

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

**Tuesday, April 12, 2022
City Council Chambers
401 Whitney Boulevard
6:00 pm**

ROLL CALL

Members Present:

Paul Engelman, Chair
Daniel Druckrey, Vice-Chair
Alissa Maher
Art Hyland
Robert Cantrell
Vacancy

Staff Present:

Gina DelRose, Community Development Planner
Catherine Crawford, Administrative Assistant
Mike Drella, City Attorney

Members Absent:

Carl Gnewuch

The meeting was called to order at 6:04 p.m.

MINUTES: It was moved and seconded (Cantrell/Maher) to approve the minutes of the March 8, 2022 meeting. The motion carried with a 5-0 roll call vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

2022-04: Patel, 1554 North State Street* (SU): Application of Nileshkumar Patel, 1678 Eden Place, Rockford, IL 61107 on behalf of the property owner, Edward Winter TR, 1409 Walts Way, Belvidere, IL 61008 for a special use to permit in-vehicles sales or service at 1554 North State Street* (and the two adjacent parcels) to allow a drive-through lane on the west side of the building within the GB, General Business District pursuant to the Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2) In-Vehicle Sales or Service and 150.904 Special Use Review and Approval Procedures. The subject property is approximately 2 acres in size and is developed with an automotive repair building and a large paved area (formerly a car wash).

The public hearing opened at 6:05 p.m.

Gina DelRose was sworn in. Ms. DelRose stated the case was published on March 24, 2022 and certified mailings were sent to surrounding property owners within 250

feet of the subject property on March 15, 2022. Ms. DelRose summarized the staff report dated March 29, 2022.

Gina DelRose stated the subject property has a history of vehicle-related businesses and in 2011 and 2018 special uses were granted to bring an existing mechanic business into compliance and for a car sales lot, respectively. A long-standing car wash structure was demolished for the 2018 special use; the remaining building will be demolished in order to allow a new restaurant to be constructed with the requested drive-through window.

Drive-through sales are expected to comprise a large number of the sales for the new establishment. There is likely to be a double drive-through lane to the west of the building (rear elevation) which will exceed minimum queueing requirements found within the zoning ordinance. There will be two curb cuts along North State Street; an entrance-only and exit-only. These controlled points of access will assist with vehicle circulation and the flow of drive-through traffic.

The restaurant and drive-through lane will occupy the front half of the property. The remaining greenspace may be used for outdoor seating or eventually subdivided and redeveloped as residential with access from Maryland Court.

The planning staff does not anticipate any potential adverse impacts of the drive-through lane; it will need to be constructed so as to prevent water run-off onto the neighboring properties and residences will be shielded from the headlights by a bufferyard comprised of landscaping and/or fencing.

The planning staff recommends approval of case 2022-04 subject to the following conditions:

1. Substantial compliance with the submitted site plan.
2. The owner shall provide storm water detention for the proposed development for any increase in the amount of impervious area over the existing condition.
3. A stamped site plan shall be submitted for review by the appropriate staff before building permits may be issued. This includes a revised lot layout, landscaping and photometrics plan.
4. Upon redevelopment of the property, the new address shall be 1610 North State Street.
5. Compliance with all other applicable codes and ordinances.

The Chair invited questions from the commission for staff.

Chair Paul Engelman asked what structures remain on the site at this time.

Gina DelRose stated a mechanic shop remains which is expected to be vacated by May 1, 2022 at which time the structure will be demolished.

Paul Engelman asked if any environmental studies will be required due to the nature of the business.

Gina DelRose stated the demolition will require a permit at which time it will be determined if any dangerous substances remain; if that were the case, the issue would be addressed.

There were no other questions for the staff from either the applicant or other interested parties.

The Chair invited the applicant to step forward. Nileshkumar Patel was sworn in and stated he had no further testimony to provide.

The Chair invited questions for the applicant.

Paul Engelman asked if the business is a franchise and asked for a timeline on the project.

