



Community Development Department

City Hall

222 E. 9th Street, 2nd Floor

Lockport, IL 60441

(815) 838-0549, Option 4

www.cityoflockport.net

Rezoning or Special Use Permit Application

Last revised 08/18/2021

Community Development Application

Check all that apply

- Concept Plan Review
- Rezoning
- Special Use Permit for:
 - Planned Unit Development
 - Other: _____
- Preliminary Subdivision Plat Review
 - Residential
 - Commercial
 - Industrial
 - Mixed-Use
- Preliminary Development Plan Review
 - Residential
 - Commercial
 - Industrial
 - Mixed-Use
- Final Subdivision Plat Review
 - Residential
 - Commercial
 - Industrial
 - Mixed-Use
- Final Development Plan Review
 - Residential
 - Commercial
 - Industrial
 - Mixed-Use

Applicant: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

PLEASE CHECK ONE OF THE FOLLOWING:

- Applicant is owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property and has attached a copy of said contract.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner (notarized letter of consent from owner required)

In the event that the subject property is held in a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries and providing the name, address and percentage of interest of each beneficiary is attached to this executed application.

SUBJECT PROPERTY INFORMATION:

LOCATION: _____

NUMBER OF ACRES: _____ PIN # _____

PRESENT ZONING: _____ PROPOSED ZONING _____:

CURRENT USE: _____ PROPOSED USE: _____

FIRE DISTRICT:

- () Lockport Township
- () Homer Township
- () Northwest Homer Township
- () Other _____

SCHOOL DISTRICT (S):

- () Fairmont Elementary Dist. #89
- () Taft Elementary Dist. #90
- () Milne-Kelvin Grove Dist. #91
- () Homer Township Consol. Dist. #33c
- () Ludwig-Reed-Walsh Dist. #92

PARK DISTRICT:

- () Lockport Township
- () Other _____

OTHER INTERESTED PARTIES:

Fill out contact information for all applicable parties.

CONTACT PERSON:

Name: _____

Address: _____

Phone: _____ Email: _____

OWNER:

Name: _____

Address: _____

Phone: _____ Email: _____

ARCHITECT:

Name: _____

Address: _____

Phone: _____ Email: _____

LAND PLANNER:

Name: _____

Address: _____

Phone: _____ Email: _____

SURVEYOR:

Name: _____

Address: _____

Phone: _____ Email: _____

ENGINEER:

Name: _____

Address: _____

Phone: _____ Email: _____

ATTORNEY:

Name: _____

Address: _____

Phone: _____ Email: _____

REZONING OR SPECIAL USE PERMIT SUBMITTAL CHECKLIST

Incomplete application submittals will not be accepted by the City or reviewed by City staff until all items are submitted and all application fees are paid. Submittals will be reviewed for compliance with the requirements of the submittal process as well as the requirements of the City's Zoning Ordinance and Development Code. Failure to meet the requirements may result in an incomplete application and subsequent delay of the request.

Applicants or their representative must be present at the scheduled meetings or their case will be postponed.

- One (1) original completed Rezoning or Special Use Permit Application form.
- A written summary of the request.
- Payment of all application and review fees in accordance with the City's approved Fee Schedule (below). All fees shall be submitted to the Community Development Department. Separate checks are to be provided - one for Planning Application & Review Fees and one for Engineering Review Fees.
- One (1) original signed Review & Inspection Fees Acknowledgement & Agreement for Reimbursement form.
- One (1) original signed Rezoning or Special Use Permit Submittal Checklist.
- One (1) copy of purchase contract, if applicable.
- One (1) original notarized letter of consent from property owner, if applicable.

- If requesting a Special Use, applicant's response to the **Review Standards for a Special Use Permit** must be submitted.
- If requesting a Rezoning, applicant's response to the **Review Standards for a Rezoning** must be submitted.

