# CITY OF CRYSTAL LAKE
## AGENDA
## CITY COUNCIL
## REGULAR MEETING

**City of Crystal Lake**
**100 West Woodstock Street, Crystal Lake, IL**
**City Council Chambers**
**December 6, 2022**
**7:00 p.m.**

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Approval of Minutes – November 15, 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. **Championship Signs Resolution**
   b. **Resolution appointing Mayor Haleblian as the Member and Abigail Wilgreen as the Alternate Member of the McHenry County Stormwater Management Commission**
   c. **Referral of a Text Amendment of the Unified Development Ordinance (UDO) to add regulations for Tourist Homes to the Planning and Zoning Commission**
   d. **Truth in Taxation Compliance Procedural Requirement**
   e. **Agreement with McHenry County Conservation District for the 95 E. Crystal Lake Avenue Development**

10. **Manufacturing Job Creation and Investment Grant Program Matching Grant application request for Kruger Plastic Products LLC, doing business as Springboard Manufacturing, requesting $10,000 in matching grant funds**

11. **Manufacturing Job Creation and Investment Grant Program Matching Grant application request for Heartland Cabinet Supply, requesting $10,000 in matching grant funds**

12. **99 N. Oak Street – Simplified Residential Variation from Article 3-200 from the maximum accessory structure height of 15 feet to allow a height of 16 feet 2 inches, a variation of one foot 2 inches in height**

13. **185 N. Main Street – Simplified Residential Variation from Article 3-200 to allow a 15.37-foot front yard setback, a variation of 5.63 feet, for an addition to the principal structure; and Article 3-200 for**

**a detached garage to allow an 11.34-foot side yard abutting a street setback, a variation of 18.66 feet, a 10-foot rear yard setback, a variation of 10 feet, and from the maximum accessory structure height of one-story and 15 feet to allow an accessory structure with a height of 18 feet, a variation of 3 feet**

**14. 339 W. Crystal Lake Avenue – Variation from Article 4-600 Accessory Structures to allow a deck attached to the principal structure zero feet from the side property line, a variation of 5 feet**

**15. 4423-4483 U.S. Route 14 – Final Planned Unit Development (PUD) Amendment to the approved pylon signs plan and variation to allow the reconfiguration of the copy area of the two existing freestanding signs for Twin Ponds Marketplace**

**16. Resolution of support for the Crystal Creek Watershed-Based Plan**

**17. Resolution in support of the application for an IEPA Section 319 Grant for the Re-Establish Crystal Creek Improvement project**

**18. Proposal Award – Design Engineering Services for the Edgewater Drainage Improvement**

**19. Ordinance waiving the bidding requirements under City Code Section 102-3 and for authorization to enter into an agreement with APS Firehouse Alerting to replace the Fire Rescue Station Alerting System Head End Equipment**

**20. Board and Commission Appointment – Economic Development Committee**

**21. Downtown Public Places Study – Discussion Only**

**22. Council Inquiries and Requests**

**23. 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**

**24. Reconvene to Regular Session**

**25. 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

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**Meeting Date:** December 6, 2022

**Item:** Championship Signs Resolution

**Staff recommendation:** Motion to adopt a Resolution authorizing signs to be placed along the City right-of-way recognizing Prairie Ridge High School's Rylee Lydon as the 2022 High Jump Girl's Track IHSA State Champion and the 2022 USATF Junior Olympics Women's 17-18 Heptathlon National Champion

**Staff Contact:** Michael Magnuson, Director of Public Works

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## Background:

On July 1, 2008, the City Council adopted a resolution creating a Championship Signs Program that recognizes individuals or teams from the community who have won State championships. After a request, two signs are installed near the school and the championship signs remain in place for a one-year period, after which the signs will be taken down, with one sign given to the high school or club as a memento honoring the individual or team champions.

During the summer of 2022, Rylee Lydon from Prairie Ridge High School, won the High Jump Girl's Track State Championship. In addition, in July 2022, Rylee also won the USATF Junior Olympics Women's 17-18 Heptathlon at the USATF National Junior Olympic Track & Field Championships in Sacramento, California. This is a tremendous accomplishment by this student-athlete.

## Recommendation:

Staff recommends that signs be placed in relative proximity to Prairie Ridge High School to recognize this individual for her achievement.

## Votes Required to Pass:

Simple majority.

# RESOLUTION

**WHEREAS** the CITY OF CRYSTAL LAKE publically recognizes significant accomplishments by local student-athletes; and

**WHEREAS,** in 2022, Rylee Lydon from Prairie Ridge High School, won the High Jump Girl's Track IHSA State Championship, and the 2022 USATF Junior Olympics Women's 17-18 Heptathlon National Championship.

**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 the City Manager is authorized to direct staff to place signs in the City's right-of-way acknowledging Rylee Lydon's High Jump Girl's IHSA State Championship, and the 2022 USATF Junior Olympics Women's 17-18 Heptathlon National Championship.

**DATED** this 6th day of December, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By:_____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022
APPROVED: December 6, 2022

Draft

**Agenda Item No: 9b**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Resolution appointing Mayor Haleblian as the Member and Abigail Wilgreen as the Alternate Member of the McHenry County Stormwater Management Commission

**Staff Recommendation:** Motion to approve a Resolution appointing Mayor Haleblian as the Member and Abigail Wilgreen as an alternate member of the McHenry County Stormwater Management Commission

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

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**Background:**
The McHenry County Stormwater Management Commission (MCSC) is a body of representatives from McHenry County that oversees stormwater management issues on a Countywide basis and coordinates stormwater management with neighboring counties. MCSC is in the process of updating the municipal membership representatives based on new Stormwater Management Commission Representation Districts (Districts). The new Districts were revised and approved by the MCSC in March 2022. The Bylaws of the MCSC allow for the redistricting of the MCSC representation, and this task was completed as a result of the County Board's redistricting this year.

County staff drafted six new Districts, which were proposed to and ratified by the Commission. They were generally based on sub-watershed boundaries while keeping a relatively equal population in each of the six Districts. Each community was then assigned to a District based on majority population within that District's boundary. The County's voting precincts and precinct populations from the most recent census were used to determine a community's assigned District. A community can straddle two or more Districts but will vote only once, depending on which District contains the majority population. The City of Crystal Lake is in Stormwater Management Commission District 2. The City has the majority of the population in District 2.

The enabling legislation of the MCSC, State Statute ILCS 5/5-1062, and the McHenry County Stormwater Management Ordinance require the MCSC to be comprised of at least 12 members, one County Board member from each District and one municipal representative from each District.

The County Board representatives must be appointed by the County Board Chairman. The municipal representatives from each District must be appointed by a majority vote of the mayors of those municipalities from that specific District. Crystal Lake will not need to participate in the district voting as they are the only member in the Stormwater Management Commission District 2. A new resolution is needed because of the creation of new districts.

In the past, Haig Haleblian was the Member and Abigail Wilgreen was the Alternate Member of the McHenry County Stormwater Management Commission.

**Votes Required to Pass:**
Simple majority of City Council present

**A RESOLUTION APPOINTING MAYOR HAIG HALEBLIAN AS THE CRYSTAL LAKE MEMBER AND CITY ENGINEER ABIGAIL WILGREEN AS THE ALTERNATE MEMBER TO THE McHENRY COUNTY STORMWATER MANAGEMENT COMMISSION**

**WHEREAS,** the McHenry County Stormwater Management Commission (MCSC) is a body of representatives from McHenry County that oversees stormwater management issues on a Countywide basis; and

**WHEREAS,** MCSC is in the process of updating the municipal membership representatives based on new Stormwater Management Commission Representation Districts; and

**WHEREAS,** the City of Crystal Lake is an active member of the MCSC.

**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 FUTHER RESOLVED** that the City Council appoints Haig Haleblian, Mayor of the City of Crystal Lake, as the main member of the MCSC.

**BE IT FURTHER RESOLVED** that the City fully supports the appointment of Abigail Wilgreen, City Engineer, as an alternate member of the MCSC.

**DATED** this 6th day of December, 2022.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation

BY: _____

Haig Haleblian, Mayor

Draft

SEAL

ATTEST

_____

Nick Kachiroubas, City Clerk

PASSED: December 6, 2022

APPROVED: December 6, 2022

Draft

**McHenry County**
**Department of Planning & Development**
2200 North Seminary Ave.
Woodstock, IL 60098
plandev@mchenrycountyil.gov
815.334.4560

MCH
MCHENRY COUNTY · IL

November 2, 2022

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

***Subject: MCSC Municipal Elections and Membership Updates***

Dear Mayor Haleblian:

The McHenry County Stormwater Management Commission (MCSC) is in the process of updating the municipal membership representatives based on new Stormwater Management Commission Representation Districts (Districts). The new Districts were revised and approved by the MCSC in March 2022. The Bylaws of the MCSC allow for the redistricting of the MCSC representation, and this task was completed as a result of the County Board's redistricting this year.

Staff drafted six new Districts, which were proposed to and ratified by the Commission. They were generally based on sub-watershed boundaries while keeping a relatively equal population in each of the six Districts. Each community was then assigned to a District based on majority population within that District's boundary. The County's voting precincts and precinct populations from the most recent census were used to determine a community's assigned District. A community can straddle two or more Districts but will vote only once, depending on which District contains the majority population. Attached you will find a list of the six Districts and the municipalities assigned to each of the Districts. A map of the newly approved Districts is also included for your use.

The enabling legislation of the MCSC, State Statute ILCS 5/5-1062, and the McHenry County Stormwater Management Ordinance require the MCSC to be comprised of at least 12 members, one County Board member from each District and one municipal representative from each District. The County Board representatives must be appointed by the County Board Chairman. The municipal representatives from each District must be appointed by a majority vote of the mayors of those municipalities from that specific District. Other people may be on the MCSC as non-voting members (Alternate Member). The only way the others can become voting members is by the unanimous consent of all Municipal Members and County Board Members on the MCSC.

Please fill out the attached page with your recommendation for your community's Member and Alternate Member. Your choices are not required to be an elected official, but traditionally the Member has been the mayor/president of the community. The names will be used for upcoming District elections to determine Municipal Member and Alternate Member representation on the MCSC.

Please forward this information to me via email (jscolletti@mchenrycountyil.gov) by December 1, 2022. Once all communities provide their choices for Member and Alternate Member, staff will send out ballots for Stormwater Management Commission Representation District voting. Voting will be held by secret ballot and the blank ballot will be sent to each County municipality's chief elected official. The

ballots shall be returned via mail. Each community will only vote for one community representative within their respective District. The first meeting for the new Members and Alternate Members will be Thursday, January 26, 2023.

I would like to thank all of the current Members and Alternate Members for their dedication and commitment to the MCSC over the years. I appreciate your mindful discussions and recommendations of how best to regulate stormwater management within the county. Since the inception of the committee, the MCSC has approved the initial SMO, the comprehensive re-write of the SMO, and dozens of SMO amendments throughout the years. Because of your input, our county has a great foundation for overall success in regulating stormwater management.

If you have any questions, feel free to contact me at (815) 334-4540. Thank you in advance for your assistance.

Sincerely,
MCHENRY COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

Joanna S. Colletti, P.E., CFM
Chief Stormwater Engineer

cc. File
Abby Wilgreen, awilgreen@crystallake.org
Eric Helm, ehelm@crystallake.org
Jim Kearns, MCSC Chair, jakearns@mchenrycountyil.gov

Attachments: Member/Alternate Member Recommendation
MCSC Bylaws
MCSC Representation District Community List
MCSC Representation District Map

# McHenry County Stormwater Management Commission Districts 2022
## FINAL

### SMC DISTRICT 1

| | | |
|---|---|---|
| | Cary Creek - Fox River | 29,348 |
| | Fox River | 14,054 |
| | Flint Creek | 13,316 |
| *3 | Spring Creek - Fox River | |
| | **TOTAL** | **56,718** |

| | |
|---|---|
| | Algonquin |
| | Barrington Hills |
| * | Cary |
| | Fox River Grove |
| | Oakwood Hills |
| | Port Barrington |
| | Trout Valley |

### SMC DISTRICT 2

| | | |
|---|---|---|
| *4 | Crystal Lake Outlet | 52,246 |
| | **TOTAL** | **52,246** |

| | |
|---|---|
| * | Crystal Lake |

### SMC DISTRICT 3

| | | |
|---|---|---|
| | Cotton Creek | 2,476 |
| *5 | Griswold Lake - Fox River | 42,864 |
| | Pistakee Lake - Fox River | 5,252 |
| | **TOTAL** | **50,592** |

| | |
|---|---|
| | Bull Valley |
| | Holiday Hills |
| | Island Lake |
| | Johnsburg |
| | Lakemoor |
| | McCullom Lake |
| * | McHenry |

### SMC DISTRICT 4

| | | |
|---|---|---|
| *4 | Boone Creek | 19,748 |
| | Carr Harrison Cemetery - Nippersink Creek | 2,984 |
| | North Branch Nippersink Creek | |
| | Wonder Lake - Nippersink Creek | 9,723 |
| | Town of Alden | 3,724 |
| *2 | Greenwood - Nippersink Creek (D/S confluence) | |
| | Headwaters Nippersink Creek | |
| | West Branch North Branch Nippersink Creek | |
| | Bassett Creek - Fox River | 9,997 |
| | Channel Lake | |
| | Nippersink Creek | |
| | **TOTAL** | **46,176** |

| | |
|---|---|
| | Fox Lake |
| | Greenwood |
| | Hebron |
| * | Prairie Grove |
| | Richmond |
| | Ringwood |
| | Spring Grove |
| | Wonder Lake |

### SMC DISTRICT 5

| | | |
|---|---|---|
| * | City of Huntley - South Branch Kishwaukee River | 8,493 |
| | Lily Lake - Kishwaukee River | 11,580 |
| * | Town of Lakewood | 35,239 |
| | **TOTAL** | **55,312** |

| | |
|---|---|
| | Huntley |
| | Lake in the Hills |
| | Lakewood |

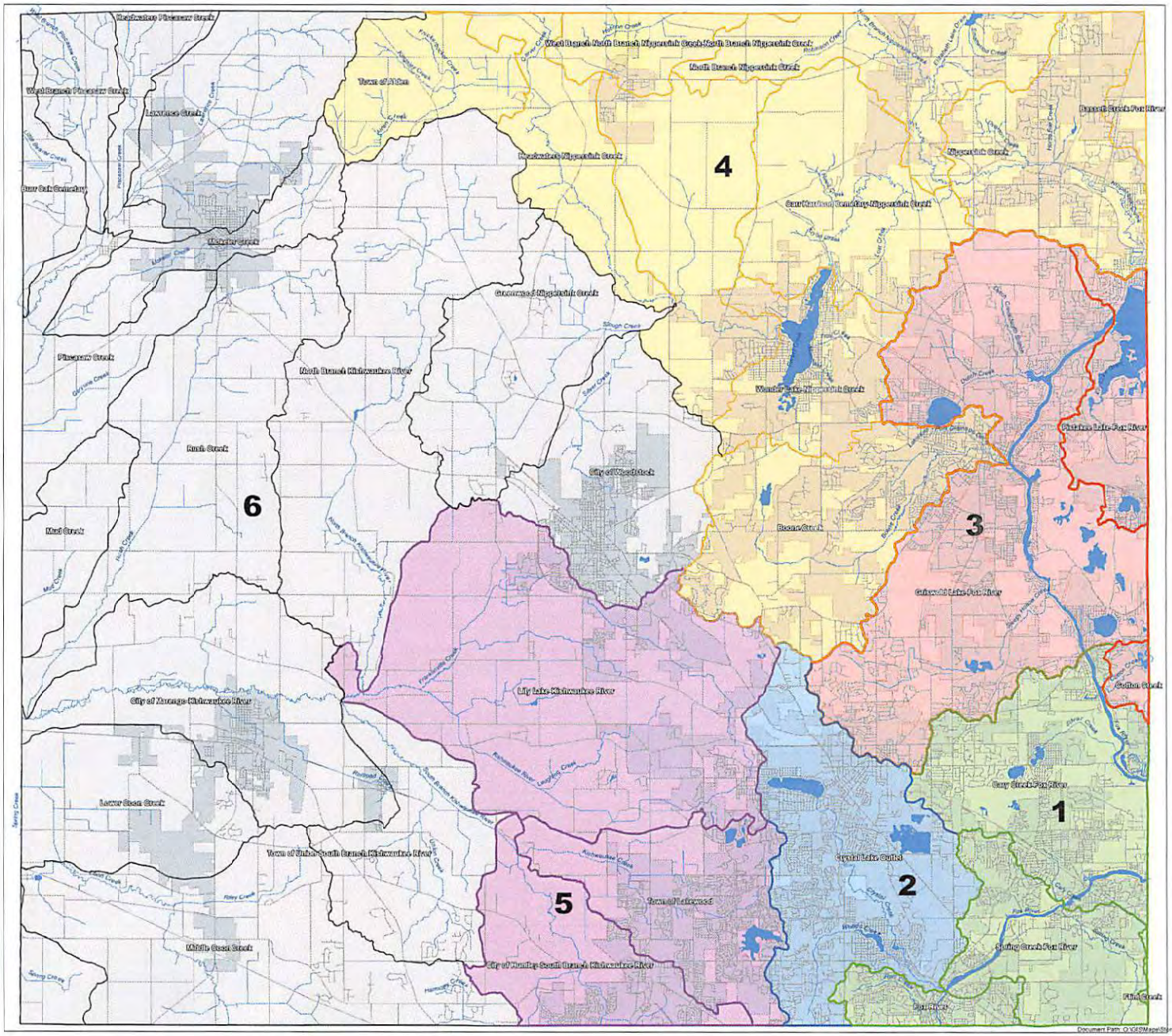
### SMC DISTRICT 6

| | | |
|---|---|---|
| | Lower Coon Creek | 6,055 |
| | Middle Coon Creek | |
| | Burr Oak Cemetary | 11,918 |
| | Headwaters Piscasaw Creek | |
| | Lawrence Creek | |
| | Mokeler Creek | |
| | Piscasaw Creek | |
| | West Branch Piscasaw Creek | |
| | City of Marengo - Kishwaukee River | 6,648 |
| | Mud Creek | |
| | Rush Creek | |
| * | City of Woodstock | 19,431 |
| | Greenwood - Nippersink Creek (U/S confluence) | 713 |
| * | North Branch Kishwaukee River | 3,695 |
| * | Town of Union - South Branch Kishwaukee River | 1,172 |
| | **TOTAL** | **49,632** |

| | |
|---|---|
| | Harvard |
| | Marengo |
| * | Union |
| * | Woodstock |

* = Community/County Board Member current representation on MCSC
* = County Board Member living within sub-watershed

# McHenry County Stormwater Management Commission Districts - 2022




Road Centerlines

Corporate Boundaries

Document Path: G:\GIS\Maps\Stormwater Management Commission\Stormwater_Commission_Redistrict2022_subwatersheds FINAL.mxd

**Agenda Item No: 9c**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Referral of a Text Amendment of the Unified Development Ordinance (UDO) to add regulations for Tourist Homes to the Planning and Zoning Commission

**Recommendation:** Motion to refer the UDO Text Amendment to the December 21, 2022 Planning and Zoning Commission meeting for review and recommendation.

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

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**Background:**

- The Unified Development Ordinance (UDO) is a fluid document and is amended from time to time to address changes in legislation, errors in the Ordinance, and current development patterns.
- The City has received various calls inquiring about short-term rental regulations from perspective users. The City has also received concerns from neighbors of an existing short-term rental. In order to track, monitor and review short-term rentals within city limits, staff is proposing adopting regulations that are similar to the existing Bed and Breakfast criteria.

**Proposed Amendment:**

- The proposed text amendment would add Tourist Homes as a land use, include review criteria and a definition.
- Below are the proposed changes to the Land Use Table, Limited Use criteria and definition section, see bolded language below.

ARTICLE 2-300

P = Permitted Use L = Limited Use Permit S = Special Use Permit

| | | F | E | RE | R-1 | R-2 | R-3A | R-3B | R-O | O | B-1 | B-2 | B-4 | M-L | M | W | Use Criteria |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Overnight Lodging | Bed-and-Breakfast Inn | L | L | L | L | L | L | L | L | | | | L | | | | 2-400C-36 |
| | **Tourist Homes** | **L** | **L** | **L** | **L** | **L** | **L** | **L** | **L** | | | | **L** | | | | **2-400C-78** |

ARTICLE 2-400 C

**78. Tourist Homes. Tourist Homes shall comply with the following criteria:**

**a) General: A Tourist Home must be located more than 500 feet from any other existing Tourist Home in the E, RE, R-1 or R-2 zoning districts, unless the City Council adopts a subarea plan that permits this spacing to be reduced. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use. A short-term rental must be located in a structure that is permitted in the zoning district in which it is located.**

**b) Accessory structures cannot be utilized as a Tourist Home dwelling unit.**

**c) Off street parking: The site shall comply with the required number of parking spaces identified in Section 4-200, Off-street parking and loading. Parking areas less than 10 spaces are not required to meet the landscaping requirements, but must be screened from all adjacent residences and residential zoning by providing a six-foot tall solid fence in accordance with the provisions of Section 4-700, Fences, walls and screening, or opaque landscaping, in accordance with the provisions of Section 4-400, Landscaping and screening standards, surrounding the perimeters of the parking lot.**

ARTICLE 10-200 E

**TOURIST HOMES: The rental of a residential dwelling unit or any portion of a residential dwelling unit for a period of less than 30 consecutive days. Tourist homes shall further be described as a single-family dwelling, or a residential dwelling unit in a multi-unit structure, condominium, cooperative, timeshare, or similar joint property ownership arrangement that is rented for a fee for less than 30 consecutive days. "Tourist homes" includes vacation rentals. "Tourist homes" does not include: (a) a unit that is used for any non-residential purpose, including event center, banquet facility, wedding venue or another similar uses; or (b) a bed and breakfast establishment as defined by Section 2 of the Illinois Bed and Breakfast Act (50 ILCS 820/2).**

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

RECEIVED

SEP 0 2 2022

City Manager
City of Crystal Lake

Mr. Eric Helm
Deputy City Manager
City of Crystal Lake
Crystal Lake IL 60014

September 2, 2022

Per your suggestion we have outlined some but not all of our concerns surrounding the recent purchase and subsequent operation of a commercial business in our neighborhood. Most of the residents of this neighborhood have been here for 20 – 30 – 40 + years. This is a very close-knit neighborhood. Everyone knows each neighbor and we look out for one another.

Having a facility that offers nightly lodging means that none of us individually or collectively can know who is coming or going. We searched the Unified Development Ordinance Section 2-200 Article 2 Section 2-100, for any designation addressing an Airbnb but none seems to be noted. We can only surmise this property operates under the same designation as a B&B or Lodging facility (the latter being a commercial designation). In that regard: "The owner and/or operator of the B&B must reside in the B&B dwelling". In this case the owner may be in Phoenix, AZ or Milwaukee WI. We really don't know. On the flip side, if it is considered a "Hotel" (even short term), then the R2 designation clearly does not allow this use and should be subject to restrictions set forth in this ordinance to preserve the residential nature or these districts.

Being that there are no permits required or licensing issued it seems like there is no oversight for such commercial entities.

In times like these Community is one of the most important safeguards we have. Allowing this Commercial property to function within a Totally Residential (R2) neighborhood has created many questions from concerned citizens from this neighborhood.

**Concerns are:**

Every night there could be a different person there. There is no way the company offering overnight lodging can know who is there. What background checks and security measures are taken to avoid potentially dangerous customers? At least at a hotel you have to show some ID when you check in. This is all done through the internet. The safety and security this neighborhood have known is now unknown. With the increase in drug traffic and crime this adds one more unknown.

There are several people who travel for business in this neighborhood. Their spouses are very uncomfortable with not knowing who lives next door, let alone who these people are.

Property values would be negatively affected if there were an incident at this commercial property.

College Street is a main artery to Husmann Elementary Grade School. Every day during the school year there are many young children (kindergarten to 5th grade) that walk to school down this street. They are not always accompanied by an adult. Not knowing who could be seeking lodging at this property could present another issue. In Crystal Lake persons convicted of a sex crime have to be registered with the city. In this case no one would ever know who is there.

With the influx of drug traffic and the Fentanyl crisis, and being so close to Central High School, this could be a perfect opportunity for increased drug traffic. We have experienced this before in our neighborhood. We dealt with it and the Crystal Lake Police Department investigated it, dealt with it and it was eliminated.

An acceptable resolution to the situation would be to require the standards defined in our ordinance be adhered to, to either rent the property for not less than 3 months or more, live at the property, or sell it to someone who is going to live there.

This is presented on behalf of the following residents of this neighborhood.

Tim & Gail Stegenga
220 College Street Cell: [redacted]

Vern & Bonnie Schultz
224 College Street _____

Jamie Fireng
210 College Street _____

Don & Karen Barkley
225 College Street _____

Jim & Karen Doyle
175 Rosedale Ave _____

Lee & Lisa Montgomery
240 College Street _____

Tony & Ann May
232 College Street _____

Ken & Kristen Moore
246 College Street _____

Ralph Statter
200 College Street _____

Ivan and Leann Ewert
233 College Street _____

Ally White
164 Lill Ave. _____

**Agenda Item No: 9d**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Truth in Taxation Compliance Procedural Requirement

**Staff Recommendation:** Motion to adopt a resolution determining the 2022 tax levy in compliance with the Truth in Taxation Law

**Staff Contact:** Eric Helm, City Manager
Jodie Hartman, Director of Finance

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## Background:

Adoption of this resolution is procedural requirement as the actual levy ordinance will be considered after the public hearing at the December 20, 2022 City Council meeting. The process in determining the actual tax levy is challenging because the actual dollars collected from the 2022 tax levy are not received until fiscal year 2023/24, for which the City has not yet considered an annual budget. The amounts for line items included in the levy, such as public safety pensions, a portion of Fire Rescue operations have already been calculated and determined necessary. The proposed levy includes an overall increase of 4.28% to the total dollars levied, inclusive of the Crystal Lake Public Library. The actual tax levy ordinance will be placed on the December 20, 2022 City Council agenda for consideration.

The proposed levy would:

- Maintain a ZERO levy for general operations, which include City Administration, Police, Community Development and Public Works activities.
- Provide necessary funding for Police and Firefighters' Pension Funds, Fire Rescue operations, crossing guards, IMRF and Social Security funding, and support of the Crystal Lake Public Library.
- DECREASE the City's property tax rate by an estimated 3.44%.
- Be spread over a wider tax base than the previous year, as the City's Equalized Assessed Valuation (EAV) is expected to grow by over 8%.
- Minimize the impact to property holders, due to the rate decrease. Property owners with a change in their property's EAV of less than 3.3% would not see an increase to the City's portion of the property tax bill. Property tax owners with an increase of 6% on a property formerly valued at $300,000 would pay an additional $27.46 to the City.
- Include an overall increase of 4.28% to the total dollar amount levied, inclusive of the Crystal Lake Public Library.

The proposed tax levy is not more than 5% than the taxes extended for the prior tax levy therefore, a "Black Box" publication is not required but will be voluntarily printed in the local newspaper as an act of transparency. Similarly, a voluntary public hearing has been scheduled for December 20, 2022, prior to the adoption of the tax levy ordinance.

**Recommendation:**

It is staff's recommendation to approve a resolution determining the maximum 2022 tax levy.

**Votes Required to Pass:**

Simple majority

Res. 22R-

# RESOLUTION

WHEREAS, the City Council of the City of Crystal Lake, McHenry County, Illinois, a home rule corporation, herein referred to as the "City", wishes to comply with the Truth in Taxation Act, ILCS Chapter 35:200/18-et seq.; and

WHEREAS, this determination is in compliance with the Truth in Taxation Act; and

WHEREAS, in compliance with the Truth in Taxation Act, since the proposed tax levy is not more than 5% than the taxes extended for the prior tax levy, a notice is not required to be published in a general circulation newspaper published in the taxing district and therefore may not be published; and

WHEREAS, a public hearing will be held prior to the adoption of the tax levy ordinance.

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

The Corporate Authorities determine the amount of money estimated to be necessary to be raised by taxation for the 2022 tax levy is approximately $19,404,026 which is no more than 105% of the aggregate extensions for the 2021 tax levy, which was $18,607,541.

DATED at Crystal Lake, Illinois this 6th day of December, 2022.

CITY OF CRYSTAL LAKE,
an Illinois municipal corporation,

By:_____
Haig Haleblian, Mayor

SEAL

ATTEST

_____
Nick Kachiroubas, City Clerk

PASSED: December 6, 2022
APPROVED: December 6, 2022

Draft

**Agenda Item No: 9e**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Agreement with McHenry County Conservation District for the 95 E. Crystal Lake Avenue Development

**Staff Recommendation:** Motion to adopt an Ordinance approving a Watermain Easement Agreement for the development at 95 E. Crystal Lake Avenue between the City of Crystal Lake and the McHenry County Conservation District and authorizing the City Manager to execute the agreement between the City of Crystal Lake and the McHenry County Conservation District.

**Staff Contact:** Michael Magnuson, Director of Public Works and Engineering
Kathryn Cowlin, Director of Community Development

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**Background:**
At the November 1, 2022 City Council meeting, the City Council approved a resolution authorizing the execution of an agreement between the City and the McHenry County Conservation District (MCCD). The City's legal counsel has reviewed the resolution and prior supplement. ***Since that approval, MCCD has now requested a formal ordinance be approved as opposed to the resolution that was previously approved.)*** Attached is an ordinance for approval which has been reviewed and approved by the City's legal counsel and the MCCD's legal counsel.

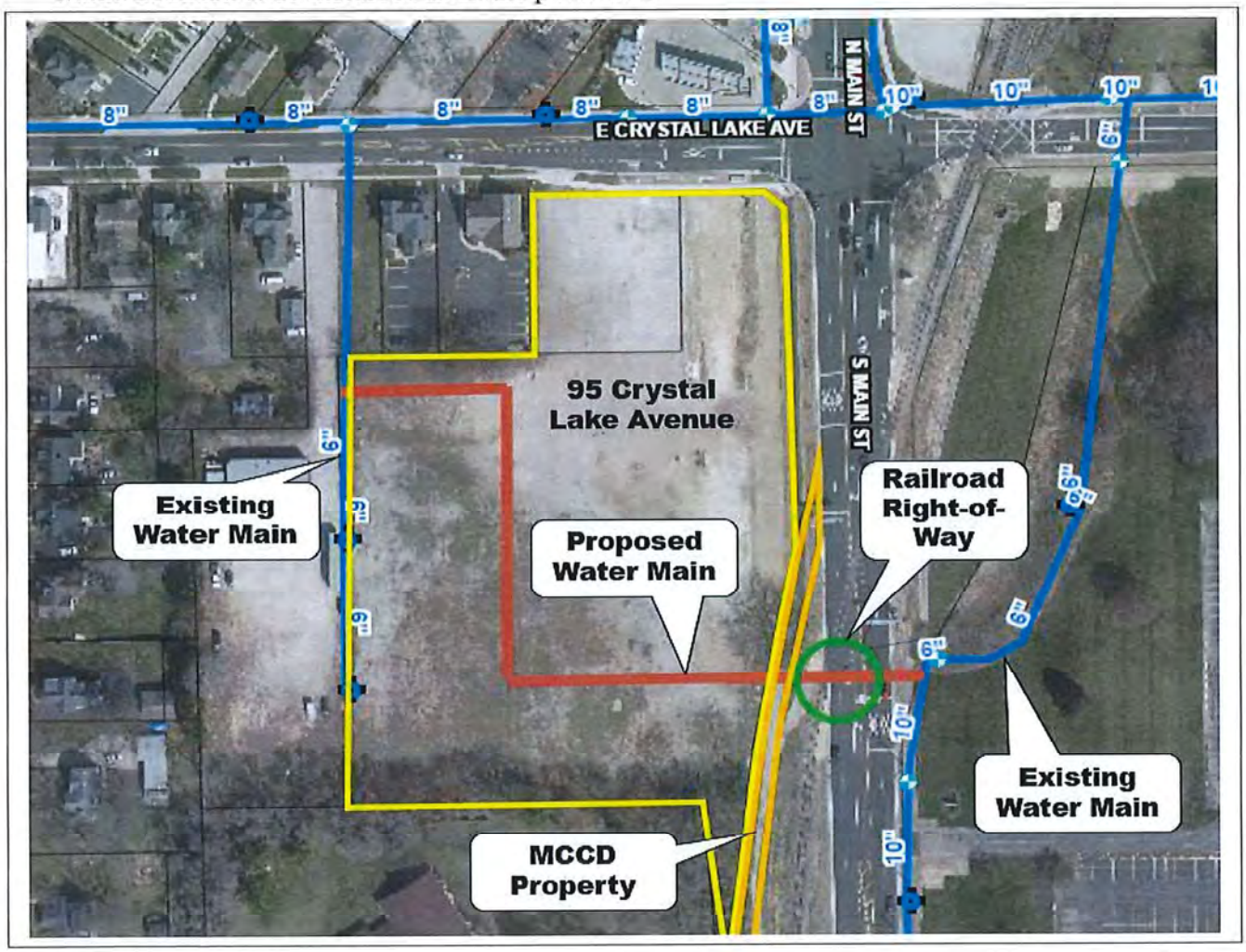
***There is no change to the easement language from what the council approved at the November 1st meeting, however, for the City Council's information, the following information is provided from the previous agenda supplement:***

The development at 95 E. Crystal Lake Avenue (southwest corner of Main Street and Crystal Lake Avenue) is an approved 99-unit multi-family residential development (a 48-unit apartment building and 51 townhome rental units). As part of the improvement, a new public water main will be directionally drilled under the south leg of the intersection of Main Street and Crystal Lake Avenue to connect to the existing water main that runs along the east side of Main Street. The water main will cross under the McHenry County Conservation District Regional Prairie Trail ("trail") and the Union Pacific Railroad tracks ("tracks").

The portion crossing underneath the trail and tracks will be a public water main once it is constructed, tested and accepted. A water main easement from McHenry County Conservation District (MCCD) is necessary to allow for the installation and long term maintenance of the water main underneath the

trail. A pipeline crossing agreement is required from the Union Pacific Railroad (UPRR) for the installation of the water main within their right-of-way and underneath the railroad tracks. The UPRR requires the City to sign the pipeline crossing agreement; however, the developer's contractor will be completing the work. Therefore, an indemnification agreement is required from the developer to ensure the City provides indemnification for the developer's contractor when completing the work underneath the railroad tracks.

The new water main will be located within a casing pipe. For any future maintenance work, the City would pull the water main out of the casing pipe to complete the repair. Main Street or the tracks would not need to be disturbed from the pavement.




**Recommendation:**

It is City staff's recommendation to approve the following for 95 E. Crystal Lake Avenue, and to authorize the City Manager to execute said agreements:

- Watermain Easement Agreement with the MCCD
- Pipeline Crossing Agreement with the UPRR
- Indemnification Agreement with the Developer of 95 E. Crystal Lake Avenue, HP Crystal Lake, LLC

Special counsel has reviewed and approved all three agreements.

**Votes Required to Pass:**

Simple majority.

# ORINANCE APPROVING THE TRANSFER OF WATERMAIN EASEMENT AGREEMENT WITH THE MCHENRY COUNTY CONSERVATION DISTRICT

**WHEREAS,** on June 7, 2022 an ordinance was granted for final planned unit development at 95 E. Crystal Lake Avenue for a 99-unit multi-family residential development; and

**WHEREAS**, there is a need to construct a public water main for the development which provides two separate connection points to the City's existing water main system; and

**WHEREAS,** the new water main will be partially constructed upon property which is not owned by the City; and

**WHEREAS,** pursuant Section 2 of the Illinois Government Property Transfer Act (50 ILCS 605/0.01 *et.seq.* the Mayor and City Council of the City of Crystal Lake have found and determined that it is necessary or convenient for the City to use, occupy or improve certain property owned by the McHenry County Conservation District ("MCCD") for the purpose of obtaining an easement to install and maintain a water main upon that portion of the MCCD property which is more fully described in the Watermain Easement Agreement attached hereto as Exhibit A.

Draft

**NOW THEREFORE BE IT ORDAINED 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

1. **Recitals.** The foregoing recitals are repeated and incorporated as though fully set forth herein.
2. **Authorization to Execute Watermain Agreement.** The City Manager is authorized and directed to sign, and the City Clerk is hereby authorized and directed to attest, on behalf of the City, a Watermain Easement Agreement between the City and MCCD; and
3. **Further Modifications:** The City Manager is hereby authorized and directed to negotiate any additional terms and conditions or minor modifications to the Agreement as may be

determined to be in the best interests of the City, provided that such terms, conditions, or modifications are substantially consistent with the purpose and intent of attached Agreement and this Resolution.

**BE IT FURTHER ORDAINED** that this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**DATED** this 6th day of December, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022
APPROVED: December 6, 2022

Draft

**Agenda Item No: 10**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Manufacturing Job Creation and Investment Grant Program Matching Grant application request for Kruger Plastic Products LLC, doing business as Springboard Manufacturing, requesting $10,000 in matching grant funds

**Recommendation:** City Council's discretion:

1. Motion to award $10,000 in Manufacturing Job Creation and Investment Grant Funds to Kruger Plastic Products LLC doing business as Springboard Manufacturing, 815 Tek Drive, and to adopt a Resolution authorizing the City Manager to execute the Grant Agreement with Kruger Plastic Products LLC doing business as Springboard Manufacturing, or

2. Motion to deny the grant application request.

**Staff Contact:** Kathryn Cowlin, Director of Community Development
Heather Maieritsch, Economic Development Manager

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## Background:

The Retailer and Manufacturer Job Creation and Investment Program was instituted in 2011 as a tool to help attract new businesses to Crystal Lake. This program provides matching grant funding to new and existing retailers and manufacturers who occupy vacant space, hire new full-time or part-time employees, and/or install eligible furniture, fixtures, and equipment (FFE).

KEY FACTORS

- Springboard Manufacturing is excited about the prospect of acquiring the Cardinal manufacturing facility and maintaining the large employee base of 240 that is currently working at the facility, within the next few years expand production, and add employees.
- Springboard specializes in contract manufacturing of medical devices and provides value-added custom injection molded products and parts along with end-to-end services such as in-house production engineering and design, raw materials sourcing, toolmaking, logistics, assembly, packaging, and inventory management, enabling customers to procure quality niche products and components. The acquisition would increase the footprint of Springboard and provide a multi-use facility in the Midwest.

- Initial production will focus on a continuation of the supply of the current syringe and sharps container products but will identify and produce additional products for customers.
- Kruger Plastic Products LLC doing business as, Springboard Manufacturing is eligible for a $10,000 grant award under the matching grant program guidelines to expand and open a new manufacturing facility.

Upon approval of the grant by the City Council, the City and applicant will enter into an agreement that includes all the stipulations for the grant award. The agreement specifies what documentation must be submitted before the payment is disbursed. Additionally, it has provisions to recoup the grant in case the business closes before the required four-year period.

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

1. The program is open to any new manufacturer or professional service provider that will occupy vacant manufacturing space or a building, or that will construct a new building for its business.
   ☒ *Meets* ☐ *Does not meet*

2. Applicant business must develop and manufacture finished hard or soft goods, provide technological products, equipment, or software.
   ☒ *Meets* ☐ *Does not meet*

3. Applicant must provide written proof of employment recruitment and of fixture, furniture, and equipment (FFE) costs.
   ☒ *Meets* ☐ *Does not meet*

4. Applicant must file an application for grant funding prior to commencing improvements.
   ☒ *Meets* ☐ *Does not meet*

5. Grant recipient may re-apply after five years from the date of recipient's previous award.
   ☒ *Meets* ☐ *Does not meet*

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

7. Applicant's business must be new to Crystal Lake City limits; in-town relocations are ineligible.
   ☒ *Meets* ☐ *Does not meet*

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

FUNDING STATUS OF 2022-2023 PROGRAM

For the 2022-2023 Fiscal Year, there is $80,000 budgeted for the Retailer and Manufacturer Job Creation and Investment Program. This is the sixth 22/23 application received this fiscal year for the program, so there are sufficient funds for the grant.

| **Applicant Name/ Business Name** | **Address** | **Total Requested** | **Date Approved** | **Amount Approved** |
|---|---|---|---|---|
| Vine & Plate Wine Bar + Provisions | 414 W. Virginia Street | $5,000 | ***6/7/2022*** | ***$5,000*** |
| General Kinematics | 5050 Rickert Road | $10,000 | ***6/21/2022*** | ***$10,000*** |
| Jalsa Bar & Restaurant | 1295 Randall Road, Suite 112 | $5,000 | ***6/21/2022*** | ***$5,000*** |
| Conscious Cup Coffee Roasters | 110 W. Woodstock Street, Suite 2R | $10,000 | ***7/19/2022*** | ***$10,000*** |
| Rookies | 72 N. Williams Street | $10,000 | ***10/4/2022*** | ***$10,000*** |
| Kruger Plastic Products LLC doing business as Springboard Manufacturing | 815 Tek Drive | $10,000 | ***Pending*** | ***Pending*** |
| ***Totals*** | | ***$50,000 Pending*** | | Pending |

**Votes Required to Pass:**

A simple majority vote.

Res. 22R-10

**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Manager is hereby authorized and directed to execute an agreement with the owner of the property for Kruger Plastic Products LLC, doing business as, Springboard Manufacturing at 815 Tek Drive for a Manufacturing Job Creation and Investment Matching Grant in an amount not to exceed $10,000.

**DATED** at Crystal Lake, Illinois, this 6th day of December, 2022.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022

APPROVED: December 6, 2022

Draft

2022- Kruger Plastic Products LLC

DBA Springboard Manufacturing

815 Tek Drive






springboard

November 18, 2022

Hon. Haig Haleblian
Mayor
100 W. Woodstock Street
Crystal Lake, IL 60014

Dear Mr. Mayor:

Re: Kruger Plastic Products LLC
DBA Springboard Manufacturing

Springboard Manufacturing is excited about the prospect of acquiring the Cardinal manufacturing facility in Crystal Lake, Illinois. In partnering with Cardinal in the past, we have been able to establish ourselves as a high-quality contract manufacturer of medical devices. We currently operate injection molding facilities in South Bend, Indiana, Rancho Cordova, California and Menlo Park, California. Additionally, we have world class tool making capabilities in our Rancho Cordova facility. Springboard specializes in contract manufacture of medical devices and our facilities are all ISO 13485 Certified. The company provides value-added custom injection molded products and parts along with end-to-end services such as in-house production engineering and design, raw material sourcing, toolmaking, logistics, assembly, packaging, and inventory management, enabling customers to procure quality niche products and components. The acquisition would increase the footprint of Springboard and provide it with a multi-use facility in Illinois.

Upon closing the transaction, we except to hire approximately 240 full-time employees as follows:

| | |
|---|---|
| Direct production workers | 135 |
| In-direct production workers | 100 |
| General & administrative workers | 5 |
| Total expected employees | 240 |

During the transition, Springboard will be required to replace various furniture and equipment that will be required to operate the facility. The initial purchases for such furniture, fixtures and equipment would include:

| | |
|---|---|
| Desktop and laptop computers | $ 12,500 |
| Printers, monitors, and other computer accessories | 7,500 |
| Office equipment such as photocopiers | 5,000 |
| Office furniture such as desk and worktables | 10,000 |
| Total estimated expenses | $ 35,000 |

*Attached to this letter is a diagram on the facility. We would expect to deploy substantially all of these furniture, fixtures and equipment to the office portion of the facility on the 2nd floor.

While initial production will focus on a continuation of the supply of the current syringe and sharps container products for Cardinal Healthcare, our goal is to identify and produce additional products for our customers. The size of the facility (approx. 475,000 sq. ft.) will enable the company to consider such additional expansion of the operation as we are currently utilizing about half of that space effectively.

springboard

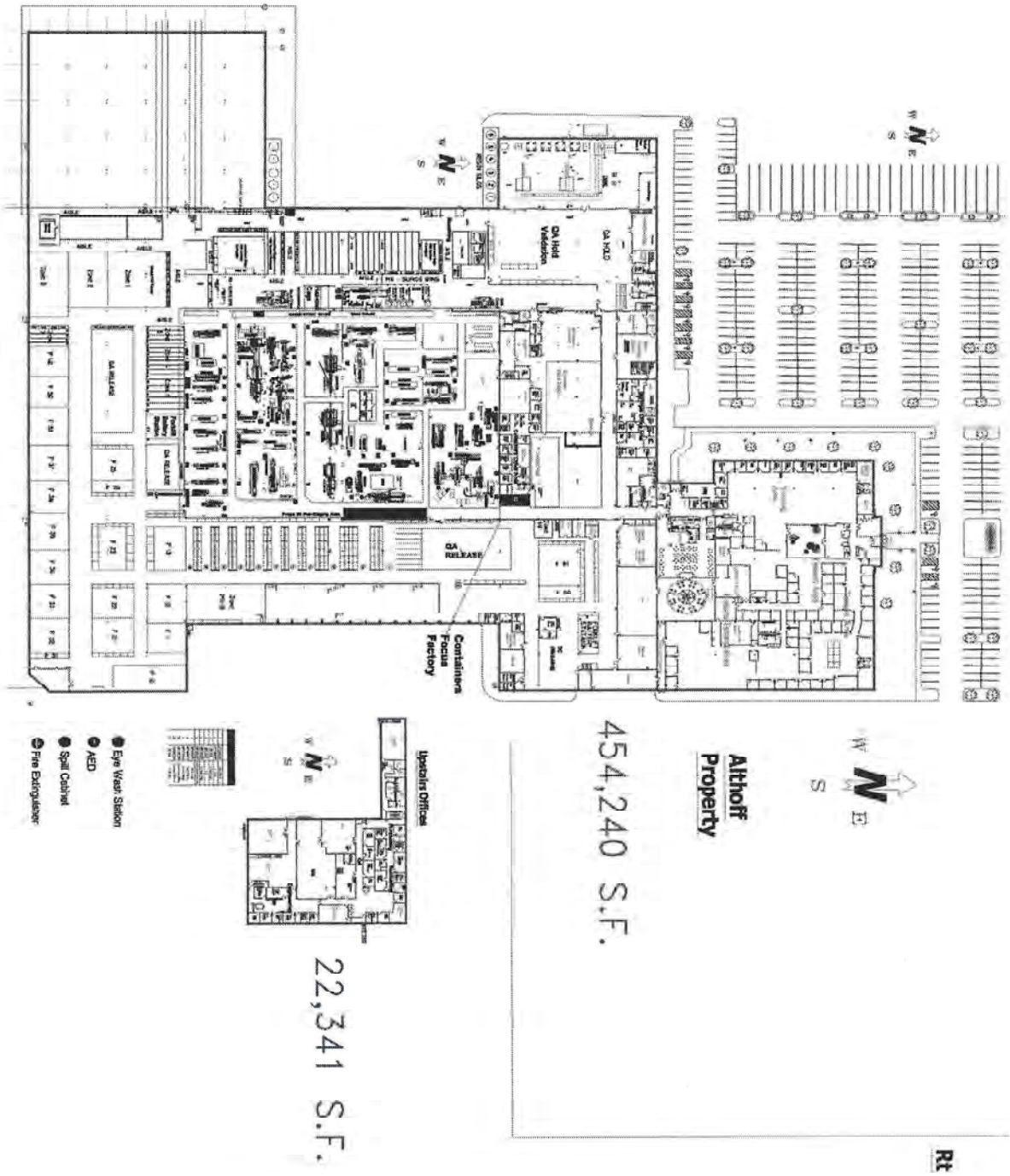
This would require additional investment into the facility to transform underused areas to productive administrative, product and service areas.

We have been very impressed with the staff providing assistance and introductions to other county and state resources available in the area and look forward to working with the City of Crystal Lake in building a sustainable growth facility.

Sincerely,

Douglas B. Constable
Chairman and CEO

# Site Plan


Althoff
Property
454,240 S.F.
22,341 S.F.
Upstairs Offices
Containers
Focus
Factory
QA Hold
Validation
QA HOLD
QA RELEASE
Eye Wash Station
AED
Spill Cabinet
Fire Extinguisher
Rt

# CITY OF CRYSTAL LAKE
## *Manufacturer Job Creation and Investment Grant Application*

*Please completely fill out this application and return it to the City of Crystal Lake with the items listed in the checklist on page 2.*

| | | |
|---|---|---|
| **Applicant Information** | Name KRUGER PLASTIC PRODUCTS LLC DBA SPRINGBOARD MANUFACTURING | Phone [redacted] |
| | Mailing Address 5681 Cleveland Road South Bend, IN 46628 | Fax 916-853-0711 |
| | Email dconstable@springboardmfg.com | Federal Tax ID# 82-3404997 |

| | | |
|---|---|---|
| **Property Information** | Address for the building/storefront where the grant funds are sought: 815 TEK DRIVE CRYSTAL LAKE, IL 60014 | |
| | Property Identification Number(s) 19-10-376-012 | Phone 815-356-3051 |

***Description of the product(s) manufactured by the applicant. Please include information regarding the end-users of the product(s):***

Plastic injection molding of medical devices (syringes & sharps containers) for sale to medical distributors. The ultimate end-users of the products are medical facility personnel.

***New employment information:***

Number of full-time employees: 240 Wage rates $ 22.00/hr or Salary: $ 80,000

Number of part-time employees: _____ Wage rates $ _____/hr

***Description of furniture, fixtures, and equipment to be utilized:***

During the transition of the facility from Cardinal, Springboard will be required to replace or add various computer equipment (laptops & printers), office equipment (copiers, etc.) and certain office furnitures (desks, conference tables, etc.)