Nileshkumar Patel stated that as soon as the case is approved by City Council, he will be ready to begin the project.

There were no further questions for the applicant.

The public hearing was closed at 6:15 p.m.

It was moved and seconded to accept the findings of fact as presented in the staff report dated March 29, 2022. The motion carried with a 5-0 roll call vote.

It was moved and seconded (Maher/Cantrell) to recommend approval of case 2022-04 subject to the five conditions as presented. The motion carried with a 5-0 roll call vote.

2022-05: Murphy USA, 2005 Gateway Center Drive (SU): Application of Jim Coyle, 21 S. Evergreen Avenue, #200, Arlington Heights, IL 60005 on behalf of the property owner, Murphy Oil USA Inc, AD Valorem Tax Dept PO Box 7300, El Dorado, AR 71731 for a special use to permit a planned development in the PB, Planned Business District at 2005 Gateway Center Drive, Belvidere, IL 61008. The planned development will allow for the following departures: Sections

150.105(C)(4)(B)(2) allowing in-vehicle sales or service (gas station); 150.105(C)(4)(G)(2)(C) decreasing the minimum paved surface setback from five feet to zero feet for the side and rear yards; 150.707(E)(3)(A) allowing for lighting levels to be up to 3.5 foot-candles instead of 0.50 foot-candles at the property line; 150.710(F) allowing for mechanical units to be exposed; Table 150.1007(C)1 allowing for a freestanding sign to be 95.7 square feet instead of 83 square feet and 150.904 Special Use Review and Approval Procedures. The planned development is being requested in order to rebuild and enlarge the existing gas station. The property is irregular in shape and is 1.27 acres in size.

The public hearing opened at 6: 17 p.m.

Gina DelRose was sworn in and presented a summary of the staff report dated March 30, 2022. Ms. DelRose stated the case was published in the Boone County Journal on March 24, 2022 and certified mailings were sent to property owners within 250-feet of the subject property on March 15, 2022.

Gina DelRose stated the gas station was originally part of the Walmart property but in 2007 it was replatted, creating a 1.27 -acre standalone property. The applicant is proposing to demolish the existing gas station and construct a 1,400 square foot station. The rebuild as proposed requires a special use for a planned development that encompasses 5 deviations from the zoning ordinance. The first deviation is for the gas station land use itself; the second is to reduce the minimum paved surface setback from five feet to zero feet for the side and rear yards; the third is to allow the mechanicals not to be screened from view, as the developed property will not allow for landscaped screening at the building walls. The last two deviations are created due to the redevelopment of the property. The applicant is requesting that the freestanding sign be 95.7 square feet instead of the allowable 83 square feet. This would not only allow for the southern property line to be considered in the square-footage calculations but also the curve of the property line. The applicant is also requesting lighting levels up to 3.5 foot-candles to the north and east. Although these illumination levels exceed what the zoning ordinance requires, it will impact only Walmart's parking lot which is already illuminated.

Gina DelRose stated the request for a larger gas station is not an unreasonable one for the location, adjacent to the Walmart parking lot and north of the I-90 Interchange. Due to the large parking area surrounding the property and being located within the Gateway Center development instead of along Genoa Road or Grant Highway (US Route 20) increased signage and illumination levels, reduced pavement setbacks and visible mechanicals will not have the same negative impacts they may have on other properties.

Vehicle circulation patterns and access points will not be changed; the largest change will be to the size of the gas station from 350 square feet to a proposed

1,400 square feet. This will allow the gas station to be similar to other newer gas stations which offer a variety of goods and services to their patrons.

