

State of Illinois) SS
Belvidere, Illinois)

BELVIDERE CITY COUNCIL
REGULAR MEETING
AGENDA

Tuesday, January 17, 2017

Convened in the Council Chambers, 401 Whitney Blvd, Belvidere IL at 7:00 p.m.
Mayor Chamberlain presiding.

- (1) Roll Call:
- (2) Pledge of Allegiance:
Invocation: Mayor Chamberlain.
- (3) Public Comment: (Please register with the City Clerk):
- (4) Approval of minutes of the regular meeting of the Belvidere City Council of January 3, 2017; as presented.
- (5) Public Hearing:
- (6) Special Messages and Proclamations:
- (7) Approval of Expenditures: General & Special Fund Expenditures: \$1,428,494.89
Water & Sewer Fund Expenditures: \$ 340,240.51
- (8) Committee Reports and Minutes of City Officers:
 - (A) Belvidere Police Department Overtime Report of December 20, 2016 through January 2, 2017.
 - (B) Belvidere Fire Department Overtime Reports of December 21, 2016 through January 3, 2017.
 - (C) Monthly Report of Community Development/Planning Department for December 2016.
 - (D) Monthly Revenue Report of Building Department for December 2016.
 - (E) Monthly Treasurer's Report for December 2016.
 - (F) Monthly General Fund Report for December 2016.
 - (G) Monthly Water/Sewer Fund Report for December 2016.
 - (H) Minutes of Planning and Zoning Commission of January 10, 2017.
 - (I) Minutes of Committee of the Whole – Building, Planning and Zoning and Public Works of January 9, 2017.
- (9) Unfinished Business: None.

(10) New Business:

- (A) Ord. #325H – 1st Reading: An Ordinance Amending Section 110-198 of the City of Belvidere Municipal Code – Landmark Drive.
- (B) Ord. #326H – 1st Reading: An Ordinance Granting a Special Use Permit to Allow Indoor Commercial Entertainment (Bar/Tavern with Video Gaming) within the NO, Neighborhood Office District (1550 Pearl Street).
- (C) Ord. #327H – 1st Reading: An Ordinance Granting a Special Use Permit to Allow Indoor Commercial Entertainment (Bar and Grill with Video Gaming) within the CB, Central Business District (116 Buchanan Street).
- (D) Ord. #328H -1st Reading: An Ordinance Approving Preliminary Plat of Little Caesars 2 Lot Subdivision.
- (E) Ord. #329H – 1st Reading: An Ordinance Approving Final Plat of Little Caesars 2 Lot Subdivision.
- (F) Ord. #330H – 1st Reading: An Ordinance Granting a Special Use for a Planned Development within the GB, General Business District (for Little Caesars, 1209 North State Street).
- (G) Ord. #331H – 1st Reading: An Ordinance Granting a Special Use for a Planned Development within the PB, Planned Business District (for Casey's General Store, 425 Beloit Road).
- (H) Res. #2050-2017: A Resolution Authorizing the Participation in the Northern Illinois Municipal Electric Collaborative (NIMEC) and Authorizing the Mayor to Approve a Contract with the Lowest Cost Electricity Provider for a period up to 36 months.
- (I) Res. #2051-2017: Illinois Transportation Legislative Initiative Resolution of Support to Benefit the Economy and the Citizens of Illinois (80% Highways/20% Transit & Highways Portion at 60% IDOT/40% Local Roads).
- (J) Res. #2052-2017: A Resolution Authorizing Certain Annual Parades for 2017.

Motions forwarded from Committee of the Whole - Building, Planning and Zoning and Public Works of January 9, 2017.

Motions Chairman Brooks.

- (A) Motion to approve the Notice of State Award Agreement for Tripp Road Infrastructure Improvements.

- (B) Motion to approve the cost of bridge inspections by Hampton, Lenzini & Renwick (our IDOT approved bridge manager) on a time and material basis not to exceed \$7,800. This work will be paid for from line item 01-5-360-6140 Engineering Services.
 - (C) Motion to approve the proposal from Ollmann Ernest Martin Architects to complete the architectural design engineering construction inspection services for the thickener building modifications at a cost not to exceed \$11,500. This work will be paid for from the Sewer Depreciation Fund.
 - (D) Motion to approve the Professional Services Agreement between the Lakota Group and the City of Belvidere.
 - (E) Tolling Agreement between the City of Belvidere, Atlas Copco Compressors LLC and Baxter & Woodman.
- (11) Other: Review of Executive Session Minutes pursuant to 2 (c) (21) of the Open Meetings Act.
- (12) Adjournment:

State of Illinois SS
Belvidere, Illinois

**Belvidere City Council
Regular Session
Minutes**

Date: January 3, 2017

Convened in the Belvidere City Council Chambers, 401 Whitney Blvd, Belvidere Illinois at 7 p.m.

Mayor Chamberlain presiding:

- (1) Roll Call: Present: D. Arevalo, R. Brooks, J. Sanders, G. Crawford, W. Frank, M. Sanderson, D. Snow and C. Stevens.
Absent: C. Morris and T. Ratcliffe.

Other staff members in attendance:

Budget and Finance Director Becky Tobin, Building Director Lesa Morelock, Public Works Director Brent Anderson, Treasurer Ric Brereton, Community Development Planner Gina DelRose, Fire Chief Hyser, Police Chief Noble, City Attorney Drella and City Clerk Arco.

(2) Pledge of Allegiance:

Invocation: Mayor Chamberlain:

(3) Public Comment:

(4) Approval of Minutes:

(A) Approval of minutes of the regular meeting of the Belvidere City Council of December 19, 2016; as presented.

Motion by Ald. Crawford, 2nd by Ald. Brooks to approve the minutes of the regular meeting of the Belvidere City Council of December 19, 2016. Roll Call Vote: 8/0 in favor. Ayes: Arevalo, Brooks, Sanders, Crawford, Frank, Sanderson, Snow and Stevens. Nays: None. Motion carried.

(5) Public Hearing:

(6) Special Messages and Proclamations: New Year wishes from Mayor Chamberlain.

(7) Approval of Expenditures: None.

(8) Committee Reports & Minutes of City Officers:

- (A) Belvidere Police Department Overtime Report of December 6, 2016 through December 19, 2016.
- (B) Belvidere Fire Department Overtime Report of December 7, 2016 through December 20, 2016.
- (C) Minutes of City-County Coordinating Committee of December 14, 2016.

Let the record show these reports and minutes were read and placed on file.

(9) Unfinished Business:

- (A) Ord. #323H – 2nd Reading: An Ordinance Amending Chapter 150, Zoning Ordinance of the Municipal Code (Shooting Ranges – Definitions, Detailed Land Use Description, General Industrial and Heavy Industrial Permitted Uses).

Motion by Ald. Snow, 2nd by Ald. Sanderson to pass Ord. #323H. Motion by Ald. Snow, 2nd by Ald. Sanderson to amend to eliminate under Section 2 – A. Regulations #1. Roll Call Vote to amend: 7/1 in favor. Ayes: Brooks, Sanders, Crawford, Frank, Sanderson, Snow and Stevens. Nays: Arevalo. Motion carried. Roll Call Vote to pass Ord. #323H as amended: 8/0 in favor. Ayes: Crawford, Frank, Sanderson, Snow, Stevens, Arevalo, Brooks and Sanders. Nays: None. Motion carried.

- (B) Ord. #324H – 2nd Reading: An Ordinance Amending Section 74-291 of the City of Belvidere Municipal Code.

Motion by Ald. Arevalo, 2nd by Ald. Sanderson to pass Ord. #324H. Roll Call Vote: 8/0 in favor. Ayes: Crawford, Frank, Sanderson, Snow, Stevens, Arevalo, Brooks and Sanders. Nays: None. Motion carried.

(10) New Business:

Motions forwarded from City-County Coordinating Committee of December 14, 2016.

- (A) Motion to approve TRC invoice #213211 in the amount of \$10,763.55 with a 50/50 split between City and County. Roll Call Vote: 8/0 in favor. Ayes: Frank, Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders and Crawford. Nays: None. Motion carried.

- (B) Motion to approve PDC Laboratories Inc. invoice #847456S in the amount of \$5,269.90 with a 50/50 split between City and County. Roll Call Vote: 8/0 in favor. Ayes: Sanderson, Snow, Stevens, Arevalo, Brooks, Sanders, Crawford and Frank. Nays: None. Motion carried.

- (C) Motion to approve step one and miscellaneous fees of \$3,750 and \$1,000 (TRC Groundwater Monitoring IEPA Proposal) with a 50/50 split between the City and County. Roll Call Vote: 8/0 in favor. Ayes: Snow, Stevens, Arevalo, Brooks, Sanders, Crawford, Frank and Sanderson. Nays: None. Motion carried.

- (D) Motion to amend the motion to \$15,200 for remaining cost of permit modification with a 50/50 split between the City and the County. Roll Call Vote: 8/0 in favor. Ayes: Stevens, Arevalo, Brooks, Sanders, Crawford, Frank, Sanderson and Snow. Nays: None. Motion carried.

- (E) Motion to approve the annual TRC invoice in the amount of \$27,800 with a 50/50 split between the City and the County. Roll Call Vote: 8/0 in favor. Ayes: Arevalo, Brooks, Sanders, Crawford, Frank, Sanderson, Snow and Stevens. Nays: None. Motion carried.

(11) Adjournment:

Motion by Ald. Crawford, 2nd by Ald. Snow to adjourn the meeting at 7:15 p.m.
Aye voice vote carried. Motion carried.

_____ Mayor

Attest:

_____ City Clerk

Bills Payable Summary
January 17, 2017

General Fund: \$ 1,008,325.01

Special Funds:

MFT	\$ 68,720.04
Farmington Ponds	\$ 282.56
Capital	\$ 21,219.28
Escrow	\$ 329,948.00

Water & Sewer: \$ 340,240.51

Total of Funds: \$ 1,768,735.40

BELVIDERE

Community Development Department Planning Department

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

December 2016 Monthly Report

Number	Project	Description	Processed
Belvidere Projects			
1	Cases: December	City of Belvidere, TA	11/09/2016
8	Cases: January	Elsie's Place, SU, 274 Meadow Street	11/30/2016
		CES Inc., VAR, 700 W. Locust Street	12/01/2016
		Pipitone, SU, 1550 Pearl Street	12/12/2016
		Hernandez, SU, 116 Buchanan Street	12/13/2016
		Little Caesars, PP, 1209 North State Street	12/14/2016
		Little Caesars, FP, 1209 North State Street	12/14/2016
		Little Caesars, SUP, 1209 North State Street	12/14/2016
		Casey's General Store, 425 Beloit Road	12/14/2016
1	Cases: February	Olson, SU, 1927 North State Street	12/22/2016
0	Annexation	None	
0	Temporary Uses	None	
1	Site Plans (New/Revised)	675 Corporate Parkway, Magna	12/13/2016
0	Final Inspection	None	
0	Downtown Overlay Review		
	Belvidere Historic Preservation Comission	The Commission did not meet in December. Staff has been in contact with the Illinois Historic Preservation Agency regarding a presentation in December. The contract with The Lakota Group was revised and is awaiting City Council approval. Staff sent out letters to landmarked property owners regarding the Commission's small maintenance grant	
	Heritage Days	Met with a hot air balloon event organizer	
2	Prepared Zoning Verification Letters	775 Logistics Drive	12/23/2016
		107 Buchanan Street	12/28/2016
3	Issued Address Letters	274 Meadow Street	12/01/2016
		1209 North State Street	12/14/2016
		425 Beloit Road	12/15/2016
Poplar Grove Projects			
0	Cases: October	None	
0	Cases: November	None	

Planning Monthly Report Cont.

0 Issued Address Letters None

Scanned Plats: E-mail, Print and/or Burn

0 Recorder's Office
0 Other Department
0 General Public

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, boards

Prepare deposits and purchase orders for bill payments

Continue meeting with RMAP regarding planning activities

*** Staff helped hand out hot chocolate at the Fire Station during Hometown Christmas



City of Belvidere

Building Department Revenues

December 2016



Total Permits Issued	36	
Total Value of Construction		\$1,575,462.00
Building Fees	# of Permits	
Electric Permit Fees	36	\$42,460.50
Plumbing Permit Fees	10	\$3,319.00
HVAC Permit Fees	6	\$1,620.00
Insulation Permit Fees	4	\$3,044.00
Plan Review Fees	6	\$135.00
Zoning Review Fees	5	\$21,135.75
Pool Permit Fees	5	\$80.00
Sign Permit Fees	0	\$0.00
Fence Permit Fees	0	\$0.00
SW, DW, & GR Fees	1	\$15.00
	3	\$255.00
Total Permit Income		\$119,858.00
Enterprize Zone Discount	4	\$47,793.75
Total Permit Fees	36	\$72,064.25
Break Down of Commercial vs. Residential Income		
Commercial / Industrial Income	12	\$65,043.25
Residential Income	24	\$7,021.00
Value		
Multi Family	0	\$0.00
Single Family Residence	1	\$140,000.00
Commercial / Industrial	12	\$6,476,933.00
Other Residential	23	\$572,510.00

City of Belvidere Building Department - Deposit Report December, 2016

Date	Building Fee	Electric Fee	Plumbing Fee	HVAC Fee	Ins. Fee	Review Fee	Zoning Rev. Fee	Pool Fee	Sign Fee	Fence Fee	SW & DW Fee	Amount Paid	EZ Discount	Total Fee	Reinspect Fee	Code Ent.	Electric Cert	Total Deposit
10/1/2016	\$1,062.50	\$137.50	\$130.00				\$10.00			\$15.00		\$1,225.00	\$150.00	\$1,375.00				\$1,225.00
10/2/2016	\$530.00		\$332.50	\$2,710.00		\$15,566.25						\$1,225.00	\$150.00	\$1,375.00				\$1,225.00
10/6/2016	\$2,390.00	\$410.00	\$195.00	\$104.00	\$45.00	\$1,254.50	\$35.00				\$85.00	\$4,518.50	\$945.00	\$2,000.00				\$4,518.50
10/8/2016	\$122.50	\$430.00	\$187.50			\$315.00						\$1,055.00	\$945.00	\$2,000.00				\$1,055.00
10/9/2016	\$640.00	\$45.00			\$10.00							\$695.00		\$695.00				\$695.00
11/2/2016	\$1,545.00											\$1,545.00		\$1,545.00				\$1,545.00
11/3/2016	\$145.00											\$145.00		\$145.00				\$145.00
11/4/2016	\$27,092.50	\$997.50	\$332.50	\$2,710.00	\$10.00	\$15,566.25	\$25.00				\$85.00	\$46,698.75	\$46,698.75	\$93,397.50				\$46,698.75
11/9/2016	\$6,565.00	\$590.00	\$515.00	\$74.00	\$40.00	\$3,982.00					\$85.00	\$11,846.00		\$11,846.00				\$11,846.00
12/20/2016	\$350.00	\$254.00	\$250.00	\$155.00	\$40.00	\$18.00	\$10.00					\$1,173.00		\$1,173.00				\$1,173.00
12/21/2016	\$1,385.00	\$200.00			\$20.00							\$1,605.00		\$1,605.00				\$1,605.00
12/22/2016	\$533.00	\$255.00			\$10.00							\$798.00		\$798.00			\$50.00	\$848.00
12/27/2016	\$100.00											\$100.00		\$100.00		\$100.00		\$100.00
	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:	SUM:
	\$42,460.50	\$3,319.00	\$1,620.00	\$3,044.00	\$135.00	\$21,135.75	\$80.00	\$0.00	\$0.00	\$15.00	\$255.00	\$7,206.25	\$4,779.75	\$19,858.00	\$0.00	\$100.00	\$50.00	\$72,214.25

NOTE: Fees do Not Reflect EZ discount, Only Amount Paid.

Total Income 72,214.25

MONTHLY TREASURER'S REPORT

Activity for the month of:					December 2016			
FUND	FUND #	Beginning Cash Balance	Receipts (Cash In)	Expenditures (Cash Out)	Month's Due to or Due From Activity	Ending Cash Balance	Outstanding Interfund Loans + Borrowings -	Ending Fund Balance
General	01	925,014.51	701,298.53	943,178.90	0.00	683,136.14	42,406.39	725,542.53
Forestry	01	(247,488.13)	0.00	9,522.00		(257,010.13)		(257,010.13)
Garbage	01	(1,402.48)	0.00	0.00		(1,402.48)		(1,402.48)
I M R F / Soc Sec	01	(79,187.52)	15,556.41	28,022.57		(91,653.68)		(91,653.68)
Community Dev Fund	01	(654,166.12)	77,994.96	28,297.29		(604,468.45)		(604,468.45)
Liability Insurance	01	(1,070,381.92)	0.00	0.00		(1,070,381.92)		(1,070,381.92)
Utility Tax Fund	01	9,763,805.16	150,808.82	0.00		9,914,613.98		9,914,613.98
General Fund	01	8,636,193.50	945,658.72	1,009,018.76	0.00	8,572,833.46	42,406.39	8,615,239.85
Motor Fuel Tax	10	873,435.30	58,098.51	13,362.91		918,170.90		918,170.90
Kishwaukee TIF	13	37,229.07	0.00	0.00		37,229.07	(42,406.39)	(5,177.32)
Kishwaukee 2 TIF	15	4,914.77	0.00	0.00		4,914.77		4,914.77
Special Service Area 2	16	7,279.07	0.00	109.59		7,169.48		7,169.48
Special Service Area 3	17	6,205.48	0.00	0.00		6,205.48		6,205.48
Capital Projects - general								
Utility Tax Fund	41	0.00	0.00	0.00		0.00		0.00
Public Improvement	41	155,757.97	481.90	100,260.26		55,979.61		55,979.61
Capital Fund (752)	41	455,530.20	36.52	1,400.50		454,166.22		454,166.22
State Street Bridge	41	56,117.81	0.00	0.00		56,117.81		56,117.81
Capital Projects	41	667,405.98	518.42	101,660.76	0.00	566,263.64	0.00	566,263.64
W/S General Admin	61	75,607.08	0.00	0.00		75,607.08		75,607.08
Water - operations	61	770,184.21	144,588.57	245,604.35	9,122.72	678,291.15		678,291.15
W / S - bond proceeds	61	0.00	0.00	0.00		0.00		0.00
W / S - bond payments	61	339,725.20	39,466.92	0.00		379,192.12		379,192.12
W / S - bond reserves	61	588,522.54	0.56	0.00		588,523.10		588,523.10
Sewer - operations	61	960,096.40	219,164.71	239,150.33	9,122.73	949,233.51		949,233.51
W/S Cap Imprv (Depr) 04-09	61	1,778,530.52	37,971.64	121,330.08		1,695,172.08		1,695,172.08
W/S Connection/Agr Fees 05-10	61	3,913,229.53	40,228.92	0.00		3,953,458.45		3,953,458.45
Sewer Plant Equip Repl 06-08	61	1,129,108.83	25,245.61	60,543.66		1,093,810.78		1,093,810.78
Water / Sewer Fund	61	9,555,004.31	506,666.93	666,628.42	18,245.45	9,413,288.27	0.00	9,413,288.27
Escrow	91	1,486,900.98	88.36	329,948.00		1,157,041.34		1,157,041.34
TOTAL		21,274,568.46	1,511,030.94	2,120,728.44	18,245.45	20,683,116.41	0.00	20,683,116.41

FUND	FUND #	Checking	Money Market	C D 's	Trust Acct	Ending Cash Balance	Due From + Due To - Other Funds	Ending Fund Balance
General Fund	01	1,430,770.15	104,738.56	7,037,324.75		8,572,833.46	42,406.39	8,615,239.85
Motor Fuel Tax	10	236,548.62	681,622.28			918,170.90		918,170.90
Kishwaukee TIF	13	37,229.07	0.00			37,229.07	(42,406.39)	(5,177.32)
Kishwaukee 2 TIF	15	4,914.77	0.00			4,914.77		4,914.77
Sp Srv Areas #2-Farmington	16	7,169.48	0.00			7,169.48		7,169.48
Sp Srv Areas #3-Farmington	17	6,205.48	0.00			6,205.48		6,205.48
Capital Projects	41	121,942.50	444,321.14			566,263.64		566,263.64
Water / Sewer Fund	61	959,020.72	110,581.09	8,343,686.46		9,413,288.27		9,413,288.27
Escrow	91	149,969.20	551,810.58	455,261.56		1,157,041.34		1,157,041.34
TOTAL		2,953,769.99	1,893,073.65	15,836,272.77	0.00	20,683,116.41	0.00	20,683,116.41

Fire Department - 2% Fund	19	6,838.52	70,273.75			77,112.27		77,112.27
Seized Vehicles		5,616.03				5,616.03		5,616.03
Drug Operations		62,158.24				62,158.24		62,158.24
State Asset Forfeiture		54,237.23				54,237.23		54,237.23
Federal Forfeiture		60,623.19				60,623.19		60,623.19
Auction		32,164.31				32,164.31		32,164.31
Metro Narcotics		7,301.20				7,301.20		7,301.20
Metro Narcotics OAF		964.00				964.00		964.00
Belvidere OAF		513.50				513.50		513.50
TOTAL POLICE FUNDS as of Nov 2016		223,577.70				223,577.70		223,577.70

INCOME STATEMENT FOR THE GENERAL FUND

		Through December , 2016					
	Account #	Actual FY 15	Actual FY 16	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
General Administration							
RE Property Tax	01-4-110-4010	1,820,935.20	1,835,158.83	0.00	1,843,251.00	1,840,576	100%
Hotel / Motel Tax	01-4-110-4011	3,774.16	2,797.94	374.72	1,928.36	3,836	50%
Auto Rental Tax	01-4-110-4012	7,071.02	6,255.78	506.76	4,266.95	6,000	71%
Muni Infrastructure Maint	01-4-110-4013	169,623.09	172,424.44	12,502.76	101,121.43	177,600	57%
State Income Tax	01-4-110-4100	2,484,441.48	2,731,919.66	223,776.69	1,675,312.14	2,609,670	64%
Muni Sales Tax	01-4-110-4110	3,266,150.10	3,195,462.66	281,291.78	2,228,019.17	3,219,242	69%
Sales Tax to Developer	01-4-110-4111	0.00	0.00	0.00	0.00	0	0%
Local Use Tax	01-4-110-4112	492,690.99	588,795.81	49,263.20	391,330.08	601,247	65%
Replacement Tax	01-4-110-4120	501,471.16	507,162.14	21,406.58	277,898.04	468,082	59%
Repl Tax Dist to Pensions	01-4-110-4121	(255,962.00)	(256,794.00)	0.00	(75,000.00)	(264,958)	28%
State Grants	01-4-110-4150	0.00	0.00	0.00	0.00	0	0%
Grants (NDevelopment)	01-4-110-4151	0.00	0.00	0.00	0.00	0	0%
Business License	01-4-110-4200	17,193.00	18,088.00	185.00	13,905.00	16,791	83%
Liquor License & Fines	01-4-110-4210	122,000.00	115,175.00	0.00	104,050.00	102,450	102%
Amusement Machine	01-4-110-4230	8,540.00	7,600.00	0.00	8,400.00	9,000	93%
Court Fines	01-4-110-4400	480,921.09	382,451.10	20,589.24	179,960.15	375,000	48%
Parking Fines	01-4-110-4410	5,822.00	6,028.00	2,218.00	3,684.12	7,764	47%
Seized Vehicle Fee	01-4-110-4420	108,000.00	73,830.00	1,200.00	29,700.00	87,000	34%
Engr Fees-Subdivision	01-4-110-4430	827.07	0.00	0.00	14,005.00	20,000	70%
Video Gambling	01-4-110-4440	108,364.35	184,057.62	19,488.62	150,709.66	180,000	84%
Franchise Fees	01-4-110-4450	254,160.47	264,885.46	0.00	201,753.95	261,613	77%
Comcast Fees	01-4-110-4455	0.00	4,842.60	0.00	14,600.60	0	0%
Death/Birth Certificates	01-4-110-4460	16,902.00	18,225.00	1,702.00	12,535.00	17,470	72%
Accident/Fire Reports	01-4-110-4470	5,854.00	4,850.00	0.00	2,568.85	5,147	50%
Annexation/Plat Fees	01-4-110-4471	0.00	0.00	0.00	0.00	20,000	0%
Tipping Fees	01-4-110-4472	179,023.27	97,755.58	7,071.56	51,233.45	100,000	51%
Interest Income	01-4-110-4600	25,220.42	20,553.91	266.88	23,779.17	28,000	85%
Misc Revenues	01-4-110-4900	34,354.65	25,101.27	926.95	13,858.80	35,600	39%
Heritage Days	01-4-110-4901	14,700.00	47,733.11	0.00	42,421.00	0	0%
Historic Pres. Fund Raising	01-4-110-4902	1,805.00	2,223.39	0.00	40.00	0	0%
Historic Pres. Grant Reimb.	01-4-110-4903	7,000.00	0.00	9,052.56	9,052.56	0	0%
Operating Transfer in	01-4-110-9998	0.00	133,704.88	0.00	93.23	1,900,000	0%
Total General Administration Revenues		9,880,882.52	10,190,288.18	651,823.30	7,324,477.71	11,827,130	62%
Telecome Tax Rebate	01-5-110-4013	10,783.45	0.00	0.00	0.00	0	0%
Salaries - Elected Officials	01-5-110-5000	207,327.52	207,623.48	16,426.36	141,918.04	207,623	68%
Salaries - Regular - FT	01-5-110-5010	200,843.88	215,618.59	20,399.16	162,277.86	225,850	72%
Group Health Insurance	01-5-110-5130	390,512.63	426,535.23	38,319.64	304,019.70	454,289	67%
Health Ins Claims Pd (Dental)	01-5-110-5131	26,958.24	33,617.08	3,419.52	15,089.76	40,000	38%
Group Life Insurance	01-5-110-5132	1,317.54	1,331.10	113.40	892.35	1,357	66%
Health Insurance Reimb.	01-4-110-4540	(143,249.75)	(155,658.46)	(22,283.06)	(102,841.06)	(146,356)	70%
Unemployment Compensation	01-5-110-5136	0.00	0.00	0.00	0.00	0	0%
Meeting & Conferences	01-5-110-5154	8,647.12	11,726.84	950.71	8,326.95	15,465	54%
Subscriptions/Ed Materials	01-5-110-5156	1,029.22	618.90	247.50	468.23	600	78%
Gen Admin Personnel & Benefit Expenses		704,169.85	741,412.76	57,593.23	530,151.83	798,828	66%
Repairs/Maint - Bldgs	01-5-110-6010	25,385.78	19,689.75	1,751.34	19,440.49	48,200	40%
Repairs/Maint - Equip	01-5-110-6020	0.00	2,248.91	262.76	1,899.54	5,000	38%
Legal	01-5-110-6110	6,542.26	5,623.50	431.75	5,923.52	12,900	46%
Other Professional Services	01-5-110-6190	2,812.50	14,667.50	2,439.40	2,439.40	2,000	0%
Grant Expenses (NDev)	01-5-110-6191	0.00	0.00	0.00	0.00	0	0%
Telephone	01-5-110-6200	47,564.07	20,965.86	1,062.83	11,931.78	13,840	86%
Codification	01-5-110-6225	0.00	950.00	0.00	0.00	6,000	0%
Other Communications	01-5-110-6290	6,504.07	3,101.47	201.08	1,435.51	4,760	30%
Gen Admin Contractual Expenses		88,808.68	67,246.99	6,149.16	43,070.24	92,700	46%

General Administration (cont)	Account #	Actual FY 15	Actual FY 15	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
Office Supplies	01-5-110-7020	50,098.61	46,927.04	2,074.29	20,926.73	62,900	33%
Other Supplies	01-5-110-7800	6,608.20	6,061.61	320.00	3,208.60	7,350	44%
Gen Admin Supplies Expenses		56,706.81	52,988.65	2,394.29	24,135.33	70,250	34%
Miscellaneous Expense	01-5-110-7900	53,949.56	102,348.35	1,134.99	34,543.18	78,960	44%
Reimb of Seized Vehicle Fee	01-5-110-7901	2,100.00	600.00	0.00	907.50	0	0%
Heritage Days	01-5-110-7902	0.00	1,871.84	300.00	53,230.74	0	0%
Comcast Charges	01-5-110-7903	0.00	0.00	0.00	0.00	0	0%
Historic Preservation	01-5-110-7904	0.00	0.00	0.00	0.00	0	0%
Operating Transfers Out	01-5-110-9999	944,882.36	697,252.05	0.00	533,112.59	537,021	99%
Total General Administration Expenses		1,850,617.26	1,663,720.64	67,571.67	1,219,151.41	1,577,759	77%
NET GENERAL ADMINISTRATION		8,030,265.26	8,526,567.54	584,251.63	6,105,326.30	10,249,371	60%
General Fund - Audit Department							
RE Taxes - Audit	01-4-130-4010	19,995.24	20,137.56	0.00	20,057.42	20,000	100%
Accounting & Auditing	01-5-130-6100	29,100.00	33,700.00	4,500.00	35,100.00	33,000	106%
NET - AUDIT DEPARTMENT		(9,104.76)	(13,562.44)	(4,500.00)	(15,042.58)	(13,000)	116%
General Fund - IMRF Department							
RE Taxes - IMRF	01-4-140-4010	74,931.79	72,124.51	0.00	72,109.86	72,000	100%
Replacement Tax	01-4-140-4120	89,393.00	89,393.00	0.00	50,000.00	92,535	54%
Interest Income	01-4-140-4600	133.54	92.15	0.00	0.00	0	0%
Expense Reimbursement	01-4-140-4940	19,981.22	19,945.38	2,115.38	19,016.15	20,543	93%
Total IMRF Revenues		184,439.55	181,555.04	2,115.38	141,126.01	185,078	76%
IMRF Premium Expense	01-5-140-5120	205,881.76	334,796.57	0.00	122,552.58	214,926	57%
NET - IMRF DEPARTMENT		(21,442.21)	(153,241.53)	2,115.38	18,573.43	(29,848)	-62%
General Fund - Social Security Department							
RE Taxes - FICA/Med	01-4-150-4010	219,792.00	225,393.78	0.00	225,346.90	225,000	100%
Expense Reimbursement	01-4-150-4940	122,084.54	120,464.06	11,198.52	89,955.19	132,152	68%
Library Expense Reimb.	01-4-150-4941	27,756.21	27,135.85	2,242.51	19,818.10	30,600	65%
Total Soc Security Revenues		369,632.75	372,993.69	13,441.03	335,120.19	387,752	86%
FICA Expense	01-5-150-5110	191,965.08	191,737.85	17,990.07	141,204.87	209,693	67%
Medicare Expense	01-5-150-5112	120,502.54	122,987.98	10,032.50	89,490.08	137,489	65%
Total Soc Security Expenses		312,467.62	314,725.83	28,022.57	230,694.95	347,182	66%
NET - SOCIAL SECURITY DEPT		57,165.13	58,267.86	(14,581.54)	104,425.24	40,570	157%
General Fund - Liability Insurance Dept							
RE Taxes - Ins Liability	01-4-160-4010	304,694.00	330,547.29	0.00	320,477.21	320,000	100%
Expense Reimbursement	01-4-160-4940	248,508.24	0.00	0.00	0.00	-	0%
Total Liability Insurance Revenues		553,202.24	330,547.29	0.00	320,477.21	320,000	100%
Insurance Premium	01-5-160-6800	665,729.64	462,848.97	0.00	449,520.12	489,860	92%
NET - LIABILITY INSURANCE DEPT		(112,527.40)	(132,301.68)	0.00	(129,042.91)	(169,860)	76%

Police Department	Account #	Actual FY 15	Actual FY 16	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
RE Property Tax	01-4-210-4010	967,835.13	1,035,516.67	0.00	1,046,390.82	1,044,856	100%
Grants	01-4-210-4150	63,298.03	41,230.46	9,979.51	63,390.47	49,000	129%
Sex Offender Reg Fee	01-4-210-4480	0.00	0.00	400.00	1,640.00	0	0%
Miscellaneous Revenues	01-4-210-4900	271,467.03	161,351.82	17,444.00	100,177.03	237,959	42%
Expense Reimbursement	01-4-210-4940	13,393.70	6,881.59	6,900.01	8,857.52	0	0%
Sale of Assets	01-4-210-4950	0.00	0.00	0.00	6,233.33	0	0%
Total Police Department Revenues		1,315,993.89	1,244,980.54	34,723.52	1,226,689.17	1,331,815	92%
Salary - Regular - FT	01-5-210-5010	3,182,987.83	3,192,442.03	243,626.63	2,255,078.84	3,431,919	66%
Overtime	01-5-210-5040	351,321.20	359,986.52	18,653.13	278,905.41	429,300	65%
Police Pension	01-5-210-5122	947,865.79	1,015,436.57	0.00	1,026,333.40	1,024,856	100%
Health Insurance	01-5-210-5130	637,214.69	686,280.10	56,537.52	473,210.52	800,348	59%
Dental claims	01-5-210-5131	37,163.99	33,215.84	2,709.56	26,319.54	50,000	53%
Unemployment Compensation	01-5-210-5136	8,781.00	0.00	0.00	7,942.00	0	0%
Uniform Allowance	01-5-210-5140	60,189.03	61,488.37	1,014.76	60,152.19	64,886	93%
Training	01-5-210-5152	63,138.78	62,528.83	5,890.12	49,164.89	64,555	76%
Police Dept Personnel & Benefit Expenses		5,288,662.31	5,411,378.26	328,431.72	4,177,106.79	5,865,864	71%
Repair/Maint-Equipment	01-5-210-6020	0.00	12,274.31	3,289.32	6,558.92	7,425	88%
Repair/Maint-Vehicles	01-5-210-6030	96,050.29	93,748.47	6,494.43	40,259.76	107,475	37%
Telephone/Utilities	01-5-210-6200	37,112.73	41,830.55	1,613.79	34,460.14	42,790	81%
Physical Exams	01-5-210-6810	240.00	0.00	0.00	10.00	4,270	0%
Community Policing	01-5-210-6816	7,173.79	7,635.43	359.46	3,770.59	7,950	47%
K 9 Program Expenses	01-5-210-6818	2,979.23	3,451.12	297.17	1,820.22	4,700	39%
Sex Offender State Disburse	01-5-210-6835	0.00	0.00	260.00	1,040.00	0	0%
Police Department - Contractual Expenses		143,556.04	158,939.88	12,314.17	87,919.63	174,610	50%
Office Supplies	01-5-210-7020	9,480.08	9,514.67	263.94	3,860.94	10,550	37%
Gas & Oil	01-5-210-7030	139,668.49	77,836.38	5,839.42	43,961.20	120,000	37%
Operating Supplies	01-5-210-7040	29,838.17	31,777.67	5,135.81	21,708.38	42,285	51%
Miscellaneous Expense	01-5-210-7900	33,563.40	37,199.50	1,231.90	23,535.74	40,000	59%
Police Department - Supplies Expense		212,550.14	156,328.22	12,471.07	93,066.26	212,835	44%
Equipment	01-5-210-8200	19,499.20	34,753.87	3,867.70	26,387.86	50,245	53%
Vehicles	01-5-210-8300	0.00	0.00	0.00	0.00	0	0%
Total Police Department Expenses		5,664,267.69	5,761,400.23	357,084.66	4,384,480.54	6,303,554	70%
NET - POLICE DEPARTMENT		(4,348,274)	(4,516,420)	(322,361)	(3,157,791)	(4,971,739)	64%
Public Safety Building Department							
Salaries - Regular - FT	01-5-215-5010	537,835.39	586,714.82	65,223.54	358,833.31	657,952	55%
Other (FICA & IMRF)	01-5-215-5079	108,750.04	116,092.05	11,440.21	62,939.32	146,263	43%
Other Contractual Services	01-5-215-6890	199,226.37	327,940.30	47,936.11	167,461.63	230,000	73%
NET - PUBLIC SAFETY BLDG DEPT		(845,811.80)	(1,030,747.17)	(124,599.86)	(589,234.26)	(1,034,215)	57%

Fire Department	Account #	Actual FY 15	Actual FY 16	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
RE Property Tax	01-4-220-4010	742,381.75	739,346.46	0.00	818,109.40	816,892	100%
Grants	01-4-220-4150	153,198.87	63,830.62	0.00	1,000.00	0	0%
Miscellaneous Revenues	01-4-220-4900	33,286.93	42,699.54	2,036.06	27,195.84	25,000	109%
Expense Reimbursement	01-4-220-4940	0.00	0.00	95.00	1,012.98	0	0%
Total Fire Department Revenues		928,867.55	845,876.62	2,131.06	847,318.22	841,892	101%
Salaries - Regular - FT	01-5-220-5010	1,908,887.44	1,951,980.82	145,033.56	1,377,321.51	2,047,477	67%
Overtime	01-5-220-5040	334,288.99	234,518.71	10,968.97	144,828.61	203,250	71%
Fire Pension	01-5-220-5124	722,406.25	719,275.54	0.00	798,051.98	796,892	100%
Health Insurance	01-5-220-5130	348,944.57	391,456.82	34,721.15	272,615.69	458,233	59%
Dental Insurance	01-5-220-5131	16,971.72	26,906.88	1,866.56	13,795.48	35,000	39%
Unemployment Compensation	01-5-220-5136	0.00	0.00	0.00	0.00	0	0%
Uniform Allowance	01-5-220-5140	38,382.54	39,236.31	129.50	21,327.73	35,500	60%
Training	01-5-220-5152	30,671.71	23,715.46	1,129.35	8,289.45	30,540	27%
Fire Depart Personnel & Benefits Expenses		3,400,553.22	3,387,090.54	193,849.09	2,636,230.45	3,606,892	73%
Repair/Maint-Bldg	01-5-220-6010	44,535.15	52,026.10	742.23	14,382.72	54,050	27%
Repair/Maint-Vehicles	01-5-220-6030	70,804.05	58,526.58	4,714.18	30,097.82	54,200	56%
Telephone/Utilities	01-5-220-6200	11,634.10	14,002.41	388.20	6,708.11	13,060	51%
Physical Exams	01-5-220-6810	1,210.00	1,622.60	0.00	644.50	2,500	26%
Fire Prevention	01-5-220-6822	4,909.64	7,162.60	326.00	8,358.03	10,000	84%
Fire Department - Contractual Expenses		133,092.94	133,340.29	6,170.61	60,191.18	133,810	45%
Office Supplies	01-5-220-7020	11,083.17	15,179.53	1,119.41	4,920.60	16,830	29%
Gas & Oil	01-5-220-7030	21,643.12	16,206.61	1,139.64	8,840.18	20,000	44%
Operating Supplies	01-5-220-7040	15,764.27	11,539.69	785.07	4,489.53	6,000	75%
Miscellaneous Expense	01-5-220-7900	614.83	996.39	0.00	708.17	1,000	71%
Fire Department - Supplies Expenses		49,105.39	43,922.22	3,044.12	18,958.48	43,830	43%
Equipment	01-5-220-8200	58,553.11	38,869.41	634.03	10,298.87	50,530	20%
Total Fire Department Expenses		3,641,304.66	3,603,222.46	203,697.85	2,725,678.98	3,835,062	71%
NET - FIRE DEPARTMENT		(2,712,437.11)	(2,757,345.84)	(201,566.79)	(1,878,360.76)	(2,993,170)	63%
Police & Fire Commission Department							
Physical Exams	01-5-225-6810	13,630.07	13,279.71	3,616.70	7,313.50	18,750	39%
Other Contractual Services	01-5-225-6890	31,395.91	16,719.71	(2,892.50)	5,476.39	8,835	62%
NET - POLICE & FIRE COMMISSION		(45,025.98)	(29,999.42)	(724.20)	(12,789.89)	(27,585)	46%

Community Development	Account #	Actual FY 15	Actual FY 16	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
Building Permits	01-4-230-4300	270,532.75	187,990.50	42,460.50	201,539.00	208,989	96%
Electric Permits	01-4-230-4310	16,031.50	21,574.40	3,181.50	13,962.50	21,325	65%
Electrician Certification Fees	01-4-230-4315	4,450.00	2,550.00	50.00	1,250.00	4,500	28%
Plumbing Permits	01-4-230-4320	53,532.50	9,257.50	1,757.50	8,502.50	14,200	60%
HVAC Permits	01-4-230-4330	4,451.00	3,627.00	3,044.00	9,639.25	5,310	182%
Plan Review Fees	01-4-230-4340	42,624.00	40,992.70	21,135.75	69,393.75	34,149	203%
Sidewalk/Lot Grading Fees	01-4-230-4350	1,020.00	722.50	255.00	1,020.00	1,575	65%
Insulation Permits	01-4-230-4360	1,323.50	1,210.00	135.00	3,725.00	2,050	182%
Zoning Review Fee	01-4-230-4370	2,845.00	3,347.50	80.00	2,490.00	3,430	73%
Code Enforcement	01-4-230-4380	4,100.00	11,500.00	100.00	4,400.00	11,400	39%
Other Permits	01-4-230-4390	4,042.50	6,247.50	15.00	3,200.00	5,690	56%
Miscellaneous Revenues	01-4-230-4900	49.55	125.00	0.00	0.00	500	0%
Expense Reimbursement	01-4-230-4940	5,016.00	5,365.54	580.71	580.71	0	0%
Planning Fees	01-4-230-4950	0.00	0.00	5,150.00	13,923.75	9,000	155%
Planning Misc.	01-4-230-4955	0.00	0.00	50.00	12,690.09	1,000	1269%
Building Department - Revenues		410,018.30	294,510.14	77,994.96	346,316.55	323,118	107%
Salaries- Regular - FT	01-5-230-5010	155,661.20	161,690.40	16,154.99	149,561.42	216,459	69%
FICA	01-5-230-5079	31,226.03	12,369.32	1,235.85	11,441.43	16,559	69%
IMRF	01-5-230-5120	0.00	19,945.38	2,115.38	19,016.15	27,955	68%
Health Ins Expense	01-5-230-5130	29,760.61	43,258.40	4,714.12	38,995.24	70,269	55%
Dental Insurance	01-5-230-5131	1,852.08	2,516.80	164.76	1,252.48	4,000	31%
Unemployment	01-5-230-5136	0.00	0.00	0.00	0.00	0	0%
Training	01-5-230-5152	2,123.89	4,444.97	0.00	537.45	6,000	9%
Building Dept Personnel & Benefits Expense		220,623.81	244,225.27	24,385.10	220,804.17	341,242	65%
Repair/Maint - Equip	01-5-230-6020	1,938.39	2,148.82	404.65	3,593.16	5,000	72%
Other Professional Services	01-5-230-6190	54,950.00	45,845.84	2,958.32	23,666.56	46,000	51%
Telephone	01-5-230-6200	554.16	2,442.80	160.31	1,183.57	3,000	39%
Postage	01-5-230-6210	613.51	778.04	199.57	3,013.92	1,500	201%
Printing & Publishing	01-5-230-6220	957.30	1,418.31	50.00	795.00	1,750	45%
Building Department - Contractual Expenses		59,013.36	52,633.81	3,772.85	32,252.21	57,250	56%
Office Supplies	01-5-230-7020	4,651.01	3,428.80	117.33	3,932.51	5,960	66%
Gas & Oil	01-5-230-7030	1,095.92	781.67	22.01	509.39	2,765	18%
Miscellaneous Expense	01-5-230-7900	669.82	573.70	0.00	238.57	2,000	12%
Operating Transfer Out	01-5-230-9999	0.00	0.00	0.00	0.00	0	0%
Building Department - Supplies Expenses		6,416.75	4,784.17	139.34	4,680.47	10,725	44%
Total Building Department Expenses		286,053.92	301,643.25	28,297.29	257,736.85	409,217	63%
NET - BUILDING DEPARTMENT		123,964.38	(7,133.11)	49,697.67	88,579.70	(86,099)	-103%
Civil Defense Department							
RE Tax - Civil Defense	01-4-240-4010	7,096.10	7,016.79	0.00	7,032.46	7,000	100%
Miscellaneous Revenues	01-4-240-4900	0.00	0.00	0.00	25,285.36	200	12643%
Miscellaneous Expense	01-5-240-7900	5,140.00	5,316.00	0.00	24,025.50	5,800	414%
NET - CIVIL DEFENSE DEPARTMENT		1,956.10	1,700.79	0.00	8,292.32	1,400	592%

Street Department	Account #	Actual FY 15	Actual FY 16	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
RE Tax - Road & Bridge	01-4-310-4010	328,267.20	318,291.15	0.00	320,508.22	300,000	107%
Grants	01-4-310-4150	77,500.00	0.00	0.00	0.00	0	0%
Sidewalk/Driveway/Lot Grading	01-4-310-4350	960.00	2,040.00	0.00	2,520.00	1,800	140%
Miscellaneous Revenues	01-4-310-4900	3,890.88	4,457.00	675.00	3,379.04	0	0%
Expense Reimbursement	01-4-310-4940	31,451.50	55,491.03	0.00	55,468.98	10,000	0%
Expense Reimbursement	01-5-310-4940	97,869.75	21,482.44	11,945.65	12,048.28	10,000	120%
Sale of Assets	01-4-310-4950	0.00	0.00	0.00	0.00	10,000	71%
Street Department - Revenues		539,939.33	401,761.62	12,620.65	401,024.52	331,800	121%
Salaries - Regular - FT	01-5-310-5010	542,623.61	560,395.75	44,976.35	403,123.21	588,550	68%
Overtime	01-5-310-5040	38,463.37	34,966.56	23,421.68	39,548.21	40,000	99%
Health Insurance	01-5-310-5130	185,332.65	200,768.14	18,203.94	144,858.72	217,123	67%
Uniform Allowance	01-5-310-5140	12,775.91	13,395.61	1,331.29	7,884.63	15,000	53%
Training	01-5-310-5152	488.90	218.80	99.40	249.40	1,500	17%
Street Dept - Personnel & Benefits Expenses		779,684.44	809,744.86	88,032.66	595,664.17	862,173	69%
Repair/Maint - Storm Drain	01-5-310-6001	17,125.59	25,575.95	4,465.60	12,901.53	25,000	52%
Repair/Maint - St/Parking Lot	01-5-310-6002	102,842.68	85,266.60	3,475.74	73,284.52	90,500	81%
Repair/Maint - Sidewalk/Curb	01-5-310-6003	69,111.45	59,126.55	13,048.82	47,555.01	50,000	95%
Repair/Maint - Building	01-5-310-6010	12,824.46	21,553.74	263.54	8,467.78	15,000	56%
Repair/Maint - Equipment	01-5-310-6020	133,041.23	117,438.34	8,330.45	47,954.61	130,000	37%
Repair/Maint - Traffic Signal	01-5-310-6024	36,832.44	25,204.17	0.00	66,850.02	43,000	155%
Telephone/Utilities	01-5-310-6200	5,809.05	5,882.78	552.62	4,106.32	6,000	68%
Leaf Clean-up/Removal	01-5-310-6826	550.80	14,871.55	10,000.00	10,302.40	15,000	69%
Street Department - Contractual Expenses		378,137.70	354,919.68	40,136.77	271,422.19	374,500	72%
Maintenance Supplies	01-5-310-7010	0.00	0.00	0.00	0.00	0	0%
Office Supplies	01-5-310-7020	3,068.04	3,480.02	77.25	2,714.03	6,600	41%
Gas & Oil	01-5-310-7030	77,964.08	56,987.58	3,126.22	27,811.87	85,000	33%
Operating Supplies	01-5-310-7040	18,417.23	28,232.27	1,945.21	20,817.78	20,000	104%
Miscellaneous Expense	01-5-310-7900	100,776.45	15,946.29	200.00	1,141.30	0	0%
Street Department - Supplies Expenses		200,225.80	104,646.16	5,348.68	52,484.98	111,600	47%
Equipment	01-5-310-8200	0.00	40,200.50	0.00	0.00	0	0%
Total Street Department Expenses		1,358,047.94	1,309,511.20	133,518.11	919,571.34	1,348,273	68%
NET - STREET DEPARTMENT		(818,108.61)	(907,749.58)	(120,897.46)	(518,546.82)	(1,016,473)	51%
Street Lighting							
RE Tax - Street Lighting	01-4-330-4010	209,794.40	210,358.51	0.00	210,318.07	210,000	100%
Expense Reimbursement	01-5-330-4940	0.00	0.00	0.00	0.00	0	0%
Repair/ Maint - Street Light	01-5-330-6022	40,782.24	40,372.55	7,377.21	35,626.76	20,000	178%
Street Lighting - electricity	01-5-330-6310	253,788.95	289,863.60	43,744.02	190,936.23	330,000	58%
NET - STREET LIGHTING		(84,776.79)	(119,877.64)	(51,121.23)	(16,244.92)	(140,000)	12%

