

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION AGENDA
Tuesday, March 14, 2023
City Council Chambers
401 Whitney Boulevard
6:00 pm**

ROLL CALL

Members:

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

Staff:

Gina DelRose, Community Development Planner
Kim Whitt, Administrative Assistant

MINUTES: Approve the minutes of the January 10, 2023 meeting.

PUBLIC COMMENT:

UNFINISHED BUSINESS: None.

NEW BUSINESS:

2023-08: Rosati's (SU): Application of Belvidere Pizza Inc., 1946 Gateway Center Drive, Belvidere, IL 61008 on behalf of the property owner, Belvidere Gateway Center LLC, 2777 Finley Road #12, Downers Grove, IL 60515 for a special use to permit indoor commercial entertainment which includes video gaming at 1946 Gateway Center Drive, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(4)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the PB, Planned Business District on 2.89 acres. PIN: 08-06-101-011.
Staff (Approval); PZC (); CC-1 (); CC-2 ()

2023-09: City of Belvidere (TA): Application of The City of Belvidere, 401 Whitney Boulevard, Belvidere, IL 61008 for a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Sections 150.706 Exterior Storage Standards for Residential, Office and Commercial Districts, 150.712 Fencing Standards, 150.1008 Changeable Copy Signs and Section 150.902 Amendment of Zoning Regulations (Text Amendments). Specifically, the amendments are in regards to commercial vehicles, barbed wire fencing and animated signage.
Staff (Approval); PZC (); CC-1 (); CC-2 ()

2023-10: Maggio's Pizzeria (SU): Application of Maggio's Pizzeria, 132 N. State Street, Belvidere, IL on behalf of the property owner, Tyler Bauscher, 8510 Greenport Way, Rockford, IL 61108 for a special use to permit indoor commercial entertainment which allows for a bar/tavern and video gaming at 132 N. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the CB, Central Business District on 0.05 acres. PIN: 05-26-433-019.
Staff (Approval); PZC (); CC-1 (); CC-2 ()

2023-11: Gunsteen (SU): Application of Gunsteen Car Wash c/o Daniel Gunsteen, 651 S. Sutton Road, Ste 305, Streamwood, IL 60107 on behalf of the property owner, DM Enterprises of 651 S. Sutton Road, Ste 305, Streamwood, IL 60107 for a special use to permit in-vehicle sales or service and a special use to permit indoor commercial entertainment. Specifically, a car wash with accessory retail sales with the potential for a restaurant, bar and video gaming at 1125 N. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2) In-vehicle sales or service; 150.105(C)(5)(B)(2) Indoor Commercial Entertainment and 150.904 Special use Review and Approval Procedures) in the GB, General Business District on approximately 1.2 acres. PIN: 05-26-127-011.
Staff (Approval); PZC (); CC-1 (); CC-2 ()

OTHER BUSINESS:

DISCUSSION:

Staff report

ADJOURNMENT

**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 Crosslink 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 DeRose 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. DeRose 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

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

March 3, 2023

ADVISORY REPORT

CASE NO: 2023-09

APPLICANT: City of Belvidere

REQUEST:

The City of Belvidere, 401 Whitney Boulevard, Belvidere, IL 61008 for a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Sections 150.706 Exterior Storage Standards for Residential, Office and Commercial Districts, 150.712 Fencing Standards, 150.1008 Changeable Copy Signs and Section 150.902 Amendment of Zoning Regulations (Text Amendments). Specifically, the amendments are in regards to commercial vehicles, barbed wire fencing and animated signage.

The methods used to show changes are:

xxxxxxxxxxx = (Standard text) existing text within the zoning code; no changes proposed.

~~xxxxxxxxxxx~~ = (Strike through red text) text that is proposed to be deleted from the zoning code.

xxxxxxxxxxx = (Highlighted and underlined text) new text that is proposed to be inserted into the zoning code.

Section 150.706 Exterior Storage Standards

§150.706: Exterior Storage Standards for Residential, Office and Commercial Districts

(D) Requirements for Exterior Commercial Vehicle and Equipment Storage in Office and Commercial Districts. No person shall park or store commercial vehicles on a lot in an office or commercial district except within a fully enclosed structure or except as provided herein.

(1) For the purposes of this Ordinance, a commercial vehicle or equipment shall include vehicles with commercial logos, trailers, and similar equipment, vehicles, and storage units.

(2) Outside parking of commercial vehicles and equipment are subject to the following provisions:

A. The commercial vehicle shall be maintained and be in good condition and safe for effective performance for the function in which it was intended. The exterior of the vehicle shall be intact.

B. Commercial vehicles shall be roadworthy. Vehicles that require a license shall be properly licensed.

C. The commercial vehicle shall be associated with the primary use of the property

(3) As set forth in Section 150.704, truck (as defined in Section 150.013) parking and standing are prohibited in all non industrial zoning districts with the exception of vehicles actively engaged in loading and unloading.

Section 150.712 Fencing Standards

§150.712: Fencing Standards

(E) Standards

(1) Materials

- A. **Residential Districts.** Acceptable materials for constructing fencing, landscape walls, and decorative posts include wood, stone, brick, wrought iron, chain link, and wire mesh, except that wire mesh fencing is not permitted within required front yard or street yard areas. All finished exteriors of fence shall be colored in a uniform manner with the exception of fluorescent colored paint which is prohibited.
 - B. **Nonresidential Districts.** Acceptable materials for constructing fencing, landscape walls, and decorative posts include wood, stone, brick, wrought iron, chain link, and wire mesh. Barbed wire fencing shall only be permitted in the industrial districts when in conjunction with outdoor storage, wholesaling and commercial vehicle/truck parking areas ~~not be permitted~~. Any fence within a street yard, including along property lines which intersect a right-of-way, shall be a maximum of 60% opaque.
 - C. **Temporary Fencing.** Temporary fencing, including the use of wood or plastic snow fences for the purposes of limiting snow drifting between November 1 and April 1, protection of excavation and construction sites, and the protection of plants during grading and construction is permitted for up to 180 consecutive days and no more than 180 consecutive days per calendar year. Temporary fencing must be setback 6" from the public right-of-way.
 - D. **Snow Fences.** Snow fences constructed of wood and wire, and/or plastic shall be permitted only as temporary fences.
- (2) Location.** On all properties, no fence, landscape wall, or decorative post shall be located closer than six inches to the front yard or street yard property line. Fences may be located up to any property line abutting a side or rear yard. No fence, structure or planting shall be maintained in such manner that visibility is obstructed from intersecting streets within 80 feet in each direction from the intersection of the street centerlines.
- (3) Maximum Height.** Fences shall not exceed 4 feet in height except on corner lots where the height shall not exceed 3 1/2 feet within 30 feet of the intersection of the nearest right-of-way lines and intersection of nearest driveway/curb cut and right-of-way line (except alleyways). An exception is allowed for chain link or wrought iron type fencing which may be 4 feet in height up to any intersection, provided that the chain link is kept free of all vegetation or any other sight restrictions.
- A. Within the side or rear yard of a residentially zoned property the maximum height is seven feet. On through lots, fences located in the yard that abuts a city-dedicated street (not inclusive of Grandview Trail east of Cloverdale Way for a distance of 2,470 feet) and is not considered its principal frontage shall not exceed five feet in height.
 - B. Within the side or rear yard of a commercially or institutionally zoned property, the maximum height is seven feet, except that security fences may exceed this height.
 - C. Within the side or rear yard of an industrially zoned property, the maximum height is eight feet, except fencing for outdoor storage or wholesaling land uses which may be increased to ten feet in height.
 - D. Within the front and corner side yard of an industrially zoned property, chain link may be up to eight feet in height, security fencing may exceed this height.

Section 150.1008 Changeable Copy Signs

§150.1008: Changeable copy signs

Changeable copy signs as defined in §150.1003, are permitted in all districts, except for lots in residential use in single-family residential districts (SR-3, SR-4, and SR-6).

The changeable copy portion of a free standing sign, including background materials, shall be not be greater than 50 percent of the total freestanding sign area.

Changeable copy signs with information that changes more than eight times a day shall be treated as animated signs. ~~Animated signs except for holiday lights as specified in §150.1005 shall be allowed by special use permit.~~

BACKGROUND AND SUMMARY OF FINDINGS:

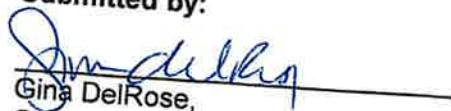
This amendment is being proposed due to the ongoing discussions regarding food trucks along with the need to strengthen the difference between outdoor storage and the parking of allowable commercial vehicles. By limiting the vehicles to those associated with the primary use on-site, it helps to clarify that the ability to lease parking spaces for vehicles is not permitted (it is considered outdoor storage which is only permitted in the industrial districts) or that food trucks should be removed at the end of the day and not be semi-permanently set up on properties.

There is conflicting language within the municipal code and zoning ordinance regarding barbed wire fencing. Within the Streets, Sidewalks and Other Public Spaces chapter of the Belvidere Municipal Code (Section 98.21), there is reference to barbed wire fencing on private property. This is not the appropriate chapter to contain regulations for private property fencing and the language currently conflicts with the Belvidere Zoning Ordinance fencing standards. Ordinance 615H which would remove such language from Section 98.21 is pending before the Belvidere City Council. Within the fencing standards of the Belvidere Zoning Ordinance, the language for barbed wire fencing is also contradictory. Section 150.712(C)(1)(B) states that barbed wire fencing is not permitted but Section 150.712(C)(3) states that security fencing may exceed fence height restrictions and fencing for outdoor storage and wholesaling may be increased to 10 feet. Barbed wire fencing is a standard type of security fencing and is preferred over electric fencing. In order to limit the use of barbed wire fencing to more appropriate areas of Belvidere staff is proposing that is limited to use within only the industrial districts and in conjunction with outdoor storage, wholesaling and commercial vehicle/truck parking areas.

