

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION AGENDA
Tuesday, July 12, 2022
City Council Chambers
401 Whitney Boulevard
6:00 pm**

ROLL CALL

Members:

Paul Engelman, CHM
Daniel Druckrey, VCHM
Carl Gnewuch
Robert Cantrell
Art Hyland
Alissa Maher
Brad Anderson

Staff:

Gina DelRose, Community Development Planner
Cathy Crawford, Administrative Assistant

MINUTES: Approve the minutes of the June 14, 2022 meeting.

PUBLIC COMMENT:

UNFINISHED BUSINESS: None.

NEW BUSINESS:

2022-16: Ida Public Library (MA): The Ida Public Library, 320 N. State Street, Belvidere, IL 61008 is requesting a map amendment (rezoning) at 117 West Hurlbut Avenue, Belvidere, IL 61008 from SR-6, Single-family Residential-6 District to I, Institutional District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. The subject property is approximately 9,000 square-feet and is vacant (PIN: 05-26-426-010).

Staff (Approval); PZC (); CC-1 (); CC-2 ()

OTHER BUSINESS:

DISCUSSION:

Staff report

ADJOURNMENT

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, June 14, 2022

City Council Chambers

401 Whitney Boulevard

6:00 pm

ROLL CALL

Members Present:

Daniel Druckrey, Vice-Chair

Robert Cantrell

Brad Anderson

Carl Gnewuch

Art Hyland

Staff Present:

Gina DelRose, Community Development Planner

Catherine Crawford, Administrative Assistant

Mike Drella, City Attorney

Members Absent:

Paul Engelman, Chair

Alissa Maher

The meeting was called to order at 6:00 p.m.

MINUTES: It was moved and seconded (Gnewuch/Cantrell) to approve the minutes of the May 10, 2022 meeting. The motion carried with a 5-0 roll call vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

2022-12: Dunkin Donuts, 320 West Chrysler Drive (SU): The applicant and property owner, Kiran Kayastha, 842 W. Lukas Avenue, Palatine, IL 60067 is requesting a special use to permit a planned development in the GB, General Business District at 320 W. Chrysler Drive, Belvidere, IL 61008. The planned development will allow for the following departures: Sections 150.105(C)(5)(B)(2) allowing in-vehicle sales or service (drive-through lane); 150.105(C)(5)(G)(1)(B) minimum landscape surface ratio from 15% to 5%; 150.105(C)(5)(G)(2)(C) minimum building front yard setback from 20 feet to 15 feet; 150.105(C)(5)(G)(2)(C) minimum paved surface setback from 5 feet to zero feet; 150.204(D)(3)(A) minimum parking required from 17 spaces to 15 spaces; 150.204(D)(8)(B) minimum stacking length from 40 feet in front of the window to 37 feet in front of the window; Table 150.604 reducing the amount of required landscaping due to the increased lot coverage; and 150.904 Special Use Review and Approval Procedures. The planned development is being requested in order to construct a new three-unit building with a drive-through lane.

The public hearing opened at 6:03 pm

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on May 26, 2022 and certified mailings were sent to property owners within 250 feet of the subject property on May 19, 2022. Ms. DelRose summarized the staff report dated June 7, 2022.

The property was platted in 1978 and is part of the Commercial Plaza development. It is an outlot of the larger commercial development to the south and west. Even though it has road frontage along West Chrysler Drive and Pearl Street, due to its configuration, it is accessed through the adjacent property by a cross-access easement rather than having ingress/egress too close to the intersection. This cross-access easement will become more crucial if and when the State of Illinois redesigns the intersection. In addition to the limited accessibility of the property, it is substandard in terms of lot size. The current code requires properties zoned general business to be a minimum of 20,000 square feet; the subject property does not meet this requirement as it is only 19,770 square feet.

The applicant is proposing to tear down the existing restaurant building and construct a new 4,886 square-foot multi-tenant building with a drive-through lane. The redevelopment as proposed requires a special use for a planned development that encompasses 7 deviations of the Belvidere Zoning Ordinance. Two of the deviations are for the drive-through lane itself and for decreasing the stacking length in front of the window by three feet. Another deviation relates to the new building, in reducing the front-yard setback by five feet along Pearl Street, three feet of said encroachment is due to the drive-through window. The applicant is also requesting to deviate from the amount of required parking spaces by reducing to 15 spaces. Additional parking needs will be met by the cross-access easement, allowing patrons to utilize the adjacent parking area. The final three deviations mirror existing site conditions. The minimum landscape surface ratio will be reduced to 5%, pavement will be permitted to extend to the lot lines and the amount of required landscaping will be reduced accordingly.