The planned development is not changing the existing land use of the property; the deviations will serve to both bring the existing conditions into compliance and allow for additional signage and lighting levels. The planning staff recommends approval of case 2022-05 subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan dated 3/8/22 unless otherwise noted.
2. The Planned Development shall be developed in substantial conformance with the photometrics plan dated February 2022 unless otherwise noted.
3. The Planned Development shall be developed in substantial conformance with the sign plan dated October 27, 2021.
4. A full final site plan shall be submitted to staff (building, public works, fire, planning, etc.) for review and subject to final approval prior to the issuance of building permits.
5. The planned development is granting only the following flexible standards: Sections 150.105(C)(4)(B)(2) allowing in-vehicle sales or service (gas station); 150.105(C)(4)(G)(2)(C) decreasing the minimum paved surface setback from five feet to zero feet for the side and rear yards; 150.707(E)(3)(A) allowing for lighting levels to be up to 3.5 foot-candles instead of 0.50 foot-candles at the property line; 150.710(F) allowing for mechanical units to be exposed; Table 150.1007(C)1 allowing for a freestanding sign to be 95.7 square feet instead of 83 square feet.

The Chair invited questions from the commissioners for the staff.

Robert Cantrell asked if the existing gas tanks will be replaced.

Gina DelRose said this would be a question for the applicant.

Paul Engelman asked if the increased signage will be consistent with other signage in the area.

Gina DelRose stated that lots in the area can have larger signage. If the sign was placed along the western lot line it would be larger but the applicant wanted more visibility for those driving into the parking lot so they prefer the southern lot line.

Paul Engelman asked for clarification of the lack of screening for the mechanicals.

Gina DelRose said that typically mechanicals are screened by landscaping or parapet walls, but the amount of pavement surrounding a gas station prevents this to accommodate vehicle circulation.

There were no further questions for the staff. The applicant was invited forward.

Applicant Jim Coyle was sworn in.

Daniel Druckrey asked if the applicant plans to add onto underground gas tanks.

Jim Coyle said the plan includes removal of the existing gas tanks and the placement of two 25,000-gallon gas tanks. Mr. Coyle stated that Murphy hires third-party consultants to verify the safety of such a removal and placement on-site.

Paul Engelman asked if the existing structure will be demolished.

Jim Coyle stated that this was correct; all pavement, building, tanks and lighting will be removed and replaced, including a pre-manufactured building would be constructed in its place.

Robert Cantrell asked how long the project is expected to take.

Jim Coyle stated that following approval, the project take 30 days to go to bid; Murphy typically expects a 14 to 16 week turnaround from demolition to opening the doors.

There were no further questions for the applicant.

Mike Drella asked if Mr. Coyle had anything further to add.

Jim Coyle stated the project presented will maintain three access points, will be adjacent to Walmart and the total impervious surface will remain the same or slightly smaller than what exists currently.

Paul Engelman asked what impact there will be on traffic circulation.

Gina DelRose stated the traffic circulation will remain the same and the access points as well.

The public hearing was closed at 6:30 p.m.

There was no further discussion.

It was moved and seconded (Cantrell/Druckrey) to accept the findings of fact as presented in the staff report. The motion carried with a 5-0 roll call vote.

It was moved and seconded (Maker/Hyland) to recommend approval of case 2022-05 subject to the five conditions as presented by staff. The motion carried with a 5-0 roll call vote.

Gina DelRose said the case will move forward to the City Council for a first reading on April 18, 2022 and for a second reading and final vote on May 2, 2022.

2022-07: Kelly Farms Subdivision (PP): The applicant is requesting preliminary plat approval of the 3-lot Kelly Farms Subdivision. The subject property is northeast of Irene Road and Grant Highway and is bounded by the railroad to the north and Townhall Industrial Park to the east.

Gina DelRose summarized the staff report dated April 4, 2022. The case is for a preliminary plat approval for the 3-lot Kelly Farms Subdivision. The location is northeast of Irene Road and Grant Highway and is bounded by the railroad to the north, Townhall Industrial Park to the east. It is approximately 175-acres in size and is currently in row-crop production with farmsteads.

