

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, January 10, 2023

City Council Chambers

401 Whitney Boulevard

6:00 pm

ROLL CALL

Members Present:

Paul Engelman, Chair

Carl Gnewuch

Alissa Maher

Bob Cantrell

Brad Anderson

Dan Druckrey Vice-Chair

Art Hyland

Staff Present:

Gina DelRose, Community Development Planner

Kimberly Whitt, Administrative Assistant

Mike Drella, City Attorney

Members Absent:

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

MINUTES: It was moved and seconded (Maher/Druckrey) to approve the minutes of the December 13, 2022 meeting. The motion carried with a 6-0 voice vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

2023-01: Manhard Consulting, Ltd (RZ): Application of William Hupperich (Manhard Consulting, Ltd), 1 Overlook Point, Suite 290, Lincolnshire, Illinois 60069 on behalf of the property owner, Dieter W. Kempf (Karl Kempf Trust 052206), 8520 N. Springfield Avenue, Skokie, IL 60076 for a map amendment (rezoning) on approximately 55 acres southwest of South Appleton Road and the Railroad, Belvidere, IL 61008 from GI, General Industrial District to HI, Heavy Industrial District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. PIN: 05-34-200-027

PUBLIC HEARING FOR CASE 2023-01 OPENED : 6:05 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on December 22, 2022 and notifications were sent by certified mail to property owners within 250 feet of the subject property on December 19, 2022. Ms. DelRose summarized the staff report dated January 3, 2023 and stated the recommendation is for approval of case #2023-01 for a map amendment

(rezoning) on approximately 55 acres southwest of South Appleton Road and the Railroad, Belvidere, IL 61008 from GI, General Industrial District to HI, Heavy Industrial District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. PIN: 05-34-200-027.

There was discussion regarding the zoning of the adjacent properties. Gina DelRose explained that the surrounding properties were zoned Heavy Industrial in 2006 to be more in line with anticipated development. This property was not rezoned at that time.

Applicant was present, but no questions.

No questions or testimony from the audience for Case #2023-01.

PUBLIC HEARING FOR CASE 2023-01 CLOSED: 6:16 PM

It was moved and seconded (Maher/Gnewuch) to recommend approval of Case 2023-01. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on January 17, 2023 and on February 6, 2023 for a second reading and final vote.

2023-02: Manhard Consulting, Ltd (PP): Application of William Hupperich (Manhard Consulting, Ltd) for preliminary plat approval for Crosslink Business Park No. 2 Subdivision. The plat consists of 4 lots comprised of approximately 205 acres. PINs: 05-34-326-004; 05-34-326-002; 05-34-376-001; 05-34-327-003; 05-34-327-002; 05-34-400-008; 05-34-376-003; 05-34-400-009; 05-34-400-010; and 05-34-200-027.

NO PUBLIC HEARING FOR CASE 2023-02:

Ms. DelRose summarized the staff report dated January 3, 2023 and stated the recommendation is for approval of case #2023-02 for preliminary plat approval for Crosslink Business Park No. 2 Subdivision.

There was a question regarding the condition referencing building setback lines. Ms. DelRose explained, having setback lines shown can create conflicts with code enforcement later on. There were questions regarding that sidewalks being waived. Ms. DelRose explained that sidewalks were previously waived and pedestrian foot traffic is not encouraged in industrial areas.

It was moved and seconded (Cantrell/Druckrey) to recommend approval of Case 2023-02 subject to 13 conditions as presented. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on January 17, 2023 and on February 6, 2023 for a second reading and final vote.

