#2019-184
Immanuel Lutheran Church – Final Plat Amendment and Variation
Project Review for Planning and Zoning Commission

Meeting Date: December 4, 2019

Requests:
1. Final Plat Amendment to remove a condition of approval.
2. Variation from Article 5 the Subdivision Ordinance from the requirement to provide a security for the subdivision's associated public improvements.

Location: 395 Teckler Boulevard and 295, 300, and 345 Pathway Court

Acreage: Approximately 60 acres

Existing Zoning: R-2 Single Family Residential

Surrounding Properties:
North: R-2 Single Family Residential
South: B-2 PUD General Commercial
East: B-2 PUD General Commercial
West: R-2 Single Family Residential

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- Immanuel Lutheran Church received a final plat approval for a 4-lot subdivision in March of 2006. The subdivision standards require a Letter of Credit or Bond be posted for the amount of any necessary public improvements associated with a plat of subdivision.
- It was determined that Congress Parkway should connect to the extension of Teckler Boulevard at Main Street. The church posted a Letter of Credit for this improvement in the amount of $893,265.45. The church is requesting that they be released from this requirement.
- In order to complete the intersection connection at least two of the three tracks need to be removed along Main Street. In addition, other rail improvements would be required to accommodate train service in the area. Due to these requirements, City Council placed a condition on the subdivision approval:

  7. Prior to any development approval of Lots 1, 2 or 3, the Congress Parkway connection will be secured as a public right-of-way. All of the benefited properties within the subdivision will pay their proportional fair share of the improvements.

  The church is amending their Final Plat approval and requesting removal of this condition.

Final Plat Analysis:

FINAL PLAT OF SUBDIVISION AMENDMENT

A final plat is required to meet the standards below. Staff has provided an analysis of the current plat and how the amendment and variation complies or does not comply with the standards. The standards of b), d) and i) are affected by this amendment and the removal of the condition. The petitioner is requesting an amendment to their Final Plat approval to eliminate condition #7. Plats of Subdivision are required to meet the following requirements:

a) Promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the City by providing for the orderly growth and development of the City;

☒ *Meets* ☐ *Does not meet*

b) Coordinating streets and roads within proposed subdivisions with the City's planned street system, and with other public facilities;

☒ *Meets* ☐ *Does not meet*

This standard could be met, if the connection is necessary, through the Special Service Area (SSA).

c) Providing right-of-way easements for streets and utilities;

☒ *Meets* ☐ *Does not meet*

d) Avoiding congestion and overcrowding, and encouraging the proper arrangement of streets in relation to existing or planned streets;

☒ *Meets* ☐ *Does not meet*

This standard could be met if future development warrants the intersection improvements and the owners participate in the construction of the connection via the SSA.

e) Ensuring there is adequate open space and recreation facilities to serve development;

☒ *Meets* ☐ *Does not meet*

f) Ensuring there is proper recordation of landownership records;

☒ *Meets* ☐ *Does not meet*

g) Installation of any public improvements including water, sewer, storm sewer or detention, parkway trees, and sidewalks;

☒ *Meets* ☐ *Does not meet*

h) Burial of overhead utility lines and all new lines and services in appropriate easements; and

☒ *Meets* ☐ *Does not meet*

i) Ensuring the provision of such other matters as the City Council may deem necessary in order to protect the general health, safety, and welfare of the City

☒ *Meets* ☐ *Does not meet*

At such time that the intersection improvement is necessary, which may be due to development of the lots along Main Street that warrant an additional access point, the SSA would be enacted to complete the intersection improvements. The additional requirement to participate in the overall cost of the railroad relocation improvements could be added to the development approvals of the Main Street lots.

An SSA is a convenient mechanism:

1) to release the Church of their financial obligation associated with this plat and burdens of maintaining the LOC.

2) to protect the City, if future development proposals of the three vacant parcels necessitates a roadway connection at Congress/Teckler.

3) to permit development of the lots in the short term and to allow for the development interest and the future intensity of the development (number of vehicle trips) to determine if an SSA is even needed.

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made it should be with the following conditions:

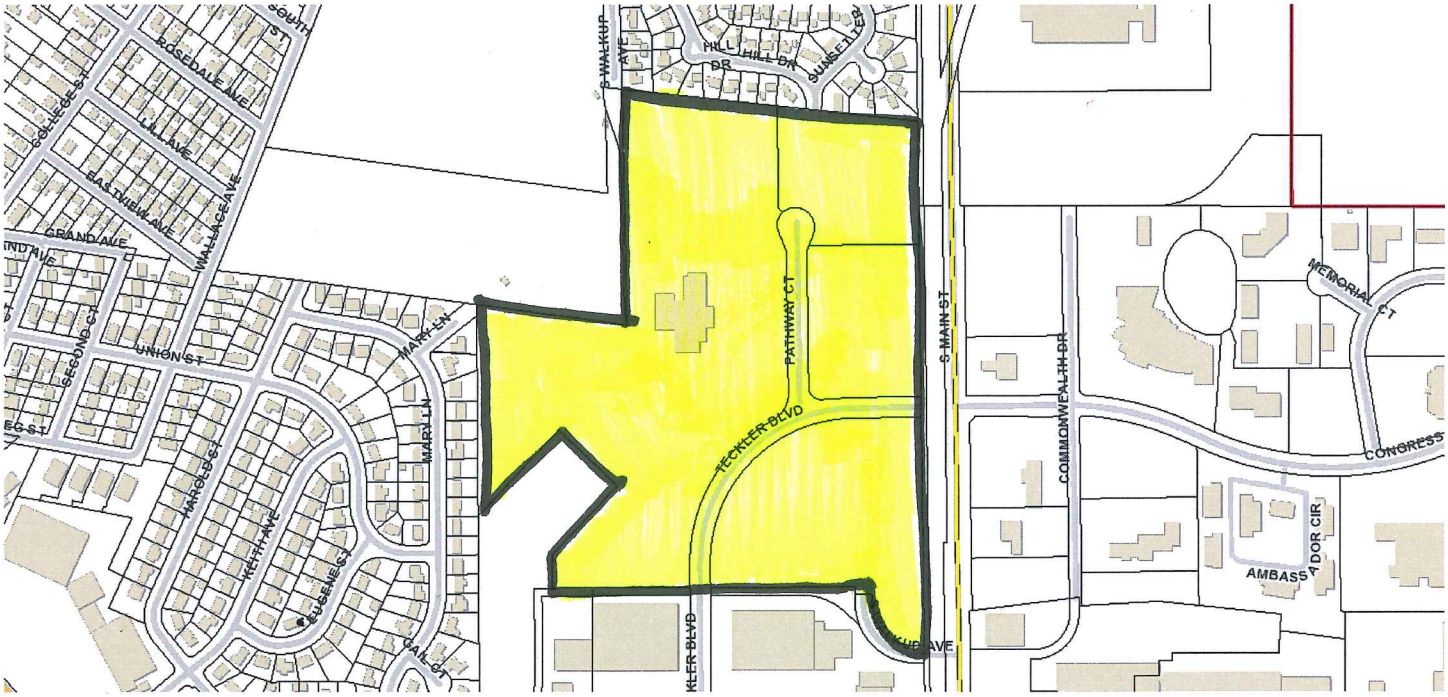
1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Immanuel Lutheran Church, received 11/18/19)

2. The owner(s), their heirs and assigns, of the four lots within the Immanuel Lutheran Church Subdivision, shall not object to a Special Service Area (SSA) being created on the properties and their participation in any future SSA to connect Teckler Boulevard with Congress Parkway (and all associated costs), if this connection is approved via a future development approval. A covenant running with the land shall be recorded on all four lots with this plat condition.

3. The original Final Plat of Subdivision approval, dated March 21, 2006, remains valid except as modified by this petition.

PLN-2019-00184 IMMANUEL LUTHERAN CHURCH – 300 S PATHWAY COURT





CITY OF CRYSTAL LAKE
DEVELOPMENT APPLICATION

Please type or print legibly

OFFICE USE ONLY
CASE # PLN-2019-00184

PROJECT TITLE: Immanuel Lutheran Church Property Subdivision Variation

ACTION REQUESTED:

_____Annexation
_____Comprehensive Plan Amendment
_____Conceptual PUD Review
_____Final PUD
_____Final PUD Amendment
_____Final Plat of Subdivision
_____Preliminary PUD
_____Preliminary Plat of Subdivision
_____Rezoning
_____Special Use Permit
_____Variation
_X_Other Subdivision variation

Petitioner Information:

NAME: Immanuel Lutheran Church and School
ADDRESS: 300 S Pathway Ct
Crystal Lake Il 60014
PHONE: 815 459 1441
FAX: _____
E-MAIL: lmobley@immanuelcl.org

Owner Information:(if different)

NAME: _____
ADDRESS: _____
_____
PHONE: _____
FAX: _____
E-MAIL: _____

Property Information:

Project Description: The 2006 Subdivision plat required the posting of security to guarantee certain improvements to the intersection of Congress Parkway. After 13 plus years it is unlikely that the crossing can be built in the near future. Petitioner is asking for relief from Article 5 of the UDO subdivision section in order to release the letter of credit back to the Petitioner.

Project Address/Location: The property on both sides of Pathway Court North of the Jewel store.

PIN Number(s): 19-05-426-007, 19-05-281-001, 19-05-427-001, 19-05-428-001

RECEIVED
NOV 18 2019
BY:

Development Team:

Developer: see petitioner

Architect: _____

Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, (815)459-5152, (FAX 815-459-0290)

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures:

BY: Rev Larry W. Tieman x Rev Larry W Tieman 11/18/19

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 actions.
Immanuel Lutheran

BY: _____

OWNER: Print and Sign Name Date

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

City of Crystal Lake

file 05-18

Mayor
Aaron T. Shepley
City Clerk
Roger T. Dreher
City Manager
Gary J. Mayerhofer

100 W. Municipal Complex
P.O. Box 597
Crystal Lake, IL 60039-0597
(815) 459-2020

City Council
Ellen Brady Mueller
Howie Christensen
Ralph M. Dawson
Cathy A. Ferguson
David Goss
Jeffrey T. Thorsen

COPY

March 27, 2006

Tom Zanck
40 Brink St
Crystal Lake Il 60014

Dear Mr. Zanck:

This letter will serve as formal notification that at the March 21, 2006 regular City Council meeting, the Mayor and City Council of the City of Crystal Lake reviewed your request for Final Plat of Subdivision to create 4 lots for the Immanuel Lutheran Church property located west of Main Street and north of Route 14 behind the Commons Shopping Center.