Garbage Department	Account #	Actual FY 15	Actual FY 16	Month of December	YTD Actual for FY 17	Budget FY 17	67% of budget
RE Tax - Refuse/Landfill	01-4-335-4010	61,945.89	65,107.74	0.00	45,081.73	45,000	100%
Miscellaneous Revenue	01-4-335-4900	0.00	0.00	0.00	0.00	0	0%
Miscellaneous Expenses	01-5-335-7900	77,931.87	69,411.65	0.00	47,563.60	51,000	93%
NET - GARBAGE DEPARTMENT		(15,985.98)	(4,303.91)	0.00	(2,481.87)	(6,000)	41%
Forestry Department							
RE Tax - Forestry	01-4-340-4010	39,963.03	40,073.87	0.00	40,081.62	40,000	100%
Other Fees	01-4-340-4490	0.00	0.00	0.00	0.00	0	0%
Miscellaneous	01-4-340-4900	0.00	0.00	0.00	0.00	0	0%
Forestry Department Revenues		39,963.03	40,073.87	0.00	40,081.62	40,000	100%
Repair/ Maint - Other	01-5-340-6090	0.00	0.00	0.00	0.00	0	0%
Tree Removal or Purchase	01-5-340-6850	88,381.00	135,380.00	9,522.00	112,412.00	100,000	112%
Miscellaneous Expense	01-5-340-7900	0.00	0.00	0.00	0.00	1,000	0%
Forestry Department Expensess		88,381.00	135,380.00	9,522.00	112,412.00	101,000	111%
NET - FORESTRY DEPARTMENT		(48,417.97)	(95,306.13)	(9,522.00)	(72,330.38)	(61,000)	0%
Engineering Department							
Engineering	01-5-360-6140	11,373.50	19,061.00	200.00	387.50	27,000	1%
Subdivision Expense	01-5-360-6824	3,409.25	3,196.75	0.00	4,876.00	10,000	49%
Office Supplies	01-5-360-7020	4,999.96	5,391.40	159.32	2,735.66	8,900	31%
Gas & Oil	01-5-360-7030	0.00	0.00	0.00	0.00	-	0%
NET - ENGINEERING DEPARTMENT		(19,782.71)	(27,649.15)	(359.32)	(7,999.16)	(45,900)	17%
Health / Social Services							
Council on Aging	01-5-410-6830	23,000.00	23,000.00	0.00	0.00	33,000	0%
Demolition / Nuisance	01-5-410-6832	1,075.51	0.00	0.00	0.00	5,000	0%
NET - HEALTH / SOCIAL SERVICES		(24,075.51)	(23,000.00)	0.00	0.00	(38,000)	0%
Economic Development							
Consulting	01-5-610-6120	0.00	0.00	0.00	0.00	0	0%
Planning Dept Services	01-5-610-6150	89,714.89	87,147.18	0.00	26,570.00	55,500	48%
Economic / Business	01-5-610-6840	73,000.00	73,000.00	0.00	55,000.00	73,000	75%
Tourism	01-5-610-6842	3,000.00	2,000.00	0.00	2,000.00	5,000	40%
Historic Preservation	01-5-610-6844	8,029.85	4,492.89	0.00	15,503.06	12,800	121%
NET - ECONOMIC DEVELOPMENT		(173,744.74)	(166,640.07)	0.00	(99,073.06)	(146,300)	68%
Ag Tech Initiatives Dept							
Federal Grants	01-4-620-4160	0.00	0.00	0.00	0.00	0	0%
Other Contractual Services	01-5-620-6890	0.00	0.00	0.00	0.00	0	0%
NET - AG TECH INITIATIVES DEPT		0.00	0.00	0.00	0.00	0	0%
Utility Tax Dept.							
Utility Tax - Electric	01-4-751-4131	1,502,788.64	1,450,229.36	103,647.11	964,598.24	1,486,787	65%
Utility Tax - Gas	01-4-751-4132	434,307.18	279,364.59	22,156.18	135,299.18	342,321	40%
Utility Tax - Telephone	01-4-751-4133	334,566.18	341,413.44	25,005.53	202,242.86	349,535	58%
Expense Reimbursement	01-4-751-4940	0.00	7,500.00	0.00	0.00	0	0%
PW Salaries	01-5-751-5010	0.00	0.00	0.00	0.00	0	0%
Columbia Ave.	01-5-751-8040	0.00	450,000.00	0.00	450,000.00	450,000	100%
Bel-Bo Mobile Home Park	01-5-751-8046	0.00	0.00	0.00	0.00	0	0%
Downtown Streetscape	01-5-751-8052	5,060.00	32,666.25	0.00	623,570.03	700,000	89%
Downtown Pavement Project	01-5-751-8054	0.00	0.00	0.00	297,175.55	500,000	59%
		2,266,602.00	1,595,841.14	150,808.82	(68,605.30)	528,643	-13%
TOTAL GENERAL FUND REVENUES		16,805,259.77	16,283,714.98	945,658.72	12,592,546.52	18,049,428	70%
TOTAL GENERAL FUND EXPENSES		15,592,995.29	16,086,615.01	1,009,018.76	12,834,892.81	18,008,633	71%
NET REV OVER (UNDER) EXP		1,212,264.48	197,099.97	(63,360.04)	(242,346.29)	40,795	

CASH FLOW STATEMENT FOR WATER / SEWER FUND as of December 31, 2016

Water / Sewer General Administration

Line Item	Account #	Actual FY 15	Actual FY 16	Month of December	Actual FY 17	Budget FY 17	58.33% used
Beginning Cash & Investments		72,924	75,456		75,607.08	75,456	
Interest Income-sweep acct	61-4-110-4600	0	0	0	0.00	0	
Miscellaneous Revenues	61-4-110-4900	2,532	150	0.00	0.00	0	
Operating Transfer Out	61-5-110-9999	0		0.00	0.00	0	
Ending Cash		75,456	75,606	0.00	75,607.08	75,456	

Water Department

Line Item	Account #	Actual FY 15	Actual FY 16	Month of December	Actual FY 17	Budget FY 17	58.33% used
Beginning Cash & Investments		989,241	1,080,018		697,161.57	604,959	
Water Consumption	61-4-810-4500	2,257,557	2,213,451	142,552.99	1,517,530.07	2,287,373	66%
Dep on Agr - Westhill	61-4-810-4521	13,558	8,095	0.00	3,785.99	0	0%
Meters Sold	61-4-810-4530	92,723	90,456	0.00	24,570.64	91,000	27%
Other Services	61-4-810-4590	8,202	5,967	110.50	3,732.00	10,000	37%
Miscellaneous Revenues	61-4-810-4900	164	0	0.08	6,350.08	0	0%
Expense Reimbursement	61-4-810-4940	11,804	24,361	0.00	6,195.70	0	0%
Sale of Assets	61-4-810-4950	0	0	1,925.00	1,925.00	0	0%
Operating Transfers-In	61-4-810-9998	0	0	0.00	0.00	-	0%
Total Water Department Revenues		2,384,008	2,342,330	144,588.57	1,564,089.48	2,388,373	65%
Salaries - Regular - FT	61-5-810-5010	518,051	528,948	40,652.98	387,581.93	571,634	68%
Overtime	61-5-810-5040	33,212	26,707	12,549.76	29,947.92	38,000	79%
FICA Water	61-5-810-5079	0	50,382	4,654.61	37,726.99	44,567	85%
IMRF	61-5-810-5120	132,539	77,466	0.00	47,438.46	84,952	56%
Group Health Insurance	61-5-810-5130	180,142	192,305	17,807.94	141,883.92	207,334	68%
Uniform Allowance	61-5-810-5140	10,286	7,846	328.64	4,046.47	14,100	29%
Rep& Maint-Infrastructure	61-5-810-6000	69,706	72,790	8,692.38	30,518.15	63,900	48%
Rep& Maint - Buildings	61-5-810-6010	14,626	18,336	207.96	7,458.33	24,500	30%
Rep& Maint - Equipment	61-5-810-6020	28,846	65,019	8,117.75	41,243.31	8,000	516%
Rep& Maint - Vehicles	61-5-810-6030	26,155	21,012	929.45	10,175.18	20,000	51%
Rep& Maint - Contractual	61-5-810-6040	68,375	87,322	23,696.29	79,571.34	85,000	94%
Other Professional Serv	61-5-810-6190	1,477	3,399	0.00	1,598.39	11,000	15%
Telephone	61-5-810-6200	6,758	9,548	645.45	4,934.62	9,500	52%
Postage	61-5-810-6210	16,073	15,322	1,655.25	10,724.01	19,000	56%
Utilities	61-5-810-6300	261,938	217,295	69,525.45	196,900.78	300,000	66%
Office Equip Rental/Maint	61-5-810-6410	13,745	36,524	1,042.73	26,363.08	31,000	85%
Liability Insurance	61-5-810-6800	105,070	108,510	0.00	110,327.66	122,000	90%
Lab Expense	61-5-810-6812	26,966	25,494	1,315.73	15,902.20	33,200	48%
Office Supplies	61-5-810-7020	8,629	8,097	867.65	6,201.56	9,400	66%
Gas & Oil	61-5-810-7030	23,099	18,594	989.52	8,496.71	23,000	37%
Operating Supplies	61-5-810-7040	51,273	64,854	10,679.01	63,055.02	63,000	100%
Chemicals	61-5-810-7050	89,263	89,978	2,265.00	42,251.34	105,000	40%
Meters	61-5-810-7060	129,909	51,632	1,698.96	22,823.27	25,000	91%
Bad Debt Expense	61-5-810-7850	3,804	2,055	0.00	1,230.67	2,000	62%
Miscellaneous Expense	61-5-810-7900	6,961	12,321	48.17	2,494.76	8,750	29%
Equipment	61-5-810-8200	2,485	0	0.00	0.00	0	0%
Transfer Out	61-5-810-9999	0	500,000	0.00	0.00	0	0%
Depreciation Set Aside		288,061	296,703	25,467.00	203,736.00	305,604	67%
Bond Pmt Set Aside		183,175	120,000	11,766.67	94,133.36	141,200	67%
Total Water Department Expenses		2,300,624	2,728,460	245,604.35	1,628,765.43	2,370,642	69%
NET WATER DEPARTMENT		83,384	(386,130)	(101,015.78)	(64,675.95)	17,731	
Change in Accounts Receivable (YTD)		7,393	3,276		45,805.53		
Ending Cash & Investments		1,080,018	697,162		678,291.15	622,690	

CASH FLOW STATEMENT FOR WATER / SEWER FUND as of December 31, 2016

Sewer Department

Line Item	Account #	Actual FY 15	Actual FY 16	Month of December	Actual FY 17	Budget FY 17	58.33% used
Beginning Cash & Investments		531,620	1,055,724		1,284,737.39	1,171,172	
Interest Income							
Sewer Consumption	61-4-820-4500	3,428,139	3,488,838	208,185.12	2,119,399.31	3,269,987	65%
Dep on Agr - Westhills	61-4-820-4521	7,193	4,691	0.00	1,928.84	0	0%
Meters Sold	61-4-820-4530	91,417	85,694	0.00	7,172.37	91,000	8%
Other Services	61-4-820-4590	55,958	54,634	10,665.59	88,224.47	14,200	621%
Miscellaneous Revenues	61-4-820-4900	68,904	2,822	314.00	1,512.91	0	0%
Expense Reimbursement	61-4-820-4940	24,585	17,492	0.00	0.00	0	0%
Operating Transfers-In	61-4-820-9998	0	0	0.00	0.00	500,000	0%
Total Sewer Department Revenues		3,676,196	3,654,171	219,164.71	2,218,237.90	3,875,187	57%
Salaries - Regular - FT	61-5-820-5010	607,992	551,622	42,069.77	385,631.08	585,057	66%
Overtime	61-5-820-5040	52,761	54,776	9,319.11	31,617.16	55,000	57%
FICA WWTP	61-5-820-5079	0	39,892	3,348.45	27,682.93	46,894	59%
IMRF	61-5-820-5120	130,567	84,237	0.00	48,609.79	89,461	54%
Group Health Insurance	61-5-820-5130	196,517	193,555	17,213.94	137,421.72	211,439	65%
Dental Claims	61-5-820-5131	114	0	0.00	0.00	0	0%
Uniform Allowance	61-5-820-5140	14,850	18,081	1,259.27	10,346.70	15,500	67%
Travel	61-5-820-5151	2,554	170	(157.40)	0.00	0	0%
Rep & Maint - Lift Stations	61-5-820-6005	55,535	21,011	2,511.50	13,897.45	16,500	84%
Rep & Maint - Buildings	61-5-820-6010	129,493	46,681	214.98	10,497.28	103,000	10%
Rep & Maint - Equipment	61-5-820-6020	6,315	87,630	7,004.42	39,513.19	0	0%
Rep & Maint - Vehicles	61-5-820-6030	26,587	21,955	6,459.56	21,452.41	23,000	93%
Rep & Maint - Contractual	61-5-820-6040	1,152	4,756	0.00	23,506.50	0	0%
Other Professional Serv	61-5-820-6190	38,344	58,304	2,309.27	61,462.91	73,500	84%
Telephone	61-5-820-6200	19,452	10,336	863.72	6,362.14	13,500	47%
Postage	61-5-820-6210	16,072	15,314	1,655.24	10,627.05	15,000	71%
Utilities	61-5-820-6300	249,646	227,659	17,408.96	113,355.37	248,000	46%
Office Equip Rental/Maint	61-5-820-6410	5,464	2,576	1,042.72	3,317.52	6,800	49%
Liability Insurance	61-5-820-6800	124,771	122,323	0.00	131,014.09	144,110	91%
Lab Expense	61-5-820-6812	49,884	33,099	3,039.41	23,592.54	56,000	42%
Sludge Disposal	61-5-820-6814	9,587	7,531	756.16	5,529.03	9,700	57%
Maintenance Supplies	61-5-820-7010	0	0	0.00	0.00	0	0%
Office Supplies	61-5-820-7020	10,944	12,646	781.64	3,373.66	8,700	39%
Gas & Oil	61-5-820-7030	28,958	15,402	271.95	7,048.55	40,000	18%
Operating Supplies	61-5-820-7040	9,500	20,296	4,377.70	15,760.91	12,000	131%
Chemicals	61-5-820-7050	82,992	26,958	7,405.04	24,037.59	108,000	22%
Meters	61-5-820-7060	12,952	3,951	1,698.96	1,698.96	25,000	7%
Bad Debt Expense	61-5-820-7850	5,585	2,873	0.00	1,462.19	4,000	37%
Miscellaneous Expenses	61-5-820-7900	18,975	4,125	0.00	2,055.90	5,000	41%
Equipment	61-5-820-8200	0	0	0.00	0.00	0	0%
Operating Transfer Out	61-5-820-9999	0	500,000	0.00	500,000.00	500,000	0%
Depreciation Set Aside		426,954	439,763	37,746.24	301,969.92	452,956	67%
Bond Pmt Set Aside		308,175	245,500	27,699.58	221,596.64	332,395	67%
		2,642,692	2,873,022	196,300.19	2,184,441.18	3,200,512	68%
Sewer Department							
Collection System Expenses							
Salaries - Regular - FT	61-5-830-5010	262,073	274,308	21,642.89	197,088.50	281,331	70%
Overtime	61-5-830-5040	23,235	22,572	3,973.24	17,358.36	30,000	58%
FICA Sewer	61-5-830-5079	0	17,820	1,959.61	13,103.84	23,817	55%
IMRF	61-5-830-5120	62,082	43,222	0.00	25,757.82	46,139	56%
Group Health Insurance	61-5-830-5130	83,149	91,181	8,266.74	65,844.12	98,705	67%
Uniform Allowance	61-5-830-5140	3,402	4,681	259.20	2,337.66	6,600	35%
Rep & Maint - Infrastructure	61-5-830-6000	11,725	23,834	390.71	27,937.10	32,000	87%
Rep & Maint - Equipment	61-5-830-6020	335	11,358	205.32	3,444.01	8,000	43%
Rep & Maint - Vehicles	61-5-830-6030	32,430	10,916	524.15	25,846.79	13,000	199%
Office Equip Rent/Maint	61-5-830-6410	10,141	31,710	0.00	21,534.02	30,300	71%
Gas & Oil	61-5-830-7030	11,542	8,392	686.68	4,411.22	12,500	35%
Operating Supplies	61-5-830-7040	13,495	14,312	4,909.95	9,461.15	18,500	51%

Sewer Department

	Account #	Actual FY 15	Actual FY 16	Month of December	Actual FY 17	Budget FY 17	58.33% used
Misc. Expense	61-5-830-7900	699	1,061	31.65	981.55	2,900	34%
Equipment	61-5-830-8200	2,485	0	0.00	0.00	0	0%
Total Sewer Department Expenses		3,159,485	3,428,391	239,150.33	2,599,547.32	3,804,304	68%
NET SEWER DEPARTMENT		516,711	225,779	(19,985.62)	(381,309.42)	70,883	
Change in Accounts Receivable		7,393	3,234.00		45,805.54		
Ending Cash & Investments		1,055,724	1,284,737		949,233.51	742,055	

Bond Reserves (necessary per bond ordinances) - was 06-15

Beginning Cash & Investments	583,428	585,160		586,815.10	585,160	
Additional reserves	0	0	0.56	1,708.00	0	0%
Interest Income	1,732	1,655	0.00	0.00	0	0%
Ending Cash & Investments	585,160	586,815		588,523.10	585,160	

Connection Fees (plant expansion) / Deposits on Agreement (system extensions) Accounting - was 05-10

Beginning Cash & Investments	6,292,251	4,005,992		3,719,983.14	4,574,793		
Sources							
Interest Income		15,420	14,737	4.95	15,209.34	20,000	76%
Connection Fees	61-4-810-4510	73,033	9,935	10,072.00	58,343.04	24,000	243%
Deposits on Agreement	61-4-810-4520	11,935	5,247	0.00	440.00	5,000	9%
Connection Fees	61-4-820-4510	62,371	18,558	17,751.65	90,601.56	28,800	315%
Deposits on Agreement	61-4-820-4520	21,737	432	12,400.32	75,231.37	10,000	752%
Connection Fee Set-Aside		0	500,000	0.00	0.00	-	#DIV/0!
TOTAL Sources		184,496	548,909	40,228.92	239,825.31	87,800	273%
Uses							
Construction in Progress - Water (1790)		109,509	493,889	0.00	6,350.00	0	#DIV/0!
Construction in Progress - Sewer (1790)		0	0	0.00	0.00	0	0%
Equipment & Vehicles (1750)		0	0	0.00	0.00	0	0%
Recapture Refunds		0	0	0.00	0.00	0	0%
Building (1730)		2,361,246	341,030	0.00	0.00	0	0%
Land (part of 1710)		0	0	0.00	0.00	0	0%
TOTAL Uses		2,470,755	834,919	0.00	6,350.00	0	#DIV/0!
Ending Cash & Investments		4,005,992	3,719,982		3,953,458.45	4,662,593	

Line Item	Account #	Actual FY 15	Actual FY 16	Month of December	Actual FY 17	Budget FY 17	58.33% used
-----------	-----------	-----------------	-----------------	----------------------	-----------------	-----------------	----------------

Depreciation Funding - was 04-09 and 06-08

Beginning Cash & Investments		2,291,953	2,777,210		3,042,621.66	2,093,675	
Sources							
Interest Income		12,465	11,912	4.01	12,293.88	15,000	82%
Loan Funds		0	0	0.00	0.00	0	0%
Grant		0	0	0.00	0.00	0	0%
Misc.		20,549	0	0.00	0.00	0	0%
Depreciation set aside - Water (for Plant)		79,928	82,326	7,066.33	56,530.64	84,796	67%
Depreciation set aside - Water (for System)		208,133	214,377	18,400.67	147,205.36	220,808	67%
Depreciation set aside - Sewer (for System)		141,437	145,680	12,504.16	100,033.28	150,050	67%
Depreciation set aside - Sewer (for Repl)		285,517	794,083	25,242.08	701,936.64	802,905	87%
TOTAL Sources		748,029	1,248,378	63,217.25	1,017,999.80	1,273,559	80%
Uses							
Construction in Progress - Water (1790)		0	191,172	121,330.08	323,124.08	100,000	0%
Construction in Progress - Sewer (1790)		173,949	72,235	60,543.66	900,908.25	1,200,000	0%
Equipment & Vehicles (1750 & 1760))		88,823	696,093	0.00	47,606.27	330,000	14%
Buildings		0	23,466	0.00	0.00	0	0%
Infrastructure		0	0	0.00	0.00	0	0%
Sewer-Repl Equip (part of 820-8200)		0	0	0.00	0.00	0	0%
TOTAL Uses		262,772	982,966	181,873.74	1,271,638.60	1,630,000	78%
Ending Cash & Investments		2,777,210	3,042,621		2,788,982.86	1,737,234.00	

Bond Payments Accounting - was 06-10 and 06-13

Beginning Cash & Investments		236,673	240,873		200,262.92	200,231	
Sources							
Interest Income		2,100	2,007	0.67	2,070.86	2,500	83%
Bond Proceeds	61-4-110-4901	0	0	0.00	0.00	0	0%
Operating Transfers-In	61-4-110-9998	0	0	0.00	0.00	-	0%
Bond Pmt Set Aside		491,350	365,500	39,466.25	315,730.00	473,595	67%
TOTAL Sources		493,450	367,507	39,466.92	317,800.86	476,095	67%
Uses							
Debt Service - Principal	61-5-110-8910	422,401	349,505	0.00	101,067.51	501,068	20%
Interest Expense	61-5-110-8920	66,849	58,612	0.00	37,804.15	52,924	71%
Fiscal Charges	61-5-110-8930	0	0	0.00	0.00	525	0%
Bond Issuance Costs	61-5-110-9031	0	0	0.00	0.00	0	0%
TOTAL Uses		489,250	408,117	0.00	138,871.66	554,517	25%
Ending Cash & Investments		240,873	200,263		379,192.12	121,809.00	

Gross Revenues (excludes set asides)	6,284,079	6,561,134	467,200.68	4,038,225.43	6,368,860
Gross Expenditures (excludes set asides)	7,476,524	6,780,887	563,948.93	4,823,737.09	7,127,308
NET CASH FLOW	(1,192,445)	(219,755)	(96,748.25)	(785,511.66)	(758,448)

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, January 10, 2017

City Council Chambers

401 Whitney Boulevard

6:00 pm

ROLL CALL

Members Present:

Andrew Racz, CHM
Robert Cantrell, VCHM
Rich Weigel
Ken Redeker
Anthony R. Phelps
Arthur Hyland

Staff Present:

Gina DelRose, Community Development Planner
Cathy Crawford, Administrative Assistant
Ben Rohr, RMAP Land Use Planner

Members Absent:

Alissa Maher

Ex- Officio:

Mike Drella, City Attorney
Clayton Stevens, Alderman

Chairman Andrew Racz called the meeting to order at 6:00 p.m.

MINUTES:

It was moved and seconded (Cantrell/Weigel) to approve the minutes of the December 13, 2016 meeting. The motion carried with a 6-0 roll call vote.

PUBLIC COMMENT:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

2017-01; LCI Highland of Illinois: LCI Highland of Illinois, d/b/a Elsie's Place Café, 9549 Penn Avenue South, Bloomington, Minnesota 55431 on behalf of the owner, J2M-Belvidere, LLC, 3543 North Pulaski Road, Chicago, IL 60641 is requesting a special use for indoor commercial entertainment to operate a video gaming café at 274 Meadow Street within the CB, Central Business District (Belvidere Zoning Ordinance Sections 150.105 (C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures).

The public hearing was opened at 6:03 p.m.

It was announced that LCI Highland of Illinois wished to postpone their case until the February 14, 2017 meeting.

It was moved and seconded (Weigel/Cantrell) to continue case 2017-01 until the February 14, 2017 meeting. The motion carried with a 6-0 roll call vote.

2017-02; C.E.S., Inc.: C.E.S., Inc., 700 West Locust Street, Belvidere, IL 61008 on behalf of the owner, Kevin Bunge, 700 West Locust Street, Belvidere, IL 61008 is requesting a variance to reduce the required freestanding sign setback from ten (10) feet to six (6) feet within the PO, Planned Office District to allow an existing sign to be replaced on one-half acre of land (Belvidere Zoning Ordinance Table 150.1007 (A) (1) Freestanding Signs and 150.909 Variance Review and Approval Procedures).

The public hearing was opened at 6:04 p.m.

Gina DelRose was sworn in. Ms. DelRose presented the staff report dated January 2, 2017. Certified mailings were sent to neighbors on December 15, 2016 and the case was published in the Boone County Journal on December 23, 2016. The applicant is requesting to replace their existing sign with a similarly-designed sign measuring five feet by thirty inches and mounted eight feet above the ground level. The extra height is to allow passing motorists and pedestrians a clearer view of oncoming traffic. Ms. DelRose explained that the sidewalk leading from the parking lot to the building's entrance is 13 feet from the property line. If the sign was constructed 10 feet from the parking lot, as required by the Zoning Ordinance, only a sign measuring two-feet wide would be permitted. A sign of that size would be difficult to read. To the east of the sidewalk, the building is set back far enough to permit signage while meeting the required 10 foot setback; there is, however, a large tree stump and landscaping that would obscure the view of the sign.

Gina DelRose stated that the minimum lot width required for the Planned Office District is 130 feet. The property is only 120 feet wide at its widest point. The difficulty is not related to the width of the property but to the location and design of the building. Little room is left at the location for freestanding signage under the current Zoning Ordinance. Due to the presence of numerous windows on the front of the building, there is no room for signage to help advertise the building and its location. Several surrounding properties within the Planned Office District have signage closer than 10 feet to the property line. The requested variation will allow a new sign to be placed in the same location as the previous sign. Ms. DelRose said the staff is not aware of any negative impacts that might be caused by the request.

Rich Weigel observed that a picture included with the staff report shows a neighboring sign with a smaller setback than that being requested.

Gina DelRose said this is correct; several grandfathered signs along Locust Street are closer to the roadway.

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

Danielle Wilson was sworn in. Ms. Wilson said the current sign is in poor repair. Ms. Wilson said she appreciated the help the city has given in this matter.

The public hearing was closed at 6:11 p.m.

It was moved and seconded (Redeker/Weigel) to accept the findings of fact as presented. The motion carried with a 6-0 roll call vote.

It was moved and seconded (Weigel/Cantrell) to approve case 2017-02. The motion carried with a 6-0 roll call vote.

2017-03; Pipitone: Jessica Pipitone, 732 Ballymore Road, Roscoe, IL 61073 on behalf of the owner, Billy Toft, 6990 Cora-Lee Drive, Belvidere, IL 61008 is requesting a special use for indoor commercial entertainment to operate a bar/tavern with video gaming at 1550 Pearl Street within the NO, Neighborhood Office District (Belvidere Zoning Ordinance Sections 150.105 (C)(1)(B)(2) , Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures).

The public hearing was opened at 6:13 p.m.

Gina DelRose was sworn in. Ms. DelRose presented the staff report dated January 4, 2017. Ms. DelRose said certified mailings were sent on December 15, 2016 and the case was published in the Boone County Journal on December 23, 2016. Ms. DelRose said the property is currently a vacant office building zoned Neighborhood Office District. All surrounding properties are zoned SR-6, Residential. Records show the Secretary of State's Vehicle Services (SOS) had occupied the building as early as 1982. Ms. DelRose stated that the Neighborhood Office District is intended to permit high-quality land use of an intensity compatible with the older residential portions of the city. The district is intended to provide permanent protection of an area and its character. Restrictions placed upon businesses within the NO District include residential architecture, increased landscaping and business hours limited from 6:00 a.m. to 11:00 p.m. Signage is also limited. Ms. DelRose stated that, although the zoning district allows businesses to operate until 11:00 p.m., it does not appear that businesses previously located at this property had office hours past 5:00 p.m. A business operating late into the night would be a significant change to the neighborhood.

The previous long-term tenant was the Secretary of State's Vehicle Services (SOS) which created a large amount of traffic at times. The SOS office closed at 5:00 p.m. and was not opened on weekends. Although the current zoning district limits the hours of operation to 11:00 p.m., most bars/taverns are open until 2:00 a.m. The majority of their business is later in the day and into the night. The applicant has stated he would like to apply for a text amendment to change the allowable hours of operation to 2:00 a.m. This will generate late night traffic (with possible impaired

drivers) on a residential street in addition to patrons in the parking lot generating noise and garbage.

The current parking lot is not illuminated because previous businesses were not open past 5:00 p.m. The addition of parking lot lighting to ensure the safety of patrons will shine light onto surrounding residences. The increase in late night activities will negatively impact the established residential neighbors.

Gina DelRose said the city is home to numerous bars/taverns and video gaming establishments. The land use is neither lacking in the community nor filling a void in services for this specific neighborhood. Video gaming exists in the nearby Backstop Bar and Grill as well as Anna's Café. There are 15 properties in the city zoned Neighborhood Office, but the majority of those businesses are an office use. None are developed with a bar/tavern or similar land use. Ms. DelRose stated the staff recommends denial of case 2017-03. If the PZC or City Council were to approve the special use, the staff would recommend the following two conditions:

1. The hours of operation shall be limited to 11:00 p.m.
2. Open alcohol is prohibited outside the premises.

Chairman Racz invited questions from the commissioners for the staff.

Rich Weigel said, even if the special use was permitted, how would the parking be handled?

Gina DelRose said there is sufficient parking for the requested land use.

Chairman Racz invited questions for the staff from the applicant and the audience.

Charles Gaby asked Ms. DelRose to clarify the conditions she proposed if the special use was permitted by the City Council.

Gina DelRose did so.

Tony Pipitone was sworn in. Mr. Pipitone introduced himself as the owner of Slots of Fortune II which currently operates at 101 North State Street. Mr. Pipitone said he was interested in renovating the subject property which has been vacant for some time. Mr. Pipitone said his business imposes a three-drink limit and only has five machines for gaming. Mr. Pipitone said his establishment is more of a café than a bar; he offers free coffee and doughnuts. Mr. Pipitone said due to the drink limit and the availability of only five machines, it does not generate a large amount of traffic. Mr. Pipitone said his current location on State Street is not convenient for his largely elderly clientele.

Rich Weigel asked if Mr. Pipitone would be able to abide by the 11:00 p.m. closing time.

Tony Pipitone said he could do so; he stated he wanted to be open until 12:00 p.m. on weekdays and until 1:00 a.m. on weekends but would abide by the 11:00 p.m. closing time. He stated the location would not resemble a bar; there would be no flashing lights or advertising signs. Mr. Pipitone said that a liquor license is required to operate a gaming parlor but that a three-drink limit is imposed.

Audience member Lettie Thurman asked Mr. Pipitone if he would be changing his closing time to 11:00 p.m. if he is granted the special use.

Tony Pipitone said he would. Mr. Pipitone said his current location has no parking; this is one of his reasons for moving to the Pearl Street location. Many of his older clientele do not wish to walk from the municipal parking lot to game there, especially in cold weather. Mr. Pipitone said he would prefer to be open from 8:00 a.m. to 11:00 p.m.

Audience member Cathy Sell said she sees a number of young people outside Mr. Pipitone's current location at 101 North State Street, not the older clientele he mentioned.

Tony Pipitone said that Alcoholics Anonymous meetings are held in the location next to his; during break times between meetings, the members gather outside to smoke. Mr. Pipitone said they are not part of his clientele. Mr. Pipitone said the building needs much work; he plans for his new location to have an upscale atmosphere with no music.

Audience member Charles Gaby said he does not believe Mr. Pipitone will adhere to the 11:00 p.m. closing time, despite his "good intentions."

Tony Pipitone said if he is required to do so, he is willing to close at 11:00 p.m.

Cathy Sell asked how much money it will cost to renovate the building and bring it up to code. Ms. Sell said she is a former employee of the SOS and the building was in poor repair.

Tony Pipitone said he has resources to bring the building into full compliance with the building codes.

Audience member Dianna Annabel asked where patrons of the proposed location will be smoking.

Tony Pipitone said they might smoke outside the front of the back doors. Mr. Pipitone said he does not agree with smoking, but there is no location in the back where patrons can smoke at his current business.

Dianna Annabel asked what Mr. Pipitone's plans are for the rest of the building.

Tony Pipitone said he is in the restaurant business; perhaps later he may choose to open a restaurant.

Dianna Annabel asked what restrictions there are regarding an establishment with a liquor license and its proximity to daycares, churches and schools.

City attorney Mike Drella said the Illinois Liquor Code states that establishments with liquor licenses must be at least 100 feet from those uses; the proposed location is outside of that buffer.

Audience member Dan Staton asked Mr. Pipitone if he will be adding more machines in the future beyond the current five machines.

Tony Pipitone stated that five machines is the limit that the State of Illinois allows.

Charles Gaby asked what revenues Mr. Pipitone receives from his gaming parlor.

Tony Pipitone said only one-third of the profit is kept by the business owner; he said it is his belief gaming parlor owners are "no more than making a living."

Charles Gaby said Mr. Pipitone did not answer the question.

Chairman Andy Racz asked if any audience members had testimony to present.

Lettie Thurman was sworn in. Ms. Thurman said she understands the applicant will be adjusting his plans but she is in disagreement with the special use request. Ms. Thurman said the smoking, garbage, business hours, and parking lot lighting will have a negative effect on the neighborhood. Ms. Thurman said that if the zoning of the proposed location is changed, it may have a negative impact in the future. Ms. Thurman said she owns a large house and would like to believe a family will reside there when she eventually sells it.

Dan Staton was sworn in. Mr. Staton said the neighborhood has always been residential in nature. Mr. Staton said he agrees that the city needs to attract development. Mr. Staton said he feels the smoking and possible parking overflow will be a problem. Mr. Staton said he is opposed to the proposed special use.

David Moneysmith was sworn in. Mr. Moneysmith said he is a resident of Garfield Avenue. He stated he purchased his house due to its location in a neighborhood

that would be unlikely to change. Mr. Moneysmith said it is his opinion this is not the sort of business the neighbors would like to see locate in the vacant building. Mr. Moneysmith said if the gaming parlor had been located there when he purchased his house, then he would not have purchased it.

Cathy Sell was sworn in. Ms. Sell said the proposed special use is not a good fit for the proposed location. Ms. Sell said patrons from the Backstop Bar and Grill who are leaving at closing time often activate motion sensor lights and disrupt the neighborhood.

David Hulina was sworn in. Mr. Hulina said he feels it "takes guts" to open a business, however, he disagrees with the proposed business locating within the neighborhood. Mr. Hulina said he disagrees with the proposed zoning change. Mr. Hulina mentioned Mr. Pipitone's statement that his current location does not have a large amount of patrons. Mr. Hulina speculated that the number of patrons will rise with the greater availability of parking.

Tony Pipitone stated that he said his mostly elderly clientele found the lack of parking on State Street to be a problem.

David Hulina said that, while the building does need work, he believes the proposed business does not belong there.

Danny Thurman was sworn in. Mr. Thurman said he believes the building is better suited to a medical or dental office. Mr. Thurman said he does not believe that the presence of a gaming parlor is good for the neighborhood's children.

Gary Trueblood was sworn in. Mr. Trueblood said he was present to represent his father. Mr. Trueblood said he visited the location after dark and found that the parking lot is some five feet above ground level. Mr. Trueblood said he made note of where his headlights were shining as his car left the parking lot. He said the five foot height difference caused the headlights to shine directly into many windows of neighboring residences.

Cory Thornton was sworn in. Mr. Thornton said he feels that allowing the special use would set a dangerous precedent for the neighborhood. Mr. Thornton cited the presence of alcohol and parking lot lights shining into windows as potential problems. Mr. Thornton said the neighbors wished to present a signed petition to the commission but were advised not to by their alderman. Mr. Thornton said there is a much larger group of opposed neighbors who could not be present.

Alderman Clayton Stevens was sworn in. Mr. Stevens said the former SOS closed at 5:00 p.m. Mr. Stevens cited the lights shining in windows and the potential for increased traffic were some of the potential issues neighbors will face if the special use is allowed. Mr. Stevens said Mr. Pipitone could come back to the city and apply

for later hours if he chooses to do so. Mr. Stevens said the neighbors present at this meeting represent a larger group of neighbors who are all opposed to the special use. Mr. Stevens said the neighborhood does not wish for negative impacts.

Dianna Annabel was sworn in. Ms. Annabel said she resides in her childhood home. Ms. Annabel said the neighborhood has evolved over the years. Ms. Annabel said her driveway is sometimes blocked by parked cars. The Backstop Bar and Grill as well as other nearby neighborhoods cause noise and increased activity. Ms. Annabel said the letter they received stated there would be low music but the applicant is now stating there will be no music. Ms. Annabel said she had been under the impression the business would be a coffee shop; she now knows there will be a liquor license that is required with gaming machines.

Kiana Staton was sworn in. Ms. Staton said she is in opposition to the proposed special use due to the number of people, including children who walk down the street. Ms. Staton said she is worried about the safety of neighbors.

Jenna Annabel was sworn in. Ms. Annabel said she is concerned about her safety and the safety of others late at night if the proposed special use is allowed.

Linda Manning was sworn in. Ms. Manning said she has been a bartender for many years. Ms. Manning said she believes that the three-drink limit Mr. Pipitone says he will impose on gaming patrons will not work, due to the possibility that those patrons will go elsewhere to continue drinking.

Mike Drella said that the staff could offer rebuttal testimony at this time.

Gina DelRose said she wished to provide information clarifying some statements that had been made. Firstly, Ms. DelRose explained that signed petitions are not taken into evidence in the public hearing because the individuals who signed the petition are not present to be cross-examined by the applicant. Secondly, Ms. DelRose clarified that the case before the commission is an application for a special use permit, not a rezoning. Thirdly, Ms. DelRose stated that if Mr. Pipitone is allowed a special use permit for indoor commercial entertainment, the next person who occupies the subject property, could, if they wished, operate the business differently, such as open a full bar with no drink limit.

Chairman Racz asked commissioners if they had any further questions for the staff.

Robert Cantrell clarified that Mr. Pipitone intended to relocate his existing business.

Tony Pipitone said this was correct.

Robert Cantrell said he commends Mr. Pipitone for looking for a new location, however, does not feel the business is right for the neighborhood.

Tony Pipitone said he understands the concerns.

The public hearing closed at 7:04 p.m.

It was moved and seconded (Weigel/Cantrell) to accept the findings of fact as presented. The motion carried with a 6-0 roll call vote.

Robert Cantrell motioned to approve case 2017-03. The motion failed for lack of a second.

It was motioned and seconded (Weigel/Cantrell) to deny case 2017-03. The motion carried with a 6-0 roll call vote. The case was denied.

Mike Drella clarified that the planning commission is not the final decision-making body; that body is the City Council. The case will receive a first reading on January 17, 2017 and a second reading and vote will take place on February 6, 2017 at 7:00 p.m.

Chairman Racz encouraged interested parties to attend the meeting on February 6, 2017.

2017-04; Hernandez: Jenaro Hernandez, 7818 Illinois Route 173, Poplar Grove, IL 61065 is requesting a special use for indoor commercial entertainment to operate a bar and grill with video gaming at 116 Buchanan Street within the CB, Central Business District (Belvidere Zoning Ordinance Sections 150.105 (C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures).

The public hearing opened at 7:09 p.m.

Gina DelRose was sworn in. Ms. DelRose presented the staff report dated January 2, 2017. Ms. DelRose said certified mailings were sent on December 15, 2016 and the case was published in the Boone County Journal on December 23, 2016. Ms. DelRose said a special use was approved for the property to allow a bar with video gaming (Panama Club). The business closed more than 12 months ago. According to Section 150.904(L) of the Zoning Ordinance, "Any and all special uses which are discontinued for a period exceeding 365 days shall automatically terminate and any subsequent use previously allowed by the special use shall be a violation of this code." Therefore, the property owner must reapply for the indoor commercial entertainment special use to open the proposed business, Crazy Camarons. The applicant intends to open the bar and video gaming portion of the business first with the restaurant opening within a year.

Gina DelRose stated the requested special use is for a use similar to others in the downtown area. The applicant intends to create a different atmosphere to set his

business apart from others. This could allow a wider demographic of people to be served. The property has housed commercial uses in the past.

Gina DelRose stated that the Comprehensive Plan designates the downtown area as Central Business. The downtown area should be a mix of retail, services, residential recreation and entertainment during the day and at night. A bar is included in the mix of encouraged land uses.

The property is located in a mixed-use area that is unlikely to negatively impact the existing uses. The planning staff recommends approval of the special use subject to the following two conditions:

1. Alcohol is prohibited outside the premises unless a special use permit for outdoor commercial entertainment is obtained.
2. Compliance with all applicable codes and ordinances.

Seeing no questions for the staff, Chairman Racz invited the applicant to step forward.

Jenaro Hernandez was sworn in. Mr. Hernandez said he is the owner of the building. Since his previous tenant left, he has not been successful in renting the space. Mr. Hernandez said he wishes to create a bar and grill, with the restaurant phase of the plan coming after the opening of the bar and video gaming portion.

Rich Weigel asked how long it will be until the restaurant portion is in operation.

Jenaro Hernandez said it will be approximately two months.

Rich Weigel asked if he is required to serve food in the video gaming parlor.

Jenaro Hernandez said that is not required. Mr. Hernandez said he will not operate his business like most bars; he plans to close at 10:00 p.m. on weekdays, be closed on Mondays, and only be open until 12:00 a.m. or 1:00 a.m. on weekends.

Chairman Racz asked for the meaning of the business name.

Jenaro Hernandez said the name Crazy "Camarons" means Crazy Shrimp; he stated he wishes to focus the menu on seafood as well as other fried foods.

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

There was no discussion held.

It was moved and seconded (Redeker/Phelps) to accept the findings of fact as presented. The motion carried with a 6-0 roll call vote.

It was motioned and seconded (Phelps/Hyland) to approve case 2017-04 subject to conditions as presented by the staff. The case was approved with a 6-0 roll call vote.

Gina DelRose informed the applicant the case would receive a first reading by the City Council on January 17, 2017 and a second reading and vote on February 6, 2017.

2017-05; Little Caesars (Preliminary Plat): The applicant is requesting approval of the preliminary plat of Little Caesars Subdivision.

Gina DelRose presented the staff report dated January 4, 2017. The applicant is requesting preliminary plat approval of Little Caesars Subdivision, a two-lot subdivision approximately 2.5 acres in size at the northeast corner of North State Street and Fairgrounds Road. It encompasses the former Belvidere Motors automobile dealership. The subject property is currently zoned GB, General Business District and developed with a large parking lot and an 18,000 square foot building. Ms. DelRose said it is being subdivided into a 1.91 acre lot and a 0.51 acre lot. Little Caesars intends to develop the smaller lot (Lot 1). The property had previously been developed; public improvements are not anticipated to be installed.

Gina DelRose stated there is a sanitary sewer, storm sewer and water line that serve the existing building on Lot 2 but which runs through Lot 1. Ms. DelRose said careful attention to the existing infrastructure and easement language will need to be paid in order to ensure proper development in the future. Comments from 16 departments, agencies and other parties were either addressed by the applicant or incorporated into the recommended conditions for approval. The planning staff recommends approval of the preliminary plat subject to the following conditions:

1. Route 76 shall be relabeled to Fairgrounds Road.
2. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
3. Per Section 151.25(b)(7) of the Belvidere Subdivision Code, the name and address of the owner of land to be subdivided and the name and address of the subdivider shall be included.
4. The pages shall state Sheet 1 of 2 and 2 of 2. Pages 3, 4 and 5 are for the final plat and shall be numbered separately.

5. 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.
6. 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 approval and release of the construction plans for the development by the Director of Public Works.
7. 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.
8. 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 by the City at the time of Final Plat submittal.
9. Easements, ten feet in width, will be required for all existing utilities across both lots.
10. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2.
11. "Caesars" is spelled wrong.
12. All existing easements shall be labeled as existing.
13. Per Section 151.25(b)(15) of the Belvidere Subdivision Code, explanations of drainage easements, site easements, reservations shall be provided. This includes utility, sanitary, storm and cross access easements.
14. An easement is needed for the water line that crosses Lot 1 in order to serve the building on Lot 2.
15. The sanitary sewer shown along the northwest line of Lot 1 and stops after it crosses into Lot 2 shall be extended all the way down to the eastern line of Lot 2.
16. The plat shall be in compliance with all applicable codes, ordinances, and agreements.

It was moved and seconded (Cantrell/Weigel) to approve the preliminary plat subject to the 16 conditions presented by the staff.

Chairman Racz asked the applicant if he wished to add anything.

Architect and engineer Todd Huntington of GPD Group introduced himself as well as Jim Tibbett, the surveyor on the project. Mr. Huntington said the developer was also

present to answer any questions. Mr. Huntington stated the 16 conditions had been addressed and resubmitted to Gina DelRose.

Mike Drella said the developer plans to pave over easements that exist on the property. Mr. Drella asked if the developer is aware that the pavement is subject to removal by the city or utilities should that become necessary in the future.

Todd Huntington said he was made aware of that fact by Brent Anderson and the developer feels they must utilize the easement areas in the building of the drive-through lane. Mr. Huntington said pavement is present currently in this location; Mr. Huntington said some of the lines will serve the Little Caesars building and some serve the Belvidere Motors building. Mr. Huntington said if Belvidere Motors intends to develop in the future, they may need to extend, enlarge or relocate the utilities. Mr. Huntington said the building can be built without affecting those utilities now in place.

Art Hyland asked if the applicant owns both lots.

Todd Huntington said no; the property is owned by another entity. A 0.51 acre portion will be subdivided and will become the Little Caesars location. The other 1.91 acres will continue to be owned by the Robert L. Dixon Living Trust.

James Tibbett introduced himself and said he was present to answer any questions.

The motion to approve 2017-05 subject to the 16 conditions as presented by staff carried with a 6-0 roll call vote.

2017-06; Little Caesars (Final Plat): The applicant is requesting final plat approval of the two-lot Little Caesars Subdivision.

Gina DelRose presented the staff report dated January 5, 2017. Ms. DelRose stated the planning staff recommends approval of the final plat subject to the following 24 conditions:

1. The pages shall state Sheet 1 of 3, 2 of 3 and 3 of 3. Pages 1 and 2 are for the preliminary plat and shall be numbered separately.
2. In the general easement provision, Nicor shall be stated. "...and other properties with telephone, electric, Nicor gas and other service or cable television services;...".
3. The overlapping texts on Sheets 2 and 3 shall be corrected.
4. Route 76 shall be relabeled to Fairgrounds Road and US Route 20 shall be labeled North State Street.

5. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
6. Per Appendix A of the Belvidere Subdivision Code, the Surveyor Certificate shall include the following language: Dimensions are given in feet and decimals of a foot. Dimensions along circular curves are chord distances pin to pin. Iron pins three-fourth inch in diameter and four feet long have been found or set at all points marked on the plat with a solid dot and iron pins five-eighths inch in diameter and three feet long have been found or set at all other lot corners, unless otherwise specified.
7. Per Appendix A of the Belvidere Subdivision Code, the Public Works Department Approval certificate block shall include the following language: I, _____, Public Works Director of the City of Belvidere, do hereby certify that this plat has been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of Belvidere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed improvements.
8. "Caesars" is spelled wrong.
9. Per the Plat Act, at least two concrete monuments should be shown on the boundary of the subdivision.
10. Easement provisions should be included on the plat for all of the utility, sanitary, storm and cross access easements. Easement provisions shall indicate the terms of use, the party or parties who benefit from the easement, and what can and cannot be constructed within the limits of the easements.
11. Dimensions are required for all easements.
12. Blank lines shall be provided for signatures, locations and dates with the certificate blocks.
13. The Commonwealth Edison signature block has an extra "By: Date:" line.
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. Public improvements include sidewalks, sanitary sewer main, water and sanitary services stubs.
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 recording of the Final Plat or 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 cost for the public improvements must be paid to the City

Clerk prior to approval and release of the constructions plans for the development by the Director of Public Works.

17. 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 by the City at the time of Final Plat submittal.
18. Easements, ten feet in width, will be required for all existing utilities across both lots.
19. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2. The easement provisions for this easement shall read as follows:

Sanitary Sewer Easement

An easement is hereby reserved for the City of Belvidere and its assignee(s) to construct, repair, maintain and operate said sanitary sewer upon, under and through the area shown on the attached plat; and, together with the right of access across the lots and real estate described in the attached plat, and allowing for the necessary men and equipment to do any or all of the above work; and agreeing that no permanent buildings or trees shall be placed on said easements but may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses and rights; and agreeing that the City and its assignee(s) shall not be responsible for any damage to any improvement made with the easement area, including, but not limited to, pavement, curb and gutter, signs or poles.

20. The plat provisions refer to common elements and common areas. No such areas are shown on the plat. If they do not apply, the provisions shall be removed.
21. A drainage overlay needs to be submitted for review and approval prior to final plat approval.
22. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
23. The plat shall be recorded with the County Recorder of Deeds within 60 days of City Council approval, unless a plat-recording extension is granted by the City Council.
24. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

It was motioned and seconded (Hyland/Weigel) to approve case 2017-06 subject to the 24 conditions as presented by the staff.

Art Hyland asked for verification that the conditions had been addressed by the applicant.

