH – FINAL PUD AMENDMENT

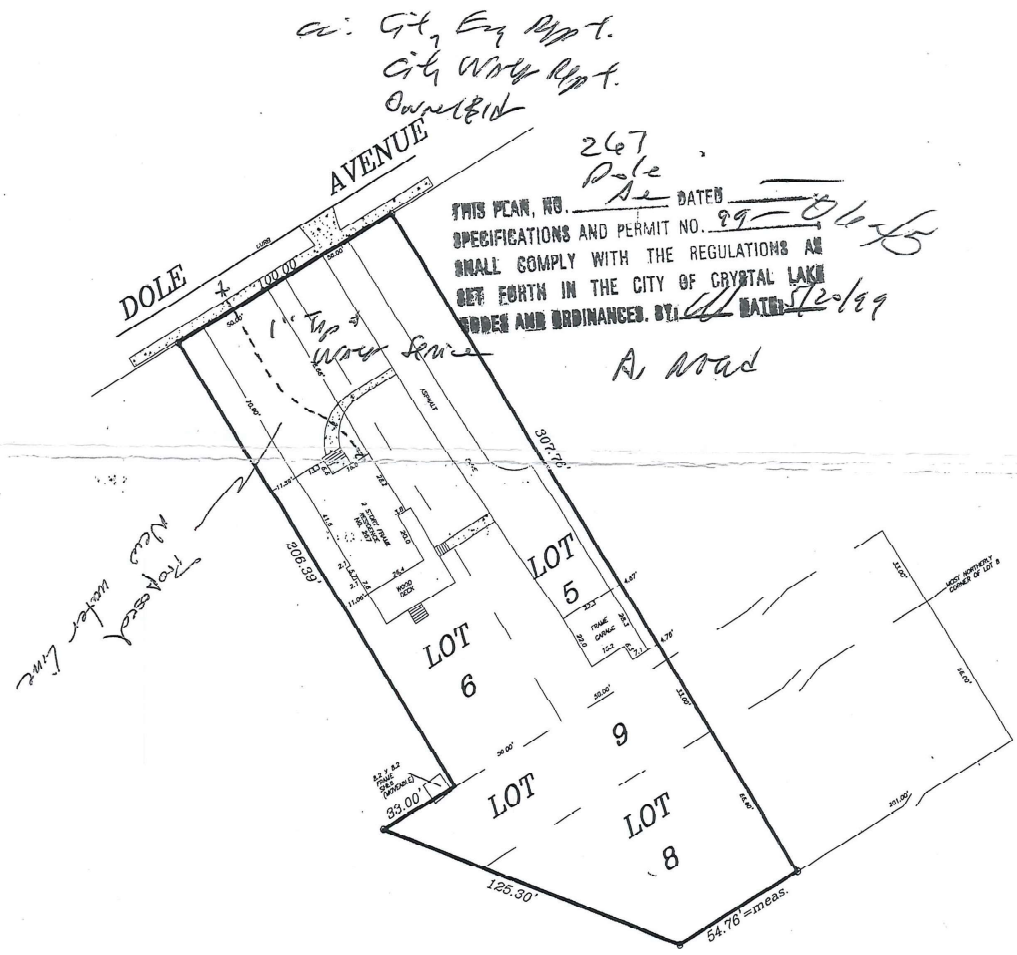
A Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and the reconfiguration of the playground area.

David Palsgrove, Manager of Buildings & Grounds Services for Evangelical Free Church of Crystal Lake, was present to represent the petition. Mr. Palsgrove stated they currently have a lot of people who use the property. The Church was able to raise money for the project, and with over 100 children they want to provide a space for them to play. Mr. Palsgrove presented boards with playground models. The pavilion

Plat of Survey

PARCEL 1: LOTS 5 AND 6 IN THE SUBDIVISION OF LOT 9 IN BLOCK 2 OF PIERSON'S ADDITION TO CRYSTAL LAKE, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER AND GOVERNMENT LOT 1 OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 20, 1945 AS DOCUMENT NO. 185972 IN BOOK 10 OF PLATS, PAGE 21, IN MCHENRY COUNTY, ILLINOIS.

PARCEL 2: PART OF LOTS 8 AND 9 IN BLOCK 2 OF PIERSON'S ADDITION TO THE CITY OF CRYSTAL LAKE, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 8; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE THEREOF, 66 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE NORTHWESTERLY LINE OF SAID LOT 8, 201.0 FEET TO THE PLACE OF BEGINNING; THENCE NORTHWESTERLY PARALLEL TO THE NORTHEASTERLY LINES OF SAID LOTS 8 AND 9, 99 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE SOUTHEASTERLY LINE OF SAID LOT 9 TO THE SOUTHWESTERLY LINE OF SAID LOT 9; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINES OF SAID LOTS 8 AND 9, 125.3 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE TO THE PLACE OF BEGINNING, SAID ADDITION BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 1868 IN BOOK 43 OF DEEDS, PAGE 303, IN MCHENRY COUNTY, ILLINOIS.



NOTE:
FOR BUILDING LINES AND EASEMENTS, REFER TO ABSTRACT OF TITLE FOR POSSIBLE ADDITIONAL EASEMENTS, COVENANTS, RESTRICTIONS OR OTHER ENCUMBRANCE UPON SUBJECT PROPERTY. REFER TO VILLAGE, CITY OR COUNTY CODES FOR FRONT, SIDE AND/OR REAR BUILDING SETBACK RESTRICTIONS.

NOTE: ACCORDING TO FIRM MAP, COMMUNITY PANEL NO. 170476 - 0001 C EFFECTIVE SEPT. 4, 1985
THIS PROPERTY DOES FALL WITHIN A FLOOD HAZARD AREA, IN ZONE A2.
FLOOD ELEV. = 893.0'

ORDERED BY CLARK - MOEHLMANN

ORDER NO. 981009

Scale 1" = 50'

Iron stakes set
Iron stakes found
Distances are given in feet & decimals

DIMENSIONS OR ANGLES ARE NOT TO BE ASSUMED FROM SCALING.

DATE: NOVEMBER 2, 1998

STATE OF ILLINOIS, } SS.
COUNTY OF McHENRY }

This is to certify that we have surveyed the above described property according to the Official Record, and the above plat correctly represents said survey.

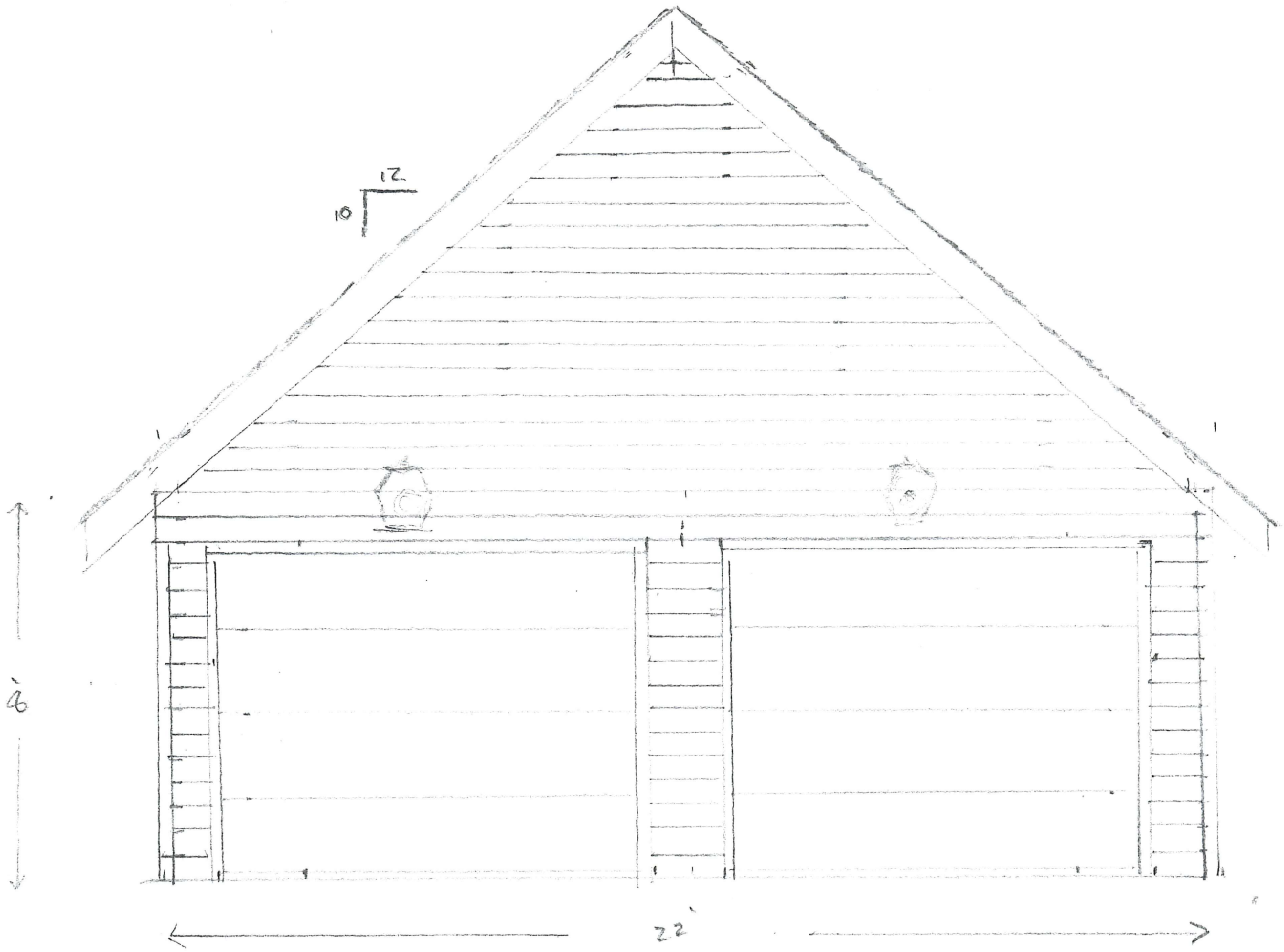
RONALD LEIPNITZ
2016
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS
MARENGO, IL

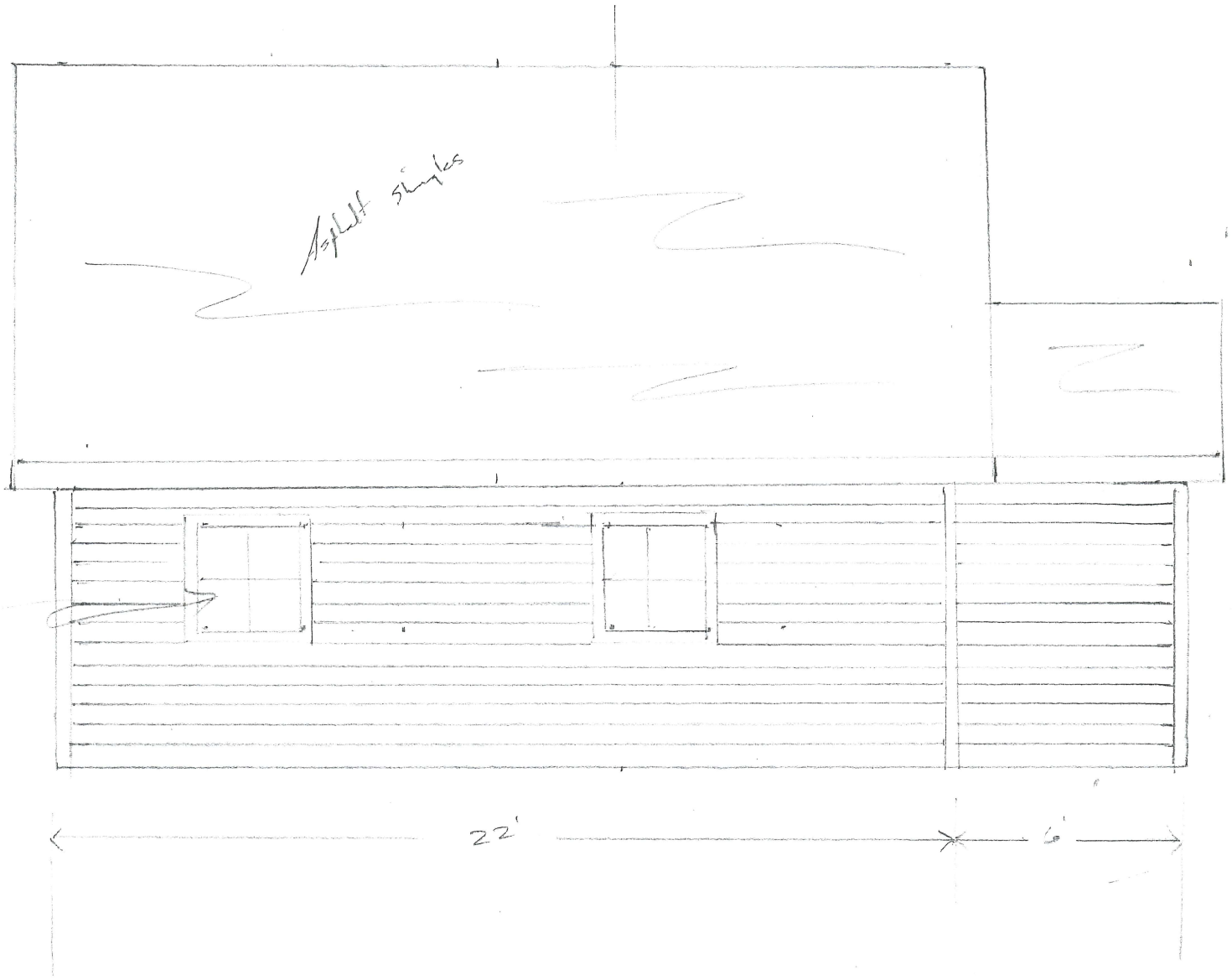
ILL. PROF. SURVEYOR NO. 2016

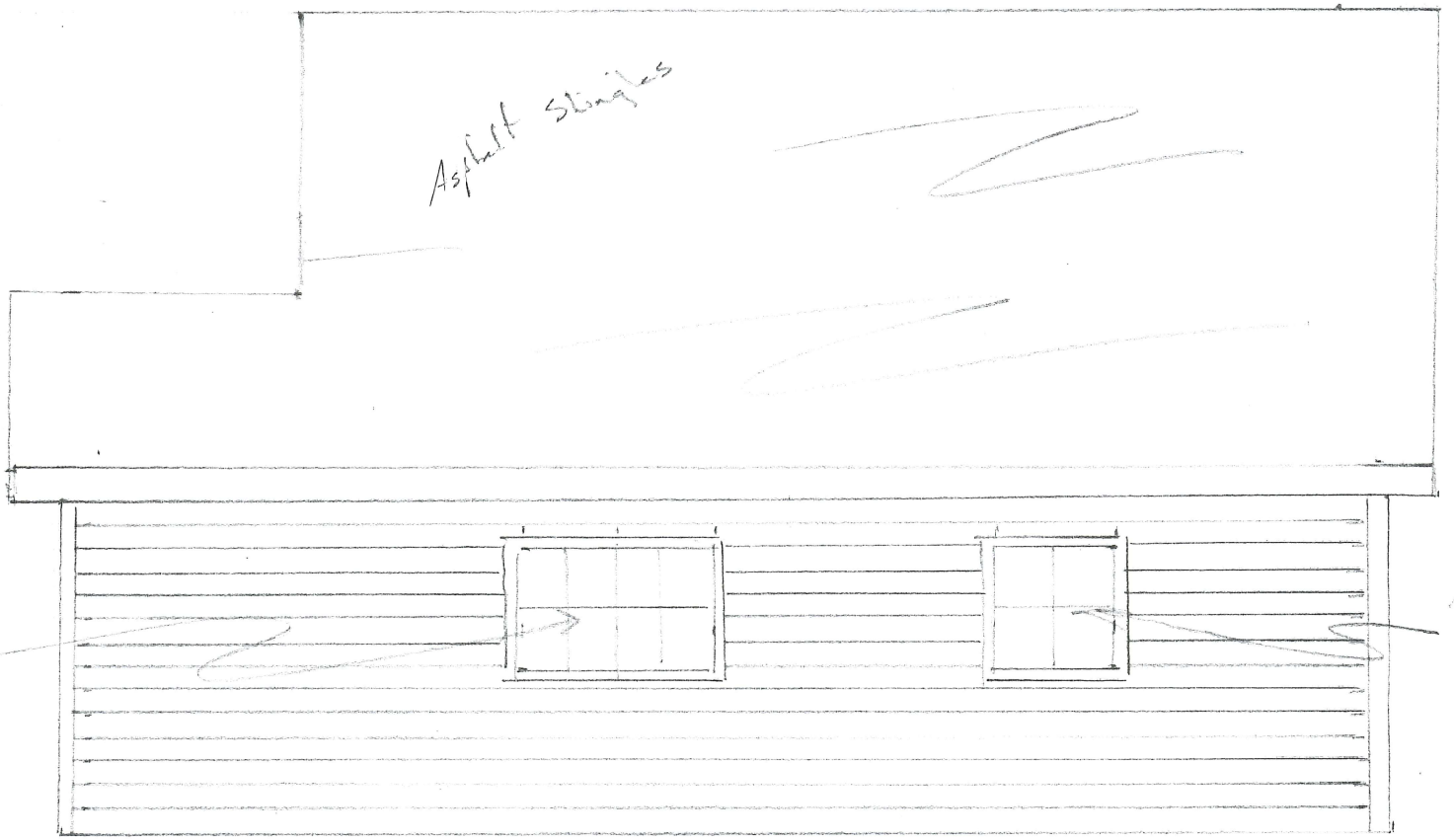
R L S LAND SURVEYORS
405 MENGE ROAD
MARENGO, IL. 60152
(815) 943-5490