## ***Application Checklist***

***The following items must be submitted <u>with</u> the Improvement Application form (Page 1):***

- ☐ Completed and signed Crystal Lake Improvement Grant Application
- ☐ Written estimates for the cost of the furniture, fixtures, and equipment
- ☐ Details regarding the number of employees to be hired and their employment status (part-time or full-time)
- ☐ A fixture plan, illustrating the locations for the furniture, fixtures, and equipment (drawings do not have to be architectural renderings, but should be to scale so that the City can understand the proposed project)
- ☐ Written description of the scope of the proposed project (letter to the Mayor and City Council)

I agree to comply with the guidelines and standards of the City of Crystal Lake Job Creation and Investment Program and I understand that this is a voluntary program, under which the City has the right to approve or deny any project or proposal or portions thereof.

Applicant(s) Signature _____ Date 11/15/2022

Applicant(s) Signature _____ Date _____

# CITY OF CRYSTAL LAKE
## *Manufacturing Job Creation and Investment Grant Agreement*

**THIS AGREEMENT,** entered into this 6th day of December 22, between the City of Crystal Lake, Illinois (hereinafter referred to as "CITY") and the following designated OWNER/LESSEE, to witness:

**Owner's Name:**

**Business Name:** Kruger Plastic Products LLC

DBA: Springboard Manufacturing

**Owner's Federal Tax ID#:**

**Address of Property to be improved:**

815 Tek Drive

Crystal Lake, Illinois 60014

**WITNESSETH:**

**WHEREAS,** the City of Crystal Lake has established a Manufacturer Building & Equipment Improvement Program ("Improvement Program"); and

**WHEREAS,** said Improvement Program is administered by the CITY and are funded by the general fund for the purposes of enhancing economic development opportunities in the City; and

**WHEREAS,** pursuant to the Improvement Program, the City has agreed to participate, subject to its sole discretion, 1) in reimbursing owners/lessees for the cost of eligible interior and exterior improvements, life safety improvements, and equipment used in daily operation new manufacturers up to a maximum of one-half (1/2) of the approved contract cost of such improvements and no more than $10,000; and/or 2) in reimbursing owners/lessees for job creation and/or retention as a function of their relocation to Crystal Lake by providing $1,000 for each new full-time job that is created or brought to their Crystal Lake facility, in an amount not to exceed $10,000, and

**WHEREAS,** the OWNER/LESSEE'S property is located within the corporate limits of the City of Crystal Lake, and the OWNER/LESSEE desires to participate in the Improvement Program pursuant to the terms and provisions of this Agreement.

**NOW THEREFORE,** in consideration of the mutual covenants and agreements obtained herein, the CITY and the OWNER/LESSEE do hereby agree as follows:

**SECTION 1**

With respect to the manufacturer building and equipment improvements, the City shall reimburse the OWNER/LESSEE for the cost of improvements to the OWNER/LESSEE'S property at the rate of

fifty percent (50%) of such costs or at a rate of $1,000 per job created or brought to Crystal Lake, up to a maximum amount of $10,000. The actual total reimbursement amounts per this Agreement shall not exceed $ 10,000.00.

**SECTION 2**

No improvement work shall be undertaken until its design has been submitted to and approved by the CITY. Following approval, the OWNER/LESSEE shall contract for the work and shall commence and complete all such work within one hundred eighty days (180) from the date of City Council approval. The OWNER/LESSEE may request a ninety-day (90) extension provided there is a demonstrated hardship.

**SECTION 3**

The City Building Commissioner shall periodically review the progress of the contractor's work pursuant to the Agreement. Such inspections shall not replace any required permit inspection by the Building Inspectors. All work which is not in conformance with the approved plans, design drawings, and specifications shall be immediately remedied by the OWNER/LESSEE and deficient or improper work shall be replaced and made to comply with the approved plans, design drawings, and specifications and the terms of this Agreement.

**SECTION 4**

Upon completion of the improvements and upon their final inspection and approval by the City Building Commissioner, the OWNER/LESSEE shall submit to the CITY a properly executed documentation, including but not limited to proof of employment information, such as the W-2 and Employer's Contribution and Wage Report Form UI-3/40. The CITY shall, within forty-five (45) days of receipt of this documentation, issue a check to the OWNER/LESSEE as reimbursement, as dictated by the City Council approval.

**SECTION 5**

If the OWNER/LESSEE or the OWNER/LESSEE'S contractor fails to complete the improvement work provided for herein in conformity with the approved plans, design drawings, and specifications and the terms of this Agreement, then upon written notice being given by the City Manager to the OWNER/LESSEE, by certified mail to the address listed above, this Agreement shall terminate and the financial obligation on the part of the CITY shall cease and become null and void.

**SECTION 6**

Upon completion of the improvement work pursuant to this Agreement and for a period of four (4) years thereafter, the OWNER/LESSEE shall be responsible for properly maintaining such improvements in finished form and without change or alteration thereto, as provided in this Agreement, and for the said period of four (4) years following completion of the construction thereof, the OWNER/LESSEE shall not enter into any Agreement or contract or take any other steps to alter, change, or remove such improvements, or the approved design thereof, nor shall the OWNER/LESSEE undertake any other changes, by contract or otherwise, to the improvements provided in this Agreement unless such changes are first submitted to the CITY, and any additional review body designated by the City Manager, for approval. Such approval shall not be unreasonably withheld if the proposed changes do not substantially alter the original design concept of the improvements as specified in the plans, design drawings, and specifications approved pursuant to this Agreement. OWNER/LESSEE shall execute and record a restrictive covenant at the CITY'S request.

**SECTION 7**

This Agreement shall be binding upon the CITY and upon the OWNER/LESSEE and its successors, to said property for a period of four (4) years from and after the date of completion and approval of the improvements provided herein. It shall be the responsibility of the OWNER/LESSEE to inform subsequent OWNER(S)/LESSEE(S) of the provisions of this Agreement.

In the event that at any time, subsequent to the reimbursement payment required by this Agreement have been paid by the City, the Owner abandons, closes, transfers, sells or terminates the Owner's business upon the Property during the four (4) year term of this Agreement (hereinafter collectively referred to as the "Terminating Event"), the Owner shall, within thirty (30) days from the date of the Terminating Event or such later date as the City may agree to in writing (hereinafter, the "Refund Payment Due Date"), refund to the City a portion of the Improvement Grant received from the City prior to the Terminating Event, in accordance with the following schedule (hereinafter, the "Refund Payment").

| **Date of Terminating Event** | **% of the Total Grant Payment to be Refunded** |
|---|---|
| Within one year of the agreement date | 100% |
| Within two years of the agreement date | 75% |
| Within three years of the agreement date | 50% |
| Within four years of the agreement date | 25% |

Such Refund Payment shall be paid to the City within thirty (30) days from the date of the Terminating Event (hereinafter, the "Refund Payment Due Date").

Owner agrees on its own behalf and on behalf of its heirs, successors, and assigns that the City's right to the Refund Payment pursuant to this paragraph shall constitute both a personal obligation of the Owner and a lien against the Property, and Owner agrees that the City may record this Agreement with the McHenry County Recorder of Deeds. To further secure the repayment of Reimbursement Payments pursuant to this paragraph, Owner agrees to execute and deliver to the City a UCC financing statement, in a form acceptable to the City Attorney, pledging inventory, accounts held at financial institutions, accounts receivables, and such other assets of the Owner as the parties may agree to in writing, and Owner further consents to the filing and/or recording of such financing statements as may be appropriate under the laws of the State of Illinois. Such financing statement shall be delivered to the City upon request.

**SECTION 8**

The improvements under this Agreement are a "public work" within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130 (the "Act"). OWNER/LESSEE and all contractors and subcontractors rendering services for the improvements work must comply with all requirements of the Act, including without limitation all wage, notice, and record-keeping duties. To comply with the Act, OWNER/LESSEE must require all contractors and subcontractors to submit a certified payroll at least on a monthly basis, in accordance with Section 5 of the Act. The certified payroll must consist of a complete copy of those records required to be made and kept by the Act. The certified payroll must be accompanied by a statement signed by the contractor or subcontractor that certifies that (A) such records are true and accurate, (B) the hourly rates paid are not less than the general prevailing rates of hourly wages required by the Act, and (C) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class B misdemeanor. A contractor may rely on the certification of its subcontractor, provided that the contractor does not knowingly rely on a subcontractor's false certification. Upon two business days' notice, each contractor and subcontractor must make available for inspection the records required to be made and kept by the Act (i) to the City and its officers and agents and to the Director of the Illinois Department of Labor and his or her deputies and agents and (ii) at all reasonable hours at a location within the State. A copy of the CITY'S ordinance ascertaining the prevailing rates of wages in effect as of the date of this Agreement has been attached as an Appendix to this Agreement.

**SECTION 9**

The OWNER/LESSEE releases the CITY from, and covenants and agrees that the CITY shall not be liable for, and covenants and agrees to indemnify and hold harmless the CITY and its officials,

officers, employees, and agents from and against any and all losses, claims, damages, liabilities, or expenses, of every conceivable kind, character and nature whatsoever arising out of, resulting from or in any way connected directly or indirectly with the façade improvement(s), including but not limited to actions arising from the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) The OWNER/LESSEE further covenants and agrees to pay for or reimburse the CITY and its officials, officers, employees, and agents for any and all costs, reasonable attorney's fees, liabilities, or expenses incurred in connection with investigating, defending against or otherwise in connection with any such losses, claims, damages, liabilities, or causes of action. The CITY shall have the right to select legal counsel and to approve any settlement in connection with such losses, claims, damages, liabilities, or causes of action. The provisions of this section shall survive the completion of said façade improvement(s).

**SECTION 10**

Nothing herein is intended to limit, restrict, or prohibit the OWNER/LESSEE from undertaking any other work in or about the subject premises, which is unrelated to the improvement provided for in this Agreement.

**IN WITNESS THEREOF,** the parties hereto have executed this Agreement on the date first appearing above.

OWNER



Douglas B. Constable
Chairman / CEO

CITY OF CRYSTAL LAKE

_____
City Manager

ATTEST:

_____

**Agenda Item No: 11**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Manufacturing Job Creation and Investment Grant Program Matching Grant application request for Heartland Cabinet Supply, requesting $10,000 in matching grant funds

**Recommendation:** City Council's discretion:

1. Motion to award $10,000 in Manufacturing Job Creation and Investment Grant Funds to Heartland Cabinet Supply, 301 Industrial Avenue, and to adopt a Resolution authorizing the City Manager to execute the Grant Agreement with Heartland Cabinet Supply, or

2. Motion to deny the grant application request.

**Staff Contact:** Kathryn Cowlin, Director of Community Development
Heather Maieritsch, Economic Development Manager

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## Background:

The Retailer and Manufacturer Job Creation and Investment Program was instituted in 2011 as a tool to help attract new businesses to Crystal Lake. This program provides matching grant funding to new and existing retailers and manufacturers who occupy vacant space, hire new full-time or part-time employees, and/or install eligible furniture, fixtures, and equipment (FFE).

KEY FACTORS

- Heartland Cabinet Supply began as a home business in 1999 in downtown Crystal Lake. Since then they have grown from that humble beginning to a renter of a 1,000 square foot space, onto purchasing an 11,000 square foot building, and then in 2017 purchased a 27,400 square foot building on Northwest Highway to purchase a 33,000 square foot building at 301 Industrial Avenue.
- This new location will enable Heartland Cabinet Supply to fill a building that has been vacant for a while and expand their business by more than 20%.

Upon approval of the grant by the City Council, the City and applicant will enter into an agreement that includes all the stipulations for the grant award. The agreement specifies what documentation

must be submitted before the payment is disbursed. Additionally, it has provisions to recoup the grant in case the business closes before the required four-year period.

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

1. The program is open to any new manufacturer or professional service provider that will occupy vacant manufacturing space or a building, or that will construct a new building for its business.
   ☒ *Meets* ☐ *Does not meet*

2. Applicant business must develop and manufacture finished hard or soft goods, provide technological products, equipment, or software.
   ☒ *Meets* ☐ *Does not meet*

3. Applicant must provide written proof of employment recruitment and of fixture, furniture, and equipment (FFE) costs.
   ☒ *Meets* ☐ *Does not meet*

4. Applicant must file an application for grant funding prior to commencing improvements.
   ☒ *Meets* ☐ *Does not meet*

5. Grant recipient may re-apply after five years from the date of recipient's previous award.
   ☒ *Meets* ☐ *Does not meet*

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

7. Applicant's business must be new to Crystal Lake City limits; in-town relocations are ineligible.
   ☒ *Meets* ☐ *Does not meet*

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

FUNDING STATUS OF 2022-2023 PROGRAM
For the 2022-2023 Fiscal Year, there is $80,000 budgeted for the Retailer and Manufacturer Job Creation and Investment Program. This is the seventh 22/23 application received this fiscal year for the program, so there are sufficient funds for the grant.

| **Applicant Name/ Business Name** | **Address** | **Total Requested** | **Date Approved** | **Amount Approved** |
|---|---|---|---|---|
| Vine & Plate Wine Bar + Provisions | 414 W. Virginia Street | $5,000 | ***6/7/2022*** | ***$5,000*** |
| General Kinematics | 5050 Rickert Road | $10,000 | ***6/21/2022*** | ***$10,000*** |

| | | | | |
|---|---|---|---|---|
| Jalsa Bar & Restaurant | 1295 Randall Road, Suite 112 | $5,000 | ***6/21/2022*** | ***$5,000*** |
| Conscious Cup Coffee Roasters | 110 W. Woodstock Street, Suite 2R | $10,000 | ***7/19/2022*** | ***$10,000*** |
| Rookies | 72 N. Williams Street | $10,000 | ***10/4/2022*** | ***$10,000*** |
| Kruger Plastic Products LLC doing business as Springboard Manufacturing | 815 Tek Drive | $10,000 | ***Pending*** | ***Pending*** |
| Heartland Cabinet Supply | 301 Industrial | $10,000 | ***Pending*** | ***Pending*** |
| ***Totals*** | | ***$60,000 Pending*** | | Pending |

**Votes Required to Pass:**

A simple majority vote.

Res. 22R-11

**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Manager is hereby authorized and directed to execute an agreement with the owner of the property for Heartland Cabinet Supply at 301 Industrial Avenue for a Manufacturing Job Creation and Investment Matching Grant in an amount not to exceed $10,000.

**DATED** at Crystal Lake, Illinois, this 6th day of December, 2022.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022

APPROVED: December 6, 2022

Draft

2022- Heartland Cabinet Supply

301 Industrial Avenue





HEARTLAND
CABINETRY • MILLWORK • COUNTERTOPS

November 28, 2022

Mayor Haig Haleblian
Council Member Ellen Brady
Council Member Cathy Ferguson
Council Member Brett Hopkins
Council Member Cameron Hubbard
Council Member Mandy Montford
Council Member Ian Philpot

Re: Manufacturing Grant Application

Honorable Mr. Mayor and City Council Members,

Heartland Cabinet started in 1999 in a small room in our home in downtown Crystal Lake and since that time has grown from that humble beginning to a rented 1900 sq ft space, onto purchasing an 11,000 sq ft building and in 2017 buying and renovating our current location of 27,400 sq ft. on Route 14.

Always looking towards our future, we are now undertaking the process of purchasing and renovating 301 Industrial Avenue (our fourth location in Crystal Lake), turning what is a neglected building into Heartland's new 33,000 sq ft home. The critical first phase of interior improvements and moving our equipment there will be an investment of almost $300,000.00 in addition to the purchase of the building.

Attached you will find our matching grant application for your consideration. We look forward to our continued investment and involvement and helping grow the positive business environment in Crystal Lake.

Sincerely,

Gary Reece

Gary Reece
President

6119 NORTHWEST HWY. CRYSTAL LAKE, IL 60014
P) 815.477.0900 F) 815.477.9720
www.heartlandcabinet.com

# CITY OF CRYSTAL LAKE
## *Manufacturer Job Creation and Investment Grant Application*

*Please completely fill out this application and return it to the City of Crystal Lake with the items listed in the checklist on page 2.*

| | | |
|---|---|---|
| **Applicant Information** | Name<br>Heartland Cabinet Supply, Inc. | Phone<br>815.477.0900 |
| | Mailing Address<br>6119 Northwest Hwy. Crystal Lake, IL | Fax<br>815.477.9720 |
| | Email<br>gary@heartlandcabinet.com | Federal Tax ID#<br>36-4304312 |

| | | |
|---|---|---|
| **Property Information** | Address for the building/storefront where the grant funds are sought:<br>301 Industrial Ave. | |
| | Property Identification Number(s)<br>14-33-179-003, 14-33-180-003,14-33-180-004, 14-33-180-0015 | Phone<br>Same |

***Description of the product(s) manufactured by the applicant. Please include information regarding the end-users of the product(s):***

Architectural millwork, cabinetry & countertops. These products are engineered and fabricated to order and primarily sold to general contractors. Typical end users are hospitals, commercial buildouts and municipal entities.

***New employment information:*** Currently 14 employees on staff. Looking to add 5 shop in the next 2 years.

Number of full-time employees: 5 Wage rates $15-16 (to start)/hr or Salary: $_____

Number of part-time employees: _____ Wage rates $ _____/hr

***Description of furniture, fixtures, and equipment to be utilized:***

Will move our current machines. In addition to those, we will be purchasing a wrapping machine (see attached) as well as another forklift and smaller equiptment leading to to more efficient fabrication leadtimes.

## ***Application Checklist***

***The following items must be submitted <u>with</u> the Improvement Application form (Page 1):***

- ☑ Completed and signed Crystal Lake Improvement Grant Application
- ☑ Written estimates for the cost of the furniture, fixtures, and equipment
- ☑ Details regarding the number of employees to be hired and their employment status (part-time or full-time)
- ☑ A fixture plan, illustrating the locations for the furniture, fixtures, and equipment (drawings do not have to be architectural renderings, but should be to scale so that the City can understand the proposed project)
- ☑ Written description of the scope of the proposed project (letter to the Mayor and City Council)

I agree to comply with the guidelines and standards of the City of Crystal Lake Job Creation and Investment Program and I understand that this is a voluntary program, under which the City has the right to approve or deny any project or proposal or portions thereof.

Applicant(s) Signature _____ Date 11.28.2022

Applicant(s) Signature _____ Date _____

November 8, 2022

Masterplat Quote

# Masterplat Quote

## Proposal for:

Gary Reece
Heartland
6119 Northwest Hwy.
Crystal Lake, IL 60014




Quote valid for 30 days

# What Your Machine Can Do

| | |
|---|---|
| **PERFORMANCE** | |
| **Production Rate** | Up to 30 loads per hour |
| **Turntable Weight Capacity** | 4,400 lbs (standard) , 5,500 lbs (optional) |
| **Maximum Load Dimension** | 40" (L) x 48" (W) x 86" (H) |
| **Temperature Operating Range** | Between 41°F and 104°F |
| **WRAPPING** | |
| **R-Connect Ready** | Remote Machine Monitoring and Film Consumption Tracking. Eliminate Downtime by Troubleshooting your Machines. Programmed Diagnostic: 24 hours a day, 7 days a Week. |
| **Pre-Stretching** | Fixed at 250% |
| **Load Height Sensing** | Automatic Height Detection via Infrared Photocell for Light/Dark Loads |
| **OPERATOR INTERFACE** | |
| **Control Panel** | LED Display and JOG Dial Programmable Selector |
| **Wrapping Menus** | 6 Programmable Menus |
| **E-Stop** | Emergency Stop on Control Panel |
| **Film Carriage Speed and Positioning** | Variable Up/Down, with Manual Up/Down Jog Capability |
| **Wrap Counters** | Top/Bottom separately, and Reinforcement Wraps |
| **Turntable Speed** | 5-12 rpm |
| **TURNTABLE DESIGN** | |
| **Turntable Size** | 65" diameter (standard) , 71” (optional) |
| **Turntable Top Thickness** | 3/8" thick Diamond Plated Steel |
| **Turntable Support** | 28 x 1-5/8” UHMW covered support casters |
| **Turntable Drive** | 1 HP VAC, Heavy Duty Chain and Sprocket Drive |
| **MAST** | |
| **Effective Load Wrap Height** | 86” (standard) |
| **FILM DELIVERY** | |
| **Film Delivery System** | Power Gear Stretch (PGS) 250% Fixed Gear |
| **Banding** | Programmable Up to 20 Positions |
| **FILM CARRIAGE** | |
| **Film Carriage** | 20"W (standard), 30"W (optional) |
| **Film Threading** | Patented S Pattern, with advanced grip |
| **Film Thickness** | 39 to 138 gauges |

| WARRANTY | |
|---|---|
| Machine Warranty | 3 years |

## What You Need to Run Your Machine

| ELECTRICAL DATA | |
|---|---|
| Electrical Requirements | 120V, 9A, 60Hz, 1-phase |
| **MACHINE DIMENSIONS** | |
| Installed Dimensions | 109" (L) x 69" (W) x 101"/124” (H) |
| Shipping Dimensions | 126" (L) x 89" (W) x 28" (H) |
| Shipping Weight | 1,395 lbs |
| **MACHINE CONSTRUCTION** | |
| Base Fabrication | Cold formed steel frame |
| Fork Truck Portability | Front and back |
| Mast Construction | Cold formed steel with rounded corners |

## Protect your Operator and Machine

| MASTERPLAT CHARACTERISTICS | |
|---|---|
| NEMA 13 | Protection from dirt, spraying water, noncorrosive coolants |
| Chain Safety | Patented Anti-Fall Clamp Device |
| Operator Protection | A safety distance of 23" between fixed and moving parts |
| Safety and Electrical Compliance | CE compliant, UL, cUL Ready |
| Manufacturing Certification | ISO 9001 |

## Machine Cost:

| PRICE | |
|---|---|
| **Masterplat – 86” effective wrap height** | $8,845 |
| **Masterplat – 110” effective wrap height** | $9,445 |
| **LEAD TIME AND FREIGHT** | |
| **Based on standard equipment.** Multiple machine orders or equipment with optional features may incur longer lead times. Please consult your Robopac Regional Sales Manager for additional information. | Contact RSM |
| **Freight FOB** | Duluth,GA |
| **TERMS** | |
| **Standard Semi-Automatic:** | Net 30 |
| **Custom to order Semi-Automatic:** | 50% Downpayment/ 50% Due Before Delivery |

## Customization based on Your Needs

| | OPTIONS | |
|---|---|---|
| 9000301140 | **Masterplat – 86” effective wrap height** | $8,845 |
| 9020302679 | **Masterplat – 110” effective wrap height** | $9,445 |
| 9020305887 | **R-Connect –** Remote Machine Monitoring and Film Consumption Tracking | $2,795 |
| 9020305888 | **R-Connect: add 2 years –** Extra years of Monitoring and Diagnostic Services | $1,395 |
| 7014560006 | **Ramp for 65" Turntable** | $1,295 |
| 7014560007 | **24" (L) Ramp Extension for 65" Turntable** | $ 795 |
| 9020303700 | **Extra Weight Capacity - 5,500lbs.** | $ 645 |
| 8000300155 | **Scale Package for 65” Diameter -** Built-in 5,000 lb capacity scale system allows you to wrap and weigh your loads in one easy step. Integrated design increases the height of the turntable by less than 1". NOT FOR LEGAL TRADES. | $5,995 |
| 3430560137 x 2 | **Turntable Guards –** protect the loading side of machine from damage by forklifts during the loading/unloading of pallets (requires 6 anchor bolts) | $ 795 |
| 9020304299 | **Automatic Film Cutting Device -** Automatically cuts film at end of wrap cycle | $ 895 |

TOTAL $17,175.00 plus freight

# Customer Favorite Options

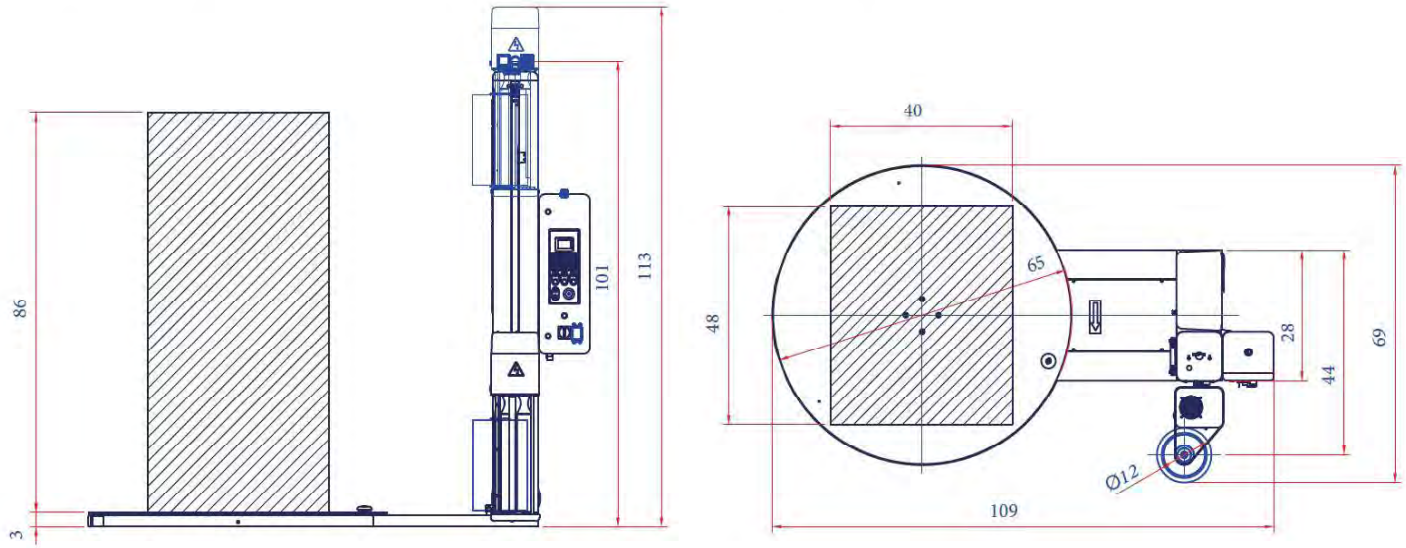
| | |
|---|---|
| **R-Connect:**<br><br>• Eliminate Downtime by Troubleshooting your Machines;<br>• Programmed Diagnostic: 24 hours a day, 7 days a Week. |  |
| **Scale Package:**<br><br>• Wrap and weigh your loads in one easy step;<br>• Integrated design increases the height of the turntable by less than 1". |  |
| **Ramp:**<br><br>• 10,000 lbs capacity allows loading of pallets using pallet jacks or fork trucks;<br>• Ramp can be secured to the machine base on the front or the sides;<br>Skid-free ramp surface provides high traction. |  |
| **Ramp Extension :**<br><br>• Extends platform at the top of ramp;<br>• Allow loading with powered walkies or dual walkies.. |  |

## Maximum Size Your Machine Can Wrap

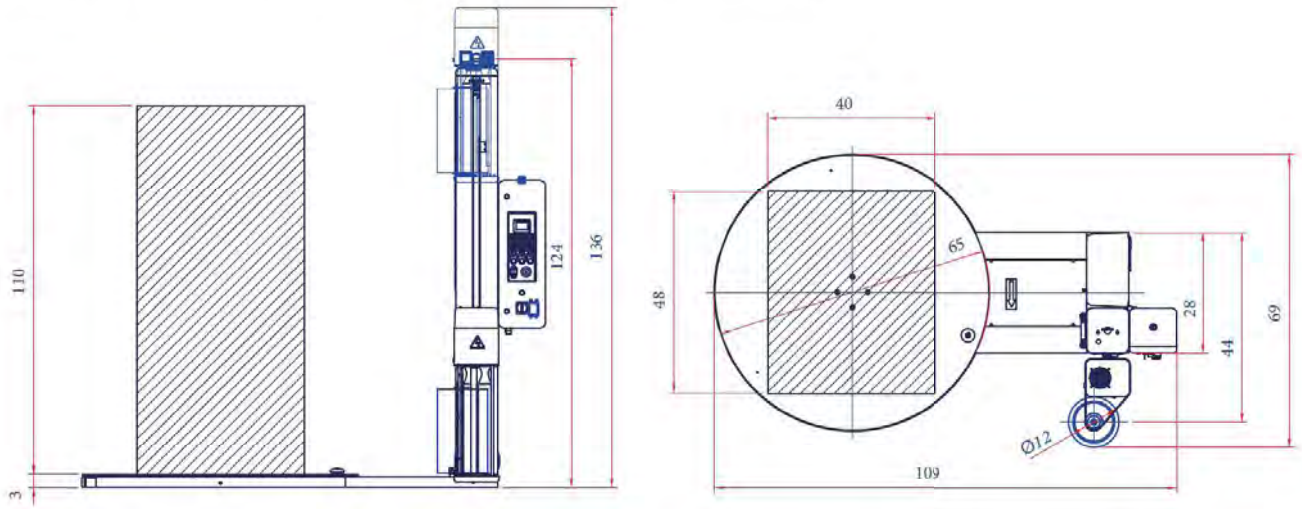
| Recommended Load Sizes | | | | |
|---|---|---|---|---|
| | **Length (in)** | **Width (in)** | **Height (in)** | **Weight (lb)** |
| **Maximum** | 40 | 48 | 86 | 4,400(standard), 5500 (optional) |

## Standard Machine Layout

LAYOUT MASTERPLAT - 86" MAX WRAP HEIGHT [inches]




LAYOUT MASTERPLAT - 110" MAX WRAP HEIGHT [inches]



ROBOPAC
Innovation driven by values

# Rconnect

## The future of manufacturing is changing: factories need to be smart and machines need to be smarter

**R-connect does just that, by putting performance monitoring & optimization at your fingertips !**

**Connect with your machines remotely to investigate alarms, adjust parameters, & respond promptly.**

## R-Connect Industry 4.0 Advantages

- ✓ Remote Monitoring
- ✓ Downtime Reduction
- ✓ Improved Optimization
- ✓ Predictive Maintenance
- ✓ Usage Statistics
- ✓ Email & Text Alerts

**Our latest innovation was developed to provide usage and performance data enabling our customers to meet Industry 4.0 demands.**

**R-connect drastically reduces downtime by giving you informational transparency. Be empowered with actionable insight to continuously improve performance, cost savings, & automation.**

**Get these must haves to enable your growth in the market:**

**Innovation**
**Operational Scalability**
**Security & Control**
**Visibility**

**Are your machines prepared for the journey into Industry 4.0?**




***Get there with ROBOPAC!!***

# Innovation

The goal of one of our most innovative features, **CUBE Technology®** is simple: strategically wrap your loads to ensure that they reach your customer in as-made condition by maintaining load integrity & wrapping parameters throughout. To achieve this, our CUBE® Technology addresses four (4) key factors required to successfully wrap your loads:

**Multi-Level Variable Pre-Stretch** ensures the highest containment force & best film economy for EVERY load with ANY stretch film because you can adjust the pre-stretch up to 9 times on each load. This delivers 30-55% film savings over any competitor's stretch wrapping system.

**Multi-Level Variable Containment Force** delivers optimal containment force at each level of the load by allowing you to adjust containment force 9 times on each load.

**Reactive Corner Compensation** combines the latest in motor & load cell technologies to enable you to wrap any load securely without corner damage and without repetitive film breaks.

**Strategic Film Placement** allows you to place film exactly where it has the most impact on load stability and containment. Thousands of hours of testing in our labs have shown that placing film in the correct position, with optimal containment force is the key to being able to ship any product with less damage.




## Supporting Your GREEN Initiatives & Reducing Film Waste

ROBOPAC is committed to creating a more sustainable future in large part by supporting our customers' GREEN initiatives. We do this by controlling as well as reducing the amount of waste, added to the waste stream.

**We guarantee reduced general product and film waste of by improving load integrity for better material handling and transport.** With our advanced technology, your product is strategically & properly secured to the pallet, resulting in a pallet that is more stable for transport, and therefore produces less damage.

A key part of our commitment is our willingness to communicate with our employees, vendors, and customers to help them understand the long-term environmental impact of their machinery choices. We are committed to helping customers like you make sustainable material and design choices whenever possible and we encourage you to communicate with us about sustainability so that we may inform and assist you in any way you need. By communicating with our customers, employees, and vendors, we hope to spread this commitment to the rest of our community, our industry, and our planet.

# Inside ROBOPAC

## ROBOPAC USA Fast Facts:

60+ Years of Experience

**1,360** Employees

**210** Field Engineers
24/7/365 Service Hotline

**160+** Countries With Our Solutions

## ROBOPAC Global Fast Facts:

Active Installed Base:

370 LGV systems • 900 Liquid Fillers • 2800 Palletizers / De-palletizers 6100 Shrink/wraparound packers • 11000 Automatic Pallet stretch Wrappers 100000 Semi-Automatic Stretch Wrappers

Locations: USA, UK, RUSSIA, FRANCE, CHINA, SPAIN, BRAZIL, GERMANY, ITALY



## Technical Support

To effectively support our customers, we are able to dispatch our field service technicians within 24-48 hours to locations throughout the USA, Canada & Latin America. Additional areas are covered through local partners, who have been comprehensively trained at ROBOPAC. Our team regularly travels to customer sites for installation, commissioning, servicing and troubleshooting.

### Services we offer:

- 24-7-365 Live Technical Support
- Machine Audits
- Preventive Maintenance
- Customized Training Programs
- Safety Inspections
- Technical Documentation
- Remote Access Support

Proud members of the following organizations:

AWFS Association of Woodworking & Furnishings Suppliers
BA Brewers Association
MHI Member Company
Member PMMI



## Parts

In our continuing commitment to create MORE value for our customers we guarantee immediate, single source availability for all ROBOPAC replacement parts. Keep your machines running efficiently, increase productivity and extend the life of the equipment. Our dedicated parts team is eager to assist you, so can rely on us as your single-source supplier.


ROBOPAC
Innovation driven by values
What ROBOPAC USA's Technology Lab offers:
► Scientific approach to setting pallet wrapping standards
► Real world transportation condition simulations
► Stretch film usage validation
► Minimization of product damage through testing
TECHLAB
Safe packaging Saves money
Let ROBOPAC USA show you how you can:
► REDUCE STRETCH FILM CONSUMPTION BY 20%TO 50%
► REMOVE STRETCH FILM FROM THE WASTE STREAM TO ACHIEVE "GREEN INITIATIVES"
► IMPROVE LOAD CONTAINMENT
► MINIMIZE PRODUCT DAMAGE
Here at ROBOPAC USA we focus on offering the BEST solutions to our customers.
Our TECHLAB is where we offer the "hands on" experience of our technologies like CUBE & R-Connect in addition to our performance guarantee to save.
Join us here today!
Smart Solutions.
Even Smarter Machines.
Innovation | Reliability | Service
www.robopacusa.com
866.713.7286
info.usa@robopac.com
Wondering how to get started?
Check out the next page or contact
our TechLab Manager Marichello Curry here:
mcurry@robopac.com (678-473-7696 x1611)

**TERMS & CONDITIONS**
This Proposal supersedes and replaces any previous agreement, proposal, or representation between the Buyer and Aetna Group USA ("Aetna") for the sale, licensing, installation and warranty of Aetna's hardware, services, and parts ("Products") as described in this Standard Terms and Conditions (the "Proposal"). To contractually bind Aetna, orders must be accepted in writing by Aetna. These Standard Terms and Conditions shall prevail notwithstanding any variation from these terms and conditions by any purchase order or other document submitted by the Buyer, whether or not executed by a representative of Aetna. Any variations to these Standard Terms and Conditions must be agreed to by both parties in writing. Only Aetna's then current Controller can agree in writing to a variation from these Standard Terms and Conditions. A waiver by Aetna of a breach of any of the Standard Term and Conditions by Buyer shall not prevent the subsequent enforcement of that term and shall not be deemed a waiver of any subsequent breach.

**PRODUCT PRICES AND DISCOUNT STATUS**
The prices or license fees and the applicable discount status, if any, for Products purchased hereunder shall be specified in Aetna's Service Order Request Form, or as may be specified in this Proposal.

**ORDERS**
All orders placed by Buyer with Aetna shall be subject to acceptance by Aetna at its principal place of business. Accepted orders shall be governed by these Standard Terms and Conditions. These Standard Terms and Conditions shall prevail notwithstanding any variation from these terms and conditions by any purchase order or other document submitted by the Buyer, whether or not executed by a representative of Aetna.

**CANCELLATION, CHANGES AND RESCHEDULING**
Recognizing that the costs and damages that would result from cancellation, changes or rescheduling would be difficult to compute, the parties agree that in the event Buyer cancels, changes or reschedules any order or any portion thereof or causes such cancellation change or rescheduling by failure to comply with these terms and conditions, within sixty (60) days of scheduled Delivery, then Buyer will be subject to cancellation charges of twenty percent (20%) on the list price or if changing or rescheduling any order, a charge of five percent (5%) based on the list price of the Products.

In the event Buyer cancels, in writing, an order for Products not listed in Aetna's then current Price List, Buyer agrees to reimburse Aetna for all out-of-pocket costs and expenses accumulated by Aetna to the date written notice is received by Aetna.

**SHIPMENT**
"Delivery" is F.O.B. to the shipping point specified in the Invoice and from that point Buyer will pay all shipping, insurance and related expenses. Products shall be packaged and shipped in accordance with Aetna's standard commercial practice. Risk of loss and title shall pass at the point of delivery.

Buyer hereby grants Aetna a purchase money security interest in the Products until the full purchase price and any related amounts that become due are received in full. Upon written request, Buyer will execute any document required to perfect this security interest.

**PAYMENT**
Payments for invoices are due and payable in U.S. currency, net 30 days from the date imprinted on the invoice. Payments not timely received will result in a monthly late charge of 1 ½% on the unpaid balance. If payments are not received within 60 days from the date imprinted on the invoice, then all payment terms may be converted to a C.O.D. basis by Aetna, at its sole discretion. Aetna reserves the right to change or accelerate the credit terms at any time, when in Aetna's sole discretion or opinion, Buyer's financial condition or previous payment record so warrants.

**TAXES**
Buyer agrees to pay promptly when due all taxes, assessments and other public charges that might be directly or indirectly levied, rated, charged upon, or measured by or arise from the sale, transportation, delivery, use or consumption of the Product, or otherwise upon this transaction. If Buyer fails to make payment of the same or to file any required return, Aetna shall have the right to file a return and to make payment of the tax and the amount so paid shall then become immediately due and payable by Buyer to Aetna and shall be in addition to any and all other money due and payable under this agreement.

**INSTALLATION**
Products will be installed by Aetna at Buyer's facility in the United States if the Invoice includes installation or if Buyer separately purchases installation services.

The terms for installation are as follows:
(a) Buyer must provide a safe, clean space for the installation of the Products with an adequate power supply, foundation upon which to install the Products, ventilation and temperature control, all of which must be suitable in Aetna's sole determination (the "Site"). All Site preparation must be completed by the Buyer at its expense prior to installation.
(b) At the time of installation, Buyer will supply all labor necessary for unpacking or uncrating of the Products. Products may only be unpacked under the supervision of Aetna personnel and failure to do so will void any warranties.
(c) The Site must be within the contiguous United States.
(d) Buyer warrants that installation by Aetna complies with all local laws, union agreements or other agreements, leases or other restrictions.
(e) Installation shall be deemed complete upon the successful execution of Aetna's standard diagnostic programs.
(f) Buyer further agrees to indemnify and save harmless Aetna against any and all claims of any persons whatsoever, arising out of or resulting from the installation and operation of the Product. Aetna will rely on Buyer's representations that the Product is suitable and Buyer shall be solely liable for personal injuries or property damage, whether to the equipment, other property or otherwise, occasioned by or resulting from an unsuitable foundation.

**WARRANTY**
Aetna warrants that hardware and parts delivered under this Agreement shall be free of defects in material and workmanship. The warranty period for each hardware and part shall be as follows: ROBOPAC - all Ecoplat and Masterplat products shall have a three (3) year warranty from delivery date; all Rotoplat and Technoplat products shall have a five (5) year warranty from delivery date; all Robot, Compacta and Spiror products shall have a one (1) year warranty from delivery date; ROBOPAC SISTEMI – Rotoplat 3000 HD and Helix Models shall have a three (3) year warranty from delivery date; five (5) year on structural frame and ten (10) year for the transmission gear of the rotary arm/turntable. The Genesis and Spiror FW models shall have a two (2) year warranty from delivery date; five (5) year warranty on structural frame. DIMAC – all products shall have a one (1) year warranty from delivery date. If Aetna receives written notice of such defects during the warranty period, Aetna will, at its option, either repair or replace the hardware or part that proves to be defective. Equipment and accessories not of Aetna's manufacture are warranted only to the extent that they are warranted by the manufacturer(s) of the same. Aetna's liability or warranty shall not exceed the amount of the purchase price. There are no other warranties, express or implied, either of merchantability or of fitness for a particular purpose. Buyer agrees that there have been no representations upon which it has relied on other than those set forth herein. Buyer agrees that no liability for any special, indirect or consequential damages of any nature is assumed by or shall be imposed on Aetna based upon its undertakings in this agreement.

**DURATION AND COMMENCEMENT OF WARRANTY PERIOD**
The warranty period begins on the date of delivery. If Buyer schedules or delays installation more than thirty (30) days after delivery, the warranty period will be invalidated.

**LIMITATION OF WARRANTY**
Aetna's warranty shall not apply to defects resulting from:
(a) Improper or inadequate maintenance by Buyer;
(b) Buyer supplied equipment and accessories;
(c) Buyer's misuse, negligence, alteration, tampering or incorrect use of Aetna's Product;
(d) Damage incurred during shipment or unauthorized unpacking; or
(e) Damage resulting from Buyer's incorrect implementation of Aetna's advice in the installation, operation, maintenance and use of the Product.
(f) **Warranty only applies if machine start-up, modifications or repairs are made by an authorized Aetna technician and does not cover workmanship at the customer's site.**

Buyer agrees to defend, indemnify, and hold Aetna harmless, its subsidiaries and affiliates, and their respective directors, officers, employees, and agents (collectively referred to in this section as "Aetna") from and against any and all actions, claims, and proceedings filed against Aetna that result from (a) Buyer's improper or inadequate maintenance of the Product, (b) equipment and accessories supplied by Buyer, (c) Buyer's misuse, negligence, alteration, tampering or incorrect use of Aetna's Product, (d) Buyer's unauthorized unpacking, or (e) Buyer's incorrect implementation of Aetna's advice in the installation, operation, maintenance and use of the Product.

**SPARE PARTS**
For sixty (60) days from the date of delivery of a spare part, Aetna will either repair or replace, at Aetna's sole option, the part found defective due to faulty workmanship or materials.

**DISCLAIMER AND LIMITATION OF LIABILITY**
AETNA'S LIMITED WARRANTY AND ITS OBLIGATIONS AND LIABILITIES ARE IN LIEU OF, AND BUYER HEREBY WAIVES, ALL IMPLIED GUARANTEES AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND IT IS IN LIEU OF ANY LIABILITY OF AETNA UNDER ANY OTHER PROVISION. BUYER AGREES THAT IN NO EVENT SHALL AETNA BE LIABLE FOR LOSS OF PROFITS, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES ARISING OUT OF ANY BREACH OF OBLIGATION OF THIS AGREEMENT. DAMAGES ARE CAPPED TO THE PURCHASE PRICE OF THE PRODUCT. THIS LIMITED WARRANTY IS GIVEN ONLY TO BUYER AND IS NOT ASSIGNABLE.

**PATENTS, COPYRIGHTS AND TRADEMARKS**
The patents, copyrights, trademarks and trade names under which Aetna markets its Products, including, but not limited to ROBOPAC, ROBOPAC SISTEMI and DIMAC, are the exclusive property of Aetna and its affiliated companies. This Agreement gives Buyer no rights therein.

**TERMINATION**
In the event of default of these terms and conditions by Aetna, Buyer must specify such non-compliance in writing to Aetna and if not cured by Aetna within sixty (60) days of delivery of such notice, then Buyer may terminate this Agreement. In the event of a breach of these terms and conditions by Buyer, Aetna may immediately suspend performance of its obligations hereunder and may terminate this Agreement after giving written notice to Buyer.

**ASSIGNMENT**
This Proposal and any purchase orders hereunder may not be assigned by either party without the prior written consent of the other party.

**EXPORT REGULATIONS**
Unless otherwise agreed to by Aetna, a Buyer who exports Products from the U.S. assumes all responsibility for obtaining any required export authorizations.

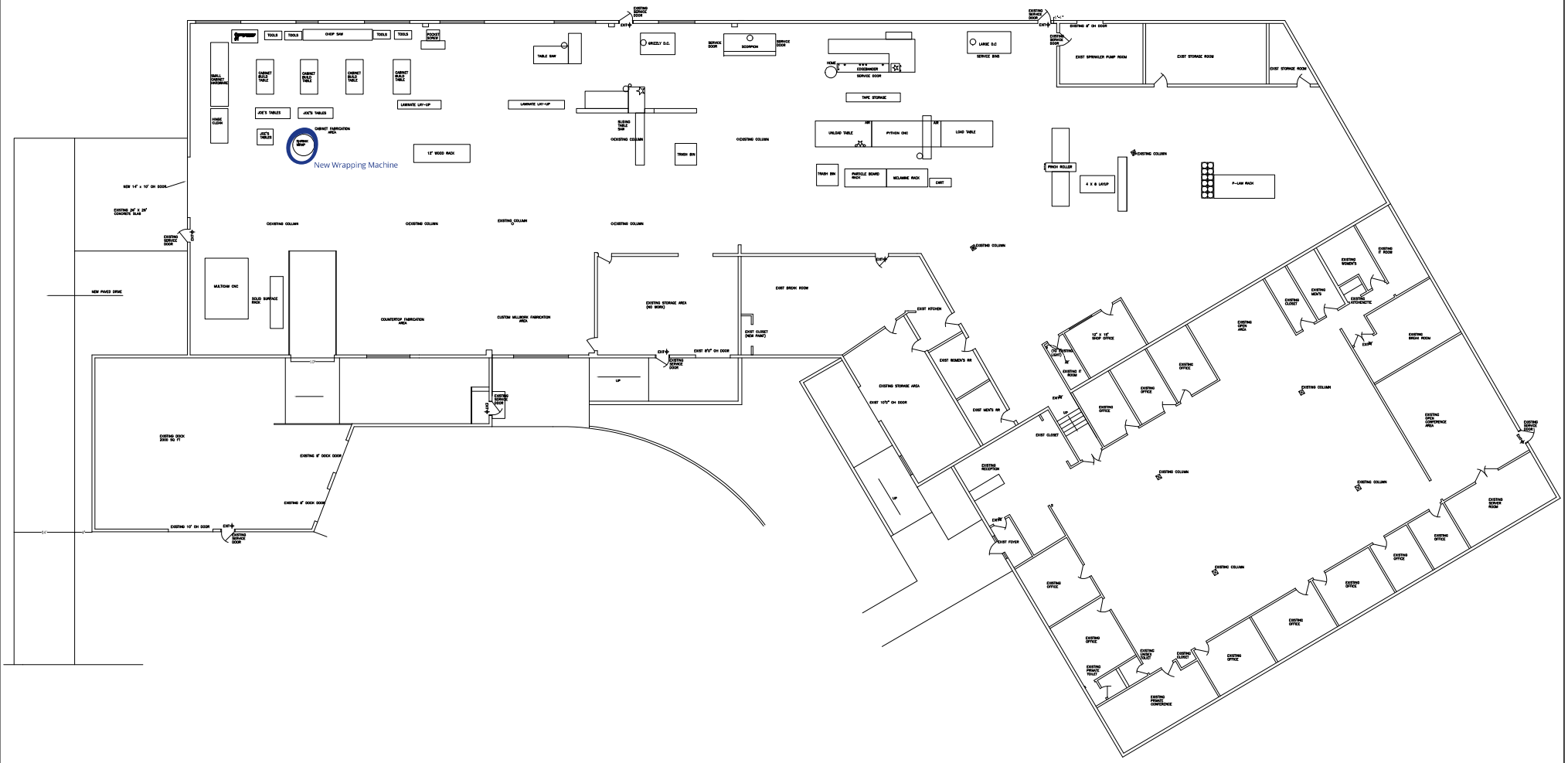
**FORCE MAJEURE**
Neither party will be liable for any damages or penalty for delay in delivery, for failure to give notice of the delay or for any obligation created by this Proposal when the delay or failure is due to any causes or conditions beyond the parties' control. Such causes include, but are not limited to, acts of the elements, work stoppages, fires, floods, civil disobediences, riots, government priorities, or delays in deliveries by Aetna's vendors. Force Majeure shall not excuse failure to comply with any monetary provision.

**STANDARD COMMERCIAL USE**
Products are manufactured for standard commercial uses and are not intended to be sold or licensed for use in critical safety systems. Aetna may require additional contractual safeguards for nuclear, mass transportation, and aviation applications.

**GOVERNING LAW**
This agreement shall be interpreted and enforced in accordance with the substantive laws of the State of Georgia, exclusive of the choice of law rules thereof; and the state courts presiding in Gwinnett County, Georgia or the federal courts in the Northern District of Georgia shall have exclusive jurisdiction and venue over any lawsuit arising out of or related to this Proposal. Buyer irrevocably waives and agrees not to raise any objection it might now or hereafter have to any such claim or proceeding in any court having jurisdiction under this section, including any objection that the place where such court is located in an inconvenient forum or that there is any other claim or proceeding in any other place relating in whole or in part to the same subject matter.

**ENTIRE AGREEMENT**
It is understood that the whole agreement between the parties is contained in Aetna's Service Order Request Form and these Standard Terms and Conditions, and that all representations made by or on behalf of Aetna are void unless contained in this agreement. If any provision of this agreement, or portion of any provision, is declared or found to be unenforceable, the balance of this agreement or such provision shall be interpreted and enforced to the greatest extent possible as if the unenforceable provision or portion had never been a part hereof.

The headings to each provision have been inserted for convenience of reference only and do not affect the construction, meaning or effect of anything contained herein, nor do they govern the rights, obligations or liabilities of the parties hereto.