On April 3, 2017, The Belvidere City Council approved Ordinance 341H allowing for animated signs to be constructed without the need of a special use. When correlating sections of the Zoning Ordinance were amended to reflect this change, Section 150.1008's reference to the need for a special use was missed. This amendment reflects the intent of previously approved Ordinance 341H.

Based upon this information, planning staff recommends approval of case 2023-09.

Submitted by:


Gina DelRose,
Community Development Planner

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

March 6, 2023

ADVISORY REPORT

CASE NO: 2023-08

APPLICANT: Rosati's, 1946 Gateway Center Drive

REQUEST AND LOCATION:

The applicant, Belvidere Pizza Inc., 1946 Gateway Center Drive, Belvidere, IL 61008 on behalf of the property owner, Belvidere Gateway Center LLC, 2777 Finley Road #12, Downers Grove, IL 60515 is requesting a special use to permit indoor commercial entertainment which includes video gaming at 1946 Gateway Center Drive, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(4)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the PB, Planned Business District on 2.89 acres. PIN: 08-06-101-011. The property is developed with an approximately 19,500 square-foot multi-tenant building and parking area.

EXISTING LAND USE:

Subject property: Multi-tenant building

Adjacent property:

North: Midland States Bank

South: Multi-tenant building

East: Murphy Oil gas station

West: Vacant/Row Crop Production (County)

CURRENT ZONING:

Subject property: PB, Planned Business District

Adjacent property:

North, South and East: PB, Planned Business District

West: A-1, Agricultural Preservation Area District (County)

COMPREHENSIVE PLAN:

Subject property: PB, Planned Business

All Adjacent property: PB, Planned Business

BACKGROUND:

Gateway Center Subdivision was annexed into the City of Belvidere in 2003. In 2004 the subdivision was final platted and the multi-tenant building was constructed. The building tenants consists of a medical office, hair salon, cell phone store and Rosati's Pizza. Some are the original tenants of the building. The special use request is for the tenant space occupied by Rosati's Pizza.

The existing parking lot has 139 parking spaces for all the tenants to share which is more than what the zoning ordinance requires. Peak hours for indoor commercial land uses are often later in the day when businesses such as the medical office will be closed, which lessens the demand for parking.

The most common type of indoor commercial land uses in Belvidere are bars and video gaming machines. However, the indoor commercial land use also encompasses theaters, bowling alleys, arcades, roller rinks, pool halls and other uses that have late night operating hours. Most of these additional land uses require a larger amount of square-footage to successfully operate, therefore, limit the type of indoor commercial entertainment land uses that can occupy the tenant space. The applicant is requesting the special use so that they may include video gaming machines in their restaurant.

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 State limits the number of machines to six per establishment and every establishment must have a liquor license that allows for the pouring of alcohol (except for those that qualify as a truck stop). In 2013, Belvidere voted to allow video gaming and in 2020, the City Council voted to increase the limit on the number of gaming establishments from 30 to 40. Currently 38 of the 40 available licenses have been issued. Although the special use for indoor commercial entertainment allows for various businesses, the applicant is aware that granting the special use does not guarantee them the ability to have video gaming machines.

TREND OF DEVELOPMENT:

The subject property is located within the Gateway Center Subdivision which is anchored by Walmart and developed with a mix of commercial, automobile, financial, medical and food establishments. There has been an increase in development activity within the subdivision recently with special uses being approved for a Taco Bell and an expanded Murphy Oil gas station.

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.

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 which includes a variety of land uses such as alcohol consumption and video gaming. Although this special use is the first one within the Gateway Center Subdivision, the property is

located in the Planned Business District where businesses that serve alcohol and have video gaming machines have developed. The location is within a multi-tenant commercial building that has a parking lot large enough to accommodate a variety of land uses.

- 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 shows the property and all adjacent properties as planned business. Food establishments, bars/taverns and arcades are considered appropriate uses in the planned business category. The planned business district encourages high quality indoor commercial, office and institutional land uses, with generous landscaping and limited signage.

- 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 planning staff is not aware of any negative issues that similar developments have caused to surrounding properties. The special use will be in compliance with the Comprehensive Plan; the site will be required to be in conformance with the requirements of the City of Belvidere's Zoning Ordinance.

Access to the property is from Gateway Center Drive that intersects with Genoa Road via a controlled intersection. Genoa Road, a primary arterial, acts as a buffer to noncommercial land uses.

- 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 establishment will add to the mix of land uses within the area. There is adequate parking and vehicle access to the property. 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.

2023-08; Rosati's, 1946 Gateway Center Drive

The subject property is developed with a multi-tenant building and is served with municipal utilities.

- F. **Findings:** The potential public benefit 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.

The nearest non-residential land uses are at a distance that provides an adequate buffer to a business that has later hours and entertainment factors. Although indoor commercial entertainment was a classification created by the adoption of the City's 2006 Zoning Ordinance, in 2013 the City ruled that the video gaming machines could also locate within the Planned Business District with a special use.

SUMMARY OF FINDINGS:

The requested special use is for indoor commercial entertainment which includes a variety of land uses such as alcohol consumption and video gaming. Although this special use is the first one within the Gateway Center Subdivision, the property is located in the Planned Business District where businesses that serve alcohol and have video gaming machines have developed. The location is within a multi-tenant commercial building that has a parking lot large enough to accommodate a variety of land uses.

The planning staff is not aware of any negative issues that similar developments have caused to surrounding properties. The special use will be in compliance with the Comprehensive Plan; the site will be required to be in conformance with the requirements of the City of Belvidere's Zoning Ordinance.

The establishment will add to the mix of land uses within the area. There is adequate parking and vehicle access to the property. The planning staff does not anticipate that this special use will deter development when previous businesses have not.

The nearest non-residential land uses are at a distance that provides an adequate buffer to a business that has later hours and entertainment factors. Although indoor commercial entertainment was a classification created by the adoption of the City's 2006 Zoning Ordinance, in 2013 the City ruled that the video gaming machines could also locate within the Planned Business District with a special use.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2023-08** for a special use at 1946 Gateway Center Drive subject to the following conditions:

1. The special use is only for the tenant space commonly known as 1946 Gateway Center Drive.
2. The video gaming area must be enclosed and only accessible through a designated entrance.
3. Open alcohol is prohibited outside the premises unless otherwise permitted.

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.

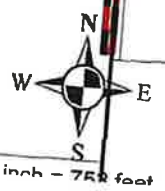
Review and Action by the City Council. The City Council shall consider the Planning and Zoning Commission's recommendation regarding the proposed special use. The City Council may approve or deny the special use as originally proposed, may approve the proposed special use with modifications or may remand 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, Teagan Duffy, January 18, 2023.
6. Letter submitted by the Boone County Health Department, Amanda Mehl, February 21, 2023.
7. E-mail submitted by the Boone County Fire Department, Mark Beck, March 1, 2023.



2023-08
Rosatis Pizza
1946 Gateway Center Dr



1 inch = 750 feet

E 4th St
E 5th St
5th St
JOHNSON CT
E 6th St
WILDROSE DR
FOX FIELD DR
UNNAMED
PADDOCK CT
DERBY LN
DERBY
NATIONAL SEWING AVE
BALTHAM MILLS DR
WAVINFIELD LN
E 6th St
FARMINGTON WAY
EWINFIELD LN
RIDGEFIELD DR
CLUMERDALE WAY
FAIRFIELD TRL
E FAIRFIELD DR
DANESFIELD DR
WESTFIELD LN
KRISTINE DR
20
GATEWAY CENTER DR
CHRYSEER DR
CRYSTAL PKWY
TRIPP DR
GENOARD
RAMP
90
190 RAMP
RAMP
190
T-40 RAMP
4

(GRANT HIGHWAY)

US ROUTE 20

US ROUTE 20

(GRANT HIGHWAY)

IDERE RD

GENOARD

CHRYSLER DR

5975

5995

5997

5952

2002

2056

2023-08
Rosatis Pizza
1946 Gateway Center Dr

CHRYSLER DR

GATEWAY CENTER DR

1922

1920

1916

1912

1900

(COUNTY HWY 4)

1901

City of Belvidere
401 Whitney Blvd #300
Belvidere, IL 61008

Re: Belvidere Pizza, Inc.
1946 Gateway Center Dr
Belvidere, IL 61008


To Whom It May Concern,

I am the 100% owner of Belvidere Pizza, Inc. (D/b/a Rosati's Belvidere), and I am writing to formally request a Special Use approval to add Video Gaming Terminals to my establishment. D/b/a Rosati's Belvidere is seeking approval to add up to six video gaming terminals exceeding no more than 500 square feet of the leased space. Rosati's Belvidere is seeking this Special Use as a means to combat rising food inflation prices and reduced foot traffic from local economic shifts. There would be no major structural changes to the building, the establishment Rosati's and its staff would comply with all local and state regulations as well as pay any subsequent fees related to the operation of video gaming terminals. Contingent on the Special use approval, Rosati's Belvidere will pursue a local liquor license, state liquor license, and the required Illinois Gaming Board approval to operate video gaming terminals.

We believe that our business is highly beneficial to the City of Belvidere, and we are committed to operating gaming in a very responsible and compliant manner, keeping with our overall business operations. We contribute very substantial sales tax to the City, support local charities and events, and truly enjoy and appreciate being part of Belvidere's vibrant business community. We greatly appreciate consideration and review of Rosati's Special Use application.

Thank you,

Sam Rosati
President
Belvidere Pizza, Inc.



**Boone County
Soil & Water
Conservation District**

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

18 January 2023

SWCD NRI #: 1722

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

Dear Sir/Madam,

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

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

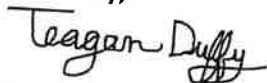
Location of Site: 1946 Gateway Drive Belvidere, IL 61008
PIN(S): 08-06-101-011

Contact	Petitioner	Owner
Sam Rosati 15109 Macintyre Lane Woodstock, IL 60098 (815) 341-5201 Sam@rosatis.com	Belvidere Pizza, Inc. 1946 Gateway Center Dr. Belvidere, IL 61008	Same as contact

Request: Indoor commercial entertainment

Notes, if any: By considering the current zoning, current land use, Geographical Information Systems maps, and requested special use permit, the Boone County Soil and Water Conservation District has determined that the proposed use will have no significant impact on the natural resources on the property or surrounding area.