The request for a restaurant with a drive-through lane in a highly trafficked area, near other fast food offerings, is not unusual. The deviations being requested are not drastically changing from existing conditions. The cross-access easement allows for a shared parking scenario with the adjacent commercial land uses. The largest impact on the neighborhood may be the increased traffic generated and the increased square-footage of the building. Although the building is closer to Pearl Street than the existing building and the amount of vehicle trips to the site will increase due to the drive-through lane and multiple businesses, the overall site design reduces negative impacts. Traffic entering the development will need to do so from the north, instead of the south, allowing for better vehicle circulation. The curbing of the drive-through lane and landscape islands will keep vehicles from accidentally blocking the primary ingress/egress point to the entire plaza. Also,

vehicles backing in and out of parking spaces will not have to use the Commercial Plaza drive aisles for maneuvering as they do now.

The planning staff recommends approval of the special use subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan dated 5/9/2022 unless otherwise noted.
2. The existing water meter and remote reader shall be removed prior to building demolition and reinstalled by the Water Department once the new building is completed.
3. Cross-hatched areas on the site plan shall be impervious landscape islands in order to eliminate any increase in runoff from the proposed improvements.
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)(5)(B)(2) allowing in-vehicle sales or service (drive-through lane); 150.105(C)(5)(G)(1)(B) minimum landscape surface ratio from 15% to 5%; 150.105(C)(5)(G)(2)(C) minimum building front yard setback from 20 feet to 15 feet; 150.105(C)(5)(G)(2)(C) minimum paved surface setback from 5 feet to zero feet; 150.204(D)(3)(A) minimum parking required from 17 spaces to 15 spaces; 150.204(D)(8)(B) minimum stacking length from 40 feet in front of the window to 37 feet in front of the window and Table 150.604 reducing the amount of required landscaping due to the increased lot coverage.

The Vice-Chair invited questions from the commission to the staff.

Carl Gnewuch clarified from Gina DelRose that mention of the word "impervious" as related to landscape islands should be "pervious".

There were no questions from the applicant or the public for staff.

The applicant Kiran Kayastha and the applicant's representative Sarah Dring, of ECA Architects, were sworn in. Ms. Dring presented a graphic poster of the proposed site and explained the proposed traffic configuration.

Kiran Kayastha stated the other tenants of the proposed building will be family members who are franchisees of other businesses as well as the main tenant, a franchise of Dunkin Donuts.

Sarah Dring stated that it is a good thing for the proposed use to include a national chain and the deviations requested will allow people to use the site quickly and safely.

Robert Cantrell asked Mr. Kayastha if he is the owner of the Dunkin Donuts store in Belvidere's Walmart.

Kiran Kayastha stated he is the owner and that the Walmart location will remain.

Carl Gnewuch stated he had concerns with the potential length of stacking lanes for coffee-related drive-through facilities.

Sarah Dring stated the turnover time per transactions according to Dunkin Donuts policy is 90 seconds.

Kiran Kayastha stated he does not anticipate overly long lines and that the service will be very fast.

Carl Gnewuch questioned how close the sidewalk will be to the parking blocks, in light of the reduced setback area.

Sarah Dring stated the blocks will be sufficiently far from the sidewalk.

Carl Gnewuch asked if the blocks can be back further to reduce overhang close to the sidewalk for better pedestrian safety.

Gina DelRose stated there is sufficient room to place the parking blocks back further than what was proposed on the site plan.

Carl Gnewuch asked if such a difference can be a condition of the special use.

Gina DelRose said yes.

The Vice-Chair invited interested parties to ask questions of the applicants.

Narain Mandhan stated he is the owner of New Raj Investments, LLC, the owner of the in-line commercial center and parking lots adjacent to the proposed planned development. Mr. Mandhan stated he wished to present into evidence a letter prepared by his attorney representative stating certain objections to the proposed special use.

City Attorney Mike Drella stated that the proceedings are handled similar to a small claims trial, where those giving evidence must be physically present to allow for others to cross-examine them. Due to the absence of Mr. Mandhan's attorney, no

cross examination is possible. Mr. Drella said it would be permissible to allow Mr. Mandhan to issue his objections as a form of argument, however.

Carl Gnewuch asked whether the letter may be presumed to offer Mr. Mandhan's opinions.

Mike Drella said that unless Mr. Mandhan is submitting evidence on his own through his own personal knowledge, it should not be entered into evidence.

Carl Gnewuch stated he would like to hear the argument.

There were no stated objections.

Narain Mandhan stated he was not against the proposed planned development, but had certain concerns with the plan. These included a concern that a single-use building will be replaced with a multi-tenant facility. Mr. Mandhan asked if the applicant would be willing to share in the additional expenses that would be incurred by the presence of increased traffic and need for additional maintenance.

Carl Gnewuch asked why Mr. Mandhan was concerned with three tenants versus one tenant.

Narain Mandhan said it would increase traffic to the site.

Carl Gnewuch asked if Mr. Mandhan knew this for a fact.

Narain Mandhan stated it is a generally accepted belief that more tenants would increase traffic to such a development.

There were no further questions for Mr. Mandhan.

The public hearing was closed at 6:34 p.m.

No discussion was held.