New Facility For:

HEARTLAND
CABINETRY • MILLWORK • COUNTERTOPS

301 Industrial Drive
Crystal Lake, IL 60014

# EQUIPMENT LAYOUT PLAN

Drawing Date: 8.15.2022

## SHEET A-4

# CITY OF CRYSTAL LAKE
## *Manufacturing Job Creation and Investment Grant Agreement*

**THIS AGREEMENT,** entered into this 6th day of December 22, between the City of Crystal Lake, Illinois (hereinafter referred to as "CITY") and the following designated OWNER/LESSEE, to witness:

**Owner's Name:** Gary Reece

**Business Name:** Heartland Cabinet Supply

**Owner's Federal Tax ID#:**

**Address of Property to be improved:**

301 Industrial Avenue

Crystal Lake, Illinois 60014

**WITNESSETH:**

**WHEREAS,** the City of Crystal Lake has established a Manufacturer Job Creation and Investment Grant Program ("Improvement Program"); and

**WHEREAS,** said Improvement Program is administered by the CITY and are funded by the general fund for the purposes of enhancing economic development opportunities in the City; and

**WHEREAS,** pursuant to the Improvement Program, the City has agreed to participate, subject to its sole discretion, 1) in reimbursing owners/lessees for the cost of eligible interior and exterior improvements, life safety improvements, and equipment used in daily operation new manufacturers up to a maximum of one-half (1/2) of the approved contract cost of such improvements and no more than $10,000; and/or 2) in reimbursing owners/lessees for job creation and/or retention as a function of their relocation to Crystal Lake by providing $1,000 for each new full-time job that is created or brought to their Crystal Lake facility, in an amount not to exceed $10,000, and

**WHEREAS,** the OWNER/LESSEE'S property is located within the corporate limits of the City of Crystal Lake, and the OWNER/LESSEE desires to participate in the Improvement Program pursuant to the terms and provisions of this Agreement.

**NOW THEREFORE,** in consideration of the mutual covenants and agreements obtained herein, the CITY and the OWNER/LESSEE do hereby agree as follows:

**SECTION 1**

With respect to the manufacturer building and equipment improvements, the City shall reimburse the OWNER/LESSEE for the cost of improvements to the OWNER/LESSEE'S property at the rate of fifty percent (50%) of such costs or at a rate of $1,000 per job created or brought to Crystal Lake, up to a

maximum amount of $10,000. The actual total reimbursement amounts per this Agreement shall not exceed $ 10,000.00.

**SECTION 2**

No improvement work shall be undertaken until its design has been submitted to and approved by the CITY. Following approval, the OWNER/LESSEE shall contract for the work and shall commence and complete all such work within one hundred eighty days (180) from the date of City Council approval. The OWNER/LESSEE may request a ninety-day (90) extension provided there is a demonstrated hardship.

**SECTION 3**

The City Building Commissioner shall periodically review the progress of the contractor's work pursuant to the Agreement. Such inspections shall not replace any required permit inspection by the Building Inspectors. All work which is not in conformance with the approved plans, design drawings, and specifications shall be immediately remedied by the OWNER/LESSEE and deficient or improper work shall be replaced and made to comply with the approved plans, design drawings, and specifications and the terms of this Agreement.

**SECTION 4**

Upon completion of the improvements and upon their final inspection and approval by the City Building Commissioner, the OWNER/LESSEE shall submit to the CITY a properly executed documentation, including but not limited to proof of employment information, such as the W-2 and Employer's Contribution and Wage Report Form UI-3/40. The CITY shall, within forty-five (45) days of receipt of this documentation, issue a check to the OWNER/LESSEE as reimbursement, as dictated by the City Council approval.

**SECTION 5**

If the OWNER/LESSEE or the OWNER/LESSEE'S contractor fails to complete the improvement work provided for herein in conformity with the approved plans, design drawings, and specifications and the terms of this Agreement, then upon written notice being given by the City Manager to the OWNER/LESSEE, by certified mail to the address listed above, this Agreement shall terminate and the financial obligation on the part of the CITY shall cease and become null and void.

**SECTION 6**

Upon completion of the improvement work pursuant to this Agreement and for a period of four (4) years thereafter, the OWNER/LESSEE shall be responsible for properly maintaining such improvements in finished form and without change or alteration thereto, as provided in this Agreement, and for the said period of four (4) years following completion of the construction thereof, the OWNER/LESSEE shall not enter into any Agreement or contract or take any other steps to alter, change, or remove such improvements, or the approved design thereof, nor shall the OWNER/LESSEE undertake any other changes, by contract or otherwise, to the improvements provided in this Agreement unless such changes are first submitted to the CITY, and any additional review body designated by the City Manager, for approval. Such approval shall not be unreasonably withheld if the proposed changes do not substantially alter the original design concept of the improvements as specified in the plans, design drawings, and specifications approved pursuant to this Agreement. OWNER/LESSEE shall execute and record a restrictive covenant at the CITY'S request.

**SECTION 7**

This Agreement shall be binding upon the CITY and upon the OWNER/LESSEE and its successors, to said property for a period of four (4) years from and after the date of completion and approval of the improvements provided herein. It shall be the responsibility of the OWNER/LESSEE to inform subsequent OWNER(S)/LESSEE(S) of the provisions of this Agreement.

In the event that at any time, subsequent to the reimbursement payment required by this Agreement have been paid by the City, the Owner abandons, closes, transfers, sells or terminates the Owner's business upon the Property during the four (4) year term of this Agreement (hereinafter collectively referred to as the "Terminating Event"), the Owner shall, within thirty (30) days from the date of the Terminating Event or such later date as the City may agree to in writing (hereinafter, the "Refund Payment Due Date"), refund to the City a portion of the Improvement Grant received from the City prior to the Terminating Event, in accordance with the following schedule (hereinafter, the "Refund Payment").

| **Date of Terminating Event** | **% of the Total Grant Payment to be Refunded** |
|---|---|
| Within one year of the agreement date | 100% |
| Within two years of the agreement date | 75% |
| Within three years of the agreement date | 50% |
| Within four years of the agreement date | 25% |

Such Refund Payment shall be paid to the City within thirty (30) days from the date of the Terminating Event (hereinafter, the "Refund Payment Due Date").

Owner agrees on its own behalf and on behalf of its heirs, successors, and assigns that the City's right to the Refund Payment pursuant to this paragraph shall constitute both a personal obligation of the Owner and a lien against the Property, and Owner agrees that the City may record this Agreement with the McHenry County Recorder of Deeds. To further secure the repayment of Reimbursement Payments pursuant to this paragraph, Owner agrees to execute and deliver to the City a UCC financing statement, in a form acceptable to the City Attorney, pledging inventory, accounts held at financial institutions, accounts receivables, and such other assets of the Owner as the parties may agree to in writing, and Owner further consents to the filing and/or recording of such financing statements as may be appropriate under the laws of the State of Illinois. Such financing statement shall be delivered to the City upon request.

**SECTION 8**

The improvements under this Agreement are a "public work" within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130 (the "Act"). OWNER/LESSEE and all contractors and subcontractors rendering services for the improvements work must comply with all requirements of the Act, including without limitation all wage, notice, and record-keeping duties. To comply with the Act, OWNER/LESSEE must require all contractors and subcontractors to submit a certified payroll at least on a monthly basis, in accordance with Section 5 of the Act. The certified payroll must consist of a complete copy of those records required to be made and kept by the Act. The certified payroll must be accompanied by a statement signed by the contractor or subcontractor that certifies that (A) such records are true and accurate, (B) the hourly rates paid are not less than the general prevailing rates of hourly wages required by the Act, and (C) the contractor or subcontractor is aware that filing a certified payroll that he or she knows to be false is a Class B misdemeanor. A contractor may rely on the certification of its subcontractor, provided that the contractor does not knowingly rely on a subcontractor's false certification. Upon two business days' notice, each contractor and subcontractor must make available for inspection the records required to be made and kept by the Act (i) to the City and its officers and agents and to the Director of the Illinois Department of Labor and his or her deputies and agents and (ii) at all reasonable hours at a location within the State. A copy of the CITY'S ordinance ascertaining the prevailing rates of wages in effect as of the date of this Agreement has been attached as an Appendix to this Agreement.

**SECTION 9**

The OWNER/LESSEE releases the CITY from, and covenants and agrees that the CITY shall not be liable for, and covenants and agrees to indemnify and hold harmless the CITY and its officials,

officers, employees, and agents from and against any and all losses, claims, damages, liabilities, or expenses, of every conceivable kind, character and nature whatsoever arising out of, resulting from or in any way connected directly or indirectly with the façade improvement(s), including but not limited to actions arising from the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) The OWNER/LESSEE further covenants and agrees to pay for or reimburse the CITY and its officials, officers, employees, and agents for any and all costs, reasonable attorney's fees, liabilities, or expenses incurred in connection with investigating, defending against or otherwise in connection with any such losses, claims, damages, liabilities, or causes of action. The CITY shall have the right to select legal counsel and to approve any settlement in connection with such losses, claims, damages, liabilities, or causes of action. The provisions of this section shall survive the completion of said façade improvement(s).

**SECTION 10**

Nothing herein is intended to limit, restrict, or prohibit the OWNER/LESSEE from undertaking any other work in or about the subject premises, which is unrelated to the improvement provided for in this Agreement.

**IN WITNESS THEREOF,** the parties hereto have executed this Agreement on the date first appearing above.

OWNER

CITY OF CRYSTAL LAKE

_____

City Manager

ATTEST:

_____

**Agenda Item No: 12**

# City Council
# Agenda Supplement

---

**Meeting Date:** December 6, 2022

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

**Request:** Simplified Residential Variation from Article 3-200 from the maximum accessory structure height 15 feet to allow a height of 16 feet 2 inches, a variation 1 foot 2 inches in height

**Petitioner:** Scott Smith, petitioner
99 N. Oak Street

**PZC Recommendation:** To approve the Planning & Zoning Commission (PZC) recommendation and adopt an Ordinance granting a variation for height for a detached garage at 99 N. Oak Street.

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

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## Background:

- Request: The petitioner is requesting a variation for accessory structure height to allow a new detached garage.
- 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-1 Single-Family Residential. Single family residential is permitted in the R-1 zoning district.
- The petitioners are requesting to construct a new 16'-2" tall detached garage, which exceeds the maximum allowable height of 15 feet.
- The detached garage meets the UDO requirements for size and setbacks.

## PZC Highlights:

- The petitioner explained his justifications for the variation. The petitioner purchased the subject property, as well as, the adjacent vacant lot. There have been several attempts in the past to develop the vacant lot, however a majority of the lot is unbuildable. The garage is an opportunity to gain additional storage space.

- The PZC was supportive of the request. They thought the petition was very straight-forward and the garage would not seem too big for the property.

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

The PZC recommended **approval (4-0)** 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 (Smith, dated 08/26/2022, received 08/30/22)
   B. Site Plan (Smith, received 08/30/22)
   C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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 Variation at 99 N. Oak Street. Please check one of the choices and sign below.

X 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: _____ Date: 11/23/2022
Signature

**Recommended Conditions:**

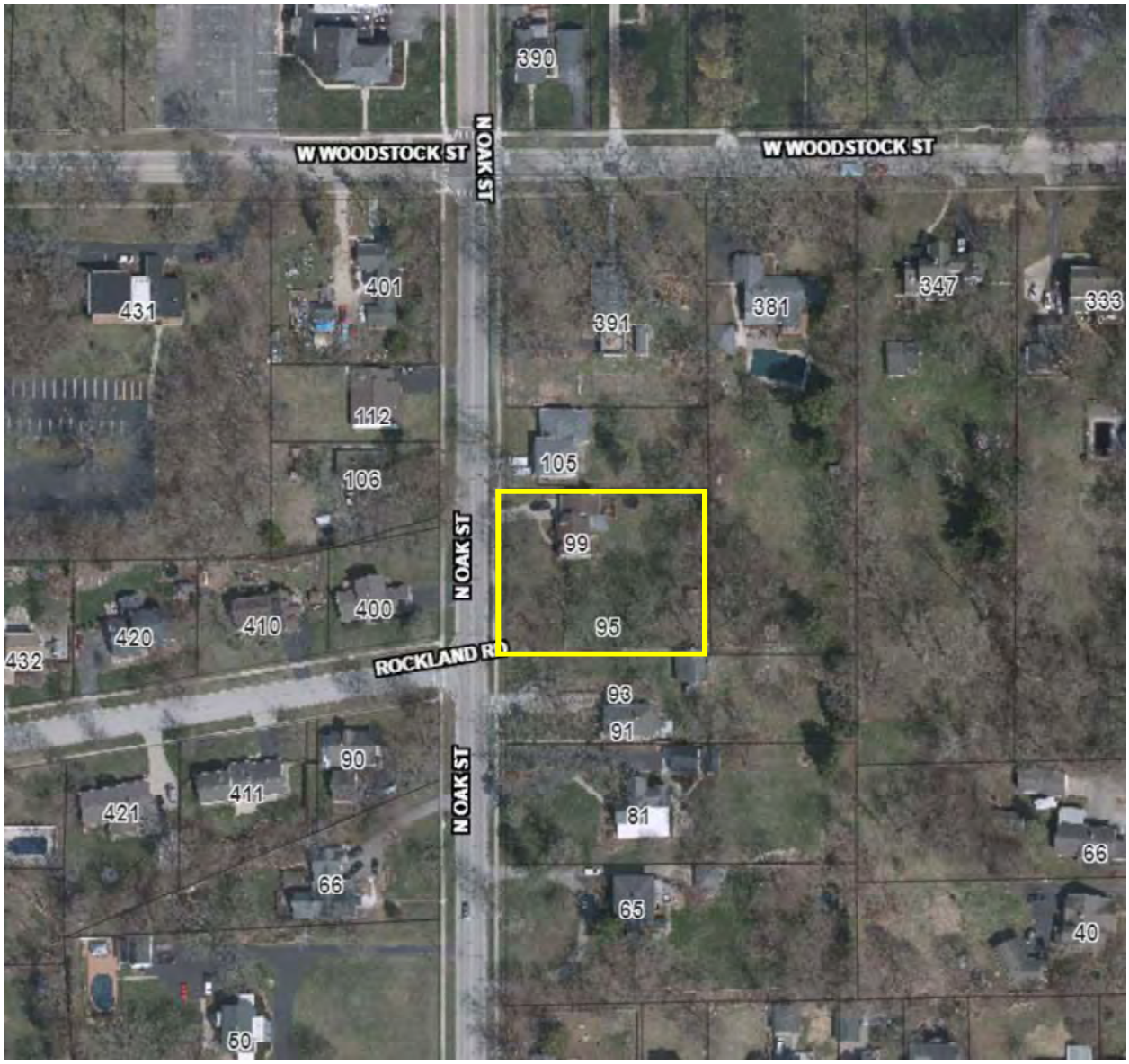
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Smith, dated 08/26/2022, received 08/30/22)
   B. Site Plan (Smith, received 08/30/22)
   C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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

PIQ Map
99 N Oak Street



Ord. No.
File No.

**The City of Crystal Lake Illinois**

**AN ORDINANCE GRANTING A SIMPLIFIED RESIDENTIAL VARIATION AT 99 N. OAK STREET**

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-202) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Variation from Article 3 Section 3-200 from the maximum accessory structure height of 15 feet to allow an accessory structure with a height of 16 feet 2 inches, a variation of 1 foot 2 inches for a detached garage at 99 N. Oak Street; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 1, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on November 16, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the variation; and

WHEREAS, on November 16, 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 3 Section 3-200 from the maximum accessory structure height of 15 feet to allow an accessory structure with a height of 16 feet 2 inches, a variation of 1 foot 2 inches for a detached garage be approved for the property commonly known as 99 N. Oak Street (14-32-351-044), 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 (Smith, dated 08/26/2022, received 08/30/22)
    B. Site Plan (Smith, received 08/30/22)
    C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)

Draft

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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 6th day of December, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____

Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: December 6, 2022
Approved: December 6, 2022

Draft

# #2022-202
# 99 N. Oak Street – Simplified Residential Variation
# Project Review for Planning and Zoning Commission

**Meeting Date:** November 16, 2022

**Requests:** Simplified Residential Variation from Article 3-200 from the maximum accessory structure height of one-story and 15 feet to allow a one-story structure with a height of 16 feet 2 inches, a variation 1 foot 2 inches in height.

**Location:** 99 N. Oak Street

**Acreage:** Approximately 36,300 square feet

**Existing Zoning:** R-1 Single-Family Residential

**Surrounding Properties:**
North: R-1 Single-Family Residential
South: R-1 Single-Family Residential
East: R-1 Single-Family Residential
West: R-1 Single-Family Residential

**Staff Contact**: Katie Rivard (815.356.3612)

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**Background:**

- Existing Use: The subject property is currently improved with a single-family residence.
- Per the petitioners, the existing house on 99 N. Oak Street and vacant parcel at 95 N. Oak Street were purchased and combined into one PIN and zoning lot.
- The original intention was to construct the garage on the back half of the vacant lot, but due to soil conditions and topography, the only buildable location is behind the existing house. The front of the vacant lot is a low-lying area for natural filtration in the watershed.

**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-1 Single-Family Residential. Single family residential is permitted in the R-1 zoning district.

Request Overview:

- The petitioners are requesting to construct a new detached garage located behind the principal structure.




- The proposed detached garage is 896 square feet, and it will meet the required principal structure setbacks. All accessory structures over 600 square feet must meet the principal structure setbacks, as shown below.

| | **R-1 Requirement** | **Proposed Setbacks** |
|---|---|---|
| **Front Yard Setback** | 30 feet | >200 feet |
| **Interior Side Yard Setback** | 8 feet | ~30 feet and >80 feet |
| **Combined Side Yard Setbacks** | 20 feet | >100 feet |
| **Rear Yard Setback** | 20 feet | ~22 feet |

- The proposed detached garage is two-stories and 16 feet 2 inches tall, which exceeds the UDO requirements.



- The garage will have a traditional gable roof and will match the roof on the house.

**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 variation from the following:

- Article 3-200 from the maximum accessory structure height of one-story and 15 feet to allow a two-story accessory structure with a height of 16 feet 2 inches, a variation of 1 foot 2 inches.

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 (Smith, dated 08/26/2022, received 08/30/22)
   B. Site Plan (Smith, received 08/30/22)
   C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)

2. The proposed detached garage must complement the existing exterior house in material, color, and style of roof.
3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.
4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

RECEIVED
AUG 30 2022
By 28 pm

RECEIVED
AUG 30 2022

# Application for Simplified Residential Variation

| | |
|---|---|
| Application Number: | FOR OFFICE USE ONLY |
| Project Name: | |
| Date of Submission: | |

## I. Applicant

Scott and Denise Smith c/o Tyler M. Wilke
Name

99 N. Oak Street
Street

| Crystal Lake | Illinois | 60014 |
|---|---|---|
| City | State | Zip Code |
| [redacted] | 815-459-8429 | twilke@zcwlaw.com |
| Telephone Number | Fax Number | E-mail address |

## II. Owner of Property (if different)

Scott Smith as Trustee of Scott L. Smith Trust dated June 2, 2015
Name

99 N. Oak Street
Address Telephone Number

## III. Project Data

1. a. Location/Address: 99 N. Oak Street, Crystal Lake, IL 60014

   b. PIN #: 14-32-351-053

2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:

Existing house at 99 N. Oak and vacant parcel at 95 N. Oak were purchased and combined into one PIN. It was intended that a garage was to be built on the back half of the vacant lot (previously approved by the City), thereby preserving the low-lying area near the front of the lot for natural infiltration in the Crystal Lake watershed. Because of soil conditions and topography of the lot, the only buildable location for a detached garage is behind the existing house. A tandem garage of the size and height, to be varied from 650 Article 3.4 from 15ft to 16ft 2 in., requested is of similar size and character of the area, preserves open space and prevents overcrowding the lot with built structures.

IS THE HARDSHIP SELF-CREATED?

No. The topography, soil conditions, and drainage route were all preexisting; thereby, making the existing approved site unacceptable for building of the subject structure.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION?

No. That the lot accepts drainage from other properties in the area, is required to allow natural infiltration, and is largely unusable is unique. Further, homeowner will be reserving this low area in a stormwater easement for the benefit of the City and surrounding area once the improvements are completed.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No. The combined properties are 0.8+ acres in size. The size of the structures, layouts, and other features are similar to other properties and structures in all of the downtown Crystal Lake area.

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

No. The proposed accessory structure will be secluded and hidden behind the existing structure and will have no ill effect on the on the public welfare or injury to other property.

WILL THE VARIATION AS PROPOSED IMPAIR ADEQUATE SUPPLY OF LIGHT OR AIR TO ADJACENT PROPERTY; DIMINISH PROPERTY VALUE; INCREASE CONGESTION IN PUBLIC STREETS; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY?

No. The proposed accessory structure will not impair adequate supply of light or air to adjacent property; diminish property value; increase congestion in public streets; substantially increase the danger of fire; or endanger public safety.

3. List any previous variations that are approved for this property: None.

## IV. 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.

SCOTT L. SMITH 8/26/2022

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.

Ms. Repholz seconded the motion. On voice vote members Teetsov, Skluzacek, and Repholz voted aye. Mr. Gronow voted no. Motion passed 3-1.

**2022-202 – 99 N. OAK STREET – VARIATION**

Simplified Residential Variation from Article 3-200 from the maximum accessory structure height of 15 feet to allow a height of 16 feet 2 inches, a variation 1 foot 2 inches in height.

Mr. Scott Smith, petitioner, was present to represent the petition. Mr. Smith stated he and his wife have lived in unincorporated Crystal Lake for 10 years then moved to the subject property. He stated there have been several attempts to build on the vacant lot; however, a majority of the vacant lot is unbuildable. It is located in the Crystal Lake watershed. He spoke to the stormwater, low areas, and overflow issues associated with the vacant lot. The garage is an opportunity to gain additional storage space.

Mr. Gronow opened the public hearing. There being no one in the audience to speak, Mr. Gronow closed the public hearing.

Ms. Repholz thought this petition is very straight-forward. The hardship has been met. Visually, the lots are wide open and the garage will not seem too big for the property.

Ms. Teetsov stated she has no concerns with the petition. The hardship has been met.

Mr. Skluzacek agreed with previous comments and noted he has no concerns.

Mr. Smith stated it is their intent to match the City standards regarding slope and grading.

Mr. Gronow asked the petitioner if he installed an infiltration system. Mr. Smith stated they installed it after they purchased the property. Mr. Gronow asked if it was their intent to have a circular driveway. Mr. Smith responded yes. Mr. Gronow stated the hardship and Findings of Fact have been met.

Staff summarized the request noting the proposed setbacks meet the Unified Development Ordinance.

Mr. Skluzacek made a motion to approve the Simplified Residential Variation.

Mr. Skluzacek made a motion to approve the variation for maximum accessory structure height with the following recommendations:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Smith, dated 08/26/2022, received 08/30/22)
   B. Site Plan (Smith, received 08/30/22)
   C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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

Ms. Teetsov seconded the motion. On voice vote members Teetsov, Skluzacek, Repholz, Gronow voted aye. Motion passed 4-0.

**2022-225 – 4423-4483 US ROUTE 14 – FINAL PUD AMENDMENT**

Final Planned Unit Development Amendment to modify the free-standing pylon sigs and adding additional 52 square feet, allowing 239.5 square feet of signage.

Mr. Rob Whitehead Sr., President of Olympik Signs, and Mr. Rick Filler, President and CEO of Harlem Irving, were present to represent the petition.

Mr. Whitehead stated they are reworking the pylon signs by removing the ornamental portion at the top and shifting the signage up. They are asking for more square feet, and the height will remain the same.

Mr. Filler noted the shopping center was built in the late 1990's, and they opened at 100 percent occupancy. They have a lot of activity taking place now. Boot Barn will be occupying the former Pep Boys location. They must be able to add Boot Barn to the pylon signs.

Mr. Gronow opened the public hearing. There being no one in the audience to speak, Mr. Gronow closed the public hearing.

Ms. Repholz said she is thrilled to see the momentum. This is a no brainer. The sign looks taller, but it is just occupying the sign with more signage.

Ms. Teetsov agrees. She prefers the ornamental feature be removed as it provides a cleaner look to the sign.

Mr. Skluzacek stated he has no problem with the request.

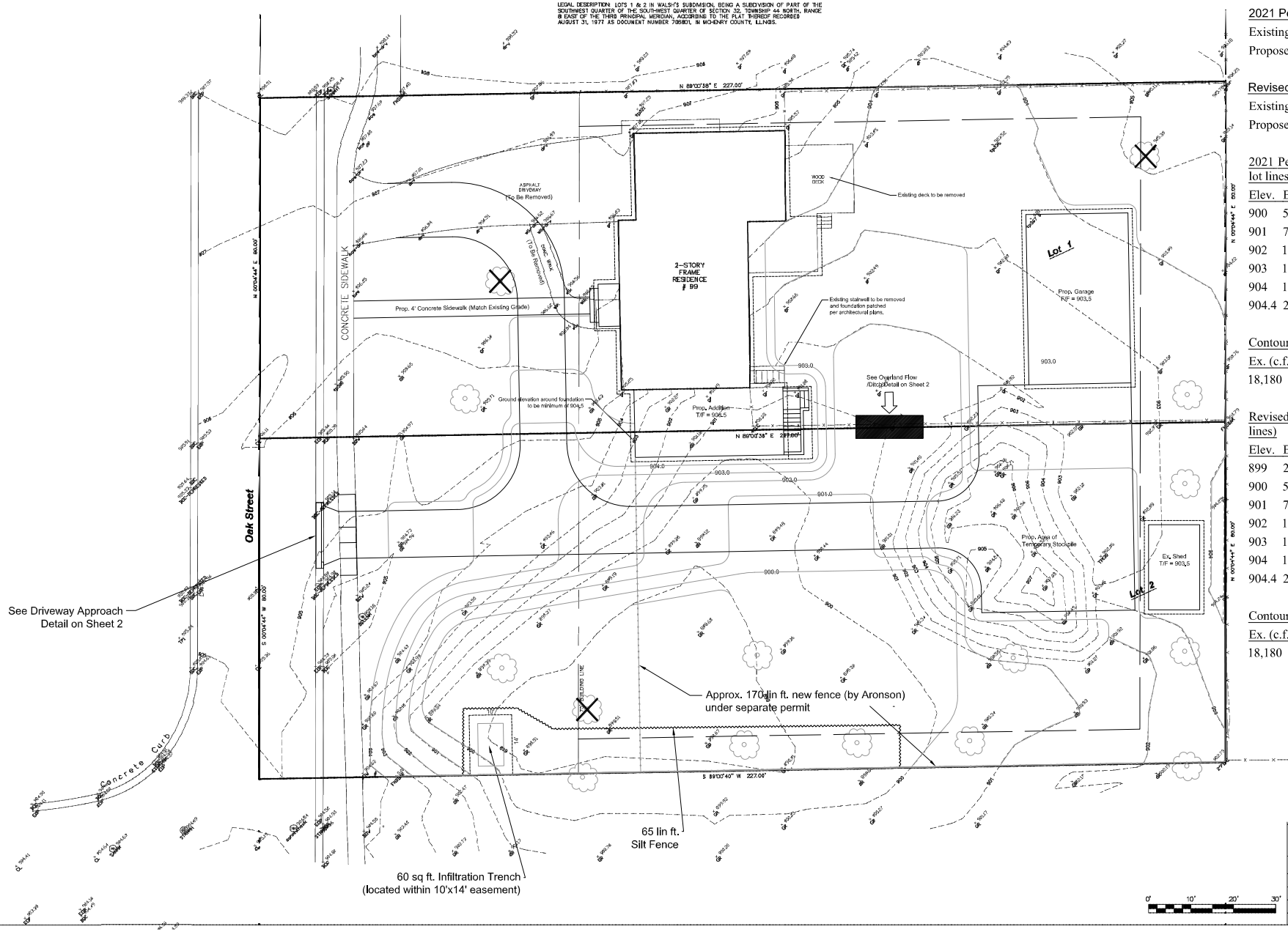
Mr. Gronow agreed. He asked the petitioner if they are okay with the conditions.

Mr. Filler responded yes.

Staff spoke to the history of the site and the features of the existing pylon signs. Staff noted the signs may need additional landscaping. As a condition of approval, the petitioner would need to work with staff to determine if it is sufficient or if additional landscaping was needed.

# Topographic Map

LEGAL DESCRIPTION: LOTS 1 & 2 IN WALSH'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 31, 1977 AS DOCUMENT NUMBER 709801, IN MCHENRY COUNTY, ILLINOIS.




## 2021 Permit Impervious Area

Existing: 4,040 s.f.

Proposed: 7,590 s.f.

## Revised Impervious Area

Existing: 4,040 s.f.

Proposed: 9,178 s.f.

## 2021 Permit Contour Area (within lot lines)

| Elev. | Ex. (s.f.) | Prop. (s.f.) |
|---|---|---|
| 900 | 5,166 | 5,517 |
| 901 | 7,726 | 7,675 |
| 902 | 10,258 | 9,504 |
| 903 | 14,526 | 13,233 |
| 904 | 19,639 | 19,734 |
| 904.4 | 21,205 | 22,111 |

## Contour Volumes (within lot lines)

| Ex. (c.f.) | Prop. (c.f.) |
|---|---|
| 18,180 | 18,600 |

## Revised Contour Area (within lot lines)

| Elev. | Ex. (s.f.) | Prop. (s.f.) |
|---|---|---|
| 899 | 2,069 | 1,998 |
| 900 | 5,166 | 5,117 |
| 901 | 7,726 | 6,810 |
| 902 | 10,258 | 9,886 |
| 903 | 14,526 | 13,822 |
| 904 | 19,639 | 20,781 |
| 904.4 | 21,205 | 22,584 |

## Contour Volumes (within lot lines)

| Ex. (c.f.) | Prop. (c.f.) |
|---|---|
| 18,180 | 19,504 |

LEGEND


Luco Surveying
Professional Design Firm No. 184.007972
54 Lou Avenue, Crystal Lake, IL 60014
Phone: 815.893.0676 Email: admin@luco-surveying.com


Common Address: 99 and 105 North Oak, IL
PIN # 14-32-351-044

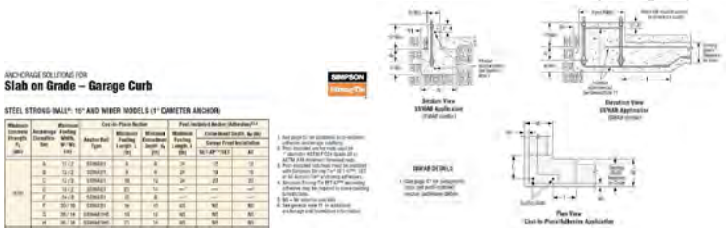
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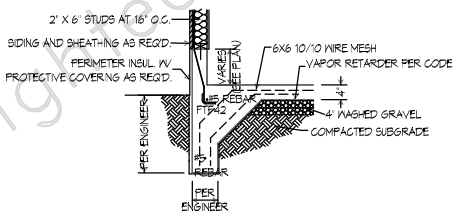
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Field Work Completion: XX-XX-XXXX

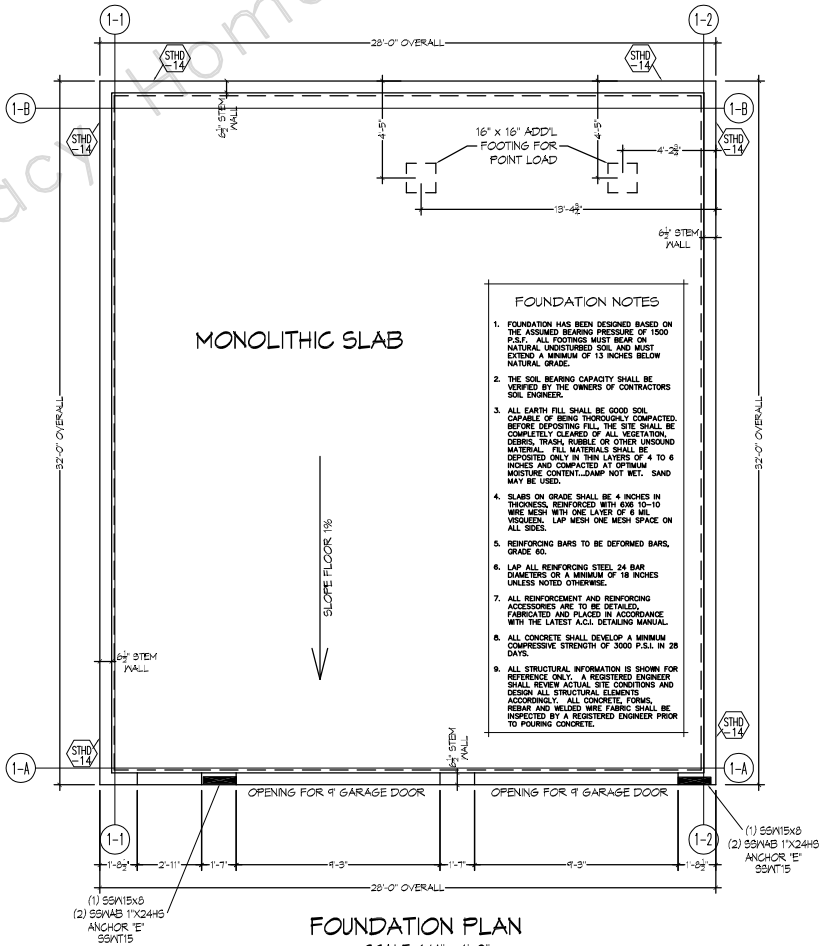
Revisions:

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GARAGE W/WOOD SIDING
NOT TO SCALE




FOUNDATION NOTES

1. FOUNDATION HAS BEEN DESIGNED BASED ON THE ASSUMED BEARING PRESSURE OF 1500 P.S.F. ALL FOOTINGS MUST BEAR ON NATURAL, UNDISTURBED SOIL AND MUST EXTEND A MINIMUM OF 13 INCHES BELOW NATURAL GRADE.
2. THE SOIL BEARING CAPACITY SHALL BE VERIFIED BY THE OWNERS OF CONTRACTORS SOIL ENGINEER.
3. ALL EARTH FILL SHALL BE GOOD SOIL CAPABLE OF BEING THOROUGHLY COMPACTED. BEFORE DEPOSITING FILL, THE SITE SHALL BE COMPLETELY CLEARED OF ALL VEGETATION, DEBRIS, TRASH, RUBBLE OR OTHER UNSOUND MATERIAL. FILL MATERIALS SHALL BE DEPOSITED ONLY IN THIN LAYERS OF 4 TO 6 INCHES AND COMPACTED AT OPTIMUM MOISTURE CONTENT...DAMP NOT WET. SAND MAY BE USED.
4. SLABS ON GRADE SHALL BE 4 INCHES IN THICKNESS, REINFORCED WITH 6X6 10-10 WIRE MESH WITH ONE LAYER OF 6 MIL. VISQUEEN. LAP MESH ONE MESH SPACE ON ALL SIDES.
5. REINFORCING BARS TO BE DEFORMED BARS, GRADE 60.
6. LAP ALL REINFORCING STEEL 24 BAR DIAMETERS OR A MINIMUM OF 18 INCHES UNLESS NOTED OTHERWISE.
7. ALL REINFORCEMENT AND REINFORCING ACCESSORIES ARE TO BE DETAILED, FABRICATED AND PLACED IN ACCORDANCE WITH THE LATEST A.C.I. DETAILING MANUAL.
8. ALL CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. IN 28 DAYS.
9. ALL STRUCTURAL INFORMATION IS SHOWN FOR REFERENCE ONLY. A REGISTERED ENGINEER SHALL REVIEW ACTUAL SITE CONDITIONS AND DESIGN ALL STRUCTURAL ELEMENTS ACCORDINGLY. ALL CONCRETE, FORMS, REBAR AND WELDED WIRE FABRIC SHALL BE INSPECTED BY A REGISTERED ENGINEER PRIOR TO POURING CONCRETE.

FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

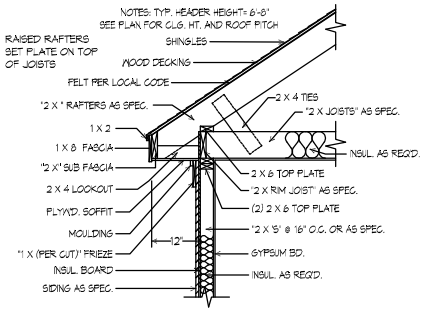
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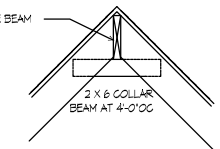
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| PLAN NAME | DRAWN BY: Levi W./ Steve V. | | SHEET # 1 OF 3 |

PLAN NO. 0554-896-G Garage



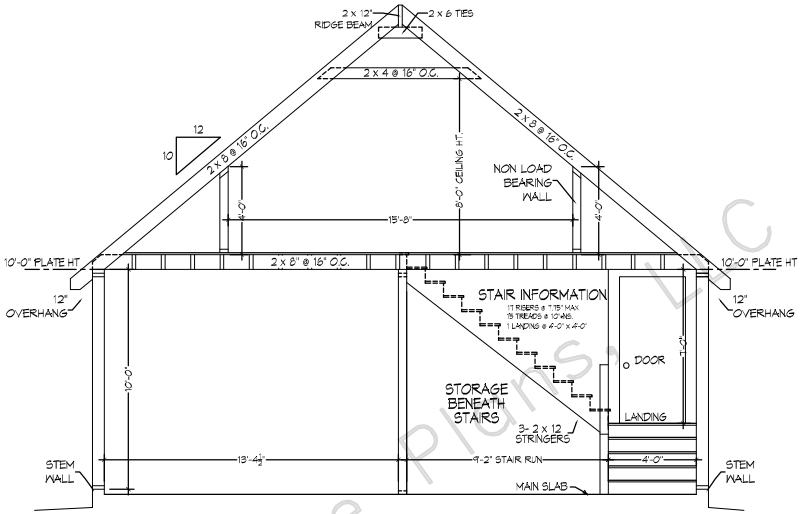

TYP. CORNICE DETAIL W/ SIDING

NO SCALE



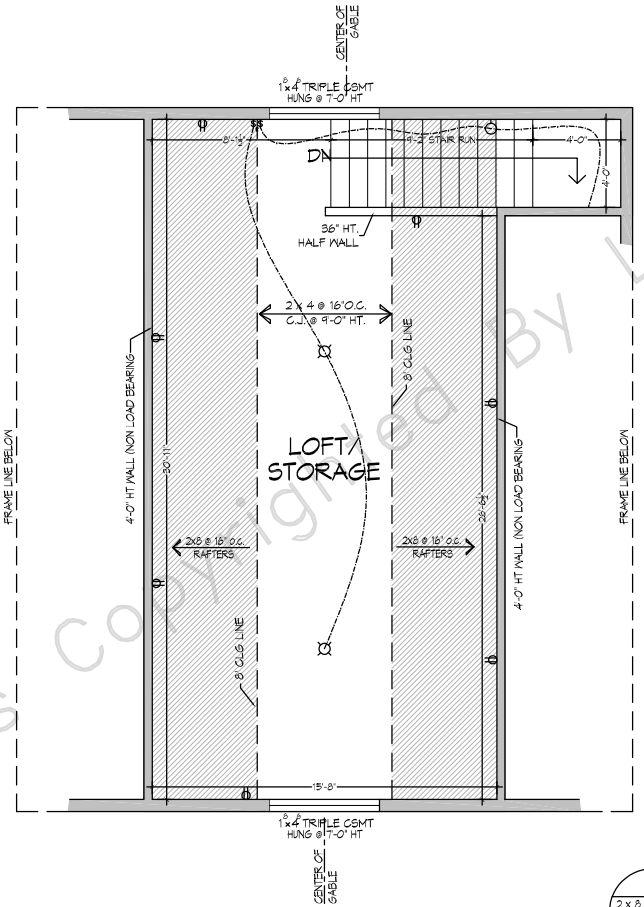

TYP. CORNICE RIDGE BEAM / BRACING

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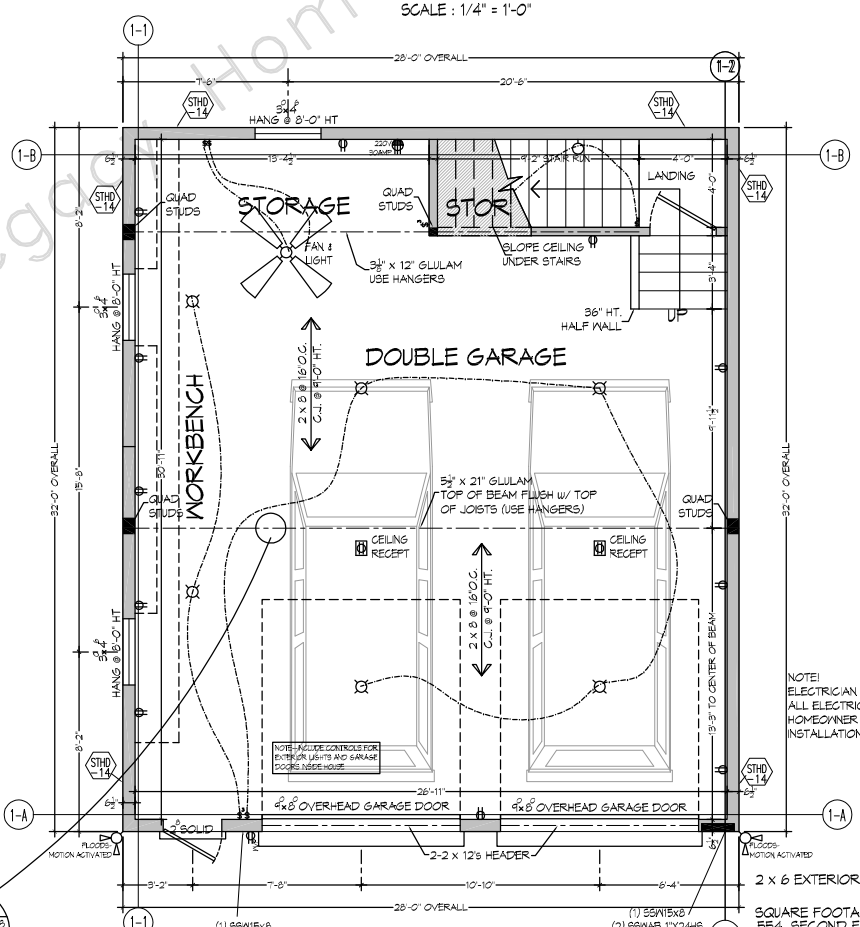

STAIR DETAIL SECTION

SCALE : 1/4" = 1'-0"




UPSTAIRS FLOOR PLAN

SCALE: 1/4" = 1'-0"




GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"

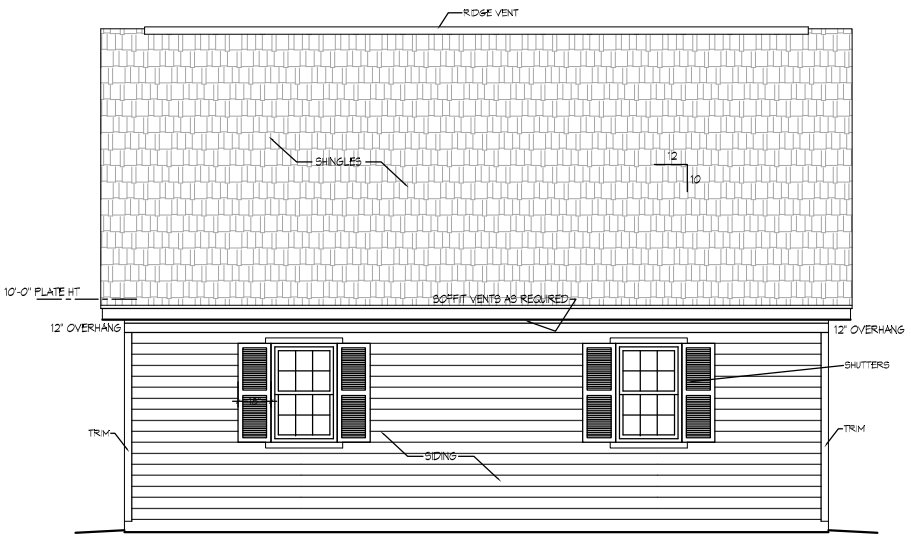
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| PLAN NAME: | PLAN NO: 0554-896-G Garage | | |

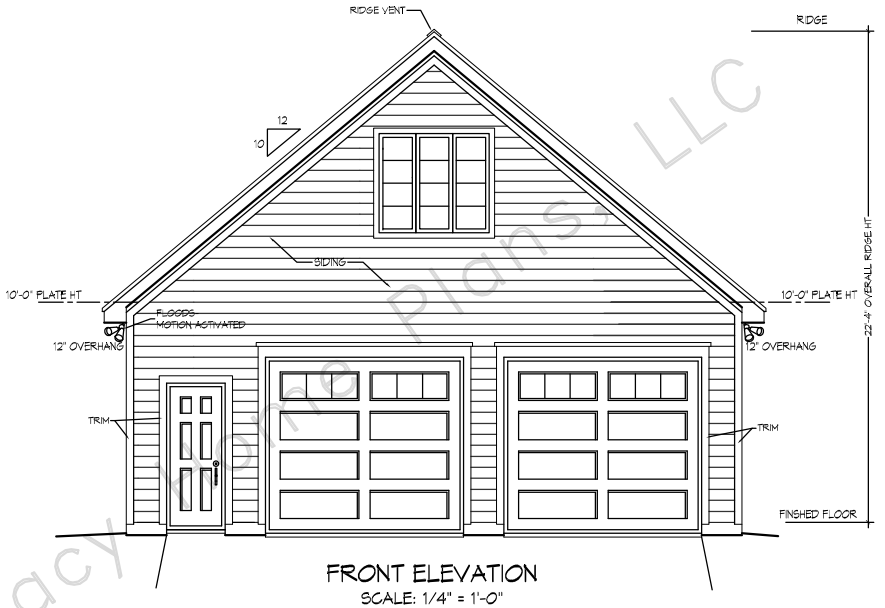
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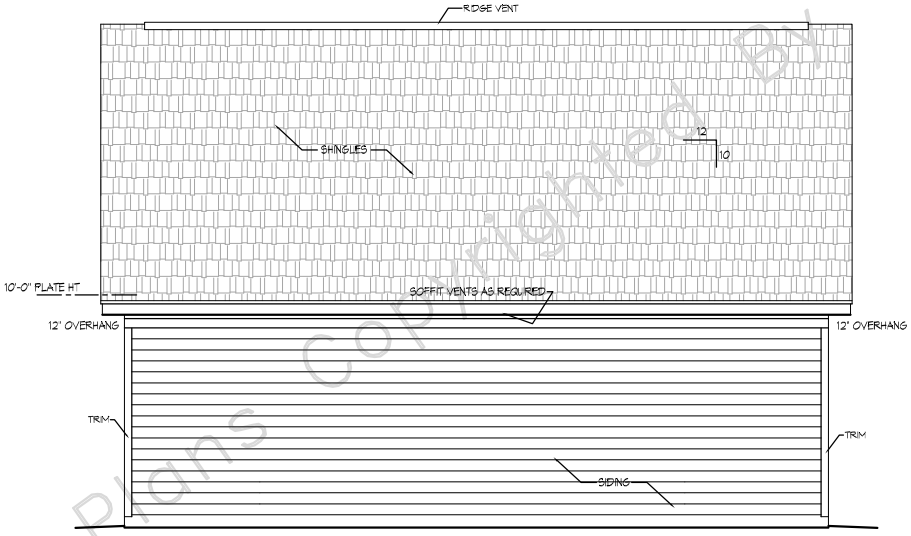
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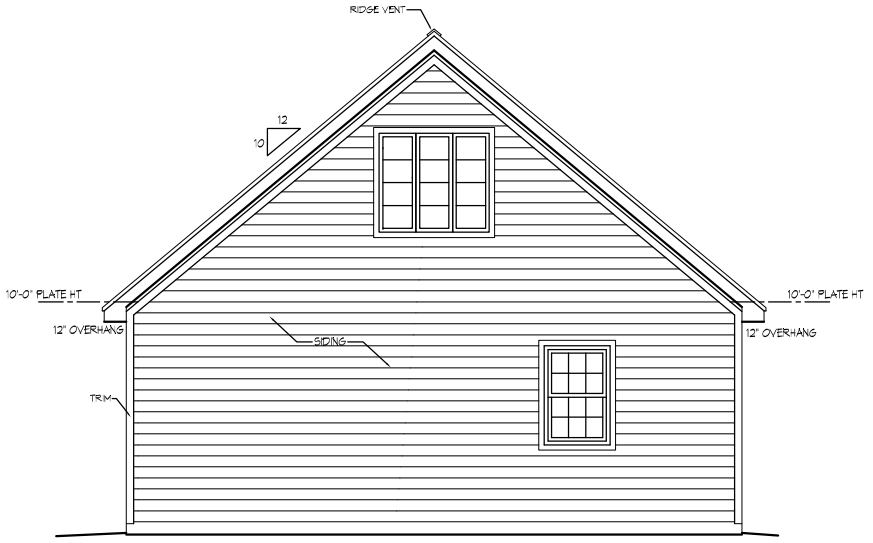

LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"




FRONT ELEVATION
SCALE: 1/4" = 1'-0"




RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"




REAR ELEVATION
SCALE: 1/4" = 1'-0"

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| PLAN NAME | DRAWN BY: Levi W./ Steve V. | | SHEET # 3 OF 3 |

PLAN NO. **0554-896-G Garage**

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**Agenda Item No: 13**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

**Request:** Simplified Residential Variations from:

1. Article 3-200 to allow a 15.37-foot front yard setback, a variation of 5.63 feet, for an addition to the principal structure; and,
2. Article 3-200 for a detached garage to allow an 11.34-foot side yard abutting a street setback, a variation of 18.66 feet, a 10-foot rear yard setback, a variation of 10 feet, and from the maximum accessory structure height of one-story and 15 feet to allow an accessory structure with a height of 18 feet, a variation of 3 feet

**Petitioner:** Nate Kivley, petitioner
185 N. Main Street

**PZC Recommendation:** To approve the Planning & Zoning Commission (PZC) recommendation and adopt an Ordinance granting variations for an addition to the principal structure and detached garage at 185 N. Main Street.