The Council adopted a motion approving the Final Plat of Subdivision for a 4-lot subdivision with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Final Plat of Subdivision (Smith Engineering Consultants, no date, received 8/10/05)
   B. Engineering Improvement Plans (Smith, dated 8/1/05)
   C. Traffic study (GHA, dated 11/15/04) Access Option D represents the approved roadway configuration and improvements, except for the Alternative Improvement #7 provision, which calls for the installation of a traffic signal at Crystal Lake Avenue and Walkup. The traffic signal at Walkup and Crystal Lake Avenue is not required.

2. Final Plat of Subdivision
   A. The cul-de-sac design does not meet the City's standard teardrop design. Please correct on all plans. (Section 3.7-2(b)1)
   B. Illustrate how a public pedestrian path (i.e. wider, multi use cross section) will extend through this subdivision, providing a Prairie Path connection to CLC HS as well as the ILC campus. Pedestrian signals should be provided at any intersection(s) with Main Street, both for traffic along and crossing Main. This requirement is deferred until each of the lots develops.
   C. The sidewalks at the terminus of Teckler Boulevard should be extended to connect with the Prairie Path. The sidewalks at the southern end of Teckler Boulevard are not in line with the existing sidewalks, please adjust accordingly.
   D. Provide a landscape plan that illustrates the required parkway trees, in accordance with the species, size and spacing requirements of the Subdivision Ordinance and the proposed landscaping for the landscape area within the cul-de-sac. (3.7-5(b))
   E. Make the following changes to the Final Plat document:
      i. Provide a reference to the covenants for shared maintenance responsibilities on the plat and provide the covenants for review and approval. (3.5-2(b)17)
      ii. Provide a date on the plat. (3.5-2(b)5)
      iii. Detail the dedication status of adjacent roadways (Sunset, Walkup, Mary Lane, Teckler, and Main) and indicate that Teckler and Developer Drive are "Hereby

dedicated to the City of Crystal Lake." Provide an alternative street name for Developer Drive for review and approval by appropriate jurisdictions. Identify the MCCD Prairie Path. (3.5-2(b)8)
iv. Accurately describe the location of at least two concrete monuments. (3.5-2(b)14)
v. The PUEs should be located along the rear of the lots to eliminate the pedestals and transformer boxes along the front main roadways.
vi. Correct Plan Commission to Planning and Zoning Commission on the signature block.

3. No off-site road improvements have been shown on the engineering plans. Provide the recommended improvements (right-of-way, grading, drainage, construction costs, etc) detailed in the traffic study in association with the approved Option (Access Option D) and in anticipation of a crossing in line with Congress Parkway.

4. Incorporate tree preservation into the land planning efforts for each lot, as they develop.

5. The proposed ROW cross-section varies from a conventional 2% slope from ROW to street. In some cases the parkway slopes are excessive. Drainage, maintenance, parkway tree planting, driveway locations and other problems may develop with these cross slopes. The conventional public road cross section as shown on the approved preliminary plat should be shown for the public road specific cross sections

6. The petitioner shall address all comments of the Building, Engineering, Fire/Rescue, Planning and Public Works Departments; Hey and Associates' review of the engineering dated February 9, 2006; and comments included in the traffic study completed by Gewalt Hamilton Associates, Inc. dated, November 15, 2004.

7. Prior to any development approval of Lots 1, 2 or 3, the Congress Parkway connection will be secured as a public right-of-way. All of the benefited properties within the subdivision will pay their proportional fair share of the improvements.

Should you have any questions or concerns regarding this matter, please feel free to contact us.

Very truly yours,

Michelle Rentzsch
Director of Planning and Economic Development

MR/shd

Cc: Gary Mayerhofer, City Manager
Victor Ramirez, Engineering & Building Director

Zoning Commission meeting and concerns were focused on density and increased traffic flow. Mayor Shepley stated that he thinks a residential facility would not generate as much traffic as a fully-operational school. He would have more concerns if it would be torn down and rebuilt. He said it is a good concept, and would be looking at details later.

Mr. Gottemoller asked the Council to call or stop by to see his client's work at his Coventry location.

12. Immanuel Lutheran Church – Request to eliminate surety requirement for roadway and elimination of Final Plat of Subdivision condition for railroad relocation and intersection improvements – Discussion Only

Joe Gottemoller, attorney representing Immanuel Lutheran Church, and Pastor Tienens, provided the City Council with a history of the surety requirements for roadway and the Final Plat of Subdivision condition for railroad relocation and intersection improvements placed on Immanuel Lutheran Church in 2005. The Church has held an $893,265.45 Letter of Credit (LOC) as required by the Council for the extension of Teckler Boulevard and connecting to Congress Parkway for 13 years and there has been no movement on the railroad relocation. The Church pays thousands of dollars in processing fees for the LOC. He said LOC costs and the $15 million to relocate the railroad are prohibitive to the sale and development of remaining lots owned by the Church.

Mayor Shepley asked if the primary concern is relief from the Letter of Credit. Mr. Gottemoller indicated that would be an immediate help, but would not be the long-term goal, with development patterns that will change. Mayor Shepley asked if there were members of the public that wished to speak on this item.

Bruce Johnson, a developer who is looking to build senior housing on Lot 3, and is completing due diligence on developing at this location, indicated that he has met with both City staff and the Church. He said it was his understanding the City has tied the $15 million railroad relocation to the remaining lots owned by the Church and this deters sale and development. He would like to know what the City's stance is on this issue to help him determine if they should look at other lots without the large burden.

Councilwoman Ferguson stated she is a member of Immanuel Lutheran Church, but does not serve on any boards, as such there would be no conflict of interest regarding this issue. She said she feels the railroad track will not be relocated in the foreseeable future. She feels the Church has stuck to its end of the bargain and herself, Mayor Shepley and Councilman Dawson have worked tirelessly on this issue and the landscape has changed. She is comfortable removing the Church from the Letter of Credit requirement. Councilwoman Ferguson would not require railroad relocation costs if a Special Service Area on lots 1-3 were to be established, and is not in favor of putting a sidewalk behind the Jewel.

Mayor Shepley stated he would rather see the City work with the railroad for a sidewalk/crossing at Congress Parkway.

Councilwoman Brady agreed with Councilwoman Ferguson regarding the sidewalk. She also said she does not see the railroad tracks being moved in the near future, and would require intersection improvement costs, but not relocation costs should a Special Service Area be established.

Councilman Hopkins said he agreed with fellow Councilmembers. He asked Ms. Rentzsch regarding the history of the conditions on the properties. Ms. Rentzsch stated that in 2006, the City Council placed a condition of approval on the 4-lot subdivision that stated prior to any development of the three lots along Main Street, the right-of-way would be secured and these lots would pay their proportional fair share.

Councilman Hubbard said it would benefit the entire City, not just these properties, and it is hard to keep burdening the Church with these requirements. He does not agree with the sidewalk requirements as presented.

Councilman Haleblian said he agreed with the other Councilmembers that the sidewalk does not make sense. Burdening the properties with the Letter of Credit is holding up development.

Mayor Shepley indicated that he also feels the Letter of Credit should not be required, but was not ready to make bigger picture decisions without a clearer picture regarding proposed development on the lots being discussed.

14. <u>City Code Amendment – Chapter 360: Watershed and Text Amendment for the Crystal Lake Watershed Implementation Plan – Discussion Only</u>

City Engineer Abby Wilgreen provided the City Council with a brief history of the City's 1975 Watershed Ordinance/Manual and the updated 2007 Watershed Manual, which focuses on new development and expansion of existing commercial development. Requirements for existing developed neighborhoods around the lake platted decades ago were not addressed in the 2007 manual. A policy was developed shortly after 2007 requiring infiltration trenches be installed with any new impervious coverage over 300 square feet.

While this existing policy for existing residential areas has generally been working, over the last few years enhancements to the City's policy have been identified. During the various stormwater public meetings held in 2017 and 2018, a recurring comment was to improve how the City addresses improvements that add new impervious area in these existing residential areas as the perception is that adding impervious area in the watershed causes harm to surrounding properties. As a result, City staff looked to amend the existing policy to address concerns.

Public Works Director Mike Magnuson explained steps City staff has completed in developing these proposed enhancements, including field reviews of older trench drains, review of practices in other communities, collecting feedback from local contractors and homebuilders, and a peer review of the proposed enhancements. Mr. Magnuson said the

City Council Reports
Councilwoman Brady Mueller wished Matt Ferguson and Roy Mueller a happy birthday. Councilman Christensen advised that it was also City Clerk Roger Dreher's birthday

Consent Agenda
Councilwoman Brady Mueller moved to approve Consent Agenda Items 9a and to add Item #11. Councilman Goss seconded the motion. On roll call, all voted yes. Motion passed

9a. Continued the Final Plat of Subdivision and Variation requests for 160, 164 and 168 Edgewood Road to the May 15, 2007 City Council meeting.

11. Approved a request from the Crystal Lake Rowing Club for a waiver of boat sticker requirements for rowing shells and regatta motorboats on April 7, April 14, April 21 and May 5, 2007.

Immanuel Lutheran Church Subdivision Final Plat Conditions
Attorney Tom Zanck and Pastor Larry Tienens were present for the matter. Mr. Zanck stated that potential developers/buyers of Lot 3, planned for senior housing, were being put off by the staff advising them of the condition that no development can occur until Congress Parkway is put through. He stated that he would like the Council to give staff the latitude to say there are no guarantees, but it would be up to the Council's discretion as to whether the road connection is required after a buyer presents a plan. He stated that if the plan showed that very little traffic would be generated, he was hopeful that the Council would consider approval.

Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilman Goss stated that if the railroad tracks are relocated, the ultimate uses of the parcels could change. He stated that he supported allowing a developer to make a presentation to the Council, but his stance was that the connection to Congress Parkway needed to be made before any development could occur. Councilmembers Brady Mueller, Christensen, Ferguson and Thorsen agreed. Councilman Thorsen stated that his main concern was that a petitioner could spend a lot of money and staff time and the Council would still require the connection. Mayor Shepley stated that he also agreed, and from a marketing standpoint or the church's efforts to sell the property, he would be hard pressed to tell the church they couldn't come to the Council with a plan. He stated that the Council had made its position about the road connection very clear. Councilman Dawson stated that he felt allowing a petitioner an opportunity to present a plan to the Council without the road connection would put undue pressure on the Council and he stood by the Council's earlier decision. Mayor Shepley noted that with a majority consensus of the Council, no further action was required and potential buyers would be eligible to present their plans to the Council for consideration.

Mr. Zanck noted the Church's efforts to work with the City, even delaying their development plans by continuing an ICC hearing at the City's request because of the possible relocation of the railroad tracks. He stated that the Church's efforts were languishing because of their cooperation with the City.

The City of Crystal Lake
PROCEEDINGS OF THE CITY COUNCIL
March 21, 2006

Call to Order
Mayor Shepley called the City Council meeting to order at 6:30 p.m.

Executive Session
Councilman Thorsen moved to adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, and personnel at 6:30 p.m. Councilman Christensen seconded the motion. On voice vote, all voted yes. Motion passed.

Regular Session
Councilwoman Ferguson moved to reconvene in Regular Session at 7:35 p.m. Councilman Christensen seconded the motion. On voice vote, all voted yes. Motion passed.

Roll Call
On roll call, Councilmembers Brady Mueller, Christensen, Dawson, Ferguson, Goss, Thorsen, and Mayor Shepley were present.

City Clerk Roger Dreher, City Manager Gary Mayerhofer, City Attorney John Cowlin, Director of Planning and Economic Development Michelle Rentzsch, Director of Engineering and Building Victor Ramirez, and Director of Public Works Eric Lecuyer were also present.

Pledge of Allegiance
Mayor Shepley led the Council and the public in the Pledge of Allegiance.

Proclamations
Mayor Shepley issued a proclamation for Library Week, to be observed April 2-8, 2006.

Mayor Shepley issued a proclamation for Senior Services Associates "Day in Tuscany" fundraiser to be held on April 2, 2006.

Approval of Minutes
Councilwoman Ferguson moved to approve the minutes of the March 7, 2006 Regular City Council meeting, the January 16, 2006 Workshop Meeting and the July 12, 2005 Workshop Meeting. Councilman Goss seconded the motion. On voice vote, all present voted yes. Motion passed.

APR 0 7 2006

Accounts Payable
Councilman Goss moved to approve the Accounts Payable in the amount of $1,118,027.05. Councilwoman Ferguson seconded the motion. On roll call, all voted yes, except that in order to avoid any possible conflict of interest, Mayor Shepley abstained on the invoices from Centegra Occupational Health. Motion passed.

Public Presentation
Mayor Shepley asked if anyone in the audience would like to speak during the Public Presentation portion of the meeting.

Elaine Thompson Stecker, 707 Woodland Drive, voiced her opposition to the fence that had been installed at 721 Woodland Drive. Barbara Tade of 720 Woodland Drive also objected to the fence.

Mayor's Report
Mayor Shepley congratulated the Central High School Poms, which had won the State Championship in two events. Councilman Christensen stated that a reception would be held for the Poms prior to the next City Council meeting on April 4th.

City Council Reports
None.

Consent Agenda
Councilwoman Brady Mueller moved to approve Consent Agenda items 12a through f. Councilman Goss seconded the motion. On roll call, all voted yes. Motion passed.

12a. Adopted an ordinance approving the 2006 Crystal Lake Zoning Map as presented.
12b. Adopted an ordinance amending the City Code to update the fine amount from $100 to $250 for violators of handicapped parking restrictions.
12c. Adopted an ordinance amending the City Code regarding the collection of weed cutting service fees
12d. Adopted a Resolution providing for a change to the General Provision for collection of outstanding invoices
12e. Approved a request from Walmart, 5641 Northwest Highway, for a Temporary Use Permit for outdoor storage trailers.
12f. Took no action on a County Zoning Petition regarding correction of Zoning Map designations

Immanuel Lutheran Church – Final Plat of Subdivision to Create Four Lots, 60.37 acres located north of Teckler Boulevard, west of Main Street.
Attorney Tom Zanck and John Buhrow of Immanuel Lutheran Church were present for the matter. Mr. Zanck stated that the proposed Final Plat is substantially similar to the approved Preliminary Plat and they were in agreement with all of the Planning and Zoning conditions listed except 2b regarding a public pedestrian path, which they would like deferred to the zoning stage of the development. Regarding Condition 2e, he stated that staff was requesting a 30 foot

sideyard setback along Main Street, but there already is a 90-100 foot right of way owned by the railroad, so they hoped the Council would delete that provision. He stated that they agreed with Condition 3 as applicable to South Walkup but the engineering of the Main Street crossing at this time would not be appropriate. He stated that they were willing to work reasonably with the City to pay their fair share for a crossing to Congress Parkway

Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilwoman Brady Mueller read a prepared statement that although she was excited to see a longstanding goal of Immanuel Lutheran Church proposed for the property, which she felt would be an optimal location, she was disappointed that a connection to Congress Parkway had not been included in the plan. She stated that she was not in favor of the Church's proposed "Option E" for the traffic plan, preferring "Option D", a Congress Parkway connection at Main Street, instead. She stated that the church had promised a crossing and had met with opposition from the Union Pacific Railroad, but now she believed that the Union Pacific Railroad would be willing to agree to a crossing. She stated that she was willing to allow development without a Congress Parkway crossing if the church would indemnify the City for their proportional share of the crossing and track removal,

Councilman Goss stated that he had voted against the proposal at Preliminary solely on the basis of traffic concerns and the need for a Congress Parkway crossing. He stated that there would be 500-900 cars in peak hours coming onto Main Street, and the traffic study had been done when school was not in session. He stated that IDOT times the stoplights on Route 14 to ensure that traffic flows smoothly, and he did not feel they would adjust that timing to accommodate more traffic on Main Street. He stated that he was even more firm in his conviction that a Congress Parkway connection needed to go through, and he would be willing to close the South Walkup/Main Street intersection in exchange for a connection at Congress Parkway. He displayed traffic count data, and stated that he could not support the proposal because of his traffic concerns.

Councilman Dawson stated that he had also not supported the proposal at Preliminary because he believed at the time that Walkup Avenue should be extended to the north. He stated that if that does not happen, then a connection to Congress Parkway needed to be made. He read from the City's 2020 Comprehensive Plan about the ability to move traffic being essential. He stated that the Comprehensive Plan had been discussed for seven years and approved by the sitting Council, and he felt that the goal was still achievable. He stated that the rest of the community needed to be considered by providing another route to the Post Office, banks, the Metra Station, etc., and that a Congress Parkway connection was imperative.

Councilman Christensen stated that he felt the proposal was outstanding and a good fit for the community, but he agreed that Congress Parkway should be connected so that anyone could coming from Pingree Station could get to Route 14 via that route. He stated that needed to be secured and guaranteed.

Councilwoman Ferguson asked about Option D, as referenced by Councilwoman Brady Mueller, which incorporated only the Congress Parkway connection and did not include South Walkup Avenue. Mr. Zanck stated that they were just trying to move ahead, and at the time they filed the final engineering plan, the only available option was E, which included improvements to the intersection of Main Street and South Walkup and additional turn lanes on Main Street. He stated that they did not want to do both options, but it the Council wanted to approve the plat without Option E, they could still move ahead. He stated that the problem with Option D was that the Council would be asking the church to move an entire business entity (the railroad tracks), which was like asking them to move the Jewel Food store. He stated that the Council did not have the right to do that, but could condition that when the impediment of the railroad tracks is removed the Church will put in the crossing that they would agree upon.

Councilwoman Ferguson asked if the Church would work with the Hummel Group, which is developing the southwest corner of Main Street and Crystal Lake Avenue, to negotiate with the Union Pacific for a crossing and pay their fair share. She stated that she could agree to Option E on that basis. Mr. Zanck and Mr. Buhrow agreed.

Councilman Thorsen stated that he thought the Council's action at Preliminary approval had been that a crossing would only be needed when the lots along Main Street were development, and for a church and school only a driveway would be needed. He stated that he believed the traffic studies were based on the development of the commercial lots, and asked the City Attorney if the Council could grant conditional approval for the church and school only until the crossing problem is resolved. The City Attorney stated that could be done, and Mr. Zanck agreed that the Council would have the opportunity to review the matter when those other parcels were ready for development. He stated that the Church was willing to dedicate and build a right of way up to the proposed crossing.

Councilman Thorsen stated that he would not want to see the Church spend money on the South Walkup connection, which he would prefer to close, since he felt it was basically a driveway with a stoplight. He stated that securing a Congress Parkway connection was one of the most important things the Council could do for the City. He stated that because the Union Pacific Railroad has their tracks on the property, there is no guarantee that it will happen this year or next year, but the Council could condition that when the railroad tracks are removed, everyone would work together and pay their fair share, and any buyers of the commercial lots needed to be put on notice that they would need to pay when that occurs.

Mr. Zanck stated that once the impediment of the track has been removed, the Church would pay its share for the crossing. Councilwoman Brady Mueller asked if the Church would pay to relocate the tracks, and Mr. Zanck stated that he could not commit to that. Councilwoman Brady Mueller asked if the tracks were removed, would the cost of installing the intersection be substantially reduced, and Victor Ramirez, the City's Director of Engineering and Building stated that it would. Councilman Thorsen stated that if the tracks were removed, the Church's property would substantially benefit, and there should be quid pro quo.