2023-03: Manhard Consulting, Ltd (SU): Application of William Hupperich (Manhard Consulting, LTD), 1 Overlook Point, #290, Lincolnshire, IL 60069 on behalf of property owners, Dieter W. Kempf (Karl Kempf Trust 052206), 8520 N. Springfield Avenue, Skokie, IL 60076 and Sjostrom & Sons, Inc, 1129 Harrison Avenue, Rockford, IL 61104 for a special use to permit a planned development in the HI, Heavy Industrial District (pending rezoning approval) in the Crosslink Business Park Subdivision and southwest of S. Appleton Road and the Railroad, Belvidere, IL 61008. The planned development will allow for the following departures: Section 150.105(C)(9)(G)(2)(E) allowing for the maximum primary building height to be increased from 45 feet to 125 feet; Section 150.105(C)(9)(G)(2)(E) allowing for the maximum auxiliary building height to be increased from 45 feet to 60 feet; Section 150.702(J) allowing for the maximum width of the driveway to be increased from 35 feet to 87 feet; Section 150.702(J) allowing for the maximum flare of the driveway to be increased from 5 feet to 45 feet; Section 150.704(F)(8) allowing for the minimum width of parking stalls to be reduced from 10 feet to nine feet; Section 150.704(F)(8) allowing for the minimum width of a two-way drive aisle to be decreased from 26 feet to 24 feet; Section 150.707(E)(1) allowing the maximum luminaire height to be increased from 30 feet to 35 feet; Section 150.1003 allowing for the maximum size of direction signs to be increased from 3 square feet to 100 square feet; Section 150.1003 allowing for the maximum size of a logo on a directional sign to be increased from 1 square-foot to 35 square feet; Section 150.1003 allowing for the maximum height of a directional sign to be increased from five feet to 8.5 feet; Section 151.41(B)(8) allowing for the reduction of the minimum centerline radius of a horizontal curve from 300 feet to 160 feet Sections 98.22/151.41(E)(2)/151.65(1) allowing for the waiver of installing sidewalks in the public right-of-way and 150.904 Special Use Review and Approval Procedures. The planned development is being requested in order to construct a distribution center in the proposed Crosslink Business Park Subdivision Plat 2. PINs: 05-34-326-004; 05-34-326-002; 05-34-376-001; 05-34-327-003; 05-34-376-002; 05-34-400-008; 05-34-376-006; 05-34-400-009; 05-34-400-010 and 05-34-200-027.

PUBLIC HEARING FOR CASE 2023-03 OPENED : 6:28 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on December 22, 2022 and notifications were sent by certified mail to property owners within 250 feet of the subject property on December 19, 2022. Ms. DelRose summarized the staff report dated January 3, 2023 and stated the recommendation is for approval of case #2023-03 special use. Ms. DelRose explained the distribution center land use is outright permitted, the planned development is only for the building and site designs and right-of-way improvements needed to meet the distribution center's logistical needs. The increased height is to allow for maximized storage space while minimizing impervious surfaces which is warranted, given the environmentally sensitive areas

on the site and proximity to the City's Well No. 8. The signage, lighting and parking lot designs are catered more towards semi-trucks than passenger vehicles.

Mr. Bill Hupperich (Manhard Consulting LTD) was sworn in at 6:52 pm. Mr. Hupperich gave a presentation explaining the need for the special use. There was discussion regarding storm water detention, traffic study, Rusty Patch Bumble Bee and hours of operations.

Mr. Steve Loveridge, (Kingston, IL) presented questions to the applicant regarding the Basins (A,B & C). Mr. Hupperich explained there would be reduction of the discharge into the creek. Mr. Loveridge also questioned the vegetation along the creek line and the noise level of the semi-trucks and trailers. Mr. Hupperich stated that a minimal amount of the tree line would be disturbed.

Mr. Steve Loveridge was sworn in at 7:04 pm. Ms. Allisa Maher asked Mr. Loveridge if the noise from R & D Theil causes issues? Mr Loveridge stated the noise is noticeable approximately every 10 minutes. Not constant.

Mr. Mike Calomino (Jillian Ct) addressed the commission with his concerns of noise, traffic and ammonia leaks. Mr. Calomino also expressed concern regarding truck traffic on S Appleton Rd. Mr. Drella explained that truck traffic is regulated by IDOT.

Other discussions presented to applicant were: Foliage for sound and light, fencing, Ammonia Hazards and truck traffic.

PUBLIC HEARING FOR CASE 2023-03 CLOSED: 7:14 PM

It was moved and seconded (Gnewuch/Druckrey) to approve the findings of fact as presented by staff. The motion carried with a 7-0 roll call vote

It was moved and seconded (Maher/Gnewuch) to recommend approval of Case 2023-03 subject to conditions as presented. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on January 17, 2023 and on February 6, 2023 for a second reading and final vote.