Gina DelRose said she has been assured that all conditions will be addressed.

The motion to approve case 2017-06 carried with a 6-0 roll call vote.

2017-07; Little Caesars: Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner, Robert L. Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008 is requesting a special use to permit a planned development in the GB, General Business District at 1209 North State Street. The planned development will allow a drive-through lane, lighting in excess of 0.5 foot-candles, one additional freestanding sign, an increase of 13.5 square feet for freestanding signage, an increase of 16 square feet for building signage and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Belvidere Zoning Ordinance Sections 150.105 (C)(5)(B)(2), 150.707(E)(3)(A), 150.1007 Table 150.1007(A)(1), 150.1007 Table 150.1007(B)(1), 150.105 (C)(5)(G)(2) and 150.904 Special Use Review and Approval Procedures).

The public hearing opened at 7:40 p.m.

Gina DelRose was sworn in. Ms. DelRose presented the staff report dated January 4, 2017. Ms. DelRose said certified mailings were sent on December 15, 2016 and the case was published in the Boone County Journal on December 23, 2016. Ms. DelRose said this is a special use for a planned development because the applicant is requesting a number of deviations from the zoning ordinance. The subject property is now a parking lot. In recent years, older developments in the area have been replaced with newer commercial buildings and uses such as Aldi's, AutoZone, Family Video, Family Dollar and improvements to the McDonald's drive-through lane.

Little Caesar's was a long-term tenant in the now-closed K-Mart store. Little Caesars is known for their Hot-N-Ready Pizzas; to facilitate this, the company is now focusing on restaurants with drive-through lanes. Drive-through lanes are designated in-vehicle sales and service and require special use approval.

Three deviations from the sign portion of the Zoning Ordinance are being requested: The applicant is requesting two freestanding signs (the Zoning Ordinance allows for only one freestanding sign). One will be the iconic Little Caesar statue; the other will be a monument sign with the company name on it. The applicant is requesting an increase in the allowable square-footage for freestanding signage from 60 square feet to 76 square feet. An increase in the allowable square-footage from 55.3 square feet to 65.8 square feet is also being requested.

The applicant is requesting a deviation for the required five-foot pavement setback in three areas. The drive-through lane on the north side of the property and the parking lot on the south side of the property have setbacks of 3.65 feet and 3.66 feet respectively. There is an area designed for a cross-access easement on the south side leading into the Belvidere Motors property. This area will be paved over the property line.

On the south side of the property, the lighting levels exceed the required 0.5 foot-candles. Approximately 70 linear feet of lighting ranges from 0.5 foot-candles to 5.0 foot-candles. The area is adjacent to a parking lot with existing light poles.

The staff feels that the North State Street development can accommodate the anticipated level of traffic generated by the restaurant. The overall designs of the proposed improvements, even with the increased levels of signage and lighting, are not out of character with the neighborhood or the surrounding properties. The pavement will be setback further from the property line than that which already exists. More landscaping will be added. The planning staff does not anticipate the planned development impeding future development. The planned cross-access easement will allow any future development that may occur to the south. The nature of the drive-through lane, increased signage and increased lighting, will not cause any negative impacts on surrounding properties.

The planning staff recommends approval of the special use for a planned development subject to the following three conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application (December 13, 2016) unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-vehicle Sales or Services (Section 150.105 (C)(5)(B)(2); lighting in excess of 0.5 foot-candles (Section 50.707 (E)(3)(A); one additional freestanding sign and an increase of 13.5 square feet for freestanding signage (Section 150.1007 Table 150.1007(A)(1); an increase of 16 square feet for building signage (Section 150.1007 Table 150.1007 (B) (1); and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Section 150.105 (C)(5)(G)(2).

There were no questions for the staff.

Todd Huntington was sworn in. Mr. Huntington said the applicant plans to address all of the conditions addressed by the staff.

Rich Weigel asked when the project will start.

Todd Huntington said the development would start as soon as possible for a projected opening date of September 2017.

The public hearing closed at 7:48 p.m.

It was moved and seconded (Cantrell/Phelps) to accept the findings of fact as presented by the staff. The motion carried with a 6-0 roll call vote.

It was moved and seconded (Redeker/Weigel) to approve case 2017-07 subject to the three conditions as presented by the staff. The motion carried with a 6-0 roll call vote.

Gina DelRose said the case would move to the City Council for a first reading on January 17, 2017 and a second reading on February 6, 2017.

2017-08; Casey's General Store: Casey's Retail Co., One Convenience Boulevard, Ankerly, IA 50021 on behalf of the owner, Big Thunder LLC, PO Box 560, Belvidere, IL 61008 is requesting a special use to permit a planned development in the PB, Planned Business District at 425 Beloit Road, Belvidere, IL 61008. The planned development will allow in-vehicle sales or service (fuel pumps) and a canopy height of 22.5 feet (Belvidere Zoning Ordinance Sections 150.105 (C)(4)(B)(2), 150.204(D) (8)(A)(4) and 150.904 Special Use Review and Approval Procedures).

The public hearing opened at 7:51 p.m.

Gina DelRose was sworn in. Ms. DelRose summarized the staff report dated January 2, 2017. Ms. DelRose said the certified mailings were sent on December 15, 2016 and the case was published on December 23, 2016 in the Boone County Journal. Ms. DelRose stated the subject property is part of the Big Thunder Village Plat 2 Subdivision. The property is 5.66 acres and is bounded by Beloit Road and US Route 20. The applicant is requesting a planned development to allow a Casey's General Store to be constructed in the southern portion of the property. The request includes two deviations from the Zoning Ordinance: In-vehicle sales and services (gas stations) are a special use within the Planned Business District and canopies are limited to 20 feet in height in all zoning districts. The applicant is requesting a 22.5-foot canopy to allow space for the company logo.

Casey's General Store currently has 2,000 corporate stores nationwide; recently, a Casey's location opened in Capron, Illinois. There are currently two gas stations in the immediate vicinity along with multiple restaurants, medical offices, institutions, car dealerships and a large retail store. Casey's primary focus is on their convenience store and food offerings.

The planned development is designed to accommodate large traffic volumes. There is one point of ingress/egress. The parking lot is designed in such a manner that, if there is additional development to the north, it will provide a secondary means of ingress/egress. A multi-use path runs along Beloit Road, connecting the planned

development to the schools to the north and Prairie Fields to the south. The convenience store, the focal point of the development will serve properties on the north side of town that are also connected by the path system. The development will be similar to other developments that are zoned Planned Business. Landscape and signage requirements must be met. The planning staff recommends approval of case 2017-08 subject to the following four conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-vehicle Sales and Service shall be permitted (Section 150.105 (C)(4)(B) (2)) and a canopy height of 22.5 feet instead of 20 feet (Section 150.204 (D) (8)(A)(4)).
4. The Planned Development shall be in compliance with all other applicable codes and ordinances.

Robert Cantrell asked Gina DelRose how far the convenience store will be from the Moose Lodge parking lot.

Applicant Lauren Downing from Arc Design was sworn in. Ms. Downing stated the back of the convenience store will be constructed 301 feet from the north property; the canopy will be approximately 397 feet from the north property line.

Robert Cantrell asked if the drive will wrap around the outside of the development.

Lauren Downing said it would not.

Ryan Swanson, of Arc Design was sworn in. Mr. Swanson said the site it approximately 5.6 acres. The remainder of the unused property will be kept as detention for the present. The company does not currently have plans for this portion of the property. Mr. Swanson said perhaps an accessory or complementary use might be made of the acreage in the future.

Andy Racz asked how soon the store would be built.

Ryan Swanson said the target date for opening is mid-to-late summer 2017.

The public hearing was closed at 8:01 p.m.

It was moved and seconded (Cantrell/Redeker) to accept the findings of fact as presented. The motion carried with a 6-0 roll call vote.

It was moved and seconded to approve case 2017-08 subject to the four conditions as presented by the staff. The motion carried with a 6-0 roll call vote.

Gina DelRose stated the case would move to the City Council for a first reading on January 17, 2017 and a second reading would occur on February 6, 2017.

OTHER BUSINESS:

None

DISCUSSION:

Staff Report:

Gina DelRose introduced Ben Rohr, a land use planner with RMAP. Ms. DelRose said Mr. Rohr will be helping the staff with planning duties twice per week.

Ben Rohr thanked Gina DelRose. Mr. Rohr said he is familiar with Planning Commissions. He would be helping the planning staff with cases in the foreseeable future.

Gina DelRose said the February PZC meeting will include two requests for special uses for video gaming, one text amendment to allow shooting ranges in the General Business and Planned Business Districts, and a special use for a shooting range in a commercial district. Ms. DelRose said she anticipates a large crowd will be in attendance for the meeting.

Andy Racz stated that 16 licenses for video gaming have been issued by the city since September, 2013. Mr. Racz said there are currently 20 businesses with video gaming machines on their premises.

Rich Weigel said that added up to 20 businesses creating revenue for the city.

Robert Cantrell said Belvidere was similar to many municipalities in Illinois in this way.

ADJOURNMENT:

The meeting adjourned at 8:06 p.m.

Recorded by:

Cathy Crawford
Administrative Assistant

Reviewed by:

Gina DelRose
Community Development Planner

Minutes
Committee of the Whole
Building, Planning, Zoning and Public Works
January 9, 2017
6:00 p.m.

Call to Order – Mayor Chamberlain.

Roll Call: Present: R. Brooks, J. Sanders, G. Crawford, W. Frank,
T. Ratcliffe, D. Snow and C. Stevens.
Absent: D. Arevalo, C. Morris, and M. Sanderson.

Alderman Sanderson arrived at 6:13 p.m.

Department Heads and City personnel in attendance:
Public Works Director Brent Anderson, Budget and Finance Director Becky Tobin,
Police Chief Noble, City Attorney Drella and City Clerk Arco.

Public Comment:

Public Forum:

Reports of Officers, Boards and Special Committees:

ComEd presentation by Mike McMahan VP AMI Implementation – Smart Meters.

1. Building, Planning and Zoning, Unfinished Business: None.
2. Building, Planning and Zoning, New Business: None.
3. Public Works, Unfinished Business: None.
4. Public Works, New Business:

(A) Notice of Award – Tripp Road Infrastructure Improvement Funding.

Motion by Ald. Snow, 2nd by Ald. Crawford to approve the Notice of State Award Agreement for Tripp Road Infrastructure Improvements. Aye voice vote carried. Motion carried.

(B) 2017 NBIS Bridge Safety Inspections.

Motion by Ald. Crawford, 2nd by Ald. Snow to approve the cost of bridge inspections by Hampton, Lenzini & Renwick (our IDOT approved bridge manager) on a time and material basis not to exceed \$7,800. This work will be paid for from line item 01-5-360-6140 Engineering Services. Aye voice vote carried. Motion carried.

(C) WWTP Thickener Building Improvements – Architectural Design and Construction Services.

Motion by Ald. Snow, 2nd by Ald. Crawford to approve the proposal from Ollmann Ernest Martin Architects to complete the architectural design engineering construction inspection services for the thickener building modifications at a cost not to exceed \$11,500. This work will be paid for from the Sewer Depreciation Fund. Aye voice vote carried. Motion carried.

(D) Request for No Parking Zone – Landmark Drive cul-de-sac.

Motion by Ald. Sanderson, 2nd by Ald. Snow to approve a no parking zone be created in the cul-de-sac at the end of Landmark Drive. This will return in ordinance form. Aye voice vote carried. Motion carried.

(E) Resolution – Illinois Transportation Legislative Initiative.

Motion by Ald. Crawford, 2nd by Ald. Snow to forward to City Council the Resolution for Illinois Transportation Legislative Initiative of Support to Benefit the Economy and the Citizens of Illinois. Aye voice vote carried. Motion carried.

5. Other:

(A) Business Registration – keep on agenda.

(B) Resolution – NIMEC.

Motion by Ald. Snow, 2nd by Ald. Crawford to forward to City Council a Resolution Authorizing the Participation in the Northern Illinois Municipal Electric Collaborative (NIMEC) and Authorizing the Mayor to Approve a Contract with the Lowest Cost Electricity Provider for a Period up to 36 Months. Aye voice vote carried. Motion carried.

(C) The Lakota Group – 10-year Historic Preservation Plan.

Motion by Ald. Crawford, 2nd by Ald. Sanders to approve the Professional Services Agreement between the Lakota Group and the City of Belvidere. Aye voice vote carried. Motion carried.

(D) Section 74-213 Projecting Missiles and Section 74-292 Air guns and other miscellaneous firearms – for discussion only.

(E) (11) Litigation, either pending or imminent of the Open Meetings Act.

Motion by Ald. Snow, 2nd by Ald. Sanders to move into executive session at 7:04 p.m. to discuss 2 (c) (11) Litigation, either pending or imminent of the Open Meetings Act to include Public Works Director Brent Anderson and Budget and Finance Director Becky Tobin. Roll Call Vote: 8/0 in favor. Ayes: Brooks, Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow and Stevens. Nays: None. Motion carried.

Motion by Ald. Snow, 2nd by Ald. Sanderson to move out of executive session at 7:24 p.m. Roll Call Vote: 8/0 in favor. Ayes: Sanders, Crawford, Frank, Ratcliffe, Sanderson, Snow, Stevens and Brooks. Nays: None. Motion carried.

6. Adjournment:

Motion by Ald. Crawford, 2nd by Ald. Sanderson to adjourn meeting at 7:25 p.m. Aye voice vote carried. Motion carried.

Mayor

Attest: _____ City Clerk

ORDINANCE #325H
AN ORDINANCE AMENDING SECTION 110-198 OF THE
CITY OF BELVIDERE MUNICIPAL CODE
LANDMARK DRIVE

NOW, THEREFORE, be it ordained by the Mayor and the City Council of the City of Belvidere, Boone County, Illinois, as follows:

- Section 1: Section 110-198 is amended to add an additional parking restriction as set forth in the attached Exhibit A which is incorporated herein by this reference. Parking is prohibited within the cul-de-sac located at the southern end of Landmark Drive.
- Section 3: The Director of Public Works is directed to amend the City's official parking regulation map, as set forth in Section 110-187 of this Code to reflect the new parking restriction created by this ordinance and to erect appropriate signage.
- Section 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.
- Section 5: This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law.

Ayes:
Nays:
Absent:

Approved:

Michael W. Chamberlain, Mayor

Attest:

Shauna Arco, City Clerk

EXHIBIT A

Location	Conditions	Ord. No.
Cul-de-sac located at the southern end of Landmark Drive commencing approximately 1,348 feet south of Newburg Rd.	No parking allowed	

ORDINANCE NO. 326H

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(BAR/TAVERN WITH VIDEO GAMING)
WITHIN THE NO, NEIGHBORHOOD OFFICE DISTRICT
(1550 Pearl Street)**

WHEREAS, The City of Belvidere has adopted Chapter 150, Zoning Ordinance in accordance with the provisions of Illinois Compiled Statutes to regulate the use of land and to specify the minimum requirements for improvements on land in the City of Belvidere; and

WHEREAS, Special Uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, use and enjoyment of adjoining property; are reviewed on a case by case basis; and are permitted only by permission of the Belvidere City Council; and,

WHEREAS, The applicant, Jessica Pipitone, 732 Ballymore Road, Roscoe, IL 61073 on behalf of the owner, Bill Toft, 6990 Cora-Lee Drive, Belvidere, IL 61008 has petitioned the City for a Special Use to permit indoor commercial entertainment (bar/tavern with video gaming); and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on January 10, 2017 concerning the proposed Special Use; and,

WHEREAS, the City of Belvidere Planning and Zoning Commission having examined the application and having considered the evidence, both oral and documentary and being fully advised about the premises did make findings of fact and a recommendation; and,

WHEREAS, the corporate authorities of the City considered the findings of fact and concur with the recommendation of the Planning and Zoning Commission,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. That a Special Use in the NO, Neighborhood Office District for indoor commercial entertainment (bar/tavern with video gaming) on the property depicted in Attachment A and legally described as:

Lots Five (5), Seven (7) and Nine (9) in Block Eight (8) as designated upon the Plat of "Highland" situated in Belvidere, according to the Plat thereof recorded in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and the State of Illinois. PIN: 05-36-308-003.

is hereby approved, subject to the following conditions:

1. The hours of operation shall be limited to 11:00pm.
2. Open alcohol is prohibited outside the premises.

Section 3. That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.

Section 4. That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this ____ day of _____, 2017.

APPROVED by the Mayor of the City of Belvidere this ____ day of _____, 2017.

Michael W. Chamberlain, Mayor

ATTEST:

Shauna Arco, City Clerk

Ayes: _____ Nays: _____ Absent: _____

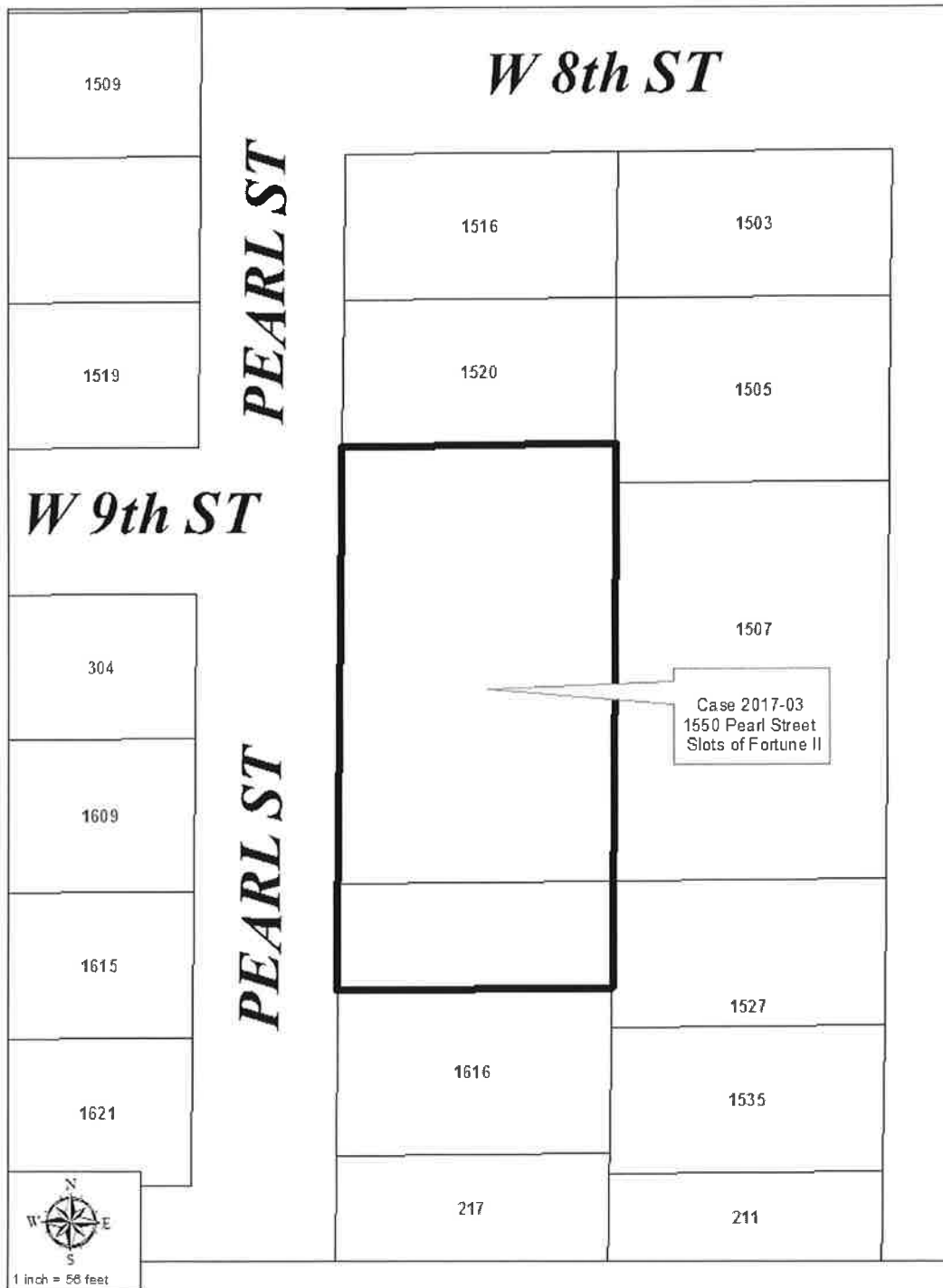
City Council Members Voting Aye: _____

City Council Members Voting Nay: _____

Date Published:

Sponsor: _____

ATTACHMENT A



MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Findings of Fact for Case: 2017-03; Pipitone, 1550 Pearl Street

REQUEST AND LOCATION:

The applicant, Jessica Pipitone, 732 Ballymore Road, Roscoe, IL 61073 on behalf of the owner, Bill Toft, 6990 Cora-Lee Drive, Belvidere, IL 61008 is requesting a special use for indoor commercial entertainment to operate a bar/tavern with video gaming at 1550 Pearl Street within the NO, Neighborhood Office District pursuant to Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures of the Belvidere Zoning Ordinance. The subject property is 24,545 square feet (PIN: 05-36-308-003) and developed with a vacant office building and parking area.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- A. Findings: The establishment, maintenance, or operation of the special use will be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. However, the SOS closed at 5:00pm and was not opened on the weekends. Although the current zoning district limits the hours of operation to 11:00pm, most bars/taverns are open until 2:00am. The majority of their business is later in the day and into the night, after regular business hours. This will generate late night traffic (with possibly impaired drivers) on a residential street in addition to patrons in the parking lot generating noise and garbage. The proposed indoor commercial entertainment land use would negatively impact the established residential neighbors through the increase in these late night activities.

- B. Findings: The proposed special use, both its general use independent of its location and in its specific location, will not be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan designates the subject property as Institutional. This designation was most likely chosen due to the long-term occupancy of the Secretary of State's Vehicle Services which is an institutional (government agency) land use. Institutional land uses are often civic land uses, community groups or non-for-profits.

They often do not have late hours and are to an extent community partners. Allowing a video gaming café with late hours to operate on the property would not be in harmony with the Comprehensive Plan.

- C. **Findings:** The special use will in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The property has adequate parking for indoor commercial entertainment. The current parking lot, however, is not illuminated because previous businesses were not open past 5:00pm. The addition of parking lot lights to ensure the safety of patrons will cast light onto the nearby residences.

The noise and garbage generated by a bar/tavern land use versus an office land use will be a significant change to the neighborhood. There are residences as close as six feet from the subject property; any outdoor activity will have an impact. The presence of negative impacts late into the evening will impact the sleep of nearby residents. Although the Neighborhood Office District limits the hours of operation until 11:00pm, the applicant has stated that he would like to apply for a text amendment to change the allowable hours of operation to 2:00am. Such hours would amplify the negative impacts on the neighborhood.

- D. **Findings:** The establishment of the special use will impede the normal and orderly development and improvement of surrounding property, and does not maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

There are approximately 15 properties in the City that are zoned Neighborhood Office. The majority of those properties are developed with office buildings. None of the properties are developed with a bar/tavern or similar land use. The Neighborhood Office District was designed to accommodate offices located within established residential areas. Although some residential areas are considered transition areas where commercial land uses are more acceptable, the subject property is not within a transition area. The neighborhood is residential and not compatible with late night noise generated from traffic and parking lots, increased lighting and commercial garbage.

- E. **Findings:** The proposed special use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The subject property is already developed with a commercial building that is served with municipal utilities.

- F. **Findings:** The potential public benefits of the proposed special use does not outweigh any and all potential adverse impacts of the proposed special use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

The City is home to numerous bars/taverns with video gaming. This is a land use that is neither lacking in the community nor filling a void in services for this specific neighborhood (video gaming exists at the nearby Backstop Bar and Grill as well as Anna's Café). The immediate neighborhood will be negatively impacted due to the increased traffic, noise, lighting and garbage. The later a business operates, the greater the negative impact will be on the neighborhood.

The motion to adopt the Findings of Fact as presented by staff for case 2017-03 for a special use permit for indoor commercial entertainment (bar/tavern with video gaming) at 1550 Pearl Street carried with a (6-0) roll call vote.

Andrew Racz, Chairman
Belvidere Planning and Zoning Commission

MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Recommendation for Case: 2017-03, Pipitone, 1550 Pearl Street

REQUEST AND LOCATION:

The applicant, Jessica Pipitone, 732 Ballymore Road, Roscoe, IL 61073 on behalf of the owner, Bill Toft, 6990 Cora-Lee Drive, Belvidere, IL 61008 is requesting a special use for indoor commercial entertainment to operate a bar/tavern with video gaming at 1550 Pearl Street within the NO, Neighborhood Office District pursuant to Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures of the Belvidere Zoning Ordinance. The subject property is 24,545 square feet (PIN: 05-36-308-003) and developed with a vacant office building and parking area.

RECOMMENDATION:

The planning and zoning commission recommended the **denial** of case number **2017-03** for a special use to permit indoor commercial entertainment (a bar/tavern with video gaming) at 1550 Pearl Street.

Motion to deny case 2017-03; Pipitone, 1550 Pearl Street carried with a (6-0) roll call vote.

Andrew Racz, Chairman
Belvidere Planning and Zoning Commission

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

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

January 4, 2017

ADVISORY REPORT

CASE NO: 2017-03

APPLICANT: Pipitone, 1550 Pearl Street

REQUEST AND LOCATION:

The applicant, Jessica Pipitone, 732 Ballymore Road, Roscoe, IL 61073 on behalf of the owner, Bill Toft, 6990 Cora-Lee Drive, Belvidere, IL 61008 is requesting a special use for indoor commercial entertainment to operate a bar/tavern with video gaming at 1550 Pearl Street within the NO, Neighborhood Office District pursuant to Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures of the Belvidere Zoning Ordinance. The subject property is 24,545 square feet (PIN: 05-36-308-003) and developed with a vacant office building and parking area.

EXISTING LAND USE:

Subject property: Vacant office building

Adjacent Property

North, East and West: Residential

South: Parking lot and Residential

CURRENT ZONING:

Subject property: NO, Neighborhood Office District

Adjacent Property

North, South East, West: SR-6, Single-family Residential-6 District

COMPREHENSIVE PLAN:

Subject property: Institutional

All Adjacent Property

North, South, East, West: Single Family Residential

BACKGROUND:

In 1989 a special use was granted for the property to allow the continuation of a nonconforming use (offices) within a residential zoning district. In 1993, the property owner applied for and was approved for a zoning change from residential to C-1, Office/Residential District. This request was to help bring the building and business operations into full compliance with the City's zoning ordinance. Records show that the Secretary of State's Vehicle Services had occupied the building as early as 1982.

In 2006 with the adoption of the new zoning code, the property was zoned Neighborhood Office. This zoning district is for low intensity development, suitable for residential areas much like the C-1 Office/Residential District. The Neighborhood Office District is intended to permit high-quality office land uses at an intensity compatible with the older residential portions of the city. The district is used to provide for the permanent protection of an area, which preserves the original residential appearance, yet permits office land uses, and which ensures that the neighborhood character is maintained. Restrictions placed on businesses within the NO District are residential architecture, increased landscaping and business hours limited from 6:00am to 11:00pm. Signage is also limited compared to other business districts.

Although the zoning district allows businesses to operate until 11:00pm it does not appear that the majority of the businesses that have been located on the property throughout the years have operated past 5:00pm. A business operating late into the night would be a significant change to the neighborhood.

TREND OF DEVELOPMENT:

The subject property is located along Pearl Street which is predominantly residential. There are institutional land uses near the downtown area and commercial land uses near the intersection of Grant Highway.

COMPREHENSIVE PLAN:

The subject property is designated as "Institutional" on the City of Belvidere Comprehensive Plan, adopted July 19, 1999. The institutional category encourages large-scale public buildings, hospitals and special-care facilities. Small institutional uses may be permitted in other land use categories.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- A. **Findings: The establishment, maintenance, or operation of the special use will be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. However, the SOS closed at 5:00pm and was not opened on the weekends. Although the current zoning district limits the hours of operation to 11:00pm, most bars/taverns are open until 2:00am. The majority of their business is later in the day and into the night, after regular business hours. This will generate late night traffic (with possibly impaired drivers) on a residential street in addition to patrons in the parking lot generating noise and garbage. The proposed indoor commercial entertainment land use would negatively impact the established residential neighbors through the increase in these late night activities.

- B. **Findings: The proposed special use, both its general use independent of its location and in its specific location, will not be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan designates the subject property as Institutional. This designation was most likely chosen due to the long-term occupancy of the Secretary of State's Vehicle Services which is an institutional (government agency) land use. Institutional land uses are often civic land uses, community groups or non-for-profits. They often do not have late hours and are to an extent community partners. Allowing a video gaming café with late hours to operate on the property would not be in harmony with the Comprehensive Plan.

- C. **Findings:** The special use will in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The property has adequate parking for indoor commercial entertainment. The current parking lot, however, is not illuminated because previous businesses were not open past 5:00pm. The addition of parking lot lights to ensure the safety of patrons will cast light onto the nearby residences.

The noise and garbage generated by a bar/tavern land use versus an office land use will be a significant change to the neighborhood. There are residences as close as six feet from the subject property; any outdoor activity will have an impact. The presence of negative impacts late into the evening will impact the sleep of nearby residents. Although the Neighborhood Office District limits the hours of operation until 11:00pm, the applicant has stated that he would like to apply for a text amendment to change the allowable hours of operation to 2:00am. Such hours would amplify the negative impacts on the neighborhood.

- D. **Findings:** The establishment of the special use will impede the normal and orderly development and improvement of surrounding property, and does not maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

There are approximately 15 properties in the City that are zoned Neighborhood Office. The majority of those properties are developed with office buildings. None of the properties are developed with a bar/tavern or similar land use. The Neighborhood Office District was designed to accommodate offices located within established residential areas. Although some residential areas are considered transition areas where commercial land uses are more acceptable, the subject property is not within a transition area. The neighborhood is residential and not compatible with late night noise generated from traffic and parking lots, increased lighting and commercial garbage.

- E. **Findings:** The proposed special use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The subject property is already developed with a commercial building that is served with municipal utilities.

- F. **Findings:** The potential public benefits of the proposed special use does not outweigh any and all potential adverse impacts of the proposed special use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

The City is home to numerous bars/taverns with video gaming. This is a land use that is neither lacking in the community nor filling a void in services for this specific neighborhood (video gaming exists at the nearby Backstop Bar and Grill as well as Anna's Café). The immediate neighborhood will be negatively impacted due to the increased traffic, noise, lighting and garbage. The later a business operates, the greater the negative impact will be on the neighborhood.

SUMMARY OF FINDINGS:

The previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. However, the SOS closed at 5:00pm and was not opened on the weekends. Although the current zoning district limits the hours of operation to 11:00pm, most bars/taverns are open until 2:00am. The majority of their business is later in the day and into the night, after regular business hours. The applicant has stated that he would like to apply for a text amendment to change the allowable hours of operation to 2:00am. This will generate late night traffic (with possibly impaired drivers) on a residential street in addition to patrons in the parking lot generating noise and garbage.

The current parking lot is not illuminated because previous businesses were not open past 5:00pm. The addition of parking lot lights to ensure the safety of patrons will cast light onto the nearby residences. The proposed indoor commercial entertainment land use would negatively impact the established residential neighbors due to the increase in late night activities and parking lot lighting.


The City is home to numerous bars/taverns with video gaming. This land use is neither lacking in the community nor filling a void in services for this specific neighborhood (video gaming exists at the nearby Backstop Bar and Grill as well as Anna's Café). There are approximately 15 properties in the City that are zoned Neighborhood Office. The majority of those properties are developed with office buildings. None of the properties are developed with a bar/tavern or similar land use. The immediate neighborhood will be negatively impacted due to the increased traffic, noise, lighting and garbage. The later a business operates, the greater the negative impact will be on the neighborhood.

RECOMMENDATION:

The planning staff recommends the **denial** of case number **2017-03** for a special use at 1550 Pearl Street. If the City Council recommends approval of the special use, the planning staff recommends the following conditions:

1. The hours of operation shall be limited to 11:00pm.
2. Open alcohol is prohibited outside the premises.

Submitted by:



Gina DelRose
Community Development Planner

Review and Recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission shall review the application, adopt findings of fact, and make a recommendation to the City Council.

Review and Action by the City Council. The City Council shall consider the Planning and Zoning Commission's recommendation regarding the proposed special use. The City Council may approve or deny the special use as originally proposed, may approve the proposed special use with modifications or may remand the matter back to the Planning and Zoning Commission for further discussion or hearing. The City Council's approval of the requested special use shall be considered the approval of a unique request, and shall not be construed as precedent for any other proposed special use.

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, December 12, 2016.
6. E-mail received by the Belvidere Fire Department, Captain Brian Harbison, December 20, 2016.
7. Letter submitted by the Boone County Health Department, Pat Dashney, January 3, 2017.

W 8th ST

PEARL ST

1509

1516

1503

1519

1520

1505

W 9th ST

304

1507

Case 2017-03
1550 Pearl Street
Slots of Fortune II

1609

PEARL ST

1615

1527

1621

1616

1535

217

211



1 inch = 56 feet

PEARL ST

1520

1505

1507

Case 2017-03
1550 Pearl Street
Slots of Fortune II

1527

1616

1535

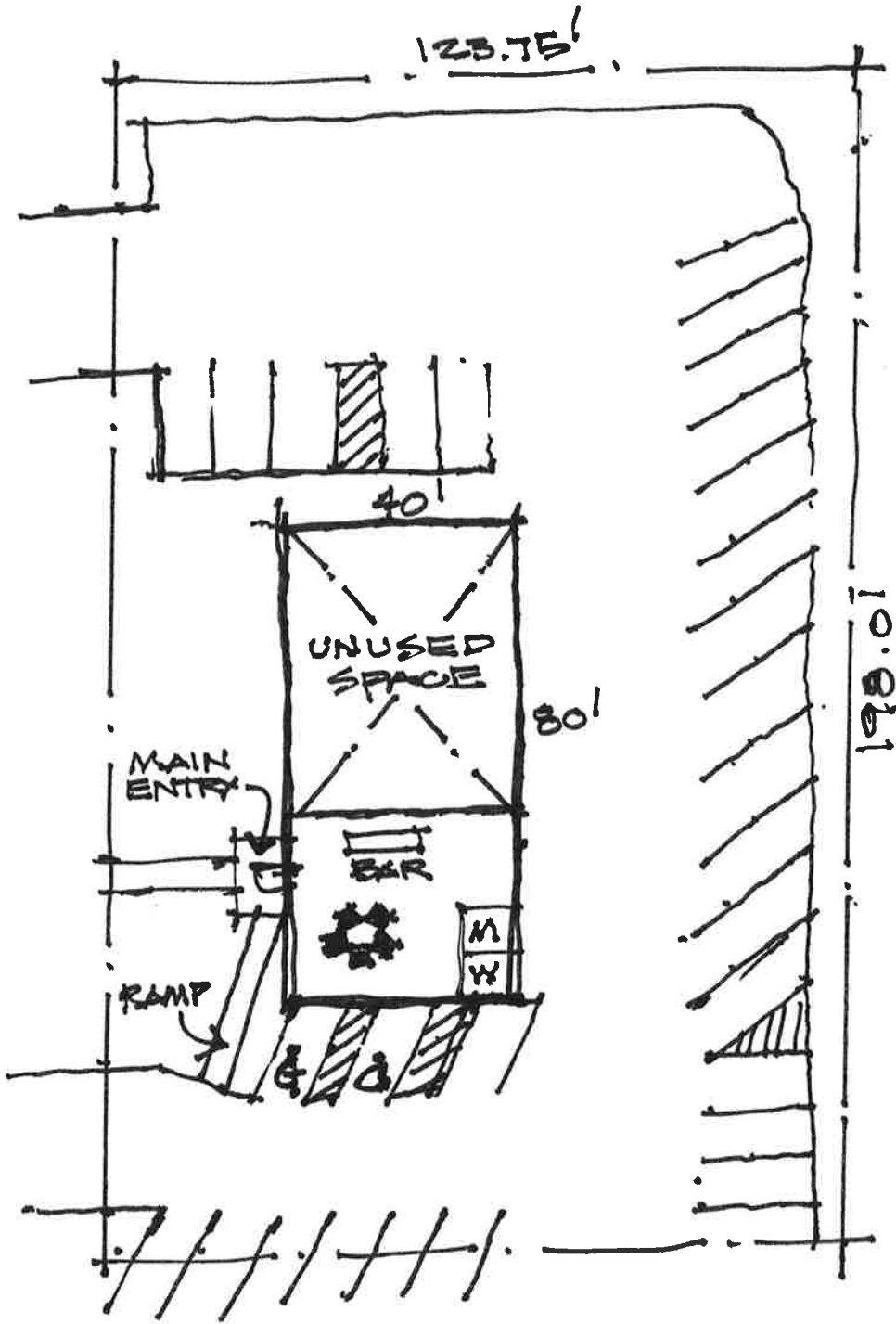


1 inch = 28 feet

A change of use is being requested for the building located at 1550 Pearl Street. This building was formerly the DMV. Upon approval of the request, A G P 18 Inc. has plans to purchase the building from its current owner and relocate Slots of Fortune II to a portion of the building. Slots of Fortune II currently operates out of 101 N. State Street. Upon purchase of the building, the parking lot will be repaired and repainted, the landscaping will be trimmed and properly cared for and the exterior of the building will get a "face lift".

Slots of Fortune II will be an upscale gaming and coffee café. We will host 5 video gaming machines (the same ones we currently have will be moved over). We will also serve coffee and complimentary pastries during the morning hours. We will offer a quiet "lounge" type feel with comfortable seating and low music playing in the background.

PEARL STREET



SCALE 1" = 30'
N

1550 PEARL STREET

PARKING FOR 26 CARS (AS STRIPED)

ACTUAL BAR AREA = 1,250 S.F.

OCCUPANT LOAD = 49 MAX.

 GAMBLING MACHINES

 Boone County
Soil & Water
Conservation District

211 N. Appleton Road
Belvidere, IL 61008
815-544-2677 ext. 3

December 12, 2016

Belvidere Boone County Planning Department
401 Whitney Blvd. Suite 400
Belvidere, IL 61008

SWCD NRI #1523

Dear Sir/Madam,

Slots of Fortune II has submitted a request for a Natural Resource Information Report. The request was for Special Use for indoor commercial entertainment at 1550 Pearl Street Belvidere, Illinois. We will submit a written reply to your office as indicated below:

Our review does not apply in this instance.

Other (see attached).

Sincerely,



Jennifer Becker
Boone County Soil & Water
Conservation District

Re: Tony Pipitone

Gina DelRose

From: Brian A Harbison <bharbison@belviderefire.com>
Sent: Tuesday, December 20, 2016 7:22 PM
To: DelRose, Gina
Subject: 1550 Pearl

Gina, this property has several issues with fire code compliance as well. We will need to work with the contractors to verify compliance prior to approval. Thanks.

*Captain Brian Harbison
Belvidere Fire Department
815-703-7303*



Boone County
DEPARTMENT OF
PUBLIC HEALTH

1204 Logan Avenue ♦ Belvidere, Illinois 61008

Main Office: 815-544-2951 ♦ Clinic: 815-544-9780

Fax: 815-544-2050 www.boonehealth.org

The mission of the BCDPH is to protect and promote health in Boone County.

January 3, 2017

Gina Del Rose
City of Belvidere Community Development
401 Whitney Blvd., Suite 300
Belvidere, IL 61008

FAX 815-547-0780

Re: 2017-03, Slots Of Fortune II, 1550 Pearl Street

Dear Gina,

We are in receipt of the special use request for the above referenced case. Our office has no objections or comments on this request. However, prior to operation of the convenience store a to scale plan (of the layout of the store) and a menu must be submitted to the health department for review. The plan review fee would be determined when menu information is submitted. Below is the county code explaining this further.

Sec. 30-35. Submission and review of plans; permits.

- (a) *Generally.* Whenever a food service establishment or retail foodstore is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, and the type and model of proposed fixed equipment and facilities.
- (b) *Permit required.* Any business or organization desiring to operate as a food service establishment or retail food establishment must have a current food service permit.
- (c) *Plans, inspection and approval.* Before issuing a food service permit to a new establishment, plans must be submitted to and approved by the health authority. Plans submitted for review must be accompanied by the appropriate plan review fee as listed in section 38-31.

Food establishment classifications. All food service establishments or retail food establishments shall be categorized according to their type of operation, size of operation, and risk category of the food prepared and/or served and shall obtain a permit for the class of operation as hereinafter defined. The listing of various types of operation is not intended to be all inclusive, but typical and not limited to those mentioned. If a food establishment is not specifically listed, it shall be classified according to the class to which it most closely resembles.

- (1) *Class A:* Fixed location food establishments which serve drinks only or food and drinks such as restaurants and taverns or other establishments of which the primary activity is food service.

RE:

Date: Page 2 of 2

A1: Food and drink, 0--50 seats.

A2: Food and drink, 51--100 seats.

A3: Food and drink, more than 100 seats.

A4(a): Beverage/prepackage, no prep.

A4(b): Sit down drink, no prep-reheat foods

Our office has no objections or comments on this request.

Thank you,



Pat Dashney
Director of Departmental Operations
skm

ORDINANCE NO. 327H

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(BAR AND GRILL WITH VIDEO GAMING)
WITHIN THE CB, CENTRAL BUSINESS DISTRICT
(116 Buchanan Street)**

WHEREAS, The City of Belvidere has adopted Chapter 150, Zoning Ordinance in accordance with the provisions of Illinois Compiled Statutes to regulate the use of land and to specify the minimum requirements for improvements on land in the City of Belvidere; and

WHEREAS, Special Uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, use and enjoyment of adjoining property; are reviewed on a case by case basis; and are permitted only by permission of the Belvidere City Council; and,

WHEREAS, The applicant and owner, Jenaro Hernandez, 7818 Illinois Route 173, Poplar Grove, IL 61065 has petitioned the City for a Special Use to permit indoor commercial entertainment (bar and grill with video gaming); and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on January 10, 2017 concerning the proposed Special Use; and,

WHEREAS, the City of Belvidere Planning and Zoning Commission having examined the application and having considered the evidence, both oral and documentary and being fully advised about the premises did make findings of fact and a recommendation; and,

WHEREAS, the corporate authorities of the City considered the findings of fact and concur with the recommendation of the Planning and Zoning Commission,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. That a Special Use in the CB, Central Business District for indoor commercial entertainment (bar and grill with video gaming) on the property depicted in Attachment A and legally described as:

The easterly 19 feet of Lots Five and all of Lots Six and Seven of Block Eight of the Assessor's Survey of Aaron Whitney's Addition as platted and recorded in the Recorder's Office of Boone County; located in Boone County, Illinois; PINs: 05-25-358-017.

is hereby approved, subject to the following conditions:

1. Alcohol is prohibited outside the premises unless a special use permit for outdoor commercial entertainment is obtained.
2. Compliance with all applicable codes and ordinances.

Section 3. That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.

Section 4. That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this ____ day of _____, 2017.

APPROVED by the Mayor of the City of Belvidere this ____ day of _____, 2017.

Michael W. Chamberlain, Mayor

ATTEST:

Shauna Arco, City Clerk

Ayes: _____ Nays: _____ Absent: _____

City Council Members Voting Aye: _____

City Council Members Voting Nay: _____

Date Published:

Sponsor: _____

ATTACHMENT A



MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Findings of Fact for Case: 2017-04; Hernandez, 116 Buchanan Street

REQUEST AND LOCATION:

The applicant and owner, Jenaro Hernandez, 7818 Illinois Route 173, Poplar Grove, IL 61065 is requesting a special use for indoor commercial entertainment to operate a bar and grill with video gaming at 116 Buchanan Street within the CB, Central Business District pursuant to Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures of the Belvidere Zoning Ordinance. The subject property is approximately 3,000 square feet (PIN: 05-25-358-017) and developed with a vacant mixed-use building.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- A. Findings: The establishment, maintenance, or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The requested special use is for indoor commercial entertainment allowing a bar and grill with video gaming to operate on the property. The property is located in the Central Business District where such land uses are common. Entertainment based businesses are often encouraged in downtown districts.

The building is located between Belvidere's City Hall parking lots and mix of bars, eateries and offices. The opening of a new bar will not negatively impact these land uses. Operating businesses, instead of vacant store fronts would be beneficial to all adjacent properties.

- B. Findings: The proposed special use, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan designates the subject property as Central Business; the current zoning is Central Business. The entire downtown area is designated as Central Business. The downtown area should be a mix of retail, services, residential, recreation and entertainment that operate during the day and night and that are compatible uses. A bar is included in the encouraged mix of land uses.

- C. **Findings:** The special use will not in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The property is served by on-street parking along Buchanan Street and a municipal parking lot to the rear of the building. On-site parking is not required in the Central Business District; most patrons currently utilize the municipal parking lots in the area. The property formerly housed Charlie's Restaurant and Bar and later the Panama Club and did not create any traffic nuisances that staff is aware of.

Although the property is in a historic building, Buchanan Street is not within the Downtown Overlay District. The additional regulations of the overlay district regarding signage, doorways, windows, etc. do not apply to this property.

- D. **Findings:** The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The planning staff is not aware of any business that chose not to locate or expand in the downtown area due to the other bars and similar establishments. The planning staff does not anticipate that this special use will deter development when previous businesses have not.

- E. **Findings:** The proposed special use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The subject property is already developed with a mixed-use building that is served with municipal utilities.

- F. **Findings:** The potential public benefits of the proposed special use outweighs any and all potential adverse impacts of the proposed special use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Although the applicant is requesting a special use to operate a business that is similar to others in the downtown area, he intends to create a different atmosphere to set his business apart from the others. This could allow a wider demographic of people to be served in the downtown area. The property has housed commercial uses in the past. The neighborhood is a mix of residential, commercial and entertainment so the special use should not alter the neighborhood or create an undue burden.

The motion to adopt the Findings of Fact as presented by staff for case 2017-04 for a special use permit for indoor commercial entertainment (bar and grill with video gaming) at 116 Buchanan Street carried with a (6-0) roll call vote.

Andrew Racz, Chairman
Belvidere Planning and Zoning Commission

MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Recommendation for Case: 2017-04, Hernandez, 116 Buchanan Street

REQUEST AND LOCATION:

The applicant and owner, Jenaro Hernandez, 7818 Illinois Route 173, Poplar Grove, IL 61065 is requesting a special use for indoor commercial entertainment to operate a bar and grill with video gaming at 116 Buchanan Street within the CB, Central Business District pursuant to Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures of the Belvidere Zoning Ordinance. The subject property is approximately 3,000 square feet (PIN: 05-25-358-017) and developed with a vacant mixed-use building.

RECOMMENDATION:

The planning and zoning commission recommended the **approval** of case number **2017-04** for a special use to permit indoor commercial entertainment (a bar and grill with video gaming) at 116 Buchanan Street subject to the following conditions:

1. Alcohol is prohibited outside the premises unless a special use permit for outdoor commercial entertainment is obtained.
2. Compliance with all applicable codes and ordinances.

Motion to approve case 2017-04; Hernandez, 116 Buchanan Street subject to the conditions as presented carried with a (6-0) roll call vote.

Andrew Racz, Chairman
Belvidere Planning and Zoning Commission

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

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

January 2, 2017

ADVISORY REPORT

CASE NO: 2017-04

APPLICANT: Hernandez, 116 Buchanan Street

REQUEST AND LOCATION:

The applicant and owner, Jenaro Hernandez, 7818 Illinois Route 173, Poplar Grove, IL 61065 is requesting a special use for indoor commercial entertainment to operate a bar and grill with video gaming at 116 Buchanan Street within the CB, Central Business District pursuant to Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures of the Belvidere Zoning Ordinance. The subject property is approximately 3,000 square feet (PIN: 05-25-358-017) and developed with a vacant mixed-use building.

EXISTING LAND USE:

Subject property: Vacant Mixed-Use building (formerly operated as the Panama Club)

North: Municipal Parking Lot and City Hall

South: The Sweetery, Yolanda's Bakery and Cakes, Buchanan Street Pub and Niko's Cabin

East: Henninger Agency

West: Country Financial

CURRENT ZONING:

Subject property: CB, Central Business District

North, South East, West: CB, Central Business District

COMPREHENSIVE PLAN:

Subject property: Central Business

North, South, East, West: Central Business

BACKGROUND:

On July 7, 2014 a special use was approved for the property to allow a bar with video gaming (Panama Club). The business closed more than 12 months ago and according to Section 150.904(L) of the Belvidere Zoning Ordinance "Any and all special uses which are discontinued for a period exceeding 365 days shall automatically terminate and any subsequent use previously allowed by the special use shall be a violation of this code. Therefore, the property owner must reapply for the indoor commercial entertainment special use to open Crazy Camarons. The applicant intends on opening the bar and video gaming portion of the business first with the restaurant portion opening up within a year (see attached narrative).

