

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION AGENDA
Tuesday, March 12, 2019
City Council Chambers
401 Whitney Boulevard
6:00 pm**

ROLL CALL

Members:

Alissa Maher, CHM
Daniel Arevalo, VCHM
Andrew Racz
Paul Engelman
Robert Cantrell
Art Hyland
Carl Gnewuch

Staff:

Gina DelRose, Community Development Planner
Cathy Crawford, Administrative Assistant

MINUTES: Approve the minutes of the November 13, 2018 meeting.

PUBLIC COMMENT:

UNFINISHED BUSINESS: None

NEW BUSINESS:

2019-01; JBLH Properties, LLC (SU):

Application of Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, JBLH Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 for a special use to permit indoor commercial entertainment. Specifically, a bar with video gaming at 982 Belvidere Road, 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 approximately 1.25 acres. (PIN: 06-31-151-003)

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

2019-02; LHC Properties, LLC (SU):

Application of Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, LHC Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 for a special use to permit indoor commercial entertainment. Specifically, an event center at 1550 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the NO, Neighborhood Office District on approximately 0.50 acres. PIN: 05-36-308-003.

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

2019-03; LHC Properties, LLC (SU):

Application of Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, LHC Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 for a special use to permit outdoor commercial entertainment. Specifically, a beer garden at 622 S. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Outdoor

Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the CB, Central Business District on approximately 0.50 acres. PIN: 05-36-104-025
Staff (Approval); PZC (); CC-1 (); CC-2 ()

2019-04; LHC Properties, LLC (VAR):

Application of Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, LHC Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 for a variance to reduce the required setback from residentially zoned property from 300 feet to 150 feet. Specifically, allowing outdoor commercial entertainment to occur zero feet from a residentially zoned property at 622 S. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.204(D)(10)(A)(1) and 150.909 Variance Review and Approval Procedures) in the CB, Central Business District on approximately 0.50 acres. PIN: 05-36-104-025
Staff (Approval); PZC ()

2019-05; Lindenberg, Townhall Industrial Park Plat 3 (RP):

Application of Gary Lindenberg for final plat approval for Plat 3 of Townhall Industrial Park Subdivision. The plat is a replat of Lot 12 of Plat 1. Plat 3 consists of 2 lots comprised of 3.14 acres. PIN: 05-33-400-020
Staff (Approval); PZC (); CC-1 (); CC-2 ()

OTHER BUSINESS: None

DISCUSSION:

Staff report

ADJOURNMENT

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, November 13, 2018

City Council Chambers

401 Whitney Boulevard

7:00 pm

ROLL CALL

Members Present:

Alissa Maher, CHM

Paul Engelman

Robert Cantrell

Andrew Racz

Art Hyland

Staff Present:

Gina DelRose, Community Development Planner

Cathy Crawford, Administrative Assistant

Michael Drella, City Attorney

Members Absent:

Daniel Arevalo, VCHM

Chairman Alissa Maher called the meeting to order at 7:00 p.m.

MINUTES: It was moved and seconded (Engelman/Cantrell) to approve the minutes of October 9, 2018. The motion carried with a 5-0 voice vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

2018-30; Caldwell (CCSIP) (TA): The applicant, Russell Caldwell (CCSIP), 221 West Locust Street, Belvidere, IL 61008 is requesting a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Table 150.1007(C)(1) Permitted Building and Freestanding Sign by Type and Zoning District and Section 150.902 Amendment to Zoning Regulations (Text Amendment). The request will allow animated signs by special use in the Neighborhood Office, Planned Office and Neighborhood Business Districts.

The public hearing opened at 7:02.

Gina DelRose was sworn in. Ms. DelRose said the case was published in the Boone County Journal on October 26, 2018. No certified mailings were required as the case is a text amendment. Ms. DelRose summarized the staff report dated November 6, 2018. Ms. DelRose stated Ordinance 341H, on April 3, 2017 allowed animated signage in all nonresidential districts except Neighborhood Office (NO), Neighborhood Business (NB), and Planned Office (PO). These three districts were not included because animated signage was not previously permitted outright or by special use and because of the locations of the districts. Ms. DelRose referred the

commission members to a provided map of these districts. There are concentrated areas along Logan Avenue and West Locust Street, however, most parcels zoned NO, PO, and NB are isolated parcels in predominantly residential areas. The petitioner is the owner of a Neighborhood Business District-zoned business and is requesting approval of animated signage by special use. Requiring the approval of a special use will allow the City to have more control over potential nuisance signs in the residential areas. It will also give the City the ability to review each sign on an individual basis. All animated signs will need to adhere to the following requirements found within the Zoning Ordinance:

- (A) Messages displayed within the animated portion of the sign shall be static for a minimum of five seconds.
- (B) Graphics and images shall be static; no flashing or animation is allowed. There shall be an instantaneous change of display for all graphics/images/messages.
- (C) Illumination levels from the sign shall not exceed 0.5 foot candles at the property line.

The planning staff recommends approval of case 2018-30.

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

There were no questions for the applicant or testimony by the audience.

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

It was moved and seconded (Cantrell/Racz) to recommend approval of case 2018-30. The motion carried with a 5-0 roll call vote.

2018-31; Caldwell (CCSIP) (SU): The applicant, Russell Caldwell (CCSIP), 8642 US Highway 20, Garden Prairie, IL 61038 is requesting a special use to permit an animated sign at 221 W. Locust Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Table 150.1007(C)(1) (pending text amendment) and Section 150.904 Special Use Review and Approval Procedures) in the NB, Neighborhood Business District on approximately 8,000 square feet. PIN: 05-26-475-017

The public hearing was opened at 7:05 p.m.

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on October 26, 2018 and certified mailings were sent to neighboring property owners within 250 feet of the subject property on October 24, 2018. Ms. DelRose summarized the staff report dated November 6, 2018. Ms.

DelRose stated the subject property is Sips & Sprinkles (previously a long-closed laundromat) which opened in July 2018 and has become a popular destination for patrons of the Belvidere Family YMCA and other residents. Ms. DelRose stated the sign base and 19.5 square-foot sign are now installed at the location; the applicant would like to add an approximately seven square-foot animated portion to advertise various restaurant offerings as well as fundraising and community events. Ms. DelRose summarized the findings of fact. Ms. DelRose stated the staff recommends approval of case 2018-31 subject to the following conditions:

1. The dimensions of the animated portion of the sign shall be in conformance with the submitted sign diagram and narrative (53" x 20").
2. Illumination levels from the sign shall not exceed 0.5 footcandles at the property line.

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

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

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

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

It was moved and seconded (Hyland/Cantrell) to recommend approval of case 2018-31 subject to the conditions as presented by staff. The motion carried with a 5-0 roll call vote.

Gina DelRose stated the case would go before the City Council on November 19, 2018.

2018-32; Chambers (TA): The applicant, Emily Chambers, 11653 Porter Road, Garden Prairie, IL 61038 is requesting a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Section 150.013 Definitions: Animal Unit, Section 150.204(H) Accessory Land Uses (Private Residential Chicken Coop), Appendix C and Section 150.902 Amendment to Zoning Regulations (Text Amendment). The request will allow up to five (5) chickens on one (1) residential lot with specific requirements for housing and care.

The public hearing was opened at 7:11 p.m.

Gina DelRose was sworn in. Ms. DelRose summarized the request. Ms. DelRose stated the case was published in the Boone County Journal on October 26, 2018 and no certified mailings were required. Gina DelRose presented amended language that was added to the proposed language detailed in the staff report dated

November 8, 2018. Ms. DelRose said upon consultation with the City Attorney, it was decided that, rather than amend the definition of an Animal Unit (Section 150.013 Definitions), the definition of Husbandry (Section 150.204 (B)(2)) would be amended to include the following regulation:

3. A Private Residential Coop shall not be deemed Husbandry.

Ms. DelRose clarified that the proposed application is requesting allowing the keeping of chickens on residential lots with dwellings and would not be allowed on vacant parcels. Ms. DelRose quoted the proposed text amendment and the proposed requirements for a Private Residential Coop (proposed Section 150.204 (H)(18)). Ms. DelRose clarified that the Institutional District was included in the proposed allowable districts to offer residents in senior care facilities to raise chickens as an enrichment activity.

Ms. DelRose stated that Future Farmers of America (FFA) (students from Belvidere North High School) filed the petition for a text amendment; Ms. DelRose pointed out information regarding zoning regulations from other municipalities that allow chickens as well as other information. Ms. DelRose stated the Belvidere North Chapter of the FFA will provide informational handouts and support to those residents wishing to raise chickens.

Ms. DelRose summarized the allowable domesticated animals detailed in the Zoning Ordinance. Ms. DelRose stated that complaints have been raised by some Belvidere residents of neighbors who are keeping chickens; complaints include the presence of a problematic rooster as well as issues related to the need for secrecy by those keeping chickens in violation of the current code. Ms. DelRose stated the proposed language would require proper care of the chickens, in hopes of reducing many of the presumed negative impacts. Ms. DelRose presented the requirements to raise chickens. Ms. DelRose stated that the staff recommends approval of case 2018-32 with the following amendment to Section 150.204 (H)(18)(A)(7):

7. No person shall keep or harbor any rooster over the age of six (6) months. *If a rooster becomes vocal (starts to crow) or becomes aggressive then it shall be removed from the property immediately regardless of age.*

And the addition of Section 150.204(B)(2) Husbandry instead of 150.013 Definitions:
Animal Unit

Chairperson Maher invited questions from the commission members for staff.

Paul Engelman asked for clarification of the requirement regarding roosters.

Gina DelRose clarified the language and added that one of the characteristics of roosters is their protective instinct which can result in aggression. While a chicken's sex cannot always be determined until the age of six months, aggression and crowing may start earlier than that time frame. In the case of aggression or vocalizing prior to the age of six months, the rooster would need to be immediately removed from the residence regardless of age.

Paul Engelman asked who would be responsible for determining this need for removal.

Gina DelRose said the City code enforcement officer would be responsible for notifying a resident of the need for the rooster to be removed. Ms. DelRose said code violations are investigated after a complaint is made.

Paul Engelman asked who would be responsible for enforcing sanitary issues.

Gina DelRose said the code enforcement officer would be responsible for determining whether a violation is present and would have the ability to refer any further issues to the local Illinois Department of Agriculture representative assigned to Boone County.

Paul Engelman asked if subdivision covenants and restrictions would supersede the City zoning ordinances.

Gina DelRose said yes; if a subdivision prohibited the raising of chickens, and a resident were to be found raising chickens, it would be up to the Homeowner's Association (HOA) to enforce the restriction.

Paul Engelman clarified that the Homeowner's Association would need to know that the City now allowed the keeping of chickens and it would be up to the HOA to amend their restrictions.

Gina DelRose said that is correct.

There were no questions for the staff from the applicant.

Alderman Dan Snow asked Ms. DelRose if language was included in the proposed text amendment allowing the Code Enforcement Officer to inspect a premises at any time.