Mayor Shepley acknowledged that the Church had spent years carefully planning and trying to come up with a solution to a 50 year old problem. He stated that the Church was trying to be fair and reasonable, and everyone had to recognize that this is a tough parcel of property to develop. He stated that from a legal side, as long as the Final Plat is substantially the same as what had been approved at Preliminary, the Church was entitled to approval. He stated that the Church was trying to work with the City, and he read from the Zoning Ordinance that residential areas should be protected from unduly heavy vehicle traffic, especially through traffic, and this was the first plan in 50 years that addressed that by not having a connection to North Walkup Avenue. He stated that it would be unconscionable for the Council to ask for a commitment on the unknown, such as the Congress Parkway crossing. He stated that Council had not put the Hummel Group's feet to the fire to provide a crossing. He stated that if the track is removed, it would certainly improve the value of the property, but he did not believe that the Church should bear the bulk of the responsibility for moving a business. He stated that there was cause of optimism that the Union Pacific would agree to move the tracks, but if they do not agree, it should not be put on the Church's shoulders. But if they don't, we shouldn't put it on this congregation's shoulders. He stated that the Council could approve Option D and let the Church move forward. He stated that he did not believe that any portion of the community should be overburdened with traffic for the sake of the rest of the City, and that was how Chicago operated. Mayor Shepley stated that the bottom line was that the Church was legally entitled to approval. He urged the Council to allow the Church to build their church and school, and consider the matter further when the commercial lots were developed.

Councilman Dawson stated that he did not feel that the Council was picking on the Church. He stated that the Church was a petitioner with 60 acres, and his problem was that they did not have a footprint that was acceptable for 60 acres. He stated that he agreed that the cost of moving the tracks would be prohibitive, but the footprint on the property needed to be reconfigured.

Councilman Christensen read from the May 17, 2005 City Council minutes when the Council had granted preliminary approval, in which Mayor Shepley had stated that if the Church did not show a railroad crossing in the Final Plat, it would not be substantially similar to the Preliminary Plat and they would not be able to get Final Plat approval until that was addressed. Councilman Christensen stated that he felt a Congress Parkway connection was pivotal.

Councilwoman Brady Mueller stated that The Hummel Group had agreed to a crossing, and she wanted a commitment from the Church that they would pay their fair share. She stated that the cost estimate was now considerably lower than $15 million. Councilwoman Brady Mueller asked Mayor Shepley about his statement at the May 17th meeting, and Mayor Shepley said to ask the City Attorney, stating that he would say that it is substantially similar.

Mr. Zanck urged approval of the Final Plat with Option D and stated that the Church would work with the Hummel Group. Councilman Thorsen stated that this was an opportunity to do some great things if everyone worked together. Mr. Zanck stated that the Church was well aware that

it would be very difficult to get any approval for the commercial lots in the future without a Congress Parkway connection.

Mayor Shepley asked Michelle Rentzsch, the Director of Planning and Economic Development, if the Church had failed to meet any conditions from Preliminary approval, and Ms. Rentzsch stated that they had not failed to do so.

Councilwoman Brady Mueller moved to approve the Final Plat to create 4 lots, with all staff conditions, amending 2b to be deferred until a Special Use Permit is requested, eliminating E-1, and adding a condition that no development of Lots 1, 2 and 3 shall occur until Option D is realized, and that the Church will pay its proportional share for railroad track removal. Councilman Dawson seconded the motion.

Councilwoman Ferguson asked about removing condition E-1 regarding setbacks, since when the tracks were removed, there would be a substantial right of way. Mayor Shepley asked if it was appropriate to impose conditions at Final Plat approval, and the City Attorney stated that if the plat meets all the material requirements of what was contained at Preliminary, it should be approved, but there is a caveat that if the Planning and Zoning Commission recommends variations from the requirements which do not affect the plan or spirit of the plan, the Council may send the matter back to the Planning and Zoning Commission. He stated that he believed the Council in the past has required in a Final Plat the cost of the improvement to an intersection, but not the cost of land acquisition. Mayor Shepley stated that the cost was unknown and the motion was not legal or fair to the Church. Councilman Thorsen stated that one of the commercial lots might be developed in a way that would have no traffic impact, and he would not want to hold up development on that for the crossing. Councilwoman Brady Mueller stated that if that became the case, the Council could amend the action. Following brief further discussion, Councilwoman Brady Mueller withdrew her motion, and Councilman Dawson withdrew the second.

Councilwoman Ferguson moved to approve the Final Plat with the Planning and Zoning Commission recommendations and all staff conditions, deferring 2B as requested, removing 2Ei regarding setbacks, using Option D, and adding a condition that the petitioner continue to work with the City regarding the development of all four lots and participate at such time as can implemented in the Congress Parkway intersection improvement and the elimination of the South Walkup Avenue connection at that time. Councilman Thorsen seconded the motion. On roll call, Councilwoman Ferguson and Mayor Shepley voted yes. Councilmembers Brady Mueller, Christensen, Dawson, Goss and Thorsen voted no. Motion failed.

Councilwoman Brady Mueller asked for a recess at 9:10 p.m.

The Council reconvened at 9:28 p.m.

Councilwoman Brady Mueller moved to approve the Final Plat of Subdivision for a four lot subdivision on 60.37 acres located north of Teckler Boulevard and west of Main Street, with the

staff conditions with the following changes: Amending condition 2B to defer the public path requirement until the lots develop; deleting 2Ei regarding the 30 foot setback along Main Street; adding a condition that "Prior to any development approval of Lots 1, 2 or 3, the Congress Parkway connection will be secured as a public right-of-way and all of the benefited properties within the subdivision will pay their proportional fair share of the improvements"; specifying that "Access Option D represents the approved roadway configuration and improvements, except for the Alternative Improvement #7 provision, which calls for the installation of a traffic signal at Crystal Lake Avenue and Walkup. The traffic signal at Walkup and Crystal Lake Avenue is not required." Councilman Goss seconded the motion. On roll call, all voted yes. Motion passed.

Crystal Lake Rowing Club – Greater Chicago Junior Rowing Championships Regatta, April 9, 2006 Request for temporary Street Closure of Lakeshore Drive between Dole Avenue and Leonard Parkway and Waiver of Boat Decal Requirements.

Nikola Badia and Brian Berringer were present for the matter. Mr. Badia stated that six high schools from the greater Chicago area would be competing, and they hoped that Crystal Lake schools would participate in the future as they had just started a rowing program. He stated that they were requesting the road closure because the boats shells are 8 feet long and weigh 200 pounds and they are difficult to carry. He stated that they were requesting a decal waiver for the race day as well.

Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilman Christensen asked where they planned to launch the boats, and Mr. Badia said that they would use the boat launch at Main Beach. Councilman Christensen asked if the Police Department had any concerns about closing the street, and Deputy Police Chief Dennis Harris stated that there should not be any problem. Councilman Christensen cautioned that the lake would be open on April 9th with no restrictions on wake times, and he would not want to see the event ruined by someone waterskiing in a wetsuit. Mr. Badia said that they had done this on other lakes and just explained the race to other boaters and never had a problem.

Councilwoman Brady Mueller asked if they had purchased their own motor boat yet with the Hotel Tax funds granted by the Council. Mr. Badia said that they were currently negotiating to purchase one.

Councilwoman Brady Mueller moved to approve the request to close Lakeshore Drive from Leonard Parkway to Dole Avenue from 6:00 a.m. until 8:00 a.m. and from Noon until 2:00 p.m. on April 9, 2006 for the Greater Chicago Junior Rowing Championships and to waive the boat decal requirements for rowing shells and regatta motorboats on that date. Councilman Goss seconded the motion. On roll call, all voted yes. Motion passed.

Park Place – Phases II and III, West of Randall Road along Brompton Lane – Final Planned Unit Development Amendment for Architectural Changes.

Dave Pio of KB Home was present for the matter. Mayor Shepley noted that the Planning and Zoning Commission had unanimously recommended approval. Mr. Pio stated that the Planning and Zoning Commission had recommended windows in the garage doors, but he did not feel that was in keeping with the development and it also presented safety considerations. Councilman Thorsen agreed. Michelle Rentzsch, the Director of Planning and Economic Development stated that the Planning and Zoning Commission had not included that in their formal recommendations, but did want Mr. Pio to look into it, which he did. Councilman Goss asked when Alexander Boulevard would be extended, and Mr. Pio stated that would occur in the next few months.

Councilwoman Ferguson moved to approve the Planning and Zoning Commission recommendations (with no windows in the garage doors), and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council granting the Final Planned Unit Development amendment to architecture for Park Place Phases I and II. Councilman Christensen seconded the motion. On roll call, all voted yes. Motion passed.

Pingree Circle, 720 Cog Circle - Final Planned Unit Development for a Multi-Tenant Retail Building and Final Plat of Subdivision for Three Lots.

Brandy Quance, attorney and Bruce Bosso of Pingree Circle LLC were present for the matter. Mayor Shepley noted that the Planning and Zoning Commission had recommended approval by a 6-1 vote. Ms. Quance stated that they had changed the color of the sign and were asking for signs on both corners of the buildings. She stated that they were in agreement with the recommendations, except 7c, because the drainage easement is across the entire frontage of Pingree Road and they would like to amend that easement as long as it doesn't affect drainage. Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak. In response to Councilman Dawson's question, Victor Ramirez, the Director of Engineering and Building, stated that as long as the placement of the sign did not affect any drainage characteristics, there would be no problem. Councilman Goss asked if the corner signs met the requirements of the Sign Ordinance, and Michelle Rentzsch, the Director of Planning and Economic Development, stated that they did.

Councilwoman Brady Mueller moved to approve the Planning and Zoning Commission recommendations except for 7c, approval the Final Plat of Subdivision and adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council granting the Final Planned Unit Development for Pingree Circle. Councilwoman Ferguson seconded the motion. On roll call, all voted yes. Motion passed.

Ordinance Amending the Crystal Lake Stormwater Ordinance.

Mayor Shepley noted that this matter had been discussed at the March 7th City Council meeting and asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilwoman Brady Mueller moved to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council amending the Crystal Lake Stormwater Ordinance as presented. Councilwoman Ferguson seconded the motion. On roll call, all voted yes. Motion passed.

Resolution approving Rules of Procedure for the City Council Agenda.
The Council discussed a policy for Council placement of matters on the agenda. Following a comprehensive discussion, Councilwoman Brady Mueller moved to adopt a resolution approving Option 1a, which provides that any Councilmember may submit an item to be placed on the agenda for initial discussion. Submitted items will be sent to the City Manager by noon on the Thursday preceding the Tuesday on which the Council meets in writing. Following this initial discussion, the consent of the Council will be required to have the item formally placed on a future agenda for formal action. A staff review may be prepared with the item when placed for formal action.
Councilman Goss seconded the motion. On roll call, all voted yes. Motion passed.