In addition to the preliminary plat request, the applicant has also applied for annexation, rezoning (to General Business District and Heavy Industrial District) and a final plat for Kelly Farms Subdivision. The subdivision will allow for the realignment of Irene Road and extension of the Morreim Drive cul-de-sac.

The realignment of Irene Road will be beneficial for semi-truck traffic. The current configuration which includes two 90-degree turns has led to negative traffic incidences in the past. However, due to the realignment of Irene Road, a small 8-acre parcel is being created in the southwest corner of the property. Due to the size of the parcel, the applicant is requesting commercial zoning. While the large parcels east of Irene Road will be zoned industrial. The south 52-acre parcel may be subdivided in the future. The Morreim Drive cul-de-sac is being extended so that there is a secondary means of access to the industrial parcels, especially for police and fire departments.

A traffic impact study was conducted based on the proposed subdivision plat and anticipated land uses.

The Boone County Conservation District provided suggestions for Best Management Practices for groundwater recharge, landscaping and environmental impacts the development of the subdivision could create. Staff strongly encourages future development to adhere to these Best Management Practices.

A request for comments was sent to 17 departments, agencies, or other parties. Comments received were either addressed by the applicant or have been incorporated into the recommended conditions of approval.

Provided that the suggested conditions of approval are met, the preliminary plat of Kelly farms Subdivision is in conformance with the City of Belvidere's Subdivision Code and Zoning Ordinance.

The planning staff recommends the approval of the preliminary plat for Kelly Farms Subdivision subject to the following conditions:

1. The phrase "hereby dedicated" shall be removed from Irene Road and Morreim Drive.
2. The word "proposed" shall be added to Irene Road and Morreim Drive.
3. The annexation line and text shall be removed from the plat and legend.
4. The second page (certificate blocks and easement language) is not required for a preliminary plat.
5. The perimeter boundaries of the subdivision shall be depicted by a thicker line than the interior lot lines.
6. The western boundary line of the subdivision plat shall be extended to mirror the western annexation boundary line, not Irene Road.
7. Per Section 151.23.a.4 of the Belvidere Subdivision Ordinance, the names of adjacent land owners shall be included on the plat.
8. Per Section 151.25.b.7 of the Belvidere Subdivision Ordinance, the name, address and phone number of the surveyor, property owner and engineer shall be reflected on the plat.
9. Per Section 151.25.b.10 of the Belvidere Subdivision Code, a subsurface drainage study shall be completed and submitted for review.
10. Per Section 151.25.b.15 and 151.25.b.16 of the Belvidere Subdivision Code, explanations of easements and endorsements of the property owner and Planning Commission shall be included on the plat.
11. All public improvements shall be completed in accordance with approved construction plans for the development. An engineer's estimate of cost for the public improvements to be completed as a part of this project shall be submitted along with the construction plans for the development.
12. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to

the recording of the Final Plat or prior to the approval and release of the construction plans for the development by the Director of Public Works.

13. A construction inspection fee in the amount of three percent of the approved engineer's estimate of costs for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director of Public Works.
14. Prior to approval of the Final Plat for this subdivision, the developer shall pay all normal, customary and standard permit, inspection, tap-on, connection, recapture, basin and other fees that are required but the City at the time of Final Plat submittal.
15. Ownership and maintenance responsibility of the detention areas must be included in the final plats.
16. The plat shall be in compliance with all applicable codes, ordinances, and agreements

Gina DelRose provided an explanation of the 16 conditions presented.

Mike Drella stated this case and the next will not require public hearings but the final two cases on the agenda will require public hearings. Mr. Drella suggested the applicants present their testimony for the final two cases on the agenda (rezoning requests for parcels comprising Kelly Farms Subdivision) at this time. Mr. Drella stated he would ask the applicants to swear that their testimony was true and accurate to the best of their knowledge at the time of the following public hearings. The applicants agreed.

The applicants were invited forward; Nancy Haggerty, Adam Artz, Dan Harrington and Chris Carlino gave a presentation on the proposed development.