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

---

## Background:

- Request: The petitioner is requesting a variation for front yard setback to allow an addition to the principal structure, as well as, variations for accessory structure height and setbacks from side yard abutting a street and rear yards to allow a detached garage.
- Land Use: The Comprehensive Land Use map shows the area as Central Urban Residential, which is an appropriate land use designation.
- Zoning: The site is zoned R-3B – Multi-Family Residential. Single-family residential is permitted in the R-3B zoning district.
- The petitioner is requesting to construct an addition to the principal structure and a new detached garage. The subject property is a corner lot, and the principal structure is non-

conforming with an existing 15.37-foot front yard setback and 14.34-foot side yard abutting a street setback. The addition would line up with the front of the home maintaining a 15.37-foot front yard setback.

- The petitioner is also requesting variations for accessory structure height and setbacks for side yard abutting a street and rear yards to allow a detached garage.

- The proposed garage is 720 square feet; and, all accessory structures over 600 square feet must meet the principal structure setbacks.

| | UDO Standards for Principal Structures | Proposed (Detached Garage) | Variation |
|---|---|---|---|
| **Front Yard Setback** | 30 feet | ~60 feet | N/A |
| **Interior Side Yard Setback** | 7 feet | ~30 feet | N/A |
| **Combined Side Yard Setbacks** | 18 feet | ~41 feet | N/A |
| **Yard Abutting a Street** | 30 feet | **11.34 feet** | **18.66 feet** |
| **Rear Yard Setback** | 20 feet | **10 feet** | **10 feet** |

- The addition and the detached garage will have a traditional gable roof to match the house.

## PZC Highlights:

- The petitioner explained the justifications for the variation requests. He spoke to the need for additional living space and storage to accommodate his growing family. He noted the variation request for accessory structure height was to allow for a car lift. He stated the proposed location for the garage would abut an alleyway, and it would be similar to their neighbors' garages. It would also allow their family to have usable backyard space.

- The PZC was supportive of the front yard setback request for the addition. However, there was discussion if the requested setbacks for the detached garage met the standards for a variation.

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

The PZC recommended **approval (3-1)** 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 (Kivley, dated 09/03/2022, received 09/12/2022)
    B. Site Plan (Kivley, received 09/12/2022)
    C. Elevations (Kivley, received 09/12/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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 Variations at 185 N. Main Street. Please check one of the choices and sign below.

X 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:

_____

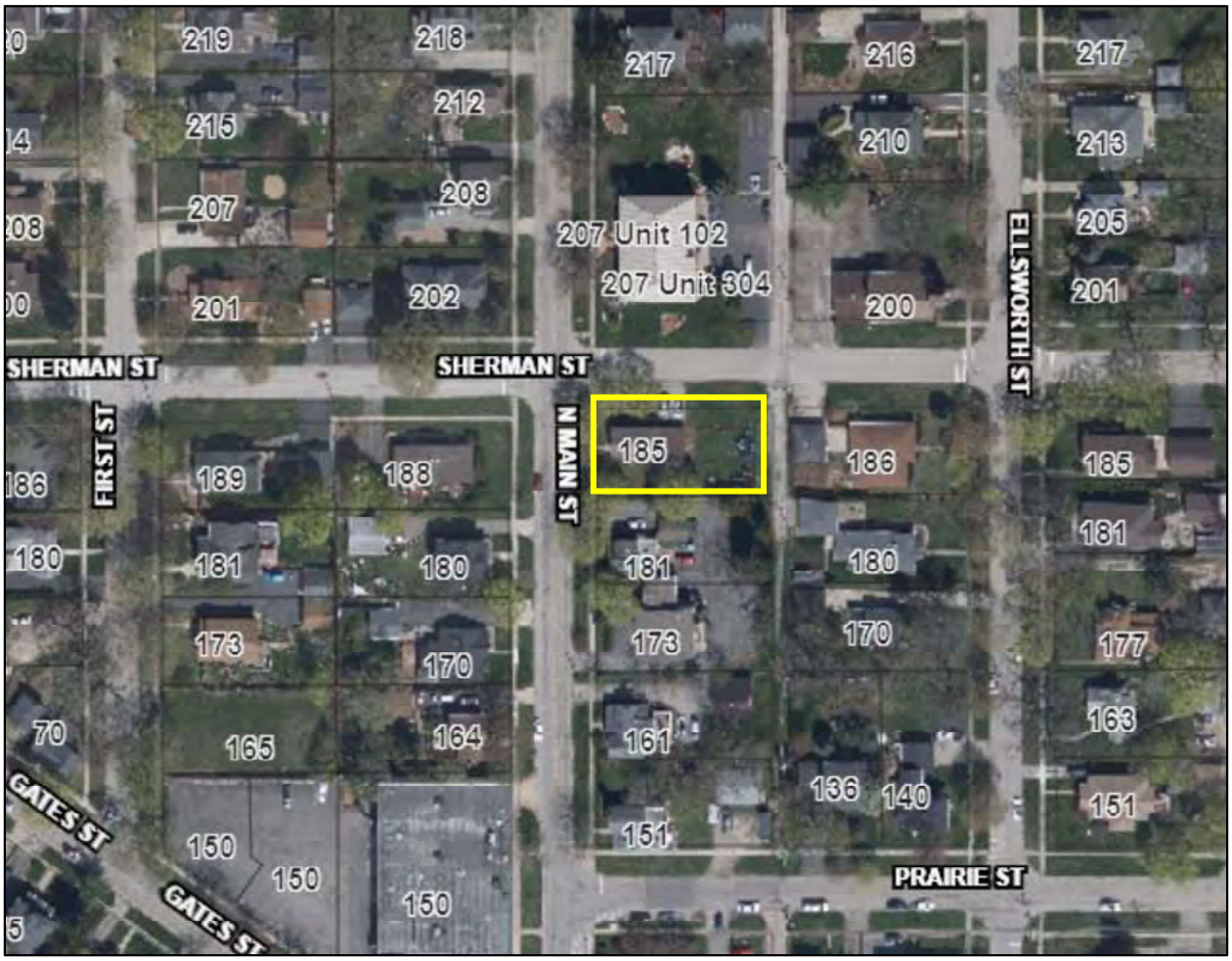
_____

Petitioner's Name: _____ Date: 11/18/22
Signature

**Recommended Conditions:**

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Kivley, dated 09/03/2022, received 09/12/2022)
   B. Site Plan (Kivley, received 09/12/2022)
   C. Elevations (Kivley, received 09/12/2022)
2. The proposed detached garage must complement the existing exterior house in material, color, and style of roof.
3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.
4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

PIQ Map
185 N Main Street



Ord. No.
File No.

**The City of Crystal Lake Illinois**

**AN ORDINANCE GRANTING SIMPLIFIED RESIDENTIAL VARIATIONS AT 185 N. MAIN STREET**

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-208) before the Crystal Lake Planning and Zoning Commission, the Petitioners have requested Variations from Article 3 Section 3-200 allowing a 15.37-foot front yard setback, a variation of 5.63 feet from the required 21-foot minimum front yard setback for an addition to the principal structure, and Article 3 Section 3-200 to allow an 11.34-foot side yard abutting a street setback, a variation of 18.66 feet from the 30-foot minimum side yard abutting a street, a 10-foot rear yard setback, a variation of 10 feet from the 20-foot minimum rear yard setback, and from the maximum accessory structure height of 15 feet to allow an accessory structure with a height of 18 feet, a variation of 3 feet for a detached garage at 185 N. Main Street; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on October 28, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on November 16, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed setback variation; and

WHEREAS, on November 16, 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 Variations be approved, as documented in the minutes, and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Variations 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 Variations from Article 3 Section 3-200 allowing a 15.37-foot front yard setback, a variation of 5.63 feet from the required 21-foot minimum front yard setback for an addition to the principal structure, and Article 3 Section 3-200 to allow an 11.34-foot side yard abutting a street setback, a variation of 18.66 feet from the 30-foot minimum side yard abutting a street, a 10-foot rear yard setback, a variation of 10 feet from the 20-foot minimum rear yard setback, and from the maximum accessory structure height of 15 feet to allow an accessory structure with a height of 18 feet, a variation of 3 feet for a detached garage for the property commonly known as 185 N. Main

Draft

Street (14-33-305-001), Crystal Lake, Illinois is hereby approved.

Section II: Said Variations are issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Kivley, dated 09/03/2022, received 09/12/2022)
   B. Site Plan (Kivley, received 09/12/2022)
   C. Elevations (Kivley, received 09/12/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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.

Draft

Ord. No.
File No.

DATED at Crystal Lake, Illinois, this 6th day of December, 2022.

City of Crystal Lake, an
Illinois municipal corporation

Haig Haleblian, MAYOR

SEAL

ATTEST:

Nick Kachiroubas, CITY CLERK

Passed: December 6, 2022
Approved: December 6, 2022

Draft

# #2022-208
# 185 N. Main Street – Simplified Residential Variation
# Project Review for Planning and Zoning Commission

**Meeting Date:** November 16, 2022

**Requests:** Simplified Residential Variations from:

1. Article 3-200 to allow a 15.37-foot front yard setback, a variation of 5.63 feet from the required 21-foot minimum front yard setback for an addition to the principal structure; and,

2. Article 3-200 to allow an 11.34-foot side yard abutting a street setback, a variation of 18.66 feet from the 30-foot minimum side yard abutting a street for an accessory structure; and,

3. Article 3-200 to allow a 10-foot rear yard setback, a variation of 10 feet from the 20-foot minimum rear yard for an accessory structure; and,

4. Article 3-200 from the maximum accessory structure height of one-story and 15 feet to allow an accessory structure with a height of 18 feet, a variation of 3 feet.

**Location:** 185 N. Main Street

**Acreage:** Approximately 8,712 square feet

**Existing Zoning:** R-3B – Multi-Family Residential

**Surrounding Properties:**
North: R-3B – Multi-Family Residential
South: R-3B – Multi-Family Residential
East: R-3A – Two-Family Residential
West: R-3B – Multi-Family Residential

**Staff Contact**: Katie Rivard (815.356.3612)

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**Background:**

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

- UDO Requirements:
    - Non-conforming lots must provide 70% of the district standard for the setback requirements. The R-3B zoning district requires a minimum 30-foot setback for the front yard. Therefore, the front yard setback requirement is 21 feet for a non-conforming lot. The 70% rule does not apply to rear yard and side yards abutting a street setback requirements.

**Development Analysis:**

General:

- Land Use: The Comprehensive Land Use map shows the area as Central Urban Residential, which is an appropriate land use designation.
- Zoning: The site is zoned R-3B – Multi-Family Residential. Single-family residential is permitted in the R-3B zoning district.

Request Overview:

- The petitioners are requesting to construct an addition to the principal structure and a new detached garage.
- The subject property is a corner lot, and the principle structure is non-conforming as it is setback 15.37 feet from the front lot line and 14.34 feet from the side yard abutting the street.
- The addition would turn the existing attached garage into livable space. The proposed addition is approximately 684 square feet.
- The proposed detached garage is 720 square feet, and it would encroach in both the required 30-foot side yard abutting a street setback and the required 20-foot rear yard setback.
- All accessory structures over 600 square feet must meet the principal structure setbacks.

| | R-3B Requirement | Principal Structure Proposed Setbacks | Accessory Structure Proposed Setbacks |
|---|---|---|---|
| **Front Yard Setback** | 30 feet | **15.37 feet** | ~60 feet |
| **Interior Side Yard Setback** | 7 feet | 10.05 feet | ~30 feet |
| **Combined Side Yard Setbacks** | 18 feet | 24.39 feet | ~41 feet |
| **Yard Abutting a Street** | 30 feet | **14.34 feet** | **11.34 feet** |
| **Rear Yard Setback** | 20 feet | ~60 feet | **10 feet** |

- The proposed detached garage is two stories and 18 feet tall. This exceeds the maximum UDO requirements allowing maximum one-story and 15 feet in height.

- The addition and detached garage will have a traditional gable roof to match the house.

**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 petitioner is requesting variations from Article 3-200 to allow a 15.37-foot front yard setback, a variation of 5.63 feet from the required 21-foot minimum front yard setback for an addition, and an 11.34-foot side yard abutting a street setback, a variation of 18.66 feet from the 30-foot minimum side yard abutting a street, a 10-foot rear yard setback, a variation of 10 feet from the 20-foot minimum rear yard and a variation of 3 feet from the maximum height of one-story and 15 feet to allow a two-story detached garage with a height of 18 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 (Kivley, dated 09/03/2022, received 09/12/2022)
   B. Site Plan (Kivley, received 09/12/2022)
   C. Elevations (Kivley, received 09/12/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.
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: Nathan and Rachel Kivley

Address: 185 N Main St, Crystal Lake, IL 60014

Phone:

E-mail:

Project Name & Description: Kivley Addition

This project includes a home addition and the addition of a detached garage

Project Address/Location: 185 N Main St, Crystal Lake, IL, 60014

| Signature | | |
|---|---|---|
| Nathan Kivley | Nath K | 9/3/2022 |
| Rachel Kivley | Rachel Kivley | 9/3/22 |
| 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.

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION**
**WEDNESDAY, NOVEMBER 16, 2022**
**HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

## CALL TO ORDER

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

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

Mr. Gronow 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 NOVEMBER 2, 2022 PLANNING AND ZONING COMMISSION MEETING

Ms. Repholz moved to approve the minutes from the November 2, 2022 regular Planning and Zoning Commission meeting. Mr. Gronow seconded the motion. On roll call, members Gronow and Repholz voted aye. Teetsov and Skluzacek abstained. Motion passed.

## APPROVE 2023 MEETING DATES

Mr. Skluzacek moved to approve the 2023 Meeting Dates. Ms. Teetsov seconded the motion. On roll call, members Gronow, Skluzacek, Teetsov and Repholz voted aye. Motion passed.

## 2022-208 – 185 N. MAIN STREET – VARIATIONS

Simplified Residential Variations from Article 3-200 to allow a 15.37-foot front yard setback for an addition to the principal structure and to allow an 11.34-foot side yard abutting a street setback, a 10-foot rear yard setback, and a two-story, 18-foot height for an accessory structure.

Nate Kivley, owner, was present to represent the petition. Mr. Kivley said he and his wife moved to Crystal Lake five years ago and bought the subject property. They went from two kids to four kids eight months after purchasing the home. They fell in love with the location and want to make it their permanent home but need the additional space.

Mr. Gronow opened the public hearing. There being no one in the audience to speak, Mr. Gronow closed the public hearing.

Mr. Gronow asked the petitioner if he agreed to staff's recommended conditions of approval. Mr. Kively responded yes.

Mr. Skluzacek asked the reason for the 3-foot height variance. Mr. Kivley stated he teaches an automotive class at McHenry County College, and he has always wanted a lift in his garage. Mr. Skluzacek asked about the steepness of the roof. Mr. Kively stated the roof would be the same as the house.

Ms. Teetsov noted the garage is for personal profession. She has no concerns with the front setback reduction for the addition. She asked Mr. Kivley to share his hardship, and if he had explored other options. Mr. Kivley stated the goal was for a 3-car garage, but also to maintain a backyard. The backyard abuts an alleyway and the garage would be similar to the neighbors. It will fit in and match the existing house.

Ms. Repholz stated the garage is in keeping with the area. The hardship had been met, and the request would not detract from others. Ms. Repholz confirmed the garage would not be used as living space. Mr. Kivley agreed.

Mr. Gronow asked if there would be a loft. Mr. Kivley responded not initially, and it is not a sticking point. Mr. Gronow stated he is concerned with the height of the proposed garage. Mr. Kivley said working on personal vehicles is a hobby. Mr. Gronow noted the front yard setback is existing and it lines up with the deck. The alleyway serves more as a driveway. He understands the need, but is having trouble understanding the hardship. Mr. Gronow asked the petitioner if he could move the garage away from the alleyway. Mr. Kivley said the initial drawings has the garage attached to the house, but it created unusable space between the garage and alley that you cannot see. His wife would like to see their children when they are in the backyard.

Staff summarized the request noting the subject property is a non-conforming lot, which allows for a 21-foot front yard setback instead of the required 30 feet. Staff presented the elevations provided by the petitioner.

Mr. Skluzacek made a motion to approve the variations for principal structure setback and accessory structure setbacks and height with the following recommendations.

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (Kivley, dated 09/03/2022, received 09/12/2022)
    B. Site Plan (Kivley, received 09/12/2022)
    C. Elevations (Kivley, received 09/12/2022)

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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

Ms. Repholz seconded the motion. On voice vote members Teetsov, Skluzacek, and Repholz voted aye. Mr. Gronow voted no. Motion passed 3-1.

**2022-202 – 99 N. OAK STREET – VARIATION**

Simplified Residential Variation from Article 3-200 from the maximum accessory structure height of 15 feet to allow a height of 16 feet 2 inches, a variation 1 foot 2 inches in height.

Mr. Scott Smith, petitioner, was present to represent the petition. Mr. Smith stated he and his wife have lived in unincorporated Crystal Lake for 10 years then moved to the subject property. He stated there have been several attempts to build on the vacant lot; however, a majority of the vacant lot is unbuildable. It is located in the Crystal Lake watershed. He spoke to the stormwater, low areas, and overflow issues associated with the vacant lot. The garage is an opportunity to gain additional storage space.

Mr. Gronow opened the public hearing. There being no one in the audience to speak, Mr. Gronow closed the public hearing.

Ms. Repholz thought this petition is very straight-forward. The hardship has been met. Visually, the lots are wide open and the garage will not seem too big for the property.

Ms. Teetsov stated she has no concerns with the petition. The hardship has been met.

Mr. Skluzacek agreed with previous comments and noted he has no concerns.

Mr. Smith stated it is their intent to match the City standards regarding slope and grading.

Mr. Gronow asked the petitioner if he installed an infiltration system. Mr. Smith stated they installed it after they purchased the property. Mr. Gronow asked if it was their intent to have a circular driveway. Mr. Smith responded yes. Mr. Gronow stated the hardship and Findings of Fact have been met.

Staff summarized the request noting the proposed setbacks meet the Unified Development Ordinance.

Mr. Skluzacek made a motion to approve the Simplified Residential Variation.

Mr. Skluzacek made a motion to approve the variation for maximum accessory structure height with the following recommendations:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Smith, dated 08/26/2022, received 08/30/22)
   B. Site Plan (Smith, received 08/30/22)
   C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)

# PLAT OF SURVEY

PHONE: 847-978-5124
jim@compassalternatives.com

LOT 2 IN BLOCK 1 IN ELLSWORTH'S ADDITION TO NUNDA, A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 20, 1868 IN BOOK 43 OF DEEDS, PAGE 292, IN MCHENRY COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 185 NORTH MAIN STREET, CRYSTAL LAKE, IL 60014
PERMANENT INDEX NUMBER: 14-33-305-001




COMPARE ALL POINTS AND REPORT ANY DIFFERENCE AT ONCE.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS. REFER TO YOUR DEED, ABSTRACT, TITLE POLICY OR BUILDING COMMISSIONER.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

NO DIMENSION IS TO BE ASSUMED BY SCALING THIS PLAT.

THIS PLAT IS NOT VALID WITHOUT EMBOSSED SURVEYORS SEAL.

2017

STATE OF ILLINOIS } S.S.
COUNTY OF McHENRY }

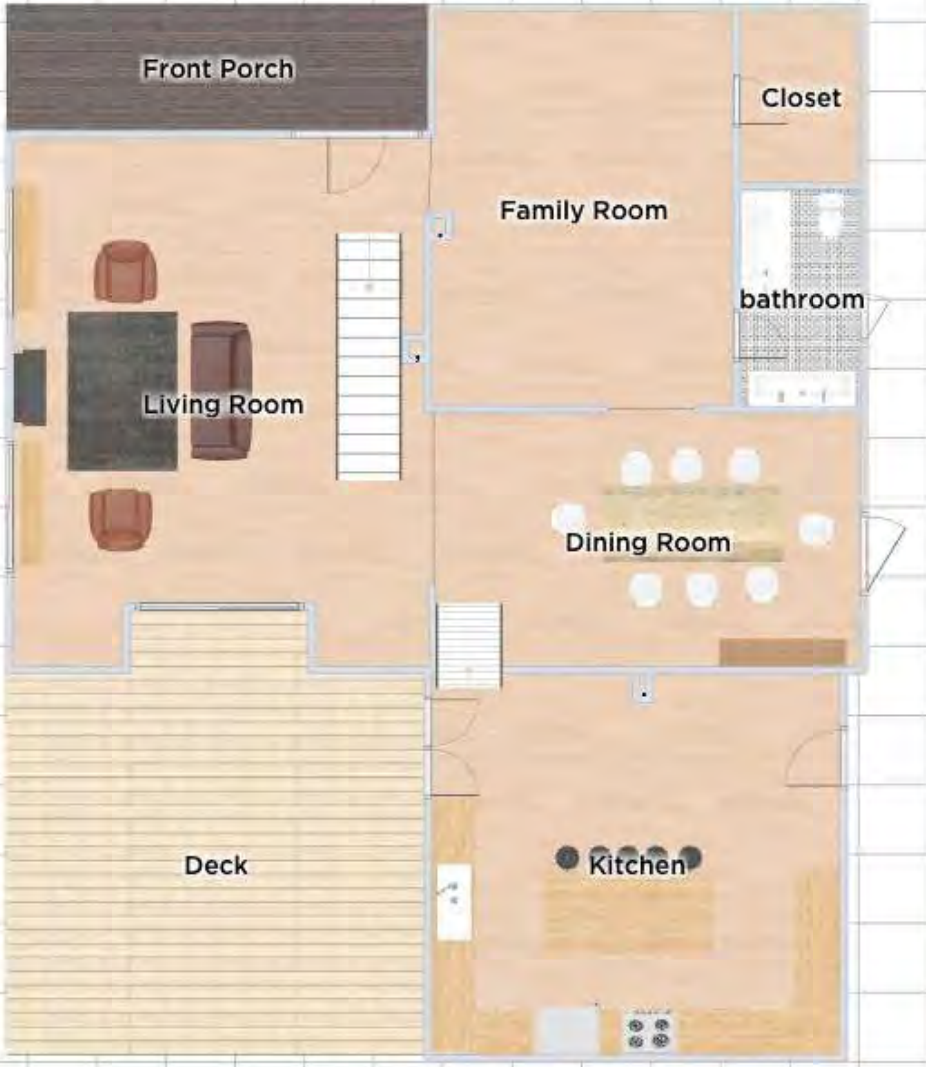
THIS IS TO CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, ACCORDING TO THE OFFICIAL RECORD, AND THE ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STEVEN M. SLOOT
ILLINOIS REGISTERED LAND SURVEYOR NO. 35-003278
MY PROFESSIONAL LICENSE EXPIRES ON NOVEMBER 30, 2018.

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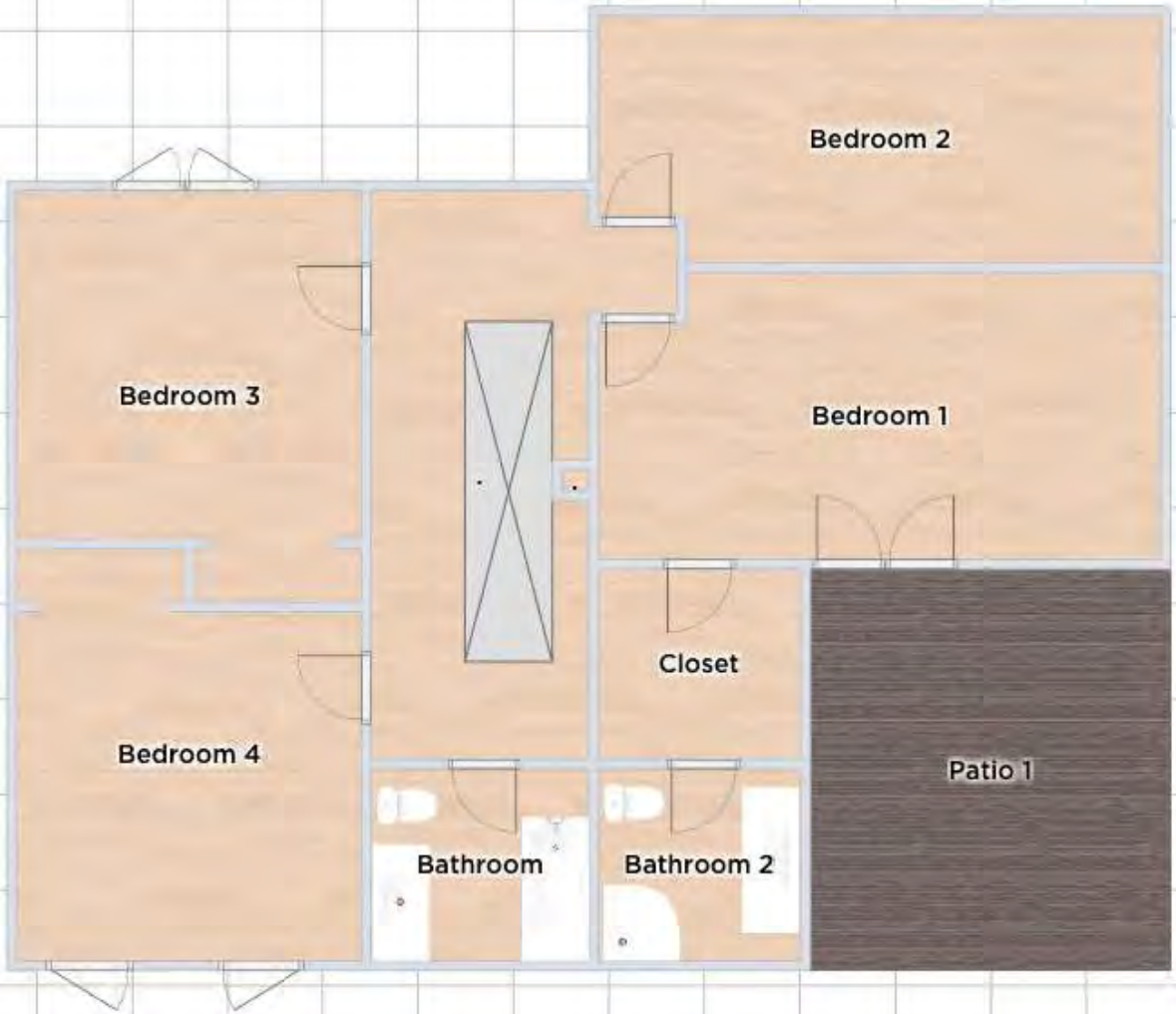
ENO Ground floor



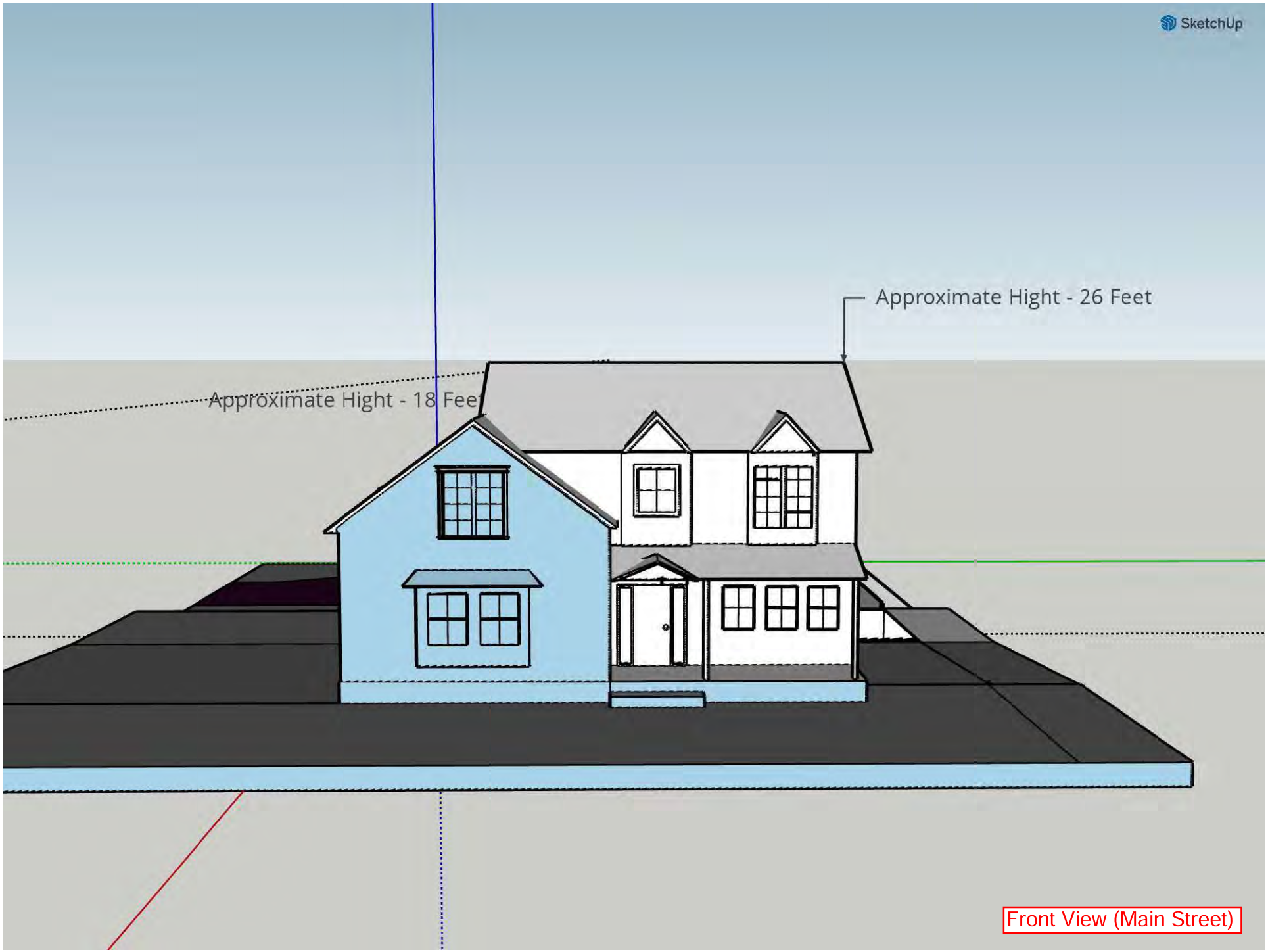

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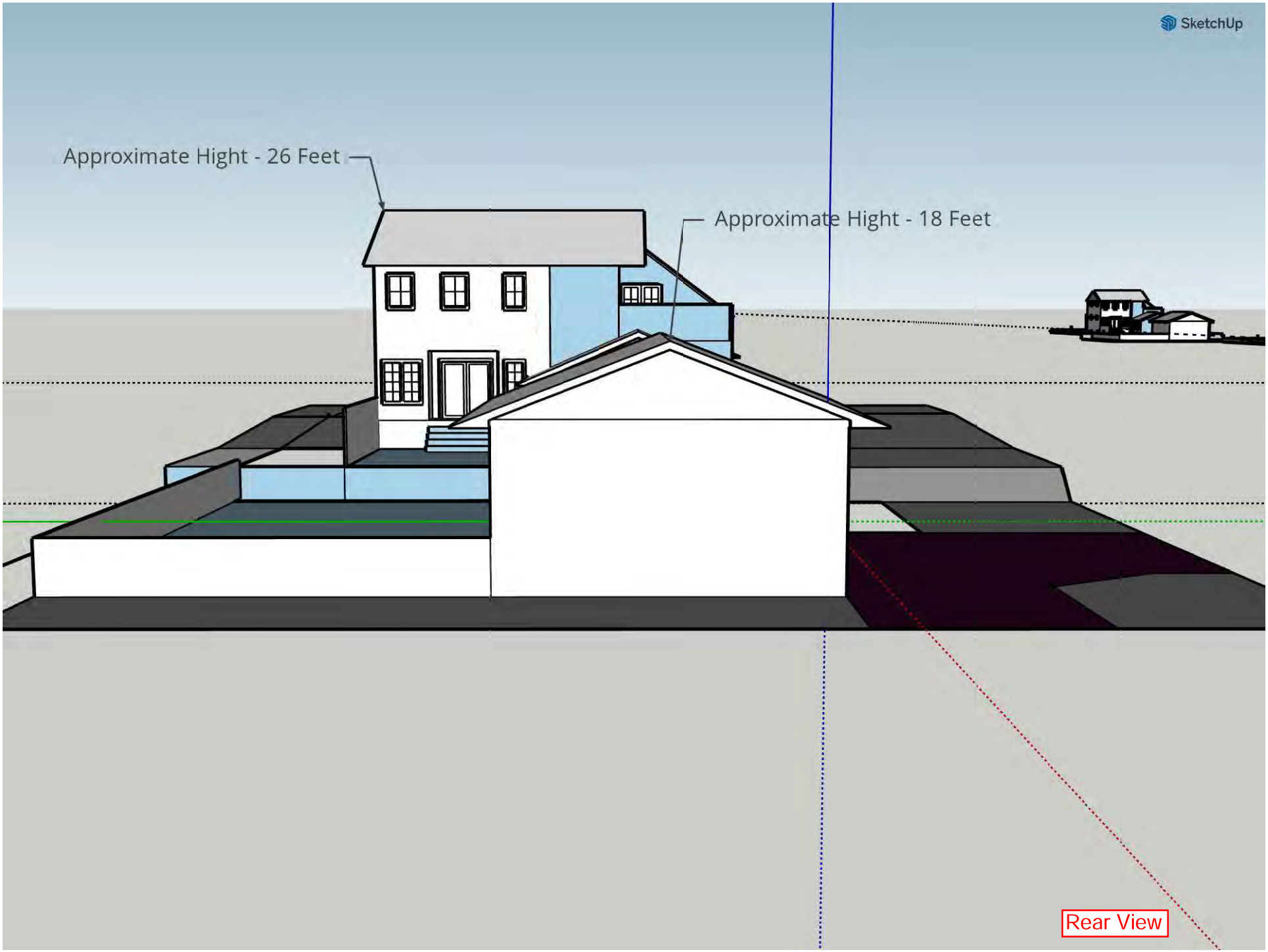
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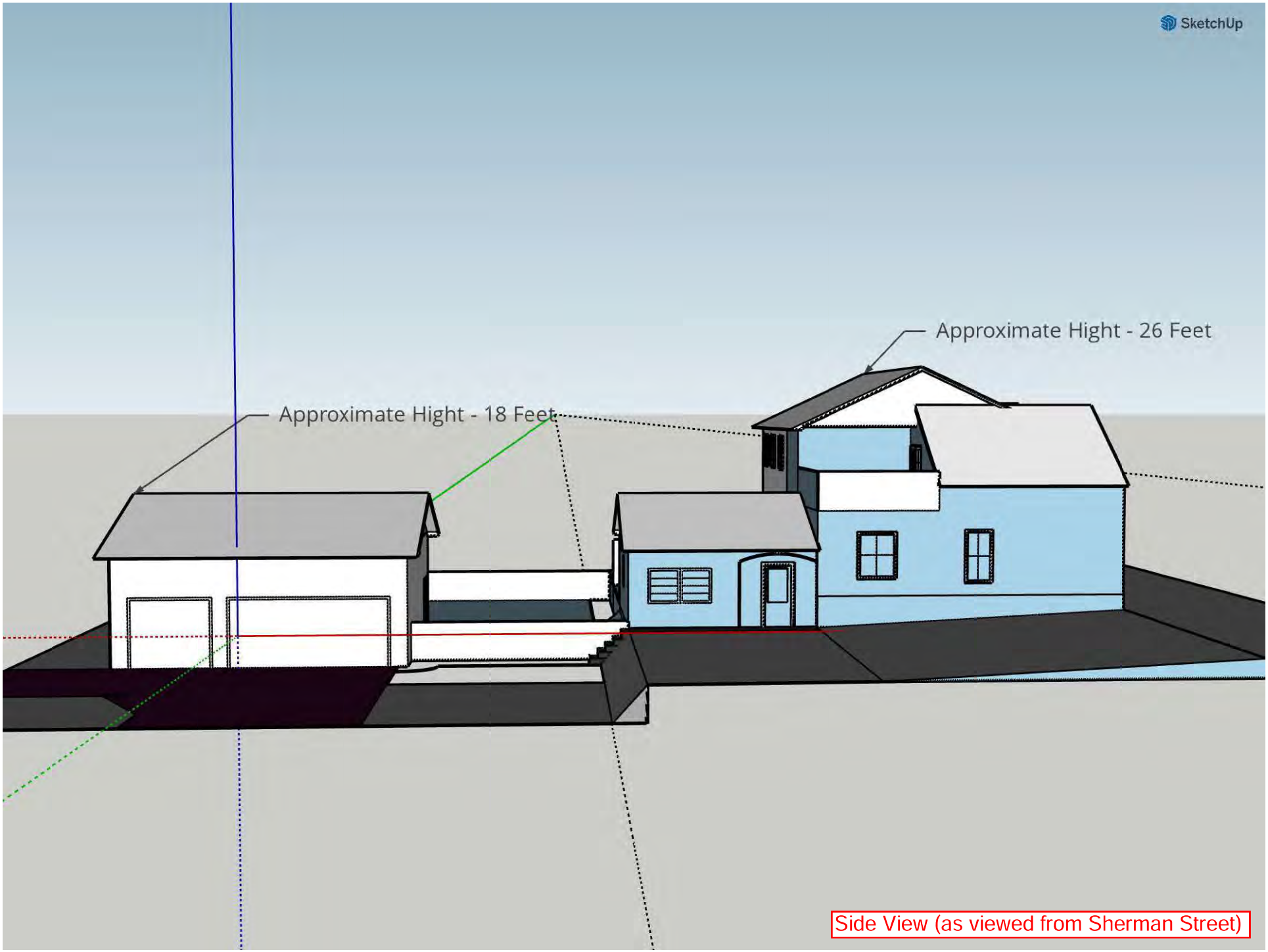
ENO First floor

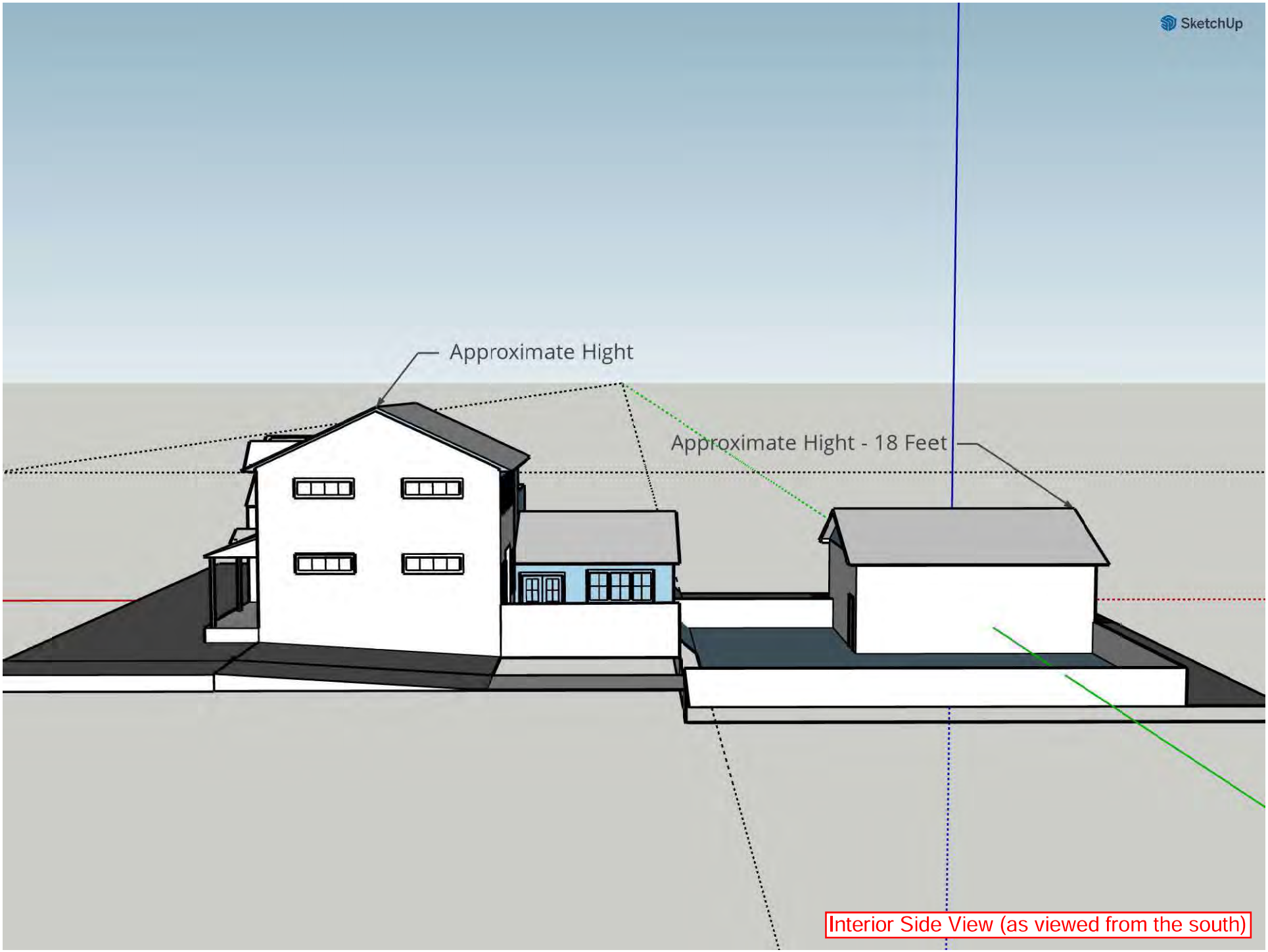



Select your view mode
2D 3D


SketchUp
Approximate Hight - 26 Feet
Approximate Hight - 18 Feet
Front View (Main Street)


SketchUp
Approximate Hight - 26 Feet
Approximate Hight - 18 Feet
Rear View


SketchUp
Approximate Hight - 26 Feet
Approximate Hight - 18 Feet
Side View (as viewed from Sherman Street)


SketchUp
Approximate Hight
Approximate Hight - 18 Feet
Interior Side View (as viewed from the south)

**Agenda Item No: 14**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

**Requests:** Variation from Article 4-600 Accessory Structures to allow a deck attached to the principal structure zero feet from the side property line, a variation of 5 feet

Jeremy Lawson, petitioner
339 W. Crystal Lake Avenue

**PZC Recommendation:** To deny the requested variation at 339 W. Crystal Lake Avenue

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

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## Background:

- The site is currently improved with a single family home. The lot is zoned R-1 Single Family, which requires a minimum 80-foot lot width. The lot is only 66 feet wide making it a non-conforming lot.
- The existing home is setback approximately 6 feet from the east property line.
- An existing concrete patio was going to be removed and a deck installed in its place. The approved permit plans showed the deck even with the eastern edge of the home. Upon inspection, it was noted that piers were installed up to the fence, which needed to be removed. At a later date the City found the deck constructed up to the fence line and requested it to be amended to meet the requirements.
- The petitioner must call for a final inspection on the deck and meet all requirements of the storm water management ordinance as this was not completed.

## PZC Highlights:

The following discussion took place during the Planning and Zoning Commission hearing:

- The petitioner explained the hardship is the slope along the east side of the home sloping to the north. It is a slip hazard. The deck covers this area to make the property safer.
- There is a four-foot privacy fence around the property so the deck cannot be seen from outside the property unless you walk up to the fence.

- The neighbors to the east spoke that they have no objection to the deck being up against the property line.
- The PZC was concerned with the variation and future homeowners especially if the fence was removed and the deck is right along the property line.
- They were also concerned with setting a precedent for future requests.
- The PZC found that the petition did met the Findings of Facts.

The Planning and Zoning Commission recommended **denial (3-1)** of the petitioner's request.

If the City Council makes a motion to recommend approval of the petitioner's request, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Lawson, received 10/11/22)
   B. Plans (Lawson, undated, received 10/11/22)

2. No covering, awning, pergola, roof, or sides can be constructed on the deck.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

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

# Acknowledgement Form

Regarding the Variation at 339 W. Crystal Lake 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:

that it be allowed to have a covering over the non-variation portion

Petitioner's Name: Jenny Lawson Date: 11-28-22
Signature

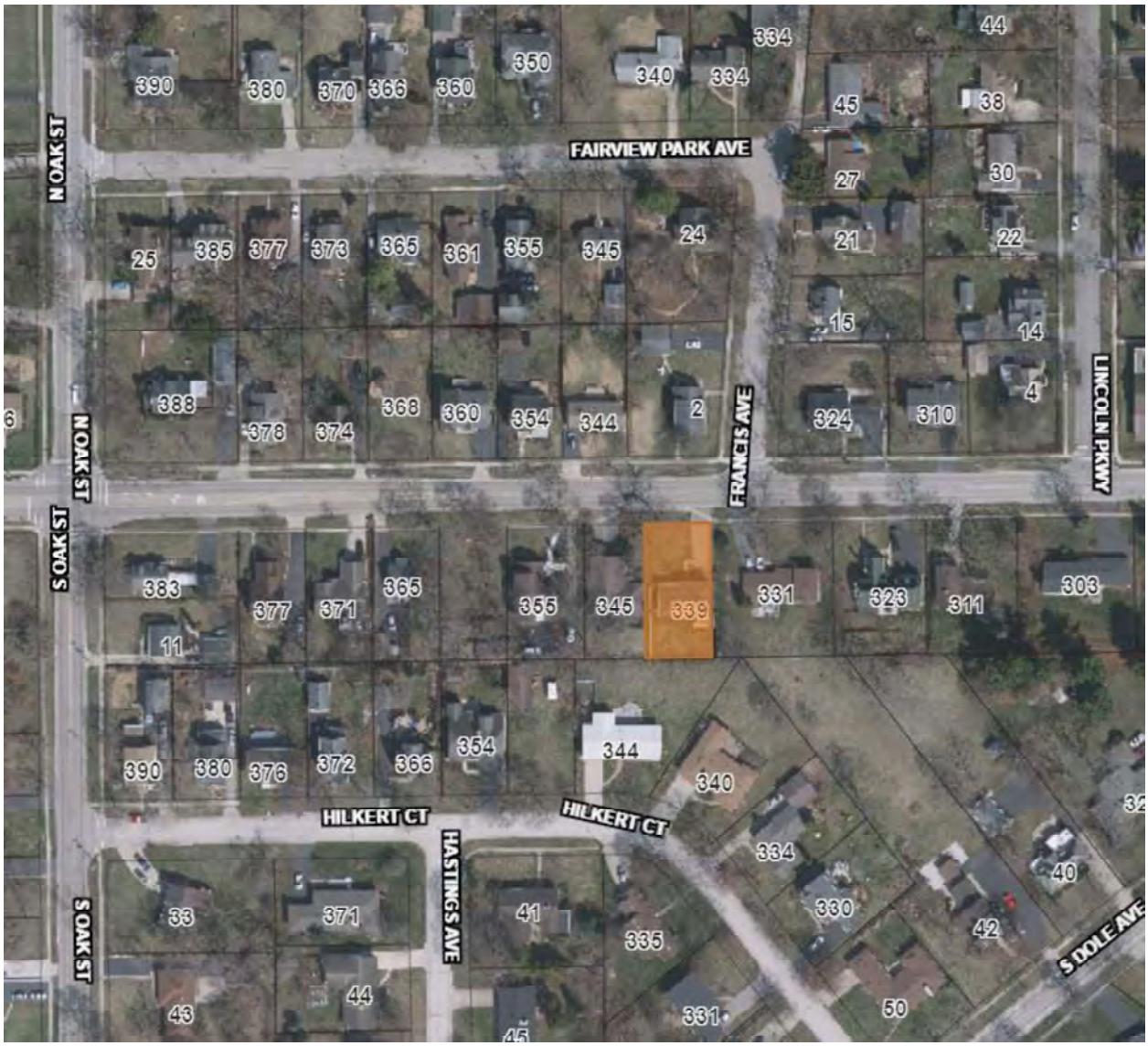
**Recommended Conditions:**

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Lawson, received 10/11/22)
   B. Plans (Lawson, undated, received 10/11/22)

2. No covering, awning, pergola, roof, or sides can be constructed on the deck.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

PIQ MAP
339 W. Crystal Lake Avenue



Ord. No.
File No.

**The City of Crystal Lake Illinois**

**AN ORDINANCE GRANTING A SIMPLIFIED RESIDENTIAL VARIATION AT 339 W. CRYSTAL LAKE AVENUE**

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-223) before the Crystal Lake Planning and Zoning Commission, the Petitioners have requested a Variation from Article 4-600 Accessory Structures to allow a deck attached to the principal structure zero feet from the side property line, a variation of 5 feet at 339 W. Crystal Lake Avenue; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on October 18, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on November 2, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed setback variation; and

WHEREAS, on November 2, 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 denied, 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 Variation from Article 4-600 Accessory Structures to allow a deck attached to the principal structure zero feet from the side property line, a variation of 5 feet for the property commonly known as 339 W. Crystal Lake Avenue (19-05-101-008), 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 (Lawson, received 10/11/22)
   B. Plans (Lawson, undated, received 10/11/22)

Draft

2. No covering, awning, pergola, roof, or sides can be constructed on the deck.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

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 6th day of December, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: December 6, 2022
Approved: December 6, 2022

Draft

# #2022-223
# 339 W. Crystal Lake Avenue – Variations
# Project Review for Planning and Zoning Commission

**Meeting Date:** November 2, 2022

**Request:** Variation from Article 4-600 Accessory Structures to allow a deck attached to the principal structure zero feet from the side property line, a variation of 5 feet.