2023-04: Orland Kids Academy, LLC (SU): Application of Orland Kids Academy, LLC, 555 W. Kinzie Street #4002, Chicago, IL 60654 on behalf of the property owner, The Board of Trustees of the University of Illinois, PO Box 4595, Oakbrook, IL 60522 for a special use to permit a daycare center at 2170 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(2)(B)(2) Daycare Center (3+ children) and 150.904 Special Use Review and Approval Procedures) in the PO, Planned Office District on approximately 2.0 acres. PIN: 07-01-102-004

PUBLIC HEARING FOR CASE 2023-04 OPENED : 7:22 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on December 22, 2022 and notifications were sent by certified mail to property owners within 250 feet of the subject property on December 19, 2022. Ms. DelRose summarized the staff report dated January 3, 2023 and stated the recommendation is for approval of case #2023-03 special use to permit a daycare center at 2170 Pearl St., Belvidere, IL subject to conditions.

Applicant was present but nothing to add at this time.

No questions or testimony of audience for staff or applicant.

PUBLIC HEARING FOR CASE 2023-04 CLOSED: 7:28 PM

It was moved and seconded (Maher/Cantrell) to approve the findings of fact as presented by staff. The motion carried with a 7-0 roll call vote

It was moved and seconded (Cantrell/Druckrey) to recommend approval of Case 2023-04 subject to the conditions as presented. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on January 17, 2023 and on February 6, 2023 for a second reading and final vote.

2023-05: Pinnacle Engineering Group (VAR): Application of Pinnacle Engineering Group, 1051 Main Street, East Dundee, IL 60118 on behalf of the property owner, Scannell Properties #554 LLC, 8801 Rover Crossing Boulevard #300, Indianapolis, IN 46240, for a variance at 1210 Irene Road within the HI, Heavy Industrial District (Belvidere Zoning Ordinance 150.702(J) Width of Driveways: Maximum Width of Access Drives 35 feet with a Maximum Flare of 5 feet and Section 150.909 Variance Review). The variance will allow for the access drive to be 125 feet wide with flares totaling 227.5 feet for a total width of 352.5 feet where it connects to Irene Road. PIN: 05-33-300-006.

PUBLIC HEARING FOR CASE 2023-05 OPENED : 7:30 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on December 22, 2022 and notifications were sent by certified mail to property owners within 250 feet of the subject property on December 19, 2022. Ms. DelRose summarized the staff report dated January 4, 2023 and stated the recommendation is for approval of case #2023-05 (Variance) for 1210 Irene Rd, Belvidere, IL width of driveways.

Gina DelRose explained the applicant is requesting wider driveway due to semi traffic. Discussion was had regarding traffic studies.

Mr. Adam Artz of Pinnacle Engineering Group was sworn in at 7:39 pm. Mr. Artz gave a presentation. Mr. Artz explained, the traffic studies that were performed brought on drastic improvements to Irene Rd. There have been studies done for both Irene & Newburg Rds and Irene Rd & 20 intersections.

No further questions or testimony from audience or commission.

PUBLIC HEARING FOR CASE 2023-05 CLOSED: 7:45 PM

It was moved and seconded (Druckrey/Maher) to approve the findings of fact as presented by staff. The motion carried with a 7-0 roll call vote

It was moved and seconded (Cantrell/Druckrey) to recommend approval of Case 2023-05. The motion carried with a 7-0 roll call vote.

2023-06: Belvidere Retail Subdivision Final Plat 2 (RP): Application of Belvidere Retail, LLC for a replat approval for Belvidere Retail Subdivision. The plat consists of 4 lots comprised of approximately 9 acres. PINs: 08-06-152-004; 08-06-100-010; 08-06-152-003; 07-01-276-008; 08-06-152-002

NO PUBLIC HEARING FOR CASE 2023-06:

Ms. DelRose summarized the staff report dated January 3, 2023 and stated the recommendation is for approval of case 2023-06 for the replat of Lots 3, 4, 5 and Outlot A of Belvidere Retail Subdivision, subject to the 7 conditions.

Discussion was had regarding the lot configuration. No questions from applicant or audience.

It was moved and seconded (Maher/Druckrey) to recommend approval of Case 2023-06 with conditions as presented. The motion carried with a 7-0 roll call vote.