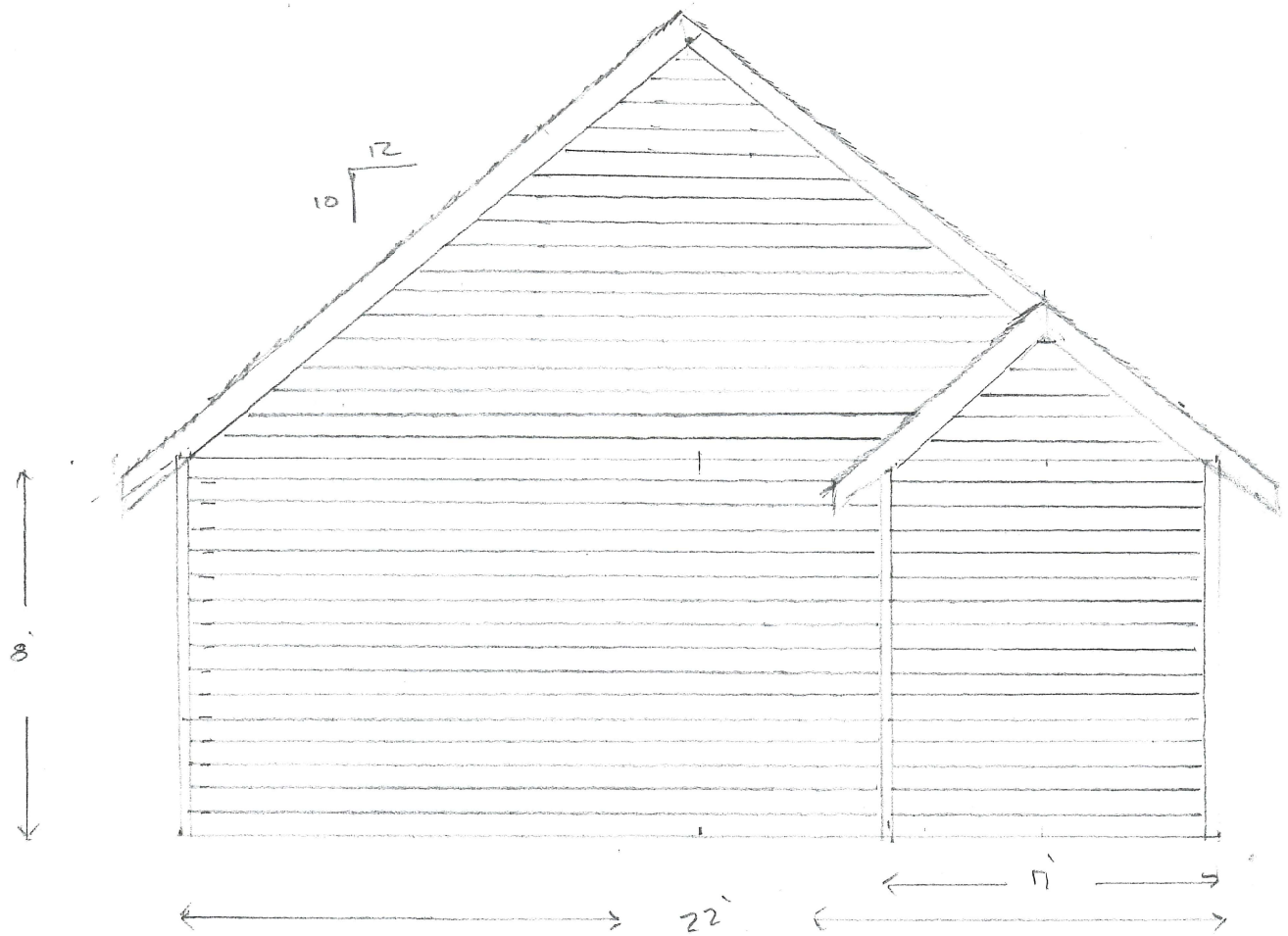
AT TIME OF SURVEY, SURVEYOR WAS NOT PROVIDED TITLE REPORT FOR THIS PROPERTY.

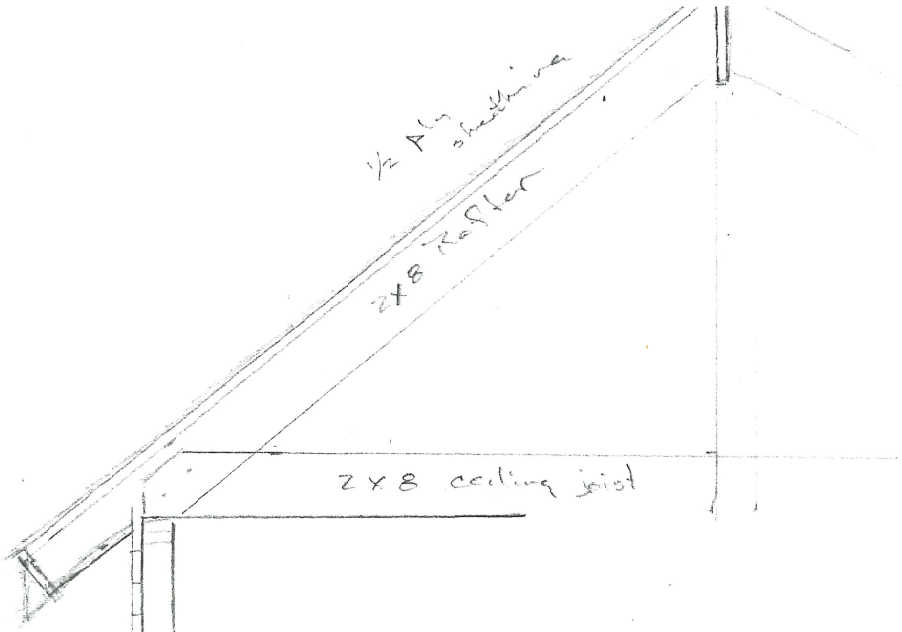
Compare you description and site markings with this plat and AT ONCE report any discrepancies which you may find.


12
10
9'
22'


Asphalt shingles
Windows
Approx
30 x 30
22'
6'


Asphalt shingles
window
Approx
30 x 48
window
Approx
30 x 30


12
10
8'
17'
22'



2x4 wall
16" o/c

1x8 T&G
Exterior

2x6 Treated Plate
@ concrete

2x10 Ridge Board

1x8 Fascia

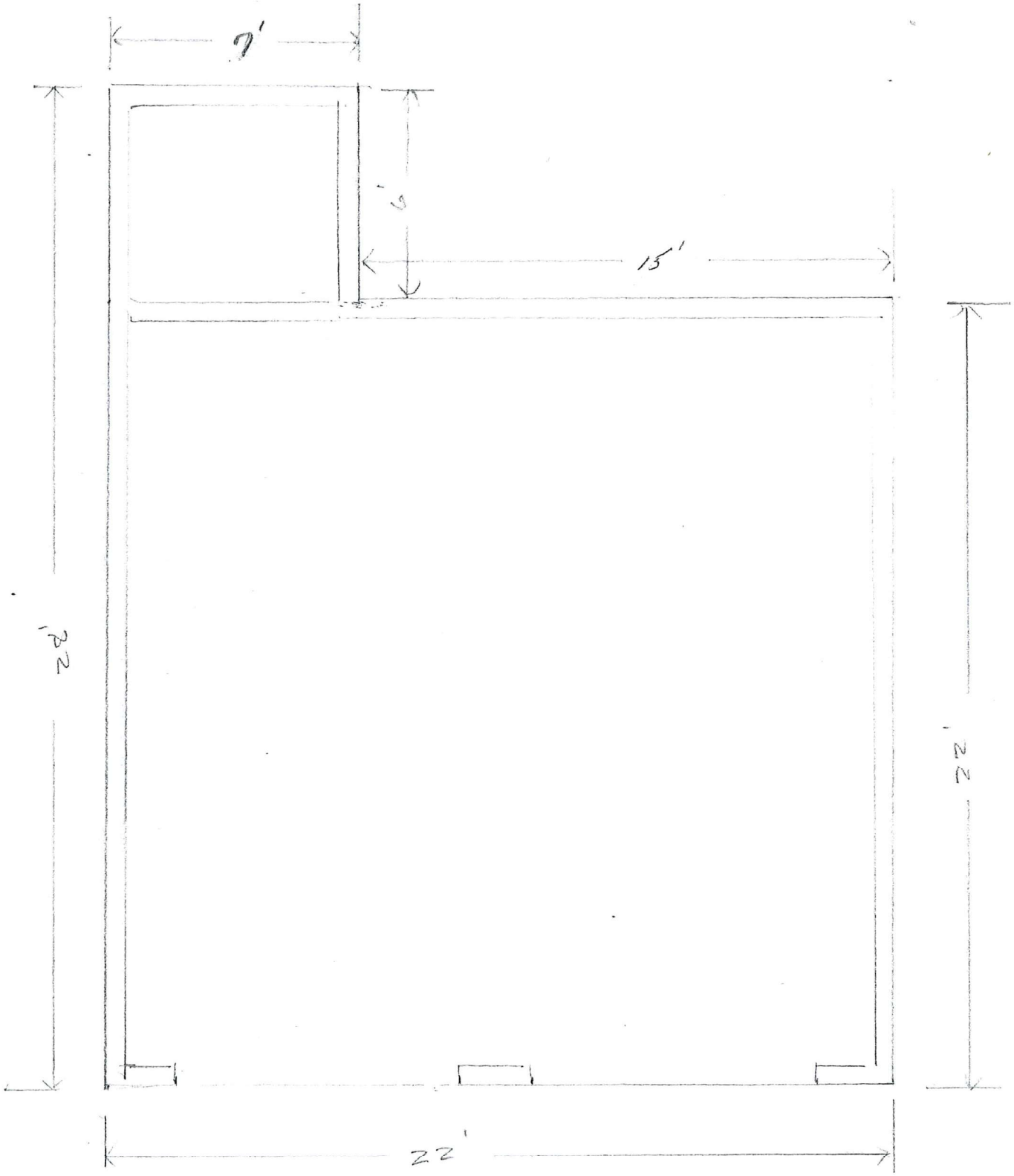
⅜" Ply soffit

½ ply roof decking

2x2 / ½ ply ribbon for window/door headers

Garage door header 11⅞" LVL (2 each)

Existing Concrete Foundation



Agenda Item No: 11

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: City Code Amendment to Increase the Number of Class 24 Liquor Licenses – Applicant: Bacon and Eggs, Inc., d/b/a Tony's Café, located at 1030 McHenry Avenue

Staff Recommendation: Motion to adopt an Ordinance increasing the number of Class 24 liquor licenses from the currently permitted 6 licenses to 7 licenses, in order to allow for the issuance of a new Class 24 liquor license to Bacon and Eggs, Inc., d/b/a Tony's Café, located at 1030 McHenry Avenue.

Staff Contact: Eric T. Helm, Deputy City Manager
Melanie Nebel, Executive Assistant

Background:
Bacon and Eggs, Inc., d/b/a Tony's Café, located at 1030 McHenry Avenue is requesting the creation of a Class 24 liquor license for the restaurant.

The Class 24 license authorizes the retail sale, on the premises specified, of alcoholic liquor, for consumption, on the premises, as well as the retail sale of alcoholic liquors in the original retail package, between the hours of 7:00 a.m. and 1:00 a.m. Sunday, Monday, Tuesday, Wednesday, Thursday, and 7:00 a.m. and 2:00 a.m. Friday and Saturday. A Class A type restaurant may be located on the premises. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where alcoholic beverages are served or consumed.

Any open unroofed area in which alcoholic beverages are served or consumed pursuant to this license shall conform to the following:

(a) The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell alcoholic liquor on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.

(b) The open unroofed area shall be no greater than 100% of the other floor space of the licensed premises.

(c) The open unroofed area shall have a maximum capacity as defined by the Liquor Commissioner, which shall be separately posted at the entrance to the open unroofed area.

(d) When the open unroofed area is located on private property, any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner, which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.

(e) All electrical wiring shall comply with the codes of the City.

(f) All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.

(g) The noise emanating from any open unroofed area where alcoholic beverages are served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.

(h) The license holder shall be responsible for preventing violations of this chapter.

(i) No open unroofed area where alcoholic beverages are served pursuant to this license shall be permitted within 100 feet of land zoned for residential purposes, except as may be approved by the Liquor Commissioner, subject to such conditions as the Liquor Commissioner may deem necessary to ensure that sales and consumption can be conducted in a safe manner and to minimize any impact upon such residentially zoned properties.

(2) The annual fee for such license shall be the sum of $1,950.

Current Class 24 License Holders:

Name	Address	Zoning
Benedicts la Strata	40 N. Williams Street	"B-4"
Café Olympic	90 N. Williams Street	"B-4"
Jude's	19 N. Williams Street	"B-4"
Cantina 52	52 N. Brink Street	"B-4"
Crystal Lake Junction	88 Railroad Street, Unit B	"B-4"
Papa Savario's Pizzeria	540 E. Terra Cotta, Unit A	"B-2 PUD"

The applicant has submitted all of the necessary paperwork. There are no zoning issues with the request.

The following conditions must be met prior to the license being issued:

- Payment of prorated license fee

The attached Ordinance approves an increase in the number of Class 24 liquor licenses in order to allow the creation of a Class 24 liquor license for Bacon and Eggs, Inc., d/b/a Tony's Café, located at 1030 McHenry Avenue.

Votes Required to Pass:
Simple majority

Ord. No. -----
File No. 255 L

The City of Crystal Lake

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE

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 CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be as follows:

1. Class 24 License shall be increased from 6 to 7.

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

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 2nd day of August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: August 2, 2022
APPROVED: August 2, 2022

Draft

Agenda Item No: 12

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: City Code Amendment to increase the Number of Class 28 Liquor Licenses and to increase the Number of Video Gaming Licenses - Applicant: Moontime Smokin' Que, 88 Railroad Street, Unit A

Staff Recommendation:
1. Motion to adopt an Ordinance increasing the number of Class 28 Liquor Licenses from the current permitted 14 licenses to 15 licenses.
2. Motion to adopt an Ordinance increasing the number of Video Gaming License from the current permitted 14 licenses to 15 licenses.

Staff Contact: Eric T. Helm, Deputy City Manager
Melanie Nebel, Executive Assistant

Background:
Chapter 268 of the City Code establishes the regulations for video gaming in the City of Crystal Lake. Per the City Code, when an applicant desires to offer video gaming at its establishment, it must receive both a supplemental liquor license and a video gaming license. The City Council evaluates whether the number of supplemental liquor licenses should be increased. Following this consideration, the Mayor grants the supplemental liquor license. Similarly, the City Council also evaluates whether the number of video gaming licenses should be increased. Following this consideration, the City Manager grants the actual video gaming license.

The City has received a request from Moontime Smokin' Que, LLC for the issuance of a Class 28 Supplemental Liquor License and a Video Gaming License. The petitioner is requesting the supplemental Class 28 license in order to operate four video game machines in their establishment. Additional machines may be requested at a later date.