There is no on-site parking and Buchanan Street provides limited on-street parking for patrons. Due to existing lot sizes, age and layout of the existing buildings and the intention to be pedestrian friendly, on-site parking is not required in the Central Business District.

The Zoning Ordinance was updated in 2006 requiring a special use for Indoor Commercial Entertainment. Bars and taverns that were in existence prior to that date have been considered "grandfathered" for the bar use. In 2013, Illinois State Law allowed municipalities to determine that video gaming would be permitted within their jurisdiction; the Belvidere City Council voted to allow video gaming. Five gaming machines are allowed in establishments that serve liquor.

TREND OF DEVELOPMENT:

The subject property is located downtown in an area of established central business commercial and institutional uses.

COMPREHENSIVE PLAN:

The subject property is designated as "Central Mixed Use" by the City of Belvidere Comprehensive Plan, adopted July 15, 1999. The Central Mixed-Use map category encourages pedestrian-orientated indoor-commercial, office, institutional and residential uses with street-scaping and low-key signage. All surrounding properties are also designated "Central Mixed-Use" by the Comprehensive Plan

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- A. Findings: The establishment, maintenance, or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The requested special use is for indoor commercial entertainment allowing a bar and grill with video gaming to operate on the property. The property is located in the Central Business District where such land uses are common. Entertainment based businesses are often encouraged in downtown districts.

The building is located between Belvidere's City Hall parking lots and mix of bars, eateries and offices. The opening of a new bar will not negatively impact these land uses. Operating businesses, instead of vacant store fronts would be beneficial to all adjacent properties.

- B. Findings: The proposed special use, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan designates the subject property as Central Business; the current zoning is Central Business. The entire downtown area is designated as Central Business. The downtown area should be a mix of retail, services, residential, recreation and entertainment that operate during the day and night and that are compatible uses. A bar is included in the encouraged mix of land uses.

- C. **Findings:** The special use will not in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The property is served by on-street parking along Buchanan Street and a municipal parking lot to the rear of the building. On-site parking is not required in the Central Business District; most patrons currently utilize the municipal parking lots in the area. The property formerly housed Charlie's Restaurant and Bar and later the Panama Club and did not create any traffic nuisances that staff is aware of.

Although the property is in a historic building, Buchanan Street is not within the Downtown Overlay District. The additional regulations of the overlay district regarding signage, doorways, windows, etc. do not apply to this property.

- D. **Findings:** The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The planning staff is not aware of any business that chose not to locate or expand in the downtown area due to the other bars and similar establishments. The planning staff does not anticipate that this special use will deter development when previous businesses have not.

- E. **Findings:** The proposed special use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The subject property is already developed with a mixed-use building that is served with municipal utilities.

- F. **Findings:** The potential public benefits of the proposed special use outweighs any and all potential adverse impacts of the proposed special use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Although the applicant is requesting a special use to operate a business that is similar to others in the downtown area, he intends to create a different atmosphere to set his business apart from the others. This could allow a wider demographic of people to be served in the downtown area. The property has housed commercial uses in the past. The neighborhood is a mix of residential, commercial and entertainment so the special use should not alter the neighborhood or create an undue burden.

SUMMARY OF FINDINGS:

The requested special use is for indoor commercial entertainment allowing a bar and grill with video gaming to operate on the property. Although the applicant is requesting a special use to operate a business that is similar to others in the downtown area, he intends to create a different atmosphere to set his business apart from the others. This could allow a wider demographic of people to be served in the downtown area. The property has housed commercial uses in the past.

The Comprehensive Plan designates the subject property as Central Business; the current zoning is Central Business. The entire downtown area is designated as Central Business. The downtown area should be a mix of retail, services, residential, recreation and entertainment that operate during the day and night and that are compatible uses. A bar is included in the encouraged mix of land uses.


The building is located between Belvidere's City Hall parking lots and mix of bars, eateries and offices. The opening of a new bar will not negatively impact these land uses. Operating businesses, instead of vacant store fronts would be beneficial to all adjacent properties. The planning staff is not aware of any business that chose not to locate or expand in the downtown area due to the other bars and similar establishments. The planning staff does not anticipate that this special use will deter development when previous businesses have not.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2017-04** for a special use at 116 Buchanan Street subject to the following conditions:

1. Alcohol is prohibited outside the premises unless a special use permit for outdoor commercial entertainment is obtained.
2. Compliance with all applicable codes and ordinances.

Submitted by:

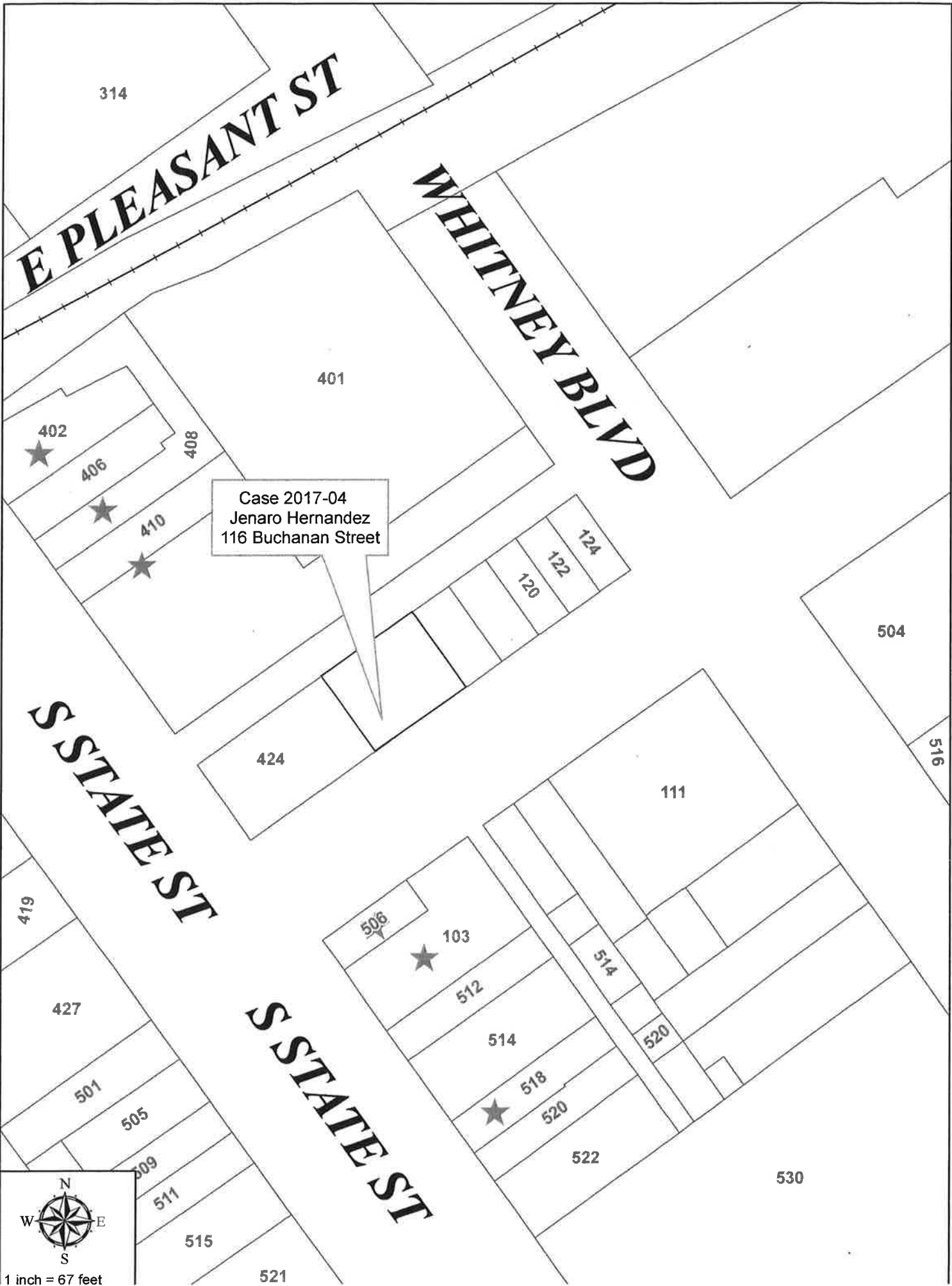

Gina DelRose
Community Development Planner

Review and Recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission shall review the application, adopt findings of fact, and make a recommendation to the City Council.

Review and Action by the City Council. The City Council shall consider the Planning and Zoning Commission's recommendation regarding the proposed special use. The City Council may approve or deny the special use as originally proposed, may approve the proposed special use with modifications or may remand the matter back to the Planning and Zoning Commission for further discussion or hearing. The City Council's approval of the requested special use shall be considered the approval of a unique request, and shall not be construed as precedent for any other proposed special use.

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, December 12, 2016.
6. E-mail received by the Belvidere Fire Department, Captain Brian Harbison, December 20, 2016.
7. Letters Submitted by the Boone County Health Department, Pat Dashney, January 3, 2017.



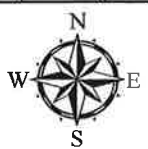
Case 2017-04
Jenaro Hernandez
116 Buchanan Street

E PLEASANT ST

WHITNEY BLVD

S STATE ST

S STATE ST



1 inch = 67 feet



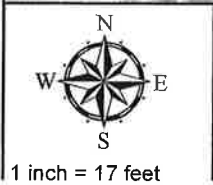
401

120

118

424

Case 2017-04
Jenaro Hernandez
116 Buchanan Street



1 inch = 17 feet

Open Fri 11:00 AM To 10:00 PM
Clos Mon - Sun Tue - Wed - Thu
11:00 AM To 12:00 AM
Fri SAT.

possibly 2am depending on business

Will open bar and gaming first.
Restaurant to follow within 6 months

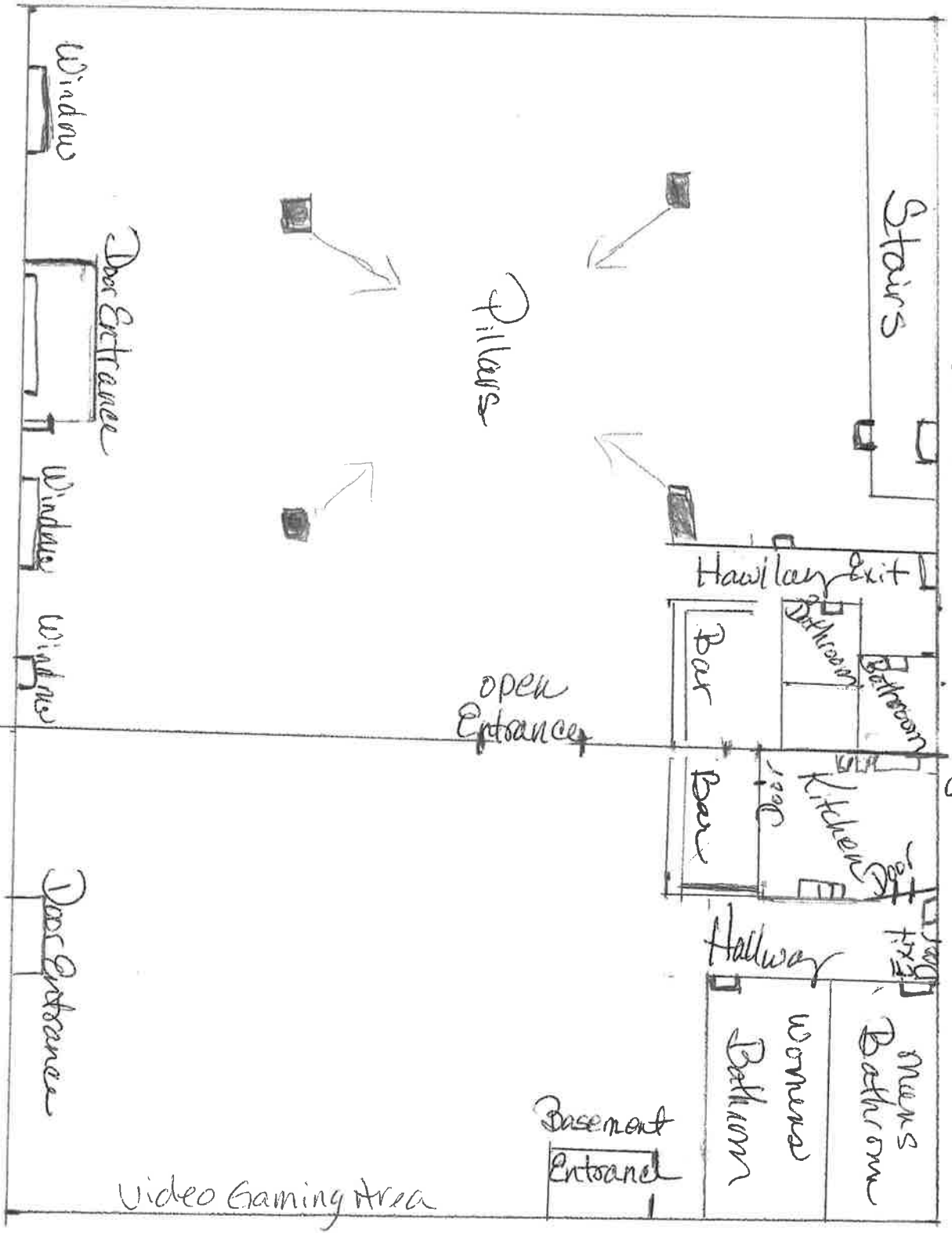
James Ferris

Phone Number
05-25-358-017

* Parking Lot

Back Building

*



Front Building
116 Buchanan Street

 Boone County
Soil & Water
Conservation District

211 N. Appleton Road
Belvidere, IL 61008
815-544-2677 ext. 3

December 12, 2016

Belvidere Boone County Planning Department
401 Whitney Blvd. Suite 400
Belvidere, IL 61008

SWCD NRI #1524

Dear Sir/Madam,

Jenaro Hernandez has submitted a request for a Natural Resource Information Report. The request was for Special Use for indoor commercial entertainment at 116 Buchanan Street, Illinois. We will submit a written reply to your office as indicated below:

Our review does not apply in this instance.

Other (see attached).

Sincerely,



Jennifer Becker
Boone County Soil & Water
Conservation District

Re: Jenaro Hernandez

Gina DelRose

From: Brian A Harbison <bharbison@belviderefire.com>
Sent: Tuesday, December 20, 2016 8:07 PM
To: Gina DelRose
Subject: Fwd: 116 Buchanan

*Captain Brian Harbison
Belvidere Fire Department
815-703-7303*

-----Original Message-----

From: Brian A Harbison [<mailto:bharbison@belviderefire.com>]
Sent: Tuesday, December 20, 2016 07:54 PM
To: 'DelRose, Gina '
Subject: 116 Buchanan

Gina this property has several issues with the fire department that will have to be addressed prior to approval. Seperation, kitchen hood systems non-compliant, fire protection features with A-2 occupancy, and interconnected smokes. Any questions feel free to contact me directly.

*Captain Brian Harbison
Belvidere Fire Department
815-703-7303*



Boone County
DEPARTMENT OF
PUBLIC HEALTH

1204 Logan Avenue ♦ Belvidere, Illinois 61008

Main Office: 815-544-2951 ♦ Clinic: 815-544-9780

Fax: 815-544-2050 www.boonehealth.org

The mission of the BCDPH is to protect and promote health in Boone County.

January 3, 2017

Gina Del Rose
City of Belvidere Community Development
401 Whitney Blvd., Suite 300
Belvidere, IL 61008

FAX 815-547-0780

Re: 2017-04, Hernandez, 116 Buchanan Street

Dear Gina,

We are in receipt of the special use request for the above referenced case. Our office has no objections or comments on this request. However, prior to operation of the convenience store a to scale plan (of the layout of the store) and a menu must be submitted to the health department for review. The plan review fee would be determined when menu information is submitted. Below is the county code explaining this further.

Sec. 30-35. Submission and review of plans; permits.

- (a) *Generally.* Whenever a food service establishment or retail foodstore is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, and the type and model of proposed fixed equipment and facilities.
- (b) *Permit required.* Any business or organization desiring to operate as a food service establishment or retail food establishment must have a current food service permit.
- (c) *Plans, inspection and approval.* Before issuing a food service permit to a new establishment, plans must be submitted to and approved by the health authority. Plans submitted for review must be accompanied by the appropriate plan review fee as listed in section 38-31.

Food establishment classifications. All food service establishments or retail food establishments shall be categorized according to their type of operation, size of operation, and risk category of the food prepared and/or served and shall obtain a permit for the class of operation as hereinafter defined. The listing of various types of operation is not intended to be all inclusive, but typical and not limited to those mentioned. If a food establishment is not specifically listed, it shall be classified according to the class to which it most closely resembles.

- (1) *Class A:* Fixed location food establishments which serve drinks only or food and drinks such as restaurants and taverns or other establishments of which the primary activity is food service.

RE:

Date: Page 2 of 2

A1: Food and drink, 0--50 seats.

A2: Food and drink, 51--100 seats.

A3: Food and drink, more than 100 seats.

A4(a): Beverage/prepackage, no prep.

A4(b): Sit down drink, no prep-reheat foods

Our office has no objections or comments on this request.

Thank you,



Pat Dashney

Director of Departmental Operations

skm

ORDINANCE NO. 328H

**AN ORDINANCE APPROVING
PRELIMINARY PLAT OF
LITTLE CAESARS 2 LOT SUBDIVISION**

WHEREAS, the City of Belvidere has adopted a Subdivision Ordinance (Chapter 151 of the Belvidere Municipal Code) in accordance with the provisions of Illinois Compiled Statutes to regulate the division of land and specify the minimum requirements for public improvements on land in the City of Belvidere; and,

WHEREAS, the applicant, Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner of the property described in the attached subdivision plat (hereof referenced as Attachment A), Robert Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008, has petitioned the City of Belvidere for approval of the preliminary plat of Little Caesars 2 Lot Subdivision.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. That the attached Preliminary Plat of Little Caesars 2 Lot Subdivision be, and is hereby approved, subject to the following conditions:

1. Route 76 shall be relabeled to Fairgrounds Road.
2. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
3. Per Section 151.25(b)(7) of the Belvidere Subdivision Code, the name and address of the owner of land to be subdivided and the name and address of the subdivider shall be included.
4. The pages shall state Sheet 1 of 2 and 2 of 2. Pages 3, 4 and 5 are for the final plat and shall be numbered separately.
5. 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.
6. 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 approval and release of the construction plans for the development by the Director of Public Works.
7. 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.

8. 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.
9. Easements, ten feet in width, will be required for all existing utilities across both lots.
10. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2.
11. "Caesars" is spelled wrong.
12. All existing easements shall be labeled as existing.
13. Per Section 151.25(b)(15) of the Belvidere Subdivision Code, explanations of drainage easements, site easements, reservations shall be provided. This includes utility, sanitary, storm and cross access easements.
14. An easement is needed for the water line that crosses Lot 1 in order to serve the building on Lot 2.
15. The sanitary sewer shown along the northwest line of Lot 1 and stops after it crosses into Lot 2 shall be extended all the way down to the eastern line of Lot 2.
16. The plat shall be in compliance with all applicable codes, ordinances, and agreements.

Section 2. That the Mayor and City Clerk are hereby authorized and directed to execute the plat upon presentment of a proper guarantee for the construction of the required subdivision improvements and payment of the construction inspection fee in accordance with the Belvidere Subdivision Ordinance.

Section 3. That the City Clerk is hereby authorized and directed to cause the preliminary plat to be recorded with the Boone County Recorder of Deeds after the plat is properly executed by all of the officers of the City of Belvidere.

Section 4. That this Ordinance shall be in full force and effect from and after its passage as provided by local law and pursuant to Illinois State Statutes. This written and foregoing Ordinance is published by authority of the corporate authorities of the City of Belvidere in pamphlet form on this date.

PASSED by the City Council of the City of Belvidere this _____ day of _____, 2017.

APPROVED by the Mayor of the City of Belvidere this _____ day of _____, 2017.

Mike Chamberlain, Mayor

ATTEST:

Shauna Arco, City Clerk

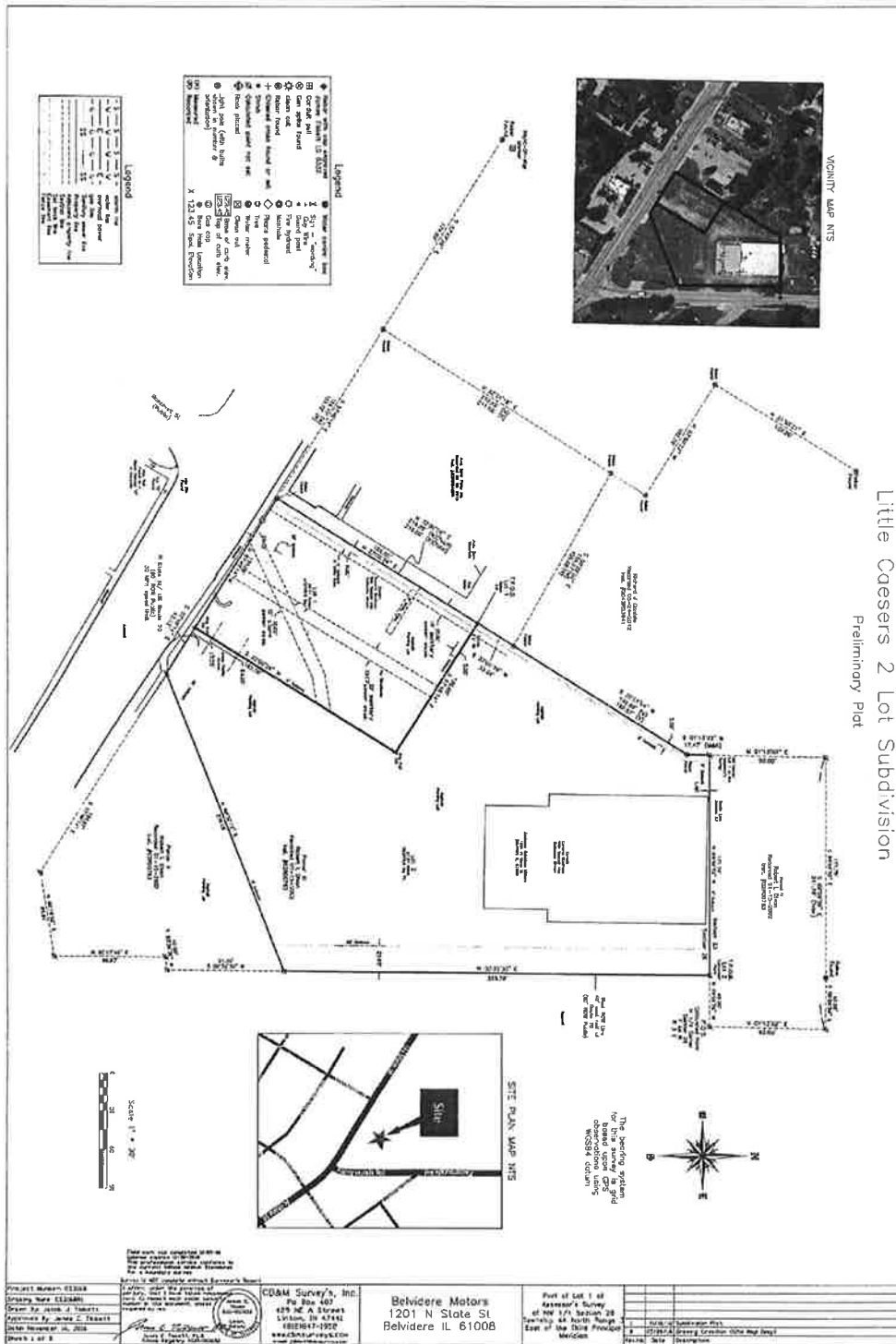
Ayes: _____ Nays: _____ Absent: _____

City Council Members Voting Aye:

City Council Members Voting Nay:

Date Published:

Sponsor: _____



<p>Project Name: 01008 Drawing Name: 01008 Date: 01/11/2011 Prepared By: [Signature] Date: 01/11/2011 Sheet 1 of 5</p>	<p>CDAM Survey, Inc. 418 N. State St. Chicago, IL 60610 www.cdam-survey.com</p>	<p>Belvidere Motors 1201 N. State St. Belvidere IL 61008</p>	<p>Part of Lot 1 of Assessor's Survey of the 1/4 Sec 28 Township 44 North Range East of the 10th Principal Meridian</p>	<p>Scale: 1" = 20'</p>
---	--	--	--	------------------------

MEMO

DATE: January 11, 2017

TO: Mayor and Members of the City Council

FROM: City of Belvidere Planning and Zoning Commission

SUBJECT: Recommendation for Case 2017-05; Little Caesars (PP)

REQUEST:

The applicant is requesting preliminary plat approval of the subdivision named Little Caesars 2 Lot Subdivision. The subject property is at the northeast corner of the North State Street and Fairgrounds Road. It is approximately 2.5 acres in size and is developed with the former Belvidere Motors car dealership.

RECOMMENDATION:

The planning and zoning commission recommended the **approval** of case number **2017-05** subject to the following conditions:

1. Route 76 shall be relabeled to Fairgrounds Road.
2. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
3. Per Section 151.25(b)(7) of the Belvidere Subdivision Code, the name and address of the owner of land to be subdivided and the name and address of the subdivider shall be included.
4. The pages shall state Sheet 1 of 2 and 2 of 2. Pages 3, 4 and 5 are for the final plat and shall be numbered separately.
5. 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.
6. 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 approval and release of the construction plans for the development by the Director of Public Works.
7. 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.
8. 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 by the City at the time of Final Plat submittal.

9. Easements, ten feet in width, will be required for all existing utilities across both lots.
10. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2.
11. "Caesars" is spelled wrong.
12. All existing easements shall be labeled as existing.
13. Per Section 151.25(b)(15) of the Belvidere Subdivision Code, explanations of drainage easements, site easements, reservations shall be provided. This includes utility, sanitary, storm and cross access easements.
14. An easement is needed for the water line that crosses Lot 1 in order to serve the building on Lot 2.
15. The sanitary sewer shown along the northwest line of Lot 1 and stops after it crosses into Lot 2 shall be extended all the way down to the eastern line of Lot 2.
16. The plat shall be in compliance with all applicable codes, ordinances, and agreements.

Motion to approve case 2017-05; Little Caesars (PP) subject to the conditions as presented carried with a (6-0) roll call vote.

Andrew Racz, Chairman
Belvidere Planning and Zoning Commission

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

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

January 4, 2017

ADVISORY REPORT

CASE NUMBER: 2017-05

APPLICANT: Little Caesars, Preliminary Plat

REQUEST:

The applicant is requesting preliminary plat approval of Little Caesars 2 Lot Subdivision.

LOCATION AND DESCRIPTION OF SITE:

The subject property is at the northeast corner of the North State Street and Fairgrounds Road. It is approximately 2.5 acres in size and is developed with the former Belvidere Motors car dealership (see attached aerial photo).

BACKGROUND:

The subject property is currently zoned GB, General Business District and developed with a large parking lot and an 18,000 square foot building. The property is being subdivided into a 1.91 acre lot and a .51 acre lot. Little Caesars intends on developing on the smaller lot (Lot 1). Since the property had previously been developed, public improvements such as roadways and utilities are not anticipated to be installed.

There is a sanitary sewer, storm sewer and water line that serves the building on Lot 2 but runs through Lot 1. Careful attention to the existing infrastructure and easement language will need to be paid in order to ensure proper development in the future.

A request for comments was sent to 16 departments, agencies, or other parties. Comments received were either addressed by the applicant or have been incorporated into the recommended conditions of approval.

SUMMARY OF FINDINGS:

Provided that the suggested conditions of approval are met, the Preliminary Plat of Little Caesars 2 Lot Subdivision is in conformance with the City of Belvidere's Subdivision Code and Zoning Ordinances.

RECOMMENDATION:

Planning staff recommends the **approval** of the preliminary plat for Little Caesars 2 Lot Subdivision (case number **2017-05**) subject to the following conditions:

1. Route 76 shall be relabeled to Fairgrounds Road.
2. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
3. Per Section 151.25(b)(7) of the Belvidere Subdivision Code, the name and address of the owner of land to be subdivided and the name and address of the subdivider shall be included.
4. The pages shall state Sheet 1 of 2 and 2 of 2. Pages 3, 4 and 5 are for the final plat and shall be numbered separately.
5. 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.
6. 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 approval and release of the construction plans for the development by the Director of Public Works.
7. 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.
8. 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.
9. Easements, ten feet in width, will be required for all existing utilities across both lots.
10. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2.
11. "Caesars" is spelled wrong.
12. All existing easements shall be labeled as existing.
13. Per Section 151.25(b)(15) of the Belvidere Subdivision Code, explanations of drainage easements, site easements, reservations shall be provided. This includes utility, sanitary, storm and cross access easements.
14. An easement is needed for the water line that crosses Lot 1 in order to serve the building on Lot 2.
15. The sanitary sewer shown along the northwest line of Lot 1 and stops after it crosses into Lot 2 shall be extended all the way down to the eastern line of Lot 2.
16. The plat shall be in compliance with all applicable codes, ordinances, and agreements.

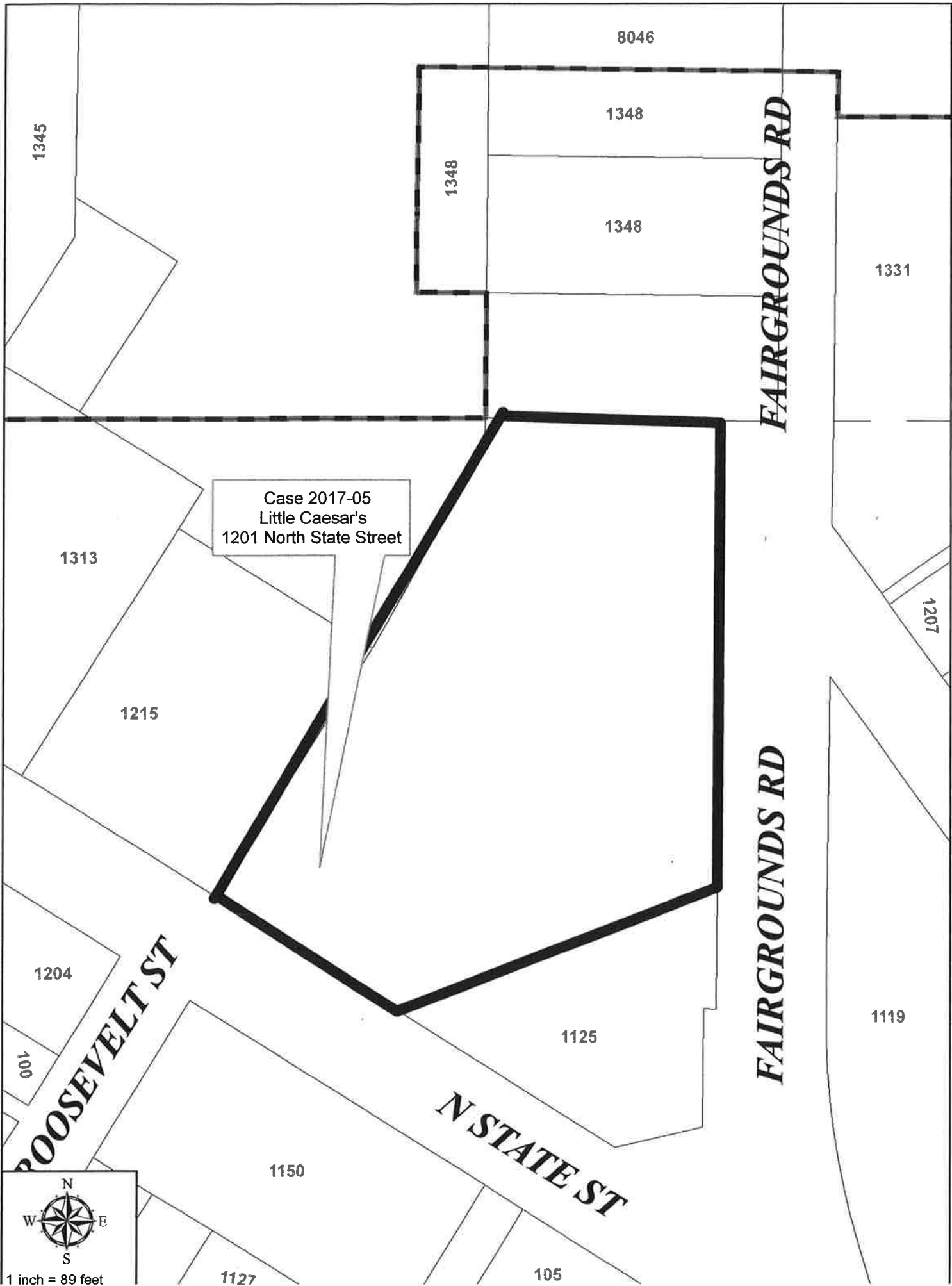
Submitted by:



Gina DelRose
Community Development Planner

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with Platting by Planning Staff.
3. Letter from Boone County Conservation District, Dan Kane, December 21, 2016.
4. Memo from Belvidere Public Works Department, Brent Anderson, January 4, 2017.
5. Letter from Hampton, Lenzini and Renwick, Inc., Dirk A. Yuill, December 20, 2016.
6. Preliminary Plat for Little Caesars 2 Lot Subdivision by CB&M Survey's, Inc. dated November 16, 2016.



Case 2017-05
Little Caesar's
1201 North State Street

FAIRGROUNDS RD

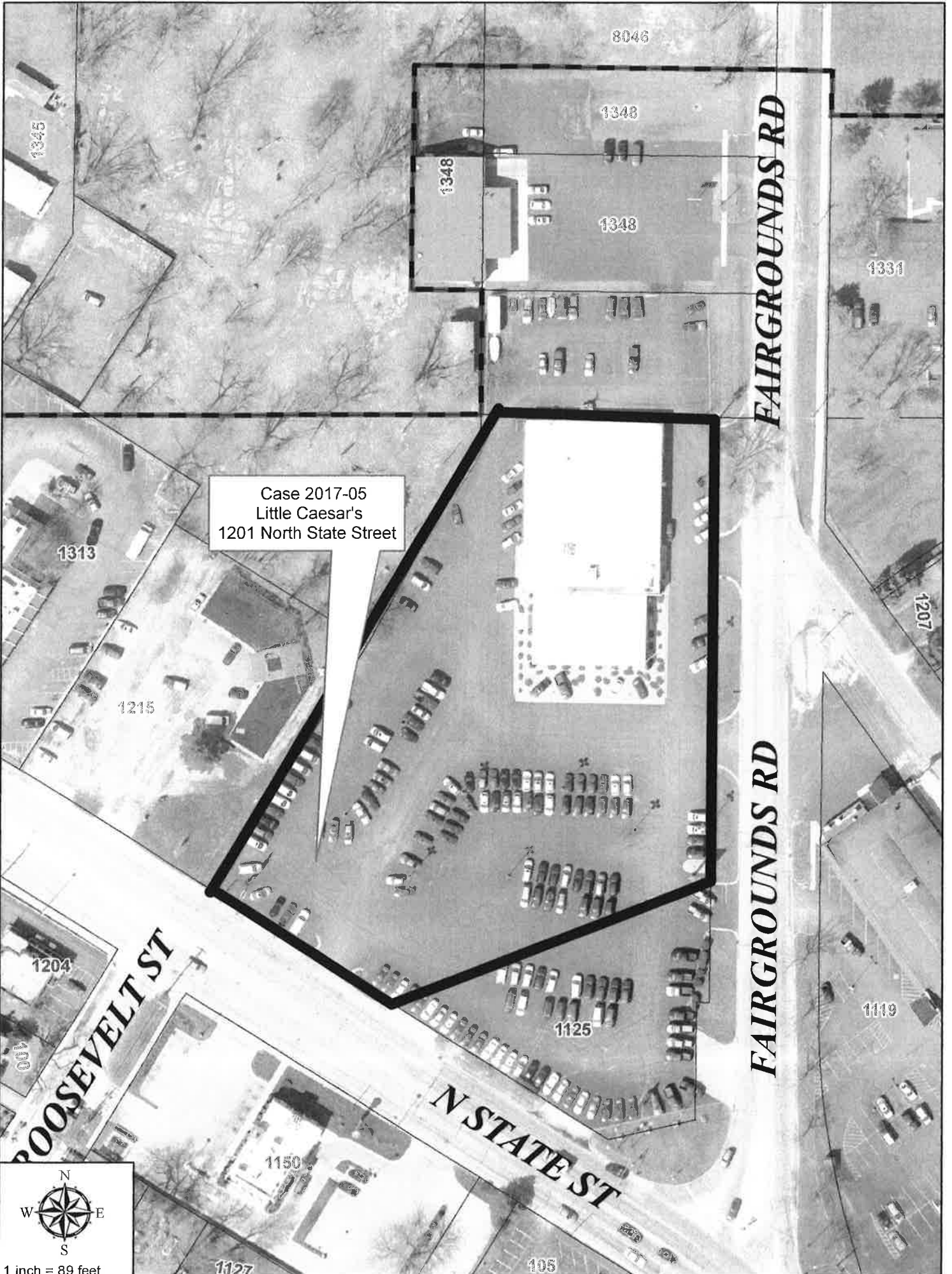
FAIRGROUNDS RD

ROOSEVELT ST

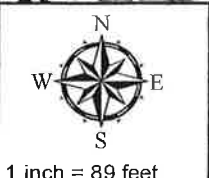
N STATE ST



1 inch = 89 feet



Case 2017-05
Little Caesar's
1201 North State Street



1 inch = 89 feet

ROOSEVELT ST

N STATE ST

FAIRGROUNDS RD

FAIRGROUNDS RD

8046

1348

1348

1348

1331

1207

1313

1215

1204

1119

1150

1125

1127

105



603 Appleton Road, Belvidere, Illinois 61008 Phone 815-547-7935 Fax 815-547-7939

**BOONE COUNTY
CONSERVATION
DISTRICT**

December 21, 2016

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

Re: 2017-05; Little Ceasars, Preliminary Plat

Dear Ms. DelRose:

The Boone County Conservation District has reviewed the above referenced case and has no comments at this time. Thank you for the opportunity to respond.

Thank you.

Sincerely,

BOONE COUNTY CONSERVATION DISTRICT

Dan Kane (S)
Dan Kane
Executive Director

Memo

To: Gina DelRose, Community Development Planner
From: Brent Anderson, Director of Public Works
Date: 1/4/2017
Re: Review of Preliminary Plat – Little Caesars 2 Lot Subdivision (Case No. 2017-05)

Having reviewed the above Plat, I offer the following comments:

1. 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.
2. 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 recording of the Final Plat or approval and release of the construction plans for the development by the Director of Public Works.
3. A construction inspection fee in the amount of three percent of the approved engineer's estimate of cost 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.
4. 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 by the City at the time of Final Plat submittal.
5. Easements, ten feet in width, will be required for all existing utilities across both lots.
6. The sanitary sewer easement along the westerly property line shall extend across Lot #1 and Lot #2.

All other provisions of the subdivision control ordinance will be required unless specifically waived by the City Council.



Hampton, Lenzini and Renwick, Inc.

Civil Engineers • Structural Engineers • Land Surveyors • Environmental Specialists
www.hltrengineering.com

December 20, 2016

Mr. Brent Anderson
City of Belvidere
Director of Public Works
401 Whitney Boulevard, Suite 200
Belvidere, IL 61008

RE: Little Caesars Subdivision
Preliminary and Final Plats

Dear Mr. Anderson,

We reviewed the Preliminary and Final Plats of Little Caesars 2 Lot Subdivision and offer the following comments for your consideration.

PRELIMINARY PLAT COMMENTS

1. The title shown on the Preliminary Plat is "Little Caesars 2 Lot Subdivision." Compared to the information provided by the Community Development Department and the name of the restaurant, Caesars is spelled incorrectly. We also question if "2 Lot" is necessary in the title.
2. It is not clear from the Preliminary Plat or the Site Plan if any of the easements shown are existing. If they are existing, they should be labelled as such.
3. The setback lines are shown as follows: 20 feet along State Street and Fairgrounds Road, 5 feet along the west and north lines of Lot 1 and the west line of Lot 2, and 0 feet along the east line of Lot 1 and the north and south lines of Lot 2. We question if these are acceptable to the City.
4. The Plat shows utility, sanitary, and storm easements. Explanations of the need for these easements should be provided.
5. There is also a 24-foot Cross Traffic Access shown on the east line of Lot 1 between Lots 1 and 2. An explanation of this should be provided as well.
6. It appears that the existing driveway from State Street is on both Lots 1 and 2 and does not appear to be part of the Cross Traffic Access. We question if this will be changed as part of the development of the site.
7. The Site Plan shows existing light poles on Lot 1 that appear to be part of a system that is on Lot 2. We question what will be done with these existing light poles.
8. The Site Plan shows a water line on Lot 1 that appears to serve the building on Lot 2. It would appear that an easement will be required for it as well.
9. There is also a storm sewer on Lot 1 that serves Lot 2 that is not shown within an easement. We question what will be done with this sewer.
10. There is a sanitary sewer shown along the west line of Lot 1 that stops after it crosses onto Lot 2. The easement line also stops but does not appear to end. We question if this is meant to continue along the west line of Lot 2 or stop at the back line of the adjacent lot to the west.
11. With the easements shown, we question if the lot can be developed as needed for a restaurant.

FINAL PLAT COMMENTS

1. The title of the plat should be checked as discussed in the Preliminary Plat comments.

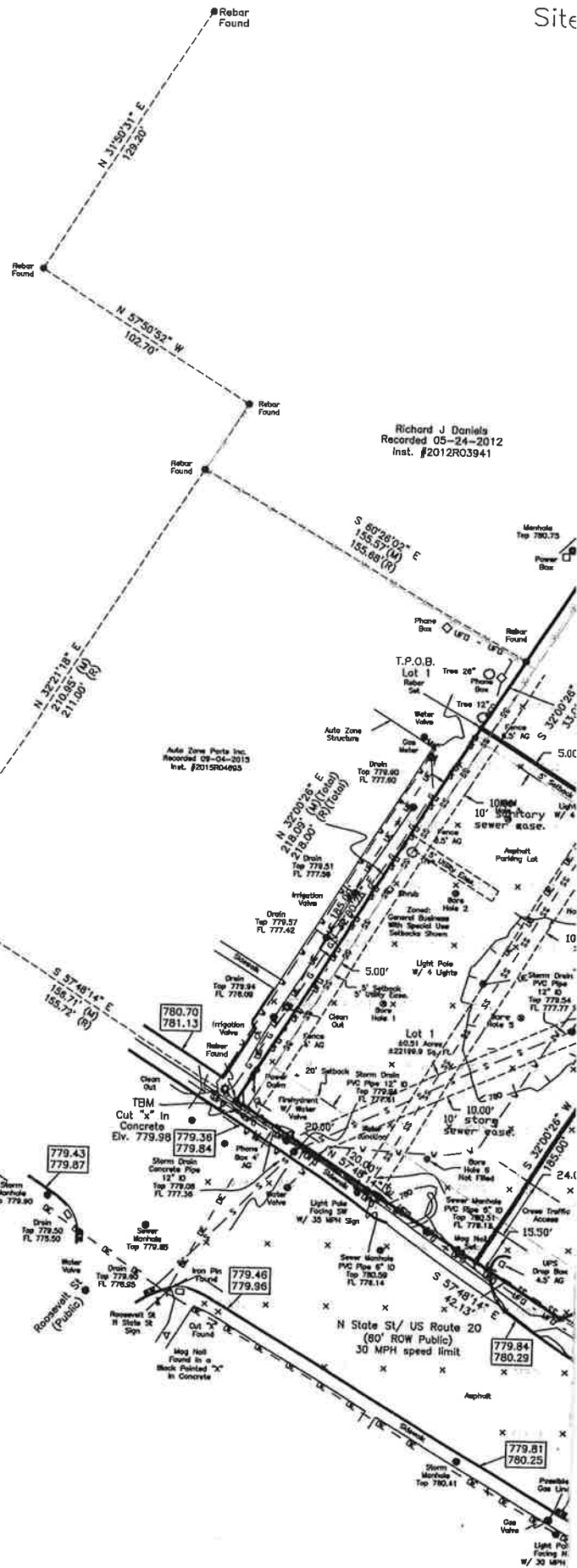
380 Shepard Drive
Elgin, Illinois 60123-7010
Tel. 847.697.6700
Fax 847.697.6753

6825 Hobson Valley Drive, Suite 302
Woodridge, Illinois 60517
Tel. 847.697.6700
Fax 847.697.6753

3085 Stevenson Drive, Suite 201
Springfield, Illinois 62703
Tel. 217.546.3400
Fax 217.546.8116

323 W. Third Street, P.O. Box 160
Mt. Carmel, Illinois 62863
Tel. 618.262.8651
Fax 618.263.3327

VICINITY MAP NTS



Richard J Daniels
Recorded 05-24-2012
Inst. #2012R03941

Right-Of-Way
Marker
Rebar Found
Manhole
Top 779.89

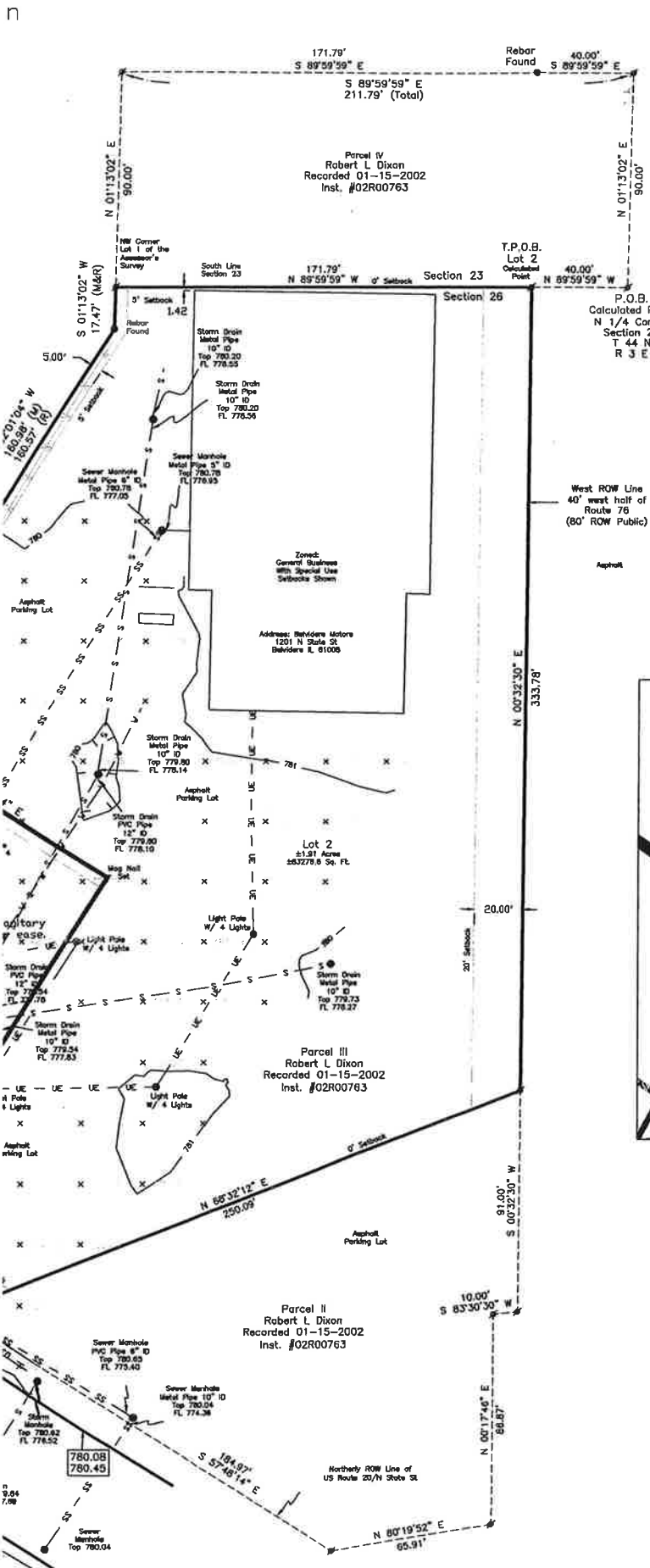
Legend

- | | |
|---|---------------------------|
| ⊕ Rebar with cap engraved James Tibbett LS 8332 | ⊙ Water control box |
| ⊞ Conduit pull | ⌘ Sign - "wording" |
| ⊗ Gen spike found | ⌚ Guy Wire |
| ⊙ clean out | ⬇ Guard post |
| ⊕ Rebar found | ⊞ Fire hydrant |
| ⊞ Chiseled cross found or set | ⊞ Manhole |
| ⊙ Shrub | ⊞ Phone pedestal |
| ⊙ Calculated point not set | ⊙ Water meter |
| ⊙ Rock placed | ⊙ Clean out |
| ⊙ Light pole (with bulbs shown in number & orientation) | 123.43 Base of curb elev. |
| (M) Measured | 123.43 Top of curb elev. |
| (R) Recorded | Gas cap |
| | ⊙ Bore Hole Location |
| | X 123.45 Spot Elevation |