Sincerely,



Teagan Duffy
Boone County Soil & Water
Conservation District



Public Health
Prevent. Promote. Protect.

Boone County Health Department

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

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

February 21, 2023

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

Email: gdelrose@ci.belvidere.il.us

Re: Case: 2023-08; Rosati's, 1946 Gateway Center Drive

Dear City of Belvidere,

We are in receipt of a special use request to permit indoor commercial entertainment which includes video gaming at 1946 Gateway Center Drive, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(4)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and approval Procedures) in the PB, Planned Business District on 2.89 acres. PIN: 08-06-101-011

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

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

Sincerely,

Amanda Mehl
Public Health Administrator
Boone County Health Department
AT

Gina Delrose

From: Mark Beck <mbeck@belviderefire.com>
Sent: Wednesday, March 1, 2023 1:57 PM
To: Gina Delrose
Subject: Re: case 2023-08

This message originated from an **External Source**. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

need to make sure extinguishers, exit signage and emergency lighting is functioning properly

Mark

On Fri, Feb 17, 2023 at 11:28 AM Gina Delrose <gdelrose@ci.belvidere.il.us> wrote:

Please see attached

Gina DelRose

Community Development Planner

City of Belvidere

401 Whitney Boulevard, 61008

(o) 815-547-7177

(f) 815-547-0789

Mark Beck
Belvidere Fire Department
Fire Station 1: (815) 544-2735

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

March 7, 2023

ADVISORY REPORT

CASE NO: 2023-10

APPLICANT: Maggio's Pizzeria, 132 N. State Street

REQUEST AND LOCATION:

The applicant, Maggio's Pizzeria, 132 N. State Street, Belvidere, IL on behalf of the property owner, Tyler Bauscher, 8510 Greenport Way, Rockford, IL 61108 is requesting a special use to permit indoor commercial entertainment which allows for a bar/tavern and video gaming at 132 N. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the CB, Central Business District on 0.05 acres. PIN: 05-26-433-019. The property is developed with a multi-tenant mixed-used building.

EXISTING LAND USE:

Subject property: Maggio's Pizzeria
North: Last Stop Roofing and Exteriors
South: Mixed-use Building
East: Mixed-use Buildings
West: Detached Garages

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:

The property is located in the downtown commercial district. It is part of a mixed-use building that currently houses Maggio's Pizzeria. Due to existing lot sizes, age and layout of the existing buildings as well as the intention to be pedestrian friendly, on-site parking is not required in the Central Business District. Patrons can utilize the on-street parking along North State Street or the nearby municipal parking lots.

The most common type of indoor commercial land uses in Belvidere are bars and video gaming machines. However, the indoor commercial land use also encompasses theaters, bowling alleys, arcades, roller rinks, pool halls and other uses that have late night operating hours. Most

2023-10; Maggio's Pizzeria, 132 N. State Street

of these additional land uses require a larger amount of square-footage to successfully operate, therefore, limiting the type of indoor commercial entertainment land uses that can occupy the commercial space. The applicant is requesting the special use so that they may include video gaming machines in their restaurant. There have been 3 other indoor commercial entertainment special uses approved within 350 feet of the property, however, only two of the locations are currently operating.

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 State limits the number of machines to six per establishment and every establishment must have a liquor license that allows for the pouring of alcohol (except for those that qualify as a truck stop). In 2013, Belvidere voted to allow video gaming and in 2020, the City Council voted to increase the limit on the number of gaming establishments from 30 to 40. Currently 38 of the 40 available licenses have been issued. Although the special use for indoor commercial entertainment allows for various businesses, the applicant is aware that granting the special use does not guarantee them the ability to have video gaming machines.

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 alcohol sales and potentially video gaming machines to operate on the property in addition to the current pizzeria. 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 property is surrounded by eateries, offices, apartments, retail, an event center (The Apollo) and bars. The addition of a bar and arcade will not negatively impact these land uses. It will allow a local business to expand their offerings in order to increase patronage.

- 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. Bars and arcades are 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 North State Street and Municipal Lot 7. The property has been a pizzeria for decades; staff is not aware of any traffic nuisances created by the subject property or adjacent businesses.

The property is within the Downtown Overlay District which regulates exterior features of buildings such as signage, windows, doors, etc. The regulations of the Downtown Overlay District ensure that changes made to the building will be kept in line with the character of the neighborhood.

- 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 outweigh any and all potential adverse impacts of the proposed special use after taking into

2023-10; Maggio's Pizzeria, 132 N. State Street

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, it will allow for expanded services to the existing pizzeria. This allows for a wider demographic of people to be served in the downtown area. The neighborhood is a mix of residential, commercial, office 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 alcohol sales and potentially video gaming machines to operate on the property in addition to the current pizzeria. 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 property is served by on-street parking along North State Street and Municipal Lot 7 and is surrounded by eateries, offices, apartments, retail, an event center (The Apollo) and bars. The addition of a bar and arcade will not negatively impact these land uses. It will allow a local business to expand their offerings in order to increase patronage.

The property is within the Downtown Overlay District which regulates exterior features of buildings such as signage, windows, doors, etc. The regulations of the Downtown Overlay District ensure that changes made to the building will be kept in line with the character of the neighborhood.

Although the applicant is requesting a special use to operate a business that is similar to others in the downtown area, it will allow for expanded services to the existing pizzeria. This allows for a wider demographic of people to be served in the downtown area. The neighborhood is a mix of residential, commercial, office and entertainment so the special use should not alter the neighborhood or create an undue burden.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2023-10** for a special use at 132 N. State Street subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. Compliance with all other codes and ordinances.

Submitted by:


Gina DelRose
Community Development Planner

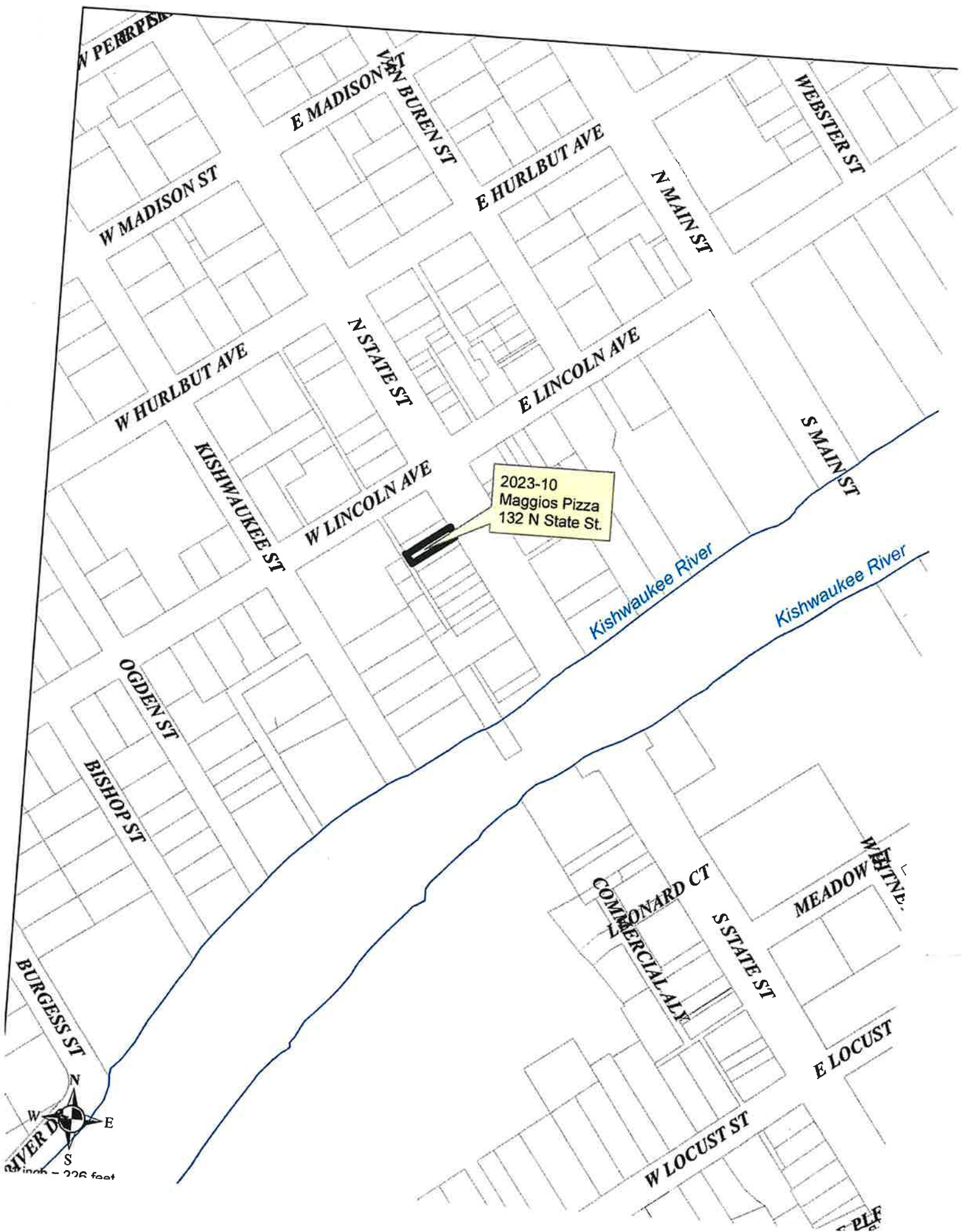
Review and Recommendation by the Planning and Zoning Commission. The Planning and Zoning Commission shall review the application, adopt findings of fact, and make a recommendation to the City Council.