Section 329-5-AB of the City Code permits the issuance of a Class 28 liquor license, which authorizes the retail sale of alcoholic liquors, for consumption on the premises, at a bar or restaurant, as defined by § 268-3 of the City Code, to an applicant which possesses a valid video gaming location license issued by the Illinois Gaming Board and which also holds, for a period

of not less than one year, a current and valid liquor license to sell alcoholic liquor at such bar or restaurant.

Application Review

City staff has reviewed the application from Moontime Smokin' Que, LLC and compared it to the City Code requirements. City staff has reviewed the application for completeness and determined that it meets all of the necessary conditions. The below table depicts the applicant's compliance with the City Code requirements:

Requirement	City Code Section	Compliance Status
The establishment is an eligible bar or restaurant.	268-3 Definitions	**Yes**. Restaurant
The establishment has held a liquor license for at least 12 months.	268-3 Definitions	**Yes**. The establishment has held a Class "25" Liquor License since June 2021
Applicant submitted necessary documents, including site plan.	268-3 (C)	**Yes.**
Applicant has a State Video Gaming License.	268-3 (C)	**Yes. Expires 04/2023**
Applicant will be using a licensed video game terminal operator.	268-3 (C)	**Yes. J&J Ventures Gaming**
The establishment is outside of the 100-foot radius of any church or school in the vicinity.	State of Illinois Requirement	**Yes**.
Location screening and supervision	268-3 (K)	**Yes.**
Signage	268-3 (N)	**Yes**. The terminals will not be visible from the street. There is no advertising of the availability of video gaming.
Applicant will be using an approved video surveillance system.	268-3 (O)	**Yes.** The terminal operator has provided video surveillance system specifications.
Video Gaming is incidental to establishment's business.	268-3 (P)	**Yes.**

Site Plan Review

The site plan depicts the petitioner's proposed gaming area, with four video gaming terminals. The new gaming area will be limited to patrons over the age of 21. There will be no dining services in this area. City staff performed a site visit and recommends approval of the suggested site plan.

Votes Required to Pass:

Simple majority

Proposed Location:

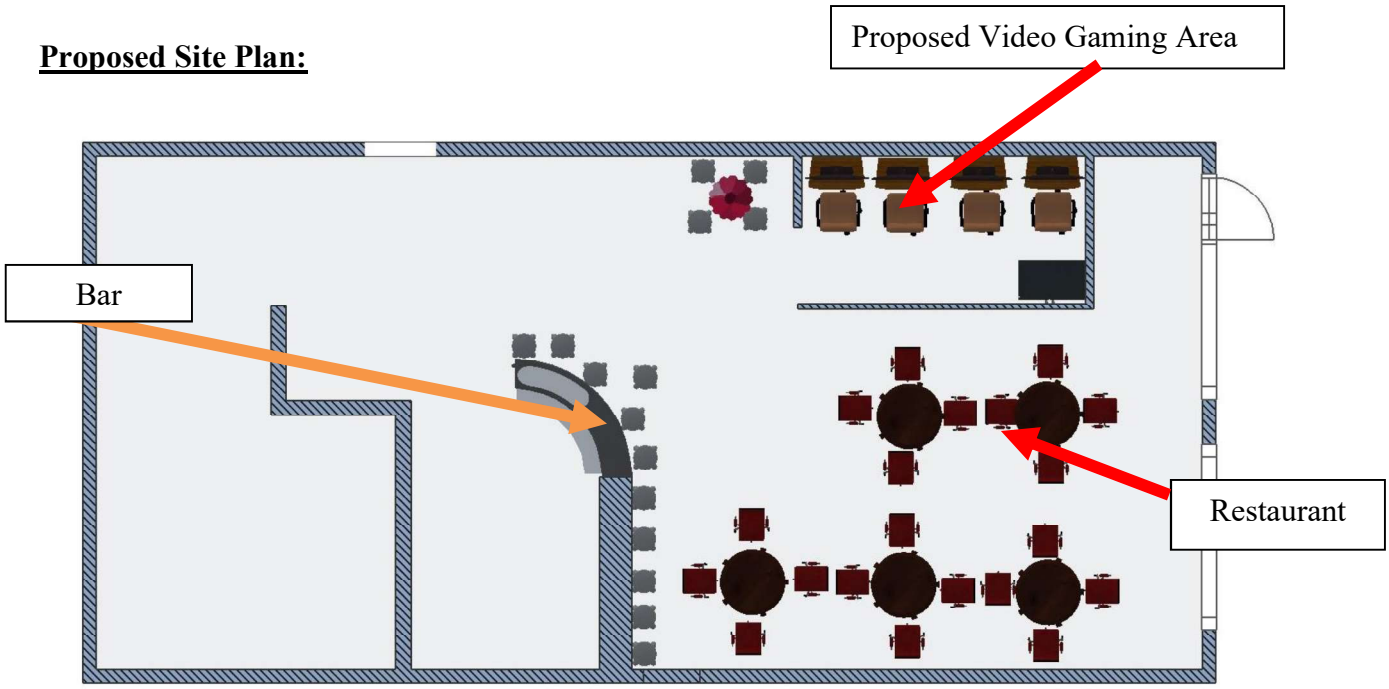




Proposed Video Gaming Area



Proposed Site Plan:



Property in Question:



Ord. No.
File No. 255L

The City of Crystal Lake Illinois

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE

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 CHAPTER 329 LIQUOR LICENSES Section 329-6 Limitations on licenses shall be amended as follows:

1. Class 28 License shall be increased from 14 to 15.

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

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 2nd day of August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: August 2, 2022
Approved: August 2, 2022

Draft

Ord. No.
File No. 255VG

The City of Crystal Lake Illinois

AN ORDINANCE AMENDING THE CODE OF THE CITY OF CRYSTAL LAKE

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 CHAPTER 268 Gambling Section 268-3E(2) Limitations on licenses shall be amended as follows:

1. Video Gaming Licenses shall be increased from 14 to 15.

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

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 2nd day of August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, Mayor

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: August 2, 2022
Approved: August 2, 2022

Draft

MOONTIME SMOKIN' QUE
88 RAILROAD STREET
UNIT A
CRYSTAL LAKE, ILLINOIS 60014

JULY 7, 2022

TO WHOM IT MAY CONCERN,

WE ARE WRITING TO EXPRESS OUR INTENTIONS TO OPERATE 4(FOUR) VIDEO GAMING MACHINES AT OUR FULL-SERVICE RESTAURANT LOCATED AT 88 RAILROAD STREET, UNIT A, CRYSTAL LAKE DURING APPROVED BUSINESS HOURS.

MACHINES WILL NOT BE ACCESSIBLE TO THOSE UNDER 21 YEARS OF AGE. GAMING AREA IS A SEPARATE, WALLED OFF AREA WITH ONE ENTRANCE POINT VISIBLE TO THE BARTENDER, MANAGER, OR OTHER EMPLOYEES AT ALL TIMES. ID'S WILL BE ASKED TO BE PROVIDED TO SHOW PROOF OF AGE FOR GAMERS. GAMING AREA IS NOT VISIBLE FROM THE EXTERIOR OF ESTABLISHMENT.

VIDEO SYSTEMS WILL BE INSTALLED IN ACCORDANCE WITH THE GUIDELINES OF THE CITY.

FEEL FREE TO CONTACT US WITH ANY QUESTIONS, THANK YOU.

SINCERELY,
HEATHER & JOE CUMMINGS
OWNERS
MOONTIME SMOKIN' QUE

☒ (New Applicant)
☐ (Renewal)

FOR OFFICE USE:
Date Received: _____
$100 License fee paid: _____

Application for a Video Gaming Supplemental Liquor License
Class 28

Business Information:

Business Name: MOONTIME SMOKIN QUE, LLC	Phone #: [redacted]
Street Address: 88 RAILROAD ST. UNIT A	Fax #:

Applicant Information
(Establishment Owner)

Name: JOSEPH CUMMINGS	
DOB: [redacted]	Age: [redacted]
Street Address: 1039 PLUM TREE DR CRYSTAL LAKE	Phone #: [redacted]
City, State, Zip: CL, IL 60014	Email: SMOKIN@MOONTIMEBBQ.COM

Applicant Information
(If additional owner information)

Name: HEATHER CUMMINGS	
DOB: [redacted]	Age: [redacted]
Street Address: 1039 PLUM TREE DR	Phone #: [redacted]
City, State, Zip: CL, IL 60014	Email: SMOKIN@MOONTIMEBBQ.COM

Contact Person
(If different than the Establishment Owner)

Contact Name: HEATHER CUMMINGS	Phone #:
Address:	Email:

Please Circle One

Yes (No) Have you applied for a Crystal Lake Video Gaming License?

(Yes) No Have you held a Crystal Lake liquor license for at least 12 months?

License #: 2022-110

Yes No Do you have a license from the Illinois Gaming Board to operate video gaming terminals at your establishment?

License #: 21702725

(Yes) No Does your establishment have a separate bar area for the purchase of alcohol?

(Yes) No Will all video gaming terminals be located in an area restricted to individuals 21 years of age or older?

(Yes) No Will the video game terminals be screened from view from individuals less than 21 years of age?

Please sign below:

Name	Title	Date
[signature]	Owner	7/7/22
[signature]	OWNER	7/7/2022

☒ (New Applicant)
☐ (Renewal)

Date: 7/7/2022

Application for a Video Gaming License and Terminal Permit Application

Application is hereby made to the City of Crystal Lake for the issuance of a non-transferable Video Gaming license, pursuant to the ordinances of the City of Crystal Lake and the laws of the State of Illinois. In support of said application, the undersigned being duly sworn, does state the following:

Location of business at which the video gaming terminals will be placed:

Business Name: MOONTIME SMOKIN' QUE, LLC	Phone #: [redacted]
Street Address: 88 RAILROAD ST UNIT A	Fax #:

Applicant Information
(Establishment Owner)

Name: JOSEPH CUMMINGS	
DOB: [redacted]	Age: [redacted]
Street Address: ~~1004~~ 1039 PLUM TREE DR	Phone #: [redacted]
City, State, Zip: CL, IL 60014	Email: SMOKIN@MOONTIMEBBQ.COM

Applicant Information
(If additional owner information)

Name: HEATHER CUMMINGS	
DOB: [redacted]	Age: [redacted]
Street Address: ~~1004~~ 1039 PLUMTREE DR	Phone #: [redacted]
City, State, Zip: CL, IL 60014	Email: SMOKIN@MOONTIMEBBQ.COM

Contact Person

(If different than the Establishment Owner)

Contact Name: HEATHER CUMMINGS	Phone #:
Address:	Email:

Video Gaming Terminal Operator Information

LIC#100 600 273

Company Name: J&J Ventures GAMING LLC	Phone #: 855 921 1030
Street Address: 1500 S. RANEY st.	Fax #:
City, State, Zip: Effingham, IL 62401	Email: KEVIN.KRUK@JJVENTURES.COM
Contact Name: KEVIN KRUK	Mobile #: [redacted]

Terminal Information

4 games

Illinois Gaming Board Terminal License Number	Serial Number for each Terminal
1.	1.
2.	2.
3.	3.

Check all that applies to the location in which video gaming terminals will be placed:

	✓
Bar	✓
Restaurant	✓
Will individuals under the age of 21 be allowed in the business premises?	Y

BOTH APPLICATION, AFFIDAVIT AND INDEMNIFICATION AGREEMENT MUST BE SIGNED AS FOLLOWS:

- ☐ Sole Proprietorship- By Owner
- ☑ Partnership- By both Owners
- ☐ Corporation- By President and Secretary
- ☒ LLC- By President and Secretary

VERIFICATION:

- Has applicant held a Crystal Lake Liquor license for at least 12 months prior to the submittal of this application? **YES** (Y) **NO** ( ) (If yes, local and State license number, date, location of premises and disposition of application)

  LOCAL - 2022-110 STATE - IA-1148329

- Has applicant made application for a similar license for premises other than described in this application? **YES** ( ) **NO** (Y) (If yes, state date, location of premises and disposition of application)

  _____

- Has a previous license/permit by any state or subdivision, or the federal government been revoked? **YES** ( ) **NO** (N) (If yes, state reasons & date of revocation.)

  _____

- Has applicant (including any partners, directors, or officers), ever been convicted of a felony under any Federal or State law and would be disqualified to receive a license by reason of any matter or thing contained in this Section, laws of this State or the ordinances of this City? **YES** ( ) **NO** (Y)

- The applicant will not violate any of the laws of the State of Illinois, of the United States, or any ordinance of the City in the conduct of his place of business.

Please sign below:

JOSEPH TODD CUMMINGS	OWNER
Full Name	Title
[signature]	7/7/2022
Applicant Signature	Date
HEATHER JEANNE CUMMINGS	OWNER
Full Name	Title
[signature]	7/7/2022
Applicant Signature	Date

AGREEMENT

The, undersigned, on behalf of the applicant, has read and agrees to abide by the terms and conditions of the City of Crystal City Code. The undersigned further agrees to indemnify the City of Crystal Lake, and its appointed and elected officials and employees (collectively, the "Indemnitees") from and against any suits, claims or causes of action (collectively, "Claims") brought by or behalf of the applicant or by any owner, shareholder, member, officer, partner or employee of the applicant, which seeks to challenge the validity of any provision of Section 268-3 of the City of Crystal Lake City Code. Such indemnification obligation shall include indemnification of the Indemnitees from and against all damages, costs of litigation and reasonable attorneys fees incurred by or on behalf of said Indemnitees in connection with the Claims.

JOSEPH TODD CUMMINGS — OWNER
Full Name — Title

7/7/2022
Applicant Signature — Date

HEATHER JEANNE CUMMINGS — OWNER
Full Name — Title

7/7/2022
Applicant Signature — Date

SURVEILLANCE CAMERA CONDITIONS

All Licensed Establishments shall be equipped with video surveillance equipment capable of recording clear continuous video of the area in which the Video Gaming Terminals are located. Video Surveillance shall meet the following standards:

1) The video surveillance cameras shall be digital in nature (digital video recorder) and shall be of sufficient number, type, placement and location to view and record all activity in front of and within 15 feet of either side of the video gaming area; and
2) The video surveillance cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible images recorded at all times; and
3) The video surveillance cameras shall record at a minimum speed of fifteen frames per second; and
4) The video surveillance camera image shall be capable of being viewed through use of appropriate technology, including but not limited to a computer screen or closed circuit television monitor; and
5) The video surveillance camera system shall be capable of transferring the recorded images to portable format of media, including but not limited to compact disc, digital video disc or USB thumb drive; and
6) The video surveillance cameras shall not have an audio capability or such audio recording ability shall be disabled at the camera or digital video recorder level; and
7) The video surveillance cameras shall be maintained in good working condition; and
8) The video surveillance cameras shall be in operation and recording continuously, twenty –four hours per day; and
9) In the event of a power loss, the video surveillance camera system shall be powered by a backup power supply so that there is no period of time that the video gaming area is not being recorded; and
10) The recordings made by video surveillance cameras installed and maintained pursuant to this ordinance shall be indexed by dates and times and preserved for a minimum of thirty (30) days so that they may be made available to the liquor commissioner, the police department and other governmental agencies in furtherance of a criminal investigation or a civil or administrative enforcement investigation, prosecution or hearing.

Applicant hereby agrees to these conditions: **Date:** 7/7/2022

Applicant hereby agrees to these conditions: **Date:** 7/7/2022

AFFIDAVIT

STATE OF ILLINOIS)
) **SS**
COUNTY OF MCHENRY)

I (we) swear that I (we) will not violate any of the ordinances of the City of Crystal Lake or the laws of the State of Illinois or the laws of the United States of America, in the conduct of the place of business described herein and that the statements contained in this application are true and correct to the best of my (our) knowledge and belief.

(Affidavit must be signed in front of a notary public.)

Please sign below:

[signature]	Owner	7/11/2022
Name	Title	Date
[signature]	OWNER	7/11/2022
Name	Title	Date

Subscribed and sworn to before me this

11th day of July, 2022.