Gina DelRose stated that the language proposed was written to allow chickens under the definitions of any of the other allowable domesticated animals. Ms. DelRose said, as in any other code violation, the officer would do a visual inspection to the best of her ability from outside the premises; if a violation was found, the

property owner would be notified and required to come into compliance. If the issue persisted, she would follow the proper channels of code enforcement.

Alderman Dan Snow asked if language could be added to the proposed amendment allowing the code enforcement officer to make an on-site inspection of the premises if a complaint was forwarded.

City attorney Mike Drella stated that the Illinois Constitution prohibits warrantless entries. Consent or a warrant would be needed to enter the premises.

Alderman Dan Snow asked if the language could state that the raising of chickens gives tacit permission to enter premises to investigate a complaint.

Attorney Drella said no.

Applicants Darby Dempsey and Caitlyn Welton were sworn in. The applicants presented a PowerPoint presentation that included information regarding the proposed coop regulations, an interview with the municipality of Western Springs regarding their experience with allowing the raising of chickens in their jurisdiction, a discussion of certain myths surrounding the raising of chickens, and other items of information. Ms. Welton said the FFA reached out to Angelic Organics which offers classes and support on the raising of backyard chickens. Ms. Welton stated that if a resident who is raising chickens no longer feels they are capable of providing a home for them, the chickens could be rehomed.

Chairperson Maher invited questions from the commission members.

Robert Cantrell asked if movable chicken coops on wheels would be allowed to be used.

Gina DelRose said such enclosures would be allowed, provided they were always placed at least five feet from the rear and side property lines.

Paul Engelman asked for more details regarding the possible rehoming of chickens.

Caitlyn Welton stated that Belvidere North High School has a chicken enclosure with space for up to 23 chickens; the school would be willing to rehome any unwanted chickens. In addition, the FFA students reached out to Summerfield Zoo and were told that the zoo would be willing to accept unwanted chickens to feed to their animals.

Chairperson Maher invited further statements or evidence.

Deb Crockett, Executive Director of Angelic Organics in the county offered support for the proposed text amendment. Ms. Crockett stated that her facility provides

classes on the raising of chickens. Ms. Crockett said she has helped many municipalities craft laws allowing for the raising of backyard chickens. Ms. Crockett said she has not heard any issues regarding allowing chickens within municipalities. Ms. Crockett said the applicants, in her opinion, are our future leaders.

The public hearing was closed at 7:40 p.m.

It was moved and seconded (Cantrell/Hyland) to recommend approval with the changes presented by staff of case 2018-32. The motion carried with a 5-0 roll call vote.

Gina DelRose said the case would move forward to the city council on November 19, 2018.

2018-33; State Street Gaming, LLC (SU): The applicant, State Street Gaming, LLC, 8859 Olson Road, Belvidere, IL 61008 on behalf of the property owner Logan Avenue Properties LLC, 8859 Olson Road, Belvidere, IL 61008 is requesting a special use to permit the continued use of an existing drive-through lane at 2195 North State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(4)(C)(2) and 150.904 Special Use Review and Approval Procedures) in the PB, Planned Business District on approximately 0.75 acres. PIN: 05-22-403-002

The public hearing was opened at 7:41 p.m.

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on October 26, 2018 and certified mailings were sent to all property owners within 250 feet of the subject property on October 24, 2018. Ms. DelRose summarized the staff report dated November 6, 2018. Ms. DelRose stated the subject property was the former location of the now-closed Sonic Restaurant. Since the Sonic Restaurant closed, numerous attempts to open a restaurant at the site have been unsuccessful. The applicant was granted a special use permit for indoor commercial entertainment on the property, specifically, the operation of a bar with video gaming. Since the existing drive-through lane has not been used for more than a year, the original special use is null and void. The applicant is requesting a special use to allow the use of the drive-through lane for the purpose of the retail sale of packaged liquor. The retail sale of liquor is permitted on the property per the Planned Business Requirements. The layout of the property will not be changed.

Gina DelRose summarized the findings of fact. Ms. DelRose stated the staff recommends approval of the special use subject to the following condition:

1. Substantial compliance with the submitted site plan.

Commission members had no questions for the staff.

Nate Noble, attorney representative for the applicant was sworn in. Attorney Noble asked Ms. DelRose if it is true that the Sonic Restaurant could have allowed drive-through liquor sales if they had chosen to do so.

Gina DelRose said this is correct; specific certification of the staff is not required for the sale of packaged liquor. Open alcohol is not permitted to be sold. Ms. DelRose added that drive-through liquor sales locations have existed in Belvidere in the past.

The applicant stated he had no statement to make.

The public hearing was closed at 7:50 p.m.

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

It was moved and seconded (Cantrell/Engelman) to recommend approval of case 2018-33 subject to the condition provided. The motion carried with a 5-0 roll call vote.

Gina DelRose stated the case would forward to the City Council on November 19, 2018.

2018-34; Spinning Slots, Inc. (SU): The applicant, Kelly Quinby, 712 Peter Avenue, Rockford, IL 61108 on behalf of owner, Ed Marx, 303 E. Lincoln Avenue, Belvidere, IL 61008 and contract purchaser, John Ahrens, PO Box 1663, Belvidere, IL 61008 is requesting a special use to permit a bar with video gaming at 105 Buchanan 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 approximately 4,600 square feet. PIN: 05-25-360-002

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

Gina DelRose was sworn in. Ms. DelRose stated that the case was published in the Boone County Journal on October 26, 2018 and certified mailings were sent to property owners within 250 feet of the subject property on October 24, 2018. Ms. DelRose summarized the staff report dated November 7, 2018. Ms. DelRose stated the subject location is located in the downtown commercial district and is within a tenant space fronting on Buchanan Street. The tenant space in question has housed numerous taverns and was most recently an ice cream and candy store. The special use is to allow a new bar with five video gaming machines; there is no on-site parking; however, on-street parking exists and two municipal lots are within 315 feet of the property.

Gina DelRose provided a history of video gaming in Belvidere. Ms. DelRose stated that in 2018, the City Council voted to limit the number of gaming establishments to 30. Ms. DelRose referred to a spreadsheet provided that details the video gaming licenses granted in Belvidere to date. Ms. DelRose stated the applicant is aware that although the special use will grant the ability to operate a bar, there is no guarantee that a video gaming license will be available to them.

Gina DelRose stated the staff recommends approval of case 2018-34 subject to the following condition:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.

Chairperson Maher invited questions of staff from the commission members.

Robert Cantrell clarified the number of video gaming licenses granted in Belvidere.

Gina DelRose stated 38 such licenses have been requested. Of those, five cases were denied or expired, 32 have been approved and one is before the commission tonight. Records show that 23 video gaming licenses have been issued and five more are pending before the State. Ms. DelRose stated that it is her understanding that Pacemaker plans to submit to the State in December, putting them on the same schedule as tonight's applicant. These would account for licenses 29 and 30 if approved.

Ms. DelRose said she has apprised all applicants interested in video gaming licenses that the licenses will be granted on a first-come, first served basis.

Robert Cantrell clarified the fact that others who have applied do not have priority over the applicants currently before them.

Gina DelRose said this is correct. The five individuals who have applied to the State Gaming Commission could potentially be denied.

Paul Engelman asked if the City opens itself up to liability by approving a special use for video gaming that later gets denied by the State of Illinois.

Gina DelRose stated that she has made it very clear to applicants that the special use for Indoor Commercial Entertainment comprises many possible uses, including video gaming, and that a license through the State of Illinois or a local license is not guaranteed.

Attorney Drella said no such liability exists; Ms. DelRose has been very clear on this topic with applicants.

Paul Engelman asked if the City looks at the concentration of video gaming establishments in granting licenses.

Attorney Drella said they do not; the State of Illinois Gaming Commission, however, does look at the concentration of similar establishments.

Paul Engelman asked if there is a subjective criteria used in determining whether a concentration is too high.

Attorney Drella said he is unfamiliar with the criteria used by the State of Illinois Gaming Commission.

There were no further questions for the staff.

Mike Ortiz and Kelly Quinby were sworn in. Mr. Ortiz said the process of securing the video gaming licenses in Belvidere is going fast and he and his partner felt it was worthwhile to take the risk.

Paul Engelman asked Mr. Ortiz and Ms. Quinby to describe what will distinguish their establishment from other such businesses.

Mr. Ortiz said they have done studies targeting their ideal clientele, studied traffic patterns, discussed the possibility of adding outdoor seating at a later date and holding promotions at the bar. Mr. Ortiz said they operate similar gaming parlors in the Rockford area and have had no trouble. Mr. Ortiz said they have utilized strong strategic marketing.

Kelly Quinby added the environment will be one that is upscale.

There were no questions for the applicants.

The public hearing was closed at 8:06 p.m.

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

It was moved and seconded (Cantrell/Racz) to recommend approval of case 2018-34 subject to the condition presented in the staff report. The motion carried with a 5-0 roll call vote.

The case will go before the City Council on November 19, 2018.

OTHER BUSINESS: None

DISCUSSION: None

Staff Report:

Gina DelRose stated there will be no cases before the commission in December. Ms. DelRose said the Chamber of Commerce Chili Cook-Off will be November 15, 2018 and Hometown Christmas will be held on December 7, 2018.

ADJOURNMENT:

The meeting adjourned at 8:09 p.m.

Recorded by:

Cathy Crawford
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 5, 2019

ADVISORY REPORT

CASE NO: 2019-01

APPLICANT: JBLH Properties, 982 Belvidere Road

REQUEST AND LOCATION:

The applicant, Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, JBLH Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 is requesting a special use to permit indoor commercial entertainment to operate a bar with video gaming at 982 Belvidere Road, 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 approximately 1.25 acres. (PIN: 06-31-151-003). The property is developed with a 18,350 square-foot two-story multi-tenant building and parking area.

EXISTING LAND USE:

Subject property: Multi-tenant building

Adjacent property:

North and East: Vacant

South: Gas Station and Multi-family Residential

West: Immanuel Lutheran Church and School

CURRENT ZONING:

Subject property: PB, Planned Business District

Adjacent property:

North and East: PB, Planned Business District

South: PB, Planned Business District and SR-4, Single-family Residential-4 District

West: SR-3, Single-family Residential-3 District and I, Institutional District

COMPREHENSIVE PLAN:

Subject property: GB, General Business

Adjacent property:

North, South, and East: GB, General Business

West: I, Institutional

BACKGROUND:

The property is part of the Logan Square Subdivision platted in 2003. The two-story building was constructed in 2004. There is a gym, frozen yogurt store, martial arts studio, staffing agency and a bar with video gaming.

The existing parking lot has 74 parking spaces for all the tenants to share. Peak hours for indoor commercial land uses are often later in the day when businesses such as the staffing agency will be closed. Alternating peak business times lessens the need for additional parking.