Appointments to the Zoning Commission and to the Crystal Lake Technical Advisory Committee.
Councilman Christensen moved to confirm Mayor Shepley's appointments Tom Hayden, Jim Batastini, Vince Esposito, Joe Gottemoller and James McDonough to the Zoning Commission, and Dave Goss, Tom Hayden, Candy Reedy and George Boulet to the Technical Advisory Committee. Councilman Thorsen seconded the motion. On voice vote, all voted yes. Motion passed.

Council Inquiries and Requests
None.

Adjournment
There being no further business, Councilwoman Ferguson moved to adjourn the meeting at 10:12 p.m. Councilman Thorsen seconded the motion. On voice vote, all present voted yes. Motion passed.

APPROVED:

Mayor

ATTEST:

City Clerk

CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 1, 2006
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Chair Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Hess, Hopkins, Jouron, Skluzacek, and Hayden were present. Members Greenman and Schofield were absent.

Michelle Rentzsch, Planning Director, Leslie Schott, Planner, John Cowlin, City Attorney, and Dan Brinkman, City's traffic consultant, were present from Staff.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station.

2005-48 IMMANUEL LUTHERAN CHURCH – W. Main St.; N. Commons SC – PUBLIC MEETING
Final Plat of Subdivision for 4 lots.

Tom Zanck, attorney, John Burrow with Immanuel Lutheran, Mark Munaretto and Steve Crede with Smith Engineering, were present to represent the petition. Mr. Zanck said they received Council approval in May for the Preliminary Plat. This is substantially the same as the Preliminary Plat. They will come back to rezone each parcel individually.

Mr. Zanck said they believe the cul-de-sac design was approved at preliminary and they are deferring the zoning until each lot comes through. He said the Union Pacific owns the track right of way and they are in contact with them. Mr. Zanck said regarding the street name change – they are proposing to use Teckler Blvd. until the cul-de-sac and then it be called Congress Parkway.

Mr. Zanck asked about the comment in the traffic study regarding the traffic signal at Crystal Lake Avenue and Walkup. They don't feel it is appropriate for this development.

Mr. Hayden said the petitioner is only asking for Final Plat and would need to come back to the City for approval for each lot. He said that four people has signed the sign in sheet for this petition and didn't ask to speak. Mr. Hayden said if after the Commission asks their questions and they wish to comment, they would have that opportunity.

Mr. Skluzacek said the Union Pacific won't put a road through their right of way but understands why the developer is showing the road going up to that area. He would prefer to have two entrances into this property and believes that the Union Pacific won't budge.

There was no one present who wished to speak on this matter.

Mr. Hayden asked for those in attendance who are in support of this plan to raise their hands. Then he asked for those in opposition to the plan to raise their hands. Mr. Hayden said those in favor were the majority.

Mr. Hopkins asked about the traffic signal at Crystal Lake Avenue and Walkup. Mr. Brickman said they considered the overall regional traffic and there will be more traffic through that intersection going to this site. He said the intersection has met the warrants for a traffic signal several years ago but the City declined to install one. Mr. Hayden said when the lots come through for zoning; we can discuss the signal at that time. Ms. Rentzsch said the consultant took into account anticipated uses for this property and if the proposed use is not dramatically different than the uses used in the report, there will not be another traffic study required.

Mr. Batastini said there are many things that are changing in the downtown area that will have an effect on this intersection.

Mr. Batastini moved to approve Final Plat of Subdivision for 4 lots for Immanuel Lutheran Church property located west of Main Street and north of the Commons Shopping Center with the following conditions

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Final Plat of Subdivision (Smith Engineering Consultants, no date, received 8/10/05)
   B. Engineering Improvement Plans (Smith, dated 8/1/05)
   C. Traffic study (GHA, dated 11/15/04)

2. Final Plat of Subdivision
   A. The cul-de-sac design does not meet the City's standard teardrop design. Please correct on all plans. (Section 3.7-2(b)1)
   B. Illustrate how a public pedestrian path (i.e. wider, multi use cross section) will extend through this subdivision, providing a Prairie Path connection to CLC HS as well as the ILC campus. Pedestrian signals should be provided at any intersection(s) with Main Street, both for traffic along and crossing Main.
   C. The sidewalks at the terminus of Teckler Boulevard should be extended to connect with the Prairie Path. The sidewalks at the southern end of Teckler Boulevard are not in line with the existing sidewalks, please adjust accordingly.
   D. Provide a landscape plan that illustrates the required parkway trees, in accordance with the species, size and spacing requirements of the Subdivision Ordinance and the proposed landscaping for the landscape area within the cul-de-sac. (3.7-5(b))
   E. Make the following changes to the Final Plat document:
      i. The setbacks provided on the Final Plat document reflect the existing R-2 zoning. These setbacks will change with any zoning changes. The setback should be changed to 30 feet along Main Street, as this is a side abutting a street. (3.5-2(b)16)
      ii. Provide a reference to the covenants for shared maintenance responsibilities on the plat and provide the covenants for review and approval. (3.5-2(b)17)
      iii. Provide a date on the plat. (3.5-2(b)5)
      iv. Detail the dedication status of adjacent roadways (Sunset, Walkup, Mary Lane, Teckler, and Main) and indicate that Teckler and Developer Drive are "Hereby dedicated to the City of Crystal Lake." Provide an alternative street name for Developer Drive for review and approval by appropriate jurisdictions. Identify the MCCD Prairie Path. (3.5-2(b)8)

v. Accurately describe the location of at least two concrete monuments. (3.5-2(b)14)
vi. The PUEs should be located along the rear of the lots to eliminate the pedestals and transformer boxes along the front main roadways.
vii. Correct Plan Commission to Planning and Zoning Commission on the signature block.

3. No off-site road improvements have been shown on the engineering plans. Provide the recommended improvements (right-of-way, grading, drainage, construction costs, etc) detailed in the traffic study in association with the approved Option and in anticipation of a crossing in line with Congress Parkway.

4. Incorporate tree preservation into the land planning efforts for each lot, as they develop.

5. The proposed ROW cross-section varies from a conventional 2% slope from ROW to street. In some cases the parkway slopes are excessive. Drainage, maintenance, parkway tree planting, driveway locations and other problems may develop with these cross slopes. The conventional public road cross section as shown on the approved preliminary plat should be shown for the public road specific cross sections

6. The petitioner shall address all comments of the Building, Engineering, Fire/Rescue, Planning and Public Works Departments; Hey and Associates' review of the engineering dated February 9, 2006; and comments included in the traffic study completed by Gewalt Hamilton Associates, Inc. dated, November 15, 2004 excluding the comment regarding the traffic signal at Crystal Lake Avenue and Walkup.

7. Change Developer Drive to Teckler Drive.

Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

CRYSTAL LAKE PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, MAY 4, 2005
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Acting Chair Schofield at 7:30 p.m. On roll call, members Batastini, Esposito, Hess, Jouron, and Schofield were present. Members Greenman, Hopkins, Skluzacek, and Hayden were absent.

Michelle Rentzsch, Planning Director, Brian Grady, Latika Bhide, and James Richter, Planners, John Cowlin, City Attorney, Clyde Wakefield, City Engineer, Dan Brinkman, City's traffic consultant, and Todd Sinn, City's tree consultant, were present from Staff.

2005-14 IMMANUEL LUTHERAN – W. MAIN ST.; N. COMMONS SC – PUBLIC MEETING

Preliminary Plat and Variation for a four lot subdivision

Tom Zanck, attorney, John Burrow and Pastor Bergen with Immanuel Lutheran Church, Mark Munaretto, development agent, and Steve Crede with Smith Engineering, were present to represent the petition. Mr. Zanck showed the site plan and described the surrounding roads for location. He said they are planning to have an easement for the Congress Parkway extension. He said they originally requested zoning for two parcels for "B-2" but it was suggested that the zoning request was premature so they amended their request.

Mr. Zanck said they are requesting Preliminary Plat of Subdivision and variation for the cul-de-sac length. There would be an emergency access only at Hillside and Sunset and also a private lane would be extended into the church property from Walkup. He said they have worked with the majority of the area residents and also evaluated the traffic from the new Metra station. They don't want to impose an undo burden on the neighbors.

Mr. Zanck said the traffic numbers in the study are 41% higher than actual because the library would be part of the project. They are concerned about the staff comment in the report regarding the street alignment to be determined at Final approval.

Tom Wells, 1 Paddock Street, is concerned with several things that are happening in the area such as the high school, athletic fields, Workshop for the blind, etc. He said anything that would increase vehicle volume in the area isn't a good idea. Mr. Wells said he doesn't want the road to be put through.

Rosemary Kurtz, 599 Cress Creek Lane, said that the Walkup extension has been on the books for many years. Many petitions have been brought before the City but were rejected. Mrs. Kurtz recommended that the Plat be approved as shown without connecting Walkup. The connection would increase the traffic through the residential area by 91%. There would be too many chances for disaster.

Donna Kurtz, 75 S. Walkup Ave., said she has talked with the neighbors and they would welcome Immanuel Lutheran to their neighborhood. They have been a good neighbor to the City.

Bonnie Schultz, 224 College, said she is the Assistant Principal and teacher at Immanuel Lutheran and listed the possible expanded programs for their church and school. She asked the congregation

members in attendance who are in support of the request to stand. The majority of the audience stood at this point.

Bob Vetter, 223 S. Walkup Avenue, said he was part of the battle to stop the road from going through previously. He said when Immanuel Lutheran purchased the property, they had a meeting with the neighbors and asked their concerns. He supports this plan.

Pastor Bergen, 141 Maple Street, said they are very excited about the development and campus for their church and school.

Bonnie Stephens, 3738 Erin St., said they moved to Crystal Lake seven years ago because they felt this was a family community. She is asking the Commission to approve the church's request. This will be good for the youth.

Peter Albryna, 100 S. Walkup Avenue, said the Walkup connection would increase the traffic. He has two small children that he is concerned with as well as the others who walk to school and the library. Mr. Albryna said the neighborhood couldn't accept that kind of traffic increase.

David Czuba, 110 S. Walkup Ave., said he supports the plan as presented. He said there would be more traffic from the church but it is a different type of traffic. He suggested that there be parking available for people who come from the south to the church as well as parking on the north side of the church for people who come from that direction. Then they wouldn't have to go around to the other side.

There was no one else in attendance who wished to speak in this matter. The public hearing was closed at this time.