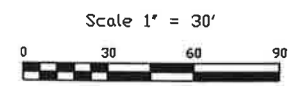
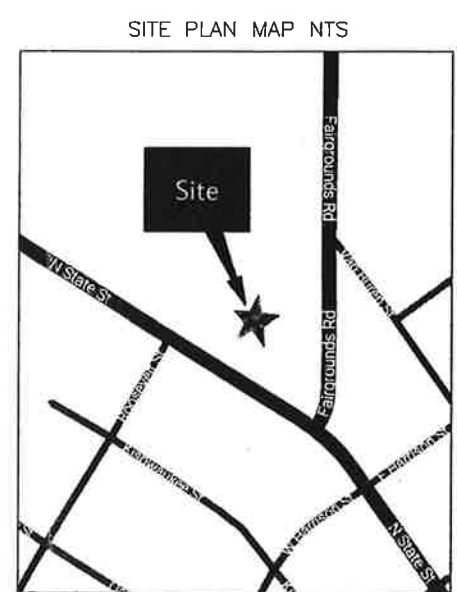
Legend

- | | |
|-----------------------|------------------------|
| - S - S - S - S - | storm line |
| - W - W - W - W - | water line |
| - E - E - E - E - | overhead power |
| - G - G - G - G - | gas line |
| - SS - SS - SS - SS - | Sanitary sewer line |
| --- | Property line |
| --- | Adjacent property line |
| --- | Section line |
| --- | Set back line |
| --- | Easement line |
| --- | Fence line |

Lot Subdivision



The bearing system for this survey is grid based upon GPS observations using WGS84 datum



Project Number: CS3168	Project Description: Part of Lot 1 of Assessor's Survey of NW 1/4 Section 26 Township 44 North Range 3 East of the Third Principal Meridian
Drawing Name: CS3168R1	Revision: 1
Drawn By: Jacob J. Tibbett	Date: 05/26/16
Approved By: James C. Tibbett	Date: 11/16/16
Date: November 16, 2016	Sheet 2 of 5

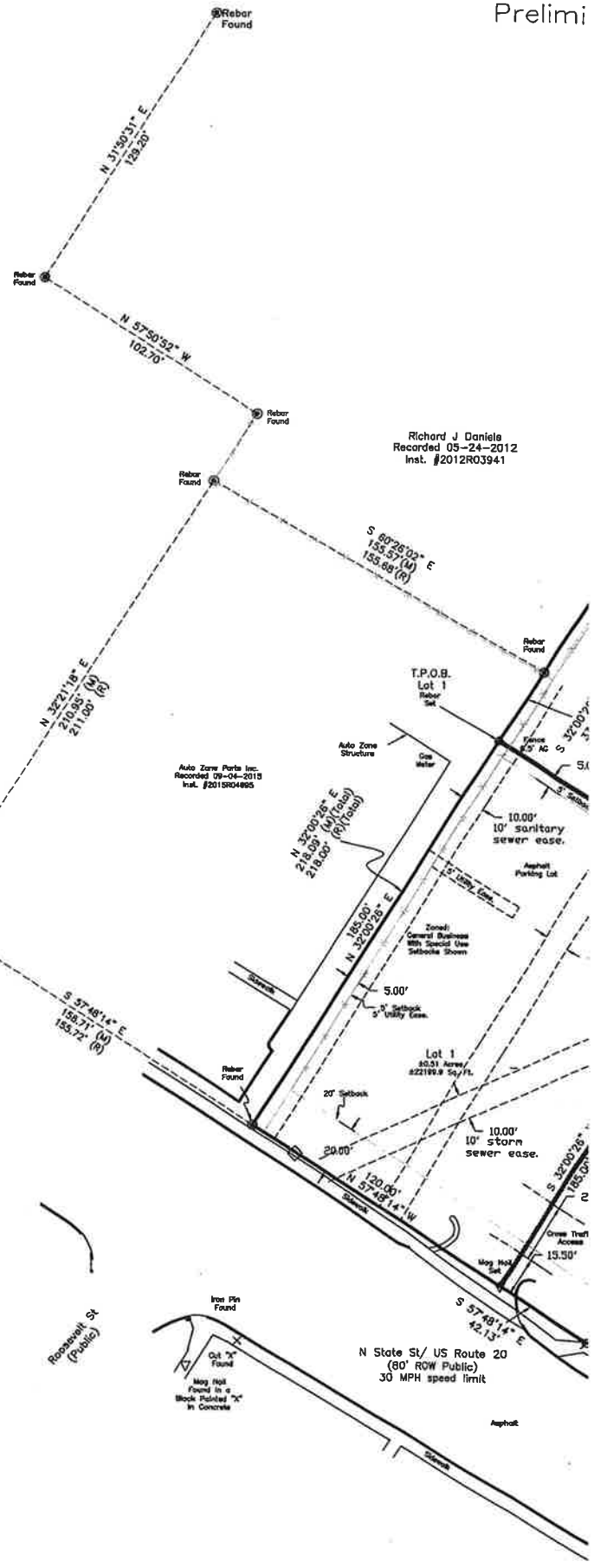
Field work was completed 11-09-16
 License expires 11-30-2018
 Survey is NOT complete without Surveyor's Report

I affirm, under the penalties of perjury, that I have taken reasonable precautions to ensure the accuracy of the information contained herein and that the current Illinois minimum Standards for a boundary survey
 James C. Tibbett, L.L.S.
 Illinois Registration No. 0035-003652

CB&M Survey's, Inc.
 Po Box 487
 429 NE A Street
 Linton, IN 47441
 (812)847-1952
 www.cbmsurvey.com
 email: james@cbmsurvey.com

Belvidere Motors
 1201 N State St
 Belvidere IL 61008

VICINITY MAP NTS



Richard J Daniels
Recorded 03-24-2012
Inst. #2012R03941

Legend

◆ Rebar with cap engraved James Tibbett LS 8332	● Water control box
⊞ Conduit pull	X Sign - "wording"
⊗ Gen spike found	↓ Guy Wire
☼ clean out	● Guard post
⊙ Rebar found	● Fire hydrant
+ Chiseled cross found or set	● Manhole
◇ Shrub	◇ Phone pedestal
⊘ Calculated point not set	⊗ Tree
⊕ Rock placed	● Water meter
⊙ Light pole (with bulbs shown in number & orientation)	⊗ Clean out
(M) Measured	123.45 Base of curb elev.
(R) Recorded	123.45 Top of curb elev.
	⊕ Gas cap
	● Bore Hole Location
	X 123.45 Spot Elevation

Legend

- S - S - S - S -	storm line
- W - W - W - W -	water line
- E - E - E - E -	overhead power
- G - G - G - G -	gas line
SS SS	Sanitary sewer line
---	Property line
---	Adjacent property line
---	Section line
---	Set back line
---	Easement line
---	Fence line

ORDINANCE NO. 329H

**AN ORDINANCE APPROVING
FINAL PLAT OF
LITTLE CAESARS 2 LOT SUBDIVISION**

WHEREAS, the City of Belvidere has adopted a Subdivision Ordinance (Chapter 151 of the Belvidere Municipal Code) in accordance with the provisions of Illinois Compiled Statutes to regulate the division of land and specify the minimum requirements for public improvements on land in the City of Belvidere; and,

WHEREAS, the applicant, Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner of the property described in the attached subdivision plat (hereof referenced as Attachment A), Robert Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008, has petitioned the City of Belvidere for approval of the final plat of Little Caesars 2 Lot Subdivision.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. That the attached Final Plat of Little Caesars 2 Lot Subdivision be, and is hereby approved, subject to the following conditions:

1. The pages shall state Sheet 1 of 3, 2 of 3 and 3 of 3. Pages 1 and 2 are for the preliminary plat and shall be numbered separately.
2. In the general easement provision, Nicor shall be stated. "...and other properties with telephone, electric, Nicor gas and other service or cable television services;...".
3. The overlapping texts on Sheets 2 and 3 shall be corrected.
4. Route 76 shall be relabeled to Fairgrounds Road and US Route 20 shall be labeled North State Street.
5. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
6. Per Appendix A of the Belvidere Subdivision Code, the Surveyor Certificate shall include the following language: Dimensions are given in feet and decimals of a foot. Dimensions along circular curves are chord distances pin to pin. Iron pins three-fourth inch in diameter and four feet long have been found or set at all points marked on the plat with a solid dot and iron pins five-eighths inch in diameter and three feet long have been found or set at all other lot corners, unless otherwise specified.
7. Per Appendix A of the Belvidere Subdivision Code, the Public Works Department Approval certificate block shall include the following language: I, _____, Public

Works Director of the City of Belvidere, do hereby certify that this plat has been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of Belvidere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed improvements.

8. "Caesars" is spelled wrong.
9. Per the Plat Act, at least two concrete monuments should be shown on the boundary of the subdivision.
10. Easement provisions should be included on the plat for all of the utility, sanitary, storm and cross access easements. Easement provisions shall indicate the terms of use, the party or parties who benefit from the easement, and what can and cannot be constructed within the limits of the easements.
11. Dimensions are required for all easements.
12. Blank lines shall be provided for signatures, locations and dates with the certificate blocks.
13. The Commonwealth Edison signature block has an extra "By: Date:" line.
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. Public improvements include sidewalks, sanitary sewer main, water and sanitary services stubs.
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 recording of the Final Plat or 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 cost 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. 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 by the City at the time of Final Plat submittal.
18. Easements, ten feet in width, will be required for all existing utilities across both lots.
19. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2. The easement provisions for this easement shall read as follows:

Sanitary Sewer Easement

An easement is hereby reserved for the City of Belvidere and its assignee(s) to construct, repair, maintain and operate said sanitary sewer upon, under and through the area shown on the attached plat; and, together with the right of access across the lots and real estate described in the attached plat, and allowing for the necessary men and equipment to do any or all of the above work; and agreeing that no permanent buildings

or trees shall be placed on said easements but may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses and rights; and agreeing that the City and its assignee(s) shall not be responsible for any damage to any improvement made with the easement area, including, but not limited to, pavement, curb and gutter, signs or poles.

20. The plat provisions refer to common elements and common areas. No such areas are shown on the plat. If they do not apply, the provisions shall be removed.
21. A drainage overlay needs to be submitted for review and approval prior to final plat approval.
22. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
23. The plat shall be recorded with the County Recorder of Deeds within 60 days of City Council approval, unless a plat-recording extension is granted by the City Council.
24. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

Section 2. That the Mayor and City Clerk are hereby authorized and directed to execute the plat upon presentment of a proper guarantee for the construction of the required subdivision improvements and payment of the construction inspection fee in accordance with the Belvidere Subdivision Ordinance.

Section 3. That the City Clerk is hereby authorized and directed to cause the final plat to be recorded with the Boone County Recorder of Deeds after the plat is properly executed by all of the officers of the City of Belvidere.

Section 4. That this Ordinance shall be in full force and effect from and after its passage as provided by local law and pursuant to Illinois State Statutes. This written and foregoing Ordinance is published by authority of the corporate authorities of the City of Belvidere in pamphlet form on this date.

PASSED by the City Council of the City of Belvidere this _____ day of _____, 2017.

APPROVED by the Mayor of the City of Belvidere this _____ day of _____, 2017.

Mike Chamberlain, Mayor

ATTEST:

Shauna Arco, City Clerk

Ayes: _____ Nays: _____ Absent: _____

City Council Members Voting Aye:

City Council Members Voting Nay:

Date Published:

Sponsor: _____

MEMO

DATE: January 11, 2017

TO: Mayor and Members of the City Council

FROM: City of Belvidere Planning and Zoning Commission

SUBJECT: Recommendation for Case 2017-06; Little Caesars (FP)

REQUEST:

The applicant is requesting final plat approval of the subdivision named Little Caesars 2 Lot Subdivision. The subject property is at the northeast corner of the North State Street and Fairgrounds Road. It is approximately 2.5 acres in size and is developed with the former Belvidere Motors car dealership.

RECOMMENDATION:

The planning and zoning commission recommended the **approval** of case number **2017-06** subject to the following conditions:

1. The pages shall state Sheet 1 of 3, 2 of 3 and 3 of 3. Pages 1 and 2 are for the preliminary plat and shall be numbered separately.
2. In the general easement provision, Nicor shall be stated. "...and other properties with telephone, electric, Nicor gas and other service or cable television services;...".
3. The overlapping texts on Sheets 2 and 3 shall be corrected.
4. Route 76 shall be relabeled to Fairgrounds Road and US Route 20 shall be labeled North State Street.
5. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
6. Per Appendix A of the Belvidere Subdivision Code, the Surveyor Certificate shall include the following language: Dimensions are given in feet and decimals of a foot. Dimensions along circular curves are chord distances pin to pin. Iron pins three-fourth inch in diameter and four feet long have been found or set at all points marked on the plat with a solid dot and iron pins five-eighths inch in diameter and three feet long have been found or set at all other lot corners, unless otherwise specified.
7. Per Appendix A of the Belvidere Subdivision Code, the Public Works Department Approval certificate block shall include the following language: I, _____, Public Works Director of the City of Belvidere, do hereby certify that this plat has been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of Belvidere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed improvements.

8. "Caesars" is spelled wrong.
9. Per the Plat Act, at least two concrete monuments should be shown on the boundary of the subdivision.
10. Easement provisions should be included on the plat for all of the utility, sanitary, storm and cross access easements. Easement provisions shall indicate the terms of use, the party or parties who benefit from the easement, and what can and cannot be constructed within the limits of the easements.
11. Dimensions are required for all easements.
12. Blank lines shall be provided for signatures, locations and dates with the certificate blocks.
13. The Commonwealth Edison signature block has an extra "By: Date:" line.
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. Public improvements include sidewalks, sanitary sewer main, water and sanitary services stubs.
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 recording of the Final Plat or 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 cost 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. 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 by the City at the time of Final Plat submittal.
18. Easements, ten feet in width, will be required for all existing utilities across both lots.
19. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2. The easement provisions for this easement shall read as follows:

Sanitary Sewer Easement

An easement is hereby reserved for the City of Belvidere and its assignee(s) to construct, repair, maintain and operate said sanitary sewer upon, under and through the area shown on the attached plat; and, together with the right of access across the lots and real estate described in the attached plat, and allowing for the necessary men and equipment to do any or all of the above work; and agreeing that no permanent buildings or trees shall be placed on said easements but may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses and rights; and agreeing that the City and its assignee(s) shall not be responsible for any damage to any

improvement made with the easement area, including, but not limited to, pavement, curb and gutter, signs or poles.

20. The plat provisions refer to common elements and common areas. No such areas are shown on the plat. If they do not apply, the provisions shall be removed.
21. A drainage overlay needs to be submitted for review and approval prior to final plat approval.
22. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
23. The plat shall be recorded with the County Recorder of Deeds within 60 days of City Council approval, unless a plat-recording extension is granted by the City Council.
24. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

Motion to approve case 2017-06; Little Caesars (FP) subject to the conditions as presented carried with a (6-0) roll call vote.

Andrew Racz, Chairman
Belvidere Planning and Zoning Commission

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

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

January 5, 2017

ADVISORY REPORT

CASE: 2017-06

APPLICANT: Little Caesars, Final Plat

REQUEST:

The applicant is requesting final plat approval of the subdivision named Little Caesars 2 Lot Subdivision.

LOCATION:

The subject property is at the northeast corner of the North State Street and Fairgrounds Road. It is approximately 2.5 acres in size and is developed with the former Belvidere Motors car dealership (see attached aerial photo).

BACKGROUND:

The subject property is currently zoned GB, General Business District and developed with a large parking lot and an 18,000 square foot building. In addition to the preliminary plat and final plat applications, the applicant is also petitioning for a special use for a planned development to construct a Little Caesars restaurant on Lot 1. The property is being subdivided into a 1.91 acre lot and a .51 acre lot. L

Since the property had previously been developed, public improvements such as roadways and utilities are not anticipated to be installed. There is a sanitary sewer, storm sewer and water line that serves the building on Lot 2 but runs through Lot 1. Careful attention to the existing infrastructure and easement language will need to be paid in order to ensure proper development in the future.

A request for comments was sent to 16 departments, agencies, or other parties. Comments received were either addressed by the applicant or have been incorporated into the recommended conditions of approval.

SUMMARY OF FINDINGS:

The final plat of Little Caesars 2 Lot Subdivision is in conformance with the City of Belvidere's subdivision and zoning ordinances provided the suggested conditions of approval are met.

RECOMMENDATION:

Planning staff recommends the **approval** of case number **2017-06**, subject to the following conditions:

1. The pages shall state Sheet 1 of 3, 2 of 3 and 3 of 3. Pages 1 and 2 are for the preliminary plat and shall be numbered separately.
2. In the general easement provision, Nicor shall be stated. "...and other properties with telephone, electric, Nicor gas and other service or cable television services;...".
3. The overlapping texts on Sheets 2 and 3 shall be corrected.
4. Route 76 shall be relabeled to Fairgrounds Road and US Route 20 shall be labeled North State Street.
5. The five-foot setback is required for pavement and not buildings. Only building setback lines are required to be shown, therefore, the five-foot setback lines can be removed.
6. Per Appendix A of the Belvidere Subdivision Code, the Surveyor Certificate shall include the following language: Dimensions are given in feet and decimals of a foot. Dimensions along circular curves are chord distances pin to pin. Iron pins three-fourth inch in diameter and four feet long have been found or set at all points marked on the plat with a solid dot and iron pins five-eighths inch in diameter and three feet long have been found or set at all other lot corners, unless otherwise specified.
7. Per Appendix A of the Belvidere Subdivision Code, the Public Works Department Approval certificate block shall include the following language: I, _____, Public Works Director of the City of Belvidere, do hereby certify that this plat has been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of Belvidere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed improvements.
8. "Caesars" is spelled wrong.
9. Per the Plat Act, at least two concrete monuments should be shown on the boundary of the subdivision.
10. Easement provisions should be included on the plat for all of the utility, sanitary, storm and cross access easements. Easement provisions shall indicate the terms of use, the party or parties who benefit from the easement, and what can and cannot be constructed within the limits of the easements.
11. Dimensions are required for all easements.
12. Blank lines shall be provided for signatures, locations and dates with the certificate blocks.
13. The Commonwealth Edison signature block has an extra "By: Date:" line.
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. Public improvements include sidewalks, sanitary sewer main, water and sanitary services stubs.
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 recording of the Final Plat or 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 cost 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. 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 by the City at the time of Final Plat submittal.
18. Easements, ten feet in width, will be required for all existing utilities across both lots.
19. The sanitary sewer easement along the westerly property line shall extend across Lot 1 and Lot 2. The easement provisions for this easement shall read as follows:

Sanitary Sewer Easement

An easement is hereby reserved for the City of Belvidere and its assignee(s) to construct, repair, maintain and operate said sanitary sewer upon, under and through the area shown on the attached plat; and, together with the right of access across the lots and real estate described in the attached plat, and allowing for the necessary men and equipment to do any or all of the above work; and agreeing that no permanent buildings or trees shall be placed on said easements but may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses and rights; and agreeing that the City and its assignee(s) shall not be responsible for any damage to any improvement made with the easement area, including, but not limited to, pavement, curb and gutter, signs or poles.

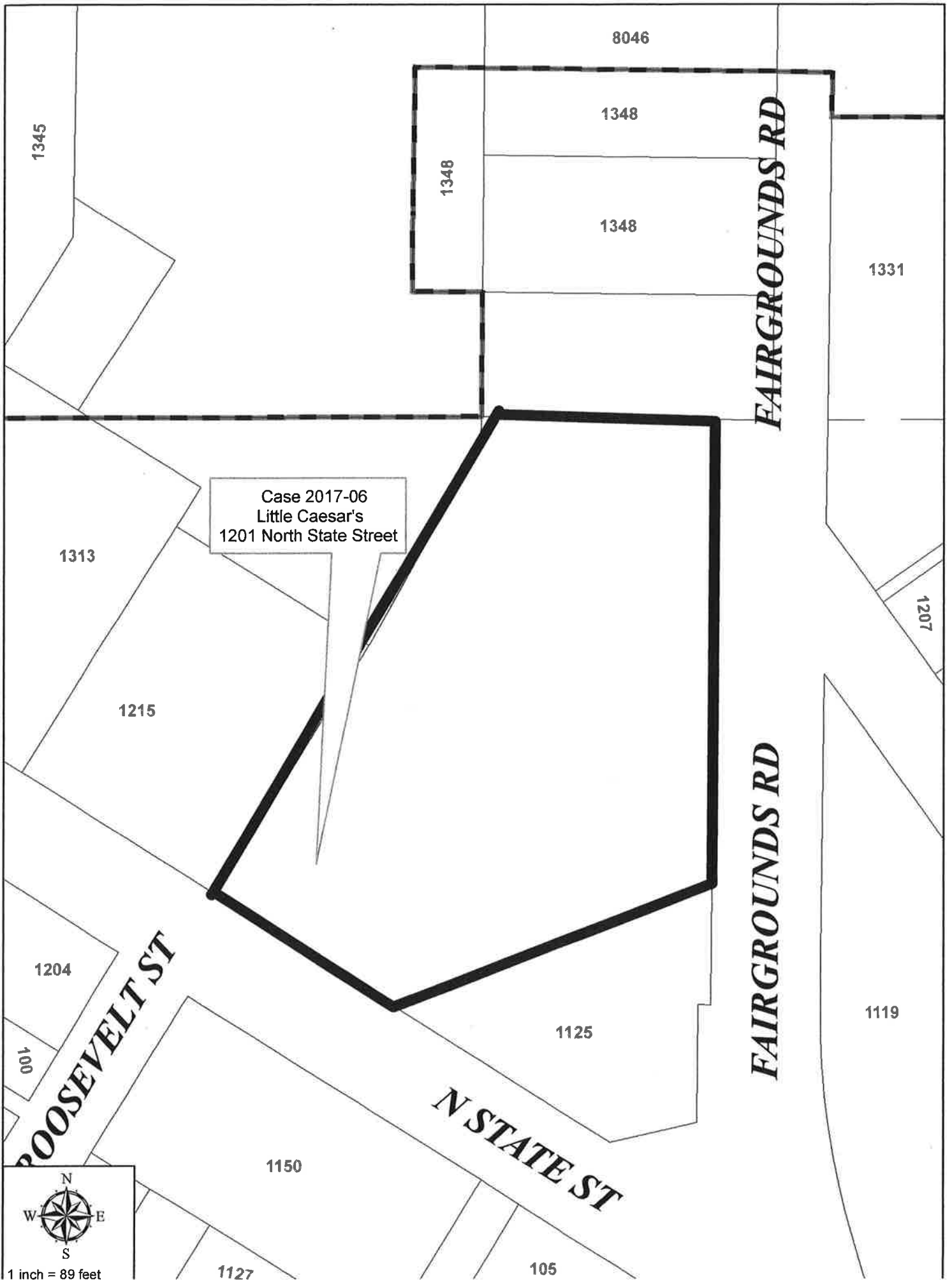
20. The plat provisions refer to common elements and common areas. No such areas are shown on the plat. If they do not apply, the provisions shall be removed.
21. A drainage overlay needs to be submitted for review and approval prior to final plat approval.
22. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
23. The plat shall be recorded with the County Recorder of Deeds within 60 days of City Council approval, unless a plat-recording extension is granted by the City Council.
24. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

Submitted by:


Gina DelRose
Community Development Planner

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with Platting by Planning Staff.
3. Letter from Boone County Conservation District, Dan Kane, December 21, 2016.
4. Memo from Belvidere Public Works Department, Brent Anderson, January 5, 2017.
5. Letter from Hampton, Lenzini and Renwick, Inc., Dirk A. Yuill, December 20, 2016.
6. Final Plat for Little Caesars 2 Lot Subdivision by CB&M Survey's, Inc. dated November 16, 2016.



Case 2017-06
Little Caesar's
1201 North State Street

FAIRGROUNDS RD

FAIRGROUNDS RD

ROOSEVELT ST

N STATE ST

1345

8046

1348

1348

1348

1331

1313

1207

1215

1204

1125

1119

1150

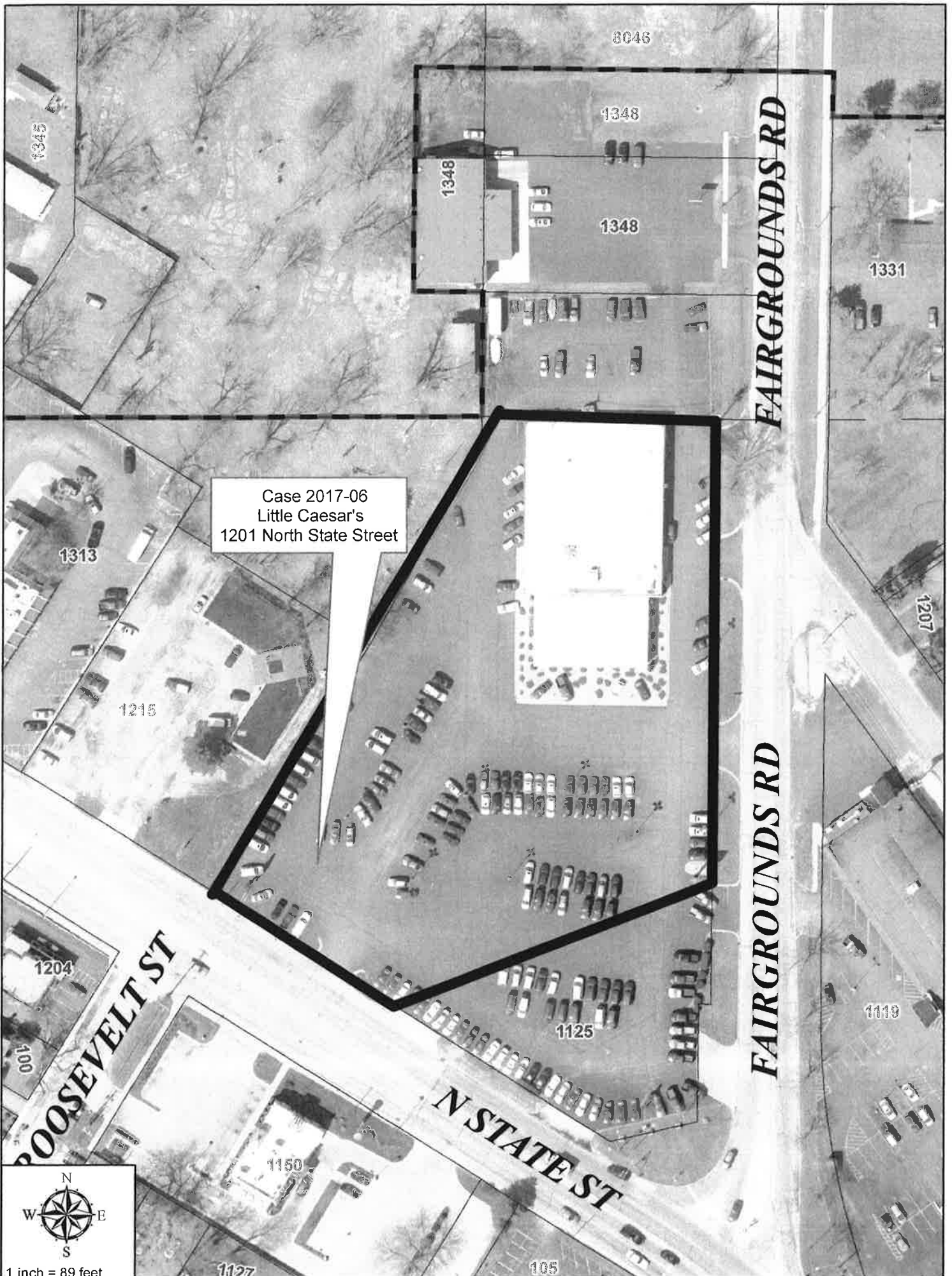
100

1127

105



1 inch = 89 feet



Case 2017-06
Little Caesar's
1201 North State Street



1 inch = 89 feet



603 Appleton Road, Belvidere, Illinois 61008 Phone 815-547-7935 Fax 815-547-7939

**BOONE COUNTY
CONSERVATION
DISTRICT**

December 21, 2016

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

Re: 2017-06; Little Ceasars, Final Plat

Dear Ms. DelRose:

The Boone County Conservation District has reviewed the above referenced case and has no comments at this time. Thank you for the opportunity to respond.

Thank you.

Sincerely,

BOONE COUNTY CONSERVATION DISTRICT

A handwritten signature in black ink that reads "Dan Kane". The signature is written in a cursive, slightly slanted style.

Dan Kane (s)
Executive Director

Memo

To: Gina DelRose, Community Development Planner
From: Brent Anderson, Director of Public Works
Date: 1/5/2017
Re: Review of Final Plat – Little Caesars 2 Lot Subdivision (Case No. 2017-05)

Having reviewed the above Plat, I offer the following comments:

1. 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. Public improvements include sidewalks, sanitary sewer main, water and sanitary service stubs.
2. 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 recording of the Final Plat or approval and release of the construction plans for the development by the Director of Public Works.
3. A construction inspection fee in the amount of three percent of the approved engineer's estimate of cost 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.
4. 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 by the City at the time of Final Plat submittal.
5. Easements, ten feet in width, will be required for all existing utilities across both lots.
6. The sanitary sewer easement along the westerly property line shall extend across Lot #1 and Lot #2. The easement provision for this easement shall read as follows:

SANITARY SEWER EASEMENT

An easement is hereby reserved for the City of Belvidere and its assignee(s) to construct, repair, maintain and operate said sanitary sewer upon, under and through the area shown on the attached plat; and, together with the right of access across the lots and real estate described in the attached plat, and allowing for the necessary men and equipment to do any or all of the above work; and agreeing that no permanent buildings or trees shall be placed on said easements, but may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses and rights; and agreeing that the City and its assignee(s) shall not be responsible for any damage to any improvement made within the easement area, including, but not limited to, pavement, curb and gutter, signs or poles.

7. The plat provisions refer to common elements and common areas. No such areas are shown on the plat. If they do not apply, the provisions should be removed.

8. Route 76 and US Route 20 are no longer adjacent to this subdivision. The streets should be Fairgrounds Road and North State Street, respectively.

9. A drainage overlay needs to be submitted for review and approval prior to final plat approval.

All other provisions of the subdivision control ordinance will be required unless specifically waived by the City Council.



Hampton, Lenzini and Renwick, Inc.

Civil Engineers • Structural Engineers • Land Surveyors • Environmental Specialists
www.hlrengineering.com

December 20, 2016

Mr. Brent Anderson
City of Belvidere
Director of Public Works
401 Whitney Boulevard, Suite 200
Belvidere, IL 61008

RE: Little Caesars Subdivision
Preliminary and Final Plats

Dear Mr. Anderson,

We reviewed the Preliminary and Final Plats of Little Caesars 2 Lot Subdivision and offer the following comments for your consideration.

PRELIMINARY PLAT COMMENTS

1. The title shown on the Preliminary Plat is "Little Caesars 2 Lot Subdivision." Compared to the information provided by the Community Development Department and the name of the restaurant, Caesars is spelled incorrectly. We also question if "2 Lot" is necessary in the title.
2. It is not clear from the Preliminary Plat or the Site Plan if any of the easements shown are existing. If they are existing, they should be labelled as such.
3. The setback lines are shown as follows: 20 feet along State Street and Fairgrounds Road, 5 feet along the west and north lines of Lot 1 and the west line of Lot 2, and 0 feet along the east line of Lot 1 and the north and south lines of Lot 2. We question if these are acceptable to the City.
4. The Plat shows utility, sanitary, and storm easements. Explanations of the need for these easements should be provided.
5. There is also a 24-foot Cross Traffic Access shown on the east line of Lot 1 between Lots 1 and 2. An explanation of this should be provided as well.
6. It appears that the existing driveway from State Street is on both Lots 1 and 2 and does not appear to be part of the Cross Traffic Access. We question if this will be changed as part of the development of the site.
7. The Site Plan shows existing light poles on Lot 1 that appear to be part of a system that is on Lot 2. We question what will be done with these existing light poles.
8. The Site Plan shows a water line on Lot 1 that appears to serve the building on Lot 2. It would appear that an easement will be required for it as well.
9. There is also a storm sewer on Lot 1 that serves Lot 2 that is not shown within an easement. We question what will be done with this sewer.
10. There is a sanitary sewer shown along the west line of Lot 1 that stops after it crosses onto Lot 2. The easement line also stops but does not appear to end. We question if this is meant to continue along the west line of Lot 2 or stop at the back line of the adjacent lot to the west.
11. With the easements shown, we question if the lot can be developed as needed for a restaurant.

FINAL PLAT COMMENTS

1. The title of the plat should be checked as discussed in the Preliminary Plat comments.

380 Shepard Drive
Elgin, Illinois 60123-7010
Tel. 847.697.6700
Fax 847.697.6753

6825 Hobson Valley Drive, Suite 302
Woodridge, Illinois 60517
Tel. 847.697.6700
Fax 847.697.6753

3085 Stevenson Drive, Suite 201
Springfield, Illinois 62703
Tel. 217.546.3400
Fax 217.546.8116

323 W. Third Street, P.O. Box 160
Mt. Carmel, Illinois 62863
Tel. 618.262.8651
Fax 618.263.3327

2. The plat does not show concrete monuments as required by the Plat Act. At least two concrete monuments should be shown on the boundary of the subdivision.
3. The Final Plat shows utility, sanitary, storm, and Cross Traffic Access easements. If these are all proposed easements, easements provisions should be included on the plat for all of them. The provisions should indicate the terms of use, the party or parties who benefit from the easement, and what can and cannot be constructed within the limits of the easement.
4. The plat shows the easements but does not provide any information on their locations. Dimensions are required to place the easements on the lots.
5. As the subdivision is adjacent to Routes 20 and 76, we question if an approval from IDOT is required on the plat. If so, a certificate should be added and must be signed by IDOT prior to approval by the City. We question if any of the access locations will be modified or abandoned on either of the lots.
6. The second and third sheets of the Final Plat appear to be printed incorrectly as the information runs off the sheets and in some areas is printed on top of other information. This should be corrected and resubmitted for review.
7. The Surveyor's Certificate does not conform to the information provided in the City Code.
8. The Owner's Certificate should include blank lines for the owner's signature and address.
9. The Notary Certificate should include a blank line for the owner's name.
10. The City Clerk's Certificate is missing a blank line in the line that starts "Dated at ..."
11. The Public Works Department Approval runs off the sheet and is incomplete.
12. The City Planner's Certificate is missing a blank line for the signature.
13. The Utility Companies Certificates are missing blank lines for the signatures and dates. The certificate for Commonwealth Edison has extra "by and date" lines.
14. The General Easement Provision has several areas where two lines of text are on top of each other.
15. As a general comment, all certificates should be reviewed and the blank lines checked, particularly for the dates as they are difficult to follow when they take up two lines.
16. We question if there will be any improvements made within the public right-of-way of State Street or Fairgrounds Road. If so, plans should be submitted for review.

If you have any questions or need additional information, please call me at 847.697.6700.

Yours truly,

HAMPTON, LENZINI AND RENWICK, INC.

By:

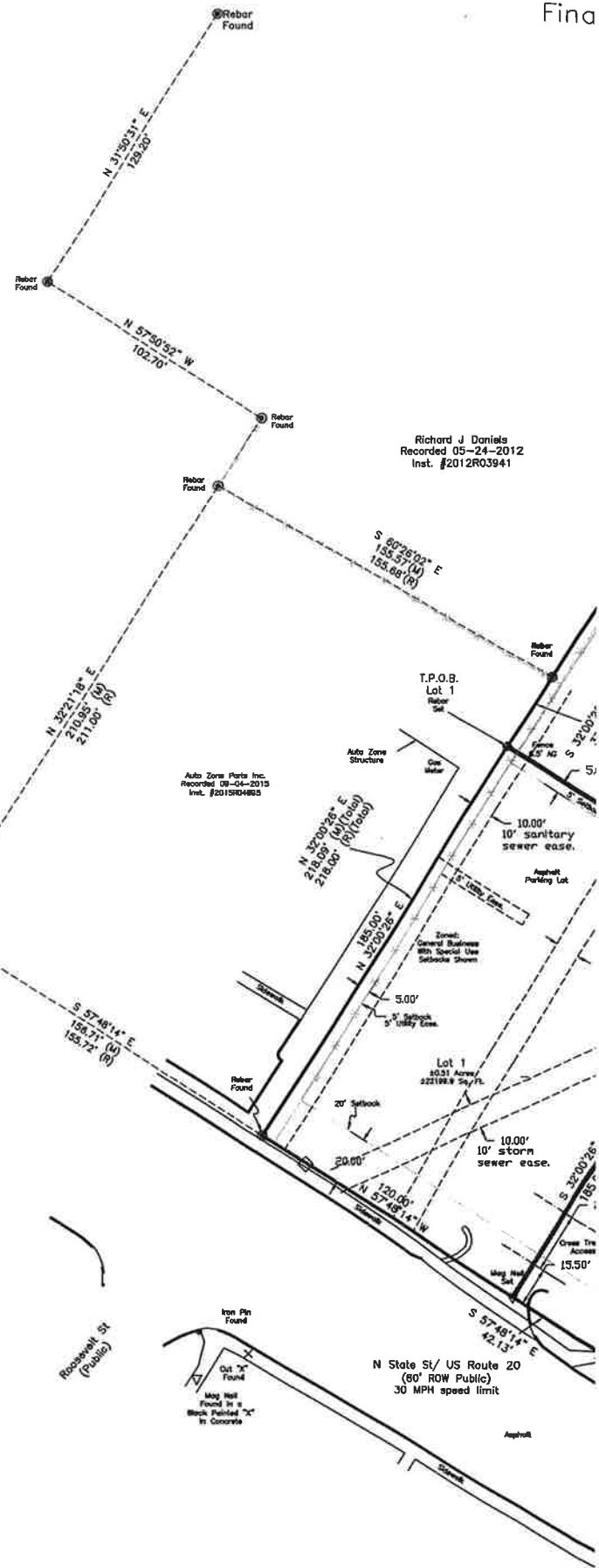


Dirk A. Yuill

DAY

P:\2016\160714\12-20-2016 Plat Review.docx

VICINITY MAP NTS



Richard J Daniels
Recorded 05-24-2012
Inst. #2012R03941

Auto Zone Parts Inc.
Recorded 08-04-2013
Inst. #2013R04883

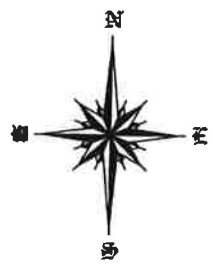
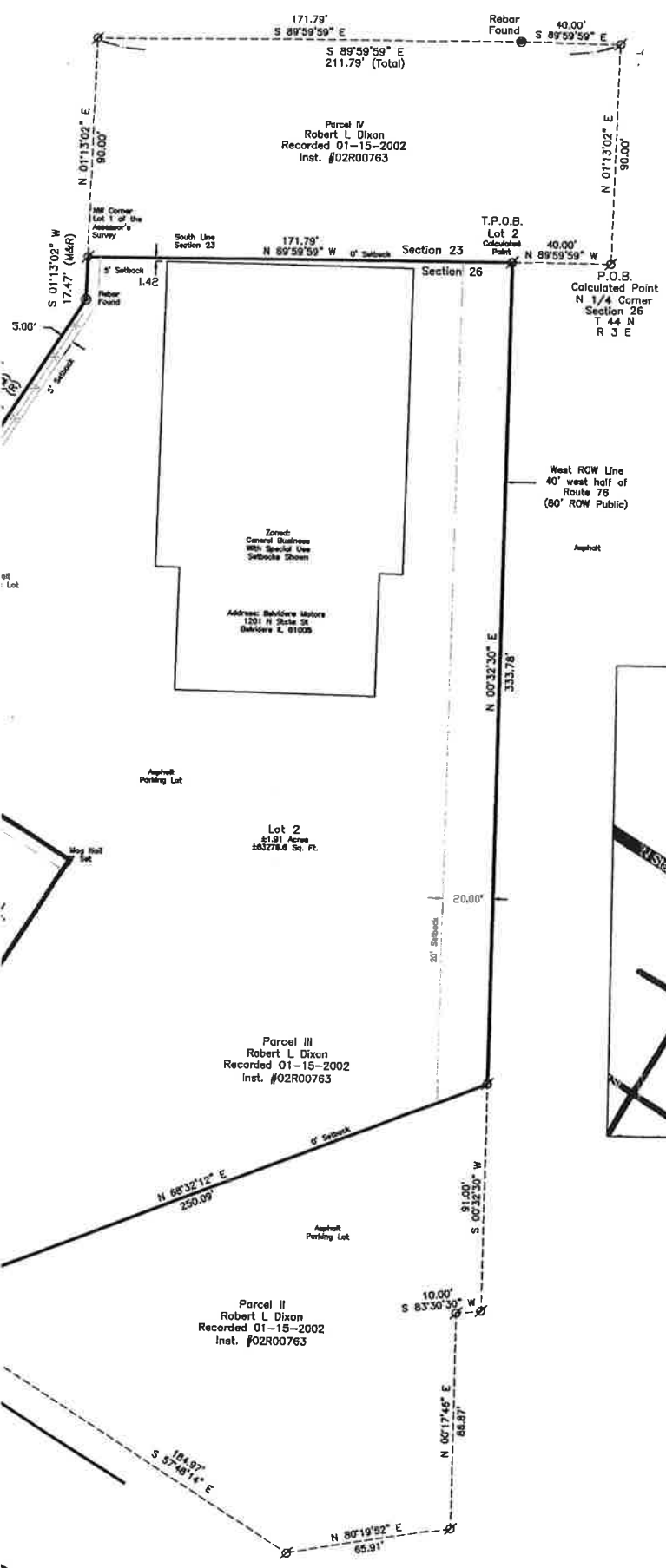
Legend

◆ Rebar with cap engraved James Tibbett LS 8332	● Water control box
⊞ Conduit pull	⌵ Sign - "warding"
⊗ Gen spike found	↓ Guy Wire
☀ clean out	● Guard post
⊙ Rebar found	⊕ Fire hydrant
+ Chiseled cross found or set	⊖ Manhole
◇ Shrub	◇ Phone pedestal
⊘ Calculated point not set	⊗ Tree
⊞ Rock placed	⊗ Water meter
⊙ Light pole (with bulbs shown in number & orientation)	⊗ Clean out
(M) Measured	123.45 Base of curb elev.
(R) Recorded	123.45 Top of curb elev.
	⊙ Gas cap
	⊙ Bore Hole Location
	X 123.45 Spot Elevation

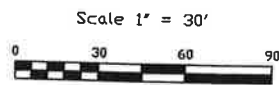
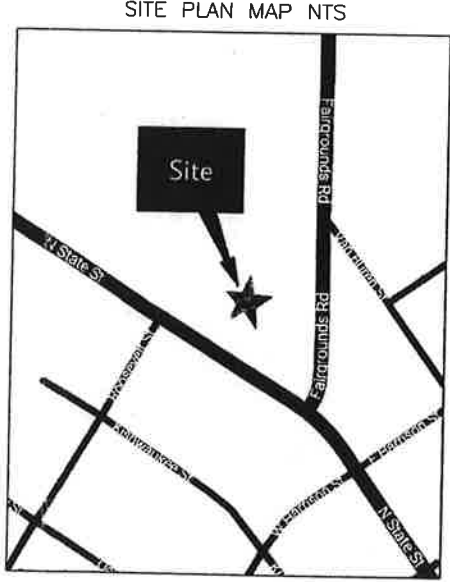
Legend

- S - S - S - S -	storm line
- W - W - W - W -	water line
- E - E - E - E -	overhead power
- G - G - G - G -	gas line
- SS - SS - SS -	Sanitary sewer line
- - - - -	Property line
- - - - -	Adjacent property line
- - - - -	Section line
- - - - -	Set back line
- - - - -	Easement line
- - - - -	Fence line

Subdivision



The bearing system for this survey is grid based upon GPS observations using WGS84 datum



Field work was completed 11-09-16
 License expires 11-30-2018
 This professional service conforms to
 the standards and ethics of the Surveying
 profession as set forth in the Illinois Minimum Standards
 for a boundary survey.

Survey is NOT complete without Surveyor's Report
 I certify that the penalties of
 perjury shall apply to each and every
 part to reflect each social security
 number in this document, unless
 otherwise noted.

James C. Tibbitt, P.L.S.
 Illinois
 License # 035-003642

Project Number: CS3168
Drawing Name: CS3168RI
Drawn By: Jacob J. Tibbitt
Approved By: James C. Tibbitt
Date: November 16, 2016
Sheet 3 of 5

Belvidere Motors
 1201 N State St
 Belvidere IL 61008

CB&M Survey's, Inc.
 Po Box 487
 429 NE A Street
 Linton, IN 47441
 (812)847-1952
 WWW.CBMSURVEYS.COM
 e-mail: jacob@cbmsurvey.com

Rev.No.	Date	Description
1	11/16/16	Subdivision Plat
0	05/26/16	Drawing Creation (Site Map Only)

Part of Lot 1 of Assessor's Survey of NW 1/4 Section 26 Township 44 North Range 3 East of the Third Principal Meridian

LITTLE CAESARS TWO LOT SUBDIVISION
Section 26 Township 44 North Range 3 East

CERTIFICATE OF SURVEY

I, James C. Tibbett, hereby certify that I am a Licensed Land Surveyor, in accordance with the laws of the State of Illinois, that the following plat and description represent a survey completed by me on May 23, 2016, Revised to create Lot 1, November 9, 2016, that all monuments actually exist, and that their types and locations are, to the best of my knowledge, accurately shown.

Prepared for: The following Plat of Survey is part of Lot One of the Assessor's Survey of the Northwest Quarter of Section 26. The field work was completed May 18, 2016, November 9, 2016, and the work was requested by Todd Huntington with GRD Group.

DESCRIPTIONS

Parent parcel
Robert L. Dixon aka: Belvidere Motors
Recorded January 15, 2002, Parcel Number 05-26-127-002
Instrument Number 02 -R00763

Parcel 3 full description before subdivision

That Part of Lot One (1) of Assessor's Survey of the Northwest Quarter of Section 26 in Township 44 North, Range 3 East of the Third Principal Meridian, as said survey is platted and of record in the Recorder's Office of Boone County, Illinois, in Book 33 of Deeds, Page 633, described as follows: Commencing at the intersection of the East line of the Northwest Quarter of Section 26 and the South line of Section 23, Township 44 North, Range 3 East of the Third Principal Meridian, thence in a Westerly direction along the South line of said Section 23 a distance of 40.0 feet to the West right of way of Illinois Highway Route 76, which is the actual point of beginning; thence Westerly along the said South line of Section 23 a distance of 171.79 feet to the Northwest corner of said Lot One Assessor's Survey; thence Southerly along a parallel to the West right of way of Illinois Route 76, a distance of 17.14 feet to a point; thence Southwesterly 31 degrees 20 minutes measured to the right from a prolongation of the last described course, a distance of 379.97 feet to a point on the Northerly right of way line of U.S. Route 20; thence Southeasterly along the said Northerly right of way of U.S. Route 20 a distance of 162.13 feet to a point; thence Northeasterly 250.99 feet to the Westerly right of way of Illinois Route 76; thence North along the said West right of way line of Illinois Route 76; which point is 330.47 feet Southerly of the North line of said Lot 1; thence Northerly along the Westerly right of way of Illinois Route 76 to the actual point of beginning; situated in the County of Boone and State of Illinois.

Lot 1 - Little Caesars

That Part of Lot One (1) of Assessor's Survey of the Northwest Quarter of Section 26 in Township 44 North, Range 3 East of the Third Principal Meridian, as said survey is platted and of record in the Recorder's Office of Boone County, Illinois, in Book 33 of Deeds, Page 633, described as follows: Commencing at the intersection of the East line of the Northwest Quarter of Section 26 and the South line of Section 23, Township 44 North, Range 3 East of the Third Principal Meridian, thence in a Westerly direction along the South line of said Section 23 a distance of 40.0 feet to the West right of way of Illinois Highway Route 76; thence North 89 degrees 59 minutes 59 seconds West along and with the divide line between Section 26 and Section 23 a distance of 171.79 feet; thence South 01 degrees 13 minutes 02 seconds West a distance of 17.47 feet to a rebar found marking the common corner between Robert L. Dixon parcel number 3 as recorded 01-15-2002 per Instrument Number 02R00763 and Richard J. Daniels parcel recorded 05-24-2012 per Instrument Number 2010R03941; thence South 32 degrees 01 minutes 04 seconds West along and with said divide line between Dixon and Daniels a distance of 160.57 feet to a rebar found at the Northeast corner of Auto Zone Parts, Inc. recorded 09-04-2015 per Instrument Number 2015R04695; thence South 32 degrees 00 minutes 26 seconds West along and with the divide line between said Auto Zone Parts and Dixon a distance of 33.09 feet to a rebar set with cap engraved JCT 035-003652 marking the TRUE POINT OF BEGINNING; thence South 57 degrees 48 minutes 14 seconds East along and with a new divide line a distance of 120.00 feet to a mag nail set; thence South 32 degrees 00 minutes 26 seconds West along and with a new divide line a distance of 185.00 feet to a mag nail set on the north right of way of US Route 20 having an 80 foot right of way; thence North 57 degrees 48 minutes 14 seconds West along and with the north right of way of said US Route 20 a distance of 120.00 feet to a rebar found marking the common corner between said Auto Zone Parts, Inc. and Dixon; thence North 32 degrees 00 minutes 26 seconds East a distance of 185.00 feet to the point of beginning and containing 22199.9 square feet or 0.51 acres more or less.