- Eight (8) copies of a Location Map showing the subject property in relation to the corporate limits of the City and existing streets and adjoining properties.
- Eight (8) copies of a Plat of Survey for the property including all PINs and a legal description.
- Eight (8) copies of a Dimensional Site Plan including a site data box and showing general location of proposed buildings, parking areas, pedestrian and vehicular circulation systems, landscaping areas, existing use of property within 100 feet of the boundaries of the site, if applicable.
- Any additional documentation requested by the City staff during the pre-application meeting, if applicable.
- One (1) CD or USB drive with PDFs of all documents and plans submitted.

I certify that all required documentation, fees and supporting information being submitted on behalf of this application request is complete and accurate. I further acknowledge that any missing documentation, fees and/or supporting information can result in a delay of the processing and review of this application request.

Signature of Applicant

Date

PROFESSIONAL FEE AGREEMENT

This Agreement entered into this ____ day of _____, 20____, between the City of Lockport, an Illinois Municipal Corporation (hereinafter referred to as "CITY"), and

(hereinafter individually and collectively referred to as "DEVELOPER").

WHEREAS, as a result of the DEVELOPER's project, the CITY must have its professional staff analyze, review and comment upon and perform other services solely on the CITY's behalf from the time of the inception of the project through its completion; and

WHEREAS, the DEVELOPER acknowledges it should pay the CITY's costs and expenses for professional staff services rather than impose the costs upon the CITY residents;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged by the parties by the execution hereof, it is hereby agreed as follows:

SECTION ONE. PROFESSIONAL FEES. The DEVELOPER shall pay the CITY any and all professional staff fees, costs and expenses incurred by the CITY as a result of or in conjunction with the DEVELOPER's project from this date and prior thereto, through the project's completion as determined by the CITY and/or CITY's acceptance of all public improvements associated with the project, whichever occurs last. The CITY's professional staff includes, but is not limited to, its attorneys, engineers, land planners, traffic and transportation consultants, etc. Fees shall include, but not be limited to, all time associated with any review, analysis, discussions, meetings, inspections, planning and all other work or services performed on behalf of the CITY in conjunction with the project. The CITY's professional staff fees shall be billed to the DEVELOPER in the amount as authorized by the CITY to be paid for such services.

SECTION TWO. SECURITY. Upon written request from the CITY, the DEVELOPER shall post with the CITY, the sum of \$_____ cash or certified funds as security for the DEVELOPER's payment of such professional fees, costs and expenses or another amount as approved from time to time as the standard security deposit amount by the City Administrator. The CITY is specifically authorized to apply this security in payment of such fees, costs and expenses in the event the DEVELOPER fails to make timely payments to the CITY as required under the Agreement. The DEVELOPER is obligated to continuously maintain the original deposit amount with the CITY until the project's completion.

SECTION THREE. PAYMENT. The CITY shall provide the DEVELOPER with an itemized statement of fees. The DEVELOPER shall pay the CITY within thirty (30) days upon receipt of the statement from the CITY. If the DEVELOPER does not pay the statement within the thirty (3) day period, interest shall accrue on the unpaid balance at the rate of one and one half percent (1.5%) per month. ***The CITY may also direct that all professional staff cease work on the project of the DEVELOPER until all statements are paid in full.***

SECTION FOUR. COOPERATION. The DEVELOPER shall fully cooperate with the CITY, its officials and professional staff with respect to its project.

SECTION FIVE. REPRESENTATION OF CITY ONLY. The DEVELOPER acknowledges that the CITY's in-house and professional staff solely represents the CITY and the CITY's interest and do not represent the DEVELOPER.

SECTION SIX. CONFLICT. If any of the terms and provisions of this Agreement conflict with any ordinance of the CITY or agreement between the parties, the terms and provisions of this Agreement shall supersede and control any other terms and provisions.

SECTION SEVEN. ATTORNEY'S FEES. In the event any suit or other action is brought to enforce or which otherwise affects this Agreement, or any of its provisions, the DEVELOPER, in addition to all other costs and expenses shall pay the CITY's attorney's fees, expert witness fees, costs and any other associated expenses. The venue for such suit or action shall be in the 12th Judicial Circuit Court, Joliet, Will County, Illinois.