Mr. Batastini thanked the neighbors for coming to the meeting. He also likes the plan as designed. There are still a lot of buffer areas. Mr. Batastini kept asking himself who would benefit if Walkup would go through. The only benefit would be as a cut through and Main Street, which is 4 lanes, is just to the east. It is not worth wrecking a neighborhood to have a cut-through.

Mr. Esposito agreed. He said there are several school campuses in the City such as Crystal Lake South and St. Thomas. Stopping the traffic from going by the schools in this area is a good thing.

Mr. Jouron said he likes the plan as well. He suggested that if there is a chain or gate across the private lane to put in something to keep people from driving around the chain.

Ms. Hess said it is great to see a good turnout of the neighborhood. She also appreciated receiving the letters from the neighbors. Ms. Hess said she lives in the neighborhood and feels this is an excellent plan for the residents of the area, church and City.

Ms. Hess asked about comments in the traffic study. Mr. Brinkman said retail would have a different traffic pattern. He said improvements would be needed at other intersections.

Mrs. Schofield asked how feasible is the Congress extension over the tracks. Mr. Zanck said the railroad declined the original request but gave them options to check into. They will be asking the City for their help in this matter.

Mrs. Schofield asked how the plat would be affected if the connection to Congress is not made. Ms. Rentzsch said they don't know the possible uses of the lots. Mrs. Schofield asked if the configuration could change. Ms. Rentzsch said the largest uncertainty is the Congress connection and the access needs will be determined by the future uses. She said that is why she worded the condition as it is stated in the staff report. All future uses in this subdivision will be further reviewed as either a Special Use Permit or a PUD.

Mrs. Schofield asked about Fire Department comments. Ms. Rentzsch said they did do a time test and the response time is appropriate from the south station.

Mr. Batastini moved to approve the Preliminary Plat Preliminary Plat of Subdivision to create 4 lots and Subdivision Ordinance Variation from Section 3.4-2(h) from the maximum length of 500 feet for a cul-de-sac to allow 1,580 feet for Immanuel Lutheran property located west of Main Street and north of the Commons Shopping Center with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Preliminary Plat of Subdivision (Smith Engineering Consultants, dated 1/13/05)

2. Since the specific land uses are not known, but will impact the ultimate traffic patterns, the final road layout and general site accesses **for Lot 1** will be determined at Final Plat of Subdivision.

3. The petitioner shall address all comments of the Building, Engineering, Fire/Rescue, Planning and Utilities Departments; Hey and Associates' review of the engineering dated April 12, 2005; and comments included in the traffic study completed by Gewalt Hamilton Associates, Inc. dated, November 15, 2004.

Mr. Jouron seconded the motion. On roll call, members Batastini, Esposito, Hess, and Jouron voted aye. Mrs. Schofield voted no. Motion passed.

Mrs. Schofield said she voted no because she is concerned with the access not going through on Congress and is concerned with the impact of the development if the access is not granted.

E-0443

COPY

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FINAL PLAT OF IMMANUEL LUTHERAN CHURCH SUBDIVISION

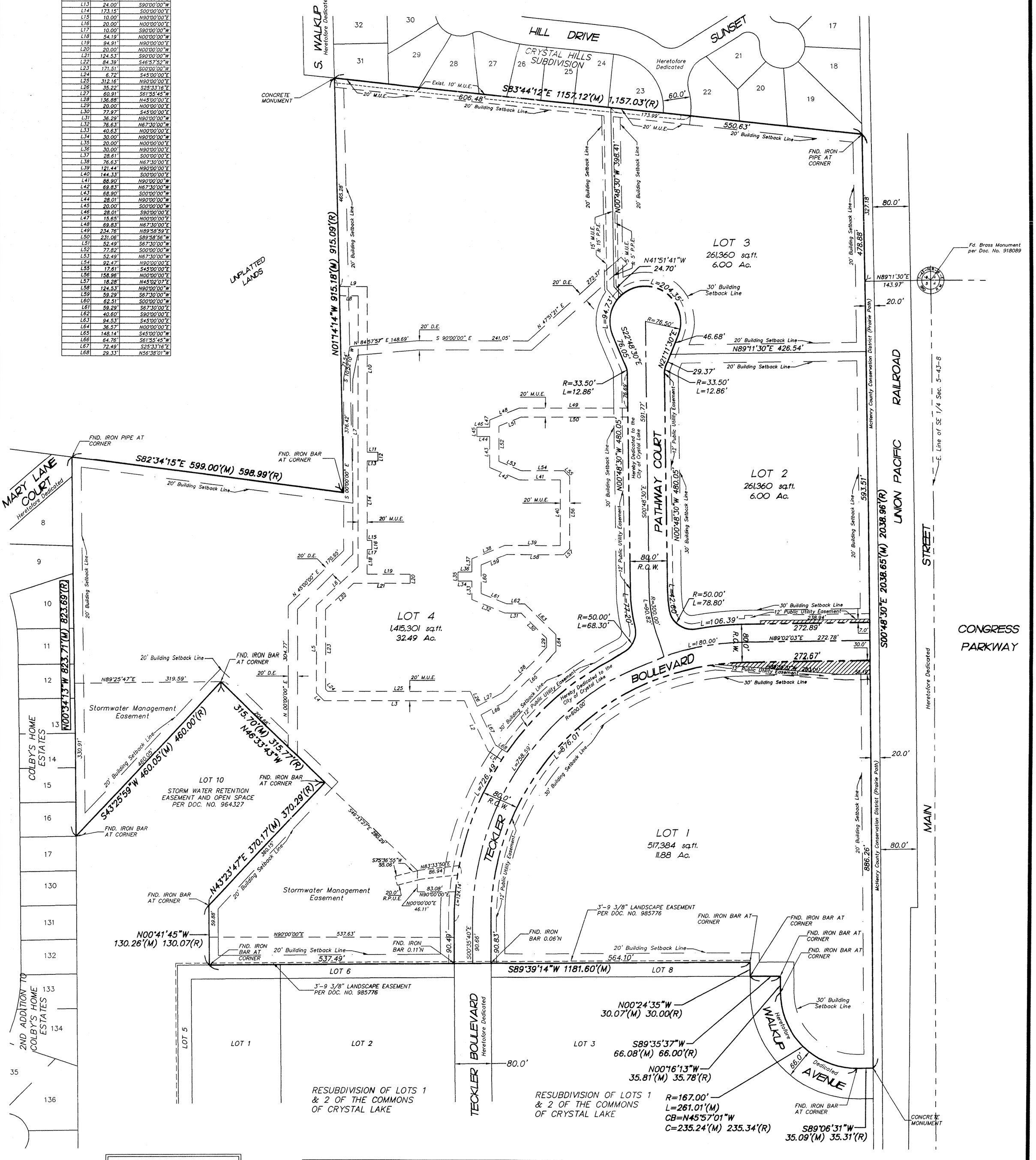
2007R0053355

BEING A RESUBDIVISION OF LOT 11 IN RESUBDIVISION OF LOTS 1 AND 2 OF THE COMMONS OF CRYSTAL LAKE, BEING A PART OF THE NORTHEAST AND SOUTHEAST QUARTERS, SECTION 5, TOWNSHIP 43 NORTH, RANGE 8 EAST, ALGONQUIN TOWNSHIP, McHENRY COUNTY, ILLINOIS

COMP. FILE: 040029-Final.dwg
PLOT FILE: STANDARD
VIEW: Sheet 1

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

M.U.E. LINE TABLE		
LINE	LENGTH	BEARING
L1	34.88'	S55°52'53"E
L2	120.56'	N25°33'16"W
L3	307.84'	N90°00'00"W
L4	23.28'	N45°00'00"W
L5	188.49'	N00°00'00"E
L6	124.91'	N46°57'52"E
L7	592.38'	N00°00'00"W
L8	41.00'	N89°43'32"W
L9	61.43'	S89°43'32"E
L10	361.29'	S00°00'00"E
L11	24.00'	N90°00'00"E
L12	20.00'	N00°00'00"E
L13	24.00'	S90°00'00"W
L14	173.15'	S00°00'00"E
L15	10.00'	N90°00'00"E
L16	20.00'	N00°00'00"E
L17	10.00'	S90°00'00"W
L18	54.19'	N00°00'00"W
L19	94.91'	N90°00'00"E
L20	20.00'	N00°00'00"W
L21	124.53'	S90°00'00"W
L22	84.39'	S46°57'52"W
L23	171.51'	S00°00'00"W
L24	6.72'	S45°00'00"E
L25	312.16'	N90°00'00"E
L26	35.22'	S25°33'16"E
L27	60.91'	S61°55'45"W
L28	136.88'	N45°00'00"E
L29	20.00'	N00°00'00"E
L30	77.97'	S45°00'00"E
L31	36.29'	N90°00'00"W
L32	76.63'	N67°30'00"W
L33	40.63'	N00°00'00"E
L34	30.00'	N90°00'00"W
L35	20.00'	N00°00'00"E
L36	30.00'	N90°00'00"E
L37	28.61'	S00°00'00"E
L38	76.63'	N67°30'00"E
L39	121.44'	N90°00'00"E
L40	144.33'	S00°00'00"E
L41	88.90'	N90°00'00"W
L42	69.83'	N67°30'00"W
L43	68.90'	S00°00'00"W
L44	28.01'	N90°00'00"W
L45	20.00'	S00°00'00"W
L46	28.01'	S90°00'00"E
L47	15.65'	N00°00'00"E
L48	69.83'	N67°30'00"E
L49	234.76'	N89°58'59"E
L50	231.06'	S89°58'56"W
L51	52.49'	S67°30'00"W
L52	77.82'	S00°00'00"W
L53	52.49'	N67°30'00"W
L54	92.47'	N90°00'00"E
L55	17.61'	S45°00'00"E
L56	158.96'	N00°00'00"E
L57	18.28'	N45°02'07"E
L58	124.53'	N90°00'00"W
L59	59.29'	S67°30'00"W
L60	62.51'	S00°00'00"W
L61	59.29'	S67°30'00"E
L62	40.60'	S90°00'00"E
L63	94.53'	S45°00'00"E
L64	36.57'	N00°00'00"E
L65	148.14'	S45°00'00"W
L66	64.76'	S61°55'45"W
L67	72.49'	S25°33'16"E
L68	29.33'	N56°38'01"W



SURVEY LEGEND:

(R) = RECORD INFORMATION
(M) = MEASURED INFORMATION

DENOTES ROADWAY EASEMENT TO BE DEDICATED TO THE CITY OF CRYSTAL LAKE UPON APPROVAL OF CONGRESS PARKWAY EXTENSION OVER THE UNION PACIFIC RAILROAD RIGHT-OF-WAY

SURVEY NOTES:

1. BASIS OF BEARINGS ILLINOIS STATE PLANE COORDINATES EAST NAD83
2. LOT 1 MUST SUPPLY IT'S OWN DETENTION BASIN.
3. LOTS 1 & 3 WILL CREATE MUNICIPAL UTILITY EASEMENTS FOR WATERMAIN UPON DEVELOPMENT OF THE LOTS.
4. THE DEVELOPMENT FOR LOTS 3 AND 4 MUST INCLUDE A PUBLIC PEDESTRIAN PATH (i.e., WIDER, MULTI-USE SECTION) THAT WOULD EXTEND THROUGH THE SUBDIVISION, PROVIDING A PRAIRIE PATH CONNECTION TO CRYSTAL LAKE CENTRAL HIGH SCHOOL AS WELL AS THE IMMANUEL LUTHERAN CHURCH CAMPUS.