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 whether video gaming would be permitted within their jurisdiction. The State limits the number of machines to five 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 2018, the City Council voted to limit the number of gaming establishments to 30. The applicant is aware that although the special use will grant the ability to operate a bar, there is no guarantee that a video gaming license will be available.

TREND OF DEVELOPMENT:

The subject property is located along Belvidere Road in a primarily commercial and institutional area with limited multi-family residential. Belvidere Road is a commercial thoroughfare that becomes Bypass 20 to the north.

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. All of the properties adjacent to 976 Belvidere Road are either designated "General Business" or "Institutional" 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 to allow a bar with video gaming. The property is located in the Planned Business District where similar land uses have developed including the subject property and the multi-tenant building to the north.

In addition to indoor commercial entertainment, the subject property, along with nearby properties, have several other commercial uses. These uses have varied peak operating hours, lessening the burden the parking and vehicle circulation. The addition of a new bar with video gaming is not anticipated to negatively impact nearby development.

- 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 most adjacent properties as general business. Food establishments, bars/taverns and arcades are considered appropriate uses in the general business category. The general business district encourages indoor commercial, office, institutional, and controlled outdoor display land uses, with moderate landscaping and 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 a private road that connects to both Logan Avenue and East Sixth Street. The closest residence is approximately 250 feet away and is also accessed by East Sixth Street; Sixth Street is a controlled intersection and can accommodate the traffic.

- 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.

The nearby residential property is developed with multi-family housing. Multi-family land uses are often located adjacent to commercial and industrial developments and act as a buffer to single family residential neighborhoods.

- 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 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 residences, churches, and schools are at a distance that provides an adequate buffer to a business that has later hours and entertainment factors. In 2013, the City of Belvidere ruled that video gaming machines could locate within the city limits with a special use permit in the Planned Business District.

SUMMARY OF FINDINGS:

The requested special use is for indoor commercial entertainment to allow a bar with video gaming. The property is located in the Planned Business District where similar land uses have developed including the subject property and the multi-tenant building to the north. In addition to indoor commercial entertainment, the subject property along with nearby properties have several other commercial uses. These uses have varied peak operating hours, lessening the burden the parking and vehicle circulation.

The Comprehensive Plan shows the property and most adjacent properties as general business. Food establishments, bars/taverns and arcades are considered appropriate uses in the general business category. The general business district encourages indoor commercial, office, institutional, and controlled outdoor display land uses, with moderate landscaping and signage. 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 planning staff is not aware of any negative issues that similar developments have caused to surrounding properties. Access to the property is from a private road that connects to both Logan Avenue and East Sixth Street. The closest residence is approximately 250 feet away and is also accessed by East Sixth Street; Sixth Street is a controlled intersection and can accommodate the traffic.

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 nearby residential property is developed with multi-family housing. Multi-family land uses are often located adjacent to commercial and industrial developments and act as a buffer to single family residential neighborhoods.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2019-01** for a special use at 982 Belvidere Road subject to the following condition:

1. The special use is only for the tenant space commonly known as 982 Belvidere Road.

Submitted by:


Gina DelRose
Community Development Planner

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

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

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, February 14, 2019.
6. Letters Submitted by the Boone County Health Department, Amanda Mehl, February 22, 2019.

925

942

UNNAMED

2173

983

BELVIDERE RD

CASE 2019-01
982 Belvidere Road
JBLH Properties, LLC

E 6th ST

1225

BELVIDERE RD

1052

E 6th ST



1 inch = 69 feet

BELVIDERE RD

942

UNNAMED

2173

CASE 2019-01
982 Belvidere Road
JBLH Properties, LLC

E 6th ST

1052

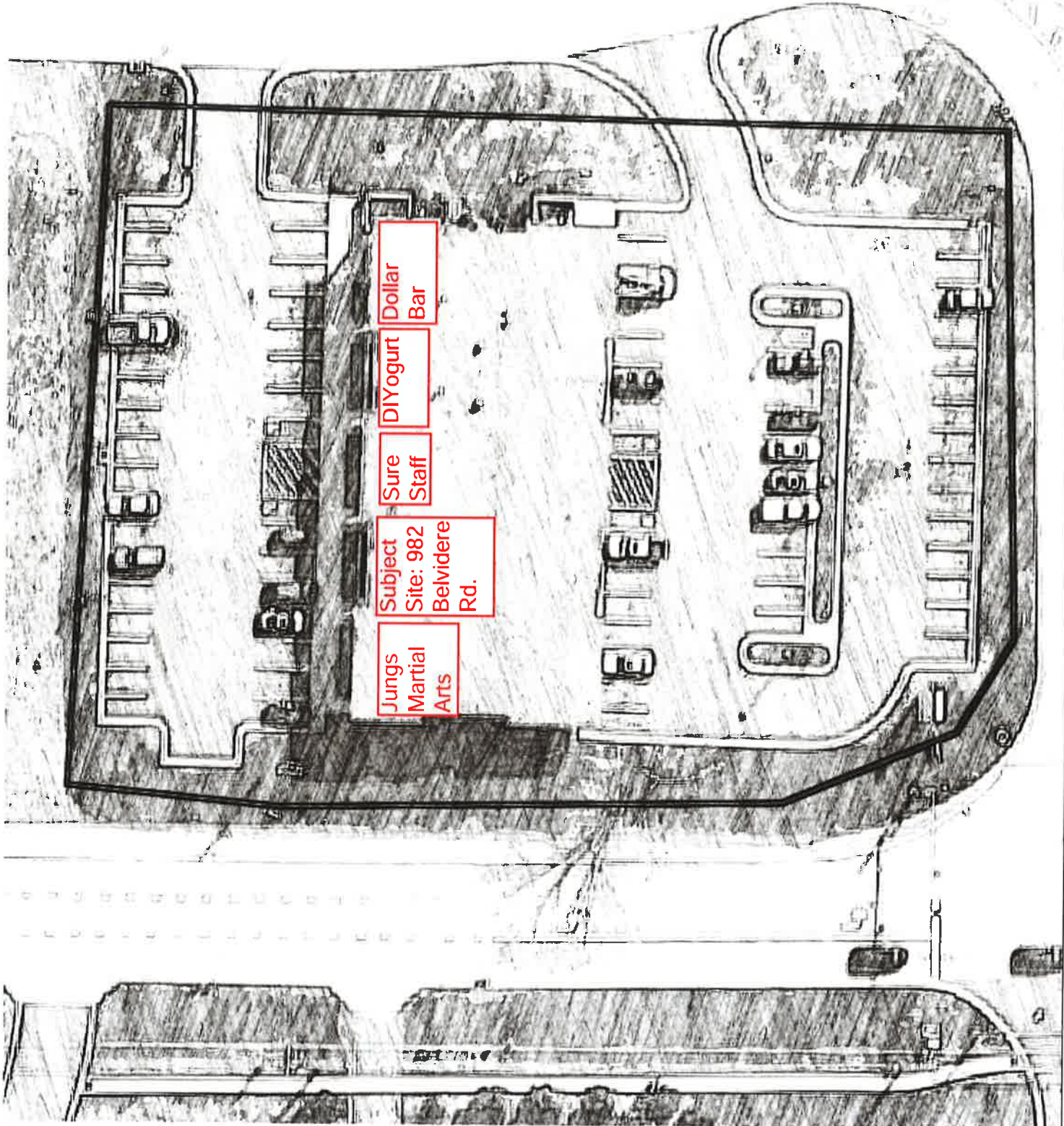


1 inch = 46 feet

Ryan Crombie of JBLH Properties, LLC is the Currently owns the Logan Square Building, located at 972 Belvidere Rd., Belvidere, IL 61008

He would like to open a Gaming and Bar business in one of the suites which is known as 982 Belvidere Rd., Belvidere, IL 61008. The business would include a small bar and coffee shop. No food would be cooked onsite at this time due to the location of the suite being on the bottom floor of the 2-story building and the cost to install kitchen equipment would not be practical at this time.

The business would be open from 8:00 AM – 2:00 AM Daily.



Jungs
Martial
Arts

Subject
Site: 982
Belvidere
Rd.

Sure
Staff

DIYogurt

Dollar
Bar

FLOOR PLAN:

LOGAN SQUARE

982 Belvidere Rd.
Belvidere, IL 61008

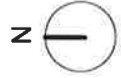
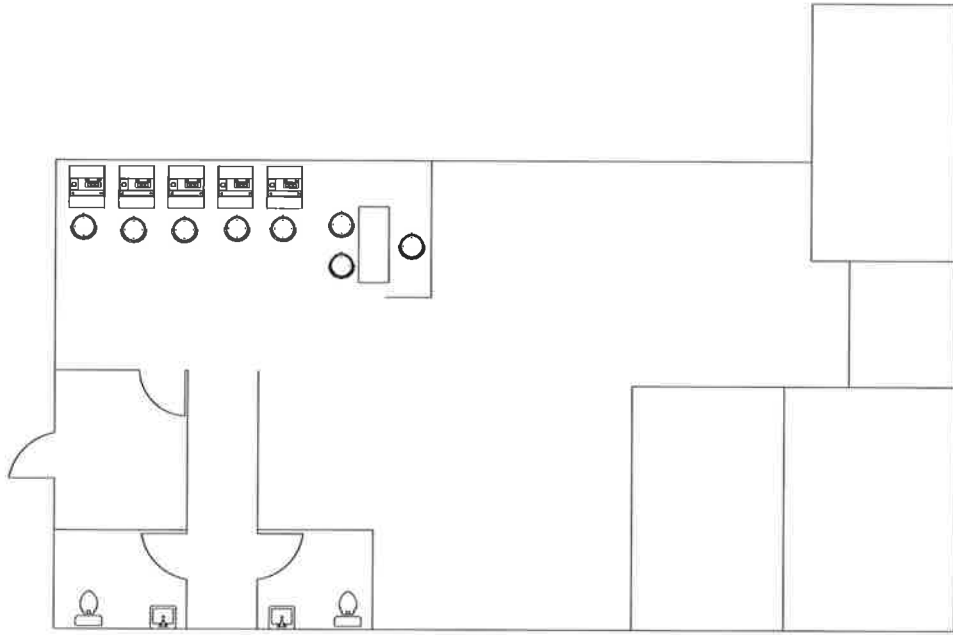
DRAWING TITLE

LOGAN SQUARE



February 7, 2019

F-1





Boone County
Soil & Water
 Conservation District

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

14 February 2019

SWCD NRI #: 1616

City of Belvidere
 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 you office as indicated below:

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

Location of Site: 982 Belvidere Road

PIN(S): 06-31-151-003

Contact	Petitioner	Owner
LHC Properties, LLC 201 S. 8 th St. South Beloit, IL 61080	Same	Same
815-770-2044 ryanjcrombie@outlook.com		

Request: Special Use for indoor commercial entertainment.

