



**The City of Crystal Lake Illinois**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND FINAL PLANNED UNIT DEVELOPMENT AMENDMENT AT 35 E. BERSHIRE DRIVE**

WHEREAS, pursuant to the terms of a Petition (File #PLN-2023-193) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested a Special Use Permit to allow a sit-down restaurant and a Final Planned Unit Development Amendment to allow a variation from the required parking of 124 spaces to allow 109 spaces, a variation of 15 spaces at 35 E. Berkshire Drive; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on November 18, 2023 in the Northwest Herald, held a public hearing at 7:00 p.m., on December 6, 2023 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit and Final Planned Unit Development Amendment; and

WHEREAS, on December 6, 2023, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Special Use Permit and Final Planned Unit Development Amendment be approved, as documented in the minutes, and

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

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

Section I: That a Special Use Permit to allow a sit-down restaurant and a Final Planned Unit Development Amendment to allow a variation from the required parking of 124 spaces to allow 109 spaces, a variation of 15 spaces at 35 E. Berkshire Drive, (19-08-426-010), Crystal Lake, Illinois is hereby approved.

Section II: Said Special Use Permit and Final Planned Unit Development Amendment is issued with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Andres Aguilar, dated 09/13/2023, received 09/14/2023)
  - B. Floor Plan (Andres Aguilar, received 09/14/2023)

Ord. No. 7991  
File No. 440

2. The Petitioner shall address all of the review comments and requirements of the Community Development Department.

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

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

DATED at Crystal Lake, Illinois, this 19<sup>th</sup> day of December, 2023.

City of Crystal Lake, an  
Illinois municipal corporation

  
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Haig Haleblian, MAYOR

SEAL

ATTEST:

Nick Kachiroubas by Nick Hammond, Deputy City Clerk  
Nick Kachiroubas, CITY CLERK

Passed: December 19, 2023

Approved: December 19, 2023