[signature]

Notary Public

My commission expires: April 18, 2025

OFFICIAL SEAL
MELANIE A. NEBEL
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires April 18, 2025

STATE OF ILLINOIS

ILLINOIS GAMING BOARD

VIDEO GAMING ESTABLISHMENT LICENSE

Moontime Smokin Que LLC - 210702725
d/b/a Moontime Smokin Que LLC
88 Railroad St Unit A
Crystal Lake , IL 60014

License No:	210702725
Date Issued:	04/28/2022
Expiration Date:	04/2023

This certifies that the entity listed above is hereby issued a Video Gaming Establishment License as authorized by Illinois Gaming Board Adopted Rules. All Video Gaming Establishment licensees are subject to, and must abide by, all provisions of the Video Gaming Act and Illinois Gaming Board Rules, including but not limited to 11 Illinois Administrative Code Sections 1800.250(e) and 1800.420(b).

Marcus D. Fruchter
Administrator

Agenda Item No: 13

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: Liquor Code Amendments to Class 26 License requirements for tent events

Recommendation: Motion to amend City Code Section 329-5 (Z)

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

Background:

The Crystal Lake Brewing Company (CLBC) has requested a Special Event approval and liquor license variance to hold their 8th Anniversary Weekend celebration on August 12-14, 2022. Beer would be served from 3:00 p.m. to 11:00 p.m. on Friday, noon to 11:00 p.m. on Saturday, and noon to 9:00 p.m. on Sunday. The event is proposed to be held in the parking lot of their building at 105 North Main Street. This event would be similar to the Oktoberfest special event which has been held for five years. The festival includes live music, food vendors, and beer sales.

Class 26 Liquor License Amendment

Crystal Lake Brewing Company (CLBC) current Class 26 liquor license allows for the retail sale of beer manufactured at such premises for consumption on the premises within both the interior of the building and an open unroofed area immediately contiguous to the building or structure.

In addition to seeking approval of a Special Event Request, CLBC is also requesting that it be allowed to sell beer within a tent located in a fenced-in area of its parking lot during its Anniversary Weekend. The sale and on premises consumption of beer within a tent is not currently allowed under the Class 26 license classification. Consequently, CLBC is requesting that this classification be amended to allow for the sale and consumption of beer within a tent in a fenced parking lot area. The remaining license conditions remain unchanged.

For the City Council's information, the proposed amendment includes the same conditions as allowed in the Class 22 Liquor License (held by The Cottage) for tent events.

The suggested amendment to the Class 26 license are as follows:

> *The retail sale, on the premises specified, of alcoholic liquor for consumption on the premises may include the retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified, subject to the following conditions:*
>
> *(a)*
> *Such sale and consumption within a tent shall only be permitted two times during any calendar year over not more than three consecutive days per event and only during the hours specified for retail sale of alcoholic liquor pursuant to this license.*
>
> *(b)*
> *Such sale and consumption shall only be allowed pursuant to application made to and approved by the Liquor Commissioner.*
>
> *(c)*
> *Any application made pursuant to this subsection shall be made to the Liquor Commissioner not less than 90 days prior to the date requested for the tent sale.*
>
> *(d)*
> *All of the conditions applicable to the retail sale and consumption of alcoholic liquor pursuant to Subsection Z(1)(a) through Z(1)(c) and Z(1)(e) through (1)(i) of this section shall be applicable to the retail sale and consumption of alcoholic liquor pursuant to this Subsection Z(3).*
>
> *(e)*
> *The Liquor Commissioner may impose such reasonable conditions and restrictions upon retail sales and consumption of alcoholic liquor within a tent as may be deemed necessary by the Liquor Commissioner to assure that such sale and consumption can be conducted in a safe manner without posing any material risk to patrons of the licensed premises or others. Such conditions may include mandating a minimum number of BASSETT-trained personnel to secure the perimeter of the tent and assure that no patron of the premises attempts to leave the premises while holding open alcoholic liquor.*
>
> *(f)*
> *The applicant must provide proof of ownership of the property on which the tent will be located or provide documentation confirming the ability to utilize the property for the tent event.*

Crystal Lake Brewing Company would still be required to receive Special Event Request approvals in order to hold tent events, however the Class 26 amendment would allow CLBC to sell and serve alcohol in the tent as part of the event without additional approvals.

If the City Council chooses to deny this request, the petitioner will be required to limit their sales and service of beer to the patio area that is adjacent to their property.

CLBC is currently the only holder of a “Class 26” liquor license.

Staff Recommendation:

City staff recommends the changes to the Class 26 License. City special legal counsel has reviewed and approved the changes to the City Code.

Votes Required to Pass:

Simple majority vote.

Ord. No.
File No. 255L

The City of Crystal Lake, Illinois

AN ORDINANCE AMENDING SECTION 329-5(Z) OF THE CODE OF THE CITY OF CRYSTAL LAKE

WHEREAS, Chapter 329 of the City Code sets forth classifications for the licensing of establishments for the sale of alcoholic liquor; and

WHEREAS, the Mayor and City Council have found and determined that it is in the best interests of the City and its residents to modify the provisions of Section 329-5(Z) of the City Code with respect to the allowance of the sale and consumption of alcoholic liquor in open and unroofed areas.

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

SECTION ONE: Amendment to Section 329-5(Z) (Class 26 License)

Section 329-5(Z) of the City Code is hereby amended and shall hereinafter read as follows:

*[Deletions are shown as ~~strikethroughs~~, additions are underlined and in **bold** font]*

Class 26 license which shall authorize any person having been licensed as a manufacturer to receive one license for the premises in which he or she actually conducts such business only for the retail sale of beer, as well as the retail sale of beer in the original retail package, manufactured at such premises and only on such premises specified, between the hours of 11:00 a.m. and 1:00 a.m. Monday, Tuesday, Wednesday and Thursday; 11:00 a.m. and 2:00 a.m.

Draft

Friday and Saturday; and 12:00 noon and 1:00 a.m. Monday. For the purposes of this license, premises shall include not only the interior of any building or structure but also an open unroofed area immediately contiguous to the building or structure where beer is served or consumed. [Added 12-17-2013 by Ord. No. 6977]

(1) Any open unroofed area in which beer is served or consumed pursuant to this license shall conform to the following:

(a) The open unroofed area shall be particularly described and adjacent to and operated as a part of the premises licensed to sell beer on the premises and shall have obtained all permits or approvals required by the ordinances of the City Code, City or other governmental authority.

(b) The open unroofed area shall be no greater than 100% of the interior floor space.

(c) The open unroofed area shall have a maximum capacity as defined by the Liquor Commissioner, which shall be separately posted at the entrance to the open unroofed area.

(d) Any part of the open unroofed area not blocked by a building shall be surrounded by a fence or other barrier approved by the Liquor Commissioner which shall contain the required number of fire exits. All fences or other barriers shall comply with the ordinances of the City regarding vision, clearance and required distances from corners.

(e) All electrical wiring shall comply with the codes of the City.

(f) All combustible rubbish shall be stored in a noncombustible container, and the license holder shall be responsible for keeping the area in a clean and sightly condition.

(g) The noise emanating from any open unroofed area where beer is served pursuant to this license shall not violate any of the provisions of the City Code of Ordinances pertaining to noise.

(h) The license holder shall be responsible for preventing violations of this chapter.

(i) The open unroofed area shall close by 10:00 p.m. Sunday-Thursday and 11:00 p.m. Friday and Saturday.

(j) No license shall be issued until the Liquor Control Commissioner of the City of Crystal Lake is satisfied that the applicant manufacturer has obtained all federal and State of Illinois licenses required for the manufacture of beer.

(2)
The annual fee for such a license is $1,150.

(3)
The retail sale, on the premises specified, of alcoholic liquor for consumption on the premises may include the retail sale and consumption of alcoholic liquor within a tent erected adjacent to the premises specified, subject to the following conditions:

Draft

(a) Such sale and consumption within a tent shall only be permitted two times during any calendar year over not more than three consecutive days per event and only during the hours specified for retail sale of alcoholic liquor pursuant to this license.

(b) Such sale and consumption shall only be allowed pursuant to application made to and approved by the Liquor Commissioner.

(c) Any application made pursuant to this subsection shall be made to the Liquor Commissioner not less than 90 days prior to the date requested for the tent sale, except as may otherwise be authorized by the Liquor Commissioner.

(d) All of the conditions applicable to the retail sale and consumption of alcoholic liquor pursuant to Subsection Z(1)(a) through Z(1)(c) and Z(1)(e) through Z(1)(i) of this section shall be applicable to the retail sale and consumption of alcoholic liquor pursuant to this Subsection Z(3).

(e) The Liquor Commissioner may impose such reasonable conditions and restrictions upon retail sales and consumption of alcoholic liquor within a tent as may be deemed necessary by the Liquor Commissioner to assure that such sale and consumption can be conducted in a safe manner without posing any material risk to patrons of the licensed premises or others. Such conditions may include mandating a minimum number of BASSETT-trained personnel to secure the perimeter of the tent and assure that no patron of the premises attempts to leave the premises while holding open alcoholic liquor.

(f) The applicant must provide proof of ownership of the property on which the tent will be located or provide documentation confirming the ability to utilize the property for the tent event.

SECTION FOUR: Effective Date.

This Ordinance shall be in full force and effect from and after is passage, approval and publication in pamphlet form in the manner provided by law.

DATED at Crystal Lake, Illinois, this 2nd August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

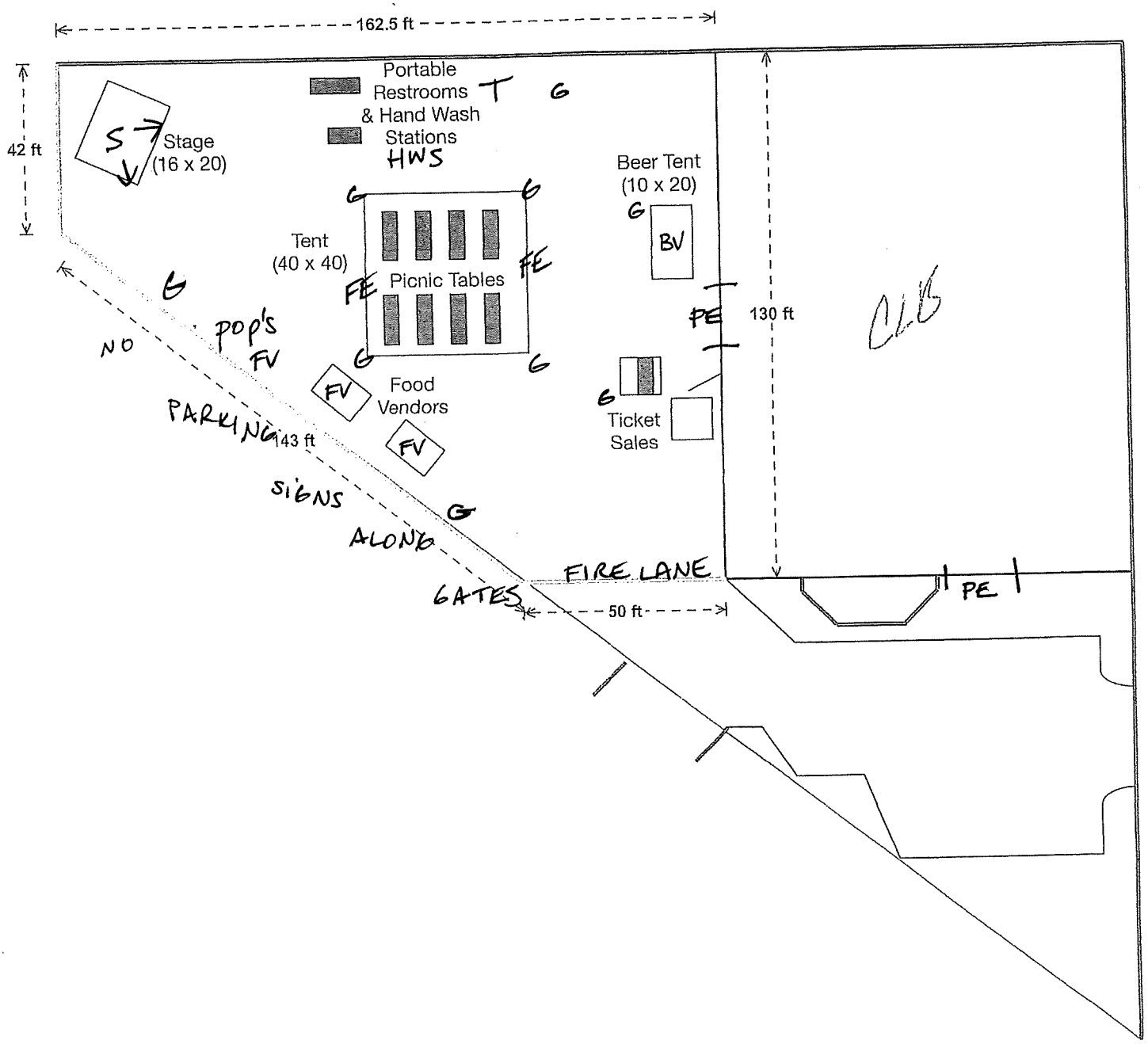
SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: August 2, 2022
APPROVED: August 2, 2022

Draft


162.5 ft
42 ft
Portable Restrooms & Hand Wash Stations
HWS
Stage (16 x 20)
Tent (40 x 40)
Picnic Tables
Beer Tent (10 x 20)
BV
130 ft
CLUB
Food Vendors
FV
Ticket Sales
NO PARKING
143 ft
SIGNS ALONG GATES
FIRE LANE
50 ft
POP'S
PE
FE
G
T

Agenda Item No: 14

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: Crystal Lake Brewing Company 8th Anniversary Weekend Special Event Request

Staff Recommendation: Motion to approve a Special Event Permit for the Crystal Lake Brewing Company 8th Anniversary Weekend to be held August 12 through 14, 2022

Staff Contact: Kathryn Cowlin, Director of Community Development
Laurrie Fitzgerald, Support Services Coordinator

Background:
The Crystal Lake Brewing Company (CLBC) has requested a Special Event approval to hold their 8th Anniversary Weekend on August 12 through 14, 2022. The proposed event, similar to Oktoberfest and other events held at CLBC would be held in the parking lot of their building at 105 North Main Street. The festival includes live music, food vendors, and beer sales.

The proposed event includes outdoor beer sales on Friday evening, but live music would only be held on Saturday and Sunday.
City staff has reviewed the applicant's requests and has no concerns regarding the event, provided the following conditions are met:

1) This approval is valid for the Special Event to be held August 12, 2022 through August 14, 2022
2) All food trucks must meet the requirements listed in City Code Chapter 385-35, including an inspection of the truck by the Crystal Lake Fire Prevention Bureau. The petitioner shall contact the Fire Prevention Bureau to arrange for an inspection prior to the event.
3) Should valet parking be offered, parking attendant should wear clothing to make them more visible at night as they walk between the festival site and remote parking area.
4) Organizers are to contact the Police Department for official "No Parking" signs that are to be posted along Gates Street. The "No Parking" signs are not to be posted on telephone poles and are to be removed the day after the event. Signs must be posted directing attendees to various City parking lots that can be used during the event.
5) Provide highly visible and moveable traffic barriers for the pedestrian areas. If City barricades are planned to be borrowed, the petitioner shall provide a completed form to Public Works to reserve the barricades.
6) All vending activities that are part of the festival, such as food and liquor sales, must cease no later than 11:00 p.m. on Friday and Saturday and no later than 9 p.m. on Sunday.
7) Tents/Canopies to be used for this event must follow City guidelines.

8) Maximum occupancy limits of the building must be maintained throughout the event.
9) Provide adequate lighting for participants during night hours. Submit stage lighting and canopy lighting specifications if applicable.
10) Provide male/female restroom facilities and one handicap accessible facility at each cluster and on an accessible route.
11) Obtain any necessary approvals from McHenry County Health Department.
12) Provide electrical plan/layout for the stage. Temporary wiring must comply with the 2017 National Electrical Code:
13) Schedule a meeting with the Fire Prevention Bureau (815-356-3640) and the Police Department (815-356-3793) at least 1 week prior to the event to review final details or any changes.
14) The site must be inspected the day prior to the event for compliance with canopy spacing (if applicable), electrical connections, etc.
15) An access lane of a minimum of 20 feet must be maintained around the building for emergency access. The fire connections must not be blocked.
16) In the case of inclement weather, an alternate date can be approved by the City Manager.

The applicants have been made aware of these recommended conditions and will attend City Council meeting to answer any questions. The application materials have been attached for reference.

Votes Required to Pass:
Simple majority vote

CITY OF
Crystal Lake
ILLINOIS

SPECIAL EVENTS APPLICATION

Please PRINT or TYPE

EVENT NAME CLB's 8th Anniversary Weekend.