2023-10; Maggio's Pizzeria, 132 N. State Street

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, Teagan Duffy, February 15, 2023.
6. Letter submitted by the Boone County Health Department, Amanda Mehl, February 21, 2023.
7. E-mail from the Belvidere Fire Department, Mark Beck, March 1, 2023.

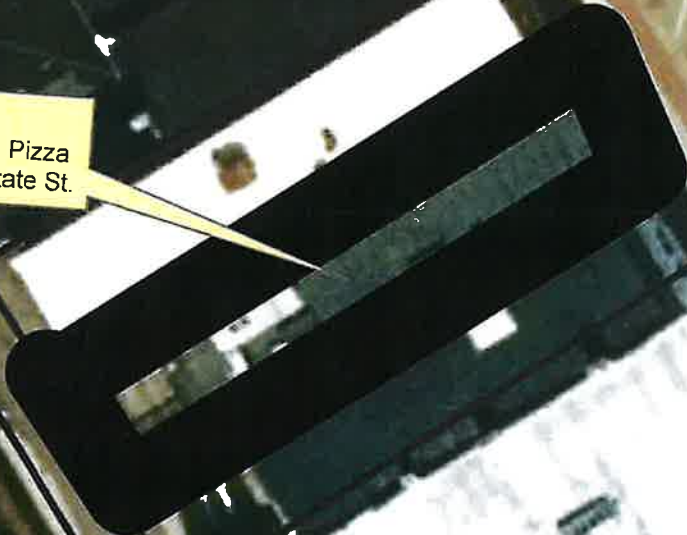


2023-10
Maggios Pizza
132 N State St.



N STATE ST

2023-10
Maggios Pizza
132 N State St.



To whom it may concern at the City of Belvidere Community Development,

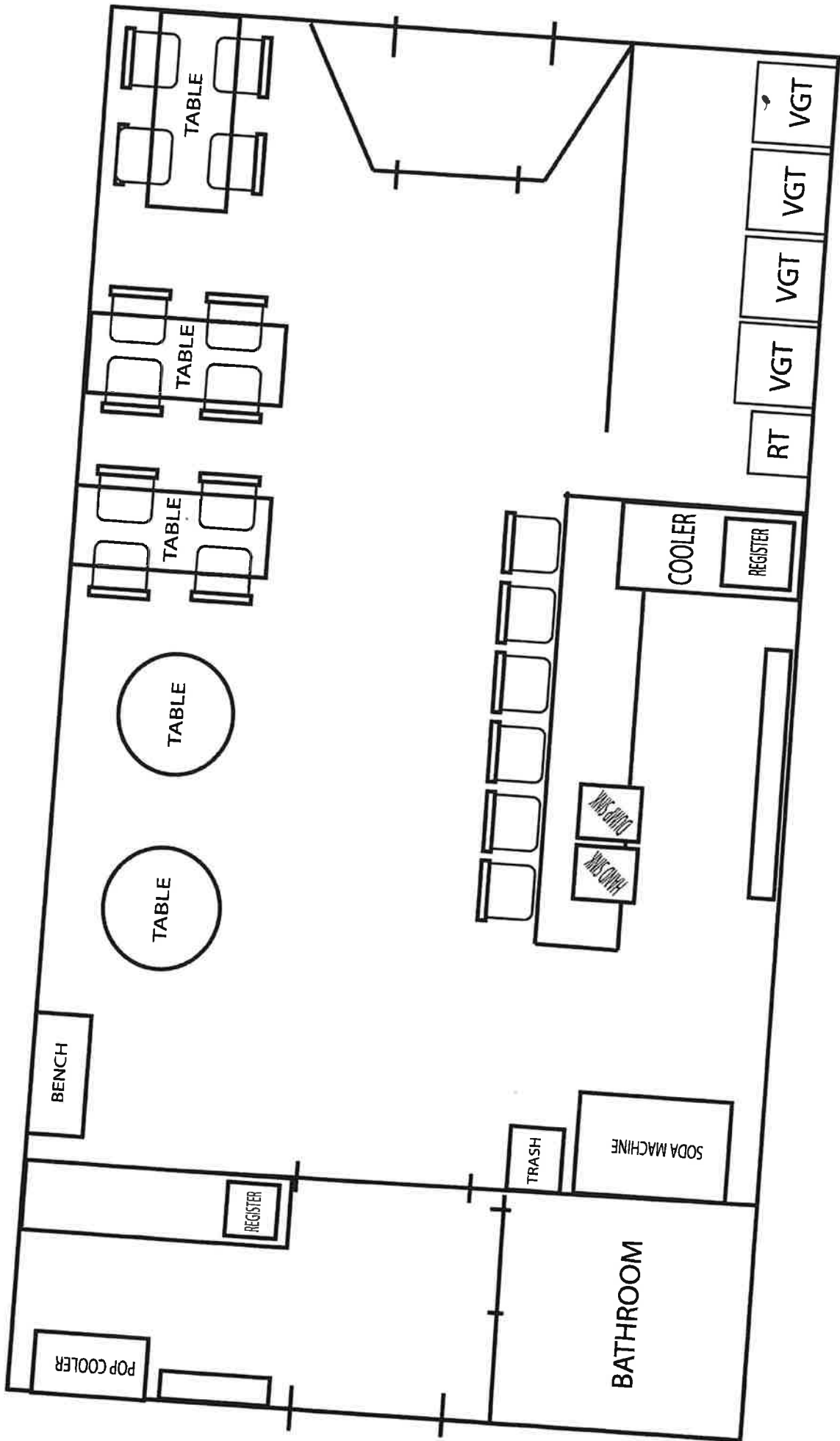
As followed in detail by this letter, Maggio's Pizzeria located at 132 N. State St, Belvidere, IL is requesting a special use permit to add a designated Video Gaming section to the dining area of its restaurant.

Attached with this document is a .png file that contains the floor plans to add four (4) Video Gaming Terminals and one (1) Redemption Terminal. Maggio's Pizzeria's hours and business operations will remain unchanged. Currently Maggio's Pizzeria's hours of operation are as follows; Monday-Thursday 4pm-9pm, Friday & Saturday 3pm-10pm, and Sunday 3pm-9pm.

The designated gaming area as seen in the attached .png file with this document will be located in the South-East corner of the restaurants dining area, to patrons left when entering the restaurant. The gaming area will be partitioned off by a belt stanchion to keep underage patrons outside of the designated space.

The purpose of this request to add a designated Video Gaming section to the restaurant, follows multiple and common requests by patrons for video gaming inside of the restaurant as well as to compliment the Apollo Theatre Pre-Show Parties that are held at Maggio's Pizzeria. Adding video gaming to the restaurant will prove to be an integral part of the businesses income in order to maintain positive cash flow to remain open during the current business hours of operation.

RE: Maggio's Pizzeria
132 N. State St. Belvidere, IL.





**Boone County
Soil & Water
Conservation District**

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

15 February 2023

SWCD NRI #: 1725

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

Dear Sir/Madam,

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

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

Location of Site: 132 N. State St. Belvidere, IL 61008
PIN(S): 05-26-433-019

Contact	Petitioner	Owner
Tyler Bauscher 132 N. State St. Belvidere, IL 61008 815-275-7137 tybauscher@gmail.com	Same	Same

Request: Special use for gaming

Notes, if any: By considering the current zoning, current land use, Geographical Information Systems maps, and requested special use permit, the Boone County Soil and Water Conservation District has determined that the proposed use will have no significant impact on the natural resources on the property or surrounding area.

Sincerely,

Teagan Duffy

Teagan Duffy
Boone County Soil & Water
Conservation District



Public Health
Prevent. Promote. Protect.

Boone County Health Department

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

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

February 21, 2023

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

Email: gdelrose@ci.belvidere.il.us

Re: Case: 2023-10; Maggio's Pizzeria, 132 North State Street

Dear City of Belvidere,

We are in receipt of a special use request to permit indoor commercial entertainment which allows for a bar/tavern and video gaming at 132 N. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and approval Procedures) in the CB, Central Business District on 0.05 acres. PIN: 05-26-433-019

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

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

Sincerely,

Amanda Mehl
Public Health Administrator
Boone County Health Department
AT

Gina Delrose

From: Mark Beck <mbeck@belviderefire.com>
Sent: Wednesday, March 1, 2023 2:09 PM
To: Gina Delrose
Subject: Re: request for comments- maggio's

This message originated from an **External Source**. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Exit signage, Emergency Lighting, fire extinguishers, ensure kitchen is to proper code.

Mark

On Mon, Feb 20, 2023 at 12:37 PM Gina Delrose <gdelrose@ci.belvidere.il.us> wrote:

Please see attached

Gina DelRose

Community Development Planner

City of Belvidere

401 Whitney Boulevard, 61008

(o) 815-547-7177

(f) 815-547-0789

Mark Beck
Belvidere Fire Department
Fire Station 1: (815) 544-2735

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

March 8, 2023

ADVISORY REPORT

CASE NO: 2023-11

APPLICANT: Gunsteen, 1125 N. State Street

REQUEST AND LOCATION:

The applicant, Gunsteen Car Wash c/o Daniel Gunsteen, 651 S. Sutton Road, Ste 305, Streamwood, IL 60107 on behalf of the property owner, DM Enterprises of 651 S. Sutton Road, Ste 305, Streamwood, IL 60107 for a special use to permit in-vehicle sales or service and a special use to permit indoor commercial entertainment. Specifically, a car wash with accessory retail sales with the potential for a restaurant, bar and video gaming at 1125 N. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2) In-vehicle sales or service; 150.105(C)(5)(B)(2) Indoor Commercial Entertainment and 150.904 Special use Review and Approval Procedures) in the GB, General Business District on approximately 1.2 acres. PIN: 05-26-127-011. The property is irregular in shape and developed with a parking lot.