**Location:** 339 W. Crystal Lake Avenue

**Acreage:** Approximately 8,700 square feet

**Existing Zoning:** R-2 Single Family

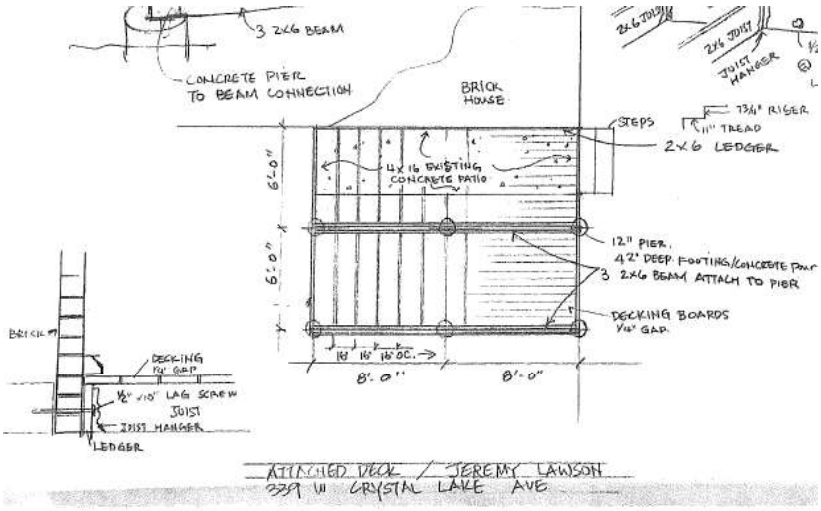
**Surrounding Properties:**
North: R-2 Single Family
South: R-2 Single Family
East: R-2 Single Family
West: R-2 Single Family

**Staff Contact**: Elizabeth Maxwell (815.356.3615)

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**Background:**

- The property is currently a single-family home.
- The petitioner received a building permit to construct a deck over the concrete patio and extend out 12 feet from the house and 16 feet in width.
- Upon inspection it was noted the deck was constructed to the property line. The petitioner has been issued a citation and is currently going through the adjudication process. The hearing has been continued until the outcome of the variation process.




APPROVED
WITH CONDITIONS

**Development Analysis:**

General

- Zoning: The site is zoned R-2 Single Family. This property is used as a single-family home.
- Land Use: The land use map shows the area as Urban Residential. This land use designation is appropriate for this use.
- The lot is considered a non-conforming lot, as it does not meet the minimum 70-foot lot width. A non-conforming lot is allowed reduced setbacks and the house could be 4.9 feet from the side property line.
- Attached accessory structures, like a deck, are required to meet principal structure setbacks, but in no instance be any closer than 5 feet to a property line. The deck is required to be 5 feet from the east property line.
- The deck has been constructed to the east property line.



- The 5-foot setback for accessory structures including decks and patios was established due to concerns of people gathering right at the property line and possibly impacting the neighbor.

**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 goals are 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.**

The project meets the following supporting action:

**Supporting Action**: Encourage a diversity of housing types throughout the city, which satisfy wide-range needs for all persons regardless of age, race, religion, national origin, physical ability and economic level for existing and future city residents.

The project does not meet the following supporting action:

**Supporting Action:** Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

**Success Indicator**: The number of adjudication fines for residential properties.

The project does not meet the following goal or success indicator:

Housing – Single Family Housing

**Goal: Promote strong neighborhoods by preserving their character and historical significance and ensuring that they are well serviced by a variety of community facilities and services.**

The project does not meet the following supporting action:

**Supporting Action:** Encourage "green" improvements to homes and yards.

**Success Indicator**: The number of rain gardens, bio-swales and native prairie flowers planted.

*A deck is considered impervious surface*.

**Findings of Fact:**

ZONING ORDINANCE VARIATION

The petitioner is requesting Variations from Article 4-600 Accessory Structures to allow a deck attached to the principal structure zero feet from the side property line, a variation of 5 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 petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Lawson, received 10/11/22)
   B. Plans (Lawson, undated, received 10/11/22)

2. No covering, awning, pergola, roof, or sides can be constructed on the deck.

3. The petitioner shall address all of the review comments and requirements of Community Development Department.

RECEIVED
OCT 1 1 2022
By BJM

# Application for Simplified Residential Variation

FOR OFFICE USE ONLY

Application Number: _____

Project Name: _____

Date of Submission: _____

## I. Applicant

JEREMY LAWSON
Name

339 W CRYSTAL LAKE AVE
Street

CRYSTAL LAKE | IL | 60014
City | State | Zip Code

[redacted] | drjeremy@catalystfamilychiro.com
Telephone Number | Fax Number | E-mail address

## II. Owner of Property (if different)

RUBY LAWSON
Name

SAME | [redacted]
Address | Telephone Number

## III. Project Data

1. a. Location/Address: 339 W CRYSTAL LAKE AVE

   b. PIN #: _____

2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:

YARD IS SLOPED W/ SIGNIFICANT DROPOFF. THE ADDITIONAL DECK AREA PROVIDES INCREASED SAFETY ESPECIALLY FOR OUR YOUNG DAUGHTER

IS THE HARDSHIP SELF-CREATED?

NO. YARD HAS ALWAYS BEEN SLOPED IN THIS AREA

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION? DEPENDS. I think this question is unique to each individual property

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY? NO

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY? NO

WILL THE VARIATION AS PROPOSED IMPAIR ADEQUATE SUPPLY OF LIGHT OR AIR TO ADJACENT PROPERTY; DIMINISH PROPERTY VALUE; INCREASE CONGESTION IN PUBLIC STREETS; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY? NO

3. List any previous variations that are approved for this property: NONE TO MY IGNOWLEDGE

## IV. Signatures

10/4/22

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.

Ruby Lalania Lawson Ruby Lawson

OWNER: Print and Sign name Date 10/4/22

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.

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION**
**WEDNESDAY, NOVEMBER 2, 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, Atkinson, Greenman, Gronow, and Repholz were present. Skluzacek and Teetsov were absent.

Elizabeth Maxwell, 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.

## 2022-223 – 339 W. CRYSTAL LAKE AVENUE – VARIATION

Simplified Residential Variation from Article 4-600 to allow an attached accessory structure zero feet from the east property line, a variation of five feet.

Mr. Jeremy Lawson and Ruby Lawson, owners were present to represent the petition. Mr. Lawson said the northeast corner of this yard slopes and is slippery. When they purchased the lot there was no fence there and with the fence the area past the deck is narrow and sloped. He stated his contractor was responsible for all permits and he was fooled by the contractor that everything was being done correctly. He presented some photos to the commission. He said there is a 31-inch drop off from the top of the deck to the bottom of the slope at the north east corner. They understand the reason for the setback requirement, but they do not congregate on this portion of the deck so there is no impact to the neighbor.

Mr. Greenman opened the public hearing.

Mr. Tim Harris of 331 Crystal Lake Avenue is the next door neighbor and said they do not gather at the property line. The former resident did slip on this hill. They like the fence between the neighbors so their dogs can play in their own yards. He believes the deck will increase the property value.

Ms. Lawson said there is a sharp drop off and their daughter could "eat it" on the hill. There is no unfair advantage to seeing into the neighbor's yard, it is only a four foot fence so that rule does not really apply.

Mr. Harris stated that their property is ten feet higher than his anyway.

Ms. Teanna Harris said she is a registered nurse and this will improve safety.

There being no one else who wished to speak, Mr. Greenman closed the public hearing.

Staff summarized the request noting the two years the City has been working with the homeowners to come into compliance. The original pre-pour inspection noted the footings were in the wrong place and needed to be moved back from the property line. Staff showed exhibits of the topography of the lot and explained why the UDO required the five-foot setback, which is to reduce the impact on neighbors from noise and activity.

Mr. Atkinson said there are a lot of moving parts to this. According to the property owner they were at the mercy of the contractor. He can see the issue of the slope. He asked for clarification about the non-conforming status of the lot.

Ms. Repholz asked about the illegally constructed stairway and what is the purpose of the trench drain. She noted that it was almost two years ago that the initial inspection failed and then they built the deck anyway. Mr. Lawson said he did not know the deck did not pass inspection. Once it was constructed the contractor asked for final payment and was gone. The contractor did say he would come back and address all the staff comments, but he was already going to apply for the variation at that point. Ms. Repholz said they have the setbacks to protect the neighbors and she does not want to set precedent for future requests. There is always the next person who comes in and says well you did it for them. Also, although the neighbors get along now, either or both could sell and the future homeowners may not like the deck at the property line.

Mr. Harris asked about the trench drain and did not want anything affecting his lot.

Mr. Gronow was concerned with the length of time it has taken for the owner to resolve this issue. He looked at the photos and it does not look very steep and looks mowable. What Commission Member Repholz said resonates about setting precedent. Early on it was noted by the City that it needed to be correct. He asked for a plan that showed where the piers were located that needed to be moved. Staff said they did not have a plan of how it was actually constructed, only the permit plan that showed the deck stopping at the edge of the house. He appreciates the neighbors coming out and supporting the request. He understands what the homeowner did, but is worried about precedent. Mr. Lawson said this is a unique circumstance on his lot and does not set precedent. He said there was no one there opposed after the notices they sent out. Mr. Gronow said if they came to the commission and asked for permission for the variation he would have voted no since he cannot see the hardship.

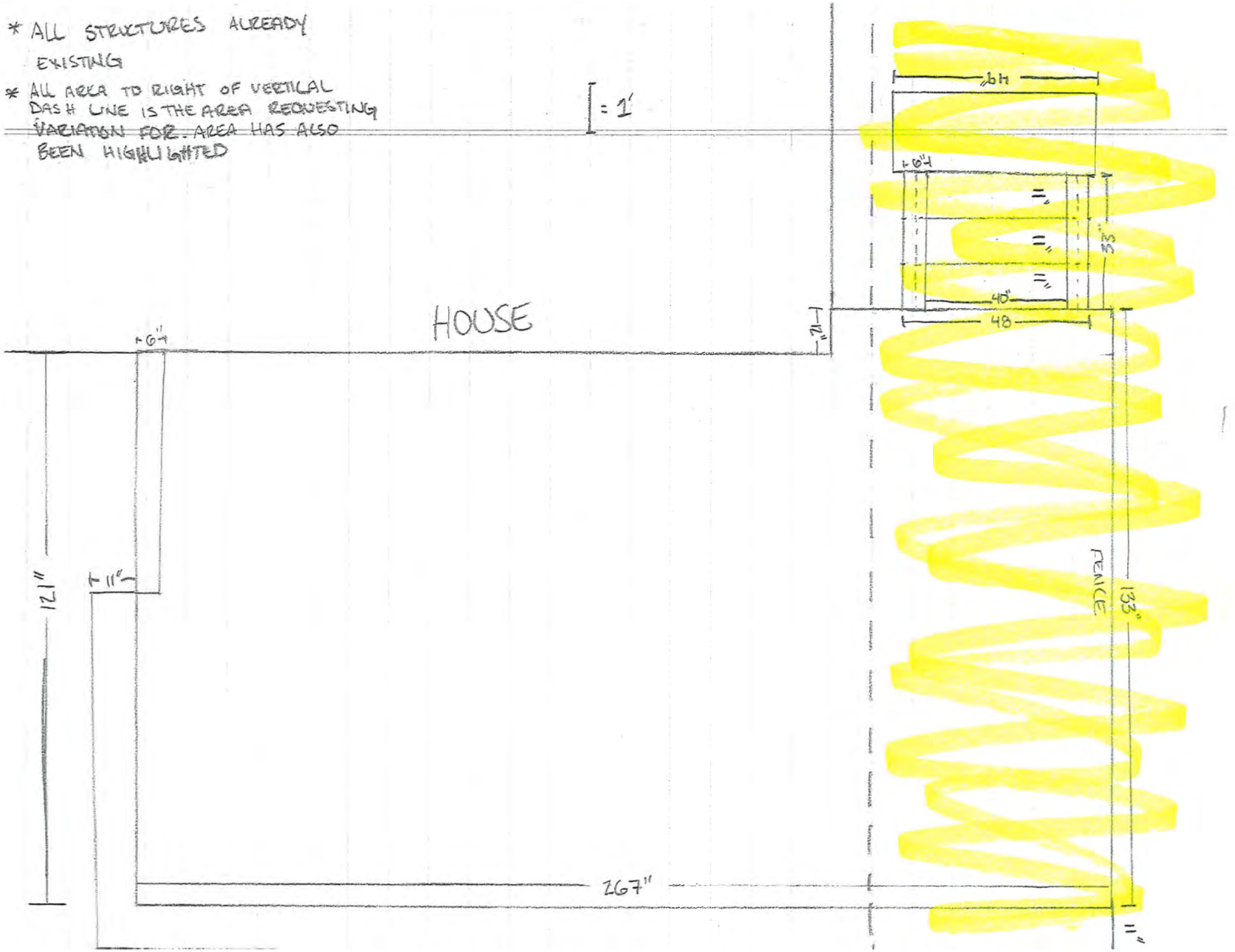
Mr. Greenman thanked everyone for sharing. He noted that all the commission members are residents and they are looking out for everyone. He has heard the concerns from the commissioners. They have a different role than the City Council members. It is great to see the neighbors supporting this, but need to protect future neighbors. If the fence were to be removed, now the deck is right on the property line and the stairs are on the property line. If the fence stays up that is better since it blocks the view and impact from the deck. The stairs on the property line are too much and it would be better if they were eliminated. Mr. Lawson said they wanted to put gates and stairs on all sides in case kids had to go get a ball from the neighbor's yard so they did not need to go all the way around. Mr. Greenman stated he cannot support their request. He asked if they had any final comments. Ms. Lawson said that if they do approve it they would like the condition modified that allows them to put a pergola over the deck since they do want a covering.

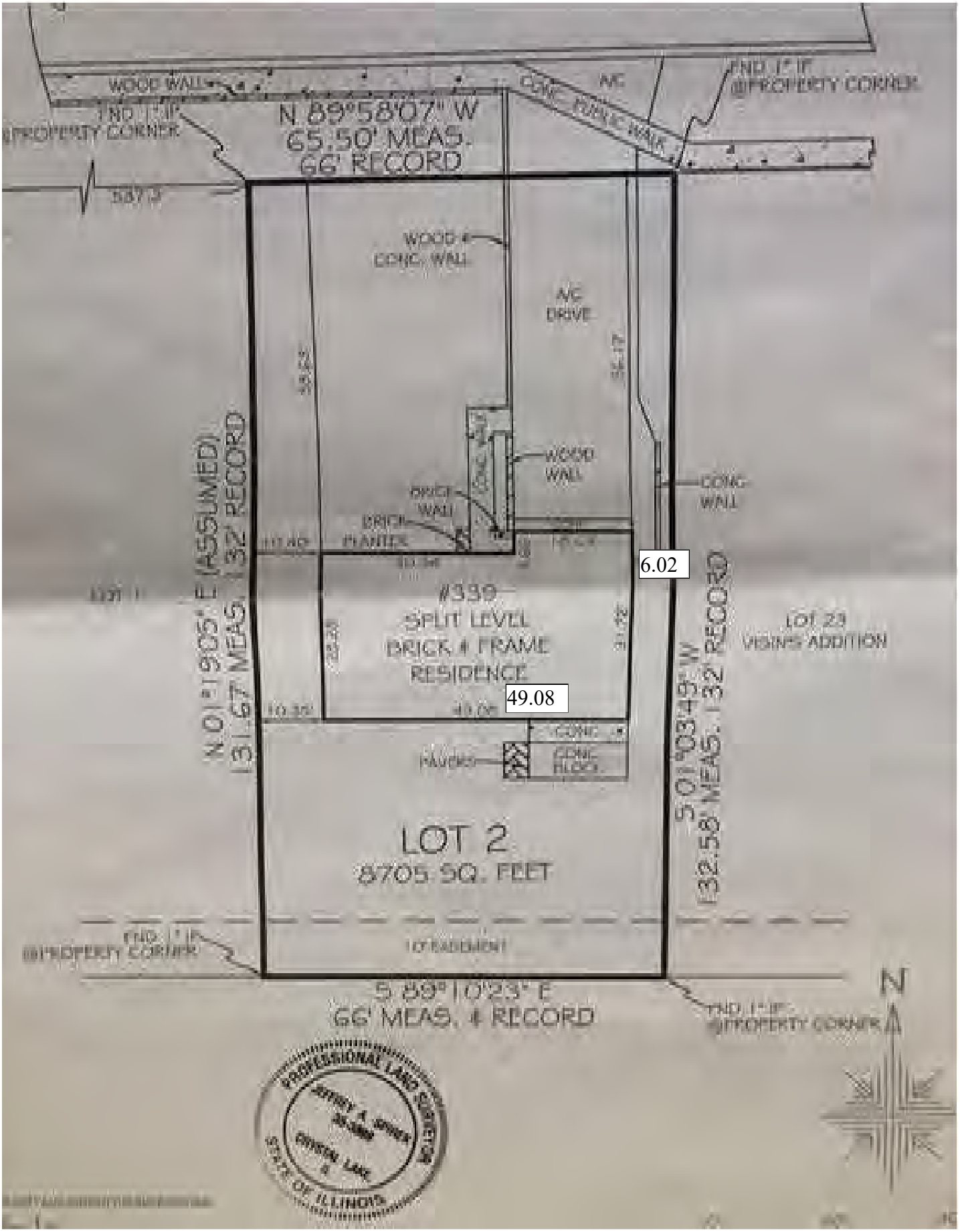
Ms. Repholz made a motion to deny 2022-223 the setback variation at 339 W. Crystal Lake Avenue.

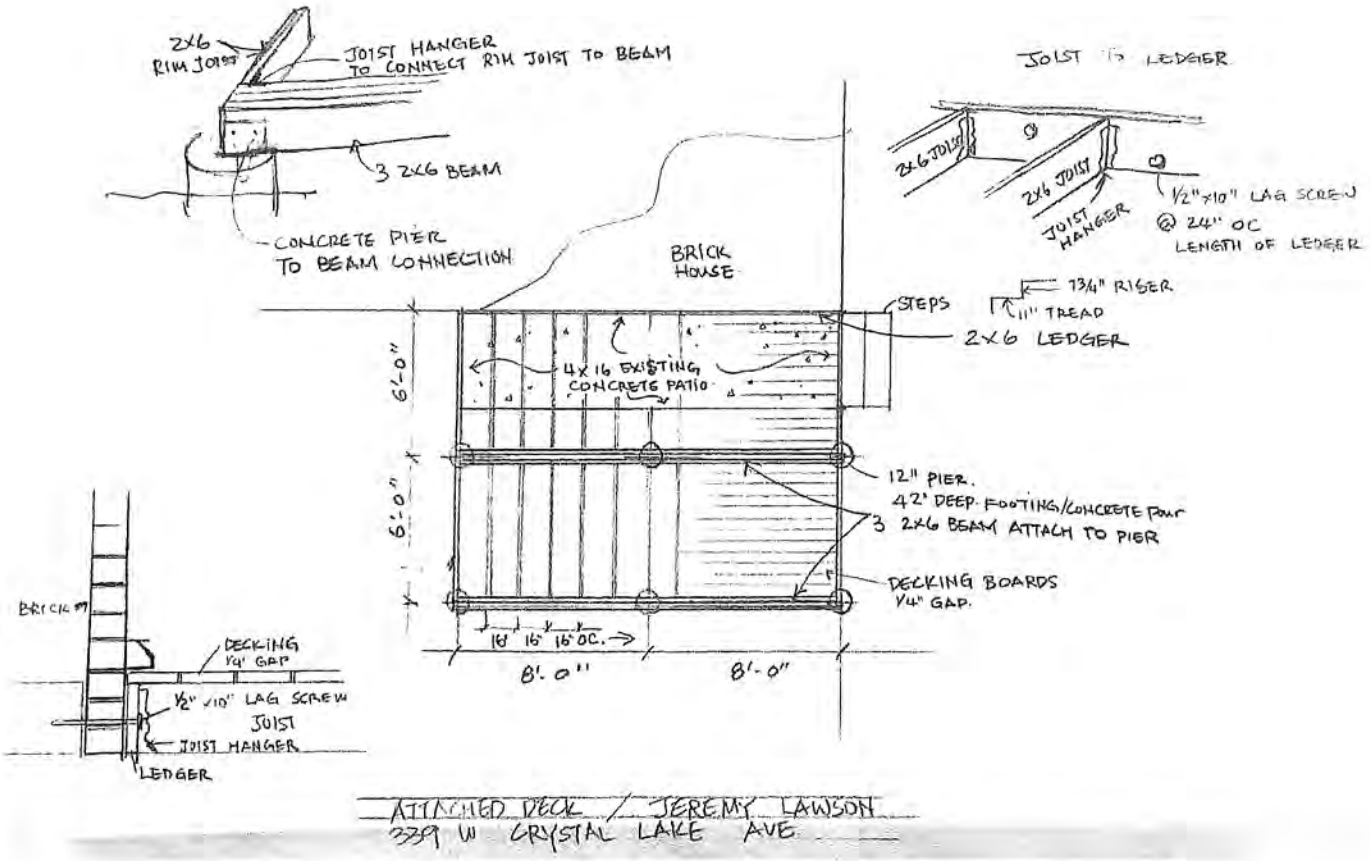
Mr. Atkinson seconded the motion. On voice vote members Atkinson, Repholz, and Gronow voted aye. Mr. Greenman voted no. Motion passed 3-1. Mr. Greenman voted no so it would not force the super majority at the City Council.

* ALL STRUCTURES ALREADY EXISTING

* ALL AREA TO RIGHT OF VERTICAL DASH LINE IS THE AREA REQUESTING VARIATION FOR. AREA HAS ALSO BEEN HIGHLIGHTED




WOOD WALL
FND. 1" IP @PROPERTY CORNER
N 89°58'07" W
65.50' MEAS.
66' RECORD
CONC. BLOCK WALL
A/C
FND. 1" IP @PROPERTY CORNER
WOOD & CONC. WALL
A/C DRIVE
WOOD WALL
CONC. WALL
BRICK WALL
BRICK PLANTER
6.02
#339
SPLIT LEVEL
BRICK & FRAME
RESIDENCE
49.08
LOT 23
VIGNE'S ADDITION
N 01°19'05" E (ASSUMED)
131.67' MEAS. 132' RECORD
S 01°03'48" W
132.58' MEAS. 132' RECORD
CONC.
CONC. BLOCK
PAVERS
LOT 2
8705 SQ. FEET
10' EASEMENT
FND. 1" IP @PROPERTY CORNER
S 89°10'23" E
66' MEAS. & RECORD
FND. 1" IP @PROPERTY CORNER
N
PROFESSIONAL LAND SURVEYOR
JEFFREY A. SPIRES
035-3660
OSWEGO, LAKE
STATE OF ILLINOIS




ATTACHED DECK / JEREMY LAWSON
3339 W CRYSTAL LAKE AVE

APPROVED
WITH CONDITIONS

**Agenda Item No: 15**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** REPORT OF THE PLANNING & ZONING COMMISSION

**Request:** Final Planned Unit Development (PUD) Amendment to the approved pylon signs plan and variation to allow the reconfiguration of the copy area of the two existing freestanding signs for Twin Ponds Marketplace

**Petitioner:** Rick Filler, President and CEO of Harlem Irving
4423-4483 US Route 14

**PZC Recommendation:** To approve the Planning and Zoning Commission (PZC) recommendations and adopt an Ordinance granting a Final Planned Unit Development (PUD) Amendment to the approved pylon signs plan and a variation to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs for Twin Ponds Marketplace at 4423-4483 US Route 14

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

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## Background:

- Request: The petitioner is requesting a Final PUD Amendment to the approved pylon signs plan for Twin Ponds Marketplace and a variation to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs.

- Land Use: The Comprehensive Land Use map shows the area as Commerce, which is an appropriate land use designation for shopping center.

- Zoning: The site is zoned B-2 PUD General Commercial.

- In 1996, Twin Ponds Marketplace received a Special Use Permit for a Final PUD for a commercial shopping center. The PUD Approval included approved elevations, signage and Tenant Sign Criteria. In 2010, Pep Boys received a Final PUD Amendment for modifications to the approved exterior elevations, wall signage and center signage. This approval allowed Pep Boys to add a sign panel (approximately 30.2 square feet each) to each pylon sign.

- Twin Ponds has two existing pylon signs (NEC of the center at the intersection of U.S. Route 14 and Sands Road and SWC corner of the center along Route 31). The reconfiguration will remove the ornamental top of the pylon signs and shift the signage up. A summary of the existing conditions and proposed changes is below.

| | Existing Height | Existing Number of Panels | Existing Sign Area (sq. ft.) | Proposed Height | Proposed Number of Panels | Proposed Sign Area (sq. ft.) |
|---|---|---|---|---|---|---|
| **Pylon Sign #1** | 28 feet | 5 | 187.5 sq. ft. | 28 feet (no changes) | 7 | 239.5 sq. ft. |
| **Pylon Sign #2** | 25'-4" | 5 | 187.5 sq. ft. | 25'-4" (no changes) | 7 | 239.5 sq. ft. |

- The total sign area for each sign will increase by 52 square feet per pylon sign, for a total of 239.5 square feet per pylon sign.

**PZC Highlights:**

- The petitioners explained they are reworking the signs by removing the ornamental portion at the top of each sign and shifting the signage up. The shopping center has a lot of activity taking place right now. Boot Barn will be occupying the former Pep Boys location and requires a panel on each pylon sign.

- The PZC was supportive of the request. They thought the pylon signs would look cleaner without the ornamental feature.

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

The PZC recommended **approval (4-0)** 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 (Krolopp/Harlem Irving Companies, date signed 08/15/2022, received 10/13/2022)
   B. Site Plan (Harlem Irving Companies, date 08/19/2022, received 10/13/2022)
   C. Sign Plans (Olympik Signs, dated 11/15/2022, received 10/13/2022)

2. All conditions from the original PUD Ordinance and subsequent Ordinances shall remain valid, as applicable, unless specifically modified by this request.

3. Work with Staff to determine if the existing landscaping around the base of the signs is sufficient or if additional landscaping is needed to meet the requirement to provide one square foot of landscape per square foot of signage.

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

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

# Acknowledgement Form

Regarding the Final PUD Amendment and Variation at 4423-4483 US Route 14 (Twin Ponds Marketplace). 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: Olympik Signs Date: 11-17-2022
Signature
Rob Whitehead Sr.

**Recommended Conditions:**

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Krolopp/Harlem Irving Companies, date signed 08/15/2022, received 10/13/2022)
   B. Site Plan (Harlem Irving Companies, date 08/19/2022, received 10/13/2022)
   C. Sign Plans (Olympik Signs, dated 11/15/2022, received 10/13/2022)

2. All conditions from the original PUD Ordinance and subsequent Ordinances shall remain valid, as applicable, unless specifically modified by this request.

3. Work with Staff to determine if the existing landscaping around the base of the signs is sufficient or if additional landscaping is needed to meet the requirement to provide one square foot of landscape per square foot of signage.

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

PIQ Map
4423-4483 US Route 14



Ord. No.
File No.

**The City of Crystal Lake Illinois**

**AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT AMENDMENT AT 4423-4483 US ROUTE 14 (TWIN PONDS MARKETPLACE)**

WHEREAS, pursuant to the terms of a Petition (File #PLN-2022-225) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Final Planned Unit Development Amendment to the approved pylon signs plan for Twin Ponds Marketplace and a variation to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs a variation from Article 4 Section 4-1000 F at 4423-4483 US Route 14; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on October 28, 2022 in the Northwest Herald, held a public hearing at 7:00 p.m., on November 16, 2022 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Final Planned Unit Development Amendment; and

WHEREAS, on November 16, 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 a Final Planned Unit Development Amendment to the approved pylon signs plan for Twin Ponds Marketplace and a variation to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs a variation from Article 4 Section 4-1000 F for the property commonly known as 4423-4483 US Route 14 (19-10-201-004, 19-10-201-005, 19-10-201-006, 19-10-201-008, and 19-10-201-012), 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 (Krolopp/Harlem Irving Companies, date signed 08/15/2022, received 10/13/2022)
B. Site Plan (Harlem Irving Companies, date 08/19/2022, received 10/13/2022)
C. Sign Plans (Olympik Signs, dated 11/15/2022, received 10/13/2022)

2. All conditions from the original PUD Ordinance and subsequent Ordinances shall remain valid, as applicable, unless specifically modified by this request.

3. Work with Staff to determine if the existing landscaping around the base of the signs is sufficient or if additional landscaping is needed to meet the requirement to provide one square foot of landscape per square foot of signage.

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

Section III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a 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 6th day of December, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: December 6, 2022
Approved: December 6, 2022

Draft

# #2022-225
# Final PUD Amendment and Variation for Twin Ponds Marketplace Pylon Signs
# Project Review for Planning and Zoning Commission

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| | |
|---|---|
| **Meeting Date:** | November 16, 2022 |
| **Zoning Requests:** | Final PUD Amendment to the approved pylon signs plan for Twin Ponds Marketplace and a variation to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs. |
| **Location:** | 4423-4483 US Route 14 |
| **Size:** | 24 acres |
| **Existing Zoning:** | B-2 PUD General Commercial |
| **Surrounding Properties:** | North: B-2 PUD General Commercial<br>South: B-2 PUD General Commercial<br>East: B-2 PUD General Commercial and R-3 PUD Multi-Family Residential<br>West: Route 31, E Estate, B-2 PUD General Commercial and McHenry County "R1" Single-Family Residential |
| **Staff Contact:** | Katie Rivard (815.356.3612) |

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**Background:**

- Existing Use: The existing use is the Twin Ponds Marketplace shopping center.
- Development History:
    - In 1996, Twin Ponds Marketplace received a Special Use Permit for a Final PUD for a commercial shopping center. The PUD Approval included approved elevations, signage and Tenant Sign Criteria.
    - In 2010, Pep Boys received a Final PUD Amendment for modifications to the approved exterior elevations, wall signage and center signage. This approval allowed Pep Boys to add a sign panel (approximately 30.2 square feet each) to each pylon sign.

**Development Analysis:**

General:

- Request: Final PUD Amendment to the approved pylon signs plan for Twin Ponds Marketplace and a variation to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs.
- Land Use: The Comprehensive Land Use map shows the area as Commerce, which is an appropriate land use designation for shopping center.
- Zoning: The site is zoned B-2 PUD General Commercial.

Request Overview:

- Twin Ponds Marketplace has two existing pylon signs. Pylon Sign #1 is located at the northeast corner of the center at the intersection of U.S. Route 14 and Sands Road. Pylon Sign #2 is located at the southwest corner of the center along Route 31.

| | Existing Height | Existing Number of Panels | Existing Sign Area (sq. ft.) | Proposed Height | Proposed Number of Panels | Proposed Sign Area (sq. ft.) |
|---|---|---|---|---|---|---|
| **Pylon Sign #1** | 28 feet | 5 | 187.5 sq. ft. | 28 feet (no changes) | 7 | 239.5 sq. ft. |
| **Pylon Sign #2** | 25'-4" | 5 | 187.5 sq. ft. | 25'-4" (no changes) | 7 | 239.5 sq. ft. |

- The reconfiguration will remove the existing ornamental top of the pylon signs and shift up the existing framed sign cabinet for Home Depot, Ollie's, Office Max and Petsmart.
- Two new tenant panel cabinets will be installed between Petsmart's tenant panel and Dollar Tree's tenant panel.



- The total sign area will increase by 52 square feet per pylon sign.
- The distance from grade to the bottom sign panel (Dollar Tree) is not changing for both signs.

**Findings of Fact:**

FINAL PLANNED UNIT DEVELOPMENT AMENDMENT
The petitioner is requesting approval of a Final PUD Amendment to the approved pylon signs plan for Twin Ponds Marketplace and variations to allow the reconfiguration of the copy area of the two existing multi-tenant pylon signs. A Planned Unit Development is a Special Use and Special Uses require separate review because of their potential to impact surrounding properties and the orderly development of the City.

Section 2-400 B General Standards for all special uses in the Unified Ordinance establishes standards for all special uses in Crystal Lake. Briefly, the criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.
   ☒ *Meets* ☐ *Does not meet*

2. The use will not be detrimental to area property values.
   ☒ *Meets* ☐ *Does not meet*

3. The use will comply with the zoning districts regulations.
   ☒ *Meets* ☐ *Does not meet*

4. The use will not negatively impact traffic circulation.
   ☒ *Meets* ☐ *Does not meet*

5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.
   ☒ *Meets* ☐ *Does not meet*

6. The use will not negatively impact the environment or be unsightly.
   ☒ *Meets* ☐ *Does not meet*

7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.
   ☒ *Meets* ☐ *Does not meet*

8. The use will meet requirements of all regulating governmental agencies.
   ☒ *Meets* ☐ *Does not meet*

9. The use will conform to any conditions approved as part of the issued Special Use Permit.
   ☒ *Meets* ☐ *Does not meet*

10. The use will conform to the regulations established for specific special uses, where applicable.
    ☒ *Meets* ☐ *Does not meet*

PLANNED UNIT DEVELOPMENT VARIATIONS
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.

The Planned Unit Development Amendment proposed by the Petitioner includes the following variation from the UDO:

A) Article 4-1000 F Commercial Signs, to allow the two freestanding signs to have an additional 52 square feet of signage for a total of 239.5 square feet per sign.

**Comprehensive Land Use Plan 2030 Vision Summary Review:**
The Comprehensive Plan designates the subject property as Commerce, which permits which allows for existing and future commercial, service and office uses. The following goal is applicable to this request:

Land Use – Commerce

**Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the City, as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan and Economic Development Strategic Plan.**

This can be accomplished with the following supporting action:

**Supporting Action:** Promote, retain, and attract businesses that provide a diverse tax base.

**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 (Krolopp/Harlem Irving Companies, date signed 08/15/2022, received 10/13/2022)
   B. Site Plan (Harlem Irving Companies, date 08/19/2022, received 10/13/2022)
   C. Sign Plans (Olympik Signs, dated 11/15/2022, received 10/13/2022)

2. All conditions from the original PUD Ordinance and subsequent Ordinances shall remain valid, as applicable, unless specifically modified by this request.

3. Work with Staff to determine if the existing landscaping around the base of the signs is sufficient or if additional landscaping is needed to meet the requirement to provide one square foot of landscape per square foot of signage.

4. 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: Joseph Krolopp

Address: 4104 N. Harlem Avenue

Norridge, Illinois 60706

Phone: [redacted]

E-mail: Jkrolopp@harlemirving.com

Project Name & Description: Pylon Sign Refurbish/Update

Project Address/Location: Twin Ponds Marketplace 4447 ROUTE 14, CRYSTAL LAKE, IL 60014

Signature

JOSEPH KROLOPP — 8/15/2022

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.

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

3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.

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

Ms. Teetsov seconded the motion. On voice vote members Teetsov, Skluzacek, Repholz, Gronow voted aye. Motion passed 4-0.

**2022-225 – 4423-4483 US ROUTE 14 – FINAL PUD AMENDMENT**

Final Planned Unit Development Amendment to modify the free-standing pylon sigs and adding additional 52 square feet, allowing 239.5 square feet of signage.

Mr. Rob Whitehead Sr., President of Olympik Signs, and Mr. Rick Filler, President and CEO of Harlem Irving, were present to represent the petition.

Mr. Whitehead stated they are reworking the pylon signs by removing the ornamental portion at the top and shifting the signage up. They are asking for more square feet, and the height will remain the same.

Mr. Filler noted the shopping center was built in the late 1990's, and they opened at 100 percent occupancy. They have a lot of activity taking place now. Boot Barn will be occupying the former Pep Boys location. They must be able to add Boot Barn to the pylon signs.

Mr. Gronow opened the public hearing. There being no one in the audience to speak, Mr. Gronow closed the public hearing.

Ms. Repholz said she is thrilled to see the momentum. This is a no brainer. The sign looks taller, but it is just occupying the sign with more signage.

Ms. Teetsov agrees. She prefers the ornamental feature be removed as it provides a cleaner look to the sign.

Mr. Skluzacek stated he has no problem with the request.

Mr. Gronow agreed. He asked the petitioner if they are okay with the conditions.

Mr. Filler responded yes.

Staff spoke to the history of the site and the features of the existing pylon signs. Staff noted the signs may need additional landscaping. As a condition of approval, the petitioner would need to work with staff to determine if it is sufficient or if additional landscaping was needed.

Ms. Teetsov made a motion to approve the Final Planned Unit Development Amendment and Variation for the Twin Ponds Marketplace with the following recommendations:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Krolopp/Harlem Irving Companies, date signed 08/15/2022, received 10/13/2022)
   B. Site Plan (Harlem Irving Companies, date 08/19/2022, received 10/13/2022)
   C. Sign Plans (Olympik Signs, dated 11/15/2022, received 10/13/2022)

2. All conditions from the original PUD Ordinance and subsequent Ordinances shall remain valid, as applicable, unless specifically modified by this request.

3. Work with Staff to determine if the existing landscaping around the base of the signs is sufficient or if additional landscaping is needed to meet the requirement to provide one square foot of landscape per square foot of signage.

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

Mr. Skluzacek seconded the motion. Teetsov, Skluzacek, Repholz, Gronow voted aye. Motion passed 4-0.

**2022-238 – SWC BARD ROAD AND HUNTLEY ROAD – CONCEPTUAL PUD REVIEW**

Conceptual Planned Unit Development review for a 48-unit townhome development.

Mr. Paul Swanson, petitioner, and Mr. Tom Burney, attorney for the petitioner, were present to represent the petition.

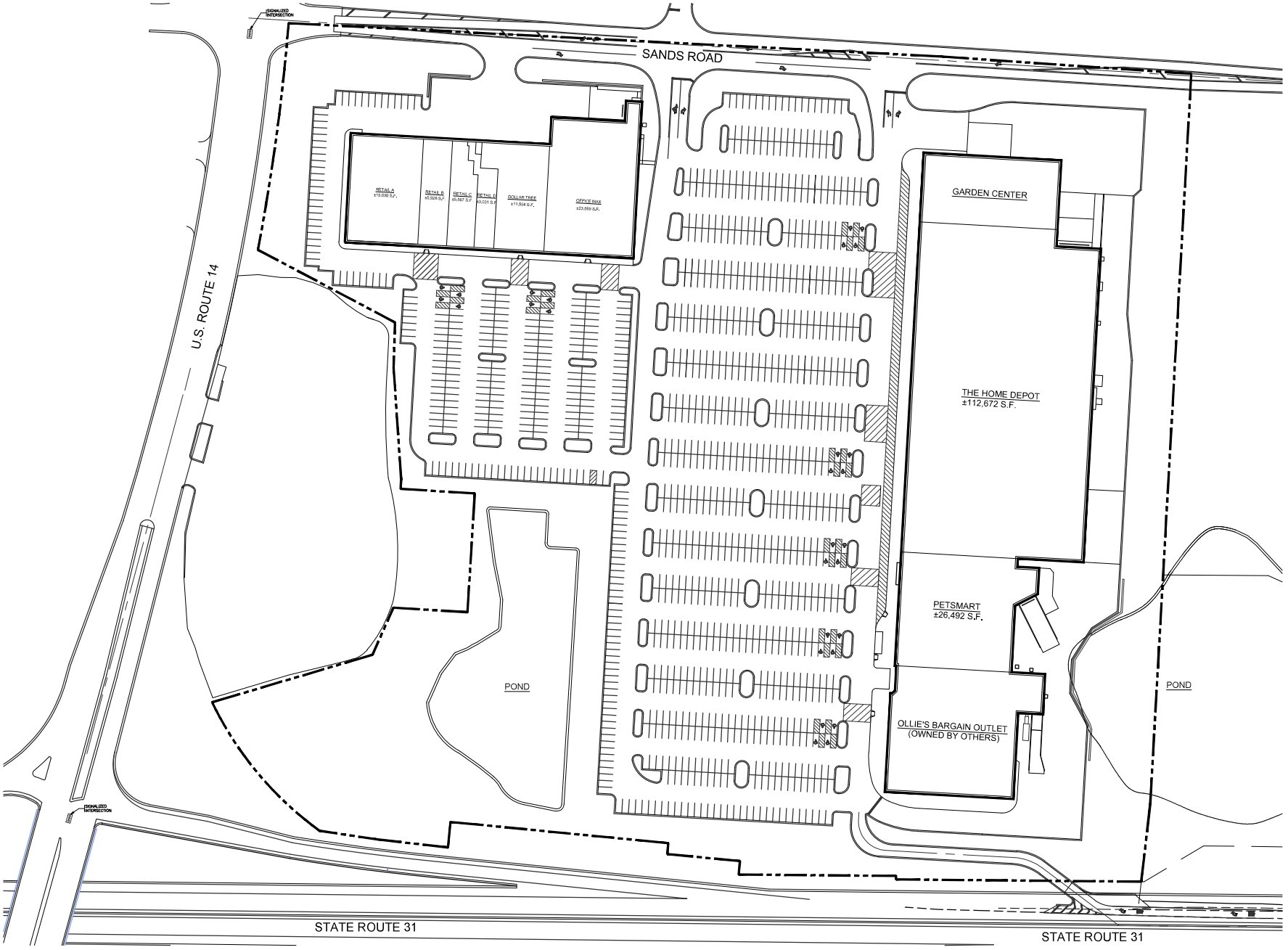
Mr. Burney provided a background of the property. The property has had trouble finding a developer. The property has been undeveloped for 14 years. The proposed development will have good architecture and it is only one unit over the maximum density. The impervious surface coverage meets the Unified Development Ordinance at 36%. The property is zoned for permit multi-family residential. He noted that Mr. Swanson can meet the design standards.

Mr. Swanson stated his daughter is the legal applicant. His partner, Ram Prashantha, is taking over the apartment buildings on Congress Parkway. This proposed development will have 48 units and 6 buildings. He stated the renderings are made in the Ukraine. He spoke to the building materials and color. He noted there is discussion taking place about the vacated right-of-way on the west side of the property. They are attempting to figure out how much acreage the site has. He explained the amenities.

Mr. Burney noted they do not own the corner parcel.

Mr. Swanson said each unit will be two-story with 2-3 bedrooms, a two-car garage and a patio.

Mr. Gronow asked if this is the same product at the Teckler proposal. Mr. Swanson replied yes.




SITE PLAN
1" = 50'-0" (30 X 42 SHEET)

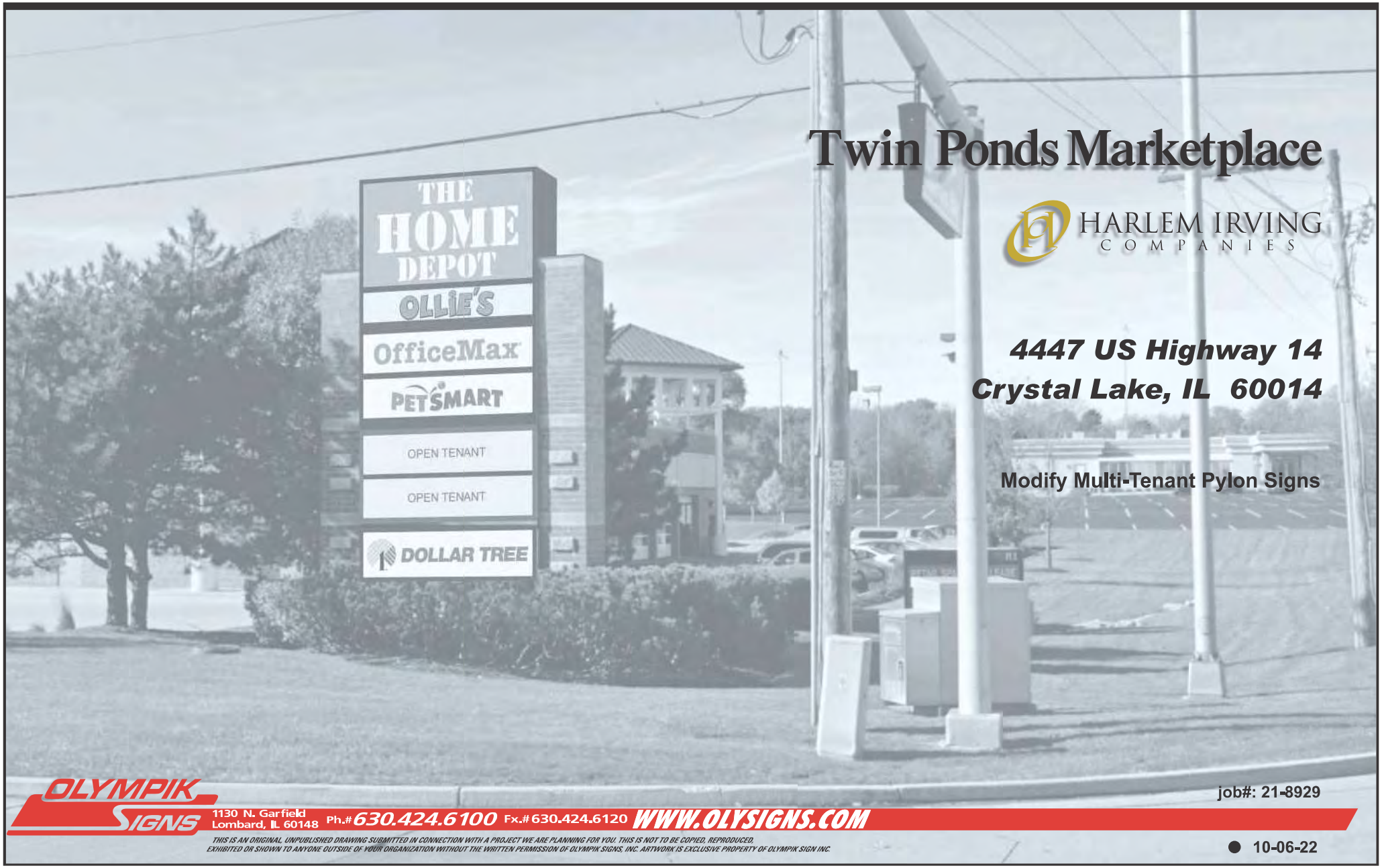
NORTH

***TWIN PONDS MARKETPLACE***

**CRYSTAL LAKE, ILLINOIS**

8.19.2022

HARLEM IRVING COMPANIES
773-625-3036;
harlemirving.com




# Twin Ponds Marketplace

HARLEM IRVING COMPANIES

***4447 US Highway 14***
***Crystal Lake, IL 60014***

**Modify Multi-Tenant Pylon Signs**

job#: 21-8929

OLYMPIK SIGNS
1130 N. Garfield
Lombard, IL 60148
Ph.# 630.424.6100 Fx.# 630.424.6120 WWW.OLYSIGNS.COM

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● 10-06-22




**Site Plan -**

# Twin Ponds Marketplace

HARLEM IRVING COMPANIES

4447 US Highway 14
Crystal Lake, IL 60014

account representative: ROB WHITEHEAD
client:
drawn by: PAMELA F

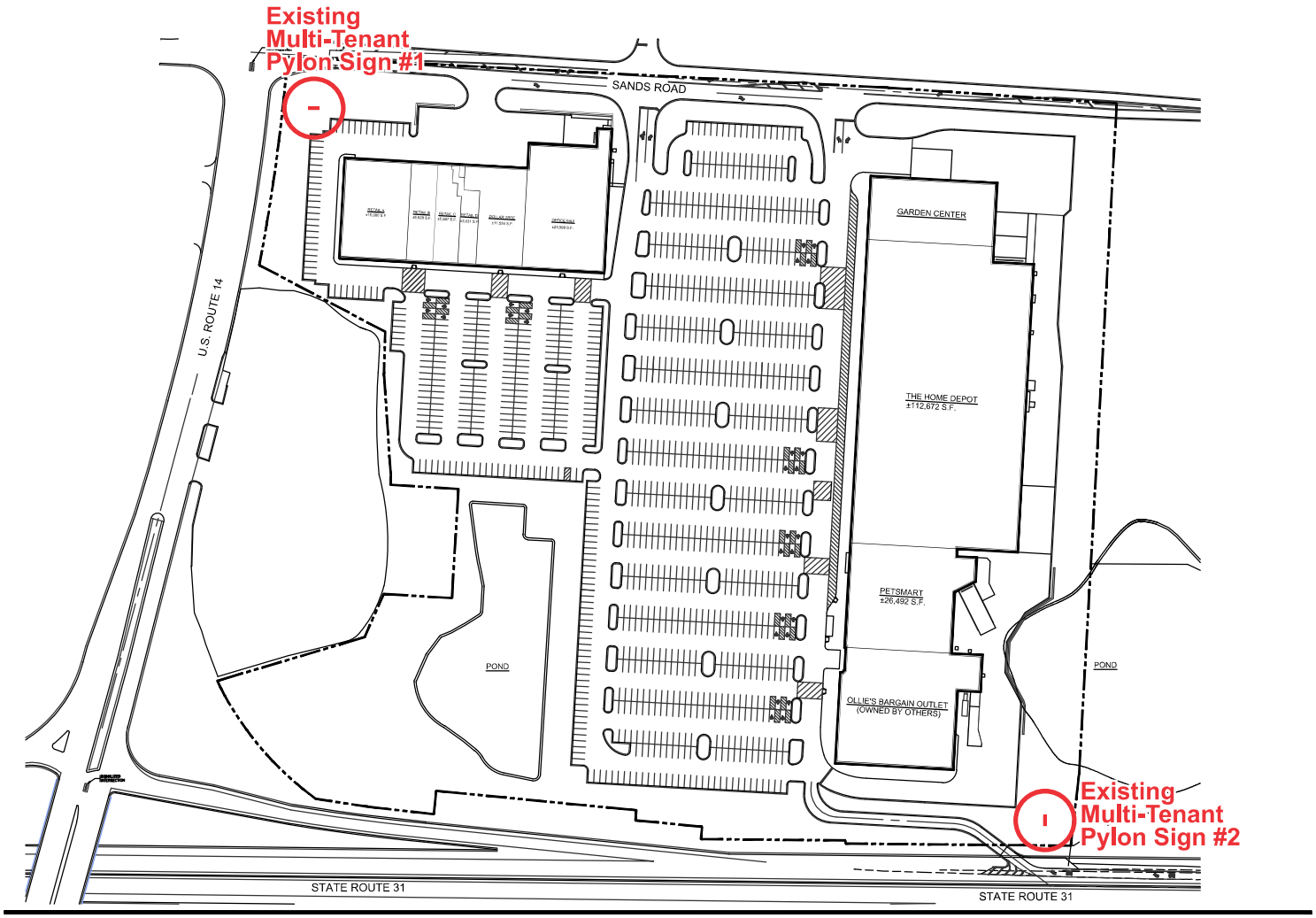
- job#: 21-8929
- 11-15-21
- rev.# 10-06-22

**Comments:**

SITE PLAN

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## Site Plan -

# Twin Ponds Marketplace

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client:
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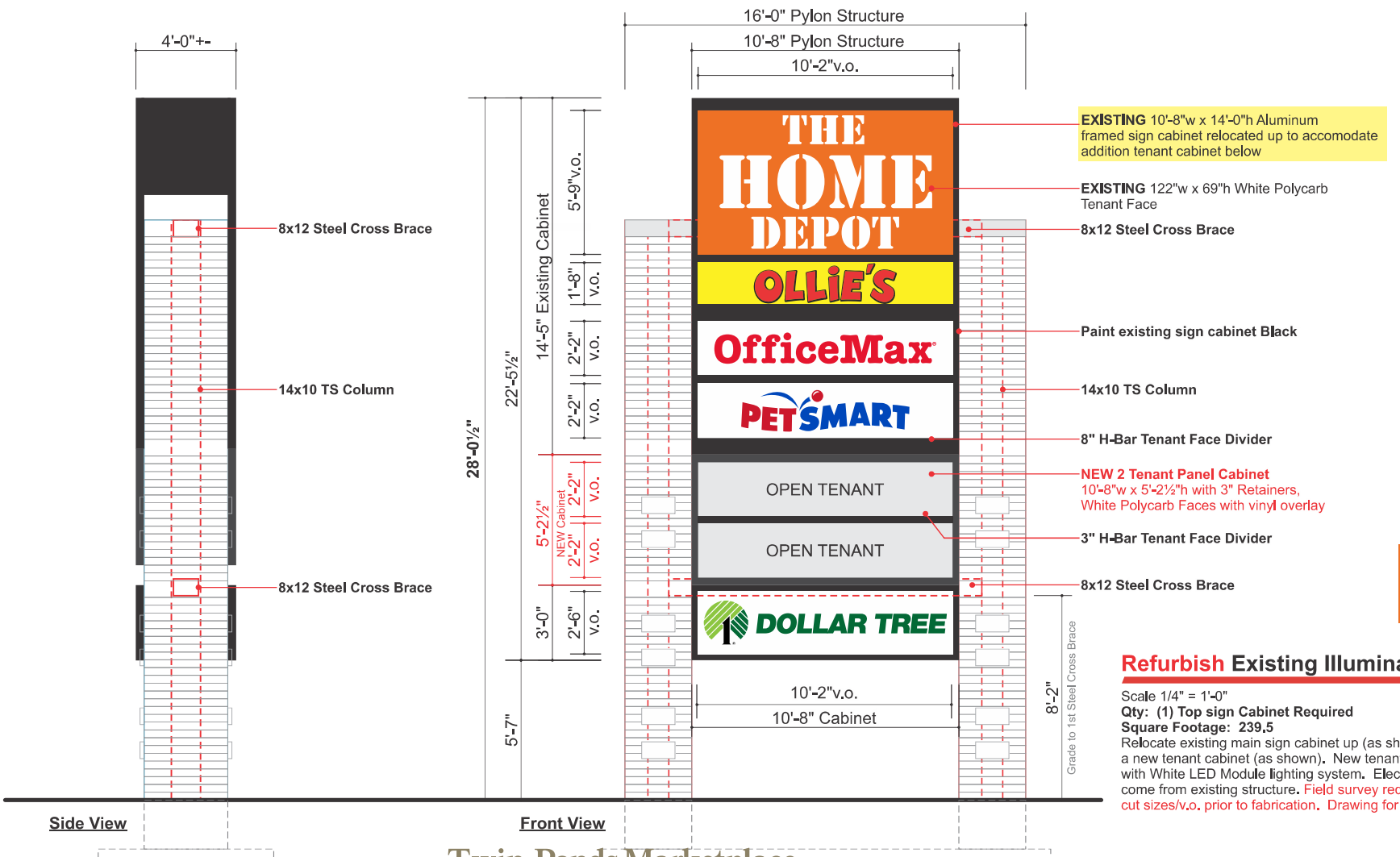
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- 11-15-21
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PUD PLAN

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Side View

Front View

## Refurbish Existing Illuminated Pylon #1 -

Scale 1/4" = 1'-0"
**Qty: (1) Top sign Cabinet Required**
**Square Footage: 239.5**
Relocate existing main sign cabinet up (as shown) to accommodate an a new tenant cabinet (as shown). New tenant sign to illuminate with White LED Module lighting system. Electrical service to come from existing structure. Field survey required prior to fabrication of cut sizes/v.o. prior to fabrication. Drawing for concept purposes only.