EVENT LOCATION Crystal Lake Brewing - 150 N Main St.

This application should be completed by the "Event Manager", who will be the main coordinator and contact person for the event. Completing the application form will give you a good idea of the types of arrangements, approvals and documents that will be necessary for your special event. Please complete as much of the following information as possible before turning in the application. Once the application is turned in, a staff liaison will be in contact with you who will guide you in completing the remainder of the application and fulfilling City requirements for the event.

Please note that City Council approval may be required for certain special events/requests

GENERAL EVENT INFORMATION

1. TYPE OF EVENT (Check all that apply)

☐ Carnival	☐ General use of City-owned property
☐ Circus	☐ Parade
☒ Festival	☐ Outdoor Sales
☐ Filming	☐ Run/Walk Event
☐ Other _____	

2. General Description/Purpose of the event: anniversary party celebrating eight years in business here in downtown CL.

3. Will the event require the use of City-owned property? ☐ Yes ☒ No

4. Is a Site Map/Route Map attached? ☒ Yes ☐ No

5. Is the event an annual/recurring event? ☒ Yes ☐ No

6. Will the event require a public street/sidewalk to be blocked or closed? ☐ Yes ☒ No

7. Will the event require use of a public parking lot? ☐ Yes ☒ No

8. Number of persons scheduled to monitor and work the event: 12-15

9. Estimated attendance: 800 - 1000

10. Is a "rain date" proposed? Y ☐ or N ☒ If yes, what is the rain date? _____

ORGANIZATION INFORMATION

11. ☐ Organization is registered with the State of Illinois as a Non-Profit Organization

12. Name of Event Manager: Beth Alberger

13. Contact Information for Event Manager:

Address: 3423 Curling Pond Court
Crystal Lake, IL 60012

(Please check preferred means of contact)

Daytime phone: 779-220-9288 ☐

Emergency phone: [redacted] ☐

Cell phone: [redacted] ☐

Email: beth@crystallakebrew.com ☒

EVENT OPERATION

14. Date(s) of the event (including time for assembling and/or dismantling support structures):

Set Up: Fri; Aug 12th

Event: 8/12/22 - 8/14/22

Dismantling: 8/15/22

15. Hours of the event:

Set Up: 9am - 9pm

Event: 2 - 11pm

Dismantling: 9am - 5pm

CITY MANAGER'S OFFICE

16. Will the event hold a raffle of any kind? ☐ Yes* ☒ No

***If yes, please complete attached Raffle License Application**

17. Is the Certificate of Insurance and Hold Harmless Agreement attached? ☒ Yes ☐ No

***Attached please see the City's insurance provisions (Required for all special events)**

18. Will alcoholic beverages be served or sold at the event? ☒ Yes* ☐ No

If yes, what type of alcoholic beverages will be served? CB products, beer

**Please complete the attached Temporary Liquor License Application*

COMMUNITY DEVELOPMENT

19. Will the event require tents or temporary structures? ☒ Yes ☐ No

20. What signs or advertising do you anticipate needing for the event?

Temporary community event signs ☐ Yes ☒ No

Temporary neighborhood event signs ☐ Yes ☒ No

Directional signs ☐ Yes ☒ No

Banner ☐ Yes ☒ No

21. Will food be served or sold at the event? Food Trucks ☒ Yes* ☐ No

**If yes, please contact the McHenry County Health Department and please provide the City with a copy of the approval from the McHenry County Health Department.*

22. Will the event include vendors selling products? ☒ Yes ☐ No

Description of Products Pops Corn Cribs

23. Will the event require portable sanitation facilities? ☒ Yes ☐ No

Name of Company Crown Restrooms
Address 1704 Lamb Rd, Woodstock, IL 60098
Phone [redacted]

24. Will the use of electricity be required for the event? ☒ Yes ☐ No

If yes, please specify the power requirements and plan for provision
We have an electrical panel in brewery and along fenceline. Some generator use for trucks + sound.

PUBLIC SAFETY *Please remember to post the Firearm Concealed Carry Act sign*

25. Does this event require assistance from the Police Department? ☐ Yes ☒ No

26. Does this event require an on-site ambulance? ☐ Yes ☒ No

27. Will the event require sound amplification of any kind? ☒ Yes ☐ No

28. Please state what provisions have been made for first aid and emergency medical services, if any:
We have first aid kits available.

PUBLIC WORKS

29. Will the event require barricades for traffic control? ☐ Yes* ☒ No

If yes, please complete the attached Barricade Borrowing Application

30. Will the event require water? ☐ Yes ☒ No

Specify _____

Please remember to include the necessary attachments, if possible. (Please check those included)

- ☐ Barricade Borrowing Application
- ☒ Certificate of Insurance/Hold Harmless Agreement
- ☐ Raffle License Application
- ☐ Temporary Liquor License Application N/A

The undersigned has read the foregoing application and knows the contents thereof, and affirms that the information is true and correct to the best of his/her knowledge, information and belief. For special events, the undersigned agrees to indemnify and hold harmless the City, together with its officers, agents, volunteers, and employees from all losses, damages, injuries, claims, demands and expenses arising out of, or as the result of, the operation of the event, the special City services provided for the event, and/or the permit issued for same, and/or the condition, maintenance and use of the public property in connection with the event, as well as for any injury to or sustained by a City employee, agent, or contractor in conjunction with the event authorized by the City.

Beth Alberger
Signature

7/16/22
Date

Beth Alberger
Print Name

STAFF USE ONLY

Assigned City Department: _____

Assigned City Staff Liaison: _____

Meeting with Event Organizer Required: ☐ Yes ☐ No

City Council Approval Required: ☐ Yes ☐ No

July 20, 2022

Katie Cowlin
City of Crystal Lake
100 W Woodstock St.
Crystal Lake, IL

Dear Katie,

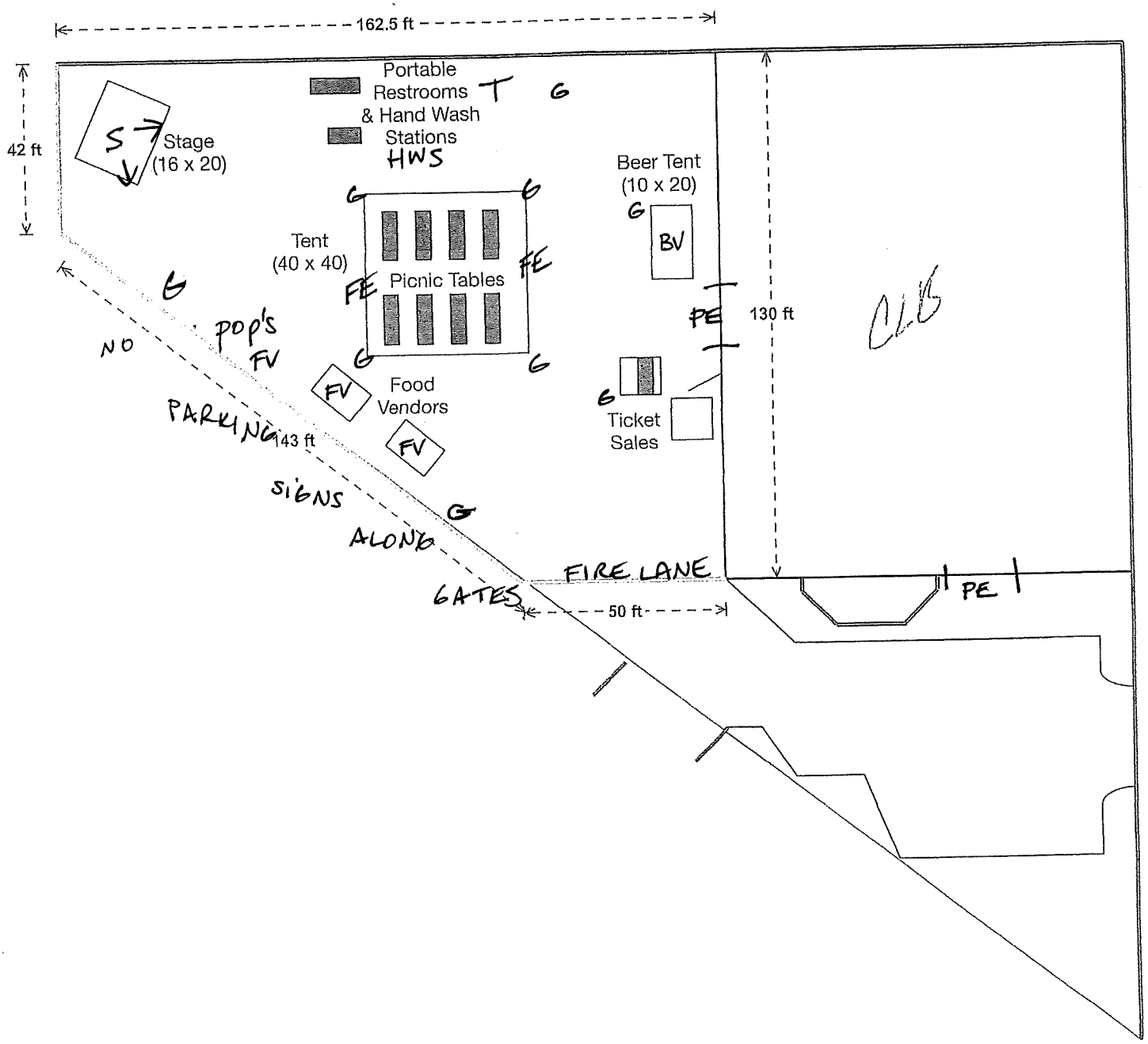
Attached, please find Crystal Lake Brewing's application for a special event we are planning the weekend of August 12, 13 and 14. The event will be very similar to previous Oktoberfest festivals we have put on in the past, with a nearly identical site plan, music stage and food trucks.

The anniversary festival will run from Noon until 11:00 pm Saturday and Noon until 9:00 pm Sunday. We also plan to allow beverage service on Friday from 3:00 pm until 11:00 pm in the festival area, though no live music will be played. We will have live music from 2:00 pm until 10:00 pm on Saturday, and from Noon until 8:00 pm on Sunday. There will be 2 to 3 food trucks serving food each evening.

Thank you in advance for your help in obtaining the needed permit and for everything else you and your office do for our community. We can't believe we are already celebrating 8 years in downtown CL!

Sincerely yours,

John O'Fallon


162.5 ft
42 ft
Portable Restrooms & Hand Wash Stations
HWS
Stage (16 x 20)
Tent (40 x 40)
Picnic Tables
Beer Tent (10 x 20)
BV
130 ft
CLUB
Food Vendors
FV
Ticket Sales
NO PARKING
143 ft
SIGNS ALONG GATES
FIRE LANE
50 ft
POP'S
PE
FE
G
T

Agenda Item No: 15

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: REPORT OF THE PLANNING & ZONING COMMISSION

Request: Final Planned Unit Development (PUD) Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area

Petitioner: Evangelical Free Church
575 E. Crystal Lake Avenue

PZC Recommendation: To approve the Planning and Zoning Commission (PZC) recommendation and adopt an Ordinance granting a Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area at 575 E. Crystal Lake Avenue

Staff Contact: Kathryn Cowlin, Director of Community Development
Katie Rivard, Assistant City Planner

Background:

- Request: The petitioner is requesting a Final PUD Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area.
- Land Use: Institutional Uses such as Religious Organizations are commonly found and integrated into residential neighborhoods.
- Zoning: The site is zoned Estate, which primarily permits single-family detached residential dwellings. Religious Organizations are Special Uses in all residential zoning districts.
- The petitioners are requesting a Final Planned Unit Development Amendment to construct a new 2,100 square foot pavilion and reconfiguration of the existing playground area. The Unified Development Ordinance (UDO) requires that accessory structures for nonresidential uses located in a residential district and greater than 900 square feet in area must obtain a Special Use Permit.
- The pavilion meets the height and setback requirements. The pavilion will be located in the area that the playground is currently. The playground will then move between the existing youth building and the pavilion.

PZC Highlights:

- The petitioner explained the Church was able to raise money for the project. The Church has over 100 children and they want a space for the children to play. The Church would like to use the pavilion for Church events as well as community events.

- The PZC was supportive of the request. They want the petitioner to work with staff to consider a security lighting plan and additional bathroom facilities near the pavilion.

- The PZC found that the Findings of Fact had been met.

The PZC recommended **approval (6-0)** of the petitioners' request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (The Evangelical Free Church of Crystal Lake, date signed 06/09/2022, received 06/10/2022)
    B. Playground Concept Plan (The Evangelical Free Church of Crystal Lake, received 06/10/2022)
    C. Plat of Topography (Heritage Land Consultants LLC, dated 05/04/22, received 06/10/2022)
    D. Pavilion Elevations (Clearly Building Corp, received 05/20/2022)

2. The pavilion cannot be located within the existing Municipal Utility Easement for the water main.

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

4. Work with staff to consider a security lighting plan. **(Added by PZC)**

5. Work with staff to consider providing bathroom facilities near the pavilion. **(Added by PZC)**

Votes Required to Pass: A simple majority.

Acknowledgement Form

Regarding the Final PUD Amendment at 575 E Crystal Lake Avenue (EFCCL). Please check one of the choices and sign below.

I hereby acknowledge that I have read, understand, and agree to the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable).

I hereby acknowledge that I have read, understand, and agree to most of the staff review comments and recommended conditions contained in the staff report, city staff reviews, and consultant reviews (if applicable) but have concerns with the following items:

_____

_____

Petitioner's Name: Mark A Kollie Business Director Date: 7/25/22
Signature

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    a. Application (The Evangelical Free Church of Crystal Lake, date signed 06/09/2022, received 06/10/2022)
    b. Playground Concept Plan (The Evangelical Free Church of Crystal Lake, received 06/10/2022)
    c. Plat of Topography (Heritage Land Consultants LLC, dated 05/04/22, received 06/10/2022)
    d. Pavilion Elevations (Clearly Building Corp, received 05/20/2022)

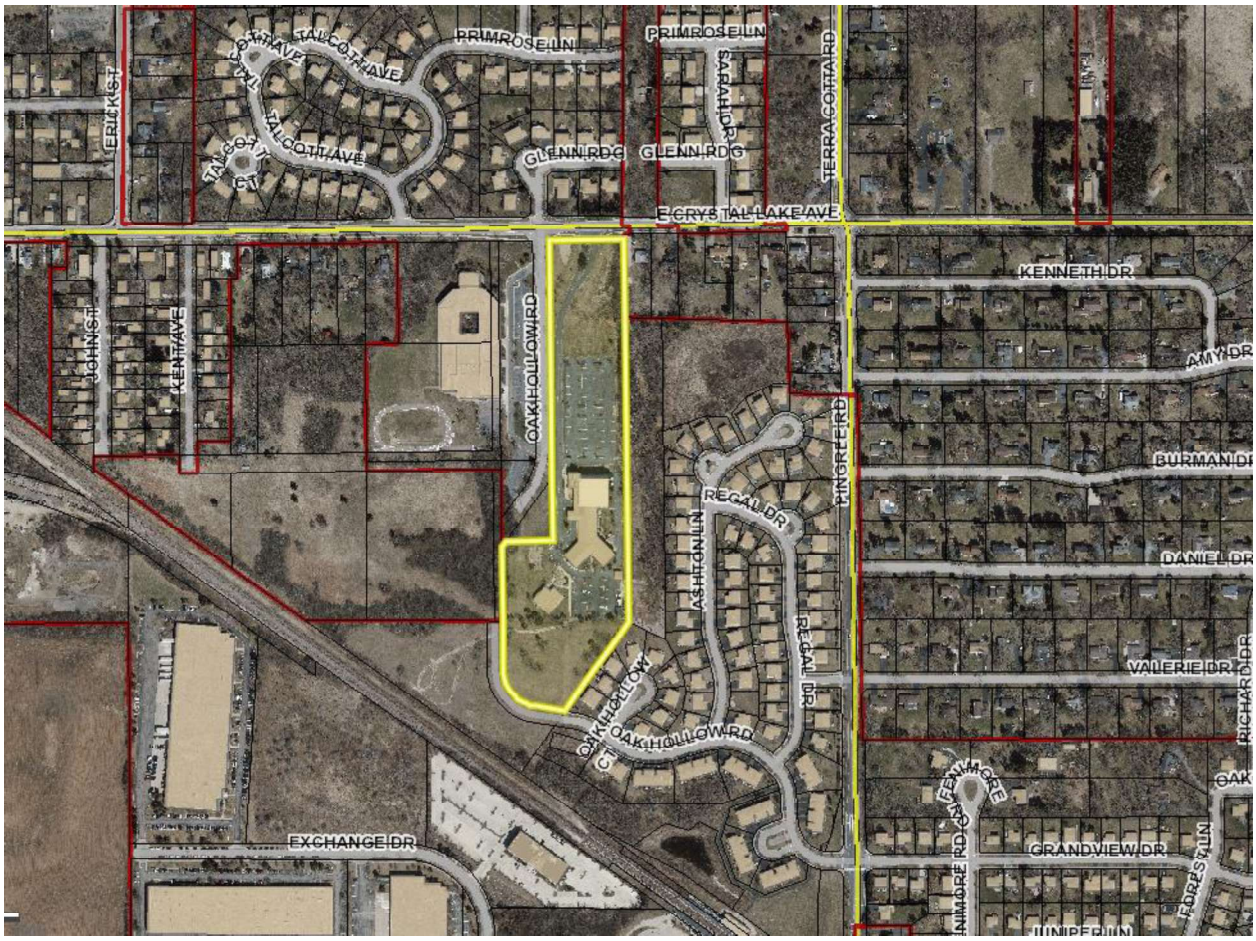
2. The pavilion cannot be located within the existing Municipal Utility Easement for the water main.