Sincerely,

Jennifer Becker
 Boone County Soil & Water
 Conservation District

Re: LHC Properties, LLC



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 22, 2019

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

FAX 815-547-0789

Re: Case: 2019-01, JBLH Properties, LLC, 982 Belvidere Road

Dear Gina,

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

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

- (a) *Generally*, whenever a food service establishment or retail 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: 2019-01, JBLH Properties, LLC, 982 Belvidere Road
Date: 2/22/19
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) *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) *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.

RE: Case: 2019-01, JBLH Properties, LLC, 982 Belvidere Road

Date: 2-22-19

Page 3 of 3

(3) *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:

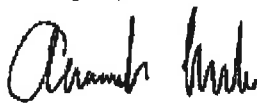
- a. if hot or cold foods are not maintained at that temperature for more than 12 hours and are restricted to same day service;
- b. if preparing foods for service from raw ingredients uses only minimal assembly; and
- c. foods served at an establishment that require complex preparation (whether canned,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

(4) *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.

Please let us know if you have any questions or concerns

Thank you,



Amanda Mehl
Public Health Administrator
skm

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 5, 2019

ADVISORY REPORT

CASE NO: 2019-02

APPLICANT: LHC Properties, LLC, 1550 Pearl Street

REQUEST AND LOCATION:

The applicant, Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, LHC Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 is requesting a special use to permit indoor commercial entertainment. Specifically, an event center at 1550 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the NO, Neighborhood Office District. The subject property is 24,545 square feet (PIN: 05-36-308-003) and developed with a vacant office building and parking area.

EXISTING LAND USE:

Subject property: Vacant office building

Adjacent Property

North, East and West: Residential

South: Parking lot and Residential

CURRENT ZONING:

Subject property: NO, Neighborhood Office District

Adjacent Property

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

COMPREHENSIVE PLAN:

Subject property: Institutional

All Adjacent Property

North, South, East, West: Single Family Residential

BACKGROUND:

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

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

The indoor commercial entertainment land use category includes a multitude of land uses that often have later operating hours such as taverns, theaters, bowling alleys, arcades, roller rinks and pool halls. The Neighborhood Office Zoning District only permits businesses to operate until 11:00pm which is not as late as typical indoor commercial entertainment land uses; however, it is later than the majority of businesses that have been located on the property throughout the years. Conditions of approval which serve to lessen the potential negative impacts of events occurring on the property will be placed on the request.

TREND OF DEVELOPMENT:

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

COMPREHENSIVE PLAN:

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

FINDINGS OF FACT:

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

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

The previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. The SOS, however, closed at 5:00pm and was not open on the weekends. Event centers are usually busier later in the day and on weekends, however, they may not operate every day like a typical business. The size of the events will be based on the building's occupancy level and available parking. A privacy fence will be required to help shield adjacent properties from lights and noise.

- 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 Institutional. This designation was most likely chosen due to the long-term occupancy of the Secretary of State's Vehicle Services which is an institutional (government agency) land use. Institutional land uses are civic land uses but can also include recreational facilities, educational facilities, nonprofit clubs and fraternal organizations and community residential land uses. An event center has the potential to create the same impact on the neighborhood as most institutional 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.

Although the indoor commercial entertainment land use allows for a variety of potential businesses, conditions of approval placed on the request will require any potential business to operate in a manner similar to those already permitted or encouraged by the Comprehensive Plan.

The subject property is located approximately 315 feet from a hospital, less than 550 feet from properties zoned general business and approximately 700 feet from a large commercial development (Pacemaker Countryside Markets). The building is approximately 3,200 square feet, larger than the residential structures in the neighborhood but small for an event center. The size of the building and available parking will determine the kind of events that are able to be held on the property.

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

The Neighborhood Office District was designed to accommodate offices located within established residential areas. Some residential areas are considered transition areas where more intense commercial land uses are acceptable. The subject property is not within a transition area, however, it is near high density residential and non-residential land uses.

The event center will be available for the public to utilize. Nearby residents that do not have adequate yard space or room in their home to host events can utilize the subject property. The special use will be required to operate within the same parameters as other uses in the Neighborhood Office District.

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

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

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

The event center will be able to be utilized by all residents, unlike other land uses in the indoor commercial entertainment category that only cater to a specific demographic. Hours of operation will not be expanded past those already permitted and conditions of approval will be placed to lessen any negative impacts such as light and sound.

SUMMARY OF FINDINGS:

The previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. The SOS, however, closed at 5:00pm and was not open on the weekends. Event centers are usually busier later in the day and on weekends, however, they may not operate every day like a typical business. The size of the events will be based on the building's occupancy level and available parking. A privacy fence will be required to help shield adjacent properties from lights and noise.

The Comprehensive Plan designates the subject property as Institutional. This designation was most likely chosen due to the long-term occupancy of the Secretary of State's Vehicle Services which is an institutional (government agency) land use. Institutional land uses are civic land uses but can also include recreational facilities, educational facilities, nonprofit clubs and fraternal organizations and community residential land uses. An event center has the potential to create the same impact on the neighborhood as most institutional land uses. Although the indoor commercial entertainment land use allows for a variety of potential businesses, conditions of approval placed on the request will require any potential business to operate in a manner similar to those already permitted or encouraged by the Comprehensive Plan.

The subject property is located approximately 315 feet from a hospital, less than 550 feet from properties zoned general business and approximately 700 feet from a large commercial development (Pacemaker). The building is approximately 3,200 square feet, larger than the residential structures in the neighborhood but small for an event center. The size of the building and available parking will determine the kind of events that are able to occur on the property.

The event center will be able to be utilized by all residents, unlike other land uses in the indoor commercial entertainment category that only cater to a specific demographic. Nearby residents that do not have adequate yard space or room in their home to host events can utilize the subject property. The special use will be required to operate within the same parameters as other uses in the Neighborhood Office District.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2019-02** for a special use for indoor commercial entertainment at 1550 Pearl Street subject to the following conditions.

1. The hours of operation shall be limited to 11:00pm.
2. The privacy fence shall not inhibit safe sight distance for motorists entering and leaving the property.

3. If a barrier is utilized to close off the parking lot ingress/egress, it shall not be a fence- like structure. Such barrier shall not cause vehicles entering the property to block the sidewalk or back up onto Pearl Street.
4. Consumption of alcohol is prohibited outside the premises.
5. Parking lot light fixtures shall adhere to residential requirements and not exceed 25 feet in height.
6. Operation of the special use, including the use of a bar, may only occur during functions overseen by event center staff.

Submitted by:



Gina DelRose
Community Development Planner

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

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

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, February 13, 2019.
6. Letter submitted by the Boone County Health Department, Amanda Mehl, February 22, 2019.
7. Memo submitted by the Belvidere Public Works Department, Brent Anderson, February 28, 2019.

1509

1519

W 9th ST

304

1609

1615

1621

PEARL ST

PEARL ST

1516

1520

1503

1505

1507

CASE 2019-02
1550 Pearl Street
LHC Properties LLC
SU

1527

1616

1535



1 inch = 46 feet

PEARL ST

PEARL ST

1519

304

1609

1615

1621

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1507

1527

1535

1616

CASE 2019-02
1550 Pearl Street
LHC Properties LLC
SU



Ryan Crombie of LHC Properties, LLC is currently the owner of the building located at 1550 Pearl St., Belvidere, IL 61008

He would like to apply for a Special Use Permit for Indoor Commercial Entertainment. The main purpose of the building would be an event center; holding events such as but not limited to:

- Wedding Receptions, Birthday Parties, Special Occasions, Charity Events, Etc.

A liquor license would be requested to allow the sale of alcohol on premises on an as needed basis. A qualified bartender would be on site as our representative for any alcohol related events. No outside liquor would be permitted if a liquor license is issued. During non-alcohol related events depending on the size he would provide staff supervision as necessary.

Significant improvements will be made to the exterior of the building so the appearance fits into the neighborhood.

The hours of operation would follow the standard neighborhood requirements and all events would end prior to the 11:00 PM ordinance. He has no intention to request a text amendment to allow events to go beyond 11:00 PM.

A privacy fence would be constructed around the entire property to help with vehicle traffic, noise disruption from vehicle headlights at night, and general privacy for the neighbors. The parking lot will be repaired, sealed, and stripped to give a better appearance and provide better traffic flow.

The event center would not be opened to the public on a daily basis and would only be occupied by reservations.

He is currently working with the Fire Department on occupancy. He would follow all local ordinances and codes.

FLOOR PLAN:

1550 PEARL

1550 Pearl St.
Belvidere, IL 61008

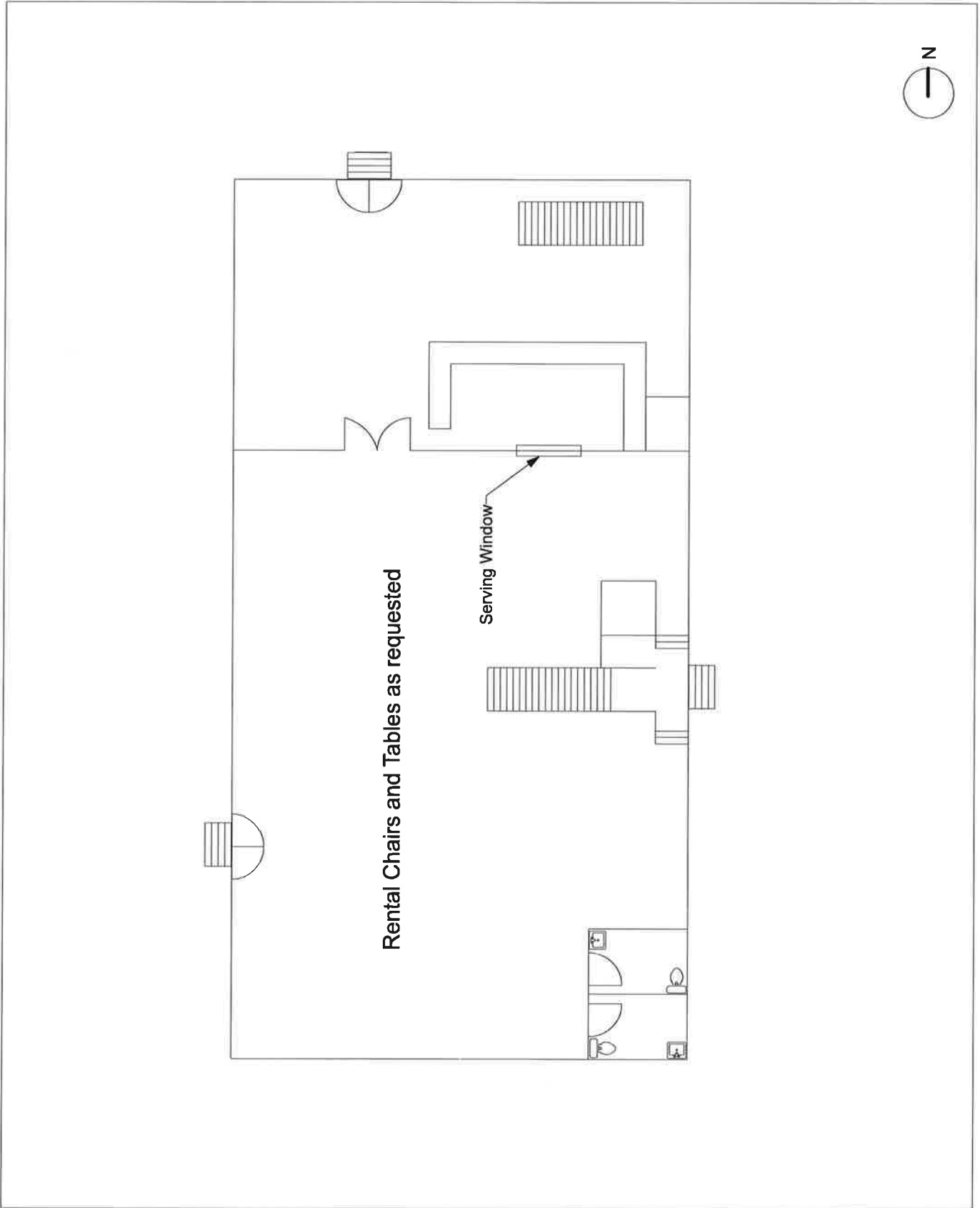
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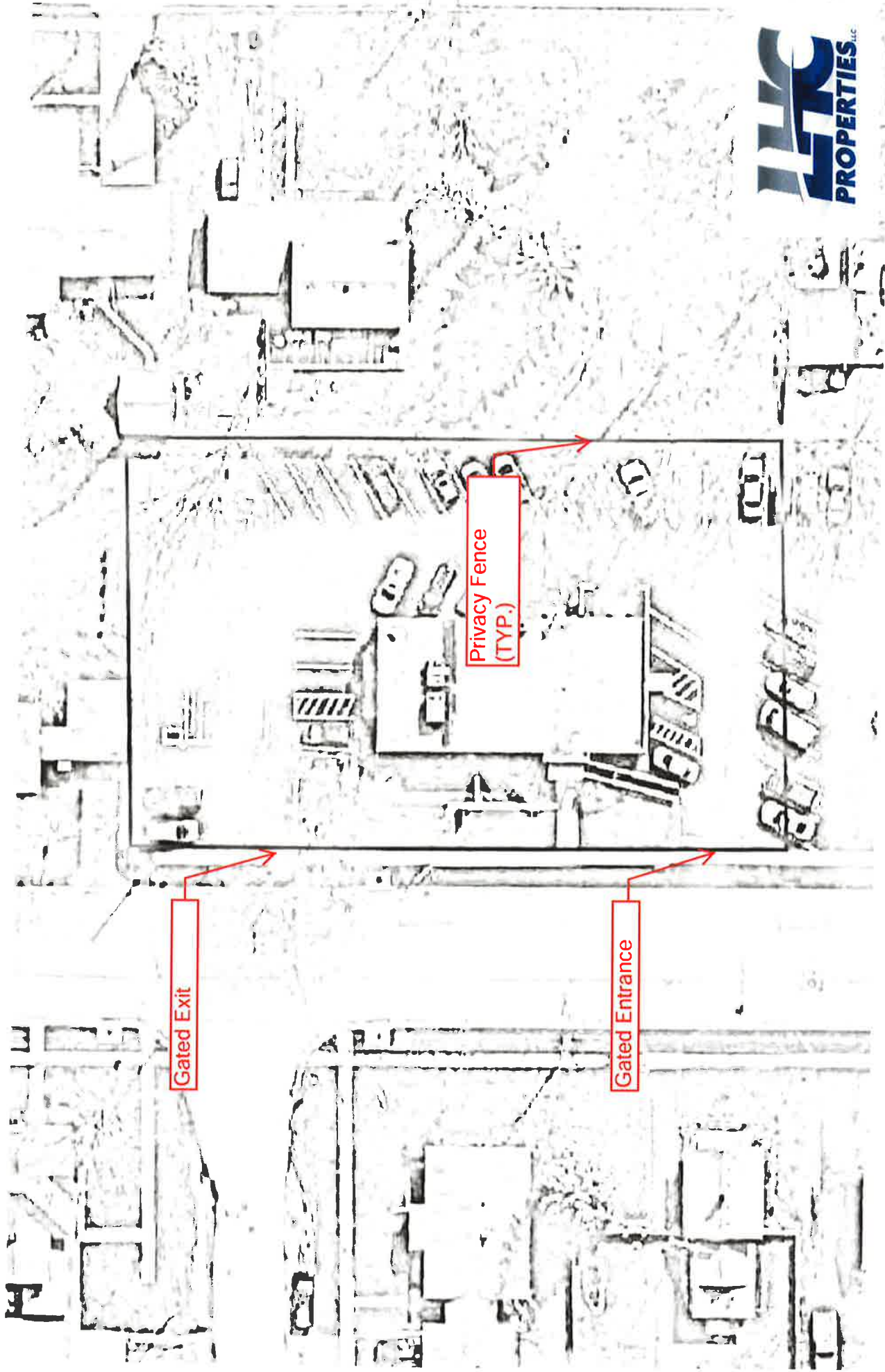
1550 Pearl



February 7, 2019

F-1





Gated Exit

Privacy Fence
(TYP.)

Gated Entrance

The parking lot will be repaired, sealed, and striped to allow proper traffic flow.



Boone County
Soil & Water
 Conservation District

13 February 2019

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

SWCD NRI #: 1615

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

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

Location of Site: 1550 Pearl St.

PIN(S): 05-36-308-003

Contact	Petitioner	Owner
LHC Properties, LLC 201 S. 8 th St. South Beloit, IL 61080	Same	Same
815-770-2044 ryanjcrombie@outlook.com		

Request: Special Use for indoor commercial entertainment.

Sincerely,

Jennifer Becker
 Boone County Soil & Water
 Conservation District

Re: LHC Properties, LLC



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 22, 2019

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

FAX 815-547-0789

Re: Case: 2019-02, JBLH Properties, LLC, 1550 Pearl Street

Dear Gina,

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

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

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RE: Case: 2019-02, JBLH Properties, LLC, 1550 Pearl Street
Date: 2/22/19
Page 2 of 3

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 - g. whenever serving immunocompromised individuals, where these individuals compromise the majority of the consuming population.
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RE: Case: 2019-02, JBLH Properties, LLC, 1550 Pearl Street

Date: 2-22-19

Page 3 of 3

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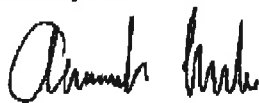
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- b. if preparing foods for service from raw ingredients uses only minimal assembly; and
- c. foods served at an establishment that require complex preparation (whether canned, frozen, or fresh prepared) are obtained from an approved food processing plants, (high risk) food service establishments or retail food stores.

(4) *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.

Please let us know if you have any questions or concerns

Thank you,



Amanda Mehl
Public Health Administrator
skm

Memo

To: Gina DelRose, Community Development Planner

From: Brent Anderson, Director of Public Works

Date: 2/28/2019

Re: 2019-02; Special Use – 1550 Pearl Street

Having reviewed the above request, I would offer the following comments:

1. The site plan shows a privacy fence around the property with gated entry and exit. Provisions shall be provided to allow vehicle entrance without blocking the sidewalk and causing backup onto Pearl Street while entering.
2. Privacy fence shall not inhibit safe sight distance for motorists entering and leaving the property.

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 5, 2019

ADVISORY REPORT

CASE NO: 2019-03 **APPLICANT:** LHC Properties, LLC, 622 South State Street (SU)

REQUEST AND LOCATION:

The applicant, Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, LHC Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 is requesting a special use to permit outdoor commercial entertainment, specifically, a beer garden at 622 S. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Outdoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the CB, Central Business District. The subject property is approximately 0.50 acres (PIN: 05-36-104-025) and developed with a parking lot.

EXISTING LAND USE:

Subject property: Parking lot

Adjacent Property

North: Coach's Corner

South and East: Residential

West: Parking lot

CURRENT ZONING:

Subject property: CB, Central Business District

Adjacent Property

North and West: CB, Central Business District

South: SR-6, Single-family Residential-6 District

East: CB, Central Business District and SR-6, Single-family Residential-6 District

COMPREHENSIVE PLAN:

Subject property: Central Business

All Adjacent Property: Central Business

BACKGROUND:

The property owner purchased the former Bush Gardens in 2018 and renovated the building prior to re-opening the restaurant and bar as Coach's Corner. In 2019, the property owner purchased Municipal Lot 2 (subject property) which contains 50 parking spaces. The parking lot is adjacent to and mainly used by patrons of Coach's Corner and Import Only (car repair). The general public will be able to continue to utilize the parking lot during downtown festivals.

The property owner purchased the lot with the intent to utilize it for customer parking and events hosted by Coach's Corner such as pig roasts, poker runs, charity events, fundraisers, etc. As building renovations continue there is the possibility that a portion of the parking lot will be fenced off for a permanent beer garden.

A privacy fence will be installed to buffer adjacent residences from the activities, however, the entire property will not be required to have permanent fencing. Although other beer gardens in Belvidere were required to have perimeter fencing installed, due to the dual use of the property as customer parking and special events, only temporary fencing will be required along South State Street.

A variance to reduce the required setback from residentially zoned properties from 300 feet to zero feet is also being requested.

TREND OF DEVELOPMENT:

The subject property is located at the southern edge of the City's downtown area where commercial begins to transition to residential. Several buildings have undergone renovations or change of ownership such as the Community Building Complex of Boone County, Midland State's Bank, Coach's Corner, Belvidere Funeral Home and Automotive Solutions.

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.**

Outdoor commercial entertainment is an encouraged land use in the downtown area. There is a large beer garden nearby on Buchanan Street, festivals are held downtown and the nearby Community Building Complex of Boone County hosts large events. Even though the majority of those events are held indoors, they do generate traffic in the neighborhood.

- 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, along with several adjacent properties. The entire downtown plus all the adjacent properties are 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. Outdoor commercial entertainment is included in the encouraged mix of land uses.

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

The property is currently used for customer parking. When the parking lot will be used for events, customers will be able to use municipal lot 11 (former Manley's site). On-site parking is not required for properties zoned central business because of the proximity to municipal parking and availability of street parking.

The presence of restaurants and bars is prevalent in the downtown area. Outdoor activities are also becoming more common with the revamping of Heritage Days, Hometown Christmas and the popularity of the Community Building Complex of Boone County.

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

All but the two residences to the south of the subject property are zoned central business district and the comprehensive plan shows the remaining two residences as eventually converting to central business land uses as well. Although there is residential nearby, the neighborhood is still part of the commercial downtown area. The special use will provide another venue for residents and organizations to enjoy.