Twin Ponds Marketplace

HARLEM IRVING COMPANIES

4447 US Highway 14
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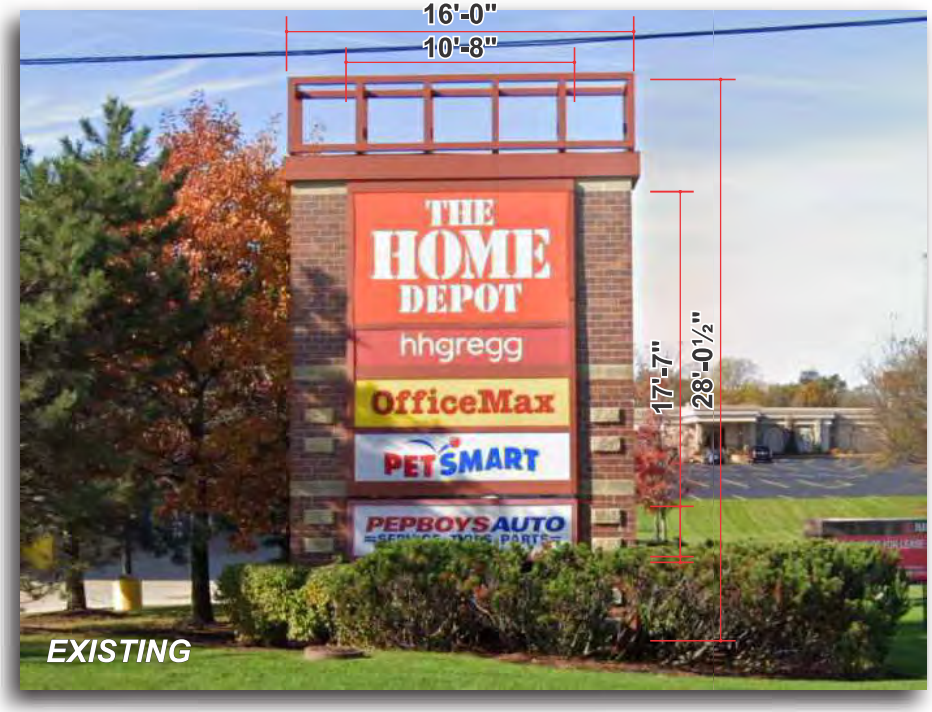
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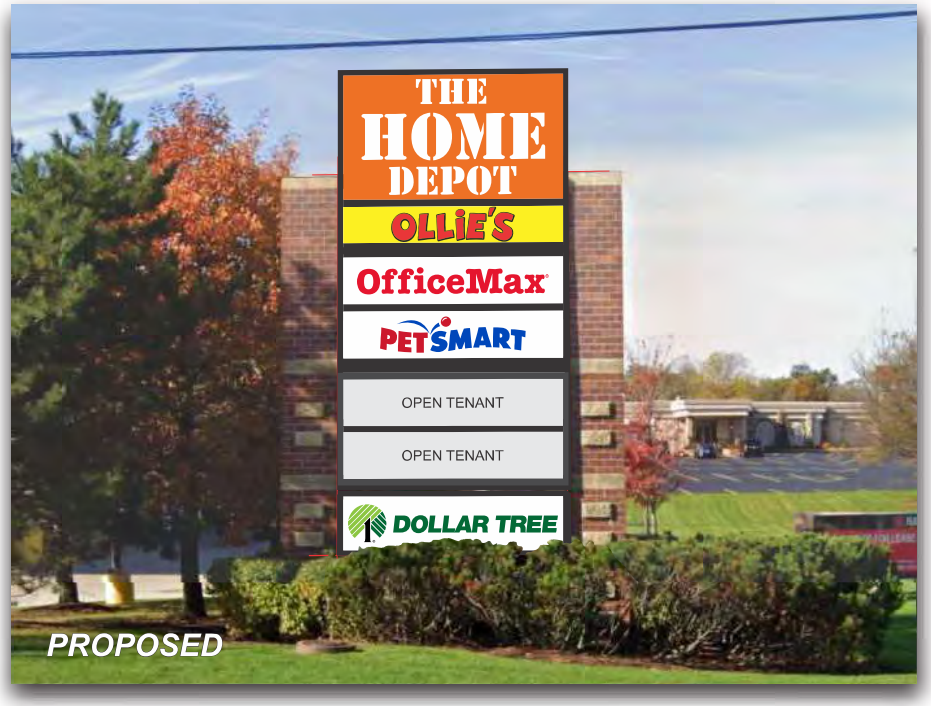


SIGN LAYOUT




**Pylon #1 East Sign Elevation - Before**

*Existing Square Footage 187.5*




**Pylon #1 East Sign Elevation - *AFTER***

Twin Ponds Marketplace

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# Twin Ponds Marketplace

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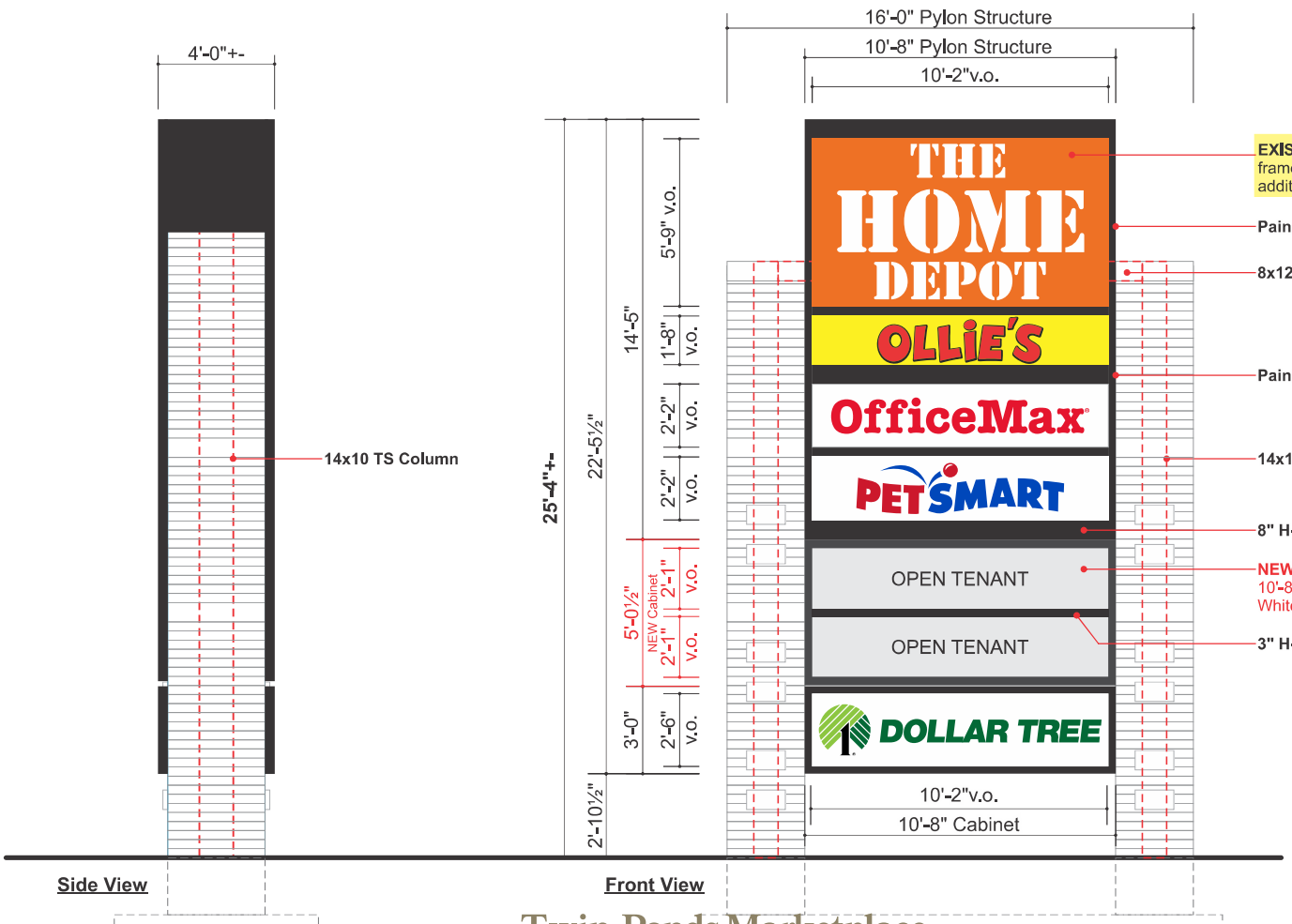
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R: 238
G: 113
B: 037

## Refurbish Existing Illuminated Pylon #2 -

Scale 1/4" = 1'-0"
**Qty: (1) Top sign Cabinet Required**
**Square Footage: 239,5**
Relocate existing main sign cabinet up (as shown) to accommodate an a new tenant cabinet (as shown). New tenant sign to illuminate with White LED Module lighting system. Electrical service to come from existing structure. Field survey required prior to fabrication of cut sizes/v.o. prior to fabrication. Drawing for concept purposes only.

Twin Ponds Marketplace

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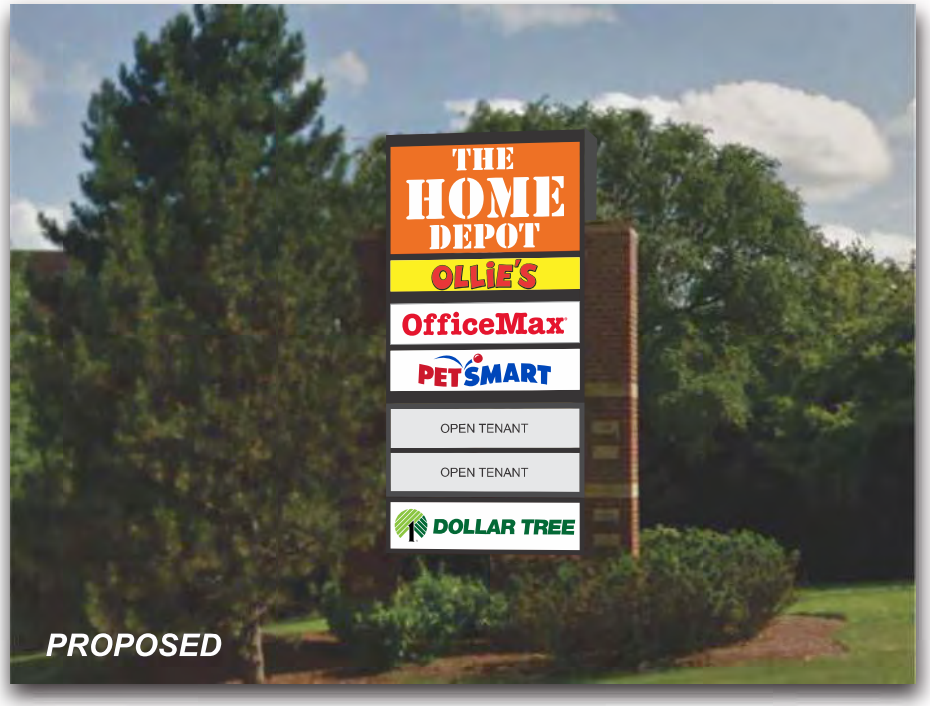


SIGN LAYOUT




**Pylon #2 North Sign Elevation - Before**

*Existing Square Footage 187.5*




**Pylon #2 North Sign Elevation - *AFTER***

Twin Ponds Marketplace

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ORDINANCE NO. 3930
FILE NO. 440

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AT TWIN PONDS MARKETPLACE

WHEREAS, pursuant to the terms of a Petition (File #96-39) before the Crystal Lake Zoning Board of Appeals, the Petitioner has requested the issuance of a Special Use Permit for a Final PUD for Twin Ponds Marketplace located south of Route 14, east of Route 31 and west of Sands Road; and

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

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

Section I: That a Special Use Permit be issued for a Final PUD for the property legally described as follows:

PARCEL 1: That part of the West half of the Southwest Quarter of the Northeast Quarter and that part of the Southeast Quarter of the Northwest Quarter of Section 10, described as follows: Beginning at the intersection of the old Easterly right of way line of State Route 31 with the North line of the Southeast Quarter of the Northwest Quarter of said Section 10; thence Easterly along the North line of the Southeast Quarter of the Northwest Quarter and along the North line of the West Half of the Southwest Quarter of the Northeast Quarter of said Section 10, a distance of 176.0 feet; thence Southerly along a line that forms an angle of 91 degrees 35 minutes 10 seconds to the right with the prolongation of the last described course, a distance of 374.04 feet; thence Westerly along a line that forms an angle of 90 degrees 08 minutes 50 seconds to the right with a prolongation of the last described course, a distance of 137.7 feet to a point on the old Easterly right of way line of State Route 31, that is 370.8 feet Southeasterly of (measured along said old Easterly right of way line) the place of beginning; thence Northwesterly along said old Easterly right of way line, a distance of 370.8 feet to the place of beginning, (excepting therefrom that part taken for State Route 31), all in Township 43 North, Range 8 East of the Third Principal Meridian, in McHenry County, Illinois (19-10-200-005).

PARCEL 2: That part of the West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 10, all in Township 43 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the center line of Sands Road, said point also being the Northeast corner of Crystal Lake Holiday Inn Subdivision, being a subdivision of part of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 10, Township 43 North, Range 8 East of the Third Principal Meridian, according tot he Plat thereof recorded May 11, 1988 as Document No. 88R13369 in McHenry County, Illinois; thence North 3 degrees 57 minutes 02 seconds East along the said centerline of Sands Road, 341.58 feet to a jog in the said road centerline (said jog being on the South line of the North Half of the Northeast

Quarter of said Section 10); thence North 3 degrees 01 minutes 47 seconds East along said centerline, 896.92 feet to a point on the South right of way line of U.S. Route 14; thence Westerly along said South right of way line, being along a curve having a radius of 2,919.80 feet as said curve is convexed to the South for an arc distance of 314.98 feet, said curve also having a chord bearing of North 82 degrees 16 minutes 48 seconds West and a chord distance of 314.83 feet; thence South 27 degrees 59 minutes 01 seconds West, 212.54 feet; thence North 88 degrees 12 minutes 07 seconds West, 62.13 feet; thence South 86 degrees 08 minutes 58 seconds West, 154.04 feet; thence North 86 degrees 32 minutes 57 seconds West 12.33 feet; thence South 3 degrees 27 minutes 07 seconds West, 102.00 feet; thence North 86 degrees 32 minutes 57 seconds West, 163.05 feet; thence North 3 degrees 27 minutes 03 seconds East, 102.00 feet; thence North 66 degrees 04 minutes 35 seconds West, 70.39 feet; thence North 16 degrees 30 minutes 52 West 229.38 feet to a point on the Southeast right of way line of the State Route 31 ramp; thence Southwesterly along the said Southeast right of way line of said ramp being along a curve convexed to the Northwest, having a radius of 469.80 feet for an arc distance of 338.87 feet, said curve also having a chord bearing of South 43 degrees 32 minutes 06 seconds West and a chord distance of 331.57 feet to a point on the East right of way line of State Route 31: thence South 0 degrees 32 minutes 17 seconds West along said East right of way line, 280.92 feet to a point of curvature; thence South along the said East right of way line along a curve to the right having a radius of 1,004.50 feet for an arc distance of 190.80 feet, said curve also having a chord bearing of South 06 degrees 00 minutes 46 seconds West and a chord distance of 190.51 feet to a point of reverse curvature; thence South along said East right of way line along a curve to the left having a radius of 1,004.50 feet and arc distance of 190.80 feet, said curve also having a chord bearing of South 06 degrees 00 minutes 46 seconds West and a chord distance of 190.51 feet to a point on the said South line of the Northeast Quarter of the Northwest Quarter of said Section 10, said line being the North line of lands described in Document No. 918225 in McHenry County, Illinois; thence South 84 degrees 55 minutes 07 seconds East along said North line of said lands described in Document No. 918225, 92.05 feet to a point being on the West line of the Northeast Quarter of said Section 10; thence South 85 degrees 01 minutes 47 seconds East along the South line of the North half of said Northeast Quarter, aid line being also the North line of lands described in Document No. 918225 in McHenry County, Illinois, 82.55 feet; thence South 06 degrees 30 minutes 55 seconds West along the East line of lands described in said Document No. 918225, 372.47 feet to a point on the North line of said Crystal Lake Holiday Subdivision; thence South 86 degrees 47 minutes 06 seconds East along said North line, 1,001.73 feet to the place of beginning, in McHenry County, Illinois (19-10-200-004 & 19-10-200-024).

located south of Route 14, east of Route 31 and west of Sands Road in Crystal Lake, Illinois.

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

1. Approved plans:
    A. Landscape Plan - Smith Engineering, 5-7-96, last revised 7-9-96.
    B. Pylon Signs - Warman Olsen Warman, 5-17-96
    C. Elevations (main building) - Warman Olsen Warman, 7-9-96
    D. Elevations (multi-tenant building) - Warman Olsen Warman, 5-6-96

E. Overall Plan (on-site) - Smith Engineering, 7-10-96
F. Site Plan - Smith Engineering, 7-10-96
G. Utility Plan - Smith Engineering, 7-10-96
H. Grading & Storm Sewer Layout Plan - Smith Engineering, 7-10-96

2. Post Letter of Credit for Route 14/Sands Road improvement costs in excess of Special Service Area authorization.

3. Overlay landscape plan on utilities plan noting conflicts with no plantation zones.

4. The sign band on the specialty building shall consist of a 5 foot dryvit band accommodating signs 4 feet in height and 100-150 square feet.

5. The developer shall comply with all technical requirements of the Building, Engineering, Fire and Planning Departments.

6. No truck traffic will be allowed from the shopping center property on Sands Road to the south to Three Oaks Road.

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

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

AYES: 2

NAYS: 1

ABSENT: 2

PASSED this 6th day of August, 1996.

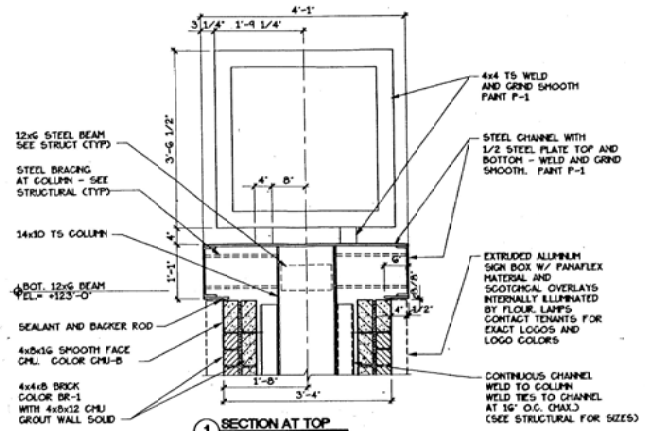
APPROVED by me this 6th day of August, 1996.

MAYOR

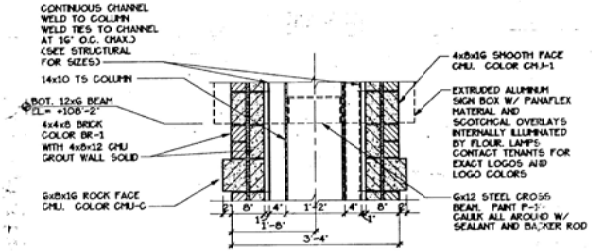
ATTEST:

CITY CLERK Pro-Tem

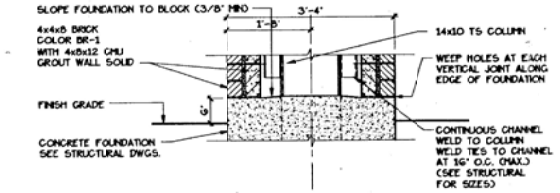
Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



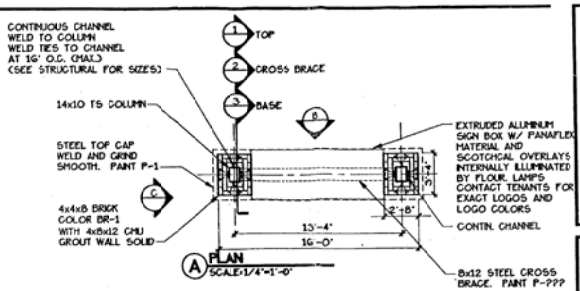

1 SECTION AT TOP
SCALE:1"=1'-0"



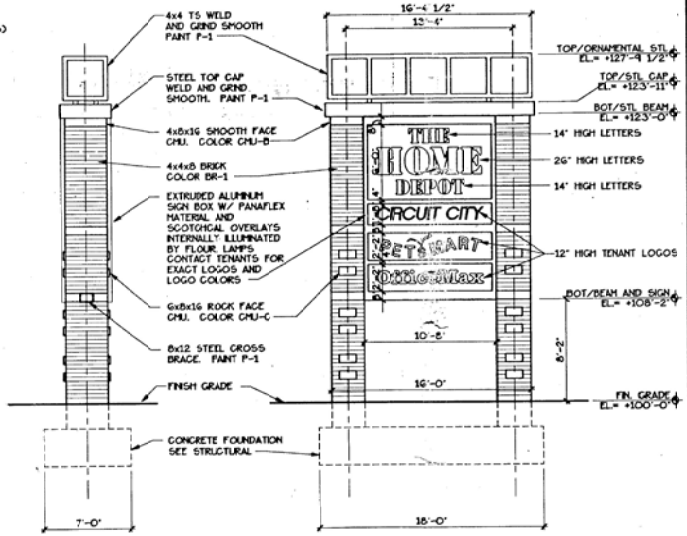

2 SECTION AT CROSS BRACE
SCALE:1"=1'-0"




3 SECTION AT BASE
SCALE:1"=1'-0"

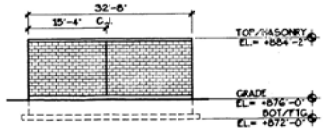



A PLAN
SCALE:1/4"=1'-0"

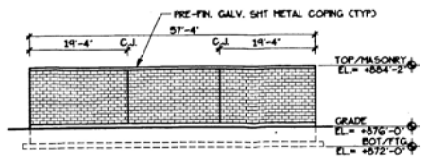



C SIDE ELEVATION
SCALE:1/4"=1'-0"

B FRONT ELEVATION
SCALE:1/4"=1'-0"



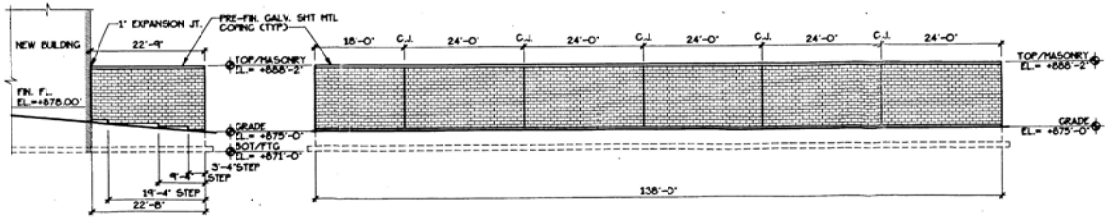

ELEVATION A




ELEVATION B

5 CMU SCREEN WALL
SCALE:1"=10'

7507C006




ELEVATION A

ELEVATION B

4 CMU SCREEN WALL
SCALE:1"=10'

7507C006

BEN
LAST EDITED 05-17-1996 08:59:14
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27 EAST MONROE STREET
CHICAGO, ILLINOIS 60603-6600
TELEPHONE 312-332-7095
FAX 312-332-0422


NOTE:
1. CAULK ALL AROUND SIGN BOX WITH SEALANT AND BACKER ROD.
2. PROVIDE PRICING FOR ALUMINUM SIGN BOX WITH ROUTED TENANT LOGOS WITH PLEXIGLASS LENS LETTERING. CALTERNATE SUBSTITUTIONO

MATERIALS:
- F-1 CUSTOM COLOR TO MATCH ARCHITECT'S SAMPLE
- BR-1 ENDICOTT MEDIUM "IRONSPOT" FACE BRICK
- CMU-A SHIELY MASONRY PRODUCTS SPLIT FACE CMU -"CANYON TAN"
- CMU-B SHIELY MASONRY PRODUCTS SMOOTH FACE CMU -"COCONUT CREME"
- CMU-C SHIELY MASONRY PRODUCTS SPLIT FACE CMU -"COCONUT CREME"

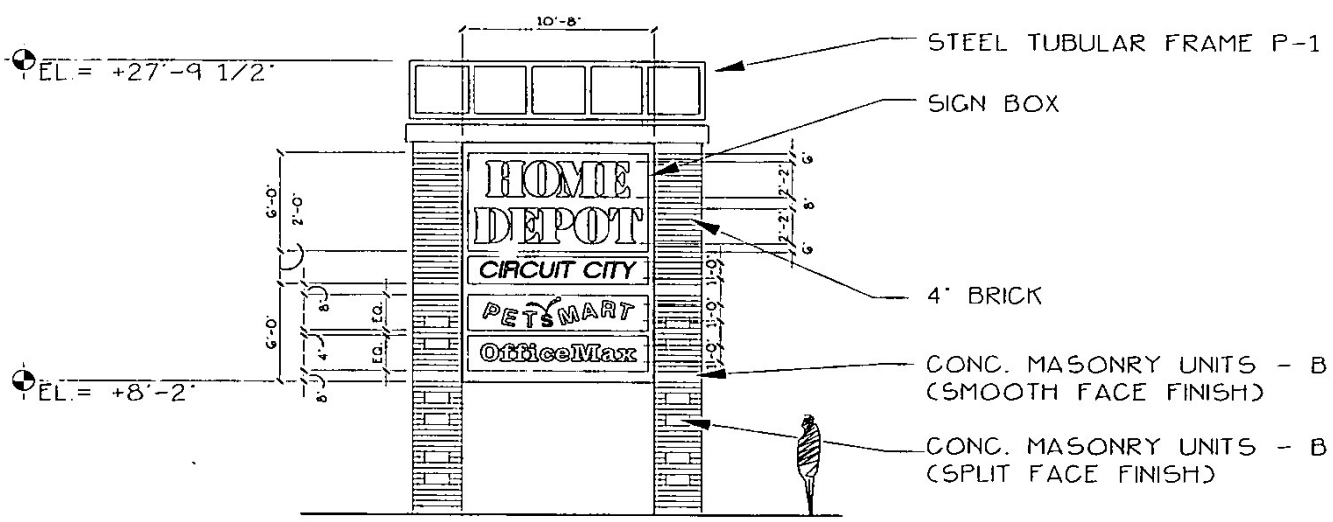
| ITEM | BY | DATE | DESCRIPTION |
|---|---|---|---|

REVISIONS

TWIN PONDS MARKETPLACE
CRYSTAL LAKE, ILLINOIS

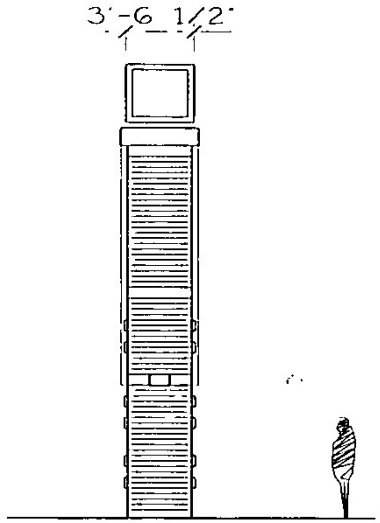
PYLON SIGN PLANS AND DETAILS

| | |
|---|---|
| WOW NO. | DESIGN |
| | DRAWN |
| | CHECKED |
| | APPROVED |
| | DATE |
| | DRAWING NO. A-1 |
| | SHEET OF |




## SITE IDENTIFIER (QUANTITY=2)

FRONT ELEVATION




## SITE IDENTIFIER

END ELEVATION

| SITE IDENTIFIER SIGNAGE | |
|---|---|
| ALLOWABLE S.F. ____ 50 S.F. per side | HOME DEPOT ____ 43 S.F.<br>CIRCUIT CITY ____ 10 S.F.<br>PETSMART ____ 10 S.F.<br>OFFICE MAX ____ 10 S.F.<br>PROPOSED TOTAL: 73 S.F. per side |

# TWIN PONDS MARKETPLACE
# CRYSTAL LAKE ILLINOIS
# TENANT SIGNAGE SPECIFICATIONS

P. SCHEMITSCH ASSOC.

**Agenda Item No: 16**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Resolution of support for the Crystal Creek Watershed-Based Plan

**Staff Recommendation:** Adopt a Resolution supporting the Crystal Creek Watershed-Based Plan.

**Staff Contact:** Michael Magnuson, Director of Public Works
Kathryn Cowlin, Director of Community Development

---

**Background:**

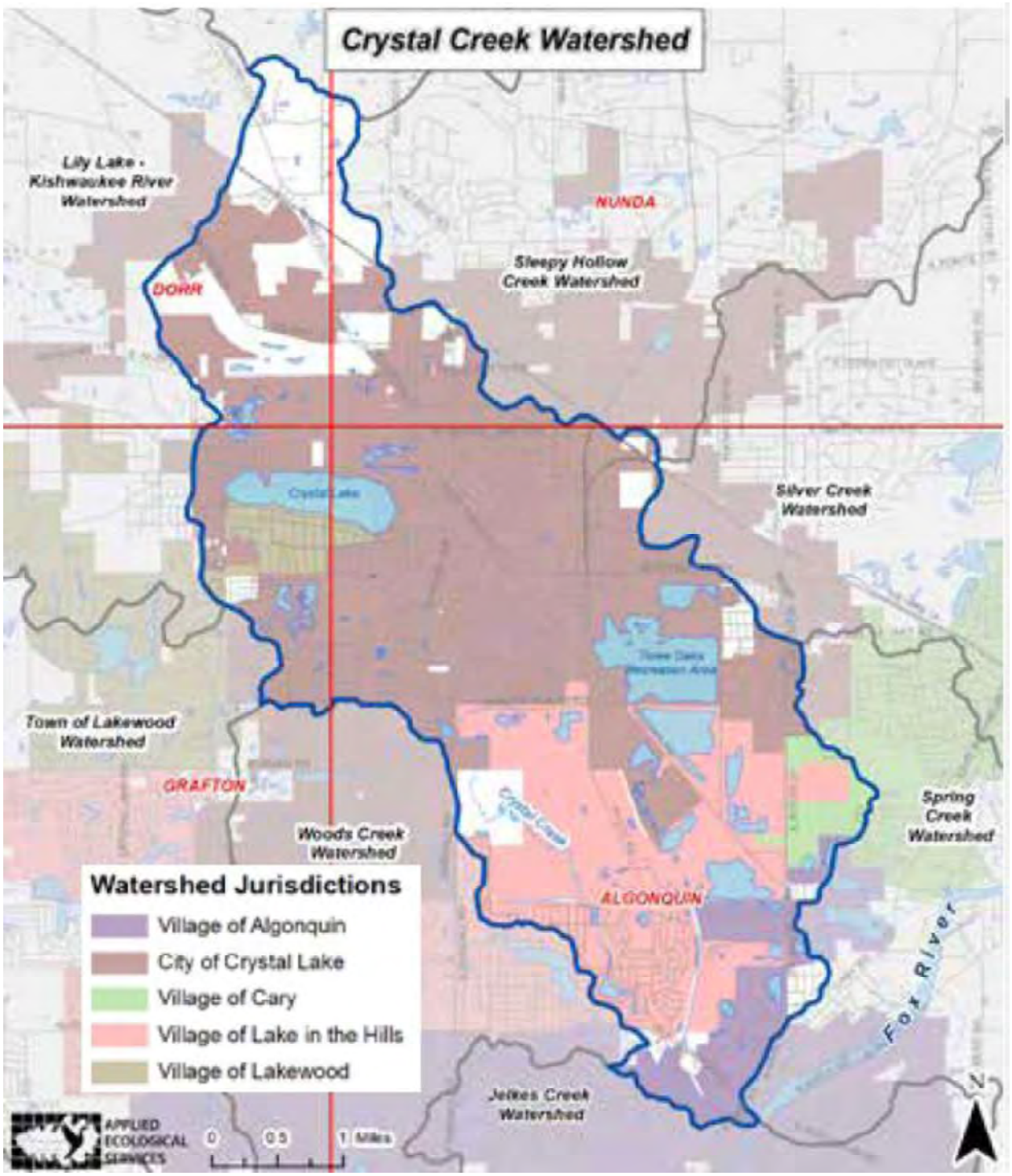
- The City partnered with adjacent municipalities, as well as private and public organizations to create this watershed plan.
- Applied Ecological Services prepared the plan based on a contract approved September 3, 2019 for $64,944.00. Once completed, the plan was presented to the IEPA in January of 2021.
- This plan meets the nine key elements required in a watershed plan.

**Impact to Crystal Lake:**

- This document is not regulatory and would not require the City to alter its current practices.
- The plan creates goals to improve policies to protect and support natural resources, improve surface water quality, protect groundwater quantity and quality, protect, manage, and restore green infrastructure, manage and mitigate for future structural flood problems, and build stakeholder awareness though education and stewardship.
- The support of this document allows the City to seek additional grant funding opportunities for projects within the watershed.

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

PIQ MAP
Crystal Creek Watershed Area



Res. 22R-
File No.

**The City of Crystal Lake Illinois**

**A RESOLUTION SUPPORTING THE CRYSTAL CREEK WATERSHED-BASED PLAN**

WHEREAS, The Crystal Creek Watershed-Based Plan was developed in a collaborative manner with diverse stakeholder input; and

WHEREAS, stewardship of the watershed resources, including water quality, is important to the prosperity of residents and landowners of the City of Crystal Lake and elsewhere in McHenry County; and

WHEREAS, the Crystal Creek Watershed-Based Plan provides goals for protecting and restoring watershed health, creates protection policies, implements ecological restoration, and educates the public; and

WHEREAS, the corporate limits of the City of Crystal Lake include parts of the Crystal Creek Watershed; and

WHEREAS, the City of Crystal Lake is a certified community as provided for under the McHenry County Storm Water Management Ordinance; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, that the City of Crystal Lake supports a collective effort to implement the Crystal Creek Watershed-Based Plan.

DATED at Crystal Lake, Illinois, this 6th day of December, 2022.

City of Crystal Lake, an
Illinois municipal corporation

_____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

Passed: December 6, 2022
Approved: December 6, 2022

Draft

EXECUTIVE SUMMARY

By Applied Ecological Services, Inc.
FINAL April 2021

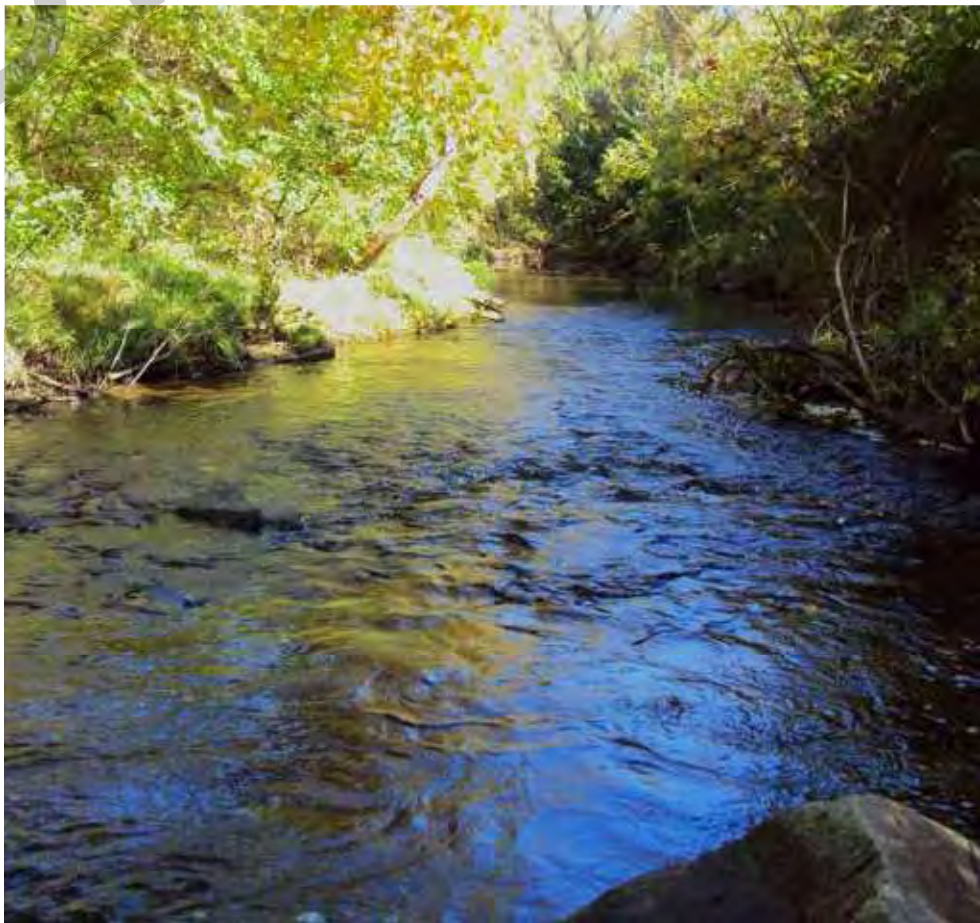
# Crystal Creek Watershed-Based Plan

## A Watershed-Based Guide for Protecting and Restoring Watershed Health

Draft







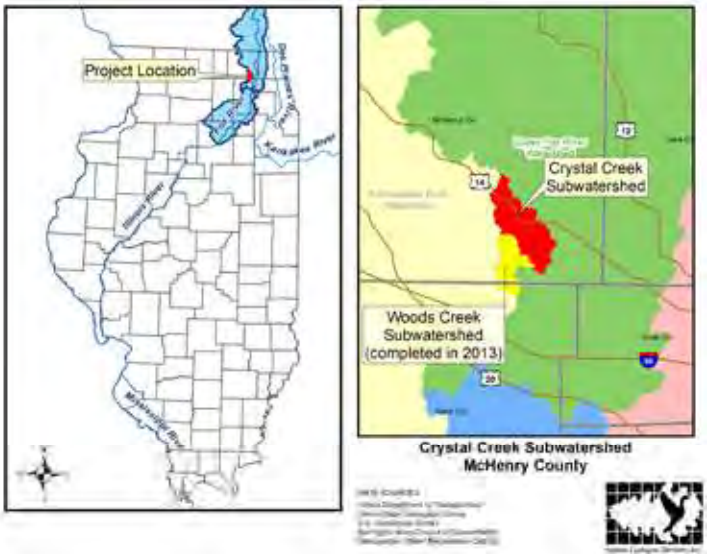
# INTRODUCTION

People live, work, and play in their "watershed" every day. A watershed is best described as an area of land where surface water drains to a common location such as a stream, river, lake, or other body of water. The source of groundwater recharge to streams, rivers, and lakes is also considered part of a watershed. Despite the simple definition for a watershed, they are complex in that there is interaction between natural elements such as climate, surface water, groundwater, vegetation, and wildlife as well as human elements such as urban development and agriculture that produce polluted stormwater runoff, increases to impervious surfaces, altered stormwater flows, and degradation or fragmentation of natural areas. Depending on size, other names for watersheds might include basins, sub-basins, and subwatersheds.



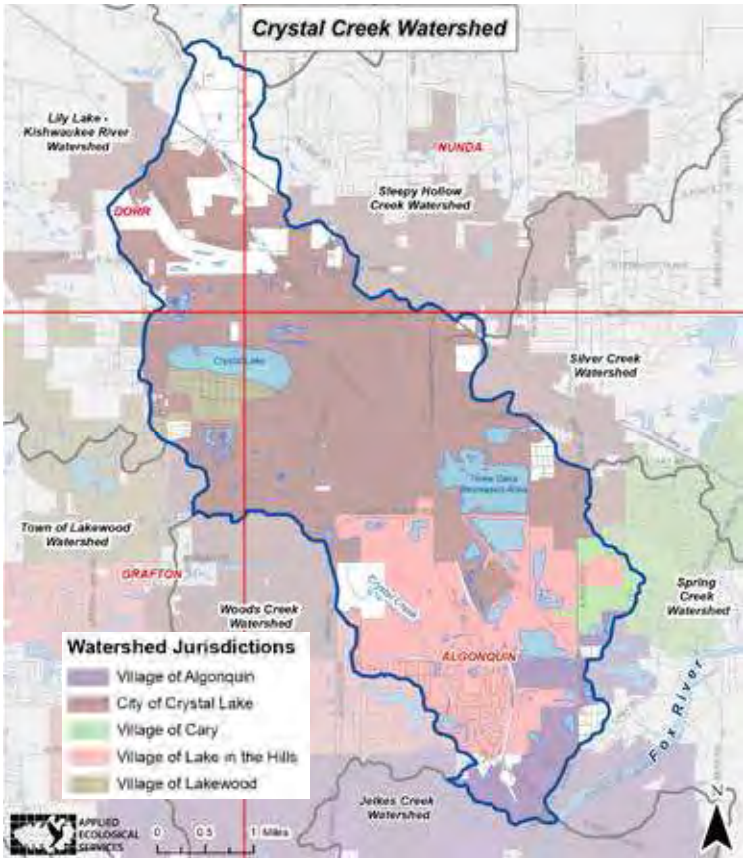
Source: City of Berkley Public Works

Crystal Creek watershed is located in northeast Illinois in McHenry County. Crystal Creek and its tributaries account for approximately 9.1 stream miles and drain approximately 18.8 square miles (12,037.1 acres) of land. The Crystal Creek watershed and Woods Creek watershed to the southeast (for which, a watershed-based plan was completed in 2013) together form the Crystal Lake Outlet watershed (HUC: 071200061201). The Crystal Creek watershed drains to the Upper Fox River Basin. The Upper Fox drains portions of Jefferson, Kenosha, Racine, Walworth, and Waukesha counties in Wisconsin and McHenry, Lake, Kane, and Cook Counties in Illinois. The Lower Fox River Basin extends south and west through DeKalb, DuPage, Grundy, Kendall, LaSalle, Lee, and Will Counties. The Fox River joins the Illinois River in Ottawa, Illinois.





Crystal Creek Reach 7



# WATERSHED PLANNING

The watershed-based planning process is a collaborative effort involving voluntary stakeholders. The primary focus is to restore impaired waters and protect unimpaired waters by developing an ecologically-based management plan for the Crystal Creek watershed that focuses on improving water quality. The plan protects green infrastructure by creating protection policies, implementing ecological restoration, and educating the public. Another important outcome is to improve the quality of life for people in the watershed for current and future generations.

The primary purpose of this plan is to spark interest and give stakeholders a better understanding of the Crystal Creek watershed and to promote and initiate plan recommendations that will accomplish the goals and objectives of this plan. This plan was produced utilizing a comprehensive watershed-based planning approach that involved input from stakeholders, municipal representatives, and analysis of complex watershed issues by Applied Ecological Service's planners, ecologists, GIS specialists, and engineers.

# GOALS

**Goal 1:** *Assess and improve policies and regulations to protect and support our natural resources.*

**Goal 2:** *Improve surface water quality.*

**Goal 3:** *Protect groundwater quantity and quality and improve groundwater recharge.*

**Goal 4:** *Protect, manage, and restore natural components of the Green Infrastructure Network and improve fish and wildlife habitat.*

**Goal 5:** *Manage and mitigate for existing and future structural flood problems.*

**Goal 6:** *Build stakeholder awareness of watershed issues through education and stewardship while increasing communication and coordination among stakeholders.*



# THE PAST

A complex interaction existed between several ecological communities including prairies, savannas, woodlands, and wetlands prior to European settlement in the 1830s. The prairie-savanna landscape was maintained and renewed by frequent lightning strike fires, fires ignited by Native Americans, and grazing by bison and elk. Fires ultimately removed dead plant material, exposing the soils to early spring sun, and returning nutrients to the soil. Running through the prairie-savanna landscape were meandering stream corridors and low wet depressions consisting of sedge meadow, marsh, wet prairie and highly unique seeps, springs, and fen wetlands hydrated by alkaline rich groundwater discharge. Back then most precipitation was absorbed in upland prairie and savanna communities and within the extensive wetlands that existed along stream corridors.