Mike Drella stated the letter from Mr. Mandhan's attorney had been given to all of the commissioners. Mr. Drella repeated the stipulation that Mr. Mandhan's objections can be accepted as argument but would not be placed into evidence. Mr. Drella also noted that any Covenants and Restrictions in place for Commercial Plaza are not the concern of the Planning and Zoning Commission and must be dealt with privately between the property owners. Questions regarding traffic would concern the commission but questions regarding maintenance of the parking lot pursuant to the Covenants and Restrictions are outside of their scope.

It was moved and seconded (Gnewuch/Cantrell) 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 (Cantrell/Hyland) to recommend approval of case 2022-12 subject to the five conditions stated.

It was moved and seconded (Gnewuch/Anderson) to add the condition as follows:

The parking blocks shall be placed two feet from the edge of pavement instead of the depicted one and one half feet.

The motion carried with a 4-1 voice vote. Robert Cantrell voted no.

The motion to recommend approval carried with a 5-0 roll call vote. Robert Cantrell.

Mike Drella explained that all that was recommended for approval were the zoning issues, the other issues need to be worked out among the various property owners.

2022-13: Boone County Arts Council, 106 North State Street (SU): The applicant, Boone County Arts Council, PO Box 311, Belvidere, IL 61008 on behalf of the property owner, The Apollo Theater AC, 12244 Brandon Court, Caledonia, IL 61011 is requesting a special use to install a mural at 106 North State Street within the CB, Central Business District (Belvidere Zoning Ordinance Sections 150.1012(A)(1) and 150.904 Special Use Review and Approval Procedures). The proposed mural will replace the current mural on the north side of the building and, like the current mural, will depict Latino heritage.
The public hearing opened at 6:43 p.m.

Gina DelRose was sworn in. The case was published in the Boone County Journal on May 26, 2022 and certified mailings were sent to property owners within 250 feet of the subject property on May 19, 2022. Ms. DelRose summarized the staff report dated June 2, 2022.

In 1998, the City Council approved a special use per Resolution 643-1998 for three different murals, one being the "Unity Mural" that is on the northern wall of the subject property. A condition of approval placed on this special use was that "Each individual mural shall be approved by the City Council". There was no condition or discussion preventing the replacement of that mural with a new one, only the need for City Council approval of any mural on the property.

Due to water damage and exposure to the elements, the current "Unity Mural" is damaged. The Boone County Arts Council has been able to connect with one of the original artists of the mural to create a modern version of the "Unity Mural". This modern version will be mounted onto the wall instead of directly painted to the wall allowing for both easier maintenance of the mural and of the exterior building wall.

The mural will be approximately the same size as the current mural and mounted in the same location.

The subject property is located downtown, north of the Kishwaukee River. The northern wall of the property has had a smaller mural painted on it since 1998 and staff is not aware of any negative impacts it created. There are numerous murals located throughout the city's downtown area; the more modern mural on the building will not be out of character. Like the other downtown murals, this one represents a segment of Belvidere's history.

The location is surrounded by institutional uses, residential, commercial and mixed-use buildings along with several murals nearby. The City of Belvidere's Comprehensive Plan designates this property as central business, which calls for pedestrian-orientated indoor land uses with streetscaping and low-key signage. Public art can be pedestrian-orientated and part of the streetscape. The requested special use for a mural does not lessen the property's level of compliance with the Comprehensive Plan; the site will be required to be in conformance with the requirements of the City of Belvidere's Zoning Ordinance.

The new mural will represent the same meaning as the current and be of similar size and placement. The mural is being installed in such a way as to be removable if deterioration becomes an issue. In addition to the requirements of this Special Use, compliance with the City of Belvidere's Zoning Ordinance is required. The planning staff recommends approval of case 2022-13 subject to the following conditions:

1. The mural shall be maintained by the Boone County Arts Council and property owner according to Belvidere's Zoning Ordinance requirements. If the mural shall fall into disrepair, then it shall be removed from the subject property.
2. The mural shall be in substantial conformance with the image provided by the applicant.

The Vice-Chair invited questions for the staff. Seeing none, the Vice-Chair invited the representative from the Boone County Arts Council to step forward.

Jay Allen was sworn in. Mr. Allen explained the importance of the new mural and how it will be constructed.

The public hearing closed at 7:00 p.m.

It was moved and seconded (Cantrell/Gnewuch) 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 (Cantrell/Gnewuch) to recommend approval of case 2022-13 subject to the conditions as stated. The motion carried with a 5-0 roll call vote.

2022-14: Gomez, 119 South State Street (SU): The applicant and property owner, Pablo Gomez, 119 S. State Street, Belvidere, IL 61008 is requesting a special use to permit indoor commercial entertainment. This would include the ability to have a banquet facility that may serve alcohol or have video gaming at 119 South State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the CB, Central Business District on less than an acre.

It was noted that neither the applicant nor their representative was present for case 2022-14. Discussion was held to determine if the commission would open the public hearing or postpone it until the July, 2022 meeting. It was decided that the public hearing would be opened

The public hearing opened at 7:07 p.m.