Lot 2 - Remaining parcel

That Part of Lot One (1) of Assessor's Survey of the Northwest Quarter of Section 26 in Township 44 North, Range 3 East of the Third Principal Meridian, as said survey is platted and of record in the Recorder's Office of Boone County, Illinois, in Book 33 of Deeds, Page 633, described as follows: Commencing at the intersection of the East line of the Northwest Quarter of Section 26 and the South line of Section 23, Township 44 North, Range 3 East of the Third Principal Meridian, thence in a Westerly direction along the South line of said Section 23 a distance of 40.0 feet to the West right of way of Illinois Highway Route 76, which is the TRUE POINT OF BEGINNING; thence North 89 degrees 59 minutes 59 seconds West along and with the divide line between Section 26 and Section 23 a distance of 171.79 feet; thence South 01 degrees 13 minutes 02 seconds West a distance of 17.47 feet to a rebar found marking the common corner between Robert L. Dixon parcel number 3 as recorded 01-15-2002 per Instrument Number 02R00763 and Richard J. Daniels parcel recorded 05-24-2012 per Instrument Number 2010R03941; thence South 32 degrees 01 minutes 04 seconds West along and with said divide line between Dixon and Daniels a distance of 160.57 feet to a rebar

SURVEYOR'S REPORT

The following monuments, deeds of record, and surveys were used to perform this survey. The following list of surveys and or documents are hereby incorporated into this survey documentation. To have a better understanding of the reasons a monument was placed or accepted or not accepted, will require that you read the surveys and or documents listed below or shown on the attached plat of survey. The subject description is only one piece of the puzzle that has to fit within a limited area. The limited area contains other parcel descriptions and monumentation and the size of this area may not always agree with the written descriptions.

- 1) Plat of Assessors Survey of the Northwest Quarter Section 26 and the Southwest Quarter Section 23 as recorded December 12, 1870 in Deed Book 33 page 633.
- 2) Plat of Survey of Tracts A-D, recorded October 13, 1942 in Survey Book 3 page 153.

The following opinions come from a licensed land surveyor of the State of Illinois and NOT a licensed ATTORNEY, any and all title issues should be cross referenced with a land title attorney for any and all legal opinions on property rights. This survey and the surveyor's report was done WITHOUT the benefit of an updated title commitment thereby there may be documents NOT found in the Courthouse that may have an effect on this survey and there may be private agreements, not shown on this survey.

KEY POINTS

The following is a brief discussion of the key points used to control this survey.

Several survey monuments were recovered during this survey. The first parcel northwest and the second parcel toward the northwest were both found to be surveyed within the last two years. All of their corner monuments were recovered and accepted as true common elements. South and east sides of the two subject parcels are public roadways. The north and east sides will be a new divide line after this survey is officially plotted.

Provisions:

Easement

An easement for serving the subdivision and other property with electric and communication service is hereby reserved for and granted to Commonwealth Edison Company and Frontier Communication Grantees, their respective successors and assigns, jointly and severally, to install, operate, maintain and remove, from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and sounds and signals in over, under across, along and upon the surface of the property shown within the dotted lines on the plat and marked "Easement", the property designated in the Declaration of Condominium and or on this plat as "Common Elements", and the property designated on the plat as "Common area or areas" and the property designated on the plat for streets and alleys, whether public or private together with the right to install required service connections over or under the surface of each lot and common area or areas to serve improvements thereon, or an adjacent lots and common area or areas, the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the right herein given, and the right to enter upon the subdivision property for all such purposes. Obstructions shall not be placed over grantees facilities or in, upon or over the property within the dotted lines marked "Easement" without the prior written consent of grantees. After installation of any such facilities, the grade of the subdivided property shall not altered in manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth for such term in the "Condominium Property Act", Chapter 765 ILCS 605/2(e), as amended from time to time.

The term "common area or areas" is defined as lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole as an appurtenance to the separately owned lots, parcels or areas within the planned development, even through such be otherwise designated on the plat by other terms, such as "lots", "common elements", "open space", "parking and common area". The terms "common area or areas" and "Common Elements" includes real property surface with interior driveways and walkways, but excludes real property physically acquired by a building, service business district structures such as a pool or recreation pond, its successors and assigns (NICOR) to install, operate, maintain, repair, replace and remove, facilities used in connection with the transmission and distribution of natural gas in, over, under, across, along and upon the surface of the property shown on this plat marked "Easement", Common Area or Areas, and streets and alleys, whether public or private, and the property designated in the Declaration of Condominium and or on this plat "Common Elements" together with the right to install required service connections over and under the surface of each lot and Common Area to serve improvements thereon, or on adjacent lots, and Common Area or Areas and to serve the property, adjacent or otherwise, and the right to remove obstructions, including but not limited to trees, bushes, roots and fences, as may be reasonably required incident to the rights herein given, and the right to enter upon the property for all such purposes. Obstruction shall not be placed over NICOR facilities or in, upon the property identified on this plat for utility purposed without the prior written consent of NICOR. After installation of any facilities, the grade of the property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have that meaning set forth for such term in Section 605/2(e) of the Condominium Property Act" (Illinois Compiled Statutes, Ch765, Sec 605(e), as amended from time to time.

The term "Common Area or Areas" is defined as a lot, parcel or area of real

Project Number: CS3168	Part of Lot 1 of Assessor's Survey of NW 1/4 Section 26 Township 44 North Range East of the Third Principal Meridian
Drawing Name: CS3168R1	11/26/16 Subdivision Plat
Drawn By: Jacob J. Tibbett	06/26/16 Drawing Creation (Site Map Only)
Approved By: Jones C. Tibbett	Rev/No. Date Description
Date: November 16, 2016	1 11/26/16 Subdivision Plat
Sheet 4 of 5	0 06/26/16 Drawing Creation (Site Map Only)

Belvidere Motors
1201 N State St
Belvidere IL 61108

CB&M Survey's, Inc.
Po Box 487
429 NE A Street
Linton, IN 47441
(812)847-1952
www.cbmsurvey.com
#msi jacobtibbettsurvey.com



Field work was completed 11-09-16
This survey expires 11-30-2018
The current Illinois minimum Standards for a boundary survey
Survey is NOT complete without Surveyor's Report
I affirm, under the penalties of perjury, that I have taken reasonable precautions to ensure the accuracy of the data shown on this document, unless otherwise indicated by the current Illinois minimum Standards for a boundary survey.
Survey is NOT complete without Surveyor's Report

I HEREBY CERTIFY that at the request of the owner I have surveyed and subdivided the following described Plat of Subdivision:

I FURTHER CERTIFY that the lands embraced within this Subdivision are within the corporate limits of the City of Belvidere, Illinois, and that the Subdivision Control Ordinance of Belvidere has been complied within the preparation of this Plat.

I FURTHER CERTIFY that no part of the lands embraced within this Subdivision are situated within 500 feet of a surface drain or watercourse serving a tributary area 640 acres or more.

Dimensions are given in feet and decimals of a foot.

~~Given under my hand and seal~~ this 16 day of November at Linton, Indiana.



James C. Tibbett PLS 035-003652, License expire 11-30-2018
P.O. Box 487, 429 NE A Street, Linton, Indiana 47441

Owner's Certificate:

STATE OF ILLINOIS SS
COUNTY OF BOONE

This is to certify that the undersigned is the owner of the land described in the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

Signature of Owner:
Address:

Notary Certificate:

STATE OF ILLINOIS SS
COUNTY OF BOONE

I _____ a Notary Public, in and for said County, in the State aforesaid, do hereby certify that personally known to me to be the same person whose name is subscribed to the foregoing instrument as such owner, appeared before me this day in person and acknowledged that he signed and delivered the annexed plat as his own free and voluntary act for the uses and purposes therein set forth.
Given under my hand and Notarial Seal this day of _____

A.D. 20 _____ at _____ Illinois.

City clerk's certificate:

STATE OF ILLINOIS SS
COUNTY OF BOONE

I, Collector of the City of Belvidere do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land described in this plat.

I further certify that I received all required fees in connection with this plat.

I further certify that the required bond and/or security funding is posted for the completion of the improvements covering streets including storm sewers and other public ways not under state or county jurisdiction.

Dated at _____, Illinois, this _____ day of _____

A.D. 20 _____

Public works department approval:

STATE OF ILLINOIS SS
COUNTY OF BOONE

I, _____, Public Works Director of the City of Belvidere, do hereby certify that

Drainage overlay:

STATE OF ILLINOIS SS
COUNTY OF BOONE

I, _____, of the City of Belvidere, do hereby drainage overlay has been exan to comply with the regulations subdivided land adopted by the and I do hereby certify that I amount of bond required in rec improvements.
Dated this _____ day / _____ /

City planner's certificate:

STATE OF ILLINOIS SS
COUNTY OF BOONE

Approved this _____ / _____ /
A.D. 20_____. City Planner:

City council approval:

STATE OF ILLINOIS SS
COUNTY OF BOONE

This is to certify that the City Belvidere did, at its meeting of day of _____

/ _____ /
, approve of this Plat and auth

In witness whereof, I, _____ Mayor of the City of Belvidere, hand and affixed the seal of s

/ _____ /
, A.D. 20_____.
Mayor:

Attest: City Clerk:

Utility companies' certificate

STATE OF ILLINOIS SSc
COUNTY OF BOONE

We, Commonwealth Edison, Frc Comcast, and Nicor by our signatures he acknowledge that we have recei and hereby consent to the recc prepared.

Commonwealth Edison

By:
Date:

By:
Date:
Frontier Communications

By:
Date:
Comcast

By:
Date:
Nicor

By:
Date:

works Director of
that this
y me and found
g plats of
Belvidere, Illinois,
viewed the
the proposed

_____, A.D. 20

of _____

of the City of

to be recorded.

unto set my
of Belvidere, this

communications,

hereby
y of this Plat
said plat as

General easement provision.
An easement is reserved for and granted to the designated governmental bodies and public utilities or cable television companies with the necessary authorizations or franchises and their respective successors and assigns within the area as shown by dotted lines on the Plat and marked easement, to install, lay, construct, renew, operate, and maintain storm and sanitary sewers, water lines, pipes, conduits, cables, poles, and wires, overhead and underground with all necessary braces, guys, anchors, and other properties with telephone, electric, and other service or cable television services; also is granted the right to use the streets for those purposes, the right to overhang lots with aerial service wires to serve adjacent lots, the right to enter on the lots at all times to install, lay, construct, renew, operate, and maintain within the easement area the storm and sanitary sewers, pipes, conduits, cables, poles, wires, braces, guys, anchors, and other equipment; and finally the right is granted to cut down and remove or trim and keep trimmed any trees, shrubs, or saplings that interfere or threaten to interfere with any of the public utility equipment or cable television equipment installed on the easement. No permanent buildings or trees shall be placed on the easement but same may be used for gardens, shrubs, landscaping, and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted.

(2) If the grade of the subdivision property must be so altered or if storm and sanitary sewer facilities require that the underground utility or cable television equipment be moved or otherwise altered, the owners, School District No. _____ and assignees shall remain responsible for the utility easement located in the survey for the purpose of the best of their knowledge, is located within the boundaries of School District No. _____ in Boone County, Illinois.
The drainage and storm water detention easements shall be the sole responsibility of the individual property owner, the finished grade of the easements shall not be altered or encroached upon by the property owner. The construction of surface improvements that obstruct or redirect the flow of water on lands on which building or structures be erected within the easements.
COUNTY OF BOONE

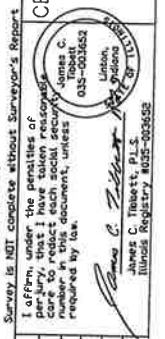
This plat was filed for record in the Recorder's Office of Boone County aforesaid on the _____ day of _____

, A.D. 20 _____, at _____ o'clock,

_____ M. and recorded in Plat index file envelope as Document No. _____

County Recorder

Field work was completed 11-09-16
License expires 11-30-2018
The surveyor's service conforms to the current Illinois Surveying Standards
For a boundary survey
Survey is NOT complete without Surveyor's Report
I affirm, under the penalties of perjury, that I have taken reasonable care to reflect each social security number accurately in this document, unless required by law.
James C. Tobbett
Lisbon, Missouri
James C. Tobbett, P.L.S.
Illinois Registry #025-003658



Project Number: CS3168
Drawing Name: CS3168R1
Drawn By: Jacob J. Tobbett
Approved By: James C. Tobbett
Date: November 16, 2016
Sheet 5 of 5

CB&M Survey's, Inc.
Po Box 487
429 NE A Street
Linton, IN 47441
(812)884-71952
www.cbmsurvey.com
#mo #illinois

Belvidere Motors
1201 N State St
Belvidere IL 61008

Part of Lot 1 of
Assessor's Survey
of NW 1/4 Section 26
Township 44 North Range 3
East of the Third Principal
Meridian

Rev/No	Date	Description
0	05/26/16	Subdivision Plat
1	11/16/16	Drawing Creation (Site Map Only)

ORDINANCE #330H

**AN ORDINANCE GRANTING A SPECIAL USE FOR
A PLANNED DEVELOPMENT WITHIN THE
GB, GENERAL BUSINESS DISTRICT
(For Little Caesars, 1209 North State Street)**

WHEREAS, the City of Belvidere has adopted Chapter 150, Zoning Ordinance in accordance with the provisions of Illinois Compiled Statutes to regulate the use of land and specify the minimum requirements for improvements on land in the City of Belvidere; and

WHEREAS, special uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, to the use and to the enjoyment of adjoining property, are reviewed on a case by case basis and are permitted only by permission of the Belvidere City Council; and,

WHEREAS, the applicant, Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner, Robert L. Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008 has petitioned the City for a special use for a planned development to construct a Little Caesars; and,

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on January 10, 2017 concerning the proposed special use; and,

WHEREAS, the City of Belvidere Planning and Zoning Commission having examined the application and having considered the evidence, both oral and documentary and being fully advised about the premises did make findings of fact and a recommendation; and,

WHEREAS, the corporate authorities of the City considered the findings of fact and concur with the recommendation of the Planning and Zoning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. That a special use for a planned development allowing in-vehicle sales or services, lighting in excess of 0.5 foot-candles, one additional freestanding sign, 13.5 additional square feet of freestanding signage, 16 square feet of additional building signage and reduced pavement setbacks in the GB, General Business District for a Little Caesars on the property shown in Attachment A and legally described as:

That Part of Lot One (1) of Assessor's Survey of the Northwest Quarter of Section 26 in Township 44 North, Range 3 East of the Third Principal Meridian, as said survey is platted and of record in the Recorder's Office of Boone County, Illinois, in Book 33 of Deeds, Page 633, described as follows: Commencing at the intersection of the East line of the Northwest Quarter of Section 26 and the South line of Section 23, Township 44 North Range 3 East of the Third Principal Meridian, thence in a Westerly direction along the South line of said Section 23 a distance of 40.0 feet to the West right of way of Illinois Highway Route 76, which is the actual point of beginning; thence Westerly along the said South line of Section 23 a distance of 171.79 feet to the Northwest corner of said Lot One Assessor's Survey; thence Southerly along a parallel to the West right of way of Illinois Route 76, a distance of 17.14 feet to a point; thence Southwesterly 31 degrees 20 minutes measured to the right from a prolongation of the last described course, a distance of 379.97 feet to a point on the Northerly right of way line of U.S. Route 20; thence Southeasterly along the said Northerly right of way of U.S. Route 20 a distance of 162.13 feet to a point; thence Northeasterly 250.99 feet to the Westerly right of way of Illinois Route 76; thence North along the said West right of way line of Illinois Route 76; which point is 330.47 feet Southerly of the North line of said Lot 1; thence Northerly along the Westerly right of way of Illinois Route 76 to the actual point of beginning; situated in the County of Boone and State of Illinois. PIN: 05-26-127-002

is hereby approved, subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan (Attachment B) submitted with the application (December 13, 2016) unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-vehicle Sales or Services (Section 150.105(C)(5)(B)(2); lighting in excess of 0.5 foot-candles (Section 50.707(E)(3)(A); one additional freestanding sign and an increase of 13.5 square feet for freestanding signage (Section 150.1007 Table 150.1007(A)1); an increase of 16 square feet for building signage (Section 150.1007 Table 150.1007(B)1); and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Section 150.105(C)(5)(G)(2)).

Section 3. That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.

Section 4. That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 7. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this ____ day of _____, 2017.

APPROVED by the Mayor of the City of Belvidere this ____ day of _____, 2017.

Michael W. Chamberlain, Mayor

ATTEST:

Shauna Arco, City Clerk

Ayes: ____ Nays: ____ Absent ____

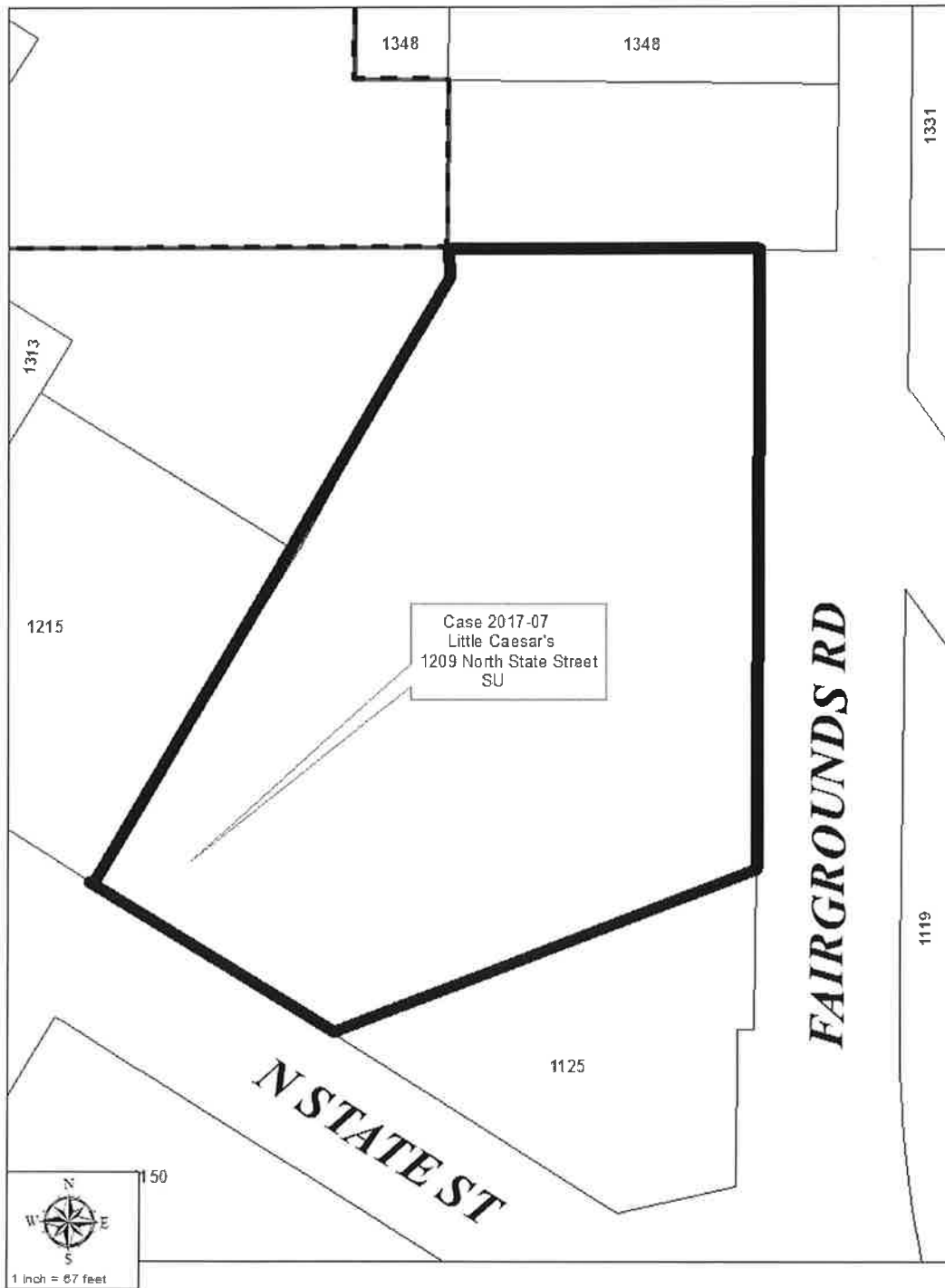
City Council Members Voting Aye: ____

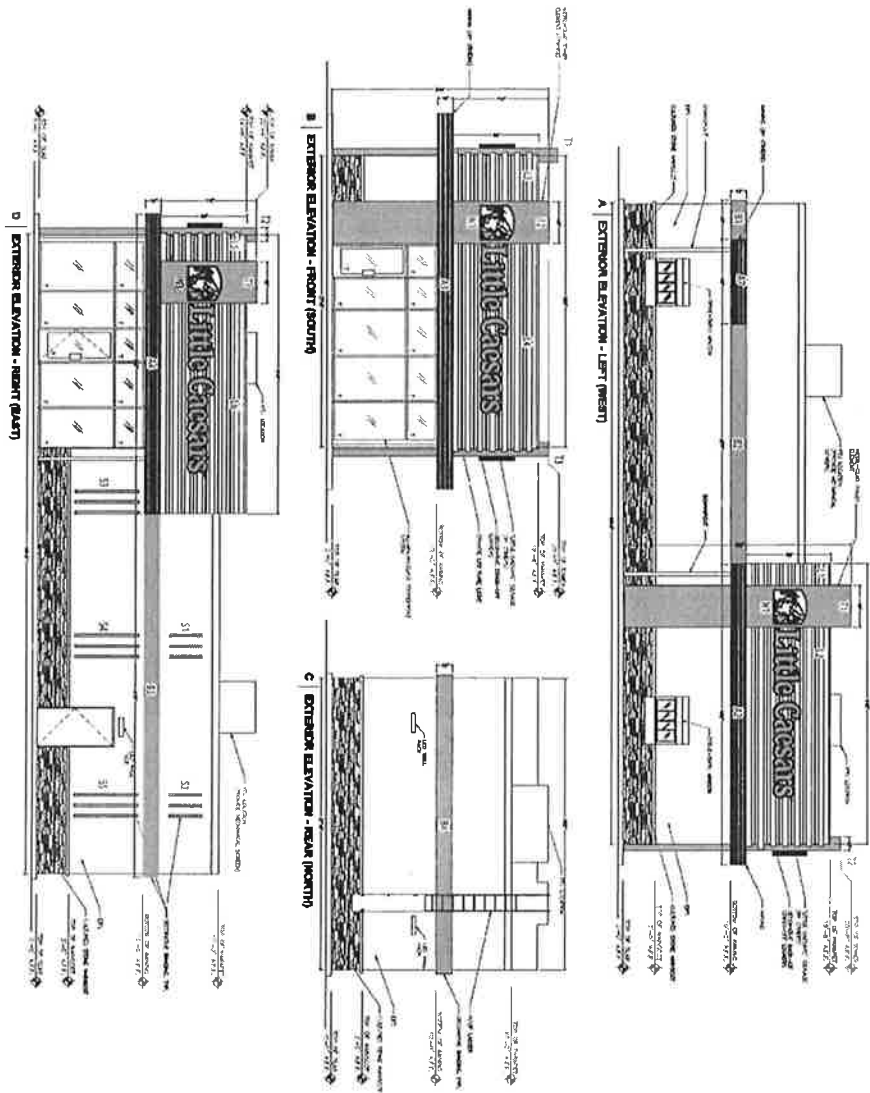
City Council Members Voting Nay: ____

Date Published:

Sponsor: _____

ATTACHMENT A

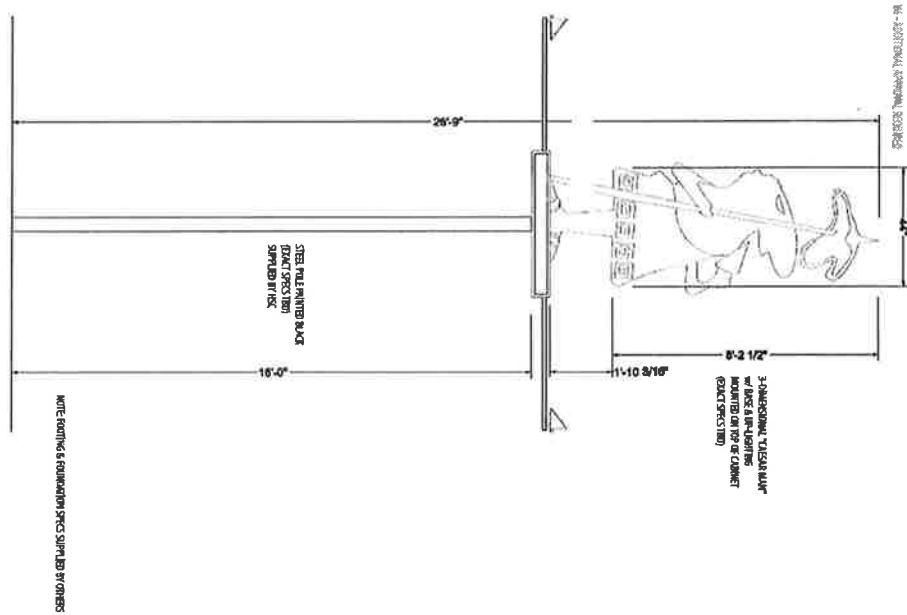





HARMONSON
 ARCHITECTURE
 1201 North State Street
 Belvidere, IL 61005
 DATE: 12-06-16

ADDITIONAL NOTES
 N/A

The design of this project is intended to be a preliminary design and is not intended to be used for construction without the approval of the City of Belvidere, IL.



 <p>Hammond www.hammond.com</p>	
<p>SIGN TYPE: MONUMENT SIGN</p> <p>QUANTITY: 1</p> <p>APPLICABLE: <input type="checkbox"/> PRODUCTION READY <input checked="" type="checkbox"/> PRESESSION ONLY</p>	
<p>FACE: <input type="checkbox"/> SINGLE <input type="checkbox"/> DOUBLE</p>	
<p>LIGHTING: <input checked="" type="checkbox"/> LIGHTED <input type="checkbox"/> NON-LIGHTED TYPE: TBD</p>	
<p>FACE TYPE: <input type="checkbox"/> FLAT <input type="checkbox"/> RIM DETAILS:</p>	
<p>FACE MATERIAL: <input type="checkbox"/> LED/AN <input type="checkbox"/> ALUM. <input type="checkbox"/> FIBER DETAILS:</p>	
<p>REVISIONS: DETAILS:</p>	
<p>© Copyright 2011 Hammond Sign All rights reserved. Hammond Sign and its logo are registered trademarks of Hammond Sign Company, Inc. © Copyright 2011 Hammond Sign</p>	

MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Recommendation—Case: 2017-08; 425 Beloit Road

REQUEST AND LOCATION:

The applicant, Casey's Retail Co., One Convenience Boulevard, Ankerly, IA 50021 on behalf of the owner, Big Thunder, LLC, PO Box 560, Belvidere, IL 61008 is requesting a special use to permit a planned development in the PB, Planned Business District at 425 Beloit Road, Belvidere, IL 61008. The planned development will allow in-vehicle sales or service (fuel pumps) and a canopy height of 22.5 feet (Belvidere Zoning Ordinance Sections 150.105(C)(4)(B)(2), 150.204(D)(8)(A)(4) and 150.904 Special Use Review and Approval Procedures). The property is triangular in shape and is bounded by Beloit Road and U.S. Route 20.

RECOMMENDATION:

The planning and zoning commission recommended the **approval** of case number **2017-08** for a planned development at 425 Beloit Road subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-Vehicle Sales and Service shall be permitted (Section 150.105(C)(4)(B)(2)) and a canopy height of 22.5 feet instead of 20 feet (Section 150.204 (D)(8)(A)(4)).
4. The Planned Development shall be in compliance with all other applicable codes and ordinances.

Motion to approve case 2017-08; Casey's General Store, 425 Beloit Road carried with a (6-0) roll call vote.

Andy Racz, Chairman
Belvidere Planning and Zoning Commission

MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Findings of Fact—Case: 2017-07; 1209 North State Street

REQUEST AND LOCATION:

The applicant, Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner, Robert L. Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008 is requesting a special use to permit a planned development in the GB, General Business District at 1209 North State Street. The planned development will allow a drive-through lane, lighting in excess of 0.5 foot-candles, one additional freestanding sign, an increase of 13.5 square feet for freestanding signage, an increase of 16 square feet for building signage and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2), 150.707(E)(3)(A), 150.1007 Table 150.1007(A)1, 150.1007 Table 150.1007(B)(1), 150.105(C)(5)(G)(2) and 150.904 Special Use Review and Approval Procedures). The property is currently being subdivided in order to create a .51 acre parcel within the parking lot of the former Dixon Motors property (PIN: 05-26-127-002).

FLEXIBLE DEVELOPMENT STANDARDS:

According to Section 150.907 (B) (1) A. of the City of Belvidere Zoning Ordinance, new and alternative standards may be approved for a development by the city. The applicant is requesting the following standards specific to this project.

Zoning Ordinance:

- **Article I, Section 150.105(C)(5) General Business (B)(2) In-Vehicle Sales or Service**

The applicant would like to construct a stand-alone Little Caesars with a drive-through lane.

- **Article I, Section 150.707 Exterior Lighting Standards (E)(3)(A) Intensity of Illumination**

In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.5 foot-candles above ambient lighting conditions on a cloudless night.

The applicant would like to exceed this requirement by allowing lighting levels up to 5.0 foot-candles along the southern property line.

- **Article I, Section 150.1007 Signs Allowed On Private Property Table 150.1007(A)(1) Number of freestanding signs**

The applicant would like to have two freestanding signs, one being the Little Caesar statue and the other being a more traditional monument sign.

- **Article I, Section 150.1007 Signs Allowed On Private Property Table 150.1007(A)(1) Square-footage of freestanding signs**

Since the applicant is requesting a two freestanding signs, an increase in the allowable freestanding sign square-footage is requested. The applicant is requesting 76 square feet instead of the allowable 60 square feet of signage. The monument sign will be 36 square feet; the statue will be 40 square feet.

- **Article I, Section 150.1007 Signs Allowed On Private Property Table 150.1007(B)(1) Square-footage of building signs**

The applicant is requesting a 10.5 square-footage increase in allowable building signage. The applicant states that if measured separately, then the 55.3 square-footage requirement would be met.

- **Article I, Section 150.105(C)(5) General Business District (G)(2)(C) Setbacks**

Minimum paved surface setback: five feet from side or rear; five feet from street

The applicant is requesting a pavement setback reduction along the north and south property (3.65 feet) lines in addition to the cross access easement (0 feet). The applicant states that the building cannot be reduced in order to accommodate the pavement setback.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use (Planned Development) Permit are as follows:

A. Findings: The establishment, maintenance, or operation of the Planned Development will not be completely unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The request for a restaurant with a drive-through lane is not unreasonable for the location. There are several businesses along North State Street with drive-through lanes. McDonald's, Long John Silver's/Kentucky Fried Chicken Restaurant and two banks are within 450 feet of the property.

The additional freestanding sign is for a statue-type sign. There will not be any text included. Although it is an additional sign, the character is a very well recognized brand icon of Little Caesars and will help provide individuality to the marketing of the property. Since two signs will be used, the applicant is requesting that additional square footage be allowed. The signs measure at 40 square feet and 36 square feet. A total of 60 square feet is permitted. Each individual sign is well below the allowable square-footage, however, when combined the total measures 16 square feet too large. The building sign is comprised of three signs; The Little Caesar image, the word "Little" and the word "Caesars". Using the calculation method outlined in the Zoning Ordinance, the sign would be 65.8 square feet, not the 54.22 square feet that the applicant figured (which would be permitted).

Although the applicant is requesting a setback reduction for pavement along the north and south sides of the property, the property is currently 100% paved. The 3.65-foot setback is greater than what currently exists. In fact, the property will have 27.3 percent landscaping once the planned development is completed. This will be a significant improvement to the property's current condition.

The increased lighting levels will affect a 70-foot long strip along the south property line near the cross access easement and the former Dixon Motors parking lot. The parking lot has numerous light fixtures typical of a car sales lot and more than likely exceeds the foot-candle requirement of the Zoning Ordinance.

- B. Findings:** The requested Planned Development, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.

The Comprehensive Plan adopted in 1999 shows the property and all adjacent property as general business. The planned development is in compliance with the Comprehensive Plan in terms of providing an indoor commercial land use with moderate landscaping and signage. There will not be any outdoor displays associated with the development.

- C. Findings:** The Planned Development will not in its proposed location and as depicted on the required site plan, completely result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The development is located along North State Street which can accommodate the anticipated level of traffic generated by the restaurant. Although the development is requesting increased levels of signage and lighting, the overall designs of these improvements are not out of character with the community or excessive in nature. The pavement, although closer than five feet from the property line, will be setback further than the existing pavement, more landscaping is being installed than currently exists.

- D. Findings:** The establishment of the Planned Development will not completely impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land uses intensities, and land use impacts as related to the environs of the subject property.

Planning staff does not anticipate the planned development impeding future development. The development provides for a cross access easement to allow connection to any future development to the south that may occur. The development of a restaurant will improve the conditions of the existing property while leaving enough acreage and road frontage for the remaining property to be redeveloped.

- E. **Findings:** The proposed Planned Development is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The Planned Development is located within an established commercial corridor and is currently served by municipal utilities and agencies.

- F. **Findings:** The potential public benefits of the proposed Planned Development outweighs the potential adverse impacts of the proposed Planned Development after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

A restaurant with a drive-through lane is very common along North State Street and will not impact the character of the neighborhood. The signage, while measuring in excess of what is permitted by the Zoning Ordinance, will provide character to the development. The pavement setbacks are an improvement to the existing conditions; the increased lighting will face a vacant parking lot. The planning staff does not anticipate any negative impacts due to the development.

Motion to adopt the Findings of Fact as presented for case 2017-07 for Little Caesars, 1209 North State Street carried with a (6-0) roll call vote.

Andy Racz, Chairman
Belvidere Planning and Zoning Commission

MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Recommendation—Case: 2017-07; 1209 North State Street

REQUEST AND LOCATION:

The applicant, Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner, Robert L. Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008 is requesting a special use to permit a planned development in the GB, General Business District at 1209 North State Street. The planned development will allow a drive-through lane, lighting in excess of 0.5 foot-candles, one additional freestanding sign, an increase of 13.5 square feet for freestanding signage, an increase of 16 square feet for building signage and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2), 150.707(E)(3)(A), 150.1007 Table 150.1007(A)1, 150.1007 Table 150.1007(B)(1), 150.105(C)(5)(G)(2) and 150.904 Special Use Review and Approval Procedures). The property is currently being subdivided in order to create a .51 acre parcel within the parking lot of the former Dixon Motors property (PIN: 05-26-127-002).

RECOMMENDATION:

The planning and zoning commission recommended the **approval** of case number **2017-07** for a planned development at 1209 North State Street subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application (December 13, 2016) unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-vehicle Sales or Services (Section 150.105(C)(5)(B)(2); lighting in excess of 0.5 foot-candles (Section 50.707(E)(3)(A); one additional freestanding sign and an increase of 13.5 square feet for freestanding signage (Section 150.1007 Table 150.1007(A)1); an increase of 16 square feet for building signage (Section 150.1007 Table 150.1007(B)1); and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Section 150.105(C)(5)(G)(2)).

Motion to approve case 2017-07; Little Caesars, 1209 North State Street carried with a (6-0) roll call vote.

Andy Racz, Chairman
Belvidere Planning and Zoning Commission

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

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

January 4, 2017

ADVISORY REPORT

CASE NO: 2017-07

APPLICANT: Little Caesars, 1209 North State Street

REQUEST AND LOCATION:

The applicant, Todd Huntington, GPD Group, 5050 Quorum Drive, Suite 338, Dallas, Texas 75254 on behalf of the owner, Robert L. Dixon Living Trust 2001, 1348 Fairgrounds Road, Belvidere, IL 61008 is requesting a special use to permit a planned development in the GB, General Business District at 1209 North State Street. The planned development will allow a drive-through lane, lighting in excess of 0.5 foot-candles, one additional freestanding sign, an increase of 13.5 square feet for freestanding signage, an increase of 16 square feet for building signage and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2), 150.707(E)(3)(A), 150.1007 Table 150.1007(A)1, 150.1007 Table 150.1007(B)(1), 150.105(C)(5)(G)(2) and 150.904 Special Use Review and Approval Procedures). The property is currently being subdivided in order to create a .51 acre parcel within the parking lot of the former Dixon Motors property (PIN: 05-26-127-002).

EXISTING LAND USE ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: Parking Lot

Adjacent property:

North: Former Dixon Motors building and parking lot

South: Long John Silver's/Kentucky Fried Chicken restaurant

West: AutoZone

East: Parking lot and Multi-tenant commercial building

CURRENT ZONING ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: GB, General Business District

All Adjacent property: GB, General Business District

COMPREHENSIVE PLAN ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: GB, General Business

All Adjacent property: GB, General Business

BACKGROUND:

The entire Dixon Motors property is approximately 3.25 acres. The applicant is in the process of subdividing the parking lot to create a .51 acre parcel for the planned development. The property is at the edge of the North State Street Commercial District. In recent years, older developments within this district have been replaced with newer commercial buildings and uses such as Aldi's, AutoZone, Family Video, Family Dollar and improvements made to the McDonald's drive-through.

Little Caesars was a long-term tenant within the Belvidere K-Mart store located near Chrysler Drive and Pearl Street. When the K-Mart store closed last year, Little Caesars closed as well. Little Caesars is a national restaurant chain based in Detroit, Michigan with locations throughout the United States. Little Caesars is known for their Hot-N-Ready Pizzas; in order to facilitate this, the company is now focusing on restaurants with drive-through lanes. Drive-through lanes are designated in-vehicle sales or service and require special use approval.

The applicant is requesting three deviations from the sign portion of the Zoning Ordinance. The Zoning Ordinance allows one freestanding sign. The applicant is requesting the allowance for two freestanding signs. One sign would be the iconic Little Caesar statue; the other would be a more traditional monument sign with the name of the restaurant. Due to the increased number of signs, the applicant is requesting to increase the allowable square-footage for freestanding signage from 60 square feet to 76 square feet. In order to accommodate the company's standard signage, increase in the allowable square-footage from 55.3 square feet to 65.8 square feet is being requested as well.

The applicant is requesting a deviation from the Zoning Ordinance for the required five-foot pavement setback in three areas. The drive-through lane on the north side of the property and the parking lot on the south side of the property have setbacks of 3.65 feet and 3.66 feet respectively. There is an area designed for a cross-access easement on the south side of the property leading into the remaining Dixon Motors property. This area will be paved over the property line.

On the south side of the property, near the cross access easement and the southern light fixture, the lighting levels exceed the required 0.5 foot-candles. Approximately 70 linear feet of lighting ranges from 0.5 foot-candles to 5.0 foot-candles. This area is adjacent to a parking lot with existing light poles.

TREND OF DEVELOPMENT:

The property is located at the corner of North State Street and Fairgrounds Road. There have been several redevelopments (AutoZone, Family Video, McDonald's Drive-through, Family Dollar) in the immediate vicinity in recent years.

COMPREHENSIVE PLAN:

The subject property is designated as "General Business" by the City of Belvidere Comprehensive Plan, adopted July 15, 1999. The General Business map category encourages indoor commercial, office, institutional, and controlled outdoor display land uses, with moderate landscaping and signage.

FLEXIBLE DEVELOPMENT STANDARDS:

According to Section 150.907 (B) (1) A. of the City of Belvidere Zoning Ordinance, new and alternative standards may be approved for a development by the city. The applicant is requesting the following standards specific to this project.

Zoning Ordinance:

- **Article I, Section 150.105(C)(5) General Business (B)(2) In-Vehicle Sales or Service**

The applicant would like to construct a stand-alone Little Caesars with a drive-through lane.

- **Article I, Section 150.707 Exterior Lighting Standards (E)(3)(A) Intensity of Illumination**

In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.5 foot-candles above ambient lighting conditions on a cloudless night.

The applicant would like to exceed this requirement by allowing lighting levels up to 5.0 foot-candles along the southern property line.

- **Article I, Section 150.1007 Signs Allowed On Private Property Table 150.1007(A)(1) Number of freestanding signs**

The applicant would like to have two freestanding signs, one being the Little Caesar statue and the other being a more traditional monument sign.

- **Article I, Section 150.1007 Signs Allowed On Private Property Table 150.1007(A)(1) Square-footage of freestanding signs**

Since the applicant is requesting a two freestanding signs, an increase in the allowable freestanding sign square-footage is requested. The applicant is requesting 76 square feet instead of the allowable 60 square feet of signage. The monument sign will be 36 square feet; the statue will be 40 square feet.

- **Article I, Section 150.1007 Signs Allowed On Private Property Table 150.1007(B)(1) Square-footage of building signs**

The applicant is requesting a 10.5 square-footage increase in allowable building signage. The applicant states that if measured separately, then the 55.3 square-footage requirement would be met.

- **Article I, Section 150.105(C)(5) General Business District (G)(2)(C) Setbacks**

Minimum paved surface setback: five feet from side or rear; five feet from street

The applicant is requesting a pavement setback reduction along the north and south property (3.65 feet) lines in addition to the cross access easement (0 feet). The applicant states that the building cannot be reduced in order to accommodate the pavement setback.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use (Planned Development) Permit are as follows:

- A. **Findings: The establishment, maintenance, or operation of the Planned Development will not be completely unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The request for a restaurant with a drive-through lane is not unreasonable for the location. There are several businesses along North State Street with drive-through lanes. McDonald's, Long John Silver's/Kentucky Fried Chicken Restaurant and two banks are within 450 feet of the property.

The additional freestanding sign is for a statue-type sign. There will not be any text included. Although it is an additional sign, the character is a very well recognized brand icon of Little Caesars and will help provide individuality to the marketing of the property. Since two signs will be used, the applicant is requesting that additional square footage be allowed. The signs measure at 40 square feet and 36 square feet. A total of 60 square feet is permitted. Each individual sign is well below the allowable square-footage, however, when combined the total measures 16 square feet too large. The building sign is comprised of three signs; The Little Caesar image, the word "Little" and the word "Caesars". Using the calculation method outlined in the Zoning Ordinance, the sign would be 65.8 square feet, not the 54.22 square feet that the applicant figured (which would be permitted).

Although the applicant is requesting a setback reduction for pavement along the north and south sides of the property, the property is currently 100% paved. The 3.65-foot setback is greater than what currently exists. In fact, the property will have 27.3 percent landscaping once the planned development is completed. This will be a significant improvement to the property's current condition.

The increased lighting levels will affect a 70-foot long strip along the south property line near the cross access easement and the former Dixon Motors parking lot. The parking lot has numerous light fixtures typical of a car sales lot and more than likely exceeds the foot-candle requirement of the Zoning Ordinance.

- B. **Findings: The requested Planned Development, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan adopted in 1999 shows the property and all adjacent property as general business. The planned development is in compliance with the Comprehensive Plan in terms of providing an indoor commercial land use with moderate landscaping and signage. There will not be any outdoor displays associated with the development.

- C. **Findings: The Planned Development will not in its proposed location and as depicted on the required site plan, completely result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other**

matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The development is located along North State Street which can accommodate the anticipated level of traffic generated by the restaurant. Although the development is requesting increased levels of signage and lighting, the overall designs of these improvements are not out of character with the community or excessive in nature. The pavement, although closer than five feet from the property line, will be setback further than the existing pavement, more landscaping is being installed than currently exists.

- D. Findings: The establishment of the Planned Development will not completely impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land uses intensities, and land use impacts as related to the environs of the subject property.**

Planning staff does not anticipate the planned development impeding future development. The development provides for a cross access easement to allow connection to any future development to the south that may occur. The development of a restaurant will improve the conditions of the existing property while leaving enough acreage and road frontage for the remaining property to be redeveloped.

- E. Findings: The proposed Planned Development is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.**

The Planned Development is located within an established commercial corridor and is currently served by municipal utilities and agencies.

- F. Findings: The potential public benefits of the proposed Planned Development outweighs the potential adverse impacts of the proposed Planned Development after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.**

A restaurant with a drive-through lane is very common along North State Street and will not impact the character of the neighborhood. The signage, while measuring in excess of what is permitted by the Zoning Ordinance, will provide character to the development. The pavement setbacks are an improvement to the existing conditions; the increased lighting will face a vacant parking lot. The planning staff does not anticipate any negative impacts due to the development.

SUMMARY OF FINDINGS:

The development is located along North State Street which can accommodate the anticipated level of traffic generated by the restaurant. Although the development is requesting increased levels of signage and lighting, the overall designs of these improvements are not out of character with the community or excessive in nature. The pavement, although closer than five feet from the property line will be setback further than the existing pavement. More landscaping is being installed than currently exists.

Planning staff does not anticipate the planned development impeding future development. The development provides for a cross access easement to allow connection to any future development to the south that may occur. The development of a restaurant will improve the conditions of the existing property while leaving enough acreage and road frontage for the remaining property to be redeveloped.

A restaurant with a drive-through lane is very common along North State Street and will not impact the character of the neighborhood. The signage, while measuring in excess of what is permitted by the Zoning Ordinance will provide character to the development. The pavement setbacks are an improvement to the existing conditions; the increased lighting will face a vacant parking lot. The planning staff does not anticipate any negative impacts due to the development.

RECOMMENDATION:

Planning staff recommends the **approval** of case number **2017-07** subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application (December 13, 2016) unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-vehicle Sales or Services (Section 150.105(C)(5)(B)(2); lighting in excess of 0.5 foot-candles (Section 50.707(E)(3)(A); one additional freestanding sign and an increase of 13.5 square feet for freestanding signage (Section 150.1007 Table 150.1007(A)1); an increase of 16 square feet for building signage (Section 150.1007 Table 150.1007(B)1); and a reduction in the required pavement setback from five feet to 3.65 feet and zero feet (Section 150.105(C)(5)(G)(2)).

Submitted by:



Gina DeRose,
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 compliance of the proposed planned development with the standards 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 planned development.

ATTACHMENTS:

1. Location Map by Planning Staff.
2. Aerial Photo by Planning Staff.
3. Narratives as Submitted by the Applicant.
4. Site Plan and Building Renovations Submitted by the Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, December 13, 2016.
6. Letter submitted by the Boone County Health Department, Pat Dashney, January 3, 2017.