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

4. Work with staff to consider a security lighting plan. (Added by PZC)

5. Work with staff to consider providing bathroom facilities near the pavilion. (Added by PZC)

PIQ Map
575 E Crystal Lake Avenue



Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT AMENDMENT TO ALLOW A PAVILION AND PLAYGROUND RECONFIGURATION FOR EVANGELICAL FREE CHURCH OF CRYSTAL LAKE AT 575 E CRYSTAL LAKE AVENUE

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-130) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area at 575 E. Crystal Lake Avenue; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on July 1, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on July 20, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Final Planned Unit Development Amendment; and

WHEREAS, on July 20, 2022, 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 Amendment be approved, as documented in the minutes, and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Final Planned Unit Development Amendment 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 Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area at the property commonly known as at 575 E. Crystal Lake Avenue, (19-04-226-026), Crystal Lake, Illinois is hereby approved.

Section II: Said Final Planned Unit Development Amendment is issued with the following conditions:

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

Draft

A. Application (The Evangelical Free Church of Crystal Lake, date signed 06/09/2022, received 06/10/2022)
B. Playground Concept Plan (The Evangelical Free Church of Crystal Lake, received 06/10/2022)
C. Plat of Topography (Heritage Land Consultants LLC, dated 05/04/22, received 06/10/2022)
D. Pavilion Elevations (Clearly Building Corp, received 05/20/2022)

2. The pavilion cannot be located within the existing Municipal Utility Easement for the water main.

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

4. Work with staff to consider a security lighting plan.

5. Work with staff to consider providing bathroom facilities near the pavilion.

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 Final Planned Unit Development Amendment 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 2nd day of August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: August 2, 2022
Approved: August 2, 2022

Draft

#2022-130
575 E Crystal Lake Avenue – Final PUD Amendment
Project Review for Planning and Zoning Commission

Meeting Date:	July 20, 2022
Request:	Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area
Location:	575 E Crystal Lake Avenue
Acreage:	Approximately 10.4 acres
Existing Zoning:	E - Estate
Surrounding Properties:	North: R-1 Single-Family Residential South: R-3B – Multi-Family Residential PUD East: R-2 PUD – Single-Family Residential PUD West: E – Estate and A-1 County Agriculture District
Staff Contact:	Katie Rivard (815.356.3612)

Background:

- Existing Use: The subject property is the existing Evangelical Free Church of Crystal Lake (EFCCL). It is improved with the church building, a storage building, a youth center and associated parking areas.
- UDO Requirements: Accessory structures for a nonresidential use that are located in a residential zoning district and greater than 900 square feet in area are required to obtain a Special Use Permit.
- Previous Approvals:
    - In 1998, EFCCL was annexed into the City. The property was also rezoned to E-5 – Estate Residential zoning district, and EFCCL received approval of a Special Use Permit for a church and school use, and a Final PUD with variations.

Development Analysis:

General:

- Request: The petitioner is requesting a Final PUD Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area.

- Land Use: Institutional Uses such as Religious Organizations are commonly found and integrated into residential neighborhoods.
- Zoning: The site is zoned Estate, which primarily permits single-family detached residential dwellings. Religious Organizations are Special Uses in all residential zoning districts.

Request Overview:

- The proposed pavilion is 18'-8" in height. The maximum height for accessory structures in the Estate zoning district is 25 feet and two stories.
- The pavilion will meet the required 5-foot side and rear yard setbacks for the Estate zoning district.
- The pavilion will be located in the area that the playground is currently. The playground will then move between the existing youth building and the pavilion.
- The UDO requires that accessory structures for nonresidential uses located in a residential district and greater than 900 square feet in area must obtain a Special Use Permit.

Findings of fact:

FINAL PLANNED UNIT DEVELOPMENT AMENDMENT
The petitioner is requesting approval of a Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and reconfiguration of the playground area. The purpose of Planned Unit Developments is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Planned Unit Developments are, therefore, intended to allow substantial flexibility in planning and designing a proposal.

This flexibility is often in the form of relief from compliance with conventional zoning ordinance site and design requirements which may otherwise require individual requests and applications for zoning variations.

Ideally, this flexibility results in a development that is better planned, contains more amenities, and is ultimately more desirable than one that would have been produced through compliance with typical zoning ordinance and subdivision controls.

Therefore, more lenient site requirements may be granted where the Planned Unit Development contains features not normally required of traditional developments. Although a formal variation request is not required to be made in conjunction with a Planned Unit Development, Staff identifies those aspects of the Planned Unit Development which effectively result in variations from UDO requirements. If the evidence is not found to justify these variations from the UDO that fact shall be reported to the City Council with a recommendation that the variations from the UDO which are proposed as part of the Planned Development be lessened or denied.

Recommended Conditions:

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

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (The Evangelical Free Church of Crystal Lake, date signed 06/09/2022, received 06/10/2022)
   B. Playground Concept Plan (The Evangelical Free Church of Crystal Lake, received 06/10/2022)
   C. Plat of Topography (Heritage Land Consultants LLC, dated 05/04/22, received 06/10/2022)
   D. Pavilion Elevations (Clearly Building Corp, received 05/20/2022)

2. The pavilion cannot be located within the existing Municipal Utility Easement for the water main.

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

City of Crystal Lake
Development Application
Ownership Sign-off Acknowledgement Form

The following information is related to a development application. As the owner of the property in question, I (we) acknowledge that the information provided in the submittal was reviewed and approved.

Owner Information

Name: The Evangelical Free Church of Crystal Lake

Address: 575 E Crystal Lake Ave

Crystal Lake, IL 60014

Phone: 815-459-1095

E-mail: mkolbe@efccl.org

Project Name & Description: Playground - Pavilion project

Project Address/Location: 575 E Crystal Lake Ave

Signature Mark A Kolbe Business Director

Mark A. Kolbe 6/9/22

Owner: Print and Sign name Date

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

Ms. Repholz stated it was clear what they are requesting. She asked the petitioner if he was tearing the entire garage down. Mr. Freese stated they have to tear down the garage to meet Code. He stated it makes sense to tear down the garage and build new rather than repair.

Ms. Teetsov stated she has no concerns with the setbacks. She is in favor of the garage matching the house as much as possible.

Mr. Gronow states he is fine with the request and spoke to revising Condition #2.

Mr. Greenman stated the petition met the Findings of Fact and evidence for hardship is due to the uniqueness of location. He is in support of the request. He opened discussion to Condition #2 recommending that instead of saying "match" it be revised to "complement".

The PZC discussed amending Condition #2 that instead of "match" it says "complement".

Mr. Skluzacek made a motion to approve the Simplified Residential Variation with the following recommendations:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (Freese, dated 06/10/2022, received 06/17/2022)
    B. Site Plan (RLS Land Surveyors, dated 11/02/1998, received 06/17/2022)
    C. Foundation Plan (Freese, received 06/17/2022)
    D. Elevations (Freese, received 06/17/2022)

2. The detached garage should complement the existing exterior house in material, color, and style of roof.

3. The detached garage shall not exceed 15 feet from the grade to the midpoint of the gable.

4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

Mr. Atkinson seconded the motion. On roll call Members Gronow, Skluzacek, Repholz, Teetsov, Atkinson and Greenman voted aye. Motion passed 6-0.

2022-130 – 575 E. CRYSTAL LAKE AVENUE – EVANGELICAL FREE CHURCH – FINAL PUD AMENDMENT

A Final Planned Unit Development Amendment to allow a new 2,100 square foot pavilion and the reconfiguration of the playground area.

David Palsgrove, Manager of Buildings & Grounds Services for Evangelical Free Church of Crystal Lake, was present to represent the petition. Mr. Palsgrove stated they currently have a lot of people who use the property. The Church was able to raise money for the project, and with over 100 children they want to provide a space for them to play. Mr. Palsgrove presented boards with playground models. The pavilion

will be used for Church and community events such as family reunions. It will also provide parents a place to sit while their children are at the playground. They can meet the conditions of approval.

Mr. Greenman opened the public hearing. There being no one in the public wishing to speak Mr. Greenman closed the public hearing portion and turned it over to staff for a summary of the request.

Ms. Rivard provided a summary of the request.

Mr. Atkinson asked what the size of the existing playground is currently. Mr. Palsgrove did not have a definite answer. Mr. Atkinson thought it was a great idea and has no concerns with the petition. He thanked the petitioner for the presentation.

Ms. Repholz stated this is an exciting opportunity for the Church. She asked the petitioner if he felt there was adequate parking available. She also about the opportunity for additional lighting. Mr. Palsgrove spoke to their meetings and discussions with ComEd on providing lighting to the pavilion. Ms. Repholz asked about sound. Mr. Palsgrove stated they often have a large tent on-site and their activities and events do not go past 10 pm. Ms. Repholz asked if this was an income opportunity. Mr. Palsgrove stated the Church would like to be able to cover their costs, but they are not in it for the money.

Ms. Teetsov appreciated the pavilion would be ADA friendly and that it had play options for both toddler and kids. She thought it would be a great place for families to gather.

Mr. Gronow asked if the pavilion was open to the public. Mr. Palsgrove responded yes, they want the public to use it.

Mr. Skluzacek asked if 2-3 trees were being removed. Mr. Palsgove stated there is potential those trees will not make it. The Church is working with a landscape architect and they will do their best to save them.

Mr. Greenman stated he is in support of the request. He asked if the pavilion will be set-up so that sides could be added to the block out rain, etc. Mr. Palsgrove responded not at this point. Mr. Greenman asked Staff if security lighting was inspected by Fire Rescue. He asked the members to consider a condition to work with staff on adding security lighting. Mr. Palsgrove spoke to their plans for lighting. Mr. Greenman also asked about toilets. Mr. Palsgrove stated the Church has thought about it and are still in discussion. Mr. Greenman asked about garbage cans. Mr. Palsgrove stated that garbage cans will be provided.

Mr. Greenman noted the petition met the Findings of Fact.

Mr. Gronow made a motion to approve the Final Planned Unit Development Amendment with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (The Evangelical Free Church of Crystal Lake, date signed 06/09/2022, received 06/10/2022)

B. Playground Concept Plan (The Evangelical Free Church of Crystal Lake, received 06/10/2022)
C. Plat of Topography (Heritage Land Consultants LLC, dated 05/04/22, received 06/10/2022)
D. Pavilion Elevations (Clearly Building Corp, received 05/20/2022)

2. The pavilion cannot be located within the existing Municipal Utility Easement for the water main.

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

4. Work with staff to consider a security lighting plan. **(Added by PZC)**

5. Work with staff to consider providing bathroom facilities near the pavilion. **(Added by PZC)**

Mr. Atkinson seconded the motion. On roll call Members Gronow, Skluzacek, Repholz, Teetsov, Atkinson and Greenman voted aye. Motion passed 6-0.

REPORT FROM PLANNING

Staff noted the next meeting on August 3rd, 2022 has been cancelled, and the Economic Development training will be held at a September meeting. Staff also summarized the recently approved items.

COMMENTS FROM THE COMMISSION

None.

ADJOURNMENT

Mr. Atkinson made a motion to adjourn the meeting. Mr. Skluzacek seconded the motion. On voice vote, all members voted aye. The meeting was adjourned at 7:45 p.m.