- 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 parking lot and will be operated in conjunction with the adjacent commercial building that is served with municipal utilities.

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

Conditions of approval such as fencing and lighting will lessen the potential negative impacts to adjacent properties. Any music will need to adhere to the City's noise standards found within the Belvidere Zoning Ordinance.

SUMMARY OF FINDINGS:

The property is currently used for customer parking. When the parking lot will be used for events, customers will be able to use municipal lot 11 (former Manley's site). On-site parking is not required for properties zoned central business because of the proximity to municipal parking and availability of street parking.

The Comprehensive Plan designates the subject property as Central Business; the current zoning is Central Business, along with several adjacent properties. The entire downtown plus all the adjacent properties are 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.

Outdoor commercial entertainment is an encouraged land use in the downtown area. There is a large beer garden nearby on Buchanan Street, festivals are held downtown and the nearby Community Building Complex of Boone County hosts large events. Even though the majority of those events are held indoors, they do generate traffic in the neighborhood.

Although there is residential nearby, the neighborhood is still part of the commercial downtown area. The special use will provide another venue for residents and organizations to enjoy. Conditions of approval such as fencing and lighting will lessen the potential negative impacts to adjacent properties. Any music will need to adhere to the City's noise standards found within the Belvidere Zoning Ordinance.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2019-03** for a special use for outdoor commercial entertainment at 622 South State Street subject to the following conditions.

1. A privacy fence shall be installed along property lines abutting residences but shall not inhibit safe sight distance for motorists entering and leaving the property.
2. If additional lighting is utilized, it shall not exceed 0.50 foot-candles at the property line and shall not exceed 25 feet in height.
3. Temporary fencing such as snow fencing or chain-link, a minimum of four feet in height, shall be set-up along the entire South State Street frontage during events.
4. Staff shall be present outside during events.
5. If a smaller permanent beer garden is utilized then that shall require permanent fencing to separate it from the parking lot. Such fencing shall be approved by planning staff.

Submitted by:

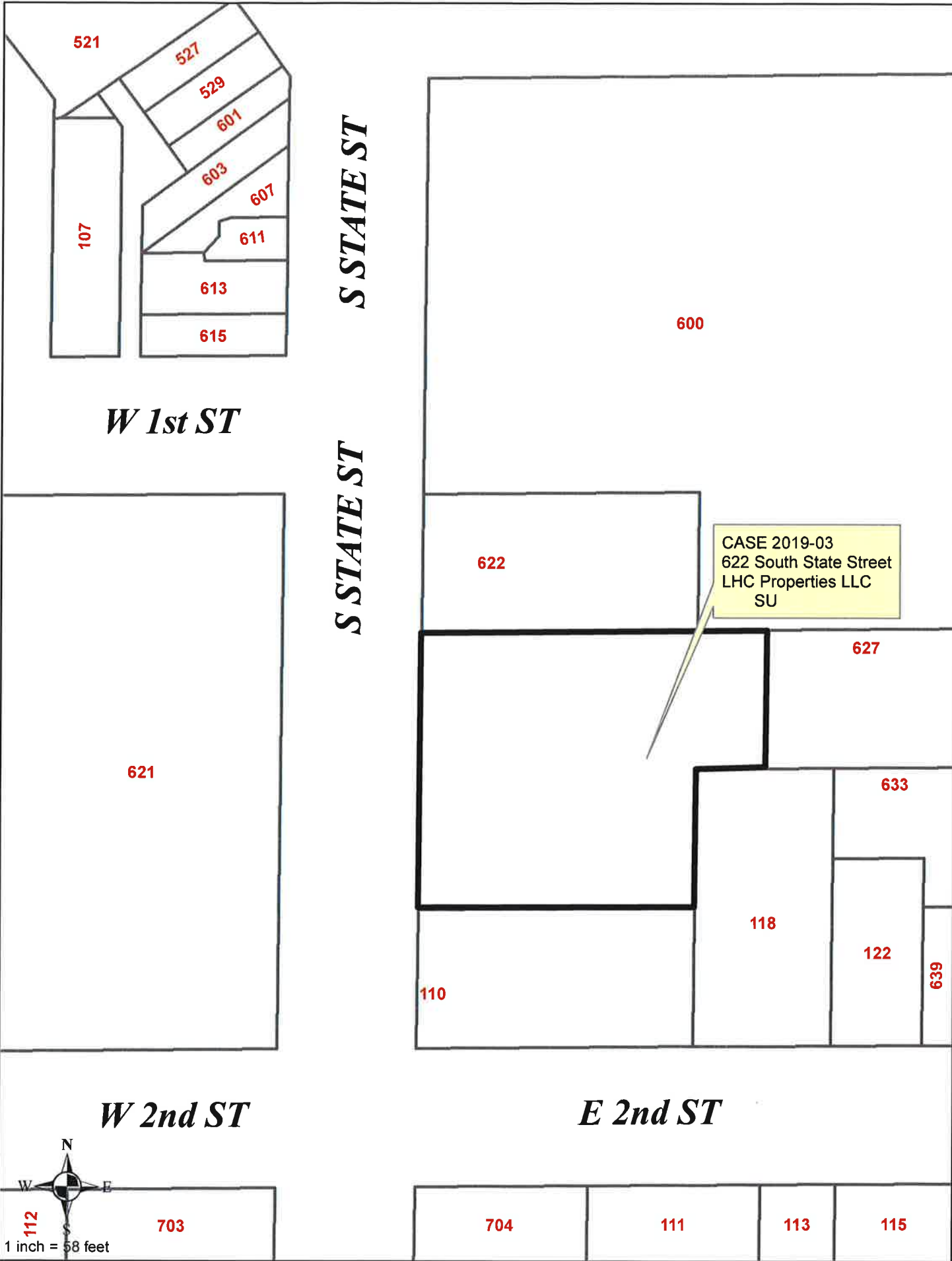

Gina DelRose
Community Development Planner

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

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

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, February 13, 2019.
6. Letter submitted by the Boone County Health Department, Amanda Mehl, February 22, 2019.





600

622

627

CASE 2019-03
622 South State Street
LHC Properties LLC
SU

110

118



1 inch = 29 feet

Ryan Crombie of LHC Properties, LLC is the current owner of the Parking Lot for Coach's Corner located at 622 S. State St., Belvidere, IL 61008

He would like to apply for a special use permit for outdoor commercial entertainment in the parking lot. The main purpose for the parking lot is parking for Coach's Corner, but in the warmer months he would like to use the parking lot for outdoor activities a couple times a month such as:

- Pig Roast, Poker Runs, Musical Guest, Charity Events, Corn Hole Tournaments, and Fundraisers.

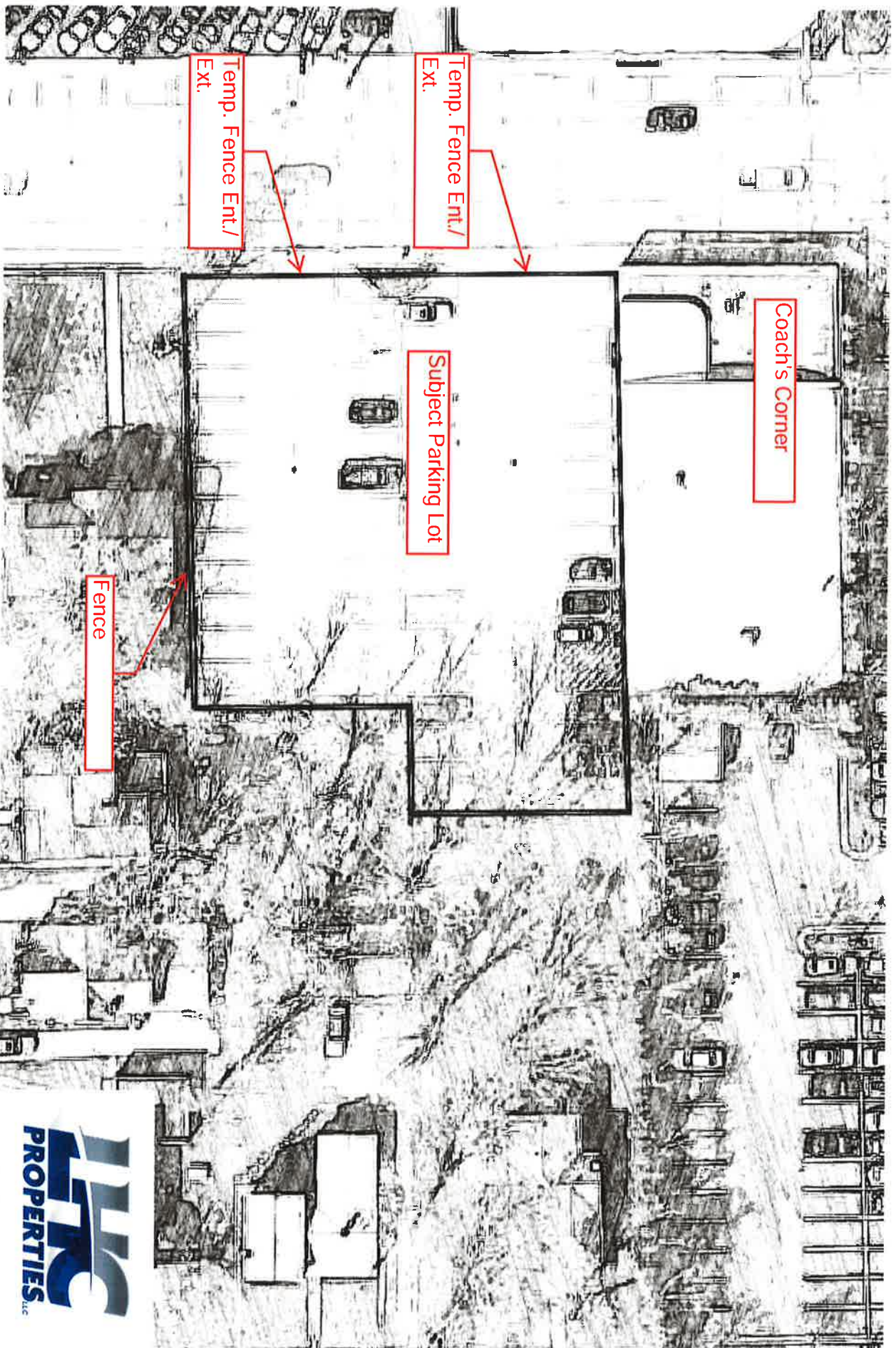
He does realize that people have had to fence off their outdoor beer gardens, but because this is main the parking lot for Coach's Corner fencing it off wouldn't be an option. When the parking lot is being used for Outdoor Activities the parking lot will be barricaded/temporary fenced off at the entrances or as necessary, so our guests & their alcohol stay inside the parking lot.

We would provide extra security during Outdoor Activities to help prevent any issues from occurring as necessary.

Hours of Outdoor Activities would follow the local noise ordinance.