STANDARD ABBREVIATIONS

B.S.L. - BUILDING SETBACK LINE
C.E. - COMMONWEALTH EDISON CO.
D.E. - DRAINAGE EASEMENT
L.E. - LANDSCAPE EASEMENT
G.A.S. - NICOR
R.O.W. - RIGHT OF WAY
U.E. - UTILITY EASEMENT
P.U.E. - PUBLIC UTILITY EASEMENT
M.U.E. - MUNICIPAL UTILITY EASEMENT
P.P.E. - PEDESTRIAN PATH EASEMENT
S.W.E. - SIDEWALK EASEMENT
S.S.W.E. - STORM SEWER WATER EASEMENT
T.C.E. - TEMPORARY CONSTRUCTION EASEMENT

FINAL PLAT OF IMMANUEL LUTHERAN CHURCH SUBDIVISION

CITY OF CRYSTAL LAKE, ILLINOIS

REVISIONS			DRAWN BY:	DATE:	PROJECT NO.
1.	LT	11-17-06	EH	08-01--05	040029
2.	EH	2-16-07	DESIGNED BY:	HORIZ. SCALE: 1"=100'	SHEET NO.
3.	CFR	04-23-07			
4.	EH	3-27-07	CHECKED BY:	VERT. SCALE:	1 of 2
5.	EH	6-8-07	DG		

COPY

2007R00053355

COMP. FILE: 040029-Final.dwg
PLOT FILE: STANDARD
VIEW: Sheet 2

SMITH ENGINEERING CONSULTANTS, INC.
CIVIL/STRUCTURAL ENGINEERS AND SURVEYORS
4500 PRIME PARKWAY, SUITE 201
McHENRY, ILLINOIS 60050
PH: 815-385-1778 FAX: 815-385-1781
www.smithengineering.com E-MAIL: sec@smithengineering.com
■ McHENRY ■ HUNTLEY ■ YORKVILLE
ILLINOIS PROFESSIONAL DESIGN FIRM # 184-000108

FINAL PLAT OF IMMANUEL LUTHERAN CHURCH SUBDIVISION

BEING A RESUBDIVISION OF LOT 11 IN RESUBDIVISION OF LOTS 1 AND 2 OF THE COMMONS OF CRYSTAL LAKE, BEING A PART OF THE NORTHEAST AND SOUTHEAST QUARTERS, SECTION 5, TOWNSHIP 43 NORTH, RANGE 8 EAST, ALGONQUIN TOWNSHIP, McHENRY COUNTY, ILLINOIS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF McHENRY)

This certifies that I, Eric J. Haglund, an Illinois Professional Land Surveyor, have surveyed, subdivided and platted the following described property:

Lot 11 in Re-subdivision of Lots 1 and 2 of the Commons of Crystal Lake, being a part of Section 5, Township 43 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded December 1, 1986 as Document No. 964327 and amended by Document recorded May 22, 1987 as Document No. 985776, in McHenry County, Illinois.

All located within the City of Crystal Lake, McHenry County, Illinois as shown by the plat hereon drawn, which is a correct and accurate representation of said survey and subdivision. This professional service conforms to the current Illinois minimum standards for a boundary survey.

I further certify that all regulations enacted by the City of Crystal Lake relative to plats and subdivisions have been complied with in the preparation of this plat, that the property covered by this plat of subdivision is not located within a special flood hazard area as identified for the McHenry County, Illinois, by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Panel No. 170476 0002 C a non-printed panel, the property is located in Zone C. This also certifies that upon completion of construction, concrete monuments, as shown, and iron bars at all lot corners and point of changes in alignment will be set, as required by the Plat Act (765 ILCS 205/0.01 ET SEQ).

Dated at McHenry, Illinois, this 27th day of April, A.D., 2007.

E. J. Haglund

Eric J. Haglund
I.P.L.S. #035-003446
Expires 11-30-2008

PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS McHENRY

OWNERS CERTIFICATE

STATE OF ILLINOIS)
)S.S.
COUNTY OF McHENRY)

This is to certify that the Home State Bank, not personnally but solely as Trustee under Trust Agreement dated February 17, 1989 and known as Trust No. 4629 is the owner of the land described in the annexed plat, and has caused the same to be surveyed and subdivided, as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

Dated this 4th day of May, 20 07.

By: _____

Attest: Barbara Burget

HOME STATE BANK NATIONAL ASSOCIATION CORPORATE SEAL ILLINOIS

NOTARY CERTIFICATE

STATE OF ILLINOIS)
)S.S.
COUNTY OF McHENRY)

I, Jill Heffron, a Notary Public in and for said County and State aforesaid, do hereby certify that Thomas W. Baranko, personally known to me to be the Vice President + Trust Officer ~~President~~ of Home State Bank N.A., and Barbara Burget personally known to me to be the Asst. Trust Officer Secretary of said National Assoiation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President + Trust Officer ~~President~~ and Asst. Trust Officer ~~Secretary~~, they signed and delivered the said instrument as Vice President + Trust Officer President and Asst. Trust Officer ~~Secretary~~ of said National Association, and caused the corporate seal of said National Association to be affixed thereto, pursuant to the authority given by the Board of Directors of said National Association as their free and voluntary act, and as the free and voluntary act and deed of said National Association, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4th day of May 20 07.

Jill Heffron
Notary Public

12-4-09
My Commission Expires

"OFFICIAL SEAL"
JILL HEFFRON
Notary Public, State of Illinois
My Commission Expires 12/04/09

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF McHENRY)

This is to certify that I, Home State Bank/NA, as Land Trust of Trust 4629 of the property herein described in the Surveyor's Certificate, which well be known as "IMMANUEL LUTHERAN CHURCH SUBDIVISION" to the best of my knowledge, is located within the boundaries of Crystal Lake Community Consolidated School District # 47, and Community High School District # 155 , in Crystal Lake, Illinois.

Dated at Crystal Lake, McHenry County, Illinois, this 4th day of May, 20 07.

By: _____
Land Trust

HOME STATE BANK NATIONAL ASSOCIATION CORPORATE SEAL ILLINOIS

NOTARY CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF MCHENRY)

A Notary Public in and for said County, in the state aforesaid, DO HEREBY CERTIFY that Home State Bank/N A by Thomas W. Baranko personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation on behalf of said Corporation.

Given under my hand and Notarial Seal this 4th day of May, 2007.

Notary Public

"OFFICIAL SEAL"
JILL HEFFRON
Notary Public, State of Illinois
My Commission Expires 12/04/09

PEDESTRIAN PATH EASEMENT PROVISIONS

OWNER, (HEREINAFTER THE "GRANTEE") HEREBY GRANTS ON THE AREAS IDENTIFIED ON THIS PLAT AS THE "PEDESTRIAN PATH EASEMENT" OR "SE", NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, REMOVAL AND REPLACEMENT OF A PUBLIC SIDEWALK FOR PEDESTRIAN ACCESS, INGRESS AND EGRESS ("PEDESTRIAN PATH EASEMENT"). THE GRANTEE SHALL, AT GRANTEE'S SOLE COST AND EXPENSE, CAUSE ANY SIDEWALKS CONSTRUCTED IN THE PEDESTRIAN PATH EASEMENTS TO BE MAINTAINED IN A GOOD, SAFE AND CLEAN CONDITION AND REPAIR, FREE FROM UNREASONABLE ACCUMULATION OF DIRT AND DEBRIS AND IN, COMPLIANCE WITH ALL APPLICABLE, LAWS, STATUTES, ORDINANCES, CODES, RULES AND REGULATIONS. THE GRANTEE WILL INDEMNIFY, SAVE, DEFEND AND HOLD HARMLESS OWNER AND ITS OFFICERS, DIRECTORS, SHAREHOLDERS, MEMBERS, MANAGERS, PARTNERS, MORTGAGEES, EMPLOYEES, AGENTS, SUCCESSORS AND ASSIGNS, AND THE CITY OF CRYSTAL LAKE FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, COSTS, DAMAGES, EXPENSES OR LIABILITIES (INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEYS' FEES AND COURT COSTS) SUFFERED OR INCURRED BY ANY OF THEM IN CONNECTION WITH THE PEDESTRIAN PATH EASEMENT.

MUNICIPAL UTILITY MAINTENANCE AGREEMENT

THE TERM "MUNICIPAL UTILITIES" SHALL BE DEFINED AS FOLLOWS:
-WATER MAINS AND SERVICE LINES LOCATED IN THE MUNICIPAL UTILITY EASEMENT UP TO THE SERVICE VALVE CONTAINED WITHIN THE MUNICIPALITY AS INDICATED ON THE PLAT.

THE TERM "SYSTEM" SHALL BE DEFINED AS THOSE WATER MAINS AND LINES AS SHOWN ON THE PLAT UP TO THE SERVICE VALVE.