EXISTING LAND USE ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: Vacant

Adjacent property:

North: Storage for Boone County Government

South: KFC Restaurant and Anticipated Liquor Store

West: Little Caesars Restaurant

East: Multi-tenant Commercial Building

ZONING ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: GB, General Business District

All Adjacent properties: GB, General Business District

COMPREHENSIVE PLAN:

Subject property: General Business

All Adjacent properties: General Business

BACKGROUND:

The Zoning Ordinance requires properties that are zoned General Business to be a minimum of 20,000 square feet and a lot width of 100 feet at the building line. The subject property is part of the Dixon Commercial Subdivision which was platted in 2017, is 53,400 square feet and has a lot width in excess of 100 feet.

The property was previously developed with a two-story stone residence which was moved in order to allow for the construction of a Shell gas station in 1968. In 1980 the gas station was replaced with a restaurant which later became a bar. Eventually all buildings were removed and the property became additional parking for Belvidere Motors which was located to the north. Belvidere Motors opened in 1989 and had replaced a grocery store that was open since 1965.

On February 3, 2020 the Belvidere City Council approved Ordinance 482H granting the applicant a special use for the car wash development. Extensions for the start of the special use were granted in 2021 and 2022. In 2023, the applicant reapplied for the special use to allow a car wash (in-vehicle sales and service) and also requested a special use for indoor commercial entertainment to allow for alcohol sales and video gaming in the end unit of the car wash that was originally anticipated to be automotive related retail sales.

In 2018, there were two special uses approved for automatic car washes on the south end of Belvidere. One is located on Logan Avenue and the other along Grant Highway adjacent to the Speedway gas station. Belvidere has a mix of self-serve, automatic and full-service car washes spread throughout the city limits.

The applicant is proposing to construct an automatic car wash with its primary entrance off of North State Street and a secondary entrance off of Fairgrounds Road. In addition to the car wash, there will be outdoor vacuum stations and a commercial area within the building that could be used for retail, food, video gaming, etc. (see attached narrative and site plan). It is anticipated that approximately 200 cars will utilize the car wash per day. Additional traffic could be generated for the commercial sales portion of the building. There is adequate parking to serve both the car wash patrons and the indoor commercial entertainment patrons.

There have been 3 other indoor commercial entertainment special uses approved within 350 feet of the property, however, only two of the locations are currently operating.

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 State limits the number of machines to six per establishment and every establishment must have a liquor license that allows for the pouring of alcohol (except for those that qualify as a truck stop). In 2013, Belvidere voted to allow video gaming and in 2020, the City Council voted to increase the limit on the number of gaming establishments from 30 to 40. Currently 38 of the 40 available licenses have been issued. Although the special use for indoor commercial entertainment allows for various types of businesses, the applicant is aware that granting the special use does not guarantee them the ability to have video gaming machines.

TREND OF DEVELOPMENT:

The property is located at the corner of North State Street and Fairgrounds Road. The most recent redevelopment to occur in the area is the former Family Video store into a grocery delivery service and ultimately a liquor store.

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.

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.

Car washes and other vehicle-orientated businesses are commonly found along North State Street. The site plan reduces potential negative impacts by requiring vehicles to drive through a parking area prior to exiting the parking lot, allowing for any water to collect in the parking area instead of onto North State Street.

North State Street is comprised of several indoor commercial entertainment land uses and even more restaurants. The property is located at an intersection involving roads that become state routes, lending to its appeal as a site for commercial development for those already traveling past (car wash) and for those traveling to a specific destination (indoor commercial entertainment).

- 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, Section 150.904 of the Belvidere Zoning Ordinance and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.

The Comprehensive Plan shows the property and the surrounding areas as General Business. The general business category calls for indoor commercial, office, institutional, and controlled outdoor display land uses, with moderate landscaping and signage. The proposed car wash and indoor commercial entertainment land uses meet the intent of the Comprehensive Plan.

- 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 proposed car wash is expected to service approximately 200 vehicles a day. Some of those patrons will also frequent the restaurant with bar and video gaming in addition to those traveling to the site just for the restaurant with bar and video gaming.

Not all the vehicles served will be traveling on North State Street and Fairgrounds Road for the sole purpose of patronizing the subject property. Vehicle-orientated businesses often draw from the existing traffic.

According to the Illinois Department of Transportation's 2018 traffic counts there are 9,700 vehicles that travel along the adjacent portion of North State Street daily and 4,900 vehicles that travel along the adjacent portion of Fairgrounds Road (Illinois Route 76) daily.

Although the property has been vacant for some time, it has been gas station, a restaurant and a bar previously. Like many properties along North State Street, it has been redeveloped several times.

- 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 existing Little Caesars and the proposed car wash will block access of the old Belvidere Motors building from North State Street. When that property redevelops, it will have to be orientated towards Fairgrounds Road which provides access to several non-residential properties as well as a connection to US Route 20.

The proposed car wash and restaurant with bar and video gaming also has access from Fairgrounds Road to not only lessen the burden of traffic on North State Street but to take advantage of the cars traveling from north of Belvidere (where commercial businesses are limited) along Fairgrounds Roads.

- 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 part of a platted subdivision in which adjacent lots are developed and served with municipal utilities. Extension of the existing utilities to serve the proposed development is required.

- F. Findings:** The potential public benefits of the proposed special use 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.

Other than limited noise, staff is not aware of any negative impacts the other car washes have generated and staff is not aware of any negative impacts indoor commercial entertainment land uses have generated. Between the amount of traffic traveling along North State Street and Fairgrounds Road in addition to vehicles idling at the numerous gas stations and drive-through restaurants in the area, staff does not anticipate a significant increase to the existing noise and traffic levels in the area.

SUMMARY OF FINDINGS:

Car washes and other vehicle-orientated businesses are commonly found along North State Street. The site plan reduces potential negative impacts by requiring vehicles to drive through a parking area prior to exiting the parking lot, allowing for any water to collect in the parking area instead of onto North State Street.

2023-11; Gunsteen, 1125 N. State Street

North State Street is comprised of several indoor commercial entertainment land uses and even more restaurants. The property is located at an intersection involving roads that become state routes, lending to its appeal as a site for commercial development for those already traveling past (car wash) and for those traveling to a specific destination (indoor commercial entertainment).

The proposed car wash is expected to service approximately 200 vehicles a day. Some of those patrons will also frequent the restaurant with bar and video gaming in addition to those traveling to the site just for the restaurant with bar and video gaming. According to the Illinois Department of Transportation's 2018 traffic counts there are 9,700 vehicles that travel along the adjacent portion of North State Street daily and 4,900 vehicles that travel along the adjacent portion of Fairgrounds Road (Illinois Route 76) daily.

The existing Little Caesars and the proposed car wash will block access of the old Belvidere Motors building from North State Street. When that property redevelops, it will have to be orientated towards Fairgrounds Road which provides access to several non-residential properties as well as a connection to US Route 20. The proposed car wash and restaurant with bar and video gaming also has access from Fairgrounds Road to not only lessen the burden of traffic on North State Street but to take advantage of the cars traveling from north of Belvidere (where commercial businesses are limited) along Fairgrounds Roads.

Although the property has been vacant for some time, it has been gas station, a restaurant and a bar previously. Like many properties along North State Street, it has been redeveloped several times. Other than limited noise, staff is not aware of any negative impacts the other car washes have generated and staff is not aware of any negative impacts indoor commercial entertainment land uses have generated. Between the amount of traffic traveling along North State Street and Fairgrounds Road in addition to vehicles idling at the numerous gas stations and drive-through restaurants in the area, staff does not anticipate a significant increase to the existing noise and traffic levels in the area.

RECOMMENDATION:

Planning staff recommends the **approval** of case number **2023-11** subject to the following conditions:

1. Substantial compliance with the site plan dated 10/2020 and the building elevations 2/17/2023.
2. A full site plan shall be submitted to and approved by the staff (building, public works, fire, planning, etc.) prior to the issuance of building permits.
3. A stormwater drainage plan and calculations will need to be provided to the Public Works Department supporting the decrease in impervious area of the new development from the existing conditions.

Submitted by:

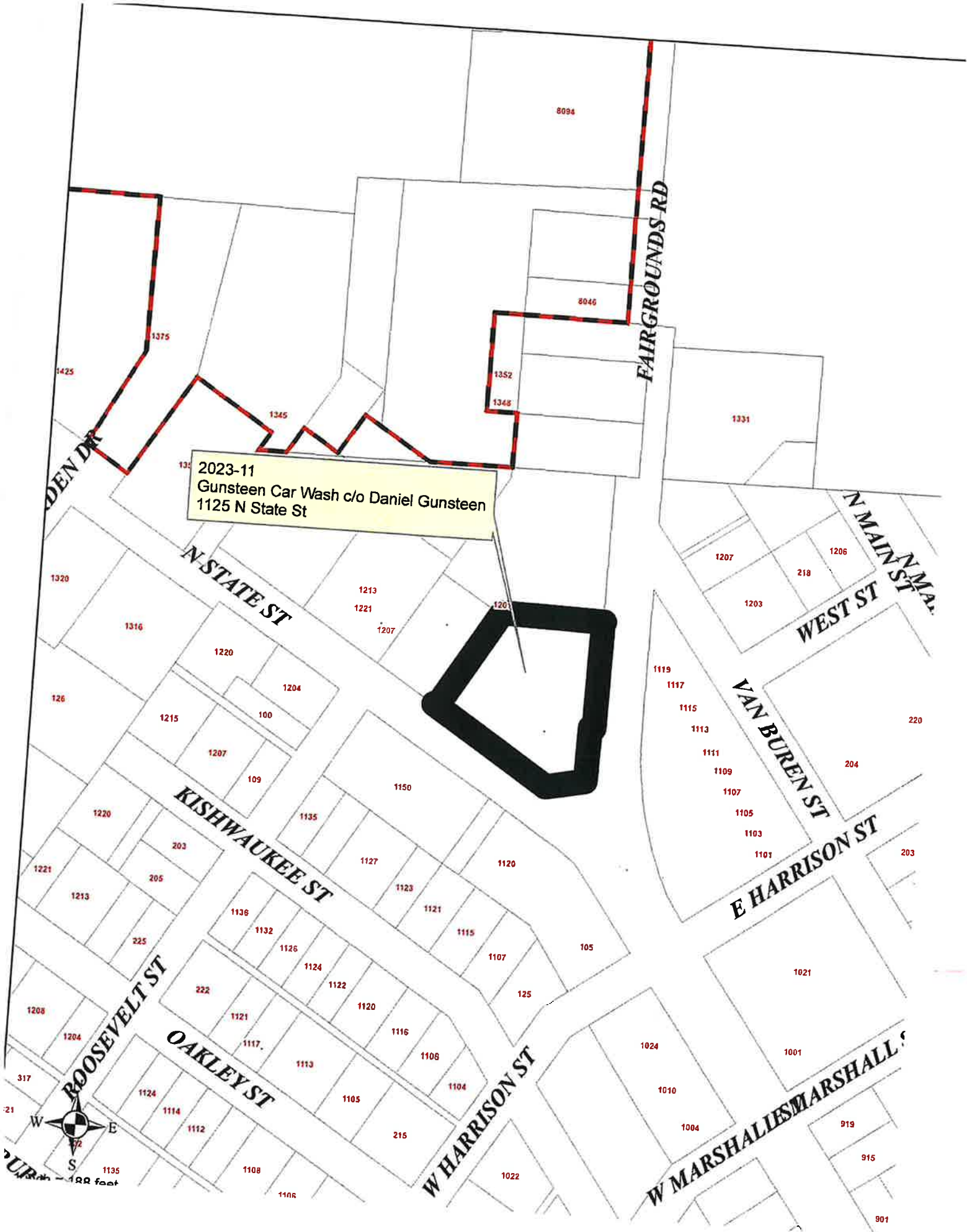

Giha DelRose,
Community Development Planner

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.

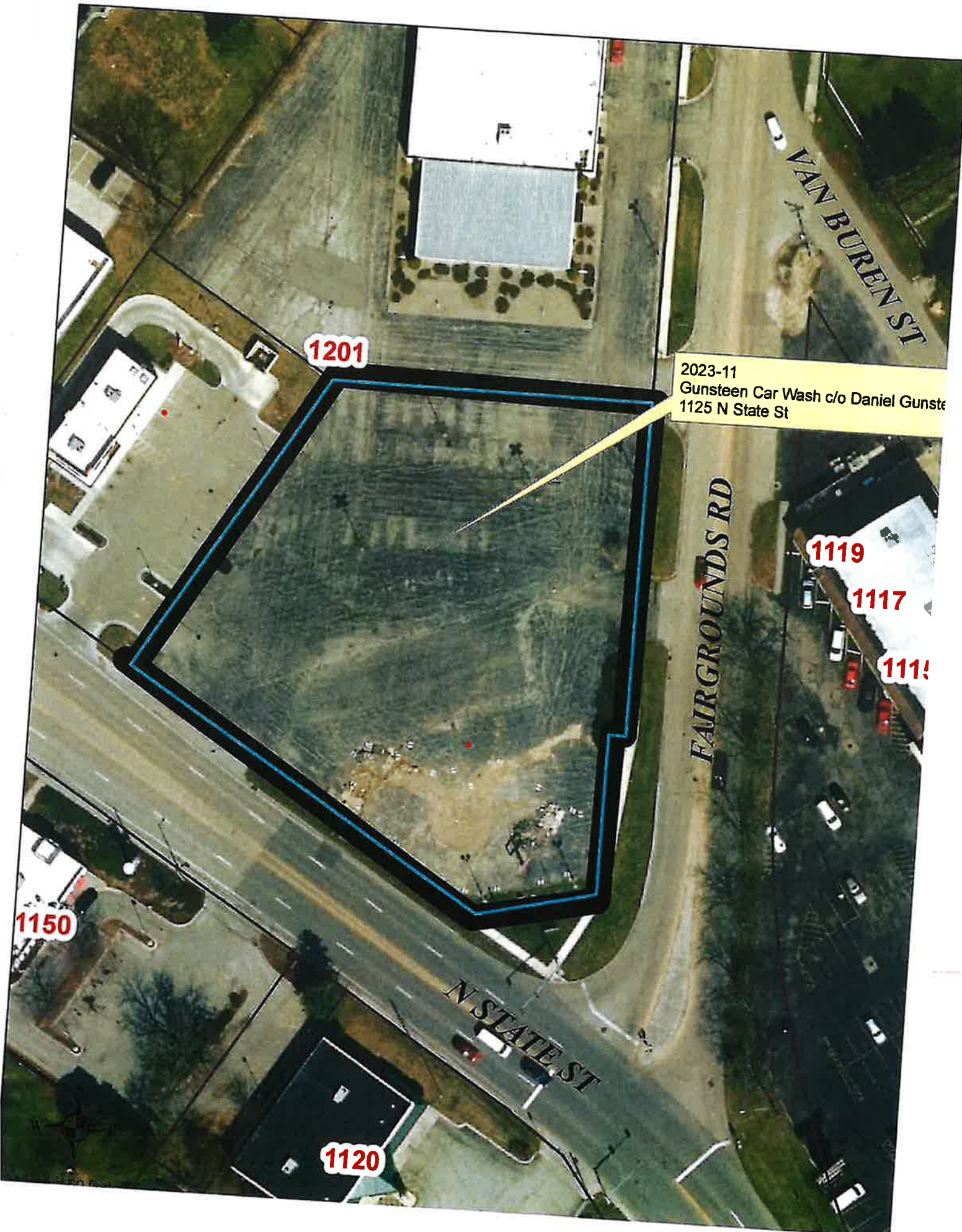
ATTACHMENTS:

1. Location Map by Planning Staff.
2. Aerial Photo by Planning Staff.
3. Narrative as Submitted by the Applicant.
4. Site Plan Submitted by the Applicant.
5. Elevations Submitted by the Applicant.
6. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, December 22, 2019.
7. Letter submitted by the Boone County Health Department, Amanda Mehl, February 21, 2023.
8. Letter submitted by the Belvidere Public Works Department, Brent Anderson, February 22, 2023.
9. E-mail sent by the Belvidere Fire Department, Mark Beck, March 1, 2023.



2023-11
Gunsteen Car Wash c/o Daniel Gunsteen
1125 N State St





1201

2023-11
Gunsteen Car Wash c/o Daniel Gunste
1125 N State St

1119

1117

1115

1150

1120

VAN BUREN ST

FAIRGROUNDS RD

N STATE ST

Exhibit - Zoning Application

To: City of Belvidere – Community Development Dept.
From: Arc Design Resources, Inc./ Extreme Clean Car Wash (Dan Gunsteen)
Date: December 10, 2019
Re: Special Use Narrative

Introduction: The property at the corner of N State Street and Fairgrounds Road has been largely vacant for several years and has become an eyesore on the North State Street business corridor. The entire proposed development lot is an existing and deteriorating asphalt parking lot from a former car auto sales lot that is now vacant. This application is in support of the proposed use on the property into an automated, express drive-through car wash facility. The goal of this supporting documentation is to provide the City with the necessary information for a positive recommendation for council approval. In summary, the development will be a compatible use to other businesses in the commercial corridor, please note the following narrative:

Proposed Use: The enclosed application is for a special use permit and certain minor variances in support of an express car wash within a GB-General Business district. The express wash model is replacing old "self-serve" style carwashes as consumer trends move toward more automated service. The express wash model serves a clientele base that does not necessarily desire the typical service at a "full serve" car wash and also demands a lower price point. The express wash concept is an improvement over typical gas station car washes because they use a more advanced pulley system that allows for a much greater processing rate, reducing the waiting time for customers. Arc Design Resources has been retained by the car wash owner, Mr. Dan Gunsteen of Extreme Clean Car Wash (MKD Enterprises) for this project. Mr. Gunsteen owns several other new facilities of this type, and is interested in expanding their market into this community. The proposed project will create new infill development desired within the City and will be an improvement over the old and broken asphalt parking lot that exists today. Other key features of the proposed project are as follows:

Construction: Mr. Gunsteen is an electrical contractor by trade, he has acted as his own general contractor on his previous sites and has always completed our projects using union labor. In Belvidere, they will use as many local contractors as possible. Typically, his sites have generated 30+ temporary positions in the construction of this site. The construction projects typically last around 90-100 days.

Materials: The building will have a masonry finish on all four sides. The exposed roof will be a standing seam metal roof. The trash enclosure area is made of similar materials.

Employees: The project will retain 3-6 people on staff every day, depending on demand, and the total payroll will employ 15-20 local full and part time employees. The desire is to hire all the staff from a 5-6-mile radius of the facility, in order to be able to call in additional help if needed. One of the workers on staff is solely dedicated to site maintenance and customer assistance.

Hours of Operation: The project intends to be open from 7am to 9pm daily. It is not a 24-hour facility.

Other Site Features: The site will have complimentary (free) vacuum stations. All vacuum equipment is located inside the building so that only the hose ends are exposed to the environment. A vending room is located inside the front of the building. A unique feature of this site is that it will also contain an indoor pet wash station. Patrons can come to the location with their dog or cat and use this facility for a pet wash.

ARC DESIGN

RESOURCES INC.

CIVIL ENGINEERING
LAND SURVEYING
5291 Zenith Parkway
Loves Park, IL 61111
815-484-4300 p
815-484-4303 f

Lighting: On the east side of the building we will not place any wall pack lighting other than an emergency egress door that will be direct down. Since Mr. Gunsteen is an electrical contractor, he will utilize quality LED lighting, which will be full cut off light so they will not impact the apartments and will comply with the City of Belvidere's requirements.

Sound: Sound concerns have been raised on past projects. The buildings have been redesigned to incorporate the vacuum motors, and the facility's indoor equipment. Speed doors are also used at the entry and exit points of the building, which cuts off equipment sound and these doors open after the car is dry. The site will be posted with "no loud music" signs and will be enforced aggressively since there are always 3 to 6 workers on site.