Gina DelRose was sworn in. The case was published in the Boone County Journal on May 26, 2022 and certified mailings were sent to property owners within 250 feet of the subject property on May 19, 2022. Gina DelRose stated the applicants were notified of the date, time and location of the public hearing. Ms. DelRose summarized the staff report dated June 6, 2022.

Gina DelRose stated the subject property has seen a variety of uses. At one point it was the site of Belvidere's City Hall. Barr's Flowers occupied the location and completed a façade renovation in 2007, closing in 2021 when it was purchased by the applicant.

Unlike many other downtown properties in Belvidere, the subject property offers a minimal amount of parking and has a loading area in the rear of the building for deliveries. Parking requirements for indoor commercial entertainment land uses are based on occupancy loads so it is unclear at this time how many parking spaces would typically be required. However, the property is zoned central business therefore is not required to have on-site parking. This is due to the abundance of municipal parking lots throughout the downtown area. The nearest municipal lot is 25 feet away and is accessible from Leonard Court.

The indoor commercial entertainment land use category includes a multitude of land uses that often have later operating hours such as taverns, theaters, bowling alleys, arcades, roller rinks, banquet facilities and pool halls. Businesses are allowed, however, to operate 24/7 in the Central Business District. Due to the building's size, potential businesses such as theaters, bowling alleys and roller rinks most likely will

not be able to operate. Taverns, arcades (including video gaming if licenses are available) and banquet facilities are most likely to operate in the building in addition to other land uses such as office, retail and restaurants.

The requested special use is for indoor commercial entertainment allowing a variety of land uses such as bars, banquet facilities and arcades to be located in the Central Business District where such land uses are common. Entertainment-based businesses are often encouraged in downtown districts. The potential for businesses operating with late night hours is not out of character for the downtown area.

Similar land uses are already established within the downtown area such as the Apollo Theater and the Hidden Aerie. The atrium of Boone County Museum of History is often converted into a banquet facility as well. Land uses like event centers can often support other nearby businesses. Those attending events may also enjoy a meal or drink from a nearby business.

Gina DelRose stated the Fire Department had concerns regarding outstanding code violations that would have to be corrected. Ms. DelRose said the Building Department pointed out this is a change of use and washroom facilities and other concerns would have to be addressed during the permitting process. Currently the Gomez Food Truck is parked at this location. The Fire Department would like to see the food truck parked at least ten feet from the building due to fire hazards present on food trucks. Staff is looking at regulating food trucks within the city and the fire department would be part of that process.

The planning staff recommends approval of case 2022-14 subject to the following conditions:

1. Consumption of alcohol is prohibited outside the premises.
2. Any food trucks shall be parked a minimum of 10 feet from the building.
3. A stamped site plan shall be submitted for review by the appropriate staff before building permits may be issued. This includes building codes, fire codes, public works and planning department review.
4. A minimum 12-foot wide drive aisle shall be accessible so that vehicles can access the rear loading and parking areas.

The Vice-Chair asked for questions for the staff and asked how many video gaming licenses are allowed in the City of Belvidere.

Gina DelRose stated that the number is 40 currently; 42 special uses have been approved. Of the 40 available, 37 are now issued and several applicants who were

granted special uses are actively working on renovations to meet the state requirements. The likelihood of getting an available license currently is slim.

The public hearing was closed at 7:18 p.m.

It was moved and seconded (Gnewuch/Cantrell) 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 to recommend approval of case 2022-14 subject to the four conditions presented. The motion carried with a 5-0 roll call vote.

2022-15: City of Belvidere (TA): The City of Belvidere, 401 Whitney Boulevard, Belvidere, IL 61008 is requesting a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Sections 150.013 Definitions, 150.204(D) Non Residential Districts- Planned Business and General Business, 150.204(D) Commercial Land Uses- Vehicle Repair and Maintenance and Car Detailing Shop, 150.702 Width of Driveways, 150.704 Parking Space Design Standards, Table 150.704(F)(8) regarding dimensions, Appendix C: Land Use Summary Chart (Commercial) and Section 150.902 Amendment of Zoning Regulations (Text Amendments). Specifically, the amendments are in regards to car detailing shops and parking lot standards.

The public hearing opened at 7:20 p.m.

Gina DelRose was sworn in. The case was published in the Boone County Journal on May 26, 2022. Ms. DelRose explained that the text amendments being proposed include car detailing shops and parking lot standards.

Gina DelRose stated that the Zoning Ordinance currently includes car detailing shops under Vehicle Repair and Maintenance. This includes a wide range of businesses. The City has seen an increase in the number of illegal home businesses for such services as window tinting and installation of car stereos due to the burden of needing to secure a special use to run a business defined as Vehicle Repair and Maintenance. The proposed text amendment would allow car detailing shops by right, as separate from other vehicle repair and maintenance, in the Planned Business and General Business Districts.