SECTION EIGHT. SEVERABILITY. The invalidity of any paragraph or subparagraph of this Agreement shall not impair the validity of any other paragraph or subparagraph. If any provision of this Agreement is determined to be unenforceable, such provision shall be determined severable and the Agreement may be enforced with such provision severed or as modified.

SECTION NINE. ENTIRE AGREEMENT. This Agreement embodies the entire agreement and understanding between the parties and there are no other agreements, representations or understandings, oral or written, between the parties with respect to the subject matter of this Agreement. No alteration, modification, amendment or change of this Agreement shall be valid unless agreed to by the parties in writing.

SECTION TEN. OTHER FEE ORDINANCES. The DEVELOPER acknowledges that it has been advised that this Agreement is intended to secure the CITY's recovery of professional costs and expenses as hereinabove described, and under circumstances where such costs and expenses may not otherwise have been recovered. Notwithstanding the foregoing or anything else herein to the contrary, nothing herein shall be understood to relieve the DEVELOPER of its responsibilities hereunder and under any applicable ordinances of the CITY, including, but not limited to, any fees payable pursuant to Chapters 153 and 156 of the City Code of Ordinances, provided, however, that the CITY shall take such action as it may deem appropriate to avoid invoicing for, or collecting, duplicate reimbursements of the same expenses or costs.

Dated at Lockport, Will County, Illinois on the date written above.

CITY OF LOCKPORT, an Illinois
Municipal Corporation

(Corporate Seal)

By: _____
_____, City Mayor

ATTEST:

By: _____
_____, City Clerk

DEVELOPER

(Corporate Seal)

By: _____
President

ATTEST:

By: _____
Secretary

APPLICATION REVIEW PROCESS—A SUMMARY

PRE-APPLICATION MEETING

Every applicant is encouraged to participate in a pre-application meeting to initiate the review process for each new development, zoning change, special use permit or subdivision. The pre-application meeting allows the applicant to familiarize themselves with the City's development objectives and procedures, and to learn about any special circumstances that may exist or be applicable to the subject property.

Staff conducts pre-application meetings on Tuesday mornings. The request for pre-application meeting should be made to the City Planner not less than one (1) week prior to the desired date of the meeting. If the applicant has any site plan, maps, data, or other information which may be necessary to illustrate or describe the characteristics of the proposed development, the developer shall deliver such information to the City Planner (typically a minimum of eight (8) hard copies or electronically via email) no later than Wednesday afternoon before the scheduled meeting date. If this information is not received, the meeting may be cancelled.

STAFF REVIEW

The City Staff shall review each rezoning or special use permit application and any accompanying drawings, supporting documentation and statements in order to determine whether such application is consistent with all City requirements, the Comprehensive Plan and the Development Code.

The City Staff shall distribute such drawings, and supporting documentation to such City departments, consultants, or other persons as may be necessary.

- Planning and Zoning
- Building Official
- Public Works & Engineering Dept.
- Fire Protection District/s
- Police Department
- Park District, if applicable
- School Districts, if applicable

The City Staff will receive any comments and or concerns in writing from each department or agency. City Staff will forward comments from the reviewing agencies to the applicant. The City Planner may meet with the applicant and other departments to discuss the comments and or concerns.

PLAN & ZONING COMMISSION REVIEW

Upon completion of the Staff review of the application the City Planner shall prepare a staff report and recommendation based upon his/her evaluation of the proposal and the input from other departments and agencies. The City Planner shall circulate copies of the rezoning or special use permit application and any drawings, statements, and a report of compliance or non-compliance to the Plan & Zoning Commission. At the applicable regularly scheduled meeting, the Plan & Zoning Commission shall review/discuss the rezoning or special use permit. Prior to the Plan & Zoning Commission meeting, Staff will advise the applicant of the required number of additional plans and documents. These plans and documents are distributed to City Staff and the Plan & Zoning Commission members. Electronic copies of the same will be distributed to City Council members.

The Plan & Zoning Commission is responsible for interpreting the City's development goals and objectives and making recommendations concerning land use and land development in the City to the City Council. The Commission can make recommendations to vary the requirements of the Development Code and, in some instances, the Zoning Ordinance.