my suggestions

KD

PLAYGROUND
CONCEPT 7/14/22

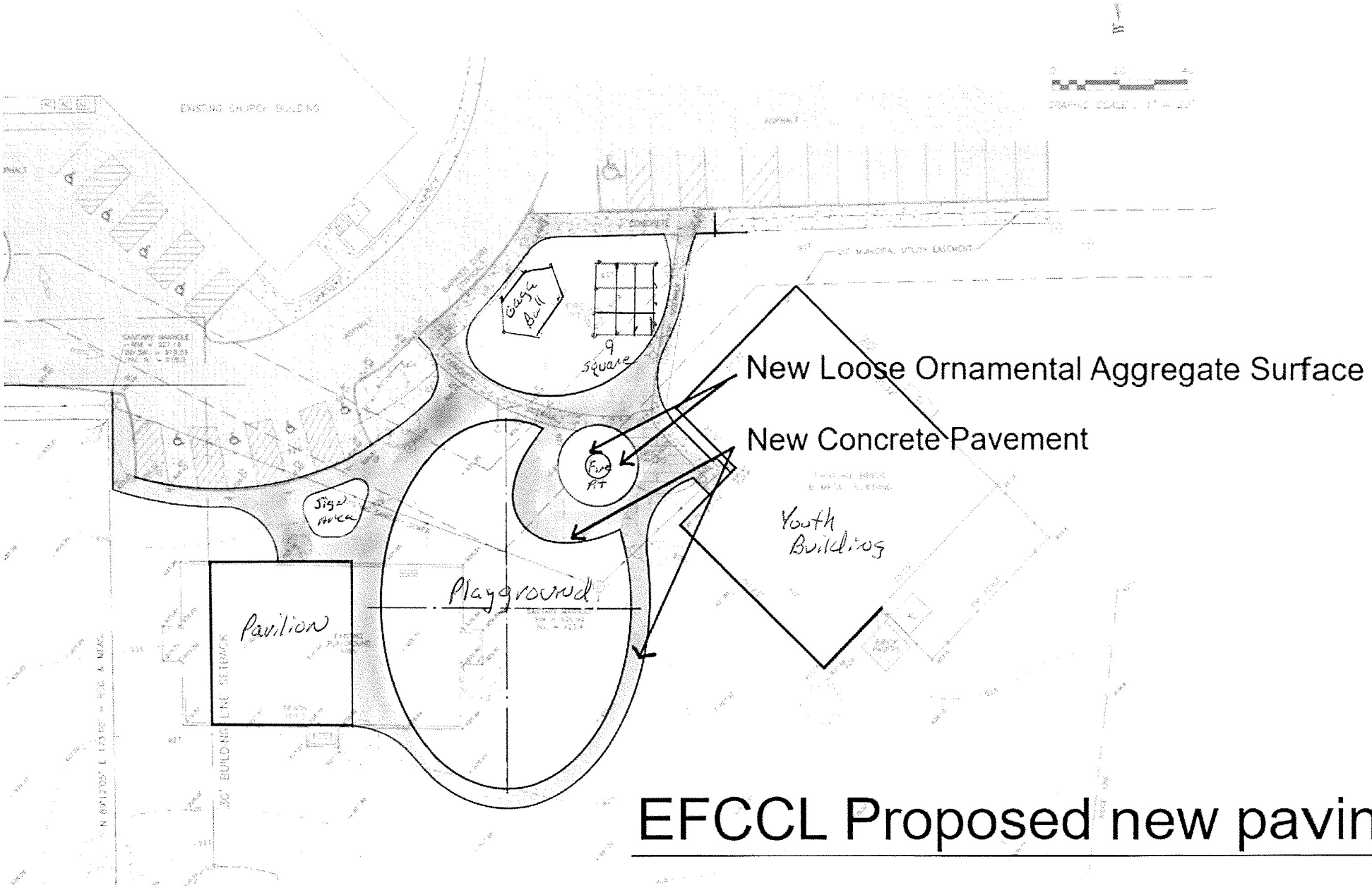


Pavement Widths

EFCCL Proposed new paving layout

05/09/22. RAM
06/07/22

Existing Concrete
Asphalt
New Concrete
ornamental Aggregate



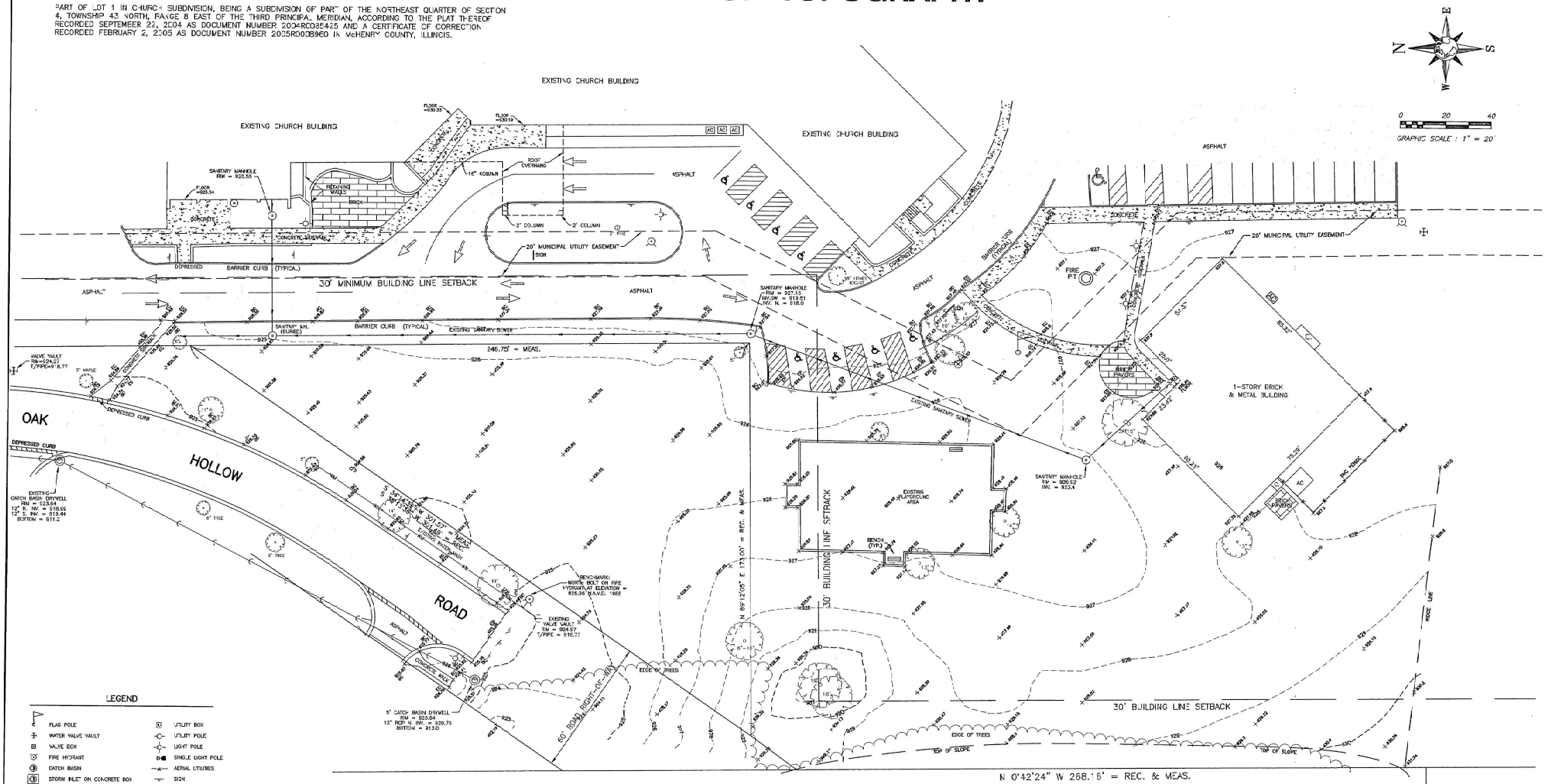
EFCCL Proposed new paving l

05/0

PLAT OF TOPOGRAPHY

LEGAL DESCRIPTION:

PART OF LOT 1 IN CHURCH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMEER 22, 2004 AS DOCUMENT NUMBER 2004R0035425 AND A CERTIFICATE OF CORRECTION RECORDED FEBRUARY 2, 2005 AS DOCUMENT NUMBER 2005R0003960 IN McHENRY COUNTY, ILLINOIS.



LEGEND

- FLAG POLE
- WATER VALVE VAULT
- VALVE BOX
- FIRE HYDRANT
- CATCH BASIN
- STORM INLET ON CONCRETE BOX
- STORM INLET
- STORM MANHOLE
- FLARED END SECTION
- SANITARY MANHOLE
- CLEANOUT
- UTILITY BOX
- UTILITY POLE
- LIGHT POLE
- SINGLE LIGHT POLE
- AERIAL UTILITIES
- SIGN
- MAIL BOX
- FLOOD LIGHT
- DEPRESSED CURB/WALK
- # OF PARKING SPACES
- BOLLARD

NOTE:

EXISTING UTILITIES: WHEN THE PLANS OR SPECIAL PROVISIONS INCLUDE INFORMATION PERTAINING TO THE LOCATION OF UNDERGROUND UTILITIES SUCH INFORMATION REPRESENTS ONLY THE OPINION OF THE ENGINEER AS TO THE LOCATION OF SUCH UTILITIES AND IS ONLY INCLUDED FOR THE CONVENIENCE OF THE BIDDER. THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION IS NOT WARRANTED IN RESPECT TO THE SUFFICIENCY OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS RELATIVE TO THE UNDERGROUND UTILITY FACILITIES. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO OBTAIN FROM THE RESPECTIVE UTILITY COMPANIES, DETAILED INFORMATION RELATIVE TO THE LOCATION OF THEIR FACILITIES.

CONTRACTOR IS RESPONSIBLE FOR CONTACTING J.U.L.I.E. AT 1-800-892-0123 AND MUST OBTAIN A DIG NUMBER AT LEAST 72 HOURS PRIOR TO ANY WORK BEING DONE.

HLC SURVEYING IS A SERIES OF HERITAGE LAND CONSULTANTS LLC, AN ILLINOIS LIMITED LIABILITY CORPORATION.

ILLINOIS PROFESSIONAL LAND SURVEY AND PROFESSIONAL ENGINEERING DESIGN FIRM CORPORATION LICENSE NO. 184-006405 EXPIRES : 04/30/2023

ABBREVIATIONS

= R.	DISTANCE ON RECORDED PLAT OF SUBDIVISION
= REC.	DISTANCE ON RECORDED PLAT OF SUBDIVISION
= M.	MEASURED OR CALCULATED DISTANCE
= MEAS.	MEASURED OR CALCULATED DISTANCE
R.=>	RADIUS
ARC=	ARC LENGTH
CH=	CHORD LENGTH
P.O.B.=	POINT OF BEGINNING
P.O.C.=	POINT OF COMMENCEMENT
BOC=	BACK OF CURB
EP=	EDGE OF PAVEMENT
EC=	EDGE OF CONCRETE
EB=	EDGE OF BRICK

STATE OF ILLINOIS
S.S.
COUNTY OF McHENRY

WE, HERITAGE LAND CONSULTANTS, LLC, DO HEREBY CERTIFY THAT WE HAVE PREPARED THIS PLAT OF TOPOGRAPHY BASED ON N.A.V.D. 1988 DATUM.

GIVEN UNDER MY HAND AND SEAL AT McHENRY, ILLINOIS

THIS 8th DAY OF APRIL 2022

TERRY L. VAN ALSTINE
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3055
LICENSE RENEWAL DATE : 11-30-2022

THIS PLAT OF TOPOGRAPHY DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHOULD NOT BE USED TO DETERMINE LOT LINE OR PROPERTY LINE LOCATIONS. ANY BOUNDARY INFORMATION SHOWN HEREON IS INFORMATION OF PUBLIC RECORD OR INFORMATION PROVIDED BY THE CLIENT OR INFORMATION DERIVED FROM LOCAL ZONING RECORDERS OFFICE AND/OR OTHER MUNICIPAL RECORDS OBTAINED THROUGH THE NATURAL COURSE OF BUSINESS.

THE TOPOGRAPHIC INFORMATION CONTAINED HEREON IS BASED ON FIELD OBSERVATIONS, EXISTING SURFACE CONFIGURATIONS AT THE TIME OF THE SURVEY AND/OR INFORMATION FURNISHED TO HERITAGE LAND CONSULTANTS, LLC. AS SUCH, WE ASSUME NO LIABILITY FOR ALTERED CONDITIONS, HERITAGE LAND CONSULTANTS, LLC. ASSUMES NO LIABILITY FOR EXCAVATION OF ANY KIND WHERE THERE IS NO EVIDENCE OF THE CURRENT GROUND CONDITIONS ON WHICH THIS TOPOGRAPHIC SURVEY IS BASED.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO TOPOGRAPHIC SURVEYS. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.

HLC SURVEYING IS A SERIES OF HERITAGE LAND CONSULTANTS, LLC, AN ILLINOIS LIMITED LIABILITY CORPORATION.

ILLINOIS PROFESSIONAL LAND SURVEY AND PROFESSIONAL ENGINEERING DESIGN FIRM CORPORATION LICENSE NO. 184-006405 EXPIRES : 04/30/2022

CRYSTAL LAKE EFC. PLAT OF TOPOGRAPHY

SCALE : 1" = 20'	REVISIONS
DATE : 4-08-2022	
DATE OF FIELD WORK: 4-07-2022	
DISK: 220406 FILE NO. 22074 TOP	
DISK: 22074 FAC. NO. 22074P	
PREPARED FOR: CRYSTAL LAKE EVANG. FREE CHURCH	PROPERTY ADDRESS: 575 CRYSTAL LAKE AVENUE CRYSTAL LAKE, ILLINOIS
DRAWN BY: TVA	CHECKED BY: MTB
JOB NO. 2022-074 TOP	

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HERITAGE LAND CONSULTANTS LLC
Surveying Engineering Septic Design
HLC SURVEYING
759 RIDGEVIEW DRIVE
McHENRY, ILLINOIS 60050
(815) 344-3252

GENERAL NOTES AND SPECIFICATIONS

1. The materials and labor shown on these plans that are provided by Cleary Building Corp. are limited to those materials and labor as defined by the Cleary Building Corp. contract. Additional materials or accessories that are not being provided by Cleary Building Corp. may be shown on plans for context or building code compliance.

2. This building is designed in accordance with the following codes and specifications:
   2018 International Building Code (IBC)
   2018 Edition Of "National Design Specifications for Wood Construction"

   Risk Category: — II
   Use Group(s) Classification: — A-3
   Building Use: — Church Pavilion
   Type of Construction: — Type VB
   Building Area: — 2100 Sq. Ft.

   Building Design Loads:
   Snow Design Data:
   Ground Snow Load (Pg): — 30 PSF
   Snow Exposure Factor (Ce): — 1
   Slope Factor (Cs): — .94
   Thermal Factor (Ct): — 1.2
   Snow Load Importance Factor (Is): — 1.0
   Flat Roof Snow Load (Pf): — 25.2 PSF
   Sloped Roof Snow Load (Ps): — 23.6 PSF
   Unbalancec Snow Loads: — 7.1 PSF Windward
   23.6 PSF Leeward
   15.30 PSF Leeward surcharge
   6.8 Ft. Width of surcharge

   Wind Design Data:
   Basic Design Wind Speed (V): — 115 MPH
   Wind Exposure: — C
   Design Internal Pressure Coefficient: — 0

   Ecrthquake Design Data:
   Basic Seismic Force Resisting System: — Building Frame System/Cantilevered Column System/Timber Frames
   Design Base Shear: — 2307 LBS
   Seismic Response Coefficient (Cs) — 0.096
   Analysis Procedure Used: — Equivalent Lateral Force Procedure
   Seismic Design Category: — B
   Mapped Spectral Response Accelerations (S_s): — 13.2%g
   (S_1): — 5.9%g
   Spectral Response Coefficients (S_{DS}): — 0.14 g
   (S_{D1}): — 0.094g
   Site Class: — D
   Seismic Importance Factor (I) — 1.0
   Response Modification Factor (R): — 1.5

3. All lumber, unless noted otherwise, shall be S4S #2 SPF or better. All lumber embedded in the ground shall be treated with Chromated Copper Arsenate to a retention level of .60 lbs. per cubic foot. AWPA U1, UC4B.

4. All nails are to be threaded hardened steel unless otherwise noted.

5. Grading should be such that the surface water is drained away from the foundation. Minimum grade would be six inches of vertical drop per ten feet of horizontal away from the foundation (5%).

6. Fill used for concrete floor slab sub grade, if present shall be reasonably graded granular material. Fill used in columns holes shall be the excavated soil unless noted otherwise. All fill shall be free from debris, stones over 4"ø and frozen material.

7. Electrical work, heating, ventilating, air conditioning, plumbing, and site draining is not a part of this drawing and shall be installed as per applicable codes.

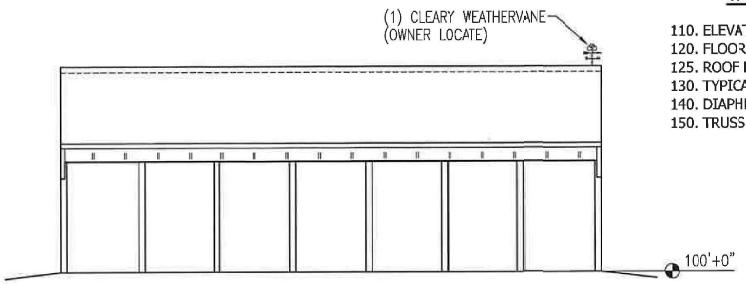
8. This design is based on a building site with sand, silty sand, clayey sand, silty gravel, clayey gravel soil. As per the IBC building code and Referenced Standard ASAE 485.1, an assumed soil bearing design value of 1500 psf with increases for depth and width has been used in this design. If information is discovered before or during construction contrary to this, the building designer should be contacted.

NOTE:
This building, as depicted, must be constructed 10 feet or more from any and all lot lines and 20 feet or more from any other buildings on the same lot. See IBC code and/or the local building official for exceptions.

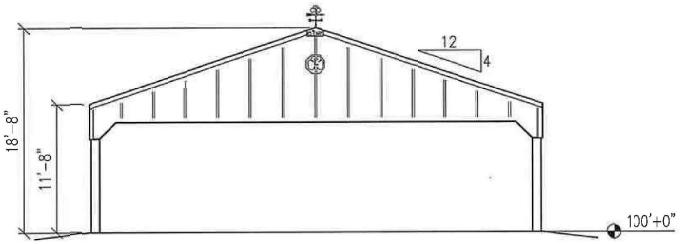
NOTE:
This document, as presented and sealed, is not intended to be, nor should it be construed as such, a complete building design. It is intended to represent just the building itself. It should also be noted that the designer is unaware of any subsoil investigation reports. Footings have been sized on assumed values as per note 8.0 under General Specifications and Notes. The designer excludes determination that the assumed soil conditions are present at the site. If a concrete floor wil be installed, the design of the concrete floor is not part of these plans, nor is it intended to be. If shown, the concrete floor is only depicted to show its location with respect to related components of the building. The client or general contractor is encouraged to contract with other professional engineers or architects for the design of the concrete floor and its subgrade.