Security: Mr. Gunsteen has instituted elaborate measures to ensure their places are secure and safe even during after-hours to prevent loitering. All sites are set up with 36 cameras that are monitored remotely by the owner on his PC and phone, as well as the security company. The cameras are always recording. They also have a traditional security system in place that is tied to the local police station.

Screening and Landscaping: The building will be set back from the east property line to meet or exceed the zoning requirement. The site will provide landscaping to follow the ordinance for foundation, building area, total paved area and street frontage.

Traffic and Access: Mr. Gunsteen is estimating 200 washes per day as a desirable sales goal. The existing access on N State Street will be maintained and modified to accommodate the business site. The site access on Fairgrounds Road will also be maintained and modified. The existing recently upgraded sidewalk will also remain and provide pedestrian access to the site.

Storm water Impacts: The existing (former) auto dealer property has no detention and is nearly all paved surface. The new development will decrease the amount of paved surface.

Signage: Signage will conform to the code. Building signs will be on the south (facing N State St) and on the East.

ARC DESIGN

RESOURCES INC.

CIVIL ENGINEERING
LAND SURVEYING
5291 Zenith Parkway
Loves Park, IL 61111
815-484-4300 p
815-484-4301 f

Exhibit - Zoning Application

To: City of Belvidere - Community Development Dept.
From: Arc Design Resources, Inc./ Extreme Clean Car Wash (Dan Gunsteen)
Date: FEB 17 TH 2023
Re: Special Use Narrative

Introduction: The property at the corner of N State Street and Fairgrounds Road has been largely vacant for several years and has become an eyesore on the North State Street business corridor. The entire proposed development lot is an existing and deteriorating asphalt parking lot from a former car auto sales lot that is now vacant. This application is in support of the proposed use on the property into an automated, express drive-through car wash facility. The goal of this supporting documentation is to provide the City with the necessary information for a positive recommendation for council approval. In summary, the development will be a compatible use to other businesses in the commercial corridor, please note the following narrative:

Proposed Use: The enclosed application is for a special use permit and certain minor variances in support of an express car wash within a GB-General Business district. The express wash model is replacing old "self-serve" style carwashes as consumer trends move toward more automated service. The express wash model serves a clientele base that does not necessarily desire the typical service at a "full serve" car wash and also demands a lower price point. The express wash concept is an improvement over typical gas station car washes because they use a more advanced pulley system that allows for a much greater processing rate, reducing the waiting time for customers. Arc Design Resources has been retained by the car wash owner, Mr. Dan Gunsteen of Extreme Clean Car Wash (MKD Enterprises) for this project. Mr. Gunsteen owns several other new facilities of this type, and is interested in expanding their market into this community. The proposed project will create new infill development desired within the City and will be an improvement over the old and broken asphalt parking lot that exists today. Other key features of the proposed project are as follows:

Construction: Mr. Gunsteen is an electrical contractor by trade, he has acted as his own general contractor on his previous sites and has always completed our projects using union labor. In Belvidere, they will use as many local contractors as possible. Typically, his sites have generated 30+ temporary positions in the construction of this site. The construction projects typically last around 90-100 days.

Materials: The building will have a masonry finish on all four sides. The exposed roof will be a standing seam metal roof. The trash enclosure area is made of similar materials.

Employees: The project will retain 3-6 people on staff every day, depending on demand, and the total payroll will employ 15-20 local full and part time employees. The desire is to hire all the staff from a 5-6-mile radius of the facility, in order to be able to call in additional help if needed. One of the workers on staff is solely dedicated to site maintenance and customer assistance.

Hours of Operation: The project intends to be open from 7am to 9pm daily. It is not a 24-hour facility.

Other Site Features: The site will have complimentary (free) vacuum stations. All vacuum equipment is located inside the building so that only the hose ends are exposed to the environment. A vending room is located inside the front of the building. A unique feature of this site is that it will also contain an indoor pet wash station. Patrons can come to the location with their dog or cat and use this facility for a pet wash.

ARC DESIGN

RESOURCES INC.

CIVIL ENGINEERING
LAND SURVEYING
5291 Zanith Parkway
Loves Park, IL 61111
815-484-4300 p
815-484-4303 f

Lighting: On the east side of the building we will not place any wall pack lighting other than an emergency egress door that will be direct down. Since Mr. Gunsteen is an electrical contractor, he will utilize quality LED lighting, which will be full cut off light so they will not impact the apartments and will comply with the City of Belvidere's requirements.

Sound: Sound concerns have been raised on past projects. The buildings have been redesigned to incorporate the vacuum motors, and the facility's indoor equipment. Speed doors are also used at the entry and exit points of the building, which cuts off equipment sound and these doors open after the car is dry. The site will be posted with "no loud music" signs and will be enforced aggressively since there are always 3 to 6 workers on site.

Security: Mr. Gunsteen has instituted elaborate measures to ensure their places are secure and safe even during after-hours to prevent loitering. All sites are set up with 36 cameras that are monitored remotely by the owner on his PC and phone, as well as the security company. The cameras are always recording. They also have a traditional security system in place that is tied to the local police station.

Screening and Landscaping: The building will be set back from the east property line to meet or exceed the zoning requirement. The site will provide landscaping to follow the ordinance for foundation, building area, total paved area and street frontage.

Traffic and Access: Mr. Gunsteen is estimating 200 washes per day as a desirable sales goal. The existing access on N State Street will be maintained and modified to accommodate the business site. The site access on Fairgrounds Road will also be maintained and modified. The existing recently upgraded sidewalk will also remain and provide pedestrian access to the site.

Storm water Impacts: The existing (former) auto dealer property has no detention and is nearly all paved surface. The new development will decrease the amount of paved surface.

Signage: Signage will conform to the code. Building signs will be on the south (facing N State St) and on the East.

Extreme clean carwash – Belvidere IL

State St and Fairgrounds Road

We are applying for a Special use to a site that was previously approved for a carwash, I Am the same owner and basically replying for this use. Everything from the original narrative has remained the same (Attached)

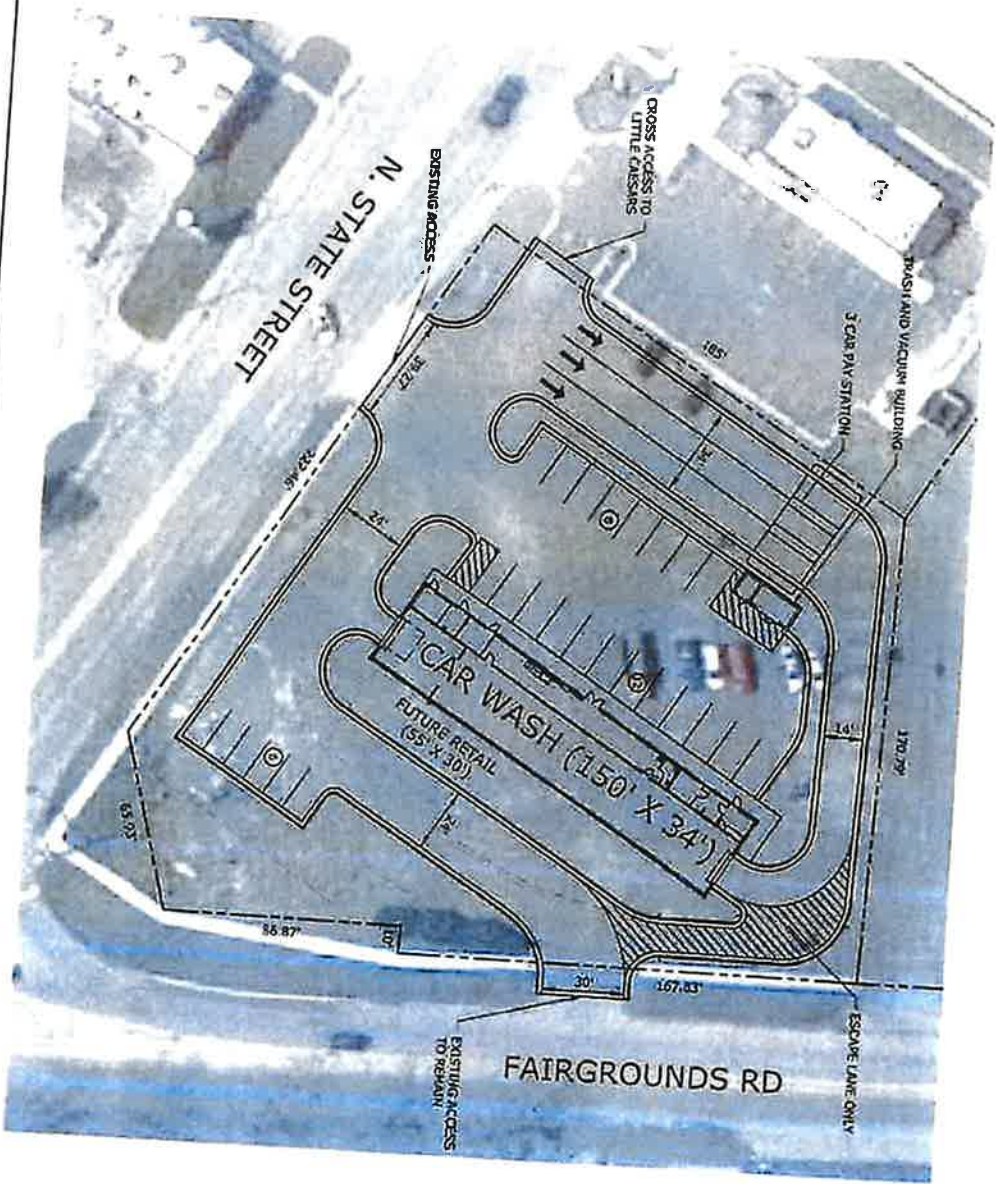
It is our intentions to construct this carwash in the summer of 2023. We have not made any modification to the site or the building based off the previous approval

When we designed this we had it laid the site out to accommodate a 1800-2000 square foot retail building adjacent to the east side of the carwash building. We originally had additional parking in place for this. At this time, we have not determined if we are going to construct this at the same time. We are working to finalize this as a Carwash SUP and be able to add Restaurant and Gaming facility when the retail is built. In the event this retail moves forward we would have some slight elevation changes and minor Curb changes to accommodate this retail use. To make this work we are requesting video gaming land use added to this approval. We will also have adequate parking and trash enclosures to accommodate this.