1348

1348

1331

1313

1215

Case 2017-07
Little Caesar's
1209 North State Street
SU

1119

1125

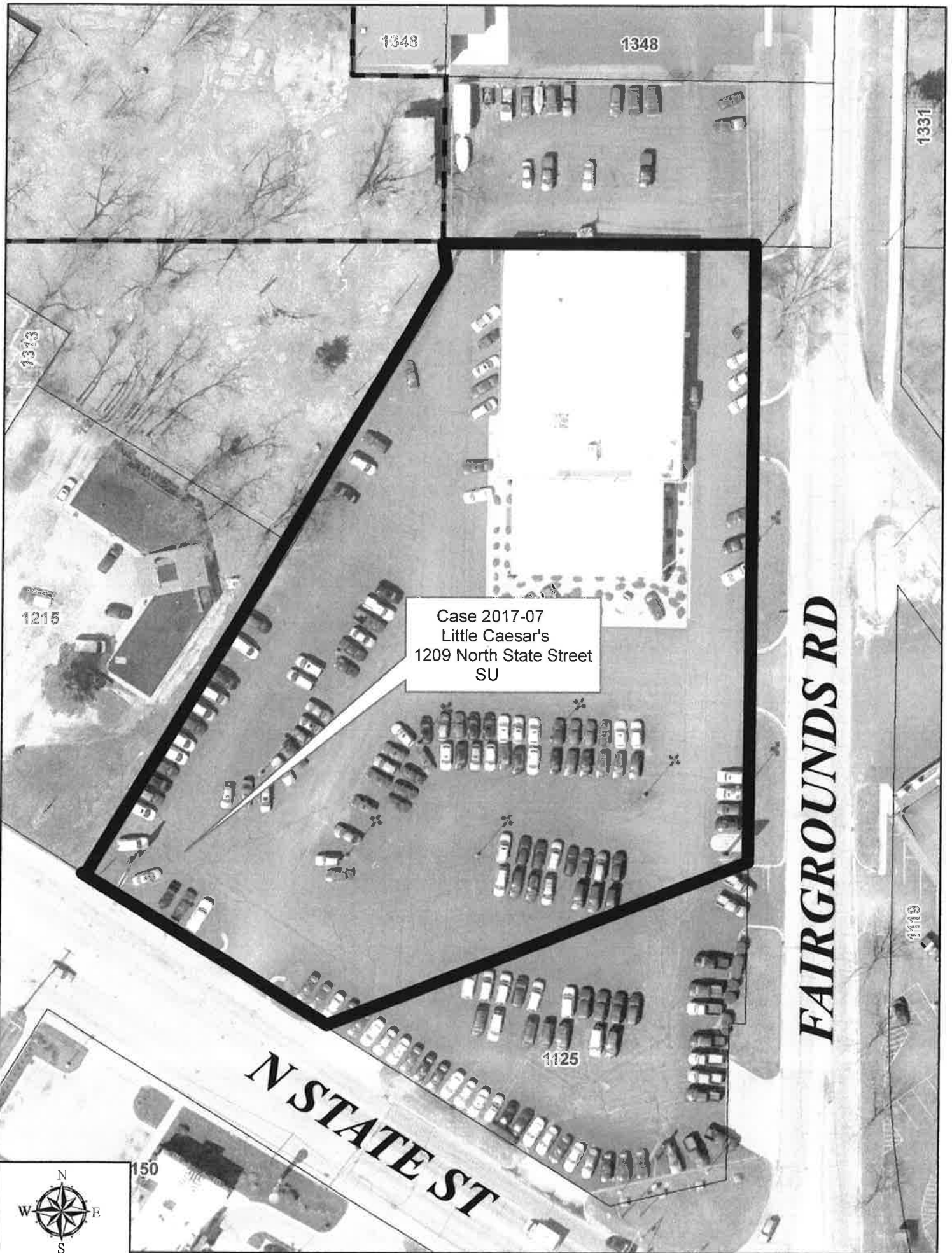
FAIRGROUNDS RD

N STATE ST



150

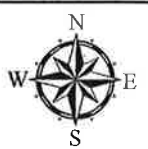
1 inch = 67 feet



Case 2017-07
Little Caesar's
1209 North State Street
SU

FAIRGROUNDS RD

N STATE ST



1 inch = 67 feet



GPD GROUP[®]
Glaus, Pyle, Schomer, Burns & DeHaven, Inc.

Akron Office

520 South Main Street
Suite 2531
Akron, OH 44311

tel 330.572.2100

fax 330.572.2101

www.gpdgroup.com

Gina DelRose
Planning
City of Belvidere
401 Whitney Boulevard, Ste. 300
Belvidere, IL 61008

December 12th, 2016

2016234.02

**RE: Proposed Little Caesars at 1201 N. State Street, Belvidere, IL
Special Use for a Planned Development – Deviation Narrative**

Dear Ms. DelRose,

This narrative is in relation to the Special Use request and Subdivision Applications for a piece of property located at 1201 N. State Street, Belvidere, IL. The current use of the property is a vacant Belvidere Motors. The property is owned by the Robert L. Dixon Living Trust No. 2001, to be developed by Hanaway Properties, Inc., for use by Little Caesars Enterprises, Inc. The intent for the development is to split off a 0.51 acre Lot to be developed for a new Little Caesars restaurant.

Little Caesars (LCE) is a national restaurant chain based in Detroit, MI, with locations throughout the United States. LCE is a fast casual restaurant that provides walk-in food service, as well as drive-thru food service. The drive-thru service is a vital aspect of their business as they are well known for their Hot-N-Ready Pizzas, so it is a convenience provided to their guests and a driving factor in sales for this location.

Per discussions during the preliminary stages of this project, we identified deviations to the code requirements necessary to develop this property. Those deviations and their justifications are as follows:

- Drive Thru – Little Caesars proposes to install a Drive-Thru at this location.
 - In order for Little Caesars to operate a freestanding store, it requires a drive-thru pick up window for its guests to pick up food. This location is unlike an inline location that has a smaller kitchen and footprint, as those locations sales are much less than a ground up location. The higher sales drives the need for a drive-thru pick up window to serve it's guests.
- Freestanding Signs – Propose two (2) freestanding signs, whereas one (1) sign is permitted.
 - Little Caesars proposes to install a "statue" sign which is a classic element important to the brand. The statue is a landmark element that does not have any phrases or verbiage, but is an accessory sign to the standard Little Caesars sign package. This is a standalone item that will be placed on a separate pole sign from the additional monument sign, which will display the business name of this establishment.
- Freestanding Signs – Propose a total of 76 s.f. freestanding signage, whereas 60 s.f. is permitted.

- The statue sign is 40 s.f. and the monument sign is 36 s.f. The statue is a premanufactured unit that cannot be modified. Removing that 40 s.f. from the total allowable of 60 s.f. would only permit a monument sign size of 20 s.f., which would be too small to be recognizable and fit the Little Caesars logo and business name. As a national chain, branding is the most important element, and visibility to the monument sign is crucial for this location. Especially since it is a monument sign and sits lower to the ground. It will not be as visible as the adjacent business that have pylon signs, and some with multiple cabinets on their signs. Therefore, we propose the monument sign be 36 s.f. in total, and request a deviation to allow the additional 16 s.f.
- Wall Signs – Propose 65.8 s.f. on front wall (facing N. State St.), whereas 55.3 s.f. is permitted.
 - The wall signage on front façade consists of two separate signs. The calculation of 65.8 s.f. is based on the total width and total height of the largest signs when you combine those two signs together (i.e. 237 3/8" L x 40" H). However, these are actually two separate signs mounted on two separate surfaces. If you take the outside dimensions of each sign separately of 40" L x 40" H and 194" L x 32" H, the total amount of front wall signage is 54.22 s.f. total on the front façade, which is less than the allowable of 55.3 s.f. We ask that the wall sign calculation be determined based on this criteria. If it cannot be calculated this way, we would need to reduce the size of both signs, and they will look out of scale with the rest of the building façade, and lose their visibility to the street.
- Pavement Setbacks – Propose 3.65' on north and south property lines (long sides of building), whereas 5.00' is required.
 - The site is only 120' wide. In order to meet the parking requirements, we need two rows of parking, and sufficient drive aisle between of 24'. The drive-thru and sidewalks are sufficient to provide safe vehicular and pedestrian traffic through the site, which only leaves the width of the building. We cannot reduce the width of the building. The building is already at minimum width with no room to spare. The equipment required to operate a Little Caesars is included, and no extra space is available. We meet clearances inside, and provide enough room to operate, but we cannot take 2.70' out of the building width. Therefore, we ask that the proposed 3.65' pavement setbacks be approved.
- Photometric Light Reading – Propose Footcandle (fc) measurement that exceeds 0.5 f.c. at the south property line.
 - The proposed fc readings at the south property line exceeds the allowable of 0.5 fc due to the proximity of the light pole to that property line. We cannot move the light pole into the parking lot as that would eliminate a parking space. The light pole already has a house shield on it, and we

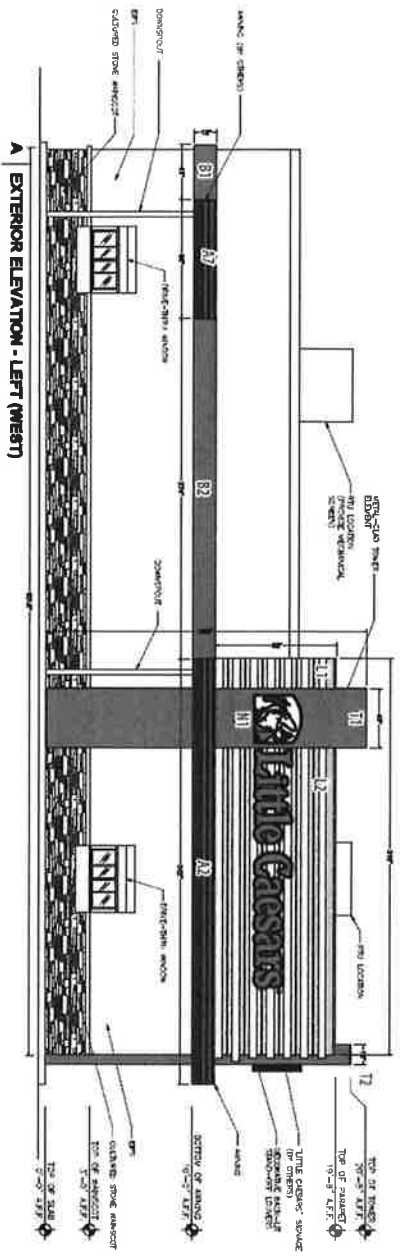
cannot further reduce the light levels without compromising the level of light in the parking area. In addition, there is an area where the cross access connects to the existing parking lot. This area needs to be lit due to safety of the customers, and there is no way to reduce those light levels to less than 0.5 fc without proving a dark drive aisle. We feel that due to the adjacent property being a parking lot, this requirement should be waived for this property line. We meet the requirement on the other three property lines, as required.

Please feel free to contact me directly with any questions or concerns at 469-573-4301, or email at thuntington@gpdgroup.com.

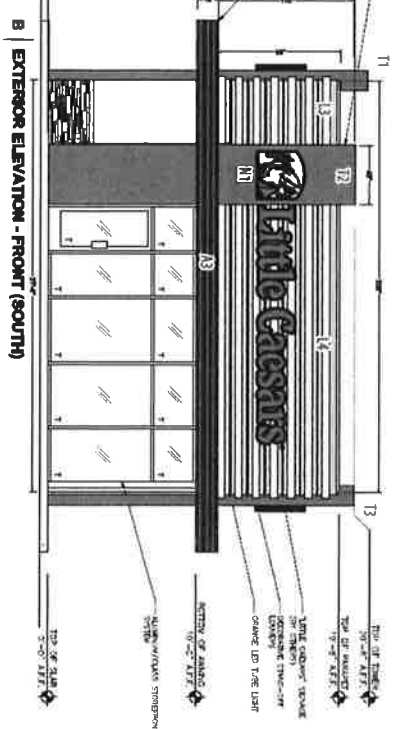
Sincerely,

A handwritten signature in black ink, appearing to read "Todd Huntington". The signature is stylized with a large, sweeping initial "T" and "H".

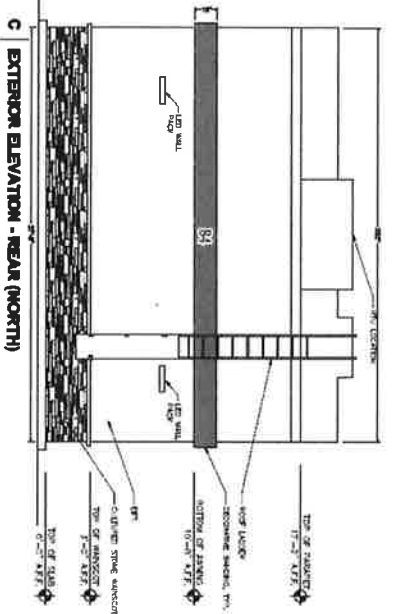
Todd Huntington
Project Manager
GPD Group



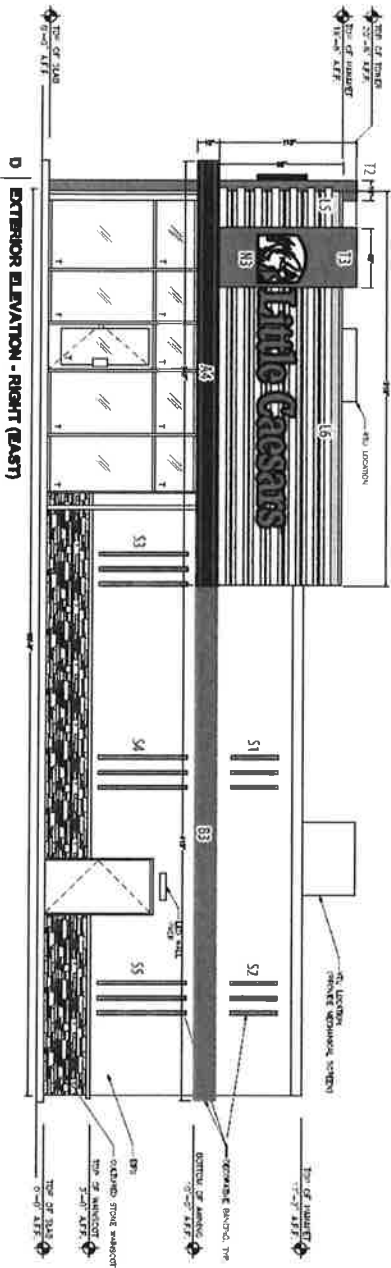
A | EXTERIOR ELEVATION - LEFT (WEST)



B | EXTERIOR ELEVATION - FRONT (SOUTH)



C | EXTERIOR ELEVATION - REAR (NORTH)



D | EXTERIOR ELEVATION - RIGHT (EAST)

HARMONISIGN
 800.338.9773 | 01 Five
 www.harmoisign.com

304 West Center Ave
 Third Floor
 60611-5005 Peoria
 IL 61611-5005

3030 State Street
 Second Floor
 61611-5005 Peoria
 IL 61611-5005

Little Caesars
 1201 North State Street
 Belvidere, IL 61005
 DATE: 12-06-16

ADDITIONAL NOTES
 N/A

This drawing is the property of Harmonisign and is not to be reproduced, copied, or used in any way without the written consent of Harmonisign.



HARMONSON
 800.338.9773 | 501.751.1766
 www.harmsonsign.com

1000 West Central Ave
 Irving, TX 75039
 415 West 26th Street
 Dallas, TX 75222
 409 West 10th Street
 Fort Worth, TX 76102

SIGN TYPE MONUMENT SIGN

QUANTITY 1

ARTWORK

- PRODUCTION READY
- PRESENTATION ONLY

FACE

- SINGLE
- DOUBLE

LIGHTING

- LIGHTED
- NON-LIGHTED

TYPE INTERNALLY

FACE TYPE

- FLAT
- PAN

DETAILS:

FACE MATERIAL

- LEXAN
- ALUM.
- FLEX

DETAILS:

RETURNERS

DETAILS:

2447 WHITE FLEX

3M 3450-44 ORANGE

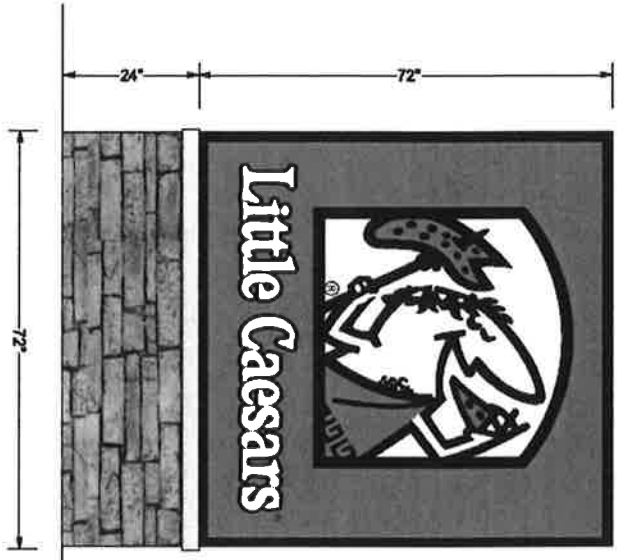
3M 7725-12 BLACK

CABINET PAINTED
BLACK



This drawing is designed to be submitted as the
 primary source of information regarding the
 final artwork and signage by partner.
 © Copyright 2013 Harmon Sign

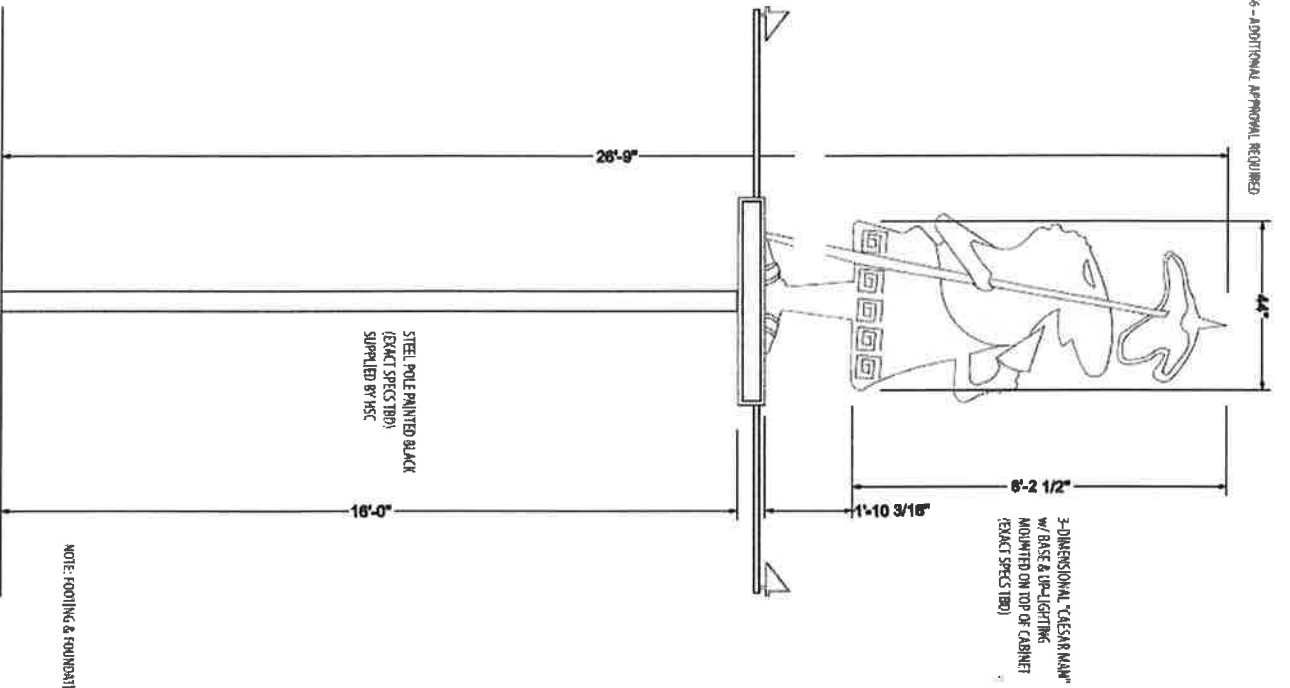
N4-ADDITIONAL APPROVAL REQUIRED



D/F INTERNALLY LIGHTED CABINET
 W/ FLAT LEXAN FACES & VINYL GRAPHICS

STONE BASE & CAP STONE TO MATCH BUILDING TR
 BY OTHERS

NS - ADDITIONAL APPROVAL REQUIRED



NOTE: FOOTING & FOUNDATION SPECS SUPPLIED BY OTHERS



HARMONS' EN
800.338.9773
www.HARMONS'ON.com

2700 West Central Ave.
Suite 100, El Paso, TX 79915
409.594.4200
409.594.4201
409.594.4202

SIGN TYPE MONUMENT SIGN
QUANTITY 1

ARTWORK
 PRODUCTION READY
 PRESENTATION ONLY

FACE
 SINGLE
 DOUBLE

LIGHTING
 LIGHTED
 NON-LIGHTED
TYPE: TBD

FACE TYPE
 FLAT
 PAN
DETAILS:

FACE MATERIAL
 LEXAN
 ALUM.
 FLEX
DETAILS:

RETAINERS
DETAILS:

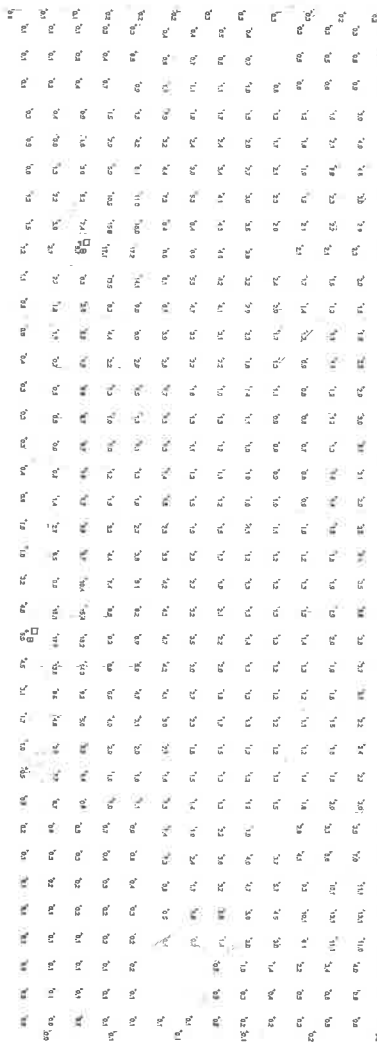
This design is copyrighted by Harmons' EN. All rights reserved. No part of this document may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Harmons' EN.

LUMINAIRE SCHEDULE

Symbol	Label	Qty	Manufacturer	Model	Notes
□	A	1	LED LIGHTING	ONE QUANTUM CLEAR	2000 0.7Z 480
○	D	1	POINT SOURCE	2-PICTIT LED	2000 0.7Z 480
□	C	2	TRAIL LIGHT	TRAIL LIGHT	2000 0.7Z 480
□	B	3	POINT SOURCE	2-PICTIT LED	2000 0.7Z 480

STATISTICS

Description	Speed	Avg	Max	Min	Max/Min	Average
Control Day	+	0.2%	0.2%	0.2%	N/A	N/A
Proposed Day	+	0.2%	0.2%	0.2%	N/A	N/A
Minimum Day	+	0.2%	0.2%	0.2%	0.2%	0.2%



Copyright 2016 CPD Group, Inc. All rights reserved. No part of this document may be reproduced without written permission.



Boone County
Soil & Water
Conservation District

211 N. Appleton Road
Belvidere, IL 61008
815-544-2677 ext. 3

December 13, 2016

Belvidere Boone County Planning Department
401 Whitney Blvd. Suite 400
Belvidere, IL 61008

SWCD NRI #1525

Dear Sir/Madam,

Todd Huntington with Little Caesars has submitted a request for a Natural Resource Information Report. The request was for special use for drive thru at 1201 North State Street in Belvidere, Illinois. We will submit a written reply to your office as indicated below:

Our review does not apply in this instance.

Other (see attached).

Sincerely,

Jennifer Becker
Boone County Soil & Water
Conservation District

Re: Todd Huntington



Boone County
DEPARTMENT OF
PUBLIC HEALTH

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 BCDPH is to protect and promote health in Boone County.

January 3, 2017

Gina Del Rose
City of Belvidere Community Development
401 Whitney Blvd., Suite 300
Belvidere, IL 61008

FAX 815-547-0780

Re: 2017-07, Little Caesars, 1209 North State Street

Dear Gina,

We are in receipt of the special use request for the above referenced case. Our office has no objections or comments on this request. However, prior to operation of the convenience store a to scale plan (of the layout of the store) and a menu must be submitted to the health department for review. The plan review fee would be determined when menu information is submitted. Below is the county code explaining this further.

Sec. 30-35. Submission and review of plans; permits.

- (a) *Generally.* Whenever a food service establishment or retail foodstore is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, and the type and model of proposed fixed equipment and facilities.
- (b) *Permit required.* Any business or organization desiring to operate as a food service establishment or retail food establishment must have a current food service permit.
- (c) *Plans, inspection and approval.* Before issuing a food service permit to a new establishment, plans must be submitted to and approved by the health authority. Plans submitted for review must be accompanied by the appropriate plan review fee as listed in section 38-31.

Food establishment classifications. All food service establishments or retail food establishments shall be categorized according to their type of operation, size of operation, and risk category of the food prepared and/or served and shall obtain a permit for the class of operation as hereinafter defined. The listing of various types of operation is not intended to be all inclusive, but typical and not limited to those mentioned. If a food establishment is not specifically listed, it shall be classified according to the class to which it most closely resembles.

- (1) *Class A:* Fixed location food establishments which serve drinks only or food and drinks such as restaurants and taverns or other establishments of which the primary activity is food service.

RE:

Date: Page 2 of 2

- A1: Food and drink, 0--50 seats.
- A2: Food and drink, 51--100 seats.
- A3: Food and drink, more than 100 seats.

- A4(a): Beverage/prepackage, no prep.
- A4(b): Sit down drink, no prep-reheat foods

Our office has no objections or comments on this request.

Thank you,



Pat Dashney
Director of Departmental Operations
skm

ORDINANCE #331H

**AN ORDINANCE GRANTING A SPECIAL USE FOR
A PLANNED DEVELOPMENT WITHIN THE
PB, PLANNED BUSINESS DISTRICT
(For Casey's General Store, 425 Beloit Road)**

WHEREAS, the City of Belvidere has adopted Chapter 150, Zoning Ordinance in accordance with the provisions of Illinois Compiled Statutes to regulate the use of land and specify the minimum requirements for improvements on land in the City of Belvidere; and

WHEREAS, special uses are certain municipal or private uses that due to their physical or operational characteristics may pose a threat to the value, to the use and to the enjoyment of adjoining property, are reviewed on a case by case basis and are permitted only by permission of the Belvidere City Council; and,

WHEREAS, the applicant, Casey's Retail Co., One Convenience Boulevard, Ankerly, IA 50021 on behalf of the owner, Big Thunder, LLC, PO Box 560, Belvidere, IL 61008 has petitioned the City for a special use for a planned development to construct a Casey's General Store; and,

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on January 10, 2017 concerning the proposed special use; and,

WHEREAS, the City of Belvidere Planning and Zoning Commission having examined the application and having considered the evidence, both oral and documentary and being fully advised about the premises did make findings of fact and a recommendation; and,

WHEREAS, the corporate authorities of the City considered the findings of fact and concur with the recommendation of the Planning and Zoning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein by this reference.

Section 2. That a special use for a planned development allowing in-vehicle sales or services and increased canopy height in the PB, Planned Business District for a Casey's General Store on the property shown in Attachment A and legally described as:

Lot Eight (8) as designated upon Plat Two (2) of Big Thunder, being a part of the Southwest Quarter (1/4) of Section 23, Township 44

North, Range 3 East of the Third Principal Meridian, according to the Plat thereof recorded August 29, 1996 as Document Number 96-6091 in envelope 169-B in the Recorder's Office of Boone County; situated in the County of Boone, and the State of Illinois.
PIN: 05-23-301-011

is hereby approved, subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application (Attachment B) unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-Vehicle Sales and Service shall be permitted (Section 150.105(C)(4)(B)(2)) and a canopy height of 22.5 feet instead of 20 feet (Section 150.204 (D)(8)(A)(4)).
4. The Planned Development shall be in compliance with all other applicable codes and ordinances.

Section 3. That the premises shall be used in accordance with and subject to the applicable provisions of the Zoning Ordinance of the City of Belvidere and shall not be used except as may otherwise be expressly authorized by the applicable law and the special use.

Section 4. That acceptance of any of the benefits of this Special Use shall be deemed acceptance of all the terms and conditions set forth herein.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 7. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this ____ day of _____, 2017.

APPROVED by the Mayor of the City of Belvidere this ____ day of _____,
2017.

Michael W. Chamberlain, Mayor

ATTEST:

Shauna Arco, City Clerk

Ayes: ____ Nays: ____ Absent ____

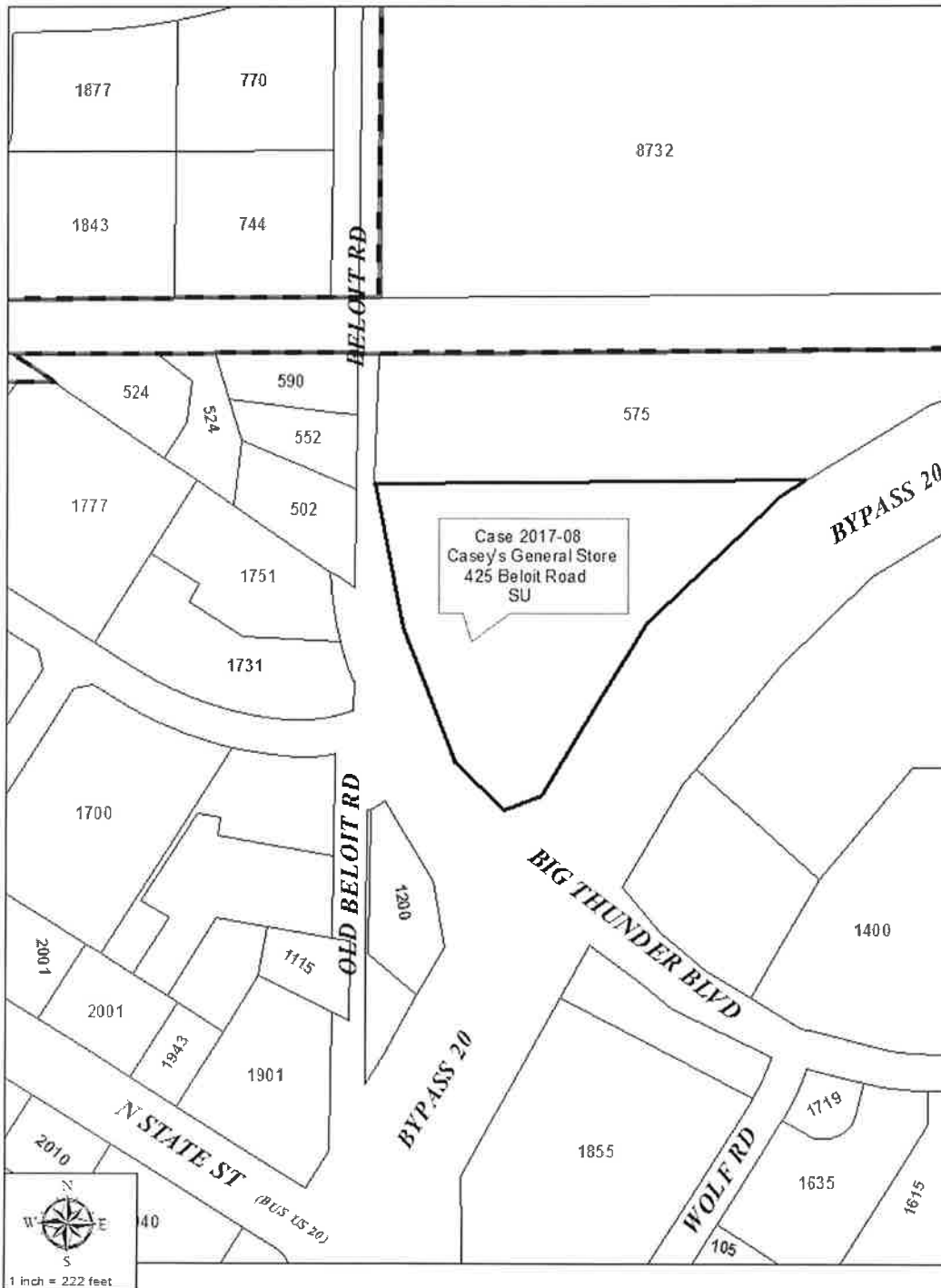
City Council Members Voting Aye: ____

City Council Members Voting Nay: ____

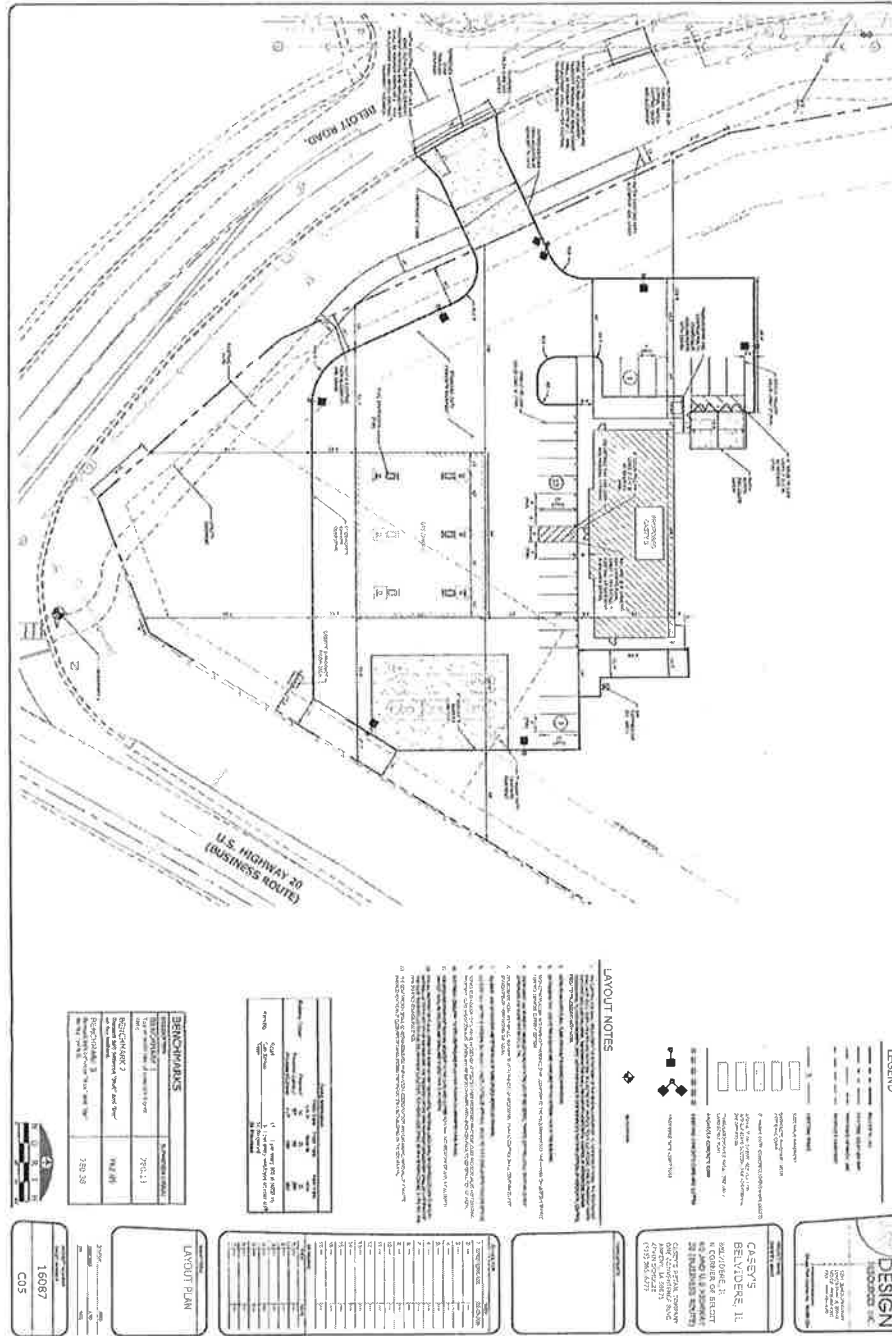
Date Published:

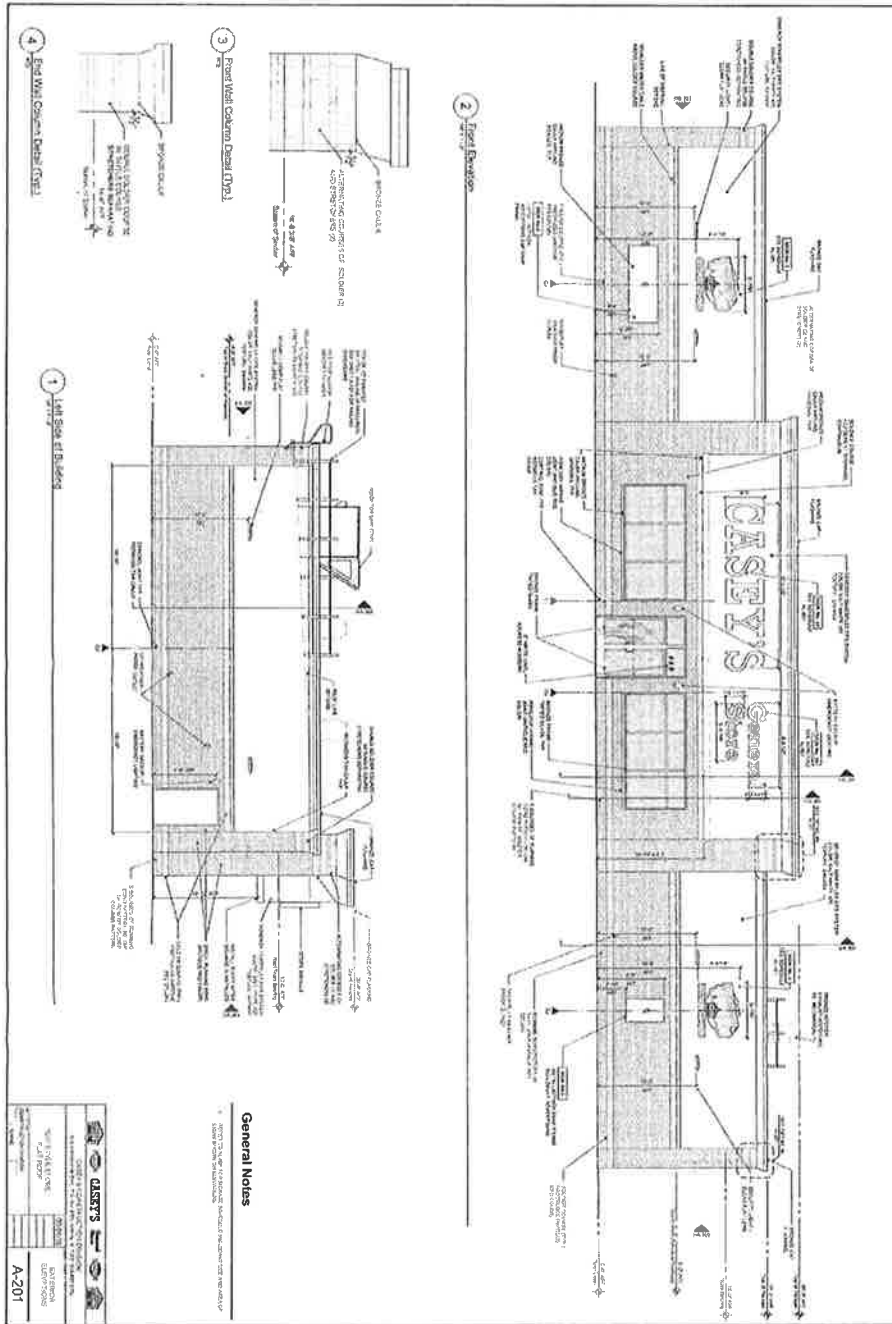
Sponsor: _____

ATTACHMENT A



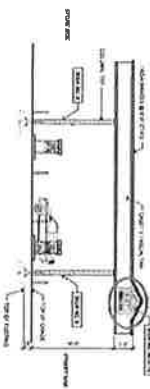
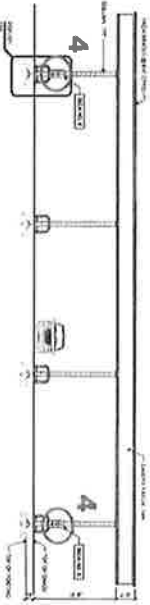
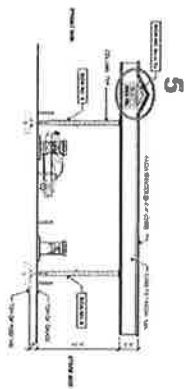
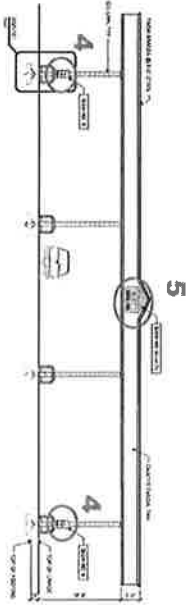
ATTACHMENT B





“VERIFY ALL SIGNAGE WITH SIGN PERMITS”

SIGNS 4, 5



2 Drive Thru and Carry - Street Side

1 Drive Thru and Carry - Left Side Entry



5 Drive Thru and Carry - Street Side

8 DISPENSERS - DOUBLE STACKED - HI

SMART'S SIGNAGE SOLUTIONS 1000 PHOENIX AVENUE, SUITE 100 ATLANTA, GA 30309 TEL: 404.525.1234 WWW.SMARTSSIGNAGE.COM	ATLANTA DEPARTMENT OF PUBLIC WORKS 100 N. DECATUR ST., SE ATLANTA, GA 30303 TEL: 404.228.2300 WWW.ATLANTA.GOV

AL-201

MEMO

DATE: January 11, 2017
TO: Mayor and Members of the City Council
FROM: City of Belvidere Planning and Zoning Commission
SUBJECT: Findings of Fact—Case: 2017-08; 425 Beloit Road

REQUEST AND LOCATION:

The applicant, Casey's Retail Co., One Convenience Boulevard, Ankerly, IA 50021 on behalf of the owner, Big Thunder, LLC, PO Box 560, Belvidere, IL 61008 is requesting a special use to permit a planned development in the PB, Planned Business District at 425 Beloit Road, Belvidere, IL 61008. The planned development will allow in-vehicle sales or service (fuel pumps) and a canopy height of 22.5 feet (Belvidere Zoning Ordinance Sections 150.105(C)(4)(B)(2), 150.204(D)(8)(A)(4) and 150.904 Special Use Review and Approval Procedures). The property is triangular in shape and is bounded by Beloit Road and U.S. Route 20.

FLEXIBLE DEVELOPMENT STANDARDS:

According to Section 150.907 (B) (1) A. of the City of Belvidere Zoning Ordinance, new and alternative standards may be approved for a development by the city. The applicant is requesting the following standards specific to this project.

Zoning Ordinance:

- **Article I, Section 150.105(C)(4) Planned Business (B)(2) In-Vehicle Sales or Service**

The applicant would like to construct a Casey's General Store which will include 8 fuel dispensers under a canopy.

- **Article I, Section 150.204(D)(8) In-Vehicle Sales or Service (A)(4) canopy height**

The setback of any overhead canopy or similar structure shall be a minimum of 10 feet from all street rights-of-way lines, a minimum of 20 feet from all residentially-zoned property lines, and shall be a minimum of 5 feet from all other property lines. The total height of any overhead canopy or similar structure shall not exceed 20 feet as measured to highest part of structure.

The bottom of the canopy fascia will be 16.5 feet. The majority of the top of the canopy fascia will be 20.5 feet with three separate areas being 22.5 feet to allow for the Casey's General Store logo. Breaking up the flatness of the canopy will help provide some aesthetic improvement to the fueling area.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use (Planned Development) Permit are as follows:

- A. **Findings: The establishment, maintenance, or operation of the Planned Development will not be completely unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The planned development will provide access to a convenience store to those residents living on the north side of town in addition to residents living within unincorporated Boone County. There are several gas stations in the immediate area and staff is not aware of any negative impacts they have caused.

- B. **Findings: The requested Planned Development, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The planned business category calls for high quality indoor uses with generous landscaping and limited signage. Although the fueling aspect of the business takes place outdoors, the development will need to meet the landscaping and signage requirements of the Zoning Ordinance.

The building is comprised of brick and EIFS (exterior insulation finishing system); by allowing an increase in the canopy height, the monotony of the canopy will be broken up. The development will be similar to other developments that are zoned planned business.

- C. **Findings: The Planned Development will not in its proposed location and as depicted on the required site plan, completely result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.**

The planned development is designed to accommodate anticipated traffic volumes. There is one point of ingress/egress. The parking lot is designed in such a manner that, if there is additional development to the north, it will provide a secondary means of ingress/egress. A multi-use path runs along Beloit Road, connecting the planned development to the schools to the north and Prairie Fields to the south. The convenience store, the focal point of the development, will serve properties on the north side of town which are also connected by the path system.

- D. **Findings: The establishment of the Planned Development will not impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.**

There are two other gas stations in the immediate area as well as multiple food establishments, medical offices, institutional buildings, car dealerships and a large retail building. Although Casey's General Store's do provide fueling stations, their primary focus is their convenience store and food offerings.

The height of the canopy is 22.5 feet. Freestanding signs in the planned business and general business districts are allowed up to 40 feet tall. Staff does not anticipate the increased canopy height negatively impacting surrounding properties.

- E. **Findings:** The proposed Planned Development is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The Planned Development is located within an approved business subdivision that is currently served by municipal utilities and agencies.

- F. **Findings:** The potential public benefits of the proposed Planned Development outweighs the potential adverse impacts of the proposed Planned Development after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Developments such as this one are common at major intersections like Beloit Road and US Route 20 where traffic can easily access the site. The development will serve residents on the north side of town as well those that live in unincorporated Boone County. Staff does not anticipate any negative impacts due to the fueling stations or increased canopy height.

Motion to adopt the Findings of Fact as presented for case 2017-08 for Casey's General Store, 425 Beloit Road carried with a (6-0) roll call vote.

Andy Racz, Chairman
Belvidere Planning and Zoning Commission

CITY OF BELVIDERE

Community Development



BUILDING DEPARTMENT

PLANNING DEPARTMENT

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

January 2, 2017

ADVISORY REPORT

CASE NO: 2017-08

APPLICANT: Casey's General Store, 425 Beloit Road

REQUEST AND LOCATION:

The applicant, Casey's Retail Co., One Convenience Boulevard, Ankerly, IA 50021 on behalf of the owner, Big Thunder, LLC, PO Box 560, Belvidere, IL 61008 is requesting a special use to permit a planned development in the PB, Planned Business District at 425 Beloit Road, Belvidere, IL 61008. The planned development will allow in-vehicle sales or service (fuel pumps) and a canopy height of 22.5 feet (Belvidere Zoning Ordinance Sections 150.105(C)(4)(B)(2), 150.204(D)(8)(A)(4) and 150.904 Special Use Review and Approval Procedures). The property is triangular in shape and is bounded by Beloit Road and U.S. Route 20. See the attached aerial photo.

EXISTING LAND USE ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: Agricultural

Adjacent property:

North: Loyal Order of the Moose Lodge

South: Napa Auto Parts

West: Medical Offices

East: Agricultural and Shop-Ko retail store

CURRENT ZONING ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: PB, Planned Business District

Adjacent property:

North and East: PB, Planned Business District

South: GB, General Business District

West: GB, General Business District and MR-8S, Multi-family Residential-8 Small District

COMPREHENSIVE PLAN:

Subject property: Planned Business

Adjacent property:

North, West and East: Planned Business

South: General Business and Vacant

BACKGROUND:

The subject property is part of Plat 2 of Big Thunder Village which was rezoned to commercial in 1989 and platted in 1996. The property is 5.66 acres and is bounded by Beloit Road and US Route 20.

The applicant is requesting a planned development to allow a Casey's General Store to be constructed in the southern portion of the property. The request for the planned development includes two deviations from the Zoning Ordinance; in-vehicle sales or services (gas stations) are a special use within the Planned Business District and canopies are limited to 20 feet in height in all zoning districts. The applicant is requesting a 22.5-foot canopy to allow space for the company logo.

The first Casey's General Store opened in 1959 (under a different name) in Iowa. The company originally focused on communities of less than 5,000 people. The company now has approximately 2,000 corporate stores nationwide. Recently, a Casey's General Store opened in Capron, just north of Belvidere.

TREND OF DEVELOPMENT:

The property is located on the north end of town which is developed with a mix of commercial, medical and residential land uses. Belvidere North High School, Belvidere Central Middle School and the Boone County Fairgrounds are nearby.

COMPREHENSIVE PLAN:

The subject property is designated as "Planned Business" by the City of Belvidere Comprehensive Plan, adopted July 15, 1999. The Planned Business map category encourages high quality indoor commercial, office and institutional land uses, with generous landscaping and limited signage.

FLEXIBLE DEVELOPMENT STANDARDS:

According to Section 150.907 (B) (1) A. of the City of Belvidere Zoning Ordinance, new and alternative standards may be approved for a development by the city. The applicant is requesting the following standards specific to this project.

Zoning Ordinance:

- **Article I, Section 150.105(C)(4) Planned Business (B)(2) In-Vehicle Sales or Service**

The applicant would like to construct a Casey's General Store which will include 8 fuel dispensers under a canopy.

- **Article I, Section 150.204(D)(8) In-Vehicle Sales or Service (A)(4) canopy height**

The setback of any overhead canopy or similar structure shall be a minimum of 10 feet from all street rights-of-way lines, a minimum of 20 feet from all residentially-zoned property lines, and shall be a minimum of 5 feet from all other property lines. The total height of any overhead canopy or similar structure shall not exceed 20 feet as measured to highest part of structure.

The bottom of the canopy fascia will be 16.5 feet. The majority of the top of the canopy fascia will be 20.5 feet with three separate areas being 22.5 feet to allow for the Casey's General Store

logo. Breaking up the flatness of the canopy will help provide some aesthetic improvement to the fueling area.