TABLE OF CONTENTS

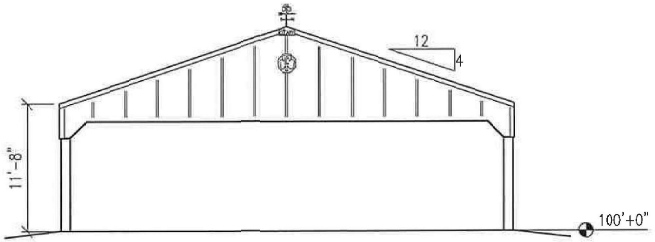
110. ELEVATIONS
120. FLOOR PLAN
125. ROOF FRAMING PLAN
130. TYPICAL SECTION
140. DIAPHRAGM ACTION & MISC. DETAILS
150. TRUSS DIAGRAMS



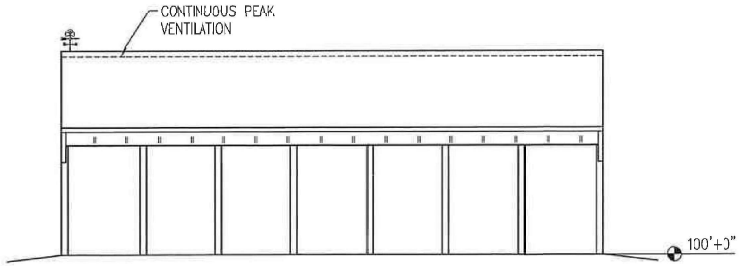
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION

CLEARY BUILDING CORP.
190 PAOLI STREET / P.O. BOX 930220
VERONA, WI 53593 / (800) 373-5550

DRAWN BY: KELLY GAFFNEY
DATE DRAWN: 5/4/22

PLAN REVISIONS:

NUMBER	DATE	BY
1		
2		
3		
4		

PROJECT NAME: KOLBE, MARK
PROJECT SITE ADDRESS: 575 E. CRYSTAL LAKE AVENUE CRYSTAL LAKE, ILLINOIS - MCHENRY COUNTY
BUILDING SIZE: 42'-0"x50'-0"x11'-8"
SHEET NAME: ELEVATIONS

PROJECT NUMBER: 2022101822
SHEET NUMBER: 110
SHEET SCALE: NONE

Licensed Structural Engineer
Matthew B. Lawinger
081-005999
Signature
Date 6/13/22
License Expires 11-30-2022
State Of Illinois

File Name and Path: I:\Commercial\CAD FILES\2022\2022101822\2022101822-110-ELEV.dwg
Printed By: Michael Waldera Date Printed: 6/10/2022 3:28 PM

Agenda Item No: 16

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: Sign Variation for two wall murals totaling 1,640 square feet

Petitioner: Marie Latimer, petitioner
6110 Lou Avenue

Recommendation: City Council Discretion:
A. Motion to approve an Ordinance with the recommended conditions for the variations as requested.
B. Motion to deny the variation request.

Staff Contact: Kathryn Cowlin, Director of Community Development
Elizabeth Maxwell, City Planner

Background:

- The petitioner has recently opened a dog daycare for small dogs.
- This area is a very industrial area. Many of the buildings in the "The Teckler Triangle" are older, constructed of cinderblock or brick, and have very plain elevations.
- The petitioner's goal is to spruce the area up with the painting, as well as provide needed signage for a business off the main roads.

Analysis

- Stand-alone buildings are permitted 150 square feet of signage. No other building signage has been applied for yet.
- The petitioner is requesting two murals, one on the north side "back" wall and one on the east side "side" wall. The two murals are considered signs and would total 1,640 square feet.
- The north side is visible from Route 14 and the east side is visible from Main Street.
- The north side wall is approximately 50 feet in length by 20 feet in height, for a total of 1,000 square feet. The east wall is approximately 40 feet in length and 16 feet in height for a total of 640 square feet.
- Another business in the city, the Lucky Brake, has had a mural since the 1980s and the current size is approximately 490 square feet.

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

A. The proposed variation will not serve merely as a convenience, but alleviate some demonstrable and unusual hardship.

B. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. The proposed variation will not by itself, or with other signs, contribute to the creation of a visual distraction which may lead to personal injury or a substantial reduction in the value of the property.

C. The proposed variation is in harmony with the intent, purpose and objectives of the Ordinance.

If a recommendation of approval is made, the following conditions are suggested:

1. Approved plans, as approved by the City Council:
   A. Application (Latimer, received 07/25/22)
   B. Sign Plans (Latimer, undated, received 07/19/22)

2. The mural painting shall be maintained in good condition.

3. The approval for the two murals is limited to the current tenant. Any future tenant request for a mural must be approved through the sign variation process.

Votes Required to Pass: Simple majority vote

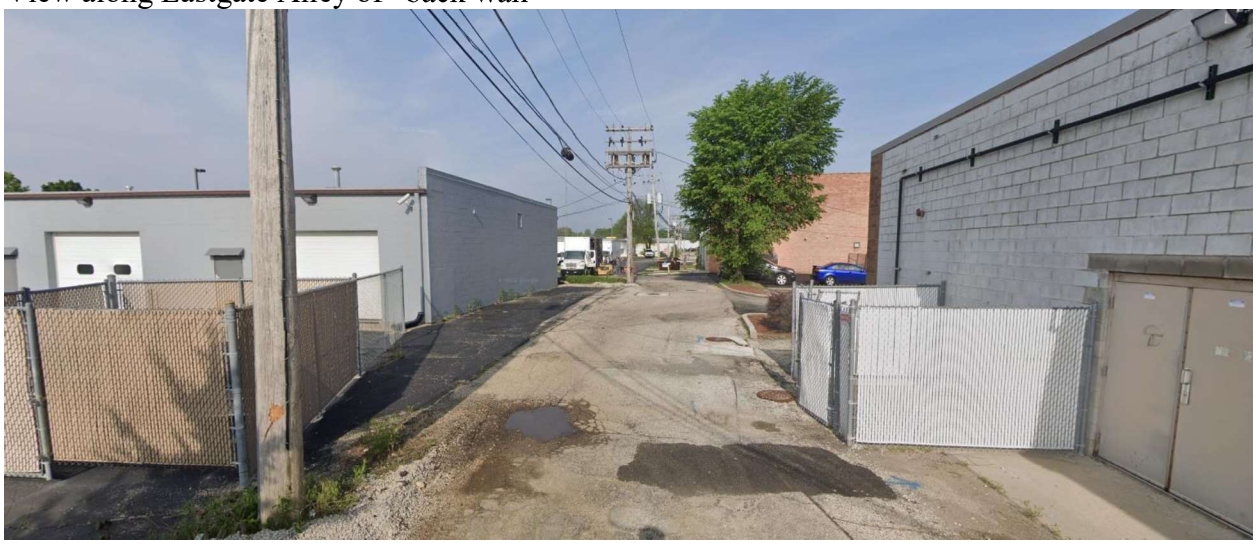
Approaching the site from the south along Eastgate Alley



At Lou Avenue and Eastgate Alley looking at the business and “side wall”



View along Eastgate Alley of “back wall”



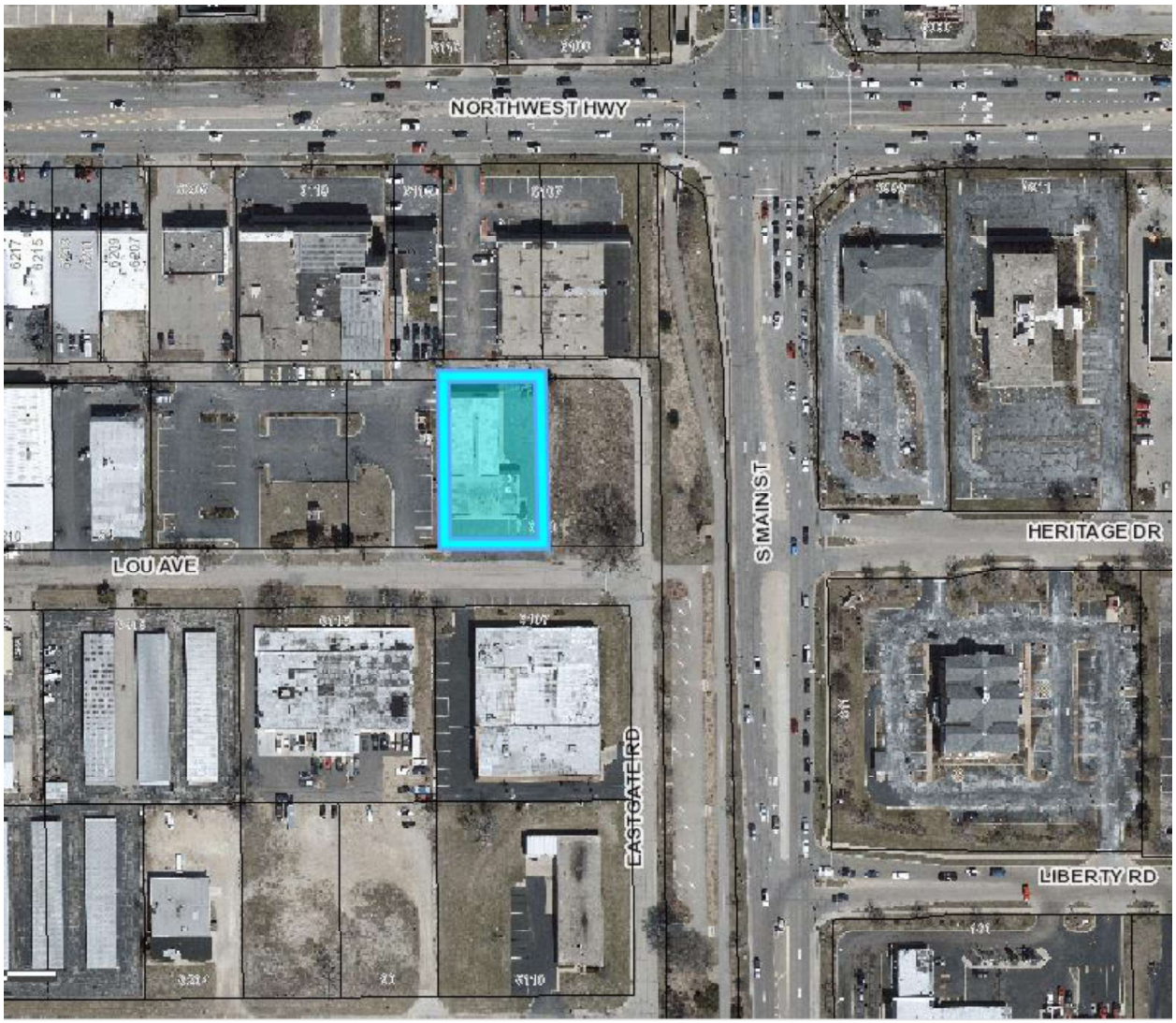
View of “back wall” from Route 14



View of “side wall” from Main Street



PIQ MAP
6110 Lou Avenue



Ord. No.
File No.

The City of Crystal Lake Illinois

AN ORDINANCE GRANTING A SIGN VARIATION FOR WEE LITTLE PAWS INN AT 6110 LOU AVENUE

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-158) before the City of Crystal Lake, the Petitioner has requested a sign variation to allow two wall murals totaling 1,640 square feet of signage for Wee Little Paws Inn at 6110 Lou Avenue; and

WHEREAS, a hearing of the request was held before the City of Crystal Lake City Council on August 2, 2022 in the manner and in the form as prescribed by Ordinance and Statute; and

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

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

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 sign variation be granted to allow two wall murals up to 1,640 square feet in total signage for Wee Little Paws Inn at 6110 Lou Avenue (19-08-226-018), Crystal Lake, Illinois.

Section II: Said sign variation is approved with the following conditions:

1. Approved plans, as approved by the City Council:
   A. Application (Latimer, received 07/25/22)
   B. Sign Plans (Latimer, undated, received 07/19/22)

2. The mural painting shall be maintained in good condition.

3. The approval for the two murals is limited to the current tenant. Any future tenant request for a mural must be approved through the sign variation process.

Draft

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 the sign variation 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 2nd day of August, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, City Clerk

Passed: August 2, 2022
Approved: August 2, 2022

Draft

Record ID: PLN-2022-00198

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: Wee Little Paws Inn Mural

Action Requested

- ___ Annexation
- ___ Comprehensive Plan Amendment
- ___ Conceptual PUD Review
- ___ Final PUD
- ___ Final PUD Amendment
- ___ Final Plat of Subdivision
- ___ Preliminary PUD
- ___ Preliminary Plat of Subdivision
- ___ Rezoning
- ___ Special Use Permit
- X Variation
- ___ Other

Petitioner Information

Name: Marie Latimer
Address: 232 E Hillside Rd.
[redacted]
Phone: [redacted]
Fax: _____
E-mail: [redacted]

Owner Information (if different)

Name: _____
Address: _____
← SAME
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: Wee Little Paws Inn is requesting a sign variance to allow a mural on the back + side walls of their building to bring in clients and be a visual indicator.

Project Address/Location: 6110 Lou Street Crystal Lake IL
Wall #1 - back wall
Wall #2 - Side wall

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

_____

PETITIONER: Print and Sign name (*if different from owner*) **Date**

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

Marie Latimer Marie Latimer 7/25/2022

OWNER: Print and Sign name **Date**

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

Mural Design:



Back Wall:



Side Wall:



Agenda Item No: 17

City Council
Agenda Supplement

Meeting Date: August 2, 2022

Item: Bid Award - 2022 Pavement Rejuvenation Program

Staff Recommendation: Motion to award the 2022 Pavement Rejuvenation Program Bid to the lowest responsive and responsible bidder, Denler, Inc. and adopt a Resolution authorizing the City Manager to execute a contract with Denler, Inc. in the bid amount per square yard for a not-to-exceed amount of $107,400.00 and to authorize the City Manager to review and approve necessary completion date change orders relating to the contract.

Staff Contact: Michael Magnuson, P.E., Director of Public Works and Engineering

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Background:
The City utilizes various pavement preservation techniques such as crack sealing, patching and application of pavement rejuvenators to extend pavement life by several years and thereby increase the time before a full resurfacing is needed. The recently completed pavement management analysis conducted through a grant from the Chicago Metropolitan Agency for Planning (CMAP) also recommended the use of various pavement preservation techniques to extend pavement life.

Pavement rejuvenation products are proprietary and therefore only a single bidder will typically bid in a given geographic region. In an effort to encourage a more competitive bidding environment, the City reviewed a number of products and reviewed research studies to develop a list of four (4) products that would meet the City's requirements. The four products are: Reclamite, Rejuvenite A, Biorestor and Replay. Bids were advertised in accordance with City policies. The City of Crystal Lake publically opened and read the bids on June 28, 2022 at 10:00 am. The bid results are summarized below:

Bidder	*Product*	*Meets Specifications*	*Price Per Square Yard*
Corrective Asphalt Materials, LLC	Reclamite PM	No	$0.69
[1] Denler, Inc.	Biorestor	Yes	$0.90
Corrective Asphalt Materials, LLC	Reclamite	Yes	$1.05

[1] Indicates Recommended Lowest Responsive and Responsible Bidder

The City has used Reclamite in the past with successful results. The Reclamite PM product that was bid appears to be a new product and does not have a track record of experience or proven effectiveness. This product did not appear in any of the research studies reviewed by staff. Therefore, the Reclamite PM product bid was rejected by staff as not complying with the Specifications.

Recommendation:

This contract is being presented pursuant to a competitive bidding process. Under such process, the contract is to be awarded to the "lowest responsive and responsible bidder." The lowest responsive and responsible bidder is the contractor: (i) whose bid substantially conforms to the material provisions of the bid specifications, (ii) who demonstrates the financial capacity and ability to undertake and complete the project in question in accordance with bid specifications, and (iii) whose bid price is lowest among the responsive and responsible bidders. Selecting a contractor on bases not set forth in the bid specifications can lead to challenges to the City's award.

Denler, Inc. meets all of the City's requirements and has previously performed this work for the City with satisfactory results. Therefore, staff recommends Denler, Inc. for the 2022 Pavement rejuvenation Program. Adequate funds are included in the FY2022/2023 Budget for this work.

Votes Required to Pass:

Simple majority vote

RESOLUTION

WHEREAS the CITY OF CRYSTAL LAKE strives to maintain the City's pavements in a good condition through effective preventative maintenance measures such as crack sealing, pavement patching and pavement rejuvenation; and

WHEREAS the CITY received and publicly opened the bids for the application of pavement rejuvenators on June 28, 2022; and

WHEREAS the lowest responsive and responsible bidder is Denler, Inc.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the foregoing recitals are repeated and incorporated as though fully set forth herein; and

BE IT FURTHER RESOLVED that he City Manager is authorized to execute a contract between the CITY OF CRYSTAL LAKE and Denler, Inc. for the 2022 Pavement Rejuvenation Program in the bid amount $0.90 per square yard, for a total not-to-exceed amount of $107,400; and

BE IT FURTHER RESOLVED that the City Manager is authorized to approve warranted completion date change orders relating to the contract.

DATED this 2nd day of August, 2022.

Draft

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: August 2, 2022
APPROVED: August 2, 2022

Draft