Thank you

Dan Gunsteen





ALR DESIGN
 RESOURCES, INC.

2071 ZENITH PARKWAY
 WOOD RIFLE, CO 81156
 PHONE: (970) 864-4444
 FAX: (970) 864-4422

www.alrdesign.com, 14301324
 Design: [Name], License No. 14301324

PROJECT NAME
 OWNER'S NAME

**EXTREME
 CLEAN CAR
 WASH**

1125 N. STATE ST
 BELVIDERE, IL 61008



SHEET TITLE

LAYOUT PLAN

PROJECT NUMBER
 SHEET NUMBER

19171
 EX 1

02/20/20



AQUATIC \ CIVIL \ MECHANICAL \ ELECTRICAL \ PLUMBING \ TELECOMMUNICATION \ STRUCTURAL \ ACCESSIBILITY CONSULTING DESIGN & PROGRAM MANAGEMENT \ LAND SURVEYING

EXTREME CLEAN S3 CARWASH EXPRESS
 NEW TUNNEL CARWASH
 1125 NORTH STATE STREET
 BELVIDERE, ILLINOIS 61008



WT GROUP
 Engineering with Precision. Faith and Passion.
 2012 Pulaski Avenue, Suite 1000, St. Louis, MO 63114
 P: 314.481.8333 | F: 314.291.2600
 www.wtgroup.com
 A member of the HOK Group. Since 1968, WT Group has been a leader in the industry.

GT001
 11/15/11



211 N. Appleton Road
Belvidere, IL 61008
815-544-2677 x3

22 December 2019

SWCD NRI #: 1633

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

Dear Sir/Madam,

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

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

Location of Site: 1125 N. State Street, Dixon Commercial Subdivision
PIN(S): 05-26-127-011

Contact	Petitioner	Owner
Jeff Linkenheld 5291 Zenith Parkway Loves Park, IL 61111 815-484-4300 jlinkenheld@arcdesign.com	Jeff Linkenheld 5291 Zenith Parkway Loves Park, IL 61111 815-484-4300 jlinkenheld@arcdesign.com	Daniel Gunsteen 651 S. Sutton Road, Suite 305 Streamwood, IL 60107 630-688-5843 dhgunsteen@gmail.com

Request: Special Use for carwash

Notes:

It appears the construction of the car wash facility will disturb less than one acre, with approximately 1.19 acres of pavement/impervious surface and approximately 0.03 acres of landscaping/green space. Additionally, it appears more green space will be created compared to the existent vacant lot. If disturbance is greater than one acre in size, a National Pollutant Discharge Elimination System (NPDES) Permit will be needed from the Illinois Environmental Protection Agency (IEPA), which covers discharges of storm water from construction sites. Although, it appears the development project is less than an acre in size, an erosion and sediment control plan shall be created and available for review, prior to development. At time of building permit review, an erosion and sediment control plan, in compliance with section 151.45, Erosion and Sediment Control Requirements of the Belvidere Municipal Code, will be required.

Sincerely,

Jennifer Becker
Boone County Soil & Water
Conservation District

Re: Jeff Linkenheld



Public Health
Prevent. Promote. Protect.

Boone County Health Department

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

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

February 21, 2023

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

Email: gdelrose@ci.belvidere.il.us

Re: Case: 2023-11; Gunsteen, 1125 N State Street

Dear City of Belvidere,

We are in receipt of a copy of a special use to permit in-vehicle sales or service and a special use to permit indoor commercial entertainment. Specifically, a car wash with accessory retail sales with the potential for a restaurant, bar and video gaming at 1125 N State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2) In-vehicle sales or service; 150.105(C)(5)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the GB, General Business District on approximately 1.2 acres. PIN: 05-26-127-011.

If prepared or temperature controlled foods are served, prior to operation of the establishment a to-scale plan and a food application must be submitted to the Boone County 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 food store 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.

RE: Case: 2023-11; Gunsteen, 1125 N State Street

Date: February 21, 2023

Page: 2 of 3

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) *Category I High Risk Facility:* is a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks and/or type of population served by the facility. The following criteria shall be used to classify facilities as Category I High Risk facilities:
 - a. whenever cooling of potentially hazardous foods occurs as part of the food handling operations at the facility;
 - b. when potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;
 - c. if potentially hazardous foods which have been previously cooked and cooled must be reheated;
 - d. when potentially hazardous foods are prepared for off-premises service for which time-temperature requirements during transportation, holding and service are relevant;
 - e. whenever complex preparation of foods, or extensive handling of raw ingredients with hand contact for ready to eat foods, occurs as a part of the food handling operations at the facility;
 - f. if vacuum packaging and/or other forms of reduced oxygen packaging are performed at the retail level; or
 - g. whenever serving immunocompromised individuals, where these individuals compromise the majority of the consuming population.
- (2) *Category I High Risk Multi-Department Facility:* is a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks. These facilities have the same criteria as Category I High Risk facilities, and have 3 or more departments within their facilities which need inspection including but not limited to main grocery, bakery, deli, meat and seafood departments.
- (3) *Category II Medium Risk Facility:* is a food establishment that presents a medium risk of causing foodborne illness based upon a few food handling operations typically implicated in foodborne illness outbreaks. The following criteria shall be used to classify facilities as Category II Medium Risk facilities:

RE: Case: 2023-11; Gunsteen, 1125 N State Street

Date: February 21, 2023

Page: 3 of 3

- a. if hot or cold foods are not maintained at that temperature for more than 12 hours and are restricted to same day service;
- b. if preparing foods for service from raw ingredients uses only minimal assembly; and
- c. foods served at an establishment that require complex preparation (whether canned, frozen, or fresh prepared) are obtained from an approved food processing plants, (high risk) food service establishments or retail food stores.

(4) *Category III Low Risk Facility*: is a food establishment that presents a low relative risk of causing foodborne illness based on few or no food handling operations typically implicated in foodborne illness outbreaks. The following criteria shall be used to classify facilities as Category III Low Risk facilities:

- a. only prepackaged foods are available or served in the facility, and any potentially hazardous foods available are commercially pre-packaged in an approved food processing plant;
- b. only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages occurs at the facility; or
- c. only beverages (alcoholic and non-alcoholic) are served at the facility.

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

Sincerely,



Amanda Mehl
Public Health Administrator
Boone County Health Department

AT

Memo

To: Gina DelRose, Community Development Planner
From: Brent Anderson, Director of Public Works
Date: 2/22/2023
Re: Case #2023-11: Gunsteen Car Wash – 1125 N State St

Having reviewed the above referenced case, I would offer the following:

1. Plans for the site improvements shall be submitted for review and approval prior to construction.
2. Water and Sewer connection fees will include a credit for the 1" metered service that was removed in 2001.
3. A stormwater drainage plan and calculations will need to be provided to support the decrease in impervious area of the new development from the existing conditions.

Gina Delrose

From:

Sent:

To:

Subject:

Mark Beck <mbeck@belviderefire.com>

Wednesday, March 1, 2023 2:01 PM

Gina Delrose

Re: 2023-11 request for comments

This message originated from an **External Source**. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Will need to submit plans for building, and site plans to insure proper clearance and access for fire department.

Mark

On Tue, Feb 21, 2023 at 10:37 AM Gina Delrose <gdelrose@ci.belvidere.il.us> wrote:

Please see attached

Gina Delrose

Community Development Planner

City of Belvidere

401 Whitney Boulevard, 61008

(o) 815-547-7177

(f) 815-547-0789

--
Mark Beck
Belvidere Fire Department
Fire Station 1: (815) 544-2735

BELVIDERE Community Development Department Planning Department

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

February 2023 Monthly Report

Number	Project	Description	Processed
Belvidere Projects			
0	Cases: February	None	
4	Cases: March	None	
		1946 Gateway Center Drive, SU	1/26/2023
		City of Belvidere, Text Amendment	2/2/2023
		132 N. State Street, SU	2/14/2023
		1125 N. State Street, SU	2/17/2023
0	Annexation	None	
0	Temporary Uses	None	
2	Site Plans (New/Revised)	None	
		320 W. Chrysler Drive	
		2020 N. State Street	2/23/2023
0	Final Inspection	None	2/23/2023
0	Downtown Overlay Review		
4	Prepared Zoning Verification Letters	928 Caswell Street	2/10/2023
		416-418 Glenwood Drive	2/21/2023
		331-333 W. Lincoln Avenue	2/24/2023
		1125 Pearl Street	2/24/2023
		1868, 1866 Crystal Parkway	2/13/2023
		388, 330, 336 W. Chrysler Drive	2/23/2023
2	Issued Address Letters	There was a benefit night at Maggio's Pizzeria on February 7, 2023 and the Commission discussed future fundraisers. The Commission discussed potential newspaper articles and presentations to give.	
	Belvidere Historic Preservation Commission		
	Heritage Days	Staff applied for a grant and spoke with participants for the 2023 festival.	
	Hometown Christmas	None	
Scanned Plats: E-mail, Print and/or Burn			
1	Recorder's Office		
2	Other Department		
0	General Public		
Planning Department Current Duties			
	Close out completed planning case files		
	Respond to all FOIA requests		

Planning Monthly Report Cont.

- Work with 911, Fire Department and Post Office to verify all addresses in the City
- Assist Growth Dimensions with requested data
- Meetings and phone calls with developers regarding potential development
- Phone calls/walk-ins for questions regarding zoning, floodplain, development, etc.
- Prepare minutes, agendas and packets for various committees, commissions and boards
- Prepare deposits and purchase orders for bill payments
- *** Staff presented to Environmental Science classes at Belvidere High School
- *** Staff participated in the City's booth at the Chamber's Chili Cook-off