Gina DelRose stated that in speaking with the Public Works director it was discovered that the Zoning Ordinance language relating to parking standards conflicts with the Illinois Department of Transportation (IDOT) standards. The Public Works director refers to the IDOT standards and planning staff had been reviewing site plans per the existing zoning ordinance standards. It was decided to propose that the language of the Zoning Ordinance match that of the IDOT standards to eliminate these conflicts.

Gina DelRose said the proposed parking standards will help encourage safe parking due to the larger vehicles often driven in Boone County as well as due to the general widening seen in current auto design to accommodate safety features. The planning staff recommends approval of Case 2022-15.

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

It was moved and seconded (Gnewuch/Hyland) to recommend approval of case 2022-15. The motion carried with a 5-0 roll call vote.

OTHER BUSINESS: None

DISCUSSION: None

Staff Report

Gina DelRose said there would be one case in July involving the rezoning of a property owned by the Ida Public Library.

Gina DelRose reminded members of the upcoming Heritage Days celebration and encouraged all to attend the weekend of June 24, 2022.

ADJOURNMENT:

The meeting adjourned at 7:28 p.m.

Recorded by:

Reviewed by:

Cathy Crawford
Administrative Assistant

Gina DelRose
Community Development Planner

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

401 WHITNEY BLVD, SUITE 300 BELVIDERE, IL 61008 * PII (815)547-7177 FAX (815)547-0789

July 5, 2022

ADVISORY REPORT

CASE NO: 2022-16

APPLICANT: Ida Public Library, 117 W. Hurlbut Avenue

REQUEST AND LOCATION:

The applicant and property owner, The Ida Public Library, 320 N. State Street, Belvidere, IL 61008 is requesting a map amendment (rezoning) at 117 West Hurlbut Avenue, Belvidere, IL 61008 from SR-6, Single-family Residential-6 District to I, Institutional District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. The subject property is approximately 9,000 square-feet and is vacant (PIN: 05-26-426-010). See attached aerial photo.

BACKGROUND:

The approximate 9,000 square-foot parcel was previously developed with the Youndt House which was granted local landmark status in 2004. The Ida Public Library purchased the property in 2012 and in 2016 requested a Certificate of Appropriateness from the Belvidere Historic Preservation Commission for its demolition. Due to the deteriorating condition of the residence, the Commission granted the request and the Youndt House was subsequently torn down.

The Ida Public Library owns 10 of the 11 parcels that comprise the block. The optical center located at 304 North State Street is under private ownership. Out of the 10 parcels owned by the Library, 7 are zoned Institutional. The parcel commonly known as Calvary Baptist Church is zoned Central Business District and the former Carroll Engineering & Associates residence is zoned Neighborhood Business District. The Library is requesting the sole residentially-zoned property to be rezoned to Institutional in order to allow the parcel to be used for library purposes.

Land uses permitted by right in the Institutional District are not-for-profit recreational facilities such as gyms, swimming pools, libraries and museums. Schools, colleges, churches, nonprofit clubs and other similar land uses are also permitted. The property measures less than one acre which is too small to house many of the permitted land uses in the Institutional District. Parcels of this size are not likely to be developed as a single parcel development. They would most likely be developed in conjunction with other parcels. Such is the scenario for the Ida Public Library. Anderson Funeral Home and Cremation Services is located one block to the west and the Funderburg House is located two blocks to the north. Institutional land uses are land uses that have traditionally been located in or near residential areas.

FINDINGS OF FACT:

Per Section 150.903 (D) of the City of Belvidere Zoning Ordinance, the criteria for granting an Amendment of the Official Zoning Map are as follows:

A. Existing uses and intensities of property within the general area of the property in question.

Findings:

Subject property: Vacant

Adjacent property:

North: Ida Public Library parking lot and Calvary Baptist Church

South: Future parking lot for funeral home and Multi-family residence

West: Ida Public Library parking lot and vacant

East: Calvary Baptist Church and residential

The property is on the northern edge of the downtown area where it begins to transition into the North State Street commercial corridor. The area consists of commercial land uses along North State Street, residential land uses primarily to the west and clustered institutional land uses such as the funeral home, library, Funderburg House and churches.

B. The zoning classification of property within the general area of the property in question.

Findings:

Subject property: SR-6, Single-family Residential-6 District

Adjacent property:

North: I, Institutional District and CB, Central Business District

South: I, Institutional District and SR-6, Single-family Residential-6 District

West: I, Institutional District

East: CB, Central Business District and NB, Neighborhood Business District

The property is near a mix of commercial, residential and institutional land uses and the zoning of surrounding property reflects that. However, the majority of adjacent property is zoned institutional and central business.

C. The suitability of the property in question for the uses permitted under the existing zoning classification.

Findings: The property is suitable for the existing zoning classification (Single-family Residential-6 District) in its current state.

The property was developed with a large single-family residence prior to its demolition in 2016. Although the parcel of land has been vacant for years, it meets minimum zoning requirements to construct an adequately sized residence on it.

D. The trend of development, if any, in the general area of the property in question, including changes (such as the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes), if any, that may have taken place since the day the property in question was placed in its present zoning classification and that make the property more appropriate for a different zoning district.