Nancy Haggerty, attorney representative for the applicant, introduced Mr. Artz, Mr. Harrington and Mr. Carlino. Ms. Haggerty stated the City of Belvidere has made a large investment in the area of this development and the proposed project will make use of those investments in terms of infrastructure, jobs and taxes. Ms. Haggerty stated that all of the entrances into the proposed developments will come from the new configuration of Irene Road; all of the traffic will be located on the west side of the development, except for a new truck turnaround for Morreim Drive which will give fire and police vehicles a second access to the property. Ms. Haggerty stated a new distribution center for General Mills will be built on the parcel known as Lot 1, to the north. It will cover most of that parcel and will be a logical expansion of the city's Industrial parks. The land is being divided into three parts; Lots 1 and 2 are for industrial use and the remaining 8-acre parcel will be rezoned General Business and can accommodate gas station or restaurant uses and will be accessed from the

realigned Irene Road. The curvature of Irene Road will make a safer configuration. The development of the north industrial parcel includes a separate lane for truck stacking; this design will not interfere with employee traffic and prevent truck backup onto Irene Road. The expansion of Irene Road will be accomplished with the help of grants and investments including the Enterprise Zone.

Adam Artz, engineer for the applicant, stated a traffic impact analysis was completed and the redesign of Irene Road will not only make it safer for the proposed development but for other properties to the north as well. Mr. Artz stated that 80% of the expected additional traffic will be into the proposed facility and the remaining 20% of new traffic will be between the main General Mills plant and the proposed distribution center. In the future there may be potential intersection improvements made to Newburg Road to the north due additional development. Mr. Artz stated the project will also be a catalyst to extend water and sewer connections further west and south. Mr. Artz stated an added benefit will be looping the system to the north. Regarding stormwater management, the project will utilize the best industry practices for groundwater recharge.

Nancy Haggerty stated that the proposed distribution center will store both raw materials and product made at the main General Mills plant.

Robert Cantrell asked how the product will be moved to and from the distribution center.

Adam Artz stated the product will be carried by semi tractor-trailers.

Nancy Haggerty indicated an image of the proposed facility and stated it is being requested that the zoning be designated Heavy Industrial. Once Lot Two is available, Chris Carlino and Dan Harrington will market the property to other potential industrial users. The parcels are currently in row crop production; they will remain farmland until a user is ready to begin building.

Chris Carlino, representative for the applicant, described the types of users to whom Scannell will be marketing the remaining parcels. Mr. Carlino repeated that Lot 3 will be marketed for retail or restaurant applications.

Alissa Maher asked for clarification that the original configuration of Irene Road will remain.

Mike Drella stated the old configuration of Irene Road will be vacated by the City as a public Right of Way.

Nancy Haggerty stated the old configuration would remain for use as a private access road to any business which might locate on Lot 3.

Robert Cantrell remarked that he was glad to see internal truck stacking as part of the plan.

Adam Artz said it will be more accessible and more secure.

Robert Cantrell asked if they will make use of the railroad tracks in the north boundary.

Adam Artz stated they will not do so immediately; consultants will look into that possibility.

Mike Drella stated that the applicant appeared before the City Council and gave a presentation on the project. Provided the Planning and Zoning Commission recommend approval, the applications for annexation, preliminary and final plats, and the two applications for rezoning will go before the full City Council on April 18 for a first reading and a second reading and final vote on May 2, 2022.

Gina DelRose stated that once the plats are approved and recorded, public improvements can begin. Except for a certain amount of downtime for the application of grant monies, the project should begin soon.

Chris Carlino stated the target date for completion is the fourth quarter of 2023.

Paul Engelman asked if they are waiting for sewer and water connection.