The Plan & Zoning Commission relies upon the evaluations/recommendations of the City Staff and Consultants and the input of the public in determining the course of action on each development application. The Plan & Zoning Commission may accept, reject, or modify any Staff recommendation. It is the responsibility of the

applicant to present the facts pertinent to his/her case. It is the applicant's responsibility to demonstrate that the criteria for approving or granting the requested application have been satisfied.

COMMITTEE OF THE WHOLE/CITY COUNCIL REVIEW

The City Council makes the final decisions regarding any rezoning or special use permit application. Before a final decision is made, however the requested action will appear first on the Committee of the Whole agenda for discussion and direction only. At the next meeting or future City Council meeting, the approving resolution or ordinance is presented for any further discussion and final consideration. The City Council can approved an application as presented, approve an application with modifications as discussed, or deny an application outright.

CITY RECORD

A certified copy of the resolution approving or disapproving the rezoning or special use permit shall be filed in the Office of the City Clerk.

APPLICATION FEES

The following nonrefundable fees shall be charged for all rezoning and special use applications. These fees are payable at the time an application is filed with the City.

	Project Size (acres)			
	0 to 3	3.01 to 5	5.01 to 10	10.01+
Initial Application fee (all projects)	\$260	\$280	\$320	\$360
Map Amendment/Rezoning	\$500	\$750	\$1,000	\$1,500
Special Use Permit (not including PD)	\$500	\$750	\$1,000	\$1,500

***Note - If a review by the City's development engineering consultant is necessary to review compliance with the City's Development Code, then depending on the magnitude of any review, additional review fees may apply.**

In addition to the above fees for Amendment and Special Use (including PUDs) applications, the applicant shall be obligated to reimburse the City for any fees incurred by the City for mailing and copying, legal advertising costs, or hiring professional consultants (legal, engineering, land planning, financial or other professional consultants) that may be required in the review of the application. In Variation cases, if the fees stated above exceed the amount charged by the application fee, the applicant shall be obligated to reimburse the City.

1. A 15% fee of the total charges shall be added as an administrative fee.
2. All proceedings in connection with the rezoning, Special Use permit, Planned Development, or Variation shall be stayed until such sum so designated is submitted to the city as required.
3. All proceedings with regard to the rezoning, Special Use permit, Planned Development, or Variation shall be stayed until subsequent requests for payment of fees shall be submitted.
4. Any request or subsequent demand of the city not paid by the applicant within ten days of the date of the demand shall, at the discretion of the City Council and upon written notice to the applicant, terminate and render null and void the proposed rezoning, Special Use permit, Planned Development, or Variation application.

*** ALL FEES ARE SUBJECT TO CHANGE ***

REVIEW STANDARDS FOR A REZONING

Please complete and submit with your request for a Rezoning. When reviewing zoning cases it is customary to apply the following criteria. The criteria is often referred to as the "LaSalle Standards" since the majority of the criteria or standards were the result of a case involving LaSalle National Bank. The City of Lockport uses the LaSalle Standards to aid in the decision-making process.

1. The existing uses and zoning of nearby property.

North _____

South _____

East _____

West _____

2. The extent to which property values are diminished by the particular zoning restriction.

3. The extent to which the destruction of plaintiffs' property values promote the health, safety, morals or general welfare of the public.

4. Relative gain to the public compared to the hardship imposed upon the property owner.

5. The suitability of the subject property for the zoned purposes.

6. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity.

7. The need and demand for the use.

8. The extent to which the use conforms to the Comprehensive Plan.

REVIEW STANDARDS FOR A SPECIAL USE PERMIT

Please complete and submit with your request for a Special Use Permit. Per Zoning Ordinance Section 156.124, a special use permit shall be granted only if evidence is presented to establish the following:

1. The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community.

2. The proposed building or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities, and other matters affecting public health, safety and general welfare.

3. The proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

4. The **other standards and criteria** as are established by this chapter for particular special uses as set forth in §156.124 and as applied to planned developments under § 156.141 through §156.149.