Findings: Changes that make the property more appropriate for a different zoning district have taken place since the property was placed in its present zoning classification.

The majority of the residential neighborhood was established in the late 1800s and early 1900s. The funeral home was constructed in 1937 and the Ida Public Library was constructed in 1913. Although Belvidere adopted its first zoning ordinance and zoning map in 1956, the Institutional zoning district was not established until 2006. Since the adoption of the 2006 zoning ordinance and zoning map, several nearby properties associated with the funeral home have been rezoned to either Institutional or Central Business.

Although the property could be developed as a single-family residence, institutional land uses have been a part of the neighborhood for a century.

E. Whether the proposed amendment is consistent with the plans and policies of the Comprehensive plan adopted by the City of Belvidere.

Findings:

Subject property: Single Family

Adjacent property:

North: Institutional and Single Family

South: Single Family

East: Institutional Neighborhood Business

West: Single Family

The proposed rezoning is not fully consistent with the plans and policies of the Comprehensive plan adopted by the city. The subject property is designated as residential by the City of Belvidere's Comprehensive Plan, adopted November 10, 1999. The Single-Family Residential land use category encourages sewered, single-family residential development at densities up to five (5) dwelling units per acre. The Comprehensive Plan does not call out future institutionally-zoned properties unless a school or church had purchased property for future use.

The Comprehensive Plan anticipated the property remaining in the residential land use it was at time of adoption. Typically, aside from properties fronting along commercial corridors, the Comprehensive Plan depicts a minimal amount of zoning changes in Belvidere possibly due to an abundance of land surrounding Belvidere that makes infill development less popular.

The current Zoning Ordinances does not allow institutional uses outside of the Institutional and Central Business zoning districts. Prior to the adoption of the current Zoning Ordinance in 2006, institutional land uses were allowed in residential and commercial districts, depending on the specific land use. An argument could be made that, at the time the Plan was drafted and approved, Belvidere did not intend to prevent community-supported businesses and civic institutions such as the library from locating in the neighborhood. Institutional uses are usually zoned on a lot-by-lot basis.

F. Whether the proposed Official Zoning Map amendment furthers the purposes of the Zoning Ordinance and the applicable rules and regulations of the State of Illinois and the Federal Emergency Management Agency (FEMA).

Findings: The proposed Official Zoning Map amendment will further the purposes of this Chapter and the applicable rules and regulations of the State of Illinois and the Federal Emergency Management Agency (FEMA).

The applicant needs to meet the requirements of all codes and regulations.

G. Whether a mistake was made in mapping on the Official Zoning Map or if an area is developing in a manner and purpose different from that for which it is mapped.

Findings: This does not apply to this case.

SUMMARY:

The planning staff believes that the proposed rezoning and use for the subject site is not more intense than the other uses in the general area. The property is part of a larger development that has a significant history in Belvidere. The intent is not to construct a standalone building, which would be difficult due to the parcel's size; but to develop in conjunction with the adjacent property. This will allow the library to continue to meet the community's needs.

RECOMMENDATION:

The Planning staff recommends the approval of case number 2022-16 to rezone 217 W. Hurlbut Avenue from SR-6 Single-family Residential-6 District to the I, Institutional District.

Submitted by:



Gina DelRose, Community Development Planner

PLANNING AND ZONING COMMISSION/CITY COUNCIL ACTION

The Planning and Zoning Commission shall make and forward findings of fact as to the whether the proposed map amendment furthers the purposes of the Zoning Ordinances and make a recommendation to the City Council. The City Council shall review the findings and recommendation and may accept or reject the findings and recommendation of the Planning and Zoning Commission in whole or in part; or the City Council may refer the matter back to the Planning and Zoning Commission for further consideration. Any approval shall be considered the approval of a unique request and not be construed as precedent for any other proposed map amendment.

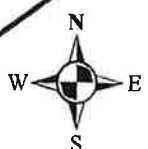
ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial photo by Planning Staff.
3. Zoning Maps by Planning Staff.
4. Narrative submitted by Applicant.
5. NRI #1695 submitted by Teagan Duffy, Boone County Soil and Water Conservation District dated May 31, 2022
6. Letter submitted by Amanda Mehl, Boone County Health Department dated June 21, 2022.