Mike Drella stated that sewer and water is already stubbed in at the eastern side of the property at Morreim Drive. One of the first things they are likely to do will be to extend the water and sewer throughout the rest of the development. The City will coordinate the road improvements with the water and sewer improvements and will extend water and sewer along the reconfigured Irene Road, both south and north, in order to eventually connect the entire Irene Road Interchange area to City water and sewer.

Paul Engelman asked if the existing Irene Road will remain open during construction.

Nancy Haggerty stated Irene Road will remain open.

Mike Drella said the Commission may ask questions pertaining to the rezoning after the preliminary and final plat cases are heard and voted on, at which time the speakers will be sworn in. Interested parties will have a chance to ask questions at that time.

It was moved and seconded (Druckrey/Cantrell) to recommend approval of case 2022-07 subject to the 16 conditions as read into the record. The motion carried with a 5-0 roll call vote.

2022-08: Kelly Farms Subdivision (FP): The applicant is requesting final plat approval of the 3-lot Kelly Farms Subdivision. The subject property is northeast of Irene Road and Grant Highway and is bounded by the railroad to the north and Townhall Industrial Park to the east.

In addition to the final plat request, the applicant has also applied for annexation and rezoning to both the General Business District and the Heavy Industrial District. The subdivision will allow for the realignment of Irene Road and extension of the Morreim Drive cul-de-sac.

The realignment of Irene Road will be beneficial for semi-truck traffic. The current configuration which includes two 90-degree turns has led to negative traffic incidences in the past. Due to the realignment of Irene Road, however, a small 8-acre parcel is being created in the southwest corner of the property. Due to the size of the parcel, the applicant is requesting commercial zoning while the large parcels east of Irene Road will be zoned industrial. The south 52-acre parcel may be subdivided in the future. The Morreim Drive cul-de-sac is being extended so that there is a secondary means of access to the industrial parcels.

A traffic impact study was conducted based on the proposed subdivision plat and anticipated land uses.

The Boone County Conservation District provided suggestions for Best Management Practices for groundwater recharge, landscaping and environmental impacts the development of the subdivision could create. Staff strongly encourages future development to adhere to these Best Management Practices.

A request for comments was sent to 17 departments, agencies, or other parties. Comments received were either addressed by the applicant or have been incorporated into the recommended conditions of approval. Provided that the suggested conditions of approval are met, the Preliminary Plat of Kelly Farms Subdivision is in conformance with the City of Belvidere's Subdivision Code and Zoning Ordinances.

The planning staff recommends the approval of the preliminary plat for Kelly Farms Subdivision subject to the following conditions:

1. The perimeter boundary line shall be listed in the legend.
2. The western boundary line of the subdivision plat shall be extended to mirror the western annexation boundary line, not Irene Road.

3. The distance between the west boundary line and the right-of-way line shall be noted on the plat.
4. The overall bearing and distance along the eastern boundary shall be noted on the plat.
5. A utility easement shall be placed along the western border of the subdivision that is wide enough to encompass the existing Nicor Gas line and any other utilities currently located along Irene Road.
6. Lot 2 shall have a utility easement.
7. Existing Lot Boundary Lines shall be removed.
8. A drainage overlay needs to be submitted for review and approval prior to final plat approval.
9. A request to waive sidewalk requirements shall be made to the City Council.
10. The Surveyor's Certificate Block, Owner's Certificate Block and Notary's Certificate Block shall be revised to mirror the language found in Appendix A of the Belvidere Subdivision Code.
11. The Public Works Department Certificate Block shall state "Plat" not "Plates".
12. The Illinois Department of Transportation Certificate Block shall state "Approved" not "Approves".
13. The Planning Commission Certificate Block shall be removed.
14. All public improvements shall be completed in accordance with approved construction plans for the development. An engineer's estimate of cost for the public improvements to be completed as a part of this project shall be submitted along with the construction plans for the development.
15. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to the recording of the Final Plat or prior to the approval and release of the construction plans for the development by the Director of Public Works.
16. A construction inspection fee in the amount of three percent of the approved engineer's estimate of costs for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director of Public Works.