*"Algonquin Township is more broken than any other township within the county, there being many bluffs and hills in the region of Algonquin village and in fact all along the Fox River. The land is about equally divided between prairie and timber. It is adapted to both small grain and pasture lands and is used for such purposes. Crystal Lake lies in section 6 of this township, and runs over into a portion of Grafton township. From it flows the outlet of the lake that joins the Fox River at the Village of Algonquin. Big Spring Creek is another water course found within the township."*

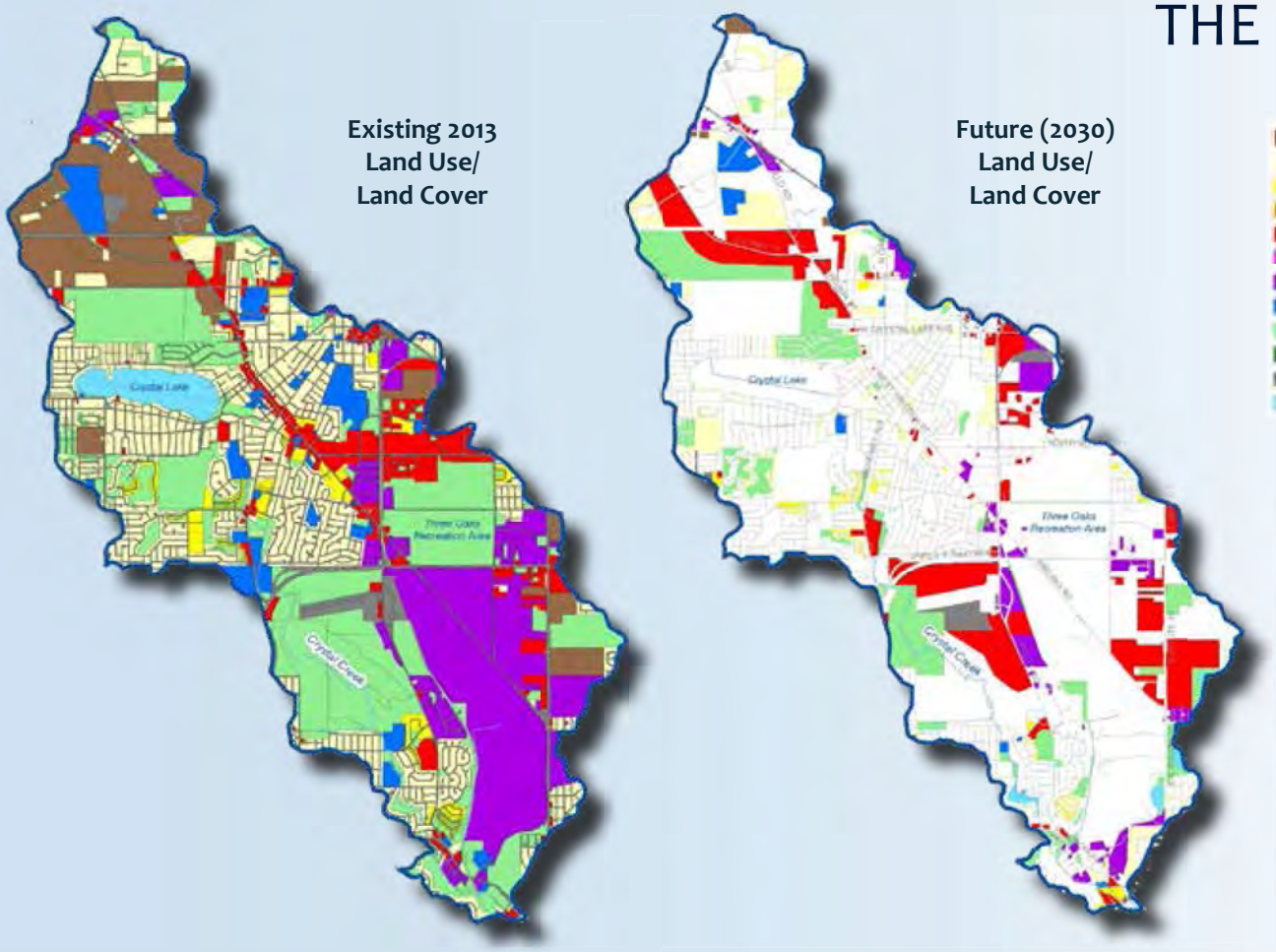
*Highlights from "History of McHenry County, Illinois", Munsell, 1922*

# THE PRESENT

European settlement resulted in drastic changes to the fragile ecological communities. Fires no longer occurred, prairie was tilled under for farmland or developed, wetlands were drained, and many stream reaches were channelized. The earliest aerial photographs taken in 1939 depict Crystal Creek watershed when row crop farming was the primary land use but before residential and commercial development seen today. Forested lands around in the steep, southern portions of the watershed remained, but those in the flatter portion north of Crystal Lake had been converted to farmland by 1939.

Today, residential development dominates the watershed. Retail and commercial development is also common along Virginia Road. An 18-hole golf courses occupies an area directly south of Crystal Lake. Some farmland remains in the northern portion of the watershed, and quarries exist in the eastern portion near the Three Oaks Recreation Area.

# THE FUTURE




On the Future land use map (above, right), areas in white depict where the land use remains unchanged, while the colors represent what the land use is expected to change to. The largest loss of a current land use/land cover is expected to occur on agricultural land (-925 acres; -7.7%) where land is expected to be developed to mostly commercial/retail, industrial, and single-family uses. Other significant losses occur on open space land use areas throughout the watershed (-476.7 acres; -4.0%) as these areas will eventually become developed. Conversely, commercial/retail development is predicted to increase the most (+973.0 acres; +4.4%) followed by single-family residential (+411.4 acres; +3.4%).

# CHALLENGES & THREATS

## Surface Water

- According to IL EPA's most recent 2018 Integrated Water Quality Report and Section 303(d) List, Crystal Creek (IEPA Segment Code IL DTZR 01) is considered impaired for *Primary Contact* due to high Fecal Coliform levels.
- IL EPA determined that neither Crystal Lake (ILVTZH) or Three Oaks North (ILWTJ) and South (ILWTG) Lakes are impaired.
- Recent water quality data collected within Crystal Creek indicates likely overall impairment from elevated total phosphorus, total nitrogen, total suspended solids, and fecal coliform.

## Land Use & Habitat

- Urban land use in the watershed is the single largest nonpoint source contributor of nitrogen (11%), phosphorus (26%), and sediment (25%) to streams, followed by septic systems and croplands.
- Current development policy within the watershed communities can be improved to further protect water quality and green infrastructure.
- 35% of the riparian areas along streams and tributaries in the watershed are in poor condition or lacking entirely.

## Groundwater

- Groundwater resources lie close to the surface within Cyrstal Creek watershed, creating rare ecosystems like Lake in the Hills Fen.
- 62% of Crystal Creek watershed is within a Highly Sensitive Aquifer Recharge Area, where contaminants from the surface can move rapidly through the sand and gravel deposits to wells and groundwater fed streams.

# LAKES

## Crystal Lake

In 1863, Charles Dole of Chicago's Armour and Dole established an estate at Crystal Lake including the lake bottom. Ice houses lined the shore to hold ice cut from Crystal Lake for shipping to Chicago. Due to the popularity of the quality ice, boarding houses and resorts were built on the north shore to accommodate vacationers. In 1921 the Crystal Lake Park District was established in order to ensure public access to Crystal Lake. The resorts surrounding Crystal Lake maintained popularity throughout the 1920s. Today, the lake remains public and is surrounded by over 150 residential homes. Crystal Lake Park District currently has two public access points Main Beach and West Beach. An additional 6 private beaches managed by homeowner associations are also maintained along the lakeshore.

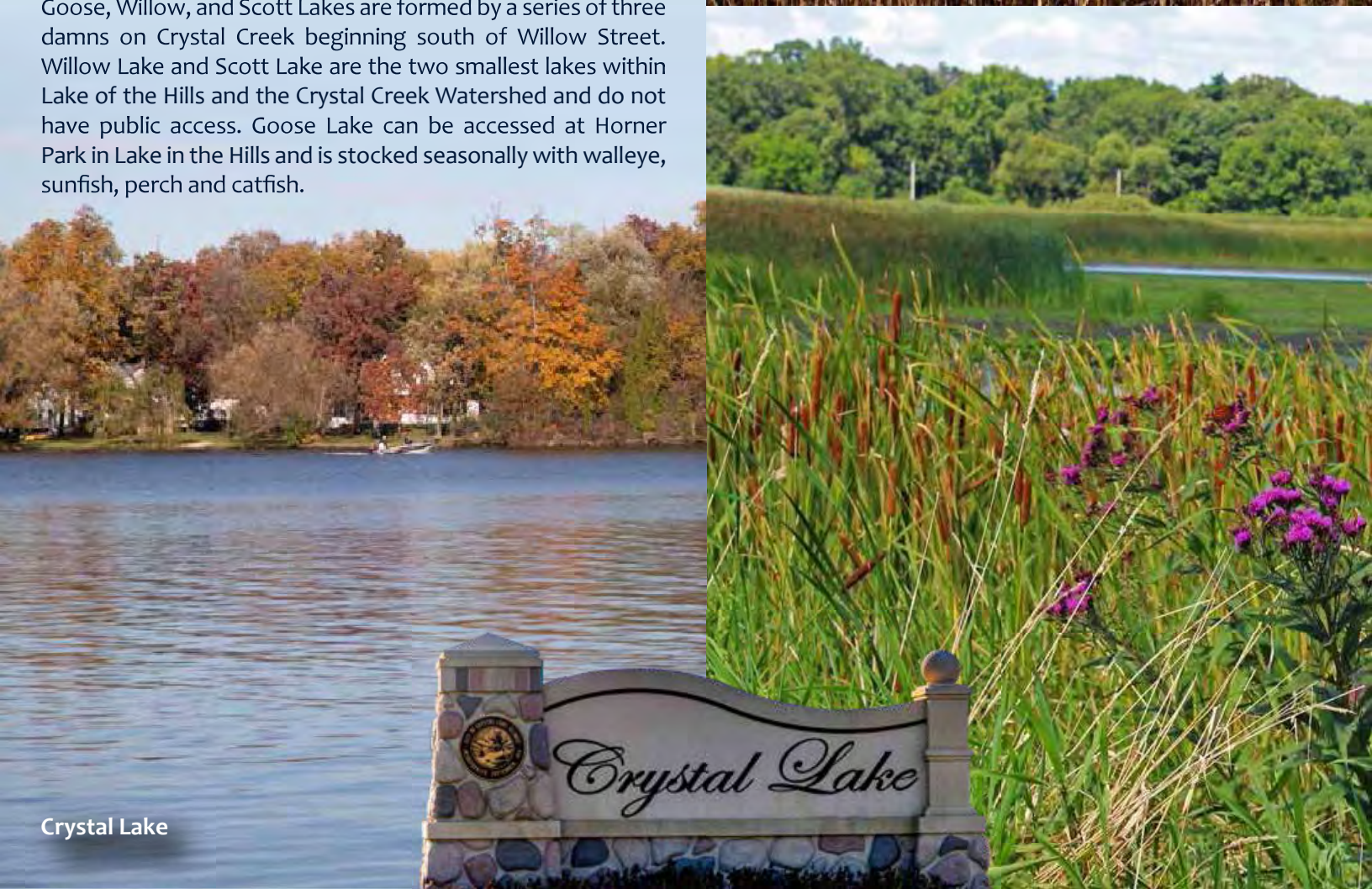


## Three Oaks Recreation Area

The City of Crystal Lake opened Three Oaks Recreation Area in 2010 at the sight of the abandoned Vulcan Lakes quarry. The recreation area hosts various activities such as swimming, scuba diving, fishing and boating in the manmade lake as well as trails throughout the recreation areas 28 acres of restored native prairie.

## Goose, Willow, and Scott Lakes

Goose, Willow, and Scott Lakes are formed by a series of three damns on Crystal Creek beginning south of Willow Street. Willow Lake and Scott Lake are the two smallest lakes within Lake of the Hills and the Crystal Creek Watershed and do not have public access. Goose Lake can be accessed at Horner Park in Lake in the Hills and is stocked seasonally with walleye, sunfish, perch and catfish.




Crystal Lake

# ECOLOGICALLY SIGNIFICANT NATURAL AREAS



Lake in the Hills Fen



Lippold Park (Source: CLPD)

## ADID & Other High Quality Wetlands

According to the ADID inventory for McHenry County, there are 688 acres of high-quality wetlands in the Crystal Creek watershed. There is a large ADID wetland complex within the Lake in the Hills Fen in Lake in the Hills. Larsen Prairie, owned by McHenry County Conservation District, is classified as an Important Natural Area Inventory site by IDNR (Category I and II-R) and the majority of the site is comprised by an ADID wetland complex.

## McHenry County Natural Area Inventory Sites

The McHenry County Conservation District identified one Natural Area Inventory Site in the Crystal Creek watershed. "Lake in the Hills Fen" is an almost 500-acre complex of unstratified glacial drift composed of limestone gravel and is owned, protected, and managed by the Village of Lake in the Hills, McHenry County Conservation District, and the State of Illinois. A portion of the site is also classified as an Important Natural Area Inventory site by IDNR (Categories I, II, and III). A fen is a peat forming wetland that relies on groundwater input and often contains rare plants, animals, and insects. Lake in the Hills Fen includes ADID wetlands as well as nine native communities including calcareous floating mat, graminoid fen, low shrub fen, calcareous seep, sedge meadows and marsh, perennial stream, dry gravel prairie, and mesic gravel prairie; it contains over 400 species of native plants including 40 of which are classified as uncommon, rare, or endangered.

## Other Ecologically Significant Areas

Crystal Lake Park District manages natural areas within Lippold Park which was formally a sod farm prior to being converted to a 310-acre recreational area and includes 60 acres of restored wetlands.

The Village of Algonquin owns and maintains the 12-acre Towne Park which is located adjacent to Crystal Creek and along the Prairie Trail. Towne Park was previously restored, including streambank stabilization as well as riparian buffer restoration to a native oxbow wetland, and prairie.

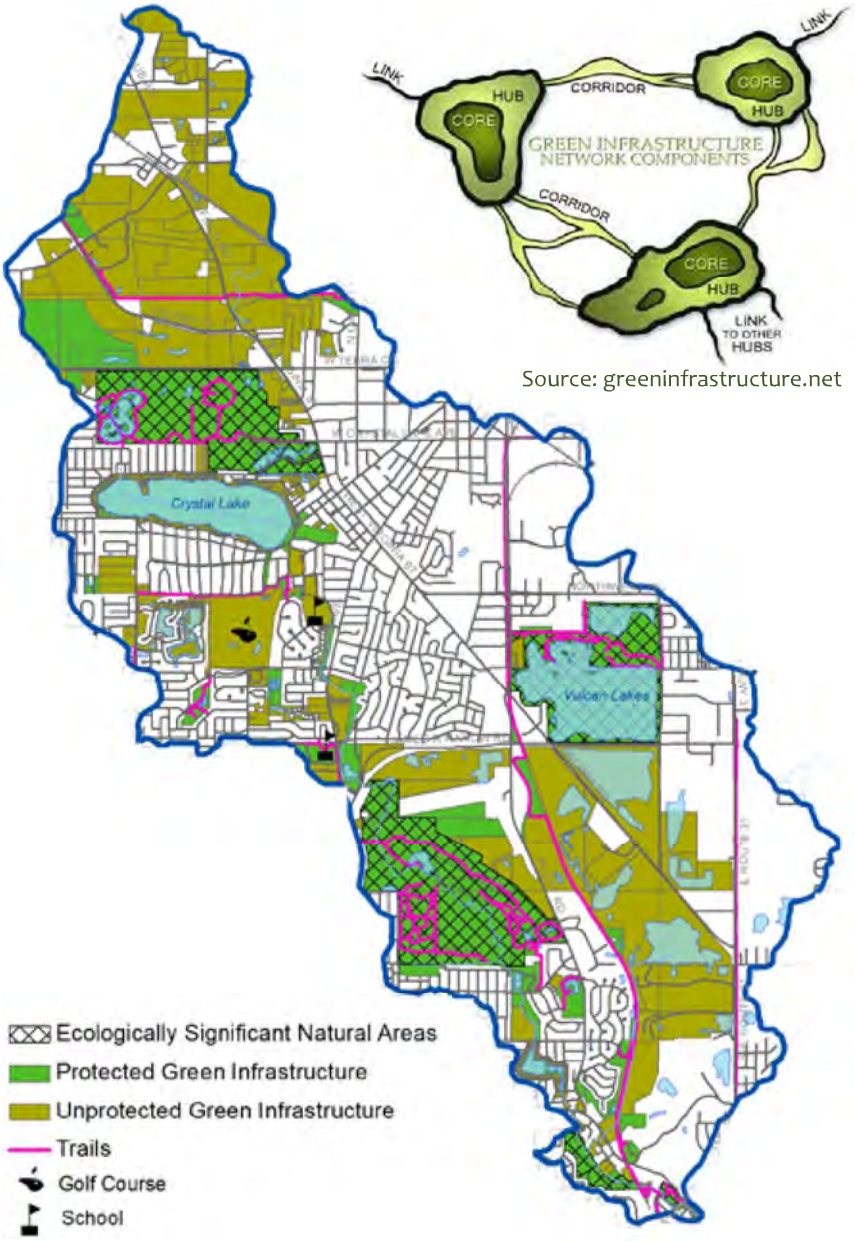
East of Towne Park and the Route 31 bypass is a remnant mesic oak woodland owned by the Village of Algonquin. The oak woodland is located on a steep slope adjacent to Crystal Creek. The woodland is one of few remaining mesic oak woodlands in the watershed. The site harbors 200+ year old red oaks but the area is being invaded by an overabundance of sugar maple that are producing heavy shade and inhibiting oaks from regenerating.

# GREEN INFRASTRUCTURE & YOUR BACKYARD

A Green Infrastructure Network is a connected system of natural areas and other open space that conserves natural ecosystem values and functions, sustains clean air and water, and provides a wide array of benefits to wildlife and people. The network is made up of hubs and linking corridors. Hubs generally consist of the largest and least fragmented areas such as Lake in the Hills Fen, Lippold Park, and Three Oaks Recreation Area. Corridors are generally formed by private residential parcels along Crystal Lake, Crystal Creek, and its tributaries. Corridors are extremely important because they provide habitat conduits between hubs. However, most parcels forming corridors are not ideal green infrastructure until landowners embrace the idea of managing stream corridors or creating backyard habitats.

Any property owner can improve green infrastructure. Create a safe place for wildlife by providing a few simple things such as food, water, cover, and a place for wildlife to raise their young. The National Wildlife Federation's Certified Wildlife Habitat® and the Conservation Foundation's Conservation@ Home programs can help you get started.

## GREEN INFRASTRUCTURE NETWORK




Source: greeninfrastructure.net



RAIN BARREL

Source: Rainbarrelsource.com.





RAIN GARDEN

Creating a rain garden, or a small vegetated depression, to capture water is another way of promoting infiltration while beautifying your yard and providing additional habitat. Disconnecting your roof downspouts and capturing that runoff in rain barrels not only reduces the amount of runoff entering streams, but also serves as a great source of water for irrigating your yard.

If a portion of a stream runs through your backyard, here are some tips to help properly manage your piece of the green infrastructure network:

1. A NATURAL, MEANDERING STREAM IS A HAPPY STREAM
   Work with experts to restore degraded streams.
2. REMOVE NON-NATIVE SPECIES
   Identify and remove plants that are out of place (see photo guide, right).
3. PLANT NATIVE BUFFERS
   Plants adapted to the Midwest climate can help control erosion by stabilizing banks, while buffers protect the health of streams.
4. NO DUMPING
   Avoid dumping yard waste and clear heavy debris jams.
5. MANAGE CHEMICAL USE
   Avoid over fertilizing lawns or spilling/dumping chemicals near waterways.

For more detailed information, check out the Lake County Stormwater Management Commission's booklet, "Riparian Area Management: A Citizen's Guide," at www.lakecountyil.gov/stormwater.



STREAM RESTORATION

## REMOVE THESE NON-NATIVE AND INVASIVE SPECIES



COMMON REED



Source: Loras.edu.

BUCKTHORN



REED CANARY GRASS



PURPLE LOOSESTRIFE



GARLIC MUSTARD



TEASEL



STREAM & RIPARIAN AREA RESTORATION



DETENTION BASIN RETROFITS



NA

# ACTION PLAN

The Crystal Creek Watershed-Based Plan includes an Action Plan developed to provide stakeholders with recommendations to address plan goals. The Action Plan includes programmatic and site-specific recommendations. Programmatic recommendations are general watershed-wide remedial, preventatitve, and regulatory actions. Site-specific recommendations include actual locations where projects could be implemented to improve water quality, green infrastructure, and aquatic and terrestrial habitats.

Programmatic recommendations include...

- Ordinance and Policy Recommendations
- Rainwater Harvesting & Re-use
- Native Landscaping
- Street Sweeping
- Septic System Maintenance
- Green Infrastructure Planning
- Conservation Design & Low Impact Development
- Water Quality Trading & Adaptive Management

Site-specific recommendations include...

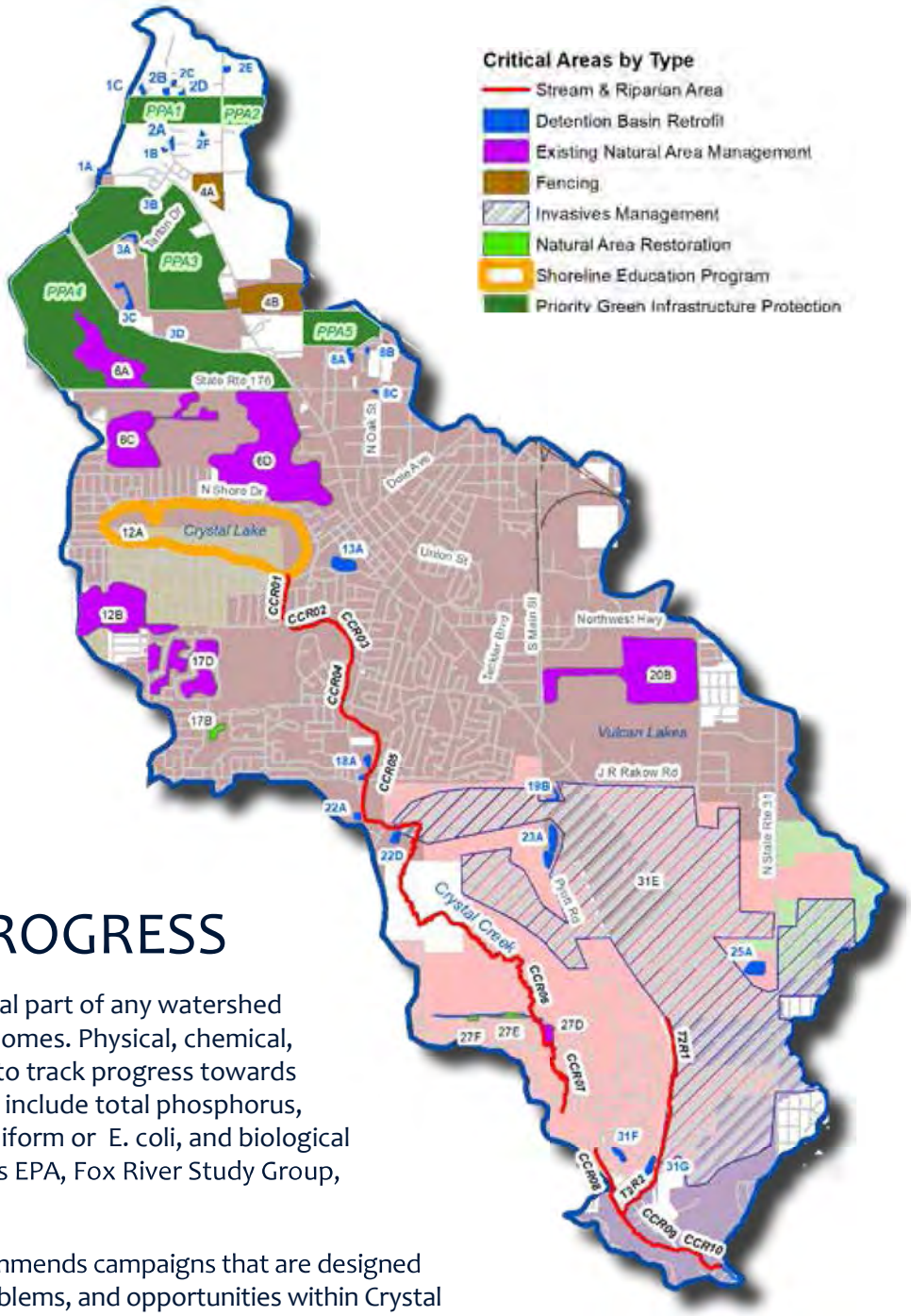
- Stream & Riparian Area Restoration
- Detention Basin Retrofits
- Other Management Measures:
  - Natural Area Management & Restoration
  - Fencing
  - Invasives Management
  - Shoreline Education Program
  - Prioirty Green Infrastructure Protection

The recommended programmatic and site-specific management measures provide a solid foundation for protecting and improving watershed conditions over time, and should be updated using the Report Cards established for each goal as projects are completed or other opportunities arise. Key implementation stakeholders are encouraged to organize partnerships and develop various funding arrangements to help delegate and implement the recommended actions. More details on the action plan and implementation can be found in the full waterhsed plan document.



ATURAL AREA RESTORATION

# CRITICAL AREAS




# MEASURING PLAN PROGRESS

A water quality monitoring plan is an essential part of any watershed plan to evaluate plan implementation outcomes. Physical, chemical, and biological data will be collected over time to track progress towards acheiving water quality improvements and will include total phosphorus, total nitrogen, total suspended solids, fecal coliform or E. coli, and biological monitoring. Monitoring partners include Illinois EPA, Fox River Study Group, and the Steering Committee.

The Information & Education (I&E) Plan recommends campaigns that are designed to enhance understanding of the issues, problems, and opportunities within Crystal Creek watershed. The intention is to promote general acceptance and stakeholder participation in selecting, designing, and implementing recommended Management Measures to improve watershed conditions. The first step in understanding the issues, problems, and opportunities within Crystal Creek watershed is to gain a better perspective on how the watershed evolved over time into what exists today. The goal of the I&E Plan is to equip municipal staff, elected officials, and other key stakeholders with the tools necessary to establish watershed-based practices and create changes in behaviors that will improve the overall health of the watershed.

# HOW YOU CAN HELP CRYSTAL CREEK WATERSHED

**The degradation of water resources seen today in the Crystal Creek Watershed occurred over almost 200 years of landscape changes. Fortunately, there are actions outlined in the plan that can be taken to mitigate existing issues and improve water quality over time. The future health of the watershed is largely dependent on how stormwater and natural resources are managed. That includes implementing proven and environmentally-sensitive practices and approaches to restoration, such as those identified in this executive summary and the watershd plan, to improve water quality and stream health in the watershed. You can help the Crystal Creek watershed by starting in your own backyard and supporting local water quality improvement efforts.**

**There is no single fix for the water quality and flooding problems in the Crystal Creek Watershed. These problems are the cumulative result of decisions made since people moved to the watershed in the 1800s. It will take all stakeholders and actions at every scale in order to positively impact watershed resources. This watershed-based plan is the first step in helping watershed residents and stakeholders understand what can be done to restore the valuable resources of the Crystal Creek Watershed.**

**All photos by AES unless otherwise noted.**

***For more information on how you can help, contact the City of Crystal Lake:***


100 W. Woodstock St., Crystal Lake, IL 60014
815-459-2020
**Elizabeth Maxwell:** emaxwell@crystallake.org
**Mike Magnuson: mmagnuson@crystallake.org**


**or visit the City website at:**
**www.crystallake.org**

CRYSTAL LAKE PARK DISTRICT

The Village of Lakewood
Quality Living in a Natural Setting

VILLAGE OF LAKE IN THE HILLS

VILLAGE OF ALGONQUIN 1890

CITY OF CRYSTAL LAKE, IL INCORPORATED SEPTEMBER, 1914

Applied Ecological Services, Inc.

**Agenda Item No: 17**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Resolution in support of the application for an IEPA Section 319 Grant for the Re-Establish Crystal Creek Improvement project

**Staff Recommendation:** Motion to adopt a Resolution supporting the application for an IEPA Section 319 Grant to partially fund the Re-Establish Crystal Creek Improvement project

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

---

## Background

Crystal Creek is an open channel from the outlet of the lake to the City limits near Rakow Road with one exception, the stretch between Highland Avenue and St. Andrews Lane, behind South Elementary School and in front of Lundahl Middle School, where the creek enters an undersized storm sewer. The area of the creek that is located in the storm sewer causes a pinch point for water flowing through the creek. During heavy storms, water cannot get into the storm sewer and it floods upstream properties and residential neighborhoods. Flooding also occurs through the school properties during heavy rain events. Re-establishing the creek will allow flood waters to flow in the designated creek area and reduce the level of flooding to the surrounding area.

The proposed project will re-establish the open channel creek at this location and remove the existing storm sewers. The City is nearing completion of preliminary engineering for the project and will be initiating design engineering this winter with construction tentatively proposed for 2024. The project is currently estimated to cost $3,300,000.

City staff is always looking for grant opportunities to fund identified capital projects. The IEPA Section 319(h) Nonpoint Source Pollution Control Financial Assistance Program is provided to protect water quality in Illinois. Projects must address water quality issues relating directly to nonpoint source pollution. The City's Re-Establish Crystal Creek improvement fits the requirements of this grant.

The IEPA Section 319 funding request is to cover 60% of the construction costs of the water quality improvement related items (ie: excavation, native plants, rock riffles, erosion control, etc.) for this improvement, estimated at $479,145. The City would cover the remaining construction

costs with local funds. A resolution of support is a requirement of the grant application submittal. Therefore, the City Council is requested to adopt a resolution to include in the City's application.

**Votes Required to Pass:**
Simple majority

# RESOLUTION

**WHEREAS,** Crystal Creek enters two undersized storm sewers between Highland Avenue and St. Andrews Lane; and

**WHEREAS,** these storm sewers cause upstream flooding; and

**WHEREAS,** it is desirable to re-establish Crystal Creek to reduce flooding and improve water quality; and

**WHEREAS,** IEPA is soliciting applications for Section 319 Grant funds; and

**WHEREAS,** the City is requesting 60% of the water quality construction items for the project to be funded with IEPA Section 319 funds and the remaining to be paid for with local funds;

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

**BE IT FURTHER RESOLVED** that the Mayor and City Council support the Re-Establish Crystal Creek Improvement Project and support the City's application for IEPA Section 319 grant funding; and

**BE IT FURTHER RESOLVED** that the City will secure and provide the necessary local match required for the project should it be funded with IEPA Section 319 grant funds; and

**BE IT FURTHER RESOLVED** that the City Manager is authorized to execute any required documents associated with the grant application process.

Draft

**DATED** this 6th day of December 2022.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Haig Haleblian, MAYOR

SEAL

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022
APPROVED: December 6, 2022

Draft




| DSGN. | DEV | CHKD. | |
|---|---|---|---|

Christopher B. Burke Engineering, Ltd.
9575 West Higgins Road, Suite 600
Rosemont, IL 60018
(847) 823-0500 / FAX (847) 318-9793

| CLIENT | JOB# | |
|---|---|---|
| CITY OF CRYSTAL LAKE | 08-0364.0034A | |
| TITLE | | DATE 1/15/18 |
| LOCATION MAP | | EXHIBIT 1 |

N:\CRYSTALLAKE\080364 Reviews\080364.00034A - Barlina Dartmoor McHenry Culverts\GIS\Exhibits\Cross Section Location Map.mxd

**Agenda Item No: 18**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Proposal Award - Design Engineering Services for the Edgewater Drainage Improvement

**Staff Recommendation:** Motion to adopt a Resolution authorizing the City Manager to execute an agreement with Clark Dietz for the Edgewater Drainage Improvement Design Engineering Consultant Services in the amount of $74,090, approve warranted changes for up to 10 percent of the agreement cost, and to approve warranted completion date extensions

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

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**Background:**
The City's Stormwater Solutions initiative identified a project at the west end of the Lake along Edgewater Drive near North Avenue and Kamijima Park to alleviate flooding in the area. An alternatives analysis was completed for the area with the most cost-effective alternative including new storm sewer, a new detention basin, grading work and the realignment of Edgewater Drive. Staff met with the Crystal Lake Park District to discuss the improvement and they are aware of the proposed project and do not have any objections at this time.

***Consultant Selection Process***
The Engineering Division followed the City's Purchasing Policy to solicit proposals from consulting engineering firms for design engineering services for this project. The City received proposals from five firms. The proposals were reviewed based on the consultants' qualifications, experience, proposed staff for this specific project, adequacy of hours and cost. Not all of the consultants demonstrated the same level experience and expertise for this type of project. The evaluation process ranked Christopher B. Burke as the highest based on qualifications, scope, experience, etc. The lowest priced consultant, Gewalt Hamilton and Associates, did not present a scope specific to this project and did not identify the challenges associated with this area. When the qualifications and costs were considered together to determine which firm offers the City the best balance of qualifications and cost (value index below), Clark Dietz was the highest ranked consultant. Clark Dietz has previously worked on various City projects and has done a good job. Staff recommends selecting Clark Dietz.

Edgewater Drainage Improvement

| Proposal Ranking<br>Excellent = 5<br>Very Good = 4<br>Good = 3<br>Acceptable = 2<br>Poor = 1<br>Unacceptable = 0 | Committee's Relative Weight of Importance | Christopher B Burke Eng. | | Clark Dietz | | Fehr Graham | | Gewalt Hamilton & Associates | | Kimley-Horn | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Rating (0-5) | Weighted Rating | Rating (0-5) | Weighted Rating | Rating (0-5) | Weighted Rating | Rating (0-5) | Weighted Rating | Rating (0-5) | Weighted Rating |
| Criteria | (1-10) | | | | | | | | | | |
| Discussed wetlands as needing to be included | 4 | 5 | 20.00 | 5 | 20.00 | 0 | 0.00 | 5 | 20.00 | 5 | 20.00 |
| Understanding of Project Scope: Did the consultant properly identify key aspects of the specific design/how to resolve them and not submit a generic approach? | 9 | 5 | 45.00 | 5 | 45.00 | 3 | 27.00 | 1 | 9.00 | 5 | 45.00 |
| Are the project hours by task appropriate and align with other consultant's submittals and past experience. | 7 | 5 | 35.00 | 5 | 35.00 | 4 | 28.00 | 2 | 14.00 | 5 | 35.00 |
| Project examples are pertinent and aligned with the proposed scope | 6 | 5 | 30.00 | 4 | 24.00 | 2 | 12.00 | 3 | 18.00 | 4 | 24.00 |
| Senior/lead project team members have demonstrated experience, relevant experience in project examples, good performance on past | 8 | 5 | 40.00 | 5 | 40.00 | 3 | 24.00 | 2 | 16.00 | 3 | 24.00 |
| Total Weighted Rating | 34 | | 170.00 | | 164.00 | | 91.00 | | 77.00 | | 148.00 |
| PROPOSAL RANKING | | 5.00 | | 4.82 | | 2.68 | | 2.26 | | 4.35 | |
| **Total Cost** | | $90,917.00 | | $74,090 | | $117,550 | | $66,771 | | $92,560 | |
| Relative Cost Ranking (Formula )<br>(2.5 = avg. cost, points awarded/deducted for fee compared to avg) | | 2.43 | | 2.90 | | 1.67 | | 3.11 | | 2.38 | |
| TOTAL VALUE RANKING = | | 3.71 | | 3.86 | | 2.18 | | 2.69 | | 3.37 | |

## Recommendation:

This contract is being presented pursuant to a request for qualification process. Under such process, the contract is to be awarded to the vendor whose proposal "will be the most advantageous to the City." City staff has reviewed the proposals received, and determined that the recommended consultant is the most well-suited for the project.

Based on the proposals received, the City's evaluation criteria and the detailed review by staff, it is the recommendation of staff that Clark Dietz be selected for the design engineering services. This project is included in the Fiscal Year 2022/2023 Capital Budget.

## Votes Required to Pass:

Simple majority

**EXHIBIT A**
**PROPOSED SCOPE OF WORK**



# RESOLUTION

**WHEREAS** the CITY OF CRYSTAL LAKE is desirous of designing a stormwater improvement near Edgewater Drive to reduce flooding in the area; and

**WHEREAS**, the CITY requires consultant design and engineering services; and

**WHEREAS,** proposals were publically solicited and reviewed resulting in a determination that Clark Dietz offered a proposal that is the most advantageous to the City.

**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 the City Manager is authorized to execute an agreement with Clark Dietz for design engineering services in the amount of $74,090; and

**BE IT FURTHER RESOLVED** that the City Manager is authorized to approve warranted changes orders for up to ten percent (10%) of the agreement value and to approve warranted time extensions.

**DATED** this 6th day of December, 2022.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
Haig Haleblian, MAYOR

SEAL

ATTEST

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022
APPROVED: December 6, 2022

Draft

**Agenda Item No: 19**

# City Council
# Agenda Supplement

**Meeting Date:** December 6, 2022

**Item:** Ordinance waiving the bidding requirements under City Code Section 102-3 and for authorization to enter into an agreement with APS Firehouse Alerting to replace the Fire Rescue Station Alerting System Head End Equipment

**Staff Recommendation:** Motion to adopt an Ordinance waiving competitive bidding and authorizing the City Manager to execute an agreement for the replacement of Fire Rescue Department station alerting system head end equipment with APS Firehouse Alerting, execute change orders for up to 10% of the agreement amounts and approve warranted completion date change orders

**Staff Contact:** Paul DeRaedt, Fire Rescue Chief

**Background:**
In May 2015, the City Council approved an agreement between the City and APS Firehouse Alerting to construct and install a fire station alerting system in all three City firehouses. APS Firehouse Alerting provided a turnkey system that was compliant with the National Fire Protection Association (NFPA) 1221, Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems which included selectively alerting the stations due on an incident utilizing ramping "heart saver" tones and LED lights. The system is comprised of computer servers, Internet protocol (IP) controllers, and fire station alerting devices such as display monitors that are in constant use, 24/7. The initial cost of this system was $127,880.78 and was purchased using Foreign Fire Insurance monies.

As computer software and hardware have a life expectancy of about 5 years, the Fire Rescue Department budgeted this fiscal year for the replacement of the computer servers (4) and IP controllers (3) as part of the Department's Capital Improvement Plan. Additionally, the Windows 7 upgrade to Windows 10 for the servers is necessary as support under the current version will be expiring. The IP controller software version is no longer able to receive any quality of life updates or patches.

APS Firehouse Alerting is a sole source for this proprietary station alerting system. There are no other vendors available to replace the equipment/software associated with this critical piece of technology the Fire Rescue Department relies upon daily. This project involves the replacement of a portion of the complete system. To replace the complete system would be cost prohibitive. We are satisfied with the current system and wish to continue using the APS product.

APS Firehouse Alerting has submitted the following pricing:

| Description | Price |
|---|---|
| FAST Server Replacements | $22,449.00 |
| IP Controller Replacements | $16,400.00 |
| **TOTAL** | **$38,849.00** |

**Recommendation:**

Based upon the proprietary nature of this project, it is staff's recommendation to waive the bidding requirements and authorize the City Manager to enter into a purchase agreement with APS Firehouse Alerting in the amounts noted, plus 10% contingency for any unforeseen costs.

**Votes Required to Pass:**

Two-thirds majority vote of Council members holding office (4 affirmative votes).

Ordinance No.: ____
File No.: ___

**ORDINANCE APPROVING THE WAIVER OF COMPETITIVE BIDDING FOR FIRE RESCUE STATION ALERTING SYSTEM EQUIPMENT**

**WHEREAS**, the City publicly bid and entered into an agreement with APS Firehouse Alerting in 2015 to construct and install a fire station alerting system in all three City firehouses; and,

**WHEREAS**, the City's Director of Finance has reviewed available sources for the services required to be provided under the Contract and has determined APS Firehouse Alerting is the sole source to provide the required services, and that it would be in the best interests of the City to enter into an equipment and software replacement Contract with APS Firehouse Alerting; and

**WHEREAS**, Section 102-3(D) of the City Code allows the City to enter into contracts for the procurement of goods without the necessity of public bidding upon a vote of two-thirds of the Council Members then holding office.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE THAT:**

SECTION ONE. Recitals. The foregoing recitals are incorporated as though fully set forth herein.

SECTION TWO. Waiver of Competitive Bidding and authorization to enter into an Agreement with APS Firehouse Alerting. The City Manager is hereby authorized to enter into agreements, in such form as may be approved by the City Manager, for Fire Rescue Department Station Alerting System Equipment, without the necessity of seeking competitive bids.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

Draft

DATED this 6th day of December, 2022

APPROVED:

_____
Haig Haleblian, MAYOR

ATTEST:

_____
Nick Kachiroubas, CITY CLERK

PASSED: December 6, 2022
APPROVED: December 6, 2022

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

Draft

**Agenda Item No: 20**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Board and Commission Appointment - Economic Development Committee

**Mayor's Recommendation:** Move to approve the nomination of Randy Legee as the member of the Economic Development Committee nominated by the Crystal Lake Chamber of Commerce

**Contact:** Haig Haleblian, Mayor

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**Background:**
The Economic Development Committee (EDC) consists of nine (9) voting members, one nominated by the Chamber of Commerce, one nominated by the Main Street program, and seven at-large members. The members are subject to the approval by a majority vote of the Mayor and City Council of the City of Crystal Lake.

As the City Council is aware, Randy Legee was recently hired as the new President and CEO of the Crystal Lake Chamber of Commerce. As such, Mr. Legee is requesting to become the new EDC member nominated by the Chamber of Commerce.

Appointments to the Economic Development Committee are nominated and confirmed by the Mayor and City Council.

**Votes Required to Pass:** Simple majority

**Agenda Item No: 21**

# City Council
# Agenda Supplement

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**Meeting Date:** December 6, 2022

**Item:** Downtown Public Places Study

**Staff Recommendation:** Discussion Only

**Contact:** Kathryn Cowlin, Director of Community Development

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**Background:**
This item is for discussion only. Teska Associates and City staff will provide a presentation on the Downtown Public Place Study.

At the City Council's direction, City staff worked with Teska Associates to gather public feedback on the draft downtown public places concept plans and refine those concept plans. Public feedback was overall positive and supportive of improvements being made to public gathering spaces in Downtown Crystal Lake. Excitement for more places to relax, enjoy, gather with friends and engage with others was a clear theme from the 835 participants of the public poll.

There were five public place improvements that were featured in the poll and illustrated in the concept plans, those places are the Depot Park, Brink Street Market Plaza, Plaza near Crystal Lake Brewing, Festival Street at Railroad Street and Festival Street at Brink Street.

Based on the feedback from the City Council, city staff will present a formal request for one or more of the projects during the 2023/24 budget discussions.

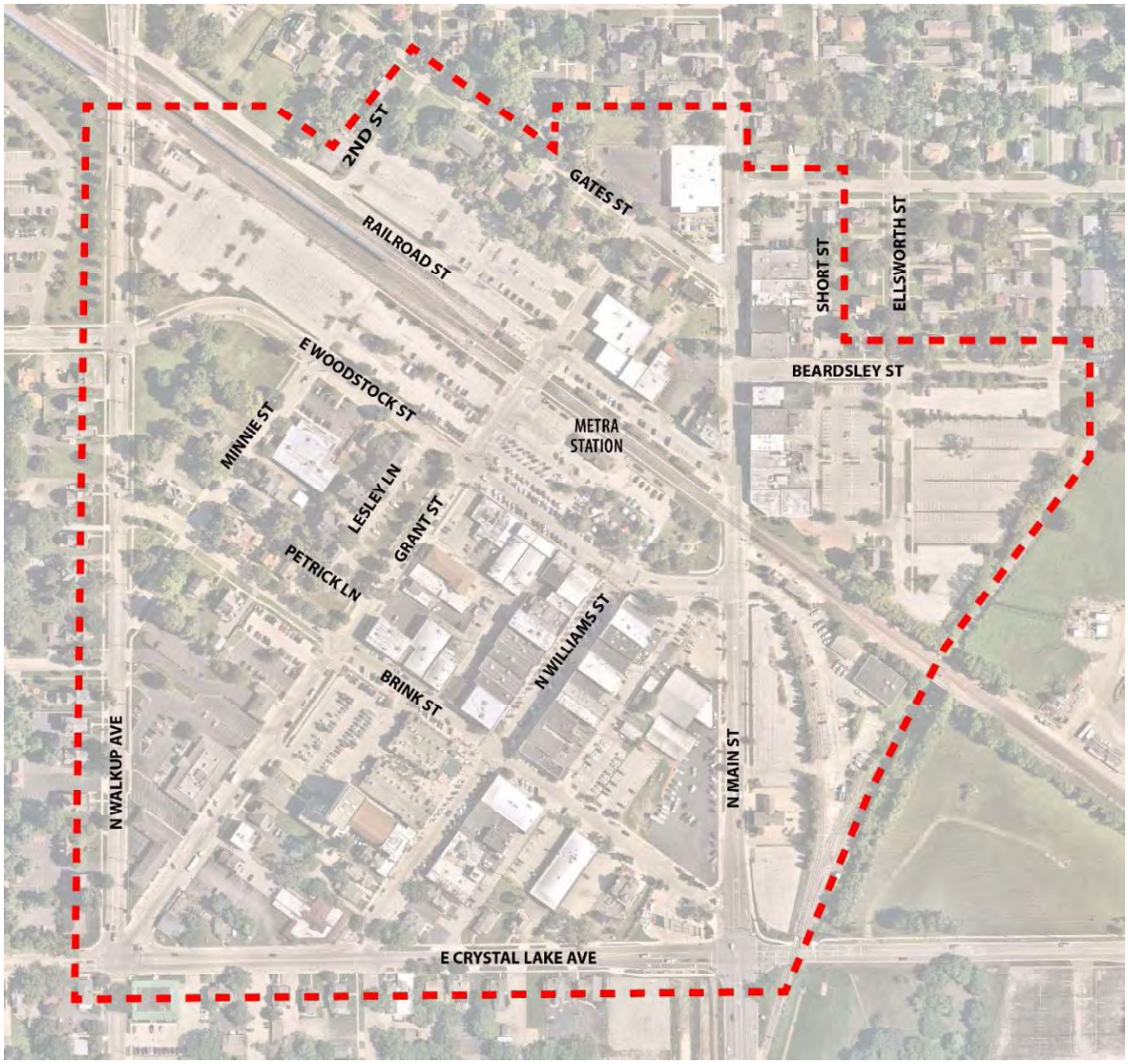


# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

Results are in! BIG THANKS to the **835 participants** who shared input as part of the Crystal Lake Public Place Poll.

Following recent City planning initiatives and capital improvements within Downtown Crystal Lake, a poll was conducted to hear community feedback about physical public place development opportunities, such as the streets, plazas, parks, and open spaces that make up the Downtown area. The Downtown area is generally defined by Railroad Street and Beardsley Street to the north, Walkup Avenue to the west, Crystal Lake Avenue to the south, and Main Street to the east. *(see the map below)*



# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

The purpose of this Public Place study is to gauge community interest in developing features that would continue to support Downtown with welcoming spaces to dine, to shop, to do business and to gather.

The poll was conducted online between September 6, 2022, and October 17, 2022, and was distributed to the community via the City's website, Facebook Page and through the Chamber of Commerce. A dedicated project webpage at the City's website is linked below:

https://www.crystallake.org/your-government/departments/community-development/downtown-enhancement

*The digital poster distributed to the community is below:*



# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## WHAT IS SPECIAL ABOUT DOWNTOWN CRYSTAL LAKE?

When asked what is special about Downtown Crystal Lake, 686 open ended responses were provided. The word cloud graphic below depicts the words that were most often used to describe what is special about Downtown Crystal Lake.




A summary of responses provided follows below:

1. *Unique character and hometown feel.* Crystal Lake has a mix of historic buildings, landscaped pathways and historic lighting that makes the Downtown feel charming, quaint, and cozy.
2. *Safe, clean, and comfortable.* Downtown is well maintained and offers a walkable environment.
3. *Diverse business mix.* Friendly, locally owned businesses include quality shops, restaurants, and services.
4. *Strong sense of community.* Downtown is a place where friends and neighbors gather and visit. It promotes a sense of place and community.
5. *Unique mix of uses.* Quality restaurants, shops, businesses, Metra Station, and Raue Center, offer an attractive variety of experiences throughout the year.
6. *Great access.* Parking is available and free; the Metra station is accessible and Downtown includes well designed and maintained sidewalks and pathways.
7. *Welcoming community events.* Noted events include Johnny Appleseed, Festival of Lights, Farmers Market, National Night Out, and the 4th of July Parade.
8. *Outdoor dining.* Downtown offers great outdoor dining options.
9. *Attractive plantings and holiday décor* provide attractive downtown spaces throughout the year.
10. *Nearby neighborhoods.* Downtown is surrounded by unique historic homes and mature neighborhoods.

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## WHAT PHYSICAL ELEMENTS AND FEATURES COULD BE IMPROVED IN DOWNTOWN CRYSTAL LAKE?

When asked about what improvements can be made in Downtown Crystal Lake, 653 open ended responses were provided. The word cloud graphic below depicts the words that were most often used to describe desired improvements in Downtown Crystal Lake.