FINDINGS OF FACT:

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use (Planned Development) Permit are as follows:

- A. Findings: The establishment, maintenance, or operation of the Planned Development will not be completely unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The planned development will provide access to a convenience store to those residents living on the north side of town in addition to residents living within unincorporated Boone County. There are several gas stations in the immediate area and staff is not aware of any negative impacts they have caused.

- B. Findings: The requested Planned Development, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The planned business category calls for high quality indoor uses with generous landscaping and limited signage. Although the fueling aspect of the business takes place outdoors, the development will need to meet the landscaping and signage requirements of the Zoning Ordinance.

The building is comprised of brick and EIFS (exterior insulation finishing system); by allowing an increase in the canopy height, the monotony of the canopy will be broken up. The development will be similar to other developments that are zoned planned business.

- C. Findings: The Planned Development will not in its proposed location and as depicted on the required site plan, completely result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.**

The planned development is designed to accommodate anticipated traffic volumes. There is one point of ingress/egress. The parking lot is designed in such a manner that, if there is additional development to the north, it will provide a secondary means of ingress/egress. A multi-use path runs along Beloit Road, connecting the planned development to the schools to the north and Prairie Fields to the south. The convenience store, the focal point of the development, will serve properties on the north side of town which are also connected by the path system.

- D. **Findings:** The establishment of the Planned Development will not impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

There are two other gas stations in the immediate area as well as multiple food establishments, medical offices, institutional buildings, car dealerships and a large retail building. Although Casey's General Store's do provide fueling stations, their primary focus is their convenience store and food offerings.

The height of the canopy is 22.5 feet. Freestanding signs in the planned business and general business districts are allowed up to 40 feet tall. Staff does not anticipate the increased canopy height negatively impacting surrounding properties.

- E. **Findings:** The proposed Planned Development is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The Planned Development is located within an approved business subdivision that is currently served by municipal utilities and agencies.

- F. **Findings:** The potential public benefits of the proposed Planned Development outweighs the potential adverse impacts of the proposed Planned Development after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Developments such as this one are common at major intersections like Beloit Road and US Route 20 where traffic can easily access the site. The development will serve residents on the north side of town as well those that live in unincorporated Boone County. Staff does not anticipate any negative impacts due to the fueling stations or increased canopy height.

SUMMARY OF FINDINGS:

There are currently two gas stations in the immediate area along with multiple food establishments, medical offices, institutional buildings, car dealerships and a large retail building. Although Casey's General Store's do provide fueling stations, their primary focus is their convenience store and food offerings.

The planned development is designed to accommodate anticipated traffic volumes. There is one point of ingress/egress. The parking lot is designed in such a manner that, if there is additional development to the north, it will provide a secondary means of ingress/egress. A multi-use path runs along Beloit Road, connecting the planned development to the schools to the north and Prairie Fields to the south. The convenience store, the focal point of the development, will serve properties on the north side of town which are also connected by the path system.

The planned business category calls for high quality indoor uses with generous landscaping and limited signage. The building is comprised of brick and EIFS (exterior insulation finishing system); by allowing an increase in the canopy height, the monotony of the canopy is broken up. The development will be similar to other developments that are zoned planned business.

Although the fueling aspect of the business takes place outdoors, the development will need to meet the landscaping and signage requirements of the Zoning Ordinance.

Developments such as this one are common at major intersections like Beloit Road and US Route 20 where traffic can easily access the site. The development will serve residents on the north side of town as well those that live in unincorporated Boone County. Staff does not anticipate any negative impacts due to the fueling stations or increased canopy height.

RECOMMENDATION:

Planning staff recommends the **approval** of case number **2017-08** subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan submitted with the application unless otherwise noted.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The Planned Development is granting only the following flexible standards: In-Vehicle Sales and Service shall be permitted (Section 150.105(C)(4)(B)(2)) and a canopy height of 22.5 feet instead of 20 feet (Section 150.204 (D)(8)(A)(4)).
4. The Planned Development shall be in compliance with all other applicable codes and ordinances.

Submitted by:



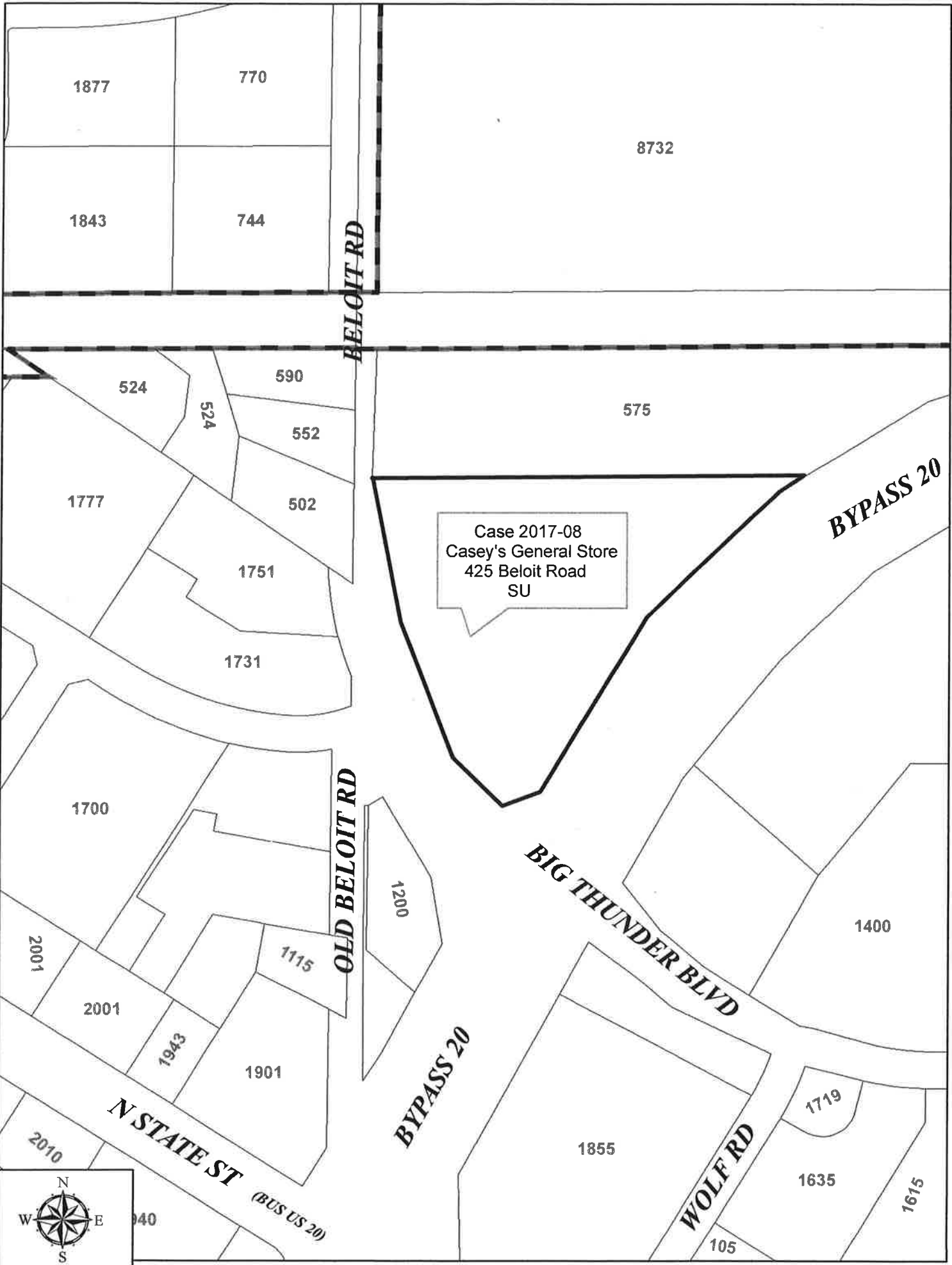
Gina DelRose,
Community Development Planner

PLANNING AND ZONING COMMISSION/CITY COUNCIL ACTION

The Planning and Zoning Commission shall make and forward findings of fact as to the compliance of the proposed planned development with the standards 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 planned development.

ATTACHMENTS:

1. Location Map by Planning Staff.
2. Aerial Photo by Planning Staff.
3. Narratives as Submitted by the Applicant.
4. Site Plan and Building Renovations Submitted by the Applicant.
5. Photos of the Subject Property Submitted by the Applicant.
6. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, December 14, 2016.
7. Letter Submitted by the Boone County Health Department, Pat Dashney, January 3, 2017.



Case 2017-08
Casey's General Store
425 Beloit Road
SU

BELOIT RD

OLD BELOIT RD

BYPASS 20

BIG THUNDER BLVD

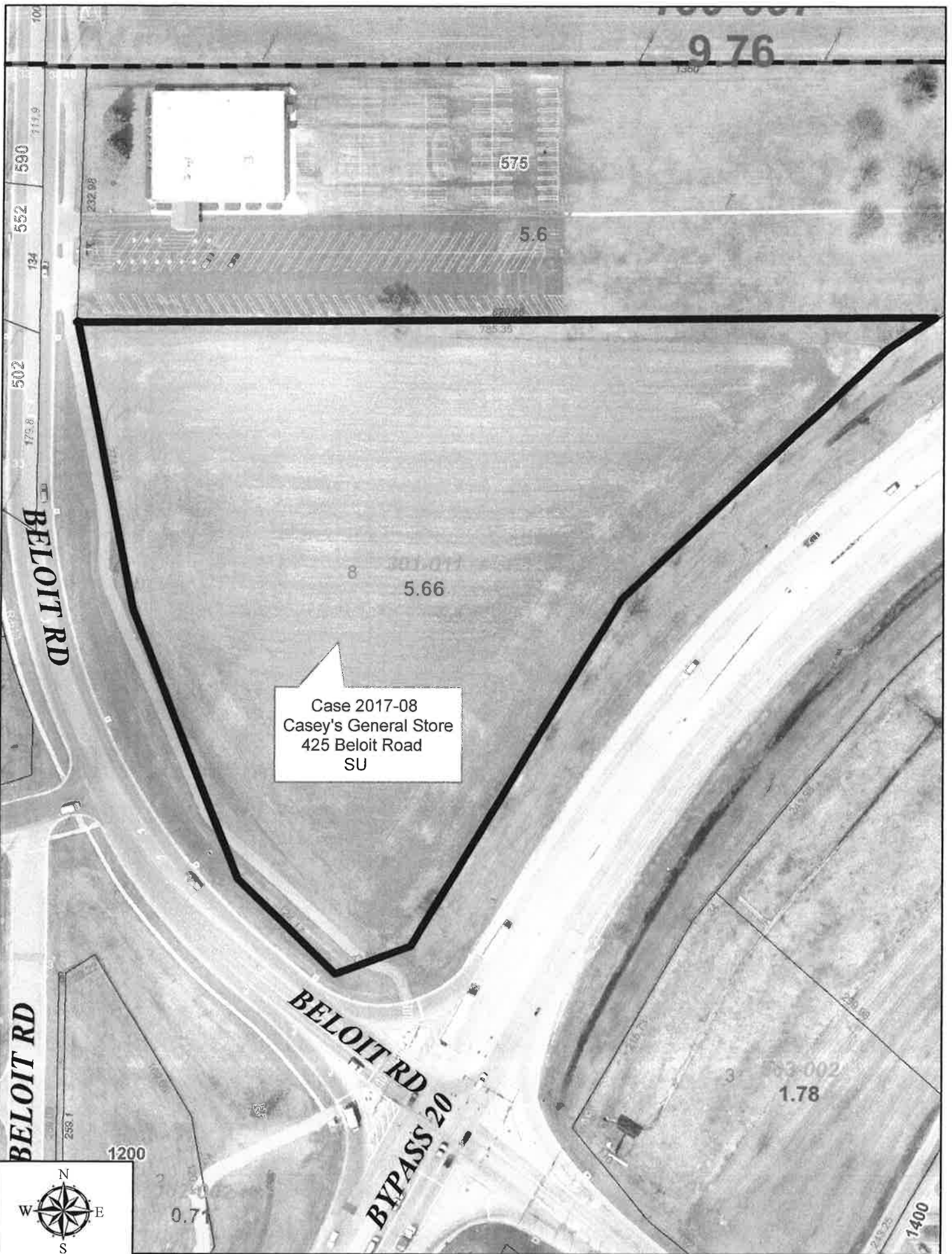
BYPASS 20

WOLF RD

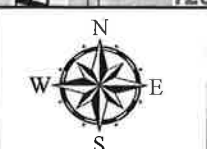
N STATE ST (BUS US 20)



1 inch = 222 feet



Case 2017-08
Casey's General Store
425 Beloit Road
SU



1 inch = 111 feet

WRITTEN STATEMENT EXPLAINING THE REASON FOR THE REQUEST:

The special use is requested for in vehicles sales and service, of which fuel sales falls under this category. The proposed site would include a fuel service station with 8 fuel dispensers under the canopy (16 fueling positions) to compliment the retail store which will include fresh food and beverage offerings, and convenience items.

Casey's Development

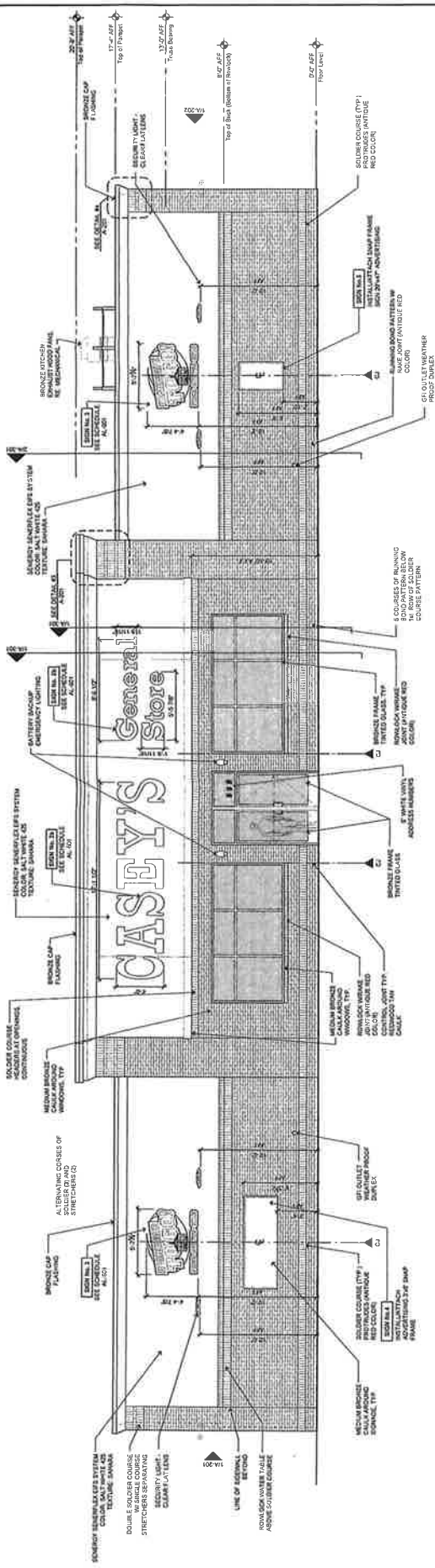
Belvidere, IL

Requested Deviation for Proposed Canopy Height

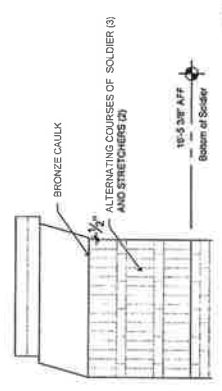
We are seeking a deviation for the canopy height to allow a total height of 22.5 feet.

The proposed Casey's canopy is approximately 20.5 feet in height to the top of the main fascia. In three locations, a small peak sign element projects 2 feet higher, resulting in a total height of 22.5 feet. This main fascia height at 20.5' (top) and 16.5' (bottom) is a standard element of the canopy and standard height among all Casey's General Stores. This allows for a visual and protective element for the fuel dispensers, and provides safe clearance of all vehicles (including delivery trucks).

The additional 2 feet for the sign element (for a total height of 22.5 feet) provides additional character and visual relief to the otherwise straight fascia. This peak sign is a standard logo to Casey's and very important to Casey's corporate identity, and provides a common theme connecting the freestanding sign and building signs together.



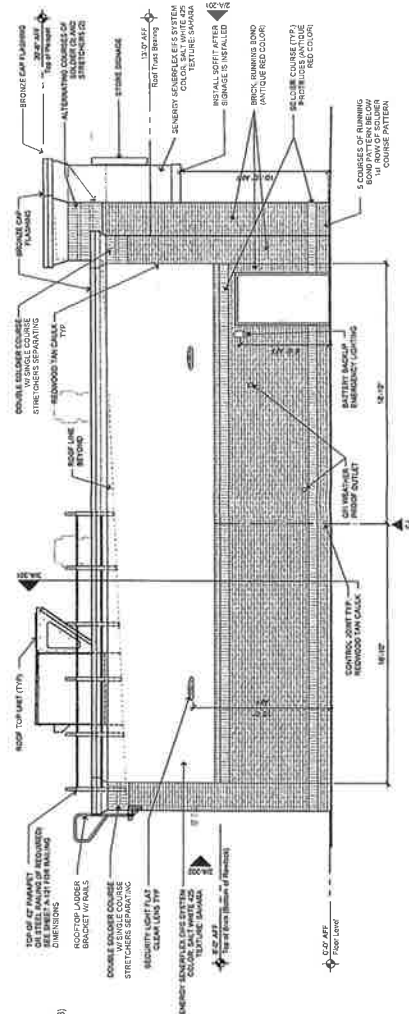
2 Front Elevation
1/8" = 1'-0"



3 Front Wall Column Detail (Typ.)
1/8" = 1'-0"



4 End Wall Column Detail (Typ.)
1/8" = 1'-0"



1 Left Side of Building
1/8" = 1'-0"

General Notes

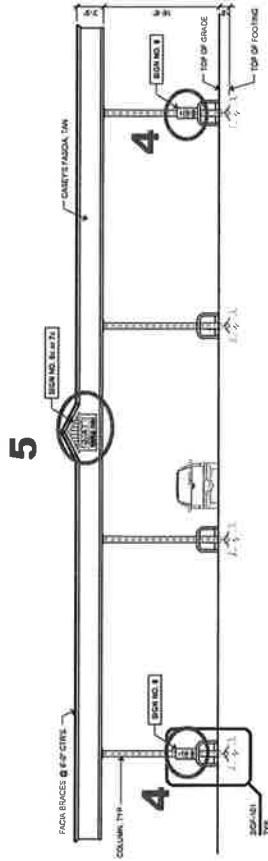
- REFER TO A-201 FOR BRICKWORK SCHEDULE INCLUDING SIZE AND AREA OF BRICKS WHICH ARE TO BE USED.

CASBY'S
CONSTRUCTION DIVISION
1000 1st Street, N.W.
Atlanta, GA 30309
Phone: 404.525.1111
Fax: 404.525.1112

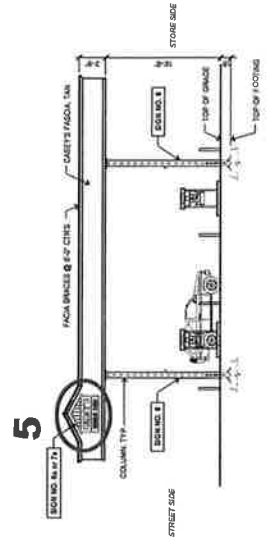
DATE: 03-01-15
PROJECT: "03" STYLE STORE
DRAWING: ELEVATIONS
SHEET: A-201

****VERIFY ALL SIGNAGE WITH SIGN PERMITS****

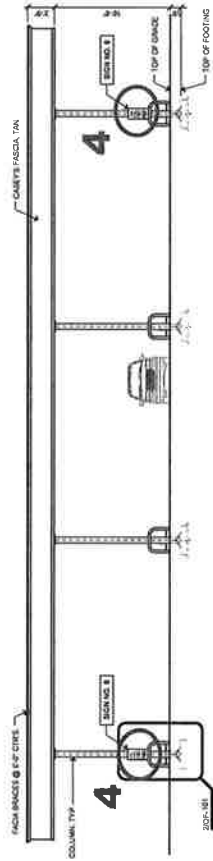
SIGNS 4, 5



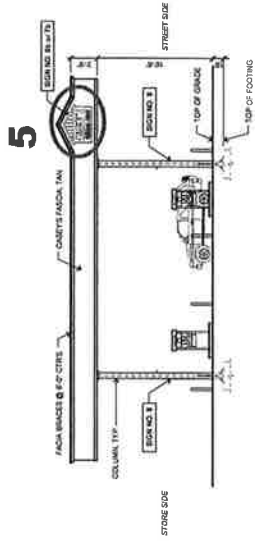
4 Pump Island Canopy - (Street Side)
1/8" = 1'-0"



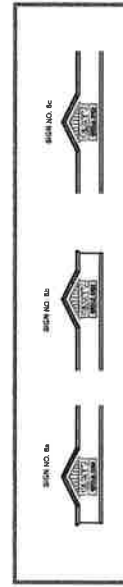
3 Pump Island Canopy - Right Side Elevation
1/8" = 1'-0"



2 Pump Island Canopy - (Store Side)
1/8" = 1'-0"



1 Pump Island Canopy - Left Side Elevation
1/8" = 1'-0"



5 Canopy Flat Roof
1/8" = 1'-0"

8 DISPENSERS - DOUBLE STACKED - H.I.I.

CASEY'S CONSTRUCTION DIVISION
One Commerce Blvd., P.O. Box 3001, Albany, NY 12201-5146-3000

GASOLINE ISLAND CANOPY ELEVATIONS

AL-201

 Boone County
Soil & Water
Conservation District

211 N. Appleton Road
Belvidere, IL 61008
815-544-2677 ext. 3

December 14, 2016

Belvidere Planning Department
401 Whitney Blvd. Suite 400
Belvidere, IL 61008

SWCD NRI #1526

Dear Sir/Madam,

Lauren Downing from Arc Design Resources, Inc., on behalf of Casey's Retail Company, has submitted a request for a Natural Resource Information Report. The request was for special use for in vehicle services and sales at north corner of Beloit Road and Business Route 20 in Belvidere, Illinois. Please refer to Natural Resource Information Report #612, completed September 6, 1994 and Natural Resource Information Letter # 992 completed January 7, 2002.

Based on the most recent Boone County, Illinois Soil Survey, one main change is the name of the soil type described in NRI #612. Wea silt loam, 398A, is now classified as 623A, Kishwaukee silt loam. The soil limitations are still the same as stated in NRI #612. If more than an acre is disturbed at this site a National Pollutant Discharge Elimination System (NPDES) permit will need to be submitted.

We will submit a written reply to your office as indicated below:

Our review does not apply in this instance.

Other (see attached) - *updated soils*

Sincerely,



Jennifer Becker
Boone County Soil & Water
Conservation District

Re: Lauren Downing



Boone County
DEPARTMENT OF
PUBLIC HEALTH

1204 Logan Avenue ♦ Belvidere, Illinois 61008

Main Office: 815-544-2951 ♦ Clinic: 815-544-9780
Fax: 815-544-2050 www.boonehealth.org

The mission of the BCDPH is to protect and promote health in Boone County.

January 3, 2017

Gina Del Rose
City of Belvidere Community Development
401 Whitney Blvd., Suite 300
Belvidere, IL 61008

FAX 815-547-0780

Re: 2017-08, Casey's Retail Co. 425 Beloit Road

Dear Gina,

We are in receipt of the special use request for the above referenced case. Our office has no objections or comments on this request. However, prior to operation of the convenience store a to scale plan (of the layout of the store) and a menu must be submitted to the health department for review. The plan review fee would be determined when menu information is submitted. Below is the county code explaining this further.

Sec. 30-35. Submission and review of plans; permits.

- (a) *Generally.* Whenever a food service establishment or retail foodstore is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, and the type and model of proposed fixed equipment and facilities.
- (b) *Permit required.* Any business or organization desiring to operate as a food service establishment or retail food establishment must have a current food service permit.
- (c) *Plans, inspection and approval.* Before issuing a food service permit to a new establishment, plans must be submitted to and approved by the health authority. Plans submitted for review must be accompanied by the appropriate plan review fee as listed in section 38-31.

Food establishment classifications. All food service establishments or retail food establishments shall be categorized according to their type of operation, size of operation, and risk category of the food prepared and/or served and shall obtain a permit for the class of operation as hereinafter defined. The listing of various types of operation is not intended to be all inclusive, but typical and not limited to those mentioned. If a food establishment is not specifically listed, it shall be classified according to the class to which it most closely resembles.

- (1) *Class A:* Fixed location food establishments which serve drinks only or food and drinks such as restaurants and taverns or other establishments of which the primary activity is food service.

RE:

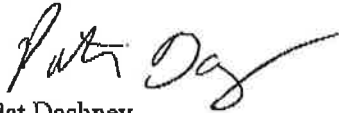
Date: Page 2 of 2

- A1: Food and drink, 0--50 seats.
- A2: Food and drink, 51--100 seats.
- A3: Food and drink, more than 100 seats.

- A4(a): Beverage/prepackage, no prep.
- A4(b): Sit down drink, no prep-reheat foods

Our office has no objections or comments on this request.

Thank you,



Pat Dashney
Director of Departmental Operations
skm

RESOLUTION #2050-2017:

A RESOLUTION AUTHORIZING THE PARTICIPATION IN THE NORTHERN ILLINOIS MUNICIPAL ELECTRIC COLLABORATIVE (NIMEC) AND AUTHORIZING THE MAYOR TO APPROVE A CONTRACT WITH THE LOWEST COST ELECTRICITY PROVIDER FOR A PERIOD UP TO 36 MONTHS.

WHEREAS the City of Belvidere ("The City") is a municipality in accordance with the Constitution of the State of Illinois of 1970; and,

WHEREAS, on January 2, 2007, the State of Illinois implemented a plan to deregulate Commonwealth Edison; and,

WHEREAS, as a result of this deregulation, electricity may be purchased based on market price and Commonwealth Edison will no longer be the sole supplier of electricity in Northern Illinois, resulting in new electricity suppliers being able to compete against Commonwealth Edison, and competitive market forces dictating the price of electricity; and,

WHEREAS, the City of Belvidere has selected the Northern Illinois Municipal Electric Collaborative (NIMEC) to serve as the City's broker relative to the acquisition of electrical energy for City facilities, due to NIMEC's municipal experience and the fact that NIMEC is the largest municipal Collaborative in northern Illinois which will be aggregating the energy needs of 150 government members of the Collaborative in order to secure more competitive pricing based in higher volumes than can be provided individually to a single municipality; and,

WHEREAS, there is no cost to join NIMEC, with the amount of compensation that NIMEC receives, if the City chooses the NIMEC electricity supplier, being built into the prices bid by the electricity, so there will be no direct payment made to NIMEC by the City; and,

WHEREAS the City has been working with NIMEC since 2008, and the City has enjoyed a good working relationship with NIMEC; and

WHEREAS, Commonwealth Edison will no longer offer a fixed energy rate for large or medium sized commercial accounts and would instead charge based on a floating hourly rate and the City desires to enter the market to secure a fixed rate, up to 36 months in term.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF BELVIDERE, AS FOLLOWS:

- Section 1.** That the Northern Illinois Municipal Electric Collaborative (NIMEC) has been appointed the City's broker for purposes of obtaining an electricity supply for the City's municipal needs.
- Section 2.** That the Mayor is authorized to negotiate energy rates directly with suppliers in an effort to secure lower energy costs.
- Section 3.** That in light of the time constraints and procedures required, applicable to the acceptance of a competitive bid for a supply of electricity, once the bids are received by NIMEC, the Mayor is hereby authorized to sign the contract with the most optimal bidder, with the Mayor being hereby directed to place said contract on the first available City Board regular meeting following the execution thereof by the Mayor, for ratification by the City Board.
- Section 4.** That the Mayor is authorized to name the Finance Director as the Mayor's designee in matters concerning the bid.
- Section 5:** The Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form, as provided by law.

ADOPTED this ____ day of _____ 2017, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this ____ day of _____ 2017.

_____, Mayor of the City of
_____, _____ County, Illinois

Illinois Transportation Legislative Initiative

**Resolution of Support to Benefit the Economy & the Citizens of Illinois
(80% Highways/20% Transit & Highways Portion at 60% IDOT/40% Local Roads)**

WHEREAS, transportation infrastructure is critical to the safety, quality of life and economic vitality throughout Illinois; and

WHEREAS, the transportation system in Illinois is comprised of a seamless network of state highways, county highways, city streets, and township roads, as well as transit, rail and other alternative forms of transportation; and

WHEREAS, citizens are reliant upon the vast and seamless network of public roads to carry business, products, services, postal delivery, parcel delivery, utilities, school bus, agriculture, emergency services; and,

WHEREAS, the users of this system of public roads in Illinois pay for the upkeep and improvement of those public roads through highway user fees; and

WHEREAS, local government is responsible for over 88% of the public road mileage in Illinois carrying 40% of the traffic in the state, thereby contributing 40% of the highway user fees collected by the state, including both motor vehicle revenue paid to the Secretary of State and motor fuel tax paid at the fuel pump; and

WHEREAS, in 2014 only 21.5% of those highway user fees were returned to reinvest in local roads, which was \$577M less than the 40% generated by local roads, which received \$561M in MFT distributions; and

WHEREAS, the continual reinvestment of highway user fees in the basic maintenance that is necessary for every part of the highway network is absolutely essential for those benefits of safety, quality of life and economic vitality to continue; and

WHEREAS, the State of Illinois has not approved a transportation capital program that maintains support of ongoing funding for that continual reinvestment since 1999 and yet local roads in Illinois have experienced costs for basic county highway maintenance in 2014 that were 2.4 times greater than they were in 2000 and those costs continue to climb while local governments are forced to defer and even suspend the most basic maintenance on their local roads; and

WHEREAS, the number of commercial vehicles along with their sizes and weights continue to grow due to the competitive world market requiring improvements to the local road system to safely accommodate such increase in the number, sizes and weights of commercial vehicles in relation with all other highway users; and

WHEREAS, it is critical for every local government to improve their local roads in order to continue to be an effective part of the seamless highway network that allows Illinois to supply its produce, products and services to the world market competitively; and

WHEREAS, the state's economy continues to face pressures that would be mitigated by a public infrastructure capital construction initiative to provide workers throughout Illinois, from highly urbanized to rural areas, with employment, along with jobs associated with capital infrastructure improvement, such as equipment and material suppliers; and

WHEREAS, it is important to focus on the entire transportation system, including local and state roads, interstate highways, bridges, public transit, airports, waterways and freight rail because no partial component operates without other systematic elements of the transportation network; and

NOW THEREFORE BE IT RESOLVED that we hereby notify the Governor, Legislators and the IDOT Secretary that we request the adoption and implementation of the *Illinois Transportation Legislative Initiative* to Benefit the Economy and the Citizens of the State of Illinois; and this *Illinois Transportation Legislative Initiative* specifically requests:

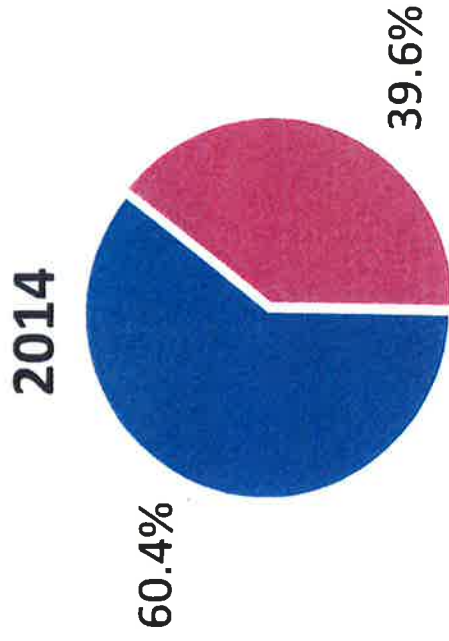
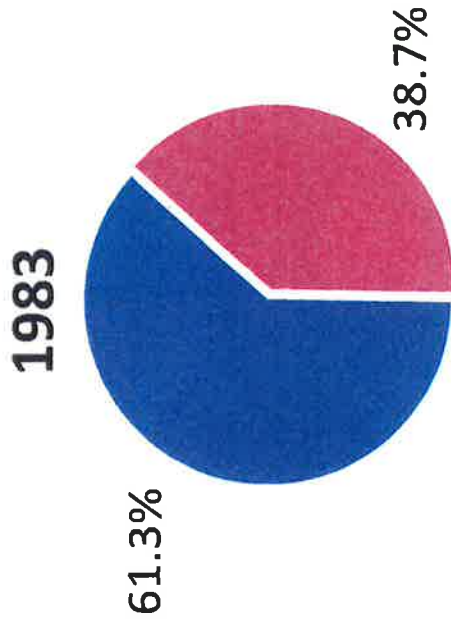
- 1. The Illinois DOT Secretary will seek input from and collaborate with County Engineers, Municipal Street Officials, Township Highway Commissioners and Transit Officials to develop an *Illinois Transportation Plan* to immediately begin to address the needs of our Illinois transportation system using the funding distribution of 80% Highways/20% Transit with the highway funding sub split of 60% IDOT/40% Local Roads, distributing the Local Road share through existing MFT distribution formula; and**
- 2. The Governor and General Assembly will adopt and ensure implementation of an *Illinois Transportation Bill* that requires the distribution of all highway user fees and additional transportation investment at the same funding distribution through the existing MFT distribution formula as identified above.**

BE IT FURTHER RESOLVED that upon adoption, signed copies shall be forwarded to:

- The Honorable Bruce Rauner, Governor of the State of Illinois
- The Honorable John Cullerton, President of the Illinois Senate
- The Honorable Michael Madigan, Speaker of the Illinois House of Representatives
- The Honorable Christine Radogno, Minority Leader of the Illinois Senate
- The Honorable James Durkin, Minority Leader of the Illinois House of Representatives
- The Honorable State Senators & Reps whose districts include any portion of our area;
- Randy Blankenhorn, Secretary of the Illinois Department of Transportation

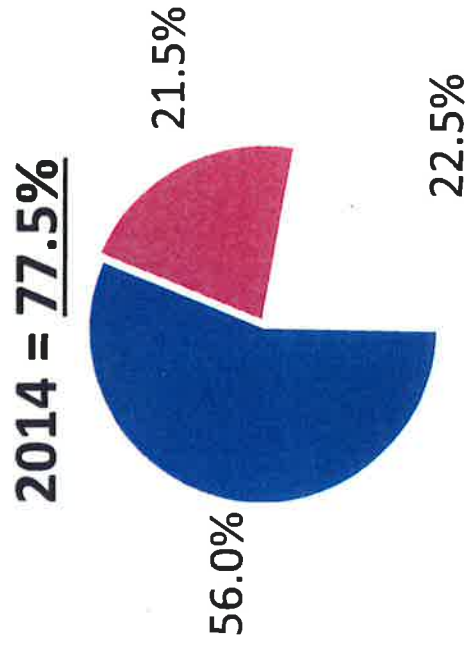
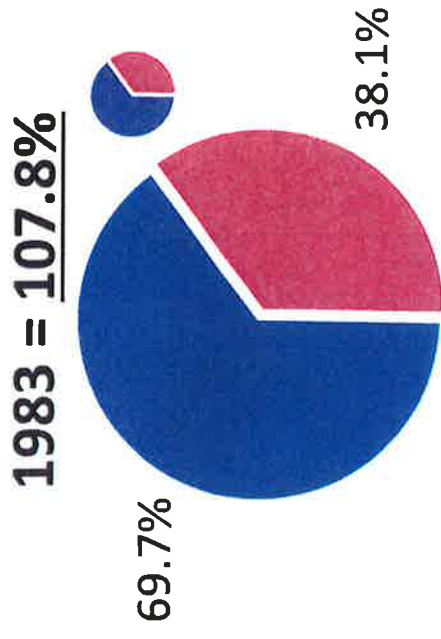
Contribution vs Share of Revenue Stream

Traffic Carried (VMT)



■ IDOT ■ Local Roads

MFT and MVR Returned To:



■ IDOT ■ Local ■ Not Returned

IL Transportation Infrastructure Funding Plan:

We have a problem in Illinois besides the budget or lack thereof. We now have a transportation system that has increasing risk for safety problems for our users (business, personal or emergency) and our citizens. We are not maintaining our transportation system to properly avoid these safety concerns.

Cause(s):

1. IL has not kept up on the amount of highway user fees that is dedicated to the roadways. [IL DOT indicates that approximately 75% of the Road Fund is spent on transportation, including road construction, safety, snow plowing and road safety programs. Fully one quarter of the funds are diverted to other state agencies.]
2. IL has not kept up on the amount of highway user fees nor additional investments that has historically been dedicated to Local Roads. In fact, that contribution as a percentage has significantly diminished. This combines with #1 above in a double whack!
3. The costs of supplies and services to maintain highways and roadways have increased significantly. [Cost Increases: Concrete +199%, Asphalt +196%, Fuel +196%, Steel +100%]
4. The IL General Assembly has "swept" funds that were raised and dedicated for our roadways and used them for non-transportation funding. [WQAD reported on May 15, 2013 that "less than half of Illinois road funds [were] spent on roads." An audit report indicated that a large part went to underwrite salaries in various state agencies.]
5. The IL General Assembly has "swept" funds that were raised and dedicated for our roadways and used some of them for *partly* related transportation funding, such as IL State Police funding. However, even in cases that were related, the necessary funding to maintain the quality and safety on our roadways was jeopardized. [Texas has identified \$1.3 Billion just from stopping the transfer of funds to other outside agencies.]
6. In the environment where the state has not remedied this problem, some local municipalities have filled the gap by raising the amount of tax on gasoline for local needs thereby creating uneven gas tax rates, inconsistent road and safety conditions based on governmental boundaries and local pushback to the state attempting to remedy the problem statewide.
7. There is no *IL Transportation Bill* to begin to address and remedy the problem.
8. There is no *IL Transportation Plan* that sets clear goals, strategies and funding requirements to fix the problem.
9. Failure of the IL General Assembly to fix the IL pension reform problem. [Skyrocketing pensions mean less money available for roads; pension's contributions account for 8.2% currently.]
10. The IL DOT has not recently offered a plan for IL Transportation Infrastructure based on collaboration and input from Local Transportation Officials (including county officials and engineers, municipal street, township road and transit officials) and transportation stakeholders (ie., the Transportation for Illinois Coalition). This collaboration and input process had been very effective and served IL well in the past.

11. IL is comparatively lower than most other states in total gas tax (PA-50.3; WA-44.5; NC-35.25;CA-35;RI-34;WV-33.2;ID-33;WI-32.9;MR-32.6;IO-31.8;VT-30.46;SD-OR-MA-30;UT-29.4;MN-28.6;FL-28.4;OH-28;NE-27.7;MT-27;KT-GA-26;KS-25.03;CN-NY-25;WY-MA-24;NH-23.825;NV-23.805;DOC-23.5;ND-DE-23;CO-22;AR-21.8;TN-21.4;LA-20.125 and IL-20.1. These other states are prioritizing their roadway infrastructure to be safe and remain competitive in economic development. 36 states receive more revenue (see list above) and 24 States have increased state taxes in the past 48 months with 50% of the states passing a tax increase to fund infrastructure. The states that have passed the largest funding increases include: VA, GA, PA, MI, TX, NC, MR and WA. 14 other states are currently considering transportation tax increases. These states include those adjoining IL that recognize that the development of their transportation infrastructure is a critical success factor to compete for future economic development.
12. IL loses on gas tax diversions; for every dollar IL sends to the federal government in gas taxes, IL receives 92 cents back.
13. The Feds are becoming less of a partner due to their own budget constraints. Traditionally Feds paid 50-70% of funding but in next 5-10 years the Thompson Research Group forecasts a deep reduction of those shared costs. IL currently contributes only 4% to the FY2016 multi-year transportation program.
14. Finally, the fact that IL has failed year after year to address this critical problem indicates a clear failure of leadership at the federal, state and local levels, including both elected and appointed officials, whose job it is to protect our citizens.

Solution(s):

1. IL DOT will collaborate with Local Transportation Officials (identified above) to develop an **IL Transportation Plan**.
2. IL state, counties, municipalities, MPO/planning commissions and Local Transportation Officials should prioritize transportation maintenance over new build.
3. Counties, municipalities, MPOs/planning commissions and regional/statewide orgs must stay informed and collaborate with Local Transportation Officials on IL transportation issues.
4. General Assembly members should communicate with and seek input from their District Local Transportation Officials and MPO/Planning Commissions on transportation issues or projects.
5. Local and state elected Officials must lead the effort with **an IL Transportation Legislative Initiative** in order to ensure successful passage.
6. Counties and Municipalities will review the **IL Transportation Legislative Initiative Support Plan** and pass Resolutions calling for the IL Gov. and General Assembly to adopt and ensure implementation of the **IL Transportation Legislative Initiative**.
7. The **IL Transportation Legislative Initiative** will eliminate all transportation funding diversions, transfers and sweeps for other agencies or purposes, and includes adoption of an **IL Transportation Bill** requiring the distribution of new revenue from IL highway user fees and other IL transportation investment at the 80% highways/20% transit split with highways sub split at 60% IDOT/40% Local Roads.

Resolution #2052-2017:

A RESOLUTION AUTHORIZING CERTAIN ANNUAL PARADES FOR 2017

WHEREAS, the City of Belvidere allowed certain organizations to conduct parades on city streets in 2016, and

WHEREAS, the City Council finds it to be in the best interest of the City to allow the same parades in 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BELVIDERE, ILLINOIS AS FOLLOWS:

SECTION 1: That the Mayor and City Council of the City of Belvidere approve the annual parades as set forth in Exhibit A, which is incorporated herein by reference.

SECTION 2: That the Mayor is authorized to approve amendments to the parade routes and the times and dates of the parades.

SECTION 3: The Police, Fire, and Public Works Departments are directed to provide such parade assistance as the Mayor directs.

Ayes:

Nays:

Approved:

_____ Mayor

Attest:

_____ City Clerk

ANNUAL PARADES
EXHIBIT A

- EVENT:** MEMORIAL DAY
SPONSOR: Veteran's Memorial Commission
ROUTE: Assembles at City Lot #5, proceeds West on Pleasant to State St. Brief ceremony at State Street Bridge.
- EVENT:** 4TH OF JULY/HERITAGE DAY CELEBRATION
SPONSOR: Heritage Day Committee
ROUTE: Assembles at Whitney Blvd, proceeds to South State Street, heading north to Harrison Avenue.
- EVENT:** HOMECOMING PARADE
SPONSOR: Belvidere High School
ROUTE: Assembles at the Community Building and proceeds South on Pearl Street to 6th Street, East on 6th Street to East Avenue to High School.
- EVENT:** HOMECOMING PARADE
SPONSOR: Belvidere North High School
ROUTE: Assembles at the corner of Buchanan Street and Main Street and proceeds north on Main Street ending at West Street.
- EVENT:** ANNUAL HALLOWEEN PARADE
SPONSOR: IOU Club
ROUTE: Assembles on North State Street between Perry and Boone and proceeds to the Community Building.
- EVENT:** VETERAN'S DAY PARADE
SPONSOR: Veteran's Memorial Commission
ROUTE: Assembles at State Street and Lincoln Avenue, March to WWII Memorial in Belvidere Park then to VFW for ceremony.
- EVENT:** CHRISTMAS PARADE
SPONSOR: Belvidere Park District
ROUTE: North of Ida Public Library proceed south on State Street ending at Community Building.

TOLLING AGREEMENT

WHEREAS, the City of Belvidere, Illinois (the "City") is a home rule municipality located in Boone County, Illinois which operates a Waste Water Treatment Plant (the "Plant"); and

WHEREAS, in 2009, the City entered into a contract with Baxter & Woodman Inc. (B&W) to provide design and bidding services to the activated sludge aeration system (the "Project"); and

WHEREAS, as a part of the Project, certain blowers that provide air for the Plant's aeration system were to be replaced and improved; and

WHEREAS, as part of the design specifications, B&W identified certain blowers manufactured by, among others, Houston Services Industries Inc. (HSI) as blowers (the "Blowers") for the Project; and

WHEREAS, a contract to construct the Project, including the installation of Blowers, was awarded to Concord Construction Services Inc. ("Concord") in 2010; and

WHEREAS, the City and B&W entered into a Construction Engineering Services agreement in 2010 wherein B&W agreed to provide specified contract administration and part-time resident project representation for the Project; and

WHEREAS, Concord elected to install four Blowers manufactured by HSI as part of the Project, and thereafter submitted associated installation shop drawings to B&W for its review, which review was performed; and

WHEREAS, Concord installed four Blowers manufactured by HSI at the Plant as part of the Project; and

WHEREAS, Atlas Copco Compressors LLC ("Atlas Copco") acquired the assets and liabilities of HSI; and

WHEREAS, as early as the summer of 2011, the City and B&W notified Concord and HSI / Atlas Copco of deficiencies in the Blowers' performance and operation related to (among other things) fast cycling, motor and controls failures, and thereafter demanded their repair; and

WHEREAS, commencing in 2011, HSI and Atlas Copco repaired and/or replaced components of the Blowers and their controls when they failed; and

WHEREAS, the City now demands replacement of the Blowers which are claimed to be improperly designed and/or contain manufacturing and control programming defects; and

WHEREAS, Atlas Copco, B&W and the City all agree that the HSI Blowers should be replaced and that it is in all of the Parties' interests to attempt to amicably resolve the City's potential claims concerning the Blowers; and

WHEREAS, Atlas Copco, B&W, and the City wish to continue to investigate the issues which requires additional time so the parties may attempt to work towards an amicable resolution but without prejudice to any of their claims, defenses, rights or remedies under any theory of liability.

NOW, THEREFORE, for and in consideration of the premises, the mutual covenants and agreements hereinafter set forth, including the foregoing recitals, and for other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged by the Parties hereto, the Parties hereto hereby covenant and agree as follows:

- 1) The foregoing recitals are incorporated herein by this reference.
- 2) Atlas Copco, the City and B&W may be jointly referred to as the "Parties."
- 3) Without any admission of liability (which is expressly denied) and without any concession on the merits (or lack thereof) of the City's potential claims, including but not limited to, breach of warranty, breach of contract, breach of implied warranties and negligence, Atlas Copco and B&W agree to cooperate in good faith with each other and with the City, and the City agrees to cooperate in good faith with each of them in an effort to reach an amicable negotiated resolution of the City's potential claims related to the Blowers, which resolution may include the replacement and installation of the Blowers with new blowers, controls and associated components manufactured by Atlas Copco at no cost to the City.
- 4) The Parties acknowledge that resolution of the issues through a negotiated agreement to replace the existing Blowers, controls and associated components may take time as new engineering plans may be necessary to reconfigure the Plant to accept the new blowers. In addition, the cost of installation of the new blowers is unknown at this time.
- 5) The Parties agree that the time in which to assert any claim, right, remedy or defense under any warranty or contract theory between them related to the Project and/or the Blowers as well as any other statutory or common law claim, right, remedy or defense which was available to them as of October 25, 2016 shall be extended to and including December 31, 2017 without regard to any applicable contractual limitation or applicable statute of limitations or statute of repose, including but not limited to limitations contained within any warranty, contract or Article XIII of the Illinois Code of Civil Procedure (735 ILCS /13-101 et seq.) or the Uniform Commercial Code (810 ILCS5/1-101 et seq.). This Agreement does not and shall not revive any claim or defense that was already time-barred as of October 25, 2016.
- 6) This Agreement shall not prevent any of the Parties hereto from taking any legal action prior to December 31, 2017 in the event an amicable resolution of the City's potential claims is not reached. The party seeking legal action shall provide the other Parties with thirty (30) days' written notice prior to filing any such action. The filing of any legal action shall immediately terminate this Agreement.
- 7) This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement shall be construed as having been drafted by all Parties hereto.
- 8) This Agreement shall be interpreted pursuant to the laws of the State of Illinois without regard to conflicts of law provisions.
- 9) The Parties agree that any cause of action arising out or relating to this Agreement shall be brought in the 17th Judicial Circuit, Boone County, Illinois and the Parties hereby stipulate to the jurisdiction of and venue in that County.

- 10) If any provision, covenant, agreement or portion of this Agreement or its application to any person, or entity is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of this Agreement, and to that end all provisions, covenants or portions of this Agreement are declared to be severable.
- 11) This Agreement shall be valid and enforceable as to any of the Parties executing below as of the date of their execution. The failure to execute this Agreement by one party shall not preclude enforcement of the Agreement by and against the parties that do execute this Agreement.

Date: _____.

By: The City of Belvidere

By: _____.

Mayor

Date: _____.

By: Atlas Copco Compressors LLC

By: _____.

Its: _____.

Date: _____.

By: Baxter & Woodman Inc.

By: _____.

Its: _____.