17. Unless other arrangements are approved by the City Council, the developer shall pay all normal, customary and standard permit, inspection, tap-on, connection, recapture, basin and other fees that are required but the City at the time of Final Plat submittal.
18. Ownership and maintenance responsibility of the detention areas must be included in the final plat.
19. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
20. The plat shall be recorded with the County Recorder of Deeds within 90 days of City Council approval, unless a plat-recording extension is granted.
21. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

Gina DelRose stated that none of the conditions proposed alter the lot line or parcel configuration.

Mike Drella asked if there is anything of substantive difference between the preliminary plat and the final plat.

Gina DelRose stated there are differences specific to the technical requirements, but nothing is significantly different.

There were no questions for the staff.

It was moved and seconded to recommend approval of case 2022-08 subject to the 21 conditions presented. The motion carried with a 5-0 roll call vote.

2022-09: Kelly Farms Industrial, NE Irene Road/Grant Highway (MA): Application of Scannell Properties #554 LLC, 8801 River Crossing Boulevard, Indianapolis, IN 46240 for a map amendment (rezoning) northeast of Irene Road and US Route 20, commonly known as 2424 US Route 20, Belvidere, IL 61008; 2444 US Route 20, Belvidere, IL 61008 and 2612 US Route 20, Belvidere, IL 61008 from RH, Rural Holding District (pending annexation) to HI, Heavy Industrial District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. The subject property is approximately 163 acres and is in row crop production.

The public hearing was opened at 7:10 p.m.

Gina DelRose was sworn in and summarized the staff report dated April 6, 2022. Ms. DelRose stated the case was published in the Boone County Journal on March

17, 2022 and certified mailings were sent to property owners within 250-feet of the subject properties on March 15, 2022.

The applicant is in the process of purchasing the property and has petitioned for annexation into the City of Belvidere. According to the City of Belvidere Zoning Ordinance, all property annexed into the City defaults to RH, Rural Holding District until properly rezoned by ordinance. In conjunction with the petition of annexation for the subject property, the applicant has petitioned for a rezoning of approximately 163 acres to heavy industrial, approximately 8 acres to general business, a preliminary plat of subdivision for the entire property and a final plat of subdivision for the entire property. Upon subdivision and development of the property, Irene Road will be realigned to better accommodate truck traffic and there will be two large lots within the heavy industrial zone and one lot within the general business zone.

Townhall Industrial Park which abuts the east side of the property was annexed into the City in 1998 and began development shortly afterwards. Morreim Drive will be extended westward into the subject property to provide a secondary means of access to the heavy industrial lots.

The Boone County Soil and Water Conservation District's NRI Report 1686 provided a unfavorable opinion of the change of zoning for the subject property due to a high land evaluation score. This is not uncommon due to the high quality of Boone County farmland. The Boone County Soil and Water Conservation District notes that if there is future development, attention should be paid to soil compaction and erosion, groundwater and habitat providing native landscaping.

Gina DelRose said there is something called a LESA score, which has two parts, land evaluation and a site assessment. The Boone County Soil and Water Conservation District only looks at the land evaluation portion. The presence of high-quality soil for farming will often cause the District to forward a negative opinion on development of such land. Much of Boone County is prime farmland and it is not unusual to receive such a report from that body.

Gina DelRose stated the proposed rezoning for the subject site is not more intense than the other developed uses or anticipated uses in the general area. The development of the subject property includes the realignment of Irene Road which will benefit neighboring properties as well. The Heavy Industrial District requirements will regulate lot coverage, landscaping and aesthetics of new construction.

The planning staff recommends approval of case 2022-09, pending annexation, from RH, Rural Holding District to HI, Heavy Industrial District.

There were no questions for the staff from the commissioners, applicant or interested parties.

Nancy Haggerty, Adam Artz and Chris Carlino were sworn in and testified that the previous testimony given for case 2022-07 was true and accurate to the best of their knowledge.