N STATE ST

W HURLBUT AVE

CASE 2022-16
117 West Hurlbut Avenue
Ida Public Library
MA



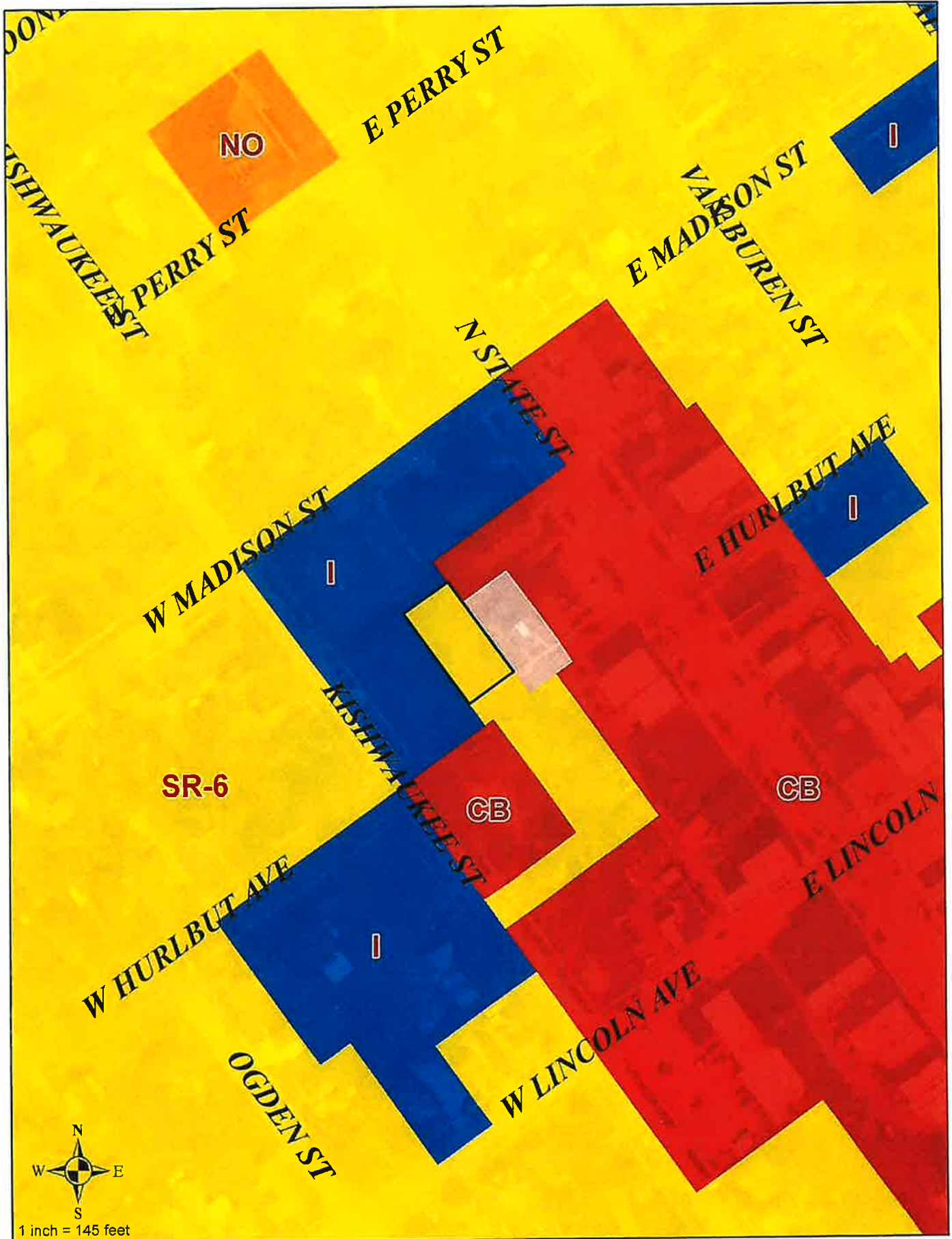
1 inch = 47 feet



CASE 2022-16
117 West Hurlbut Avenue
Ida Public Library
MA



Current zoning



SR-6

NO

CB

CB



1 inch = 145 feet

Camp plan



NB

INST

SF

CB



1 inch = 145 feet



Belvidere, IL

City of Belvidere

Community Development

RE: Application for Zoning Change

Ms. DelRose:

Ida Public Library is applying for a zoning change to a small parcel owned by the Library Board of Trustees. This parcel sits between the residential home the board owns at 111 W. Hurlbut and the rest of the property at West Hurlbut and Kishwaukee St, also owned by the board and deemed our "empty lot".

The small parcel was previously known as 117 W. Hurlbut and was purchased by the board in 2012 with the intention of having a large parcel for future expansion. The home was demolished but the zoning was never changed from Residential to the Ida Public Library Institutional zoning.

At this time, we have no plans to build a large structure on the lot, but we are considering one possibility which would require a zoning change:

- A small pavilion for outdoor programs. If we do build this structure, it would be based upon the outdoor pavilion recently constructed by Anderson Funeral Home, to ensure neighborhood continuity. We have the name of their builder and would consult with them on design.

Thank you for considering this change. Of course, we may not be able to raise the funds for this plan, but if not, it will be advantageous to the next line of administrators to have this zoning change already completed.