2023-07: Heartland Leaf, LLC (SU): Application of Heartland Leaf, LLC, 200 Sheridan Road, Highland Park, IL 60035 on behalf of the property owner, Belvidere Retail, LLC, 5277 Trillium Blvd, Hoffman Estates, IL 60192 for a special use to permit a planned development in the PB, Planned Business District at 1874 Crystal Parkway, Belvidere, IL 61008. The planned development will allow for the following departures: Section 150.105(C)(4)(B)(2) allowing for a Adult-use Cannabis Dispensing Organization; 150.105(C)(4)(G)(2)(C) allowing for the minimum setback for an accessory structure to be reduced from three feet to zero feet; 150.105(C)(4)(G)(2)(C) allowing for the minimum pavement setback to be reduced

from five feet to zero feet; 150.702(J) allowing for the maximum width of the driveway to be increased from 35 feet to 42 feet; 150.702(J) allowing for the maximum flare of the driveway to be increased from 5 feet to 21 feet; 150.704(F)(8) allowing for the minimum width of parking stalls to be reduced from 10 feet to nine feet; 150.704(F)(8) allowing for the minimum width of a two-way drive aisle to be decreased from 26 feet to 25 feet; 150.707(3)(A) allowing for lighting levels greater than 0.50 foot-candles at the property line (3.5 foot-candles); Table 150.1007(A)(1) allowing for the maximum square-footage of a freestanding sign to be increased from 150 square feet to 300 square feet; Table 150.1007(B)(1) allowing for the maximum allowed wall signage to be increased from 300 square feet to 600 square feet on the front and rear walls; 150.1010 allowing for off-site signage (on southeast side of property); and 150.904 Special Use Review and Approval Procedures. PIN: 08-06-152-003

PUBLIC HEARING FOR CASE 2023-07 OPENED: 7:55 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on December 22, 2022 and notifications were sent by certified mail to property owners within 250 feet of the subject property on December 19, 2022. Ms. DelRose summarized the staff report dated January 3, 2023 and stated the recommendation is for approval of case #2023-07: Special Use to permit a planned development in the PB, Planned Business District at 1874 Crystal Parkway, Belvidere, IL.

Discussion was had regarding, signage, possibility of increased garbage, onsite consumption, increase traffic and any reports on negative impact for other communities with dispensaries. Ms. Gina DelRose stated after research, she could find no statistics showing either positive or negative impact on communities with existing dispensaries, other than traffic. The traffic issue is being addressed by having two times the required parking. Ms. DelRose continued by stating that there will be NO onsite consumption. The nearest dispensary is Perrville Rd, Rockford, IL.

Mr Mike MacKinnon was sworn in at 8:05. Mr. MacKinnon gave a presentation. The facility would employ 30-40 people. Hours of operation would be 6 am to 9 pm.

No questions or testimony for the staff or applicant from the audience.

PUBLIC HEARING FOR CASE 2023-07 CLOSED: 8:25 PM

Mr. Carl Gnewuch requested to abstain from the voting for both Finding of Facts and the approval/denial of case 2023 -07.

It was moved and seconded (Maher/Cantrell) to approve the findings of fact as presented by staff. The motion carried with a 6-0-1 roll call vote. Mr. Carl Gnewuch abstains.

It was moved and seconded (Cantrell/Druckrey) to recommend approval of Case 2023-07 subject to conditions presented. The motion carried with a 6-0-1 roll call vote. Mr. Carl Gnewuch abstains.

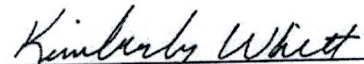
Staff Report: Gina DelRose informed the commission there are currently no cases for the February 14, 2023 meeting. Deadline for new cases is Friday January 13, 2023.

ADJOURNMENT:

Motion to adjourn meeting was moved and seconded (Cantrell/Maher). The motion carried with a voice call.

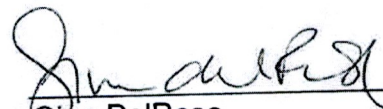
The meeting adjourned at 8:30 p.m.

Recorded by:



Kimberly Whitt
Administrative Assistant

Reviewed by:



Gina DelRose
Community Development Planner