



Community Development Department

City Hall

222 E. 9th Street, 2nd Floor

Lockport, IL 60441

(815) 838-0549, Option 4

www.lockport.org

Rezoning or Special Use Permit Review

Last revised 2/13/18

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 Consolid. 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: _____ Fax: _____

OWNER:

Name: _____

Address: _____

Phone: _____ Fax: _____

ARCHITECT:

Name: _____

Address: _____

Phone: _____ Fax: _____

LAND PLANNER:

Name: _____

Address: _____

Phone: _____ Fax: _____

SURVEYOR:

Name: _____

Address: _____

Phone: _____ Fax: _____

ENGINEER:

Name: _____

Address: _____

Phone: _____ Fax: _____

ATTORNEY:

Name: _____

Address: _____

Phone: _____ Fax: _____

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 Community Development 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

Internal Use Only:

Application Received

Date: _____

Initials: _____

Approved by P.C.

Date: _____

Initials: _____

Approved by C.C.

Date: _____

Initials: _____

Comments: _____

Application Fee \$ _____

**REVIEW & INSPECTION FEES
ACKNOWLEDGEMENT & AGREEMENT
FOR REIMBURSEMENT**

AS THE APPLICANT, YOU ACKNOWLEDGE AND UNDERSTAND THE FOLLOWING:

1. The City may engage an outside professional firm to assist with the review/s and/or inspection/s of the application related to engineering, legal, land planning, financial or other. You further acknowledge and agree to pay to the City any and all consultant review and inspection fees and expenses incurred that exceed the amounts collected per the City's approved Fee Schedule. The City shall invoice you directly for the additional amount of fees incurred through the project's completion as determined by the City and/or City's acceptance of all public and private improvements associated with the project, whichever occurs last.
2. The review fees listed in the City's approved fee schedule allow for three (3) reviews to be completed by staff and any consultants engaged by the City to complete the required review of your rezoning or special use permit application. You acknowledge and agree that should additional reviews be necessary due to circumstances created by you or your development team, the City may at its discretion, charge an additional review fee equal to one-half (1/2) the original review fees submitted at the time of application for each subsequent review. You further acknowledge that these fees will be paid to the City before any further review of the plan/plat is commenced.
3. The City currently engages an outside professional engineering firm to complete review/s and inspection/s of all private development proposals. If a review by the City's development engineering consultant is necessary to ensure compliance with the City's Development Code, you acknowledge and agree to pay the City for any additional review fees that may apply.

Applicant Name (Printed)

Applicant Signature

Dated

APPLICATION REVIEW PROCESS—A SUMMARY

1. 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 are scheduled on each Tuesday morning. 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.

2. 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
- Development Engineering Consultant
- 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.

3. 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.

4. 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.

5. 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.

1. Application fee.

Upon presentation of an application for rezoning or special use, the applicant shall pay a non-refundable application fee of \$500 plus \$10 per acre of land or fraction thereof in the proposed request.

2. Staff review fee.

a. Upon presentation for an application for rezoning or special use, the applicant shall pay a non-refundable staff review fee in the following amount:

<i>Project Size (acres)</i>	Rezoning	Special Use Permit
0 to 3	\$500	\$500
3.01 to 5	\$750	\$750
5.01 to 10	\$1,000	\$1,000
10.01 or more	\$1,500	\$1,500

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

b. In addition to the above fees for rezoning and special use applications, the applicant shall be obligated to reimburse the City of Lockport for any fees incurred by the city for hiring professional consultants (legal, engineering, land planning, financial or other professional consultants) that may be required in the review of the application.

c. 15% fee of the total charges of all outside consultants shall be added as an administrative fee.

d. All proceedings in connection with the rezoning, special use permit or planned development shall be stayed until such sum so designated is submitted to the city as required.

- e. All proceedings with regard to the rezoning, special use permit, or planned development shall be stayed until subsequent demands for payment of fees shall be submitted.
- f. Any demand or subsequent demand of the City not paid by the applicant within ten (10) 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, or planned development 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. Most governing bodies use a form of these standards to determine if a zoning change is acceptable. 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 156.122, 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 §156.123 and as applied to planned developments under §§ 156.140 through 156.151.