Regards,

Mindy Long

Executive Director



**Boone County
Soil & Water
Conservation District**

211. N. Appleton Road
Belvidere, IL 61008
815-544-3465 x3

31 May 2022

SWCD NRI #: 1695

Belvidere Planning Department
401 Whitney Blvd., Suite 300
Belvidere, IL 61008

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted. We will supply a written reply to your office as indicated below:

Our review does not apply in this instance.
 Other (see attached)

Location of Site: 117 W. Hurlbut Belvidere, IL 61008
PIN(S): 05-26-426-010

Contact	Petitioner	Owner
Mindy Long, Executive Director 320 N. State St. Belvidere, IL 61008 815-544-3838 mindyl@idapubliclibrary.org	Same as Contact	Ida Public Library Board of Trustees 320 N. State St. Belvidere, IL 61008

Request: Zoning change from Residential to Industrial

Notes: There are no soil properties that will prevent the desired use. Please see attached document for additional soils information.

Sincerely,

Teagan Duffy
Boone County Soil & Water
Conservation District



Public Health
Prevent. Promote. Protect.

Boone County Health Department

1204 Logan Avenue, Belvidere, Illinois 61008
Main Office 815.544.2951 Clinic 815.544.9730 Fax 815.544.2050
www.boonehealth.org

The mission of the Boone County Health Department is to serve our community by preventing the spread of disease, promoting optimal wellness & protecting the public's health.

June 21, 2022

City of Belvidere
Community Development
Gina DelRose
401 Whitney Blvd Suite 300
Belvidere, IL 61008

Email: gdelrose@ci.belvidere.il.us

Re: Case: 2022-16; Ida Public Library, 117 W Hurlbut Avenue

Dear City of Belvidere,

We are in receipt of a map amendment request (rezoning) at 117 West Hurlbut Avenue, Belvidere, IL 61008 from SR-6, Single-family Residential -6 District to I, Institutional District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. PIN: 05-26-426-010

At this time, the Boone County Health Department has no comment.

If you have any questions or concerns, please contact us at (815) 544-2951 ext. 2 or at info@boonehealth.org.

Sincerely,

Amanda Mehl
Public Health Administrator
Boone County Health Department

AT

BELVIDERE

Community Development Department Planning Department

401 Whitney Boulevard, Suite 300, Belvidere, Illinois, 61008 (815) 547-7177 FAX (815) 547-0789

June 2022 Monthly Report

Number	Project	Description	Processed
Belvidere Projects			
4	Cases: June	320 W. Chrysler Drive, SU	4/12/2022
		104-106 North State Street, SU	5/5/2022
		119 South State Street, SU	5/6/2022
		City of Belvidere, TA	5/10/2022
1	Cases: July	117 W. Hurlbut Avenue, MA	6/6/2022
0	Annexation	None	
0	Temporary Uses	None	
2	Site Plans (New/Revised)	1210 Irene Road	6/14/2022
		6853 Indy Drive	6/17/2022
0	Final Inspection	None	
0	Downtown Overlay Review	None	
4	Prepared Zoning Verification Letters	1003 Columbia Avenue	6/10/2022
		600 S. State Street	6/17/2022
		311 Logan Avenue	6/17/2022
		PIN: 05-35-176-010	6/29/2022
0	Issued Address Letters		
	Belvidere Historic Preservation Commission	The Commission reviewed the Downtown Façade Improvement Grant Program applications for historical significance, the Commission approved a Landmarked Property Maintenance Program grant application, the Commission began discussing the fall awards program and fall fundraiser and held elections.	
	Heritage Days	Staff worked Heritage Days weekend-coordinating activities, providing assistance, monitoring Facebook, etc.	
	Hometown Christmas	None	
Scanned Plats: E-mail, Print and/or Burn			
1	Recorder's Office		
3	Other Department		
0	General Public		

Planning Monthly Report Cont.

Planning Department Current Duties

Close out completed planning case files

Respond to all FOIA requests

Work with 911, Fire Department and Post Office to verify all addresses in the City

Assist Growth Dimensions with requested data

Meetings and phone calls with developers regarding potential development

Phone calls/walk-ins for questions regarding zoning, floodplain, development, etc.

Prepare minutes, agendas and packets for various committees, commissions and boards

Prepare deposits and purchase orders for bill payments

*** Staff continues to reach out to the public to fill the vacancies on the Historic

Preservation Commission

*** Staff answered questions and accepted applications for the Downtown Façade Improvement Grant Program

CITY 2022

Date	Case	Request	Petitioner/ Address	PZC	CC1	CC2
------	------	---------	---------------------	-----	-----	-----

June

4/12/2022	2022-12	SU	DD, 320 W. Chrysler Drive	6/14/2022	6/20/2022	7/5/2022
5/6/2022	2022-13	SU	BCAC, 104-106 N State Street	6/14/2022	6/20/22	7/5/22
5/6/2022	2022-14	SU	Gomez, 119 South State Street	6/14/2022	6/20/22	7/5/22
5/6/2022	2022-15	TA	car detailing, parking lot standards	6/14/2022	6/20/22	7/5/22

July

6/6/2022	2022-16	RZ	Ida Public Library, 117 W. Hurlbut	7/12/2022	7/18/2022	8/1/2022

August

Variation	
Map Amendment	3
Subdivision	3
Special Use	8
Annexation	1
Text Amendment	1
Temporary Use	
Appeals	
Total	16