Additional lighting may be brought in based upon the activity.

Plans for a permanent outdoor beer-garden/eating area are currently being investigated for Coach's Corner.



Coach's Corner

Temp. Fence Ent./
Ext.

Temp. Fence Ent./
Ext.

Subject Parking Lot

Fence

Parking lot for Outdoor Activities such as: Pig
Roast, Musical Guest, Charity Events, Corn
Hole Tournaments, Ect.





Boone County
Soil & Water
 Conservation District

13 February 2019

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

SWCD NRI #: 1616

City of Belvidere
 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 you office as indicated below:

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

Location of Site: 622 S. State Street
PIN(S): 06-31-151-003

Contact	Petitioner	Owner
LHC Properties, LLC 201 S. 8 th St. South Beloit, IL 61080	Same	Same
815-770-2044 ryanjrombie@outlook.com		

Request: Special Use for outdoor commercial entertainment.

Sincerely,

Jennifer Becker
 Boone County Soil & Water
 Conservation District

Re: LHC Properties, LLC



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 22, 2019

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

FAX 815-547-0789

Re: Case: 2019-03, LHC Properties, LLC, 622 South State Street (SU)

Dear Gina,

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

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

- (a) *Generally*, whenever a food service establishment or retail 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: 2019-03, LHC Properties, LLC, 622 South State Street (SU)

Date: 2/22/19

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) *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) *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.

RE: Case: 2019-03, LHC Properties, LLC, 622 South State Street (SU)

Date: 2-22-19

Page 3 of 3

(3) *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:

- 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) *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.

Please let us know if you have any questions or concerns

Thank you,



Amanda Mehl
Public Health Administrator
skm

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, 2019

ADVISORY REPORT

CASE NO.: 2019-04 **APPLICANT:** LHC Properties, LLC, 622 South State Street (VAR)

REQUEST AND LOCATION:

The applicant, Ryan Crombie, 201 S. 8th Street, South Beloit, IL 61080 on behalf of the property owner, LHC Properties, LLC, 201 S. 8th Street, South Beloit, IL 61080 is requesting a variance to reduce the required setback from residentially zoned property from 300 feet to 150 feet, to allow outdoor commercial entertainment to occur zero feet from a residentially zoned property at 622 S. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.204(D)(10)(A)(1) and 150.909 Variance Review and Approval Procedures) in the CB, Central Business District. The subject property is approximately 0.50 acres (PIN: 05-36-104-025) and developed with a parking lot.

EXISTING LAND USE:

Subject property: Parking lot

Adjacent Property

North: Coach's Corner

South and East: Residential

West: Parking lot

CURRENT ZONING:

Subject property: CB, Central Business District

Adjacent Property

North and West: CB, Central Business District

South: SR-6, Single-family Residential-6 District

East: CB, Central Business District and SR-6, Single-family Residential-6 District

COMPREHENSIVE PLAN:

Subject property: Central Business

All Adjacent Property: Central Business

BACKGROUND:

The property owner purchased the former Bush Gardens in 2018 and renovated the building prior to re-opening the restaurant and bar as Coach's Corner. In 2019, the property owner purchased Municipal Lot 2 (subject property) which contains 50 parking spaces. The parking lot is adjacent to and mainly used by patrons of Coach's Corner and Import Only (car repair).

The property owner purchased the lot with the intent to utilize it for customer parking and events hosted by Coach's Corner such as pig roasts, poker runs, charity events, fundraisers, etc. A privacy fence will be installed to buffer adjacent residences from the activities, however, the entire property will not be required to have permanent fencing. As building renovations continue there is the possibility that a portion of the parking lot will be fenced off for a permanent beer garden.

The zoning ordinance requires a bufferyard between outdoor commercial entertainment land uses and residentially zoned property. The zoning ordinance also requires that outdoor commercial entertainment land uses be a minimum of 300 feet away from residentially zoned property. The two houses to the south of the parking lot are zoned residential, the remaining houses adjacent to the subject property are zoned central business. The parking lot is only 131 feet wide, making it impossible to meet the 300-foot setback.

TREND OF DEVELOPMENT:

The subject property is located at the southern edge of the City's downtown area where commercial begins to transition to residential. Several buildings have undergone renovations or change of ownership such as the Community Building Complex of Boone County, Midland State's Bank, Coach's Corner, Belvidere Funeral Home and Automotive Solutions.

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 150.909 (E) of the City of Belvidere Zoning Ordinance, the criteria for granting a Variance are as follows:

- A. Findings: The requested variance is needed due to special conditions and circumstances existing that are peculiar to the land, structure or building involved and are not applicable to other lands, structures or buildings in the same district.**

Most parking and/or vacant lots that could potentially be utilized as a beer garden in the central business district are municipal lots or are not adjacent to residentially zoned properties. The reduced setback for the beer garden will match other permitted setbacks in the central business district.

- B. Findings: The requested variance is not needed due to a particular hardship or difficulty arisen because of the unusual shape of the original acreage parcel; unusual topography or elevation; or because the lot was platted/created before the passage of the current, applicable zoning regulations and is not economically suitable for a permitted use or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed.**

The minimum lot width for the Central Business District is 10 feet and the minimum size is 2,000 square feet, bulk regulations often found in an older downtown. The property meets both of these requirements. However, the majority of outdoor commercial

entertainment land uses are larger in size such as swimming pools, driving ranges, golf courses, go-cart tracks, etc. and would not be found downtown. A beer garden is smaller in size and often accessory to an established business and is appropriate in the downtown area. Due to the small lot sizes required downtown, meeting a 300-foot setback to residentially zoned property is difficult.

- C. **Findings: The requested variance is partially due to hardships or difficulties created from the actions of the Applicant.**

The property was purchased in 2019 as a parking lot. The applicant is requesting to add the additional land use of a beer garden in order to expand the adjacent restaurant and bar's offerings. It is due to this request that the variance is needed.

- D. **Findings: The requested variance will not confer on the Applicant a special privilege that is denied by this subsection to the owners of other lands, structures or buildings in the same district.**

As older properties are redeveloped, zoning relief is often needed due to substandard lot size or existing improvements. Since the central business district allows for zero-foot setbacks, 100% lot coverage and minimal lot size, variances are often not needed. The variance is being requested, not because zero-foot setbacks are unique to the downtown area but because the land use category is designed to accommodate much larger activities that are often found outside of central business district zoning.

- E. **Findings: The requested variation is not the minimum variation that will make possible the reasonable use of land, structure or building.**

The property can be used for other permitted uses in the central business district. Due to the proximity of the restaurant and bar and the desire to add additional services, the applicant is requesting the variance to reduce the 300-foot setback. If a building were to be constructed, it could be built at zero-foot setback which could create a bigger impact on neighboring property.

- F. **Findings: The subject property may yield a reasonable return if permitted to be used only under the regulations allowed in the applicable zoning district.**

The property can continue to be utilized as a parking lot. There is adequate lot size for a structure as well. However, the applicant is requesting the variance in order to hold events in the parking lot that would be in conjunction with the adjacent restaurant and bar and for community organizations.

- G. **Findings: The granting of the variation will be in harmony with the general purpose and intent of the Zoning Ordinance, will not be injurious to the neighborhood, will not impair the adequate supply of light and air to adjacent property, will not unreasonably increase the congestion in public streets, will not unreasonably diminish property values within the surrounding area, or otherwise be detrimental to the public interest.**

The property is located in the central business district which is part of the City's downtown area. Reduced setbacks, lot coverage and parking requirements, etc. are

unique to the central business district. Requirements such as these are what help to define a neighborhood's character.

SUMMARY OF FINDINGS:

The property can be used for other permitted uses in the central business district. Due to the proximity of the restaurant and bar and the desire to add additional services, the applicant is requesting the variance to reduce the 300-foot setback. If a building would be constructed, it could be built at zero-foot setback which could create a bigger impact on neighboring property. The property can continue to be utilized as a parking lot. There is adequate lot size for a structure as well. However, the applicant is requesting the variance in order to hold events in the parking lot that would be in conjunction with the adjacent restaurant and bar and for community organizations.

The minimum lot width for the Central Business District is 10 feet and the minimum size is 2,000 square feet, bulk regulations often found in an older downtown. The property meets both of these requirements. However, the majority of outdoor commercial entertainment land uses are larger in size such as swimming pools, driving ranges, golf courses, go-cart tracks, etc. and would not be found downtown. A beer garden is smaller in size and often accessory to an established business and is appropriate in the downtown area. Due to the small lot sizes required downtown, meeting a 300-foot setback to residentially zoned property is difficult.

As older properties are redeveloped, zoning relief is often needed due to substandard lot size or existing improvements. Since the central business district allows for zero-foot setbacks, 100% lot coverage and minimal lot size, variances are often not needed. Reduced setbacks, lot coverage and parking requirements, etc. are unique to the central business district. Requirements such as these are what help to define a neighborhood's character.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2019-04**; LHC Properties, LLC, 622 South State Street.

Submitted by:



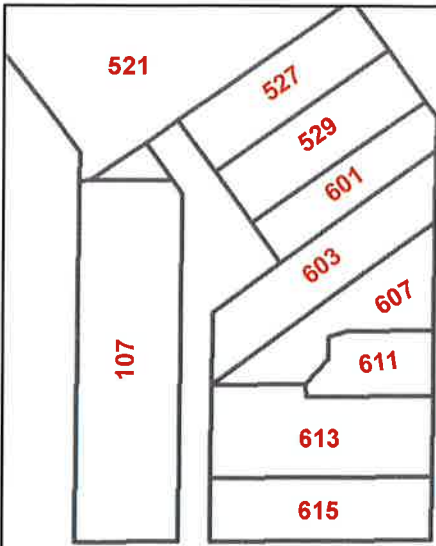
Gina DelRose,
Community Development Planner

PLANNING AND ZONING COMMISSION ACTION

After the holding of the public hearing, the Planning and Zoning Commission shall make and adopt findings of fact and make its determination regarding the application as a whole. The Planning and Zoning Commission may request further information and/or additional reports from the Zoning Administrator and/or the Applicant. The Planning and Zoning Commission may take final action on the request for approval of the proposed variance at the time of its initial meeting or the proceedings may be continued for further consideration. Granting of a variance shall be considered as unique to the variance granted and shall not be construed as precedent for any other proposed variance.