Chris Carlino thanked Gina DelRose for her hard work on the project and staff reports.

The public hearing was closed at 7:17 p.m.

It was moved and seconded (Cantrell/Druckrey) to accept the findings of fact as presented in the staff report. The motion carried with a 5-0 roll call vote.

It was moved and seconded (Maher/Hyland) to recommend approval of case 2022-09. The motion carried with a 5-0 roll call vote.

2022-10: Kelly Farms Commercial, NE Irene Road/Grant Highway (MA):
Application of Scannell Properties #554 LLC, 8801 River Crossing Boulevard, Indianapolis, IN 46240 for a map amendment (rezoning) northeast of Irene Road and US Route 20, Belvidere, IL 61008 from RH, Rural Holding District (pending annexation) to GB, General Business District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. The subject property is approximately 8 acres and is in row crop production (Part of PIN: 05-32-400-005).

The public hearing opened at 7:22 p.m.

Gina DelRose was sworn in and summarized the staff report dated April 6, 2022. Ms. DelRose said the case was published in the Boone County Journal on March 17, 2022 and certified mailings were sent to property owners within 250 feet of the subject property on March 15, 2022.

Ms. DelRose stated the applicant is in the process of purchasing the property and has petitioned for annexation into the City of Belvidere. According to the City of Belvidere Zoning Ordinance, all property annexed into the City is zoned RH, Rural Holding District until properly rezoned by ordinance. In conjunction with the petition of annexation for the subject property, the applicant has petitioned for a rezoning of approximately 163 acres to heavy industrial, approximately 8 acres to general business, a preliminary plat of subdivision for the entire property and a final plat of subdivision for the entire property. Upon subdivision and development of the property, Irene Road will be realigned to better accommodate truck traffic. This realignment will create an approximately 8-acre lot west of the new Irene Road. Industrial users oftentimes want lots larger than 10 acres, therefore, the applicant is requesting to rezone the property to commercial versus the larger acreage east of Irene Road that is being petitioned to industrial zoning.

Townhall Industrial Park which abuts the east side of the property was annexed into the City in 1998 and began development shortly afterwards. Morreim Drive will be extended westward into the subject property to provide a secondary means of access to the heavy industrial lots.

The Boone County Soil and Water Conservation District's NRI Report 1686 provided a unfavorable opinion of the change of zoning for the subject property due to a high land evaluation score. This is not uncommon due to the high quality of Boone County farmland. The Boone County Soil and Water Conservation District notes that if there is future development, attention should be paid to soil compaction and erosion, groundwater and habitat providing native landscaping.

The planning staff believes that the proposed rezoning for the subject site is not more intense than the other developed uses or anticipated uses in the general area. The realignment of Irene Road will be of benefit to surrounding properties. The General Business District requirements will regulate lot coverage, landscaping and aesthetics of new construction. The planning staff recommends approval of case 2022-10, pending annexation, from RH, Rural Holding District to GB, General Business District.

There were no questions for the staff.

Audience member Jim Hursh asked for clarification of the publication dates for the preceding case.

The applicants were sworn in and stated the testimony they gave previously was true and accurate to the best of their knowledge.

There were no further questions for the applicants.

No discussion was held.

The public hearing closed at 7:26 p.m.

It was moved and seconded (Druckrey/Hyland) to accept the findings of fact as presented in the staff report. The motion carried with a 5-0 roll call vote.

It was moved and seconded (Maher/Hyland) to recommend approval of case 2022-10. The motion carried with a 5-0 roll call vote.

OTHER BUSINESS: None

DISCUSSION: None


Staff Report

Gina DelRose stated the commission would have two cases in May, 2022; both would be special uses.

ADJOURNMENT:


The meeting adjourned at 7:30 p.m.

Recorded by:



Cathy Crawford
Administrative Assistant

Reviewed by:



Gina DelRose
Community Development Planner