A summary of responses provided follows below:

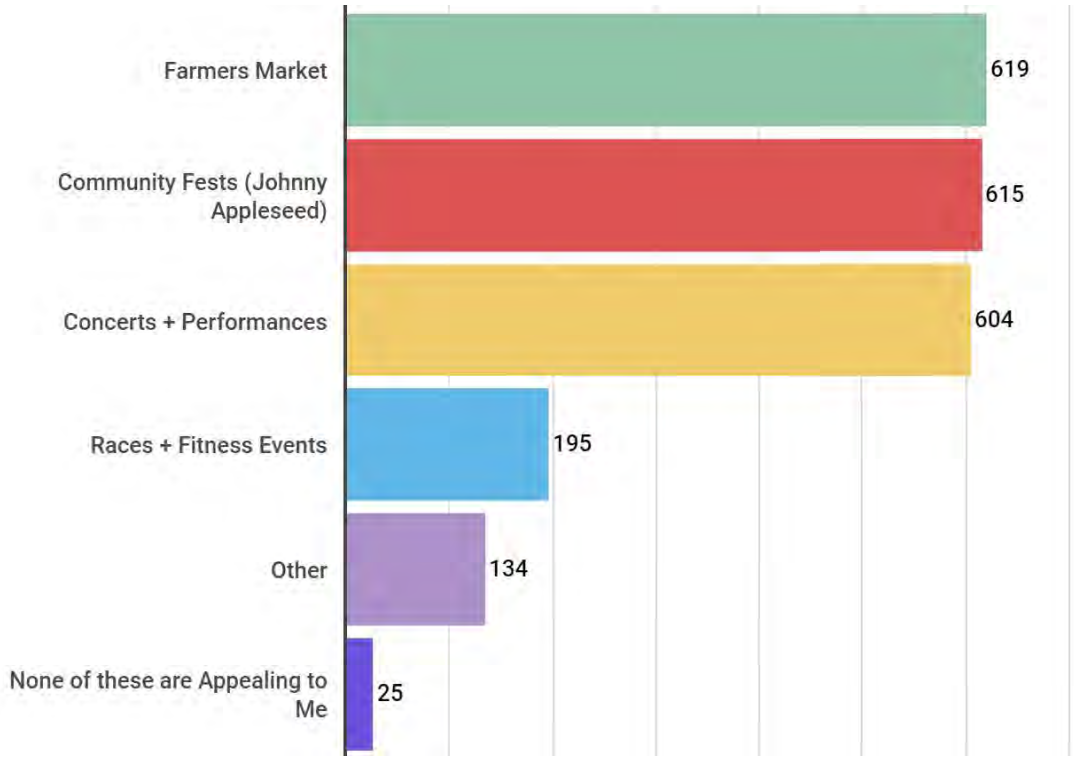
1. *More open spaces* to accommodate outdoor seating, performances, gathering, play, and dog areas.
2. *Larger festival space* to accommodate Farmers Market and other events.
3. *More shopping and restaurants,* including more outdoor dining options.
4. *Improvements at and surrounding the Metra station* including improved crossings and visual / physical connections to better connect the Downtown areas across the tracks.
5. *Parking improvements* including better signage to understand parking regulations, especially at commuter lots. Provide additional parking / garage parking. Provide EV charging stations.
6. *Remove on street parking and create pedestrian only areas,* such as along Williams Street.
7. *Additional amenities* such as brick pavers, historic lighting, string lighting, seating, water fountains, and bike racks.
8. *Improved connections / access,* including The Prairie Trail; Route 176 and across railroad tracks.
9. *Signage* for wayfinding, business maps, historical information, and interpretation.
10. *Improved crosswalks,* including signage, pavement treatments and lighting.
11. *More beautification, greenery, and plantings.*
12. *Improved facades, awnings, and signage.*

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## WHAT TYPES OF SPECIAL EVENT ACTIVITIES ENCOURAGE YOU TO VISIT DOWNTOWN? (select all that apply)

| **POLL QUESTION:** When asked which Special Events would encourage people to visit Downtown, participant responses in order of preference, follow below: | **OTHER COMMENTS:** 134 comments were provided for 'Other' and a summary of those comments follows: |
|---|---|
| 1. Farmers Market (619 votes)<br>2. Community Fests (Johnny Appleseed) (615 votes)<br>3. Concerts + Performances (604 votes)<br>4. Races + Fitness Events (195 votes)<br>5. None of these are appealing to me (25 votes) | 1. Sidewalk Sales<br>2. Winter holiday parade and holiday lights<br>3. Car Shows<br>4. Parades<br>5. Arts and Crafts, art demonstrations<br>6. Yoga, Meditation, Wellness<br>7. Career, Networking<br>8. Performances, concerts, singing, dancing<br>9. Ladies' night out<br>10. Oktoberfest |

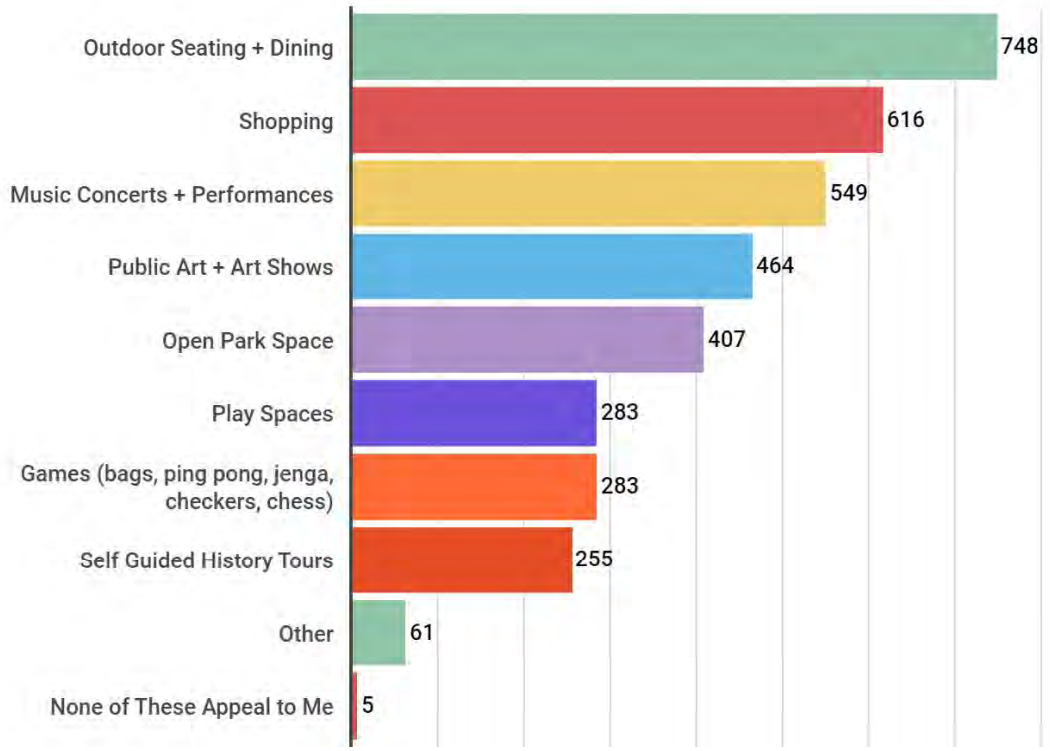


# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## WHAT TYPES OF DAY-TO-DAY ACTIVITIES WOULD DRAW YOU TO DOWNTOWN? (select all that apply)

| **POLL QUESTION:** When asked which day-to-day activities would draw people to Downtown, participant responses in order of preference, follow below: | **OTHER COMMENTS:** 61 comments were provided for 'Other' and a summary of those comments follows: |
|---|---|
| 1. Outdoor Seating + Dining (748 votes)<br>2. Shopping (616 votes)<br>3. Music Concerts + Performances (549 votes)<br>4. Public Art Shows (464 votes)<br>5. Open Park Space (407 votes)<br>6. Play Spaces (283 votes)<br>7. Games (bags, ping pong, jenga, checkers, chess) 283 votes)<br>8. Self Guided History Tours (255 votes)<br>9. None of these are appealing to me (5 votes) | 1. Food Truck Fests<br>2. Arts and Crafts<br>3. Yoga, Meditation, Wellness<br>4. Career, Networking<br>5. Shuffleboard, lawn bowling<br>6. Culture fest with ethnic food booths<br>7. Dog park<br>8. EV Charging Stations<br>9. Ladies' night out events<br>10. Native gardens |

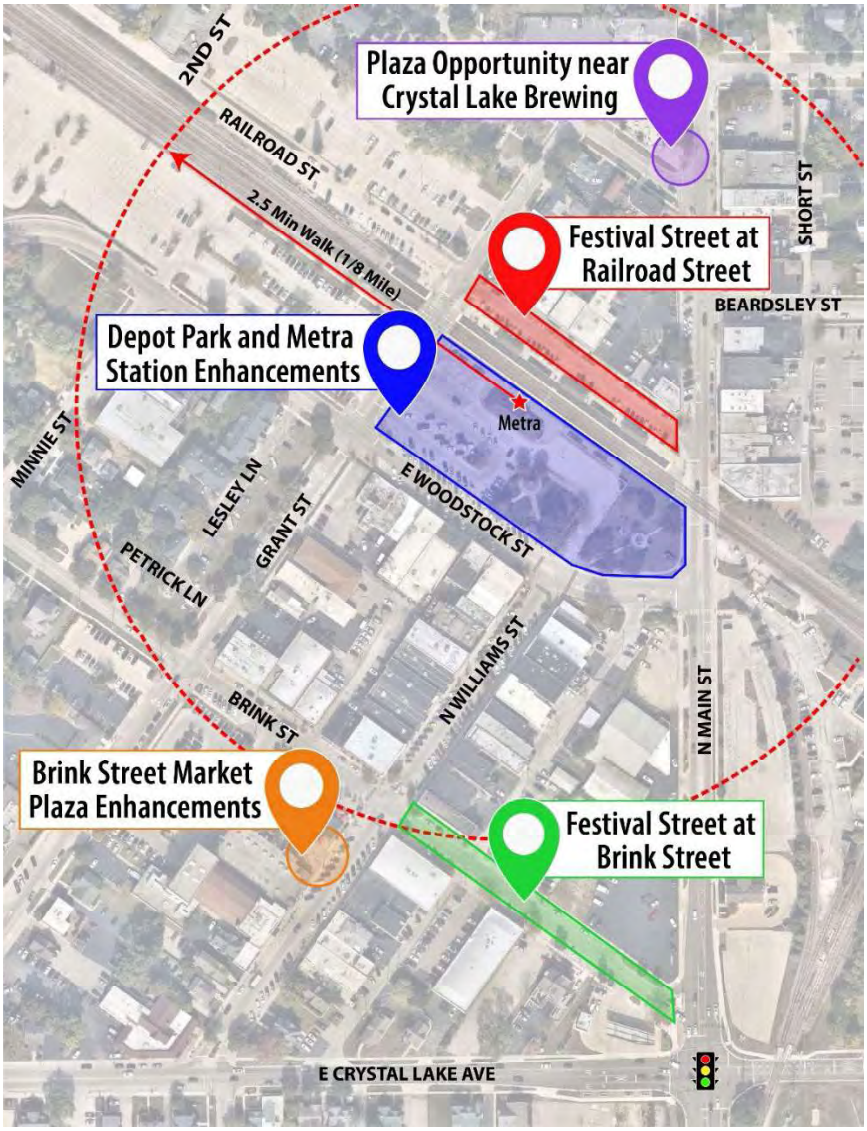


# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

The following questions focused on five potential public place enhancement areas, listed below, and illustrated on the following map:

1. *Plaza Opportunity near Crystal Lake Brewing*
2. *Brink Street Market Plaza Enhancements*
3. *Festival Street at Railroad Street*
4. *Festival Street at Brink Street*
5. *Depot Park and Metra Station Enhancements*

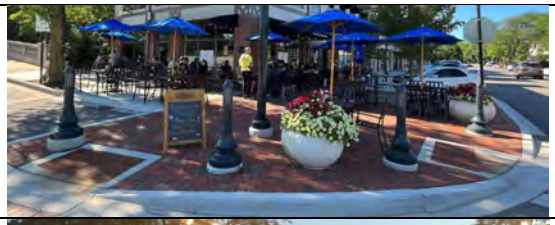


# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THE IMAGERY BELOW, SELECT THE TYPES OF FEATURES AND AMENITIES THAT WOULD BE MOST APPEALING FOR THE PLAZA AT CRYSTAL LAKE BREWING: (select two)

**When asked to select two top images that represented the types of features and amenities that would be most appealing for the Plaza at Crystal Lake Brewing, participant responses in order of preference, follow below:**

| Option | Photo | Votes |
|---|---|---|
| 1. Outdoor café seating and umbrellas |  | 592 / 41% |
| 2. Community gathering and decorative lighting |  | 552 / 38% |
| 3. Bike parking, seating, and plantings |   | 154 / 11% |
| 4. Shaded seating and canopy structure |  | 89 / 6% |
| 5. I would not support development of the PLAZA NEAR CRYSTAL LAKE BREWING | | 50 / 3% |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THE LIST BELOW, PRIORITIZE THE FUNCTIONS YOU WOULD LIKE TO SEE AT THE PLAZA NEAR CRYSTAL LAKE BREWING.

| When asked to prioritize the functions desired for the Plaza Near Crystal Lake Brewing, participant responses in order of preference, follow below: |
|---|
| 1. Seating Areas |
| 2. Specialty Lighting |
| 3. Shade Structures |
| 4. Native Plantings |
| 5. Bike Parking |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THE IMAGERY BELOW, SELECT THE TYPES OF FEATURES + AMENITIES THAT WOULD BE THE MOST APPEALING FOR BRINK STREET MARKET PLAZA: (select two)

**When asked to select two top images that represented the types of features and amenities that would be most appealing for Brink Street Market Plaza, participant responses in order of preference, follow below:**

| Option | Photo | Votes |
|---|---|---|
| 1. Movable tables and chairs |  | 542 / 38% |
| 2. Lounge seating and raised planters |  | 536 / 38% |
| 3. Landscaping |  | 311 / 22% |
| 4. I would not support further development of the BRINK STREET MARKET PLAZA | | 31 / 2% |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THTE LIST BELOW, PRIORITIZE THE FUNCTIONS YOU WOULD LIKE TO SEE AT BRINK STREET MARKET PLAZA.

| When asked to prioritize the functions desired for Brink Street Market Plaza, participant responses in order of preference, follow below: |
|---|
| 1. Seating Areas |
| 2. Specialty Lighting |
| 3. Native Plantings |
| 4. Bike Parking |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THE IMAGERY BELOW, SELECT THE TYPES OF FEATURES + AMENITIES THAT WOULD BE MOST APPEALING FOR FESTIVAL STREETS: (select two)

**When asked to select two top images that represented the types of features and amenities that would be most appealing for Festival Streets, participant responses in order of preference, follow below:**

| Option | Photo | Votes |
|---|---|---|
| 1. Overhead lighting |  | 572 / 38% |
| 2. Pergola structures |  | 395 / 26% |
| 3. Decorative paving and plantings |  | 297 / 20% |
| 4. Decorative banners and painted pavements |  | 201 / 13% |
| 5. I would not support the development of FESTIVAL STREETS | | 34 / 2% |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THE LIST BELOW, PRIORITIZE THE FUNCTIONS YOU WOULD LIKE TO SEE AT THE FESTIVAL STREETS.

**When asked to prioritize the functions desired for Festival Streets, participant responses in order of preference, follow below:**

1. **Overhead String Lighting**
2. **Pergola Structures**
3. **Decorative Paving**
4. **Decorative Banners**
5. **Plantings**
6. **Painted Pavements**

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THE IMAGERY BELOW, SELECT THE TYPES OF FEATURES + AMENITIES THAT WOULD BE MOST APPEALING FOR DEPOT PARK: (select three)

**When asked to select three top images that represented the types of features and amenities that would be most appealing for Depot Park, participant responses in order of preference, follow below:**

| Option | Photo | Votes |
|---|---|---|
| 1. Events lawn and bandshell |  | 523 / 27% |
| 2. Ice skating and holiday activities |  | 452 / 23% |
| 3. Pergola structure and water feature |  | 377 / 19% |
| 4. Flex space with movable seating |  | 340 / 18% |
| 5. Nature based play features |  | 216 / 11% |
| 6. I would not support further development of DEPOT PARK | | 35 / 2% |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## BASED ON THTE LIST BELOW, PRIORITIZE THE FUNCTIONS YOU WOULD LIKE TO SEE AT DEPOT PARK.

| When asked to prioritize the functions desired for Depot Park, participant responses in order of preference, follow below: |
|---|
| 1. Events Lawn and Bandshell |
| 2. Flexible Seating Area with Movable Tables and Chairs |
| 3. Pergola Structure / Covered Seating Area |
| 4. Ice Skating and Holiday Activities |
| 5. Water Feature |
| 6. Nature Based Play Features |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## PLEASE RANK THE PROJECTS YOU WOULD LIKE TO SEE IMPLEMENTED.

| When asked to prioritize the projects that should be implemented in Downtown, participant responses in order of preference, follow below: |
|---|
| 1. Brink Street Market Plaza |
| 2. Depot Park |
| 3. The Plaza at Crystal Lake Brewing |
| 4. Festival Street at Railroad Street |
| 5. Festival Street at Brink Street |

# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## ADDITIONAL COMMENTS:

250 participants provided additional comments regarding the Downtown Public Place Study. A summary of comments received follows below:

1. *Downtown is already a gem.* Take care to balance new improvements while also minimizing clutter.
2. *Safety first*. Maintain safe paths and crossings for pedestrians and bicyclists throughout the Downtown
3. *More shops and restaurants*. While private developments are not the focus of the Public Place Study, we heard participants' suggestions to expand restaurant and shopping options in Downtown.
4. *Downtown parking*. Comments addressed desires to add more parking in Downtown, as well as desires to remove parking to support pedestrian only streets. Some comments were made to provide more handicapped accessible parking throughout Downtown.
5. *Maintain character*. Improvements are welcome however they should be made such that they do not take away from Crystal Lake's historic and charming character.
6. *Programming matters*. Enhanced public spaces are welcome, however, spaces require regular programming in order to be successful and to continue to bring people into Downtown.
7. *Festival Streets are supported*. In addition to Railroad and Brink Streets, consider Williams Street as a festival street.
8. *Places for inspiration*: Downtown Galena, Libertyville, Arlington Heights, Woodstock, Algonquin, Cary, Rockford, Mellody Farm (Vernon Hills)
9. *Make it cohesive*. While these projects can be attractive elements, Downtown should have a cohesive approach to design.
10. *Continue engaging the community.* Most respondents provided positive feedback about the Public Place Study and a general appreciation to be included in the planning process --- continue the public engagement moving forward.

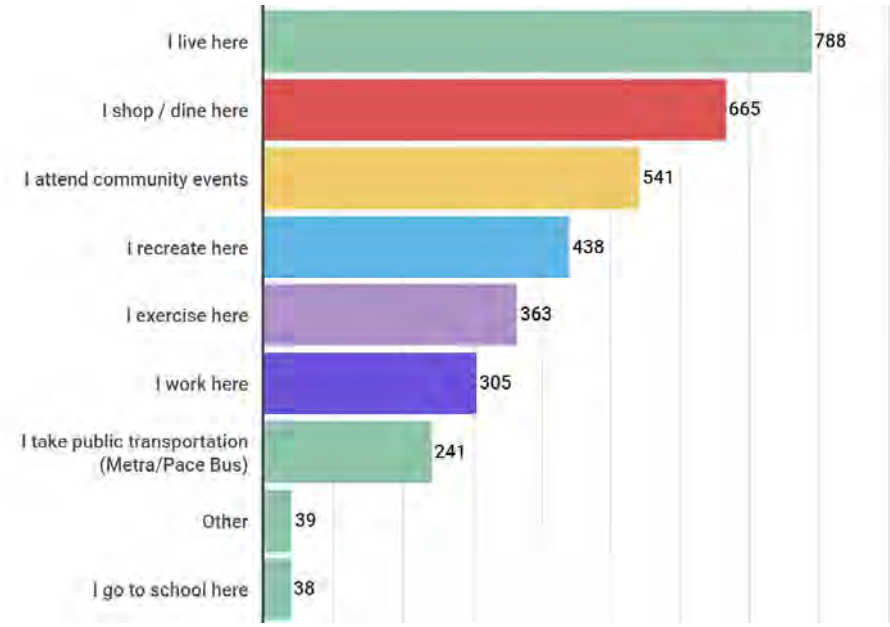
# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

## PARTICIPANT PROFILE | WHAT AGE GROUP DO YOU BELONG TO?




## PARTICIPANT PROFILE | HOW ARE YOU CONNECTED TO CRYSTAL LAKE?



# CRYSTAL LAKE DOWNTOWN PUBLIC PLACE STUDY

## POLL RESULTS SUMMARY | *November 4, 2022*

***Thank you for your input, Crystal Lake!***
***It is much appreciated and will be useful as the City plans for next steps.***

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***For more information about the City's Downtown Public Place efforts, please see the project webpage:***

**https://www.crystallake.org/your-government/departments/community-development/downtown-enhancement**

# PUBLIC PLACE OPPORTUNITIES MAP - ILLUSTRATIVE EXAMPLES

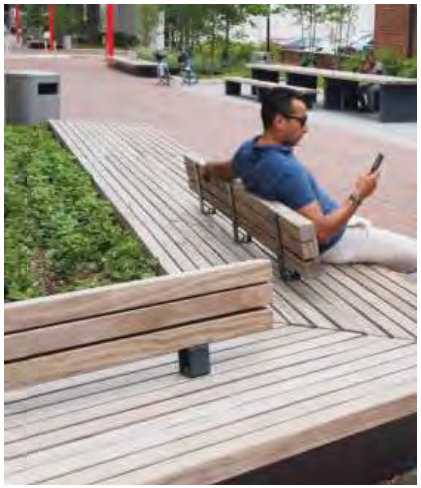










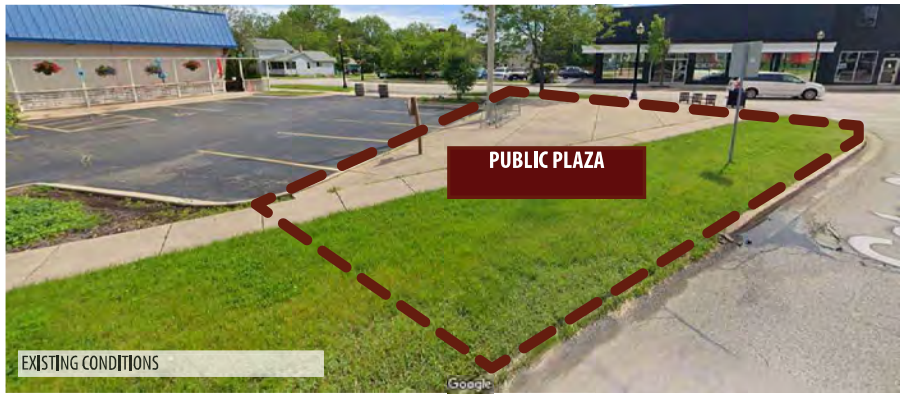


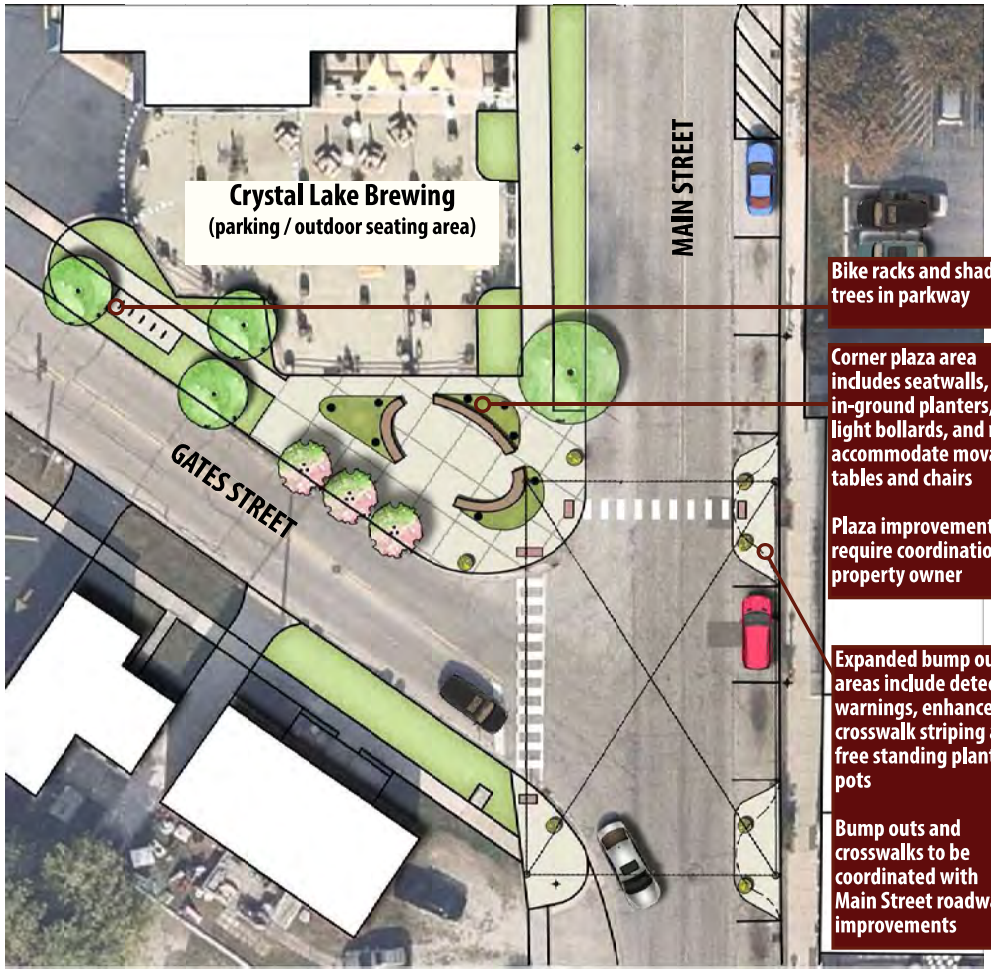
**DOWNTOWN PUBLIC PLACE PLAN | FINAL CONCEPT**
**CITY OF CRYSTAL LAKE**
**November 28, 2022**

# PLAZA OPPORTUNITY NEAR CRYSTAL LAKE BREWING | CONCEPT LAYOUT




PLAZA OPPORTUNITY NEAR CRYSTAL LAKE BREWING




Bike racks and shade trees in parkway

Corner plaza area includes seatwalls, in-ground planters, light bollards, and may accommodate movable tables and chairs

Plaza improvements require coordination with property owner

Expanded bump out areas include detectable warnings, enhanced crosswalk striping and free standing planter pots

Bump outs and crosswalks to be coordinated with Main Street roadway improvements

# PLAZA OPPORTUNITY NEAR CRYSTAL LAKE BREWING | INSPIRATION IMAGERY



COMMUNITY GATHERING, CASUAL SEATING, AND STRING LIGHTING

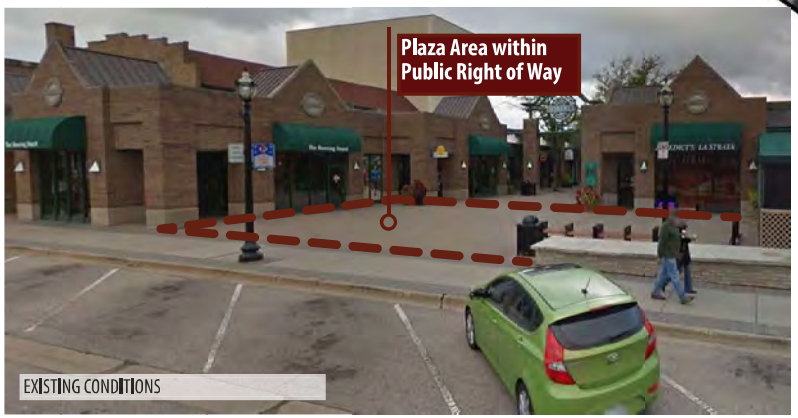

OUTDOOR CAFE SEATING AND UMBRELLAS

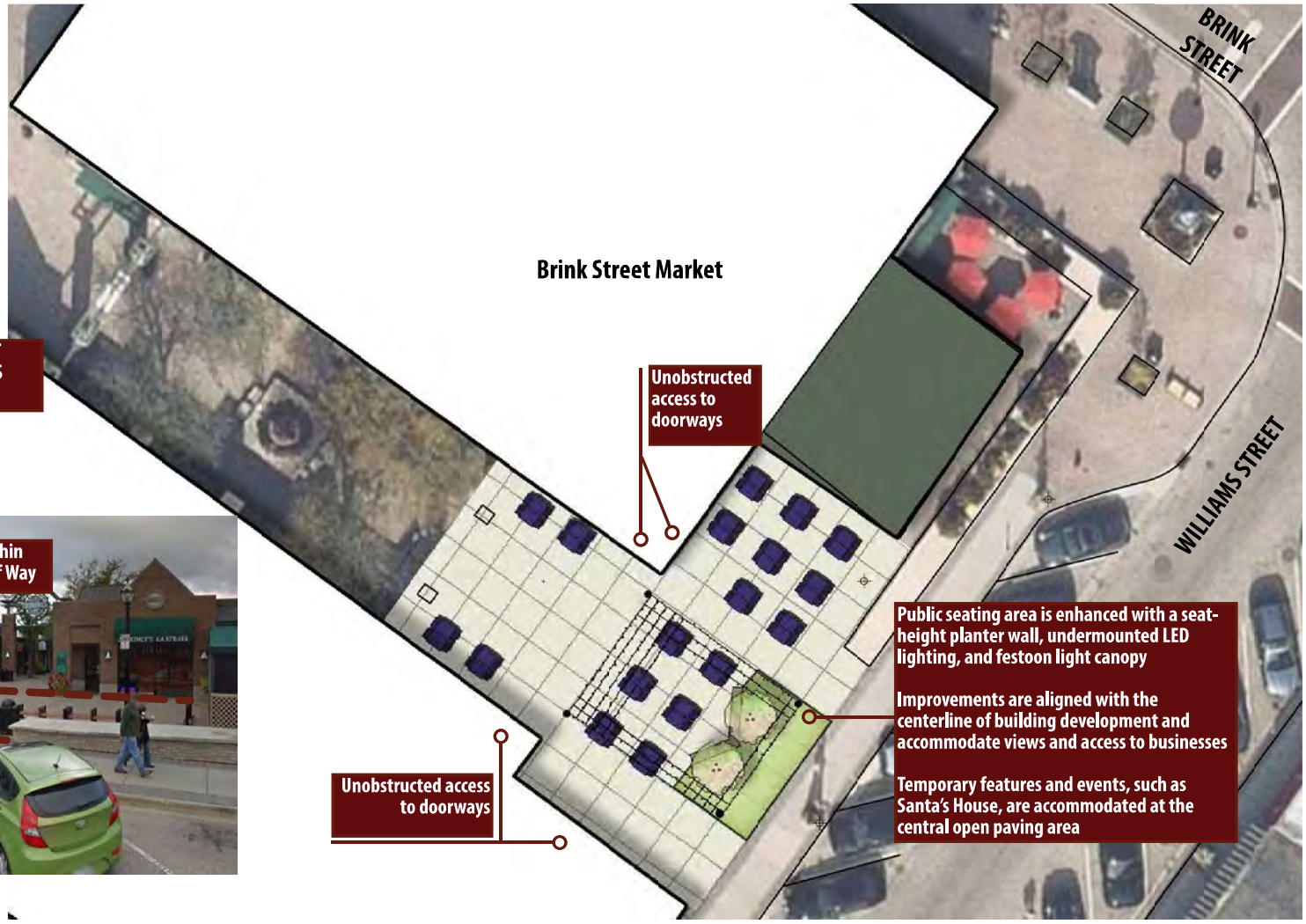


BIKE PARKING, SEATING, AND PLANTINGS

# BRINK STREET MARKET PLAZA ENHANCEMENTS | CONCEPT LAYOUT



# BRINK STREET MARKET PLAZA ENHANCEMENTS | INSPIRATION IMAGERY





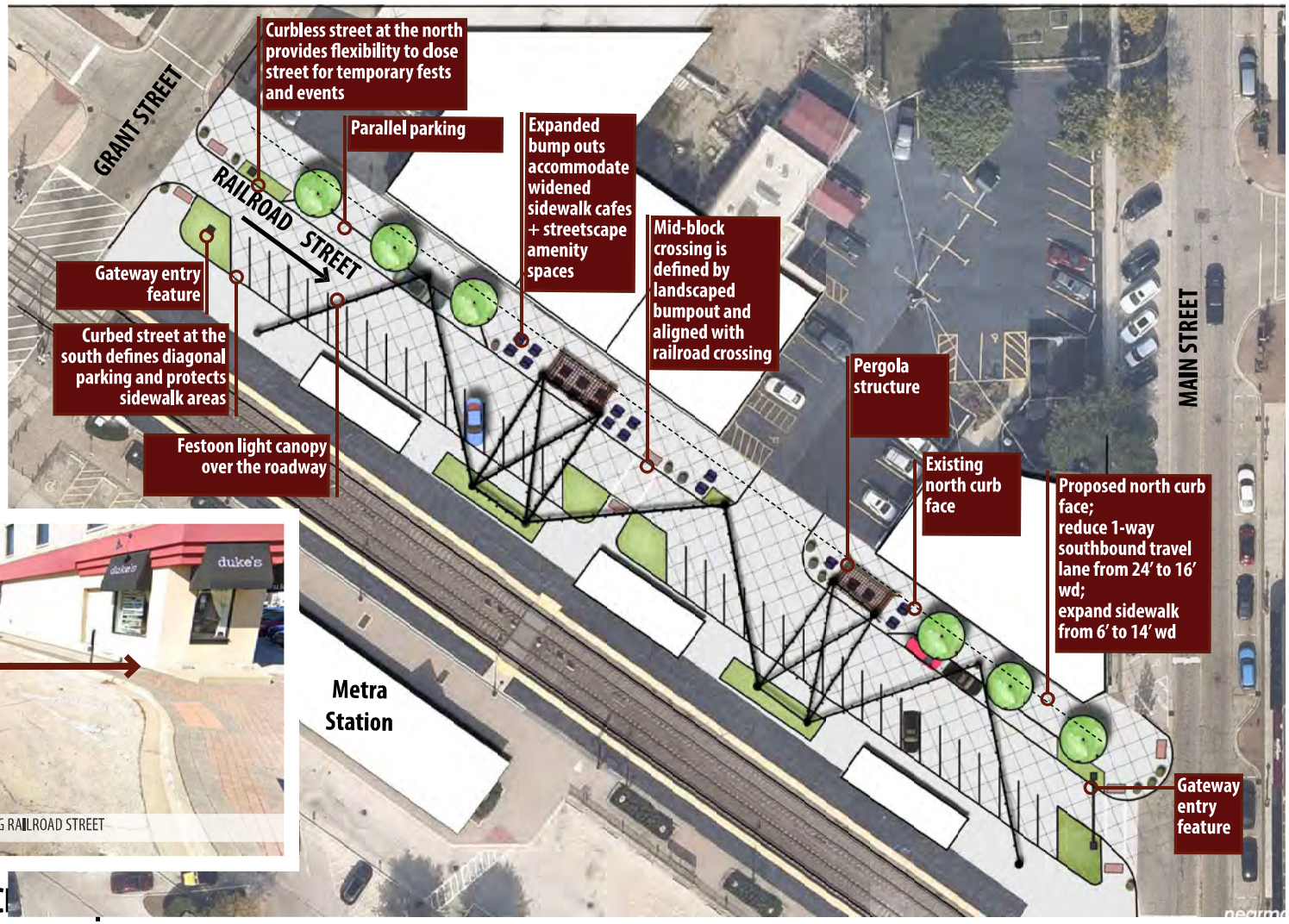






# FESTIVAL STREET AT RAILROAD STREET | CONCEPT LAYOUT






EXISTING CONDITIONS, VIEW LOOKING FROM MAIN STREET NORTH ALONG RAILROAD STREET

**DOWNTOWN PUBLIC PLACE**
**CITY OF CRYSTAL LAKE**
**November 28, 2022**

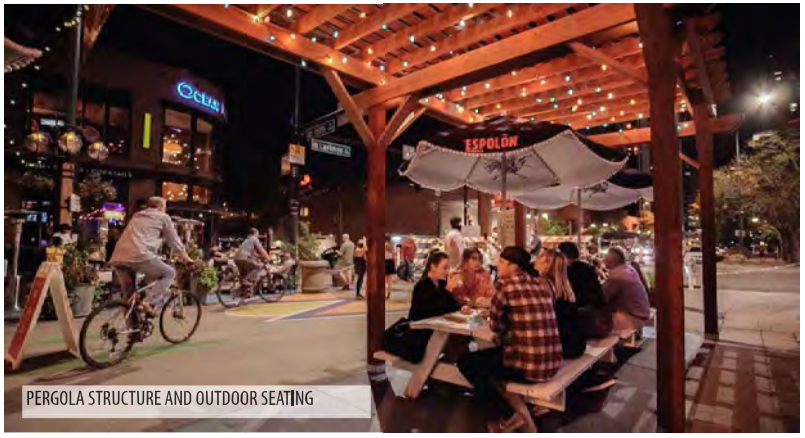
# FESTIVAL STREET AT RAILROAD STREET | INSPIRATION IMAGERY



DECORATIVE STRING LIGHTING



DECORATIVE PAVING AND PLANTINGS

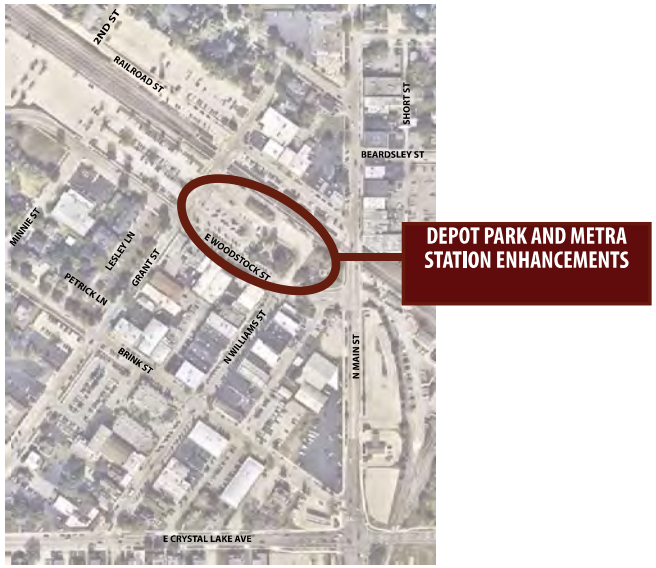


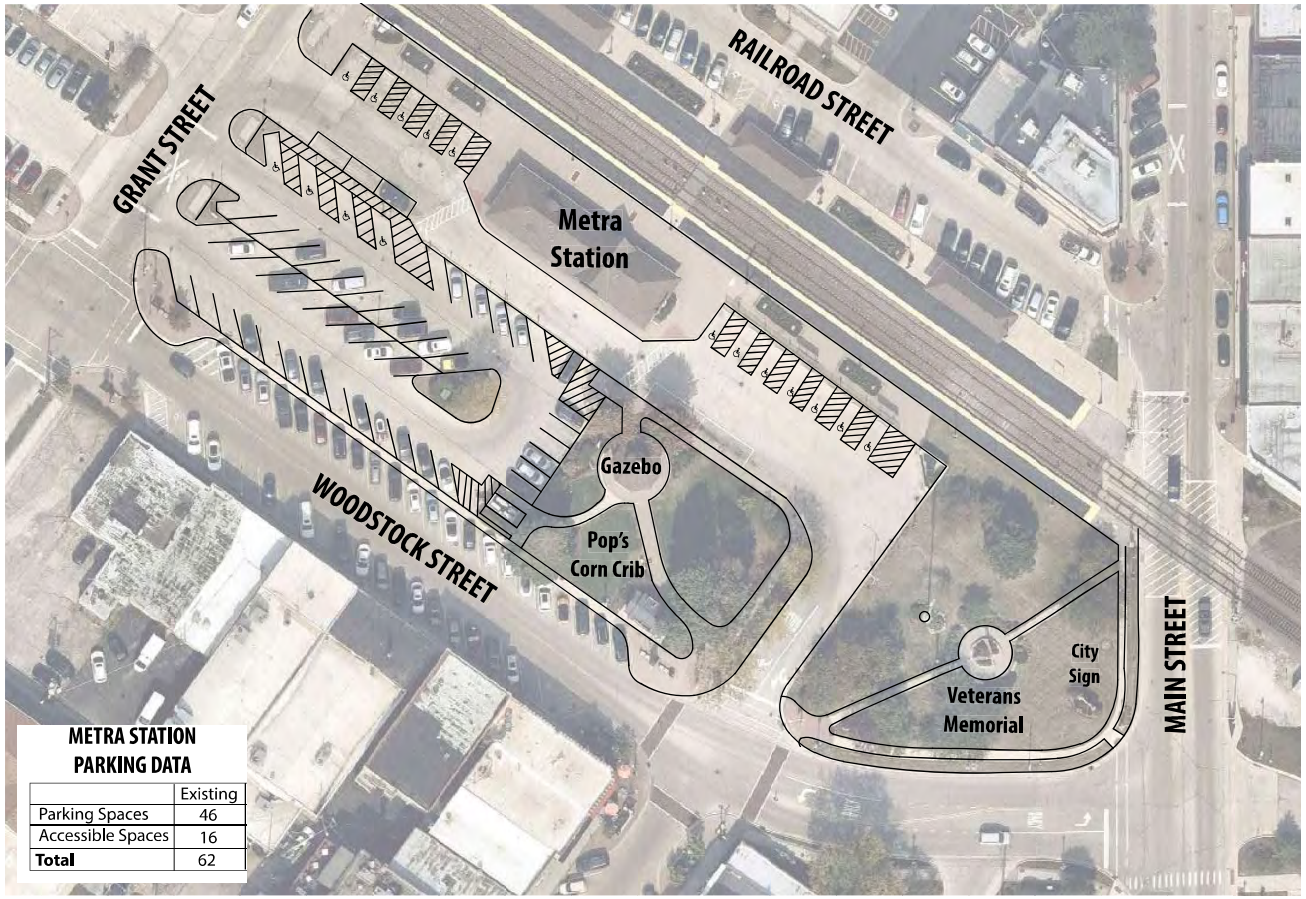
PERGOLA STRUCTURE AND OUTDOOR SEATING



EXAMPLE OF A CURBLESS STREET WITH ASPHALT ROAD AND UNIT PAVER PLAZA

# DEPOT PARK AND METRA STATION ENHANCEMENTS | EXISTING CONDITIONS



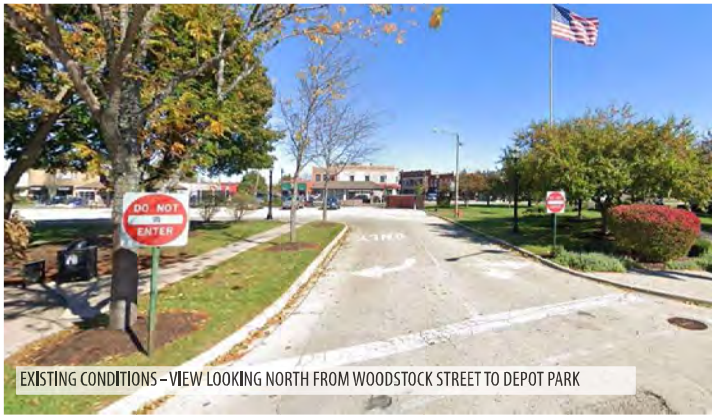

**METRA STATION PARKING DATA**

| | Existing |
|---|---|
| Parking Spaces | 46 |
| Accessible Spaces | 16 |
| **Total** | 62 |

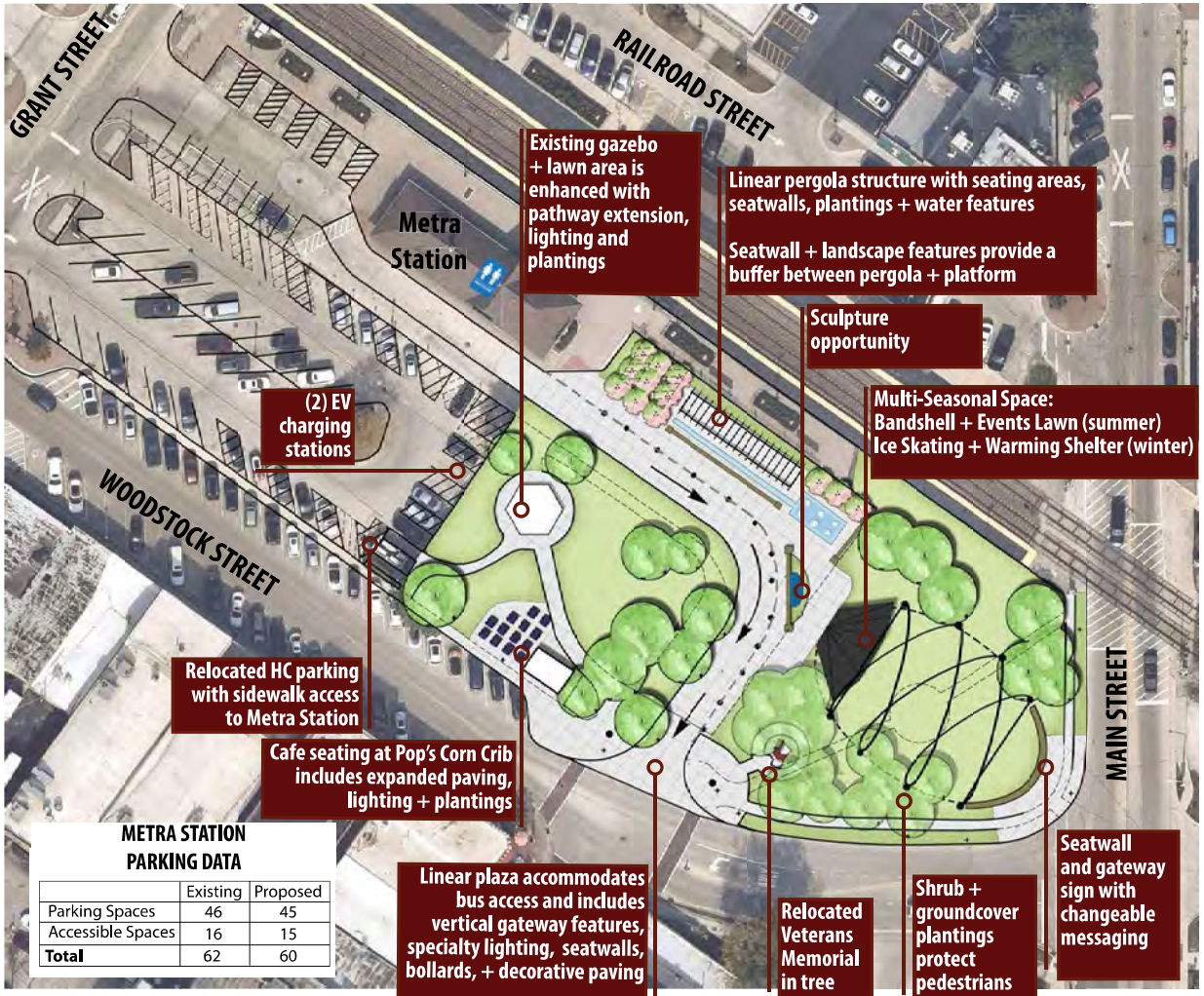
# DEPOT PARK AND METRA STATION ENHANCEMENTS | CONCEPT LAYOUT



EXISTING CONDITIONS – VIEW LOOKING EAST FROM METRA STATION TO DEPOT PARK




EXISTING CONDITIONS – VIEW LOOKING NORTH FROM WOODSTOCK STREET TO DEPOT PARK




**METRA STATION PARKING DATA**

| | Existing | Proposed |
|---|---|---|
| Parking Spaces | 46 | 45 |
| Accessible Spaces | 16 | 15 |
| **Total** | 62 | 60 |

# DEPOT PARK AND METRA STATION ENHANCEMENTS | INSPIRATION IMAGERY


EVENTS LAWN AND BANDSHELL

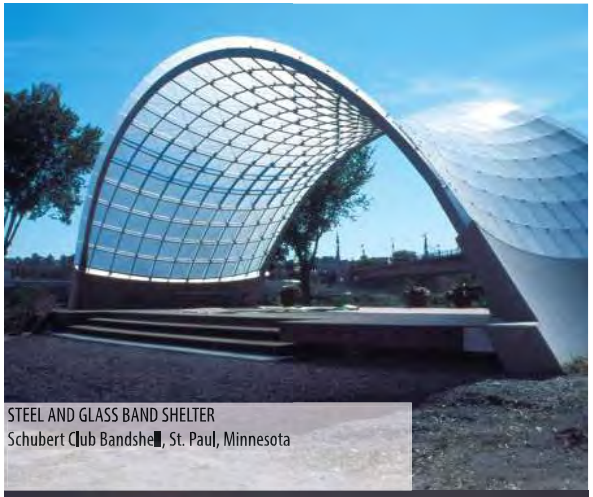

FLEX SPACE WITH MOVABLE SEATING


ICE SKATING AND HOLIDAY ACTIVITIES


PERGOLA STRUCTURE AND WATER FEATURES

## ADDITIONAL INSPIRATION IMAGERY | CRYSTAL LAKE INTERPRETATION

**Design features may reference Crystal Lake's history as an ice harvesting town. Steel and glass structures may evoke images of crystal.**



STEEL AND GLASS BAND SHELTER
Schubert Club Bandshell, St. Paul, Minnesota





CRYSTAL PALACE ROOF DETAIL, MADRID



TACOMA GLASS MUSEUM SCULPTURE
Washington



RESTON TOWN CENTER GLASS SCULPTURE
Virginia



TACOMA GLASS MUSEUM SCULPTURE
Washington