NOW, THEREFORE, THE CITY AND OWNERS HEREBY AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

1. THE CITY WILL MAINTAIN THOSE MUNICIPAL UTILITIES AS DEFINED HEREIN. THE CITY'S DUTIES WILL INCLUDE ALL NECESSARY WORK UP TO AND INCLUDING THE BACKFILL STAGE IN THE EVENT OF REPAIR AND REPLACEMENT WORK ON THE MUNICIPAL UTILITIES. THE CONDITIONS ALSO APPLY TO ANY NEW CONSTRUCTION THE CITY MAY UNDERTAKE WITHIN THE EASEMENTS GRANTED FOR MUNICIPAL UTILITIES.
2. INSPECTION AND MAINTENANCE OF FIRE HYDRANTS ON THE IMMANUEL LUTHERAN CHURCH SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE CITY. THE COST OF REPLACING DAMAGED OR DEFECTIVE HYDRANTS ON THE PARCELS SHALL BE THE RESPONSIBILITY OF THE RESPECTIVE OWNERS OF SUCH PARCELS.
3. THE CITY SHALL OPERATE, SAMPLE AND OTHERWISE PROVIDE A SUPPLY OF WATER TO THE SYSTEM AND SHALL PROVIDE SANITARY SEWER SERVICE TO IMMANUEL LUTHERAN CHURCH SUBDIVISION IN THE SAME TERMS AND CONDITIONS AS CITY PROVIDES SUCH SERVICE TO SIMILAR USERS IN THE BOUNDARIES OF THE CITY.
4. THE SURFACE OF THE "MUNICIPAL UTILITY EASEMENT" AS INDICATED ON THE PLAT MAY BE GRASS, SOD, OR PAVEMENT ONLY. NO FENCES, TREES OR STRUCTURES WILL BE PERMITTED WITHIN THE "MUNICIPAL UTILITY EASEMENT".
5. THE OWNERS WILL BE RESPONSIBLE FOR PROMPT, QUALITY RESTORATION OF ALL SUBSURFACE, SURFACE AND ABOVE-GRADE IMPROVEMENTS MEETING OR EXCEEDING THE ORIGINAL CONSTRUCTION REQUIREMENTS OF ALL AREAS ON THE OWNER'S RESPECTIVE PARCEL DAMAGED BY THE CITY IN THE PROCESS OF REPAIRING, REPLACING OR CONSTRUCTING MUNICIPAL UTILITIES. THE CITY AGREES TO EXERCISE REASONABLE CARE IN REPAIRS MADE SO AS NOT TO CAUSE THE IMMANUEL LUTHERAN CHURCH SUBDIVISION TO INCUR UNNECESSARY DAMAGES. ITEMS SUBJECT TO RESTORATION BY THE OWNERS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:
WHETHER LOCATED IN EASEMENTS OR DEDICATED RIGHT-OF-WAY, PRIVATE LIGHTING CABLE OR CONDUITS, PAVEMENT, CURB AND GUTTER, TREES, SHRUBS, SOD OR OTHER LANDSCAPING. NOTHING IN THIS SECTION SHALL SERVE TO ALTER OR AMEND ANY AGREEMENT BETWEEN THE OWNERS REGARDING THE MAINTENANCE AND RESTORATION OF SUCH SUBSTANCES, SURFACE AND ABOVE-GRADE IMPROVEMENTS AS DEFINED IN THE PRECEDING SENTENCE; PROVIDED, HOWEVER, THE OWNERS AGREE THAT THIS AGREEMENT TAKES PRECEDENCE OVER THE TERMS OF THOSE AGREEMENTS BETWEEN THE OWNERS WITH RESPECT TO THE RIGHTS OF THE CITY.
6. THIS AGREEMENT IS TO RUN WITH THE LAND AND SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE OWNERS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.

Municipal Easement Provisions

Easements are reserved and granted to the City of Crystal Lake, Illinois over all the areas marked "Municipal Utility Easements" (M.U.E.) on the plat for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect and maintain and operate a watermain distribution system. Together with any and all necessary manholes, connections, other structures and appurtenances as may be deemed necessary by said city, over, upon, along, under and through said indicated easement, together with right of access across the property for necessary persons and equipment to do any of the above work. The right is also granted to cut down, trim or remove any trees, shrubs or other plants on the easements that interfere with the operation of the watermains.

Inspection and maintenance of fire hydrants on the owner's property shall be the responsibility of the city. The cost of replacing damaged or defective hydrants on owner's property shall be the responsibility of the owner.

The City of Crystal Lake will maintain the facilities. The city's duties will include all necessary work up to and including the backfill stage in the event of repair and reconstruction work; and the city shall exercise reasonable care in the repairs made so as not to cause any unnecessary damages to the property. The then current owners of any lot or lots where said work is done will be responsible for prompt, quality restoration, meeting or exceeding the original construction requirements of all areas on said portion damaged in the process of making said repairs or reconstruction work.

No permanent building, structures, fences, trees or shrubs shall be placed on said easement, but same may be used for grass, sod or pavement.

Easements are hereby reserved and granted to the city of Crystal Lake and other governmental authorities having jurisdiction of the land subdivided hereby, over the entire easement area for ingress, egress and the performance of municipal and other governmental service, including maintenance of said watermain.

A non-exclusive easement is hereby reserved for and granted to NICOR GAS COMPANY and other public utilities providing similar services, their respective successors and ("NICOR") to install, operate, maintain, repair, replace and remove, facilities used in connection with the transmission and distribution of natural gas in, over, under, across, along and upon the surface of the property shown on this plat marked "Public Utility Easement," and streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot to serve improvements thereon, or on adjacent lots, and to serve other property, adjacent or otherwise, and the right to remove obstructions, including but not limited to, trees, bushes, roots and fences, as may be reasonably required incident to the rights herein given, and the right to enter upon the property for all such purposes. Obstructions shall not be placed over NICOR facilities or in, upon or over the property identified on this plat for utility purposes without the prior written consent of NICOR. After installation of any such facilities, the grade of the property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

STORMWATER MANAGEMENT EASEMENT AND RESTRICTED PUBLIC UTILITY EASEMENT

The Stormwater Management Easement and Restricted Public Utility Easement shall be maintained as specified in the covenants and restrictions for Immanuel Lutheran Subdivision per Doc. No. 2007R0053356

MAIN STREET ACCESS PROVISIONS

Direct access to Main Street from lots 1, 2, and 3 shall be strictly prohibited.

EMERGENCY ACCESS PROVISIONS

There shall be a Temporary Blanket Emergency Access Easement on Lot 3 to provide access from Hill Drive to Bergen Court. This easement shall remain until such time as Lot 3 is developed. As part of the development of Lot 3, the blanket emergency access easement will be eliminated and a dedicated emergency access easement will be created. This easement will remain inplace until such time as Congress Parkway is extended over the Union Pacific Railroad Right-Of-Way. The developer of Lot 3 shall be responsible for construction of the emergency access.

Covenants and Restrictions

This subdivision is subject to Declarations of covenants, conditions and restrictions for Immanuel Lutheran Church Subdivision by law offices of Zanck, Coen & Wright, P.C. recorded as Document No. 2007R0053356 in McHenry County, Illinois.

EASEMENT PROVISIONS

A non-exclusive easement for serving the subdivision and other property with electric and communications service is hereby reserved for and granted to

ComEd Company,
Cable Television Company or Franchisee
and
Ameritech Telephone Company, Grantees,

and other public utilities providing similar services, their respective successors and assigns, jointly and severally, to install, operate, maintain and remove, from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and sounds and signals in, over, under, across, along and upon the surface of the property shown within the dotted lines on the plat and marked "Public Utility Easement", and the property designated on the plat for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot and common area or areas to serve improvements thereon, or on adjacent lots, and common area or areas, the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over grantees' facilities or in, upon or over the property within the dotted lines marked "Easement" without the prior written consent of grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.
Relocation of facilities will be done by Grantees at cost of Grantor/Lot Owner, upon written request.

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
)S.S.
COUNTY OF McHENRY)

I, Home State Bank/NA, Land Trust and I, Christie M. Caldarella, Professional Engineer of the State of Illinois, do hereby certify that to the best of our knowledge and belief, the drainage of surface waters will not be changed by the construction of this subdivision or any part thereof, or, that if such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision. (MC-89-491)

Land Trust

Christie M Caldarella
Registered Professional Engineer of Illinois
Registration No. 062-048507

HOME STATE BANK NATIONAL ASSOCIATION CORPORATE SEAL ILLINOIS

CHRISTIE MACK CALDARELLA 062-048507 REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS 4/30/07

CITY COUNCIL'S CERTIFICATE

STATE OF ILLINOIS)
)S.S.
CITY OF CRYSTAL LAKE)

Approved this 21st Day of March 2006, by the City Council of Crystal Lake, Illinois.

Mayor

City Clerk

PLANNING AND ZONING COMMISSION APPROVAL

STATE OF ILLINOIS)
)S.S.
COUNTY OF McHENRY)

I hereby certify that on March 1, 2006 the annexed plat was presented to and duly approved by the Planning & Zoning Commission of the City of Crystal Lake and that said plat conforms in all respects to the requirements of the Subdivision Control Ordinance of the City of Crystal Lake, Illinois.

Chairman, Planning & Zoning Commission

Secretary

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
)S.S.
COUNTY OF McHENRY)

I, Katherine C. Schultz, County Clerk in McHenry County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the annexed plat.

Given under my hand and seal of the County at Woodstock, Illinois this 5th day of August, A.D., 2007.

Katherine C. Schultz
County Clerk

COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
)S.S.
COUNTY OF McHENRY)

This instrument filed for record in the Recorder's office of McHenry County, Illinois, on this 3RD day of August, 2007 A.D., at 3:25 o'clock P M. and recorded as Document Number 2007R0053355.

Phyllis K Wallers
County Recorder

PLAT SUBMITTED BY: TOM ZANCK

ADDRESS: 40 BRINK ST.
CRYSTAL LAKE IL 60014
815-459-8800

FINAL PLAT OF IMMANUEL LUTHERAN CHURCH SUBDIVISION

CITY OF CRYSTAL LAKE, ILLINOIS

REVISIONS			DRAWN BY:	DATE:	PROJECT NO.
1.	LT	11-17-06	EH	08-01-05	040029
2.	EH	3-27-07	DESIGNED BY:	HORIZ. SCALE: 1"=100'	SHEET NO.
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