ATTACHMENTS

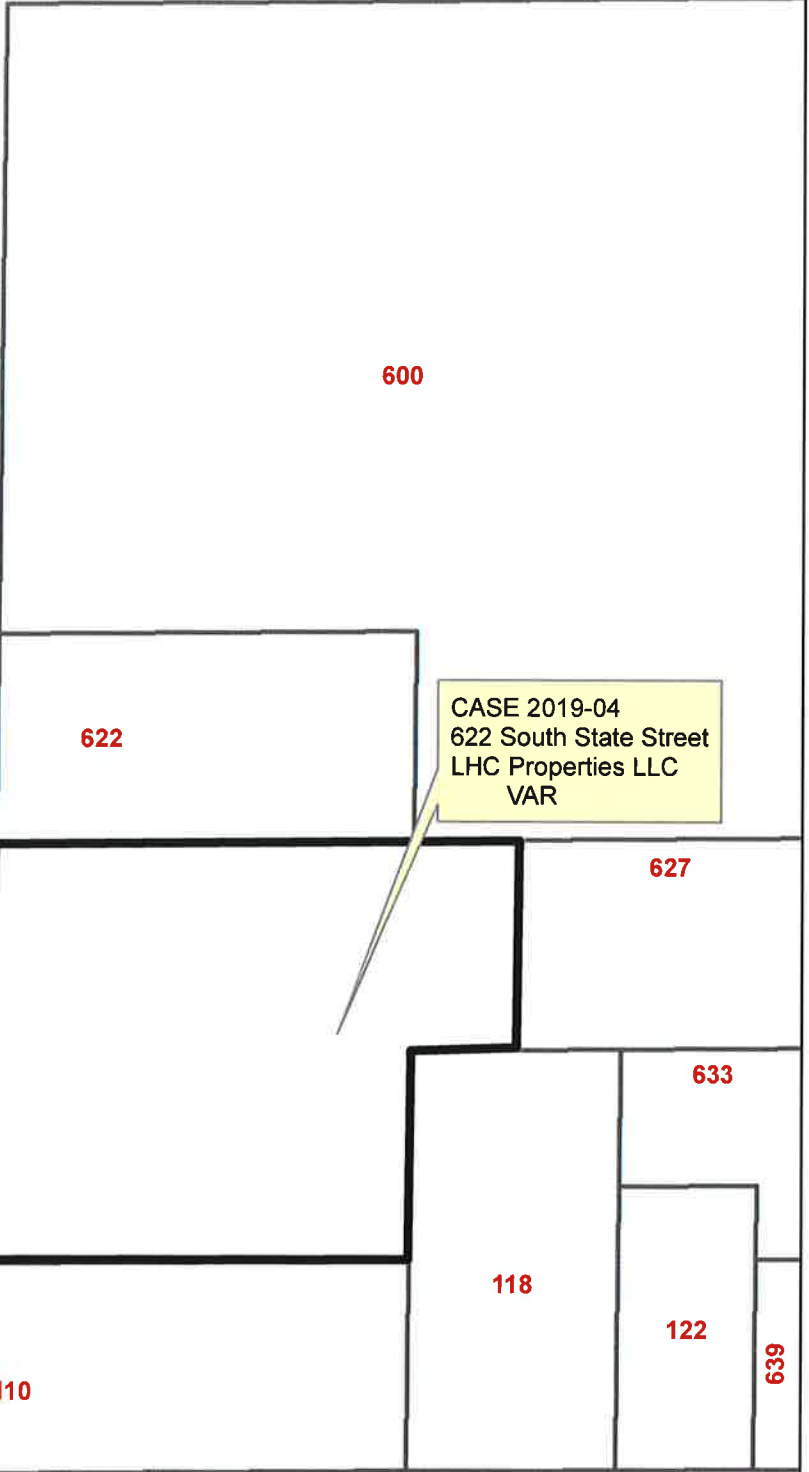
1. Location Map by the Planning Staff
2. Aerial Photo by the Planning Staff
3. Site Plan submitted by the Applicant
4. Narrative submitted by the Applicant
5. Letter from Jennifer Becker, Boone County Soil and Water Conservation District, February 13, 2019
6. Letter from Amanda Mehl, Boone County Health Department, February 22, 2019



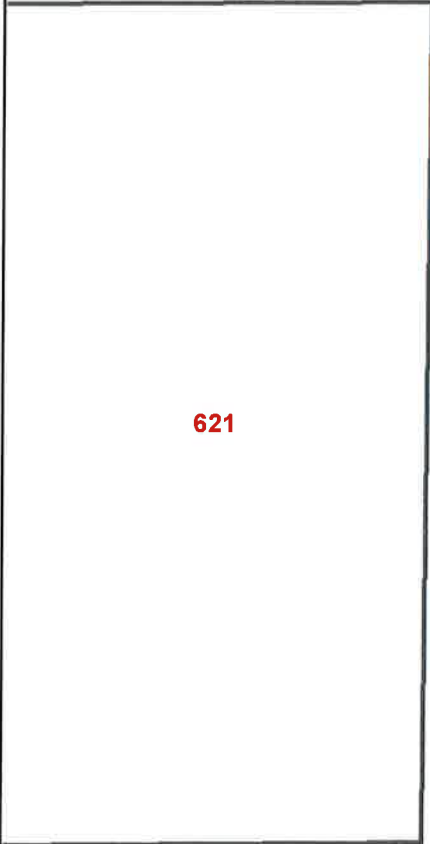
W 1st ST

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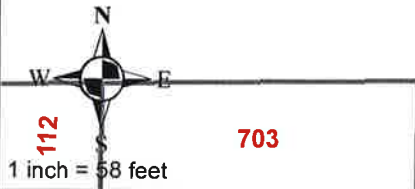


CASE 2019-04
622 South State Street
LHC Properties LLC
VAR



W 2nd ST

E 2nd ST





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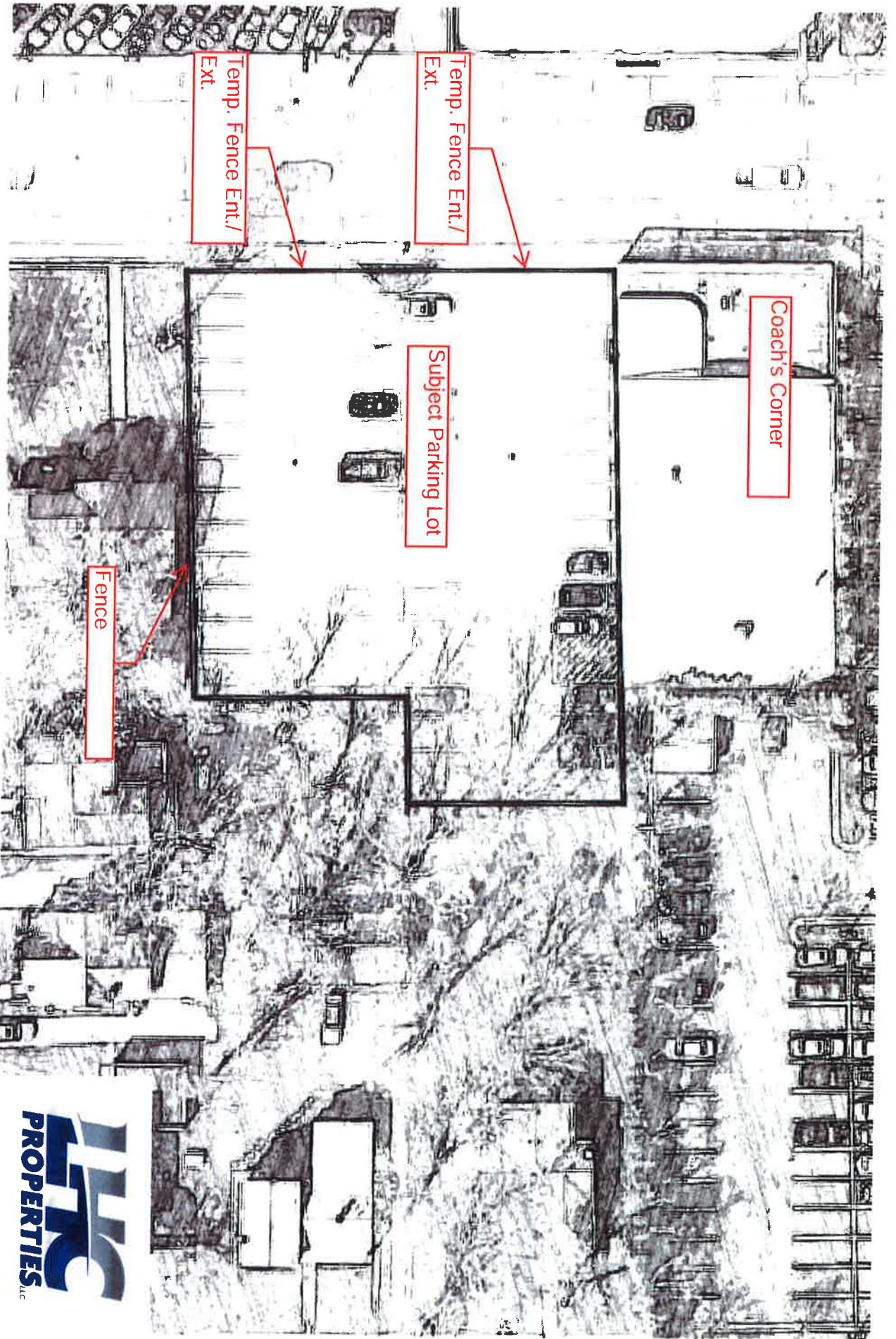
CASE 2019-04
622 South State Street
LHC Properties LLC
VAR

110

118



1 inch = 29 feet



Coach's Corner

Temp. Fence Ent./ Ext.

Temp. Fence Ent./ Ext.

Subject Parking Lot

Fence

Parking lot for Outdoor Activities such as: Pig Roast, Musical Guest, Charity Events, Corn Hole Tournaments, Ect.



Ryan Crombie of LHC Properties, LLC is the current owner of the Parking Lot for Coach's Corner located at 622 S. State St., Belvidere, IL 61008

He would like to apply for a special use permit for outdoor commercial entertainment in the parking lot. The main purpose for the parking lot is parking for Coach's Corner, but in the warmer months he would like to use the parking lot for outdoor activities a couple times a month such as:

- Pig Roast, Poker Runs, Musical Guest, Charity Events, Corn Hole Tournaments, and Fundraisers.

He does realize that people have had to fence off their outdoor beer gardens, but because this is main the parking lot for Coach's Corner fencing it off wouldn't be an option. When the parking lot is being used for Outdoor Activities the parking lot will be barricaded/temporary fenced off at the entrances or as necessary, so our guests & their alcohol stay inside the parking lot.

We would provide extra security during Outdoor Activities to help prevent any issues from occurring as necessary.

Hours of Outdoor Activities would follow the local noise ordinance.

Additional lighting may be brought in based upon the activity.

Plans for a permanent outdoor beer-garden/eating area are currently being investigated for Coach's Corner.

He is asking for a variance to allow outdoor commercial entertainment within 300 ft. of a neighborhood because the Coach's Corner building, parking lot, and houses are already in place. He does not see this being detrimental because the houses are in the downtown area, surrounded by commercial businesses, and outside entertainment & late hours are part of downtown living.



**Boone County
Soil & Water
Conservation District**

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

13 February 2019

SWCD NRI #: 1617

City of Belvidere
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 you office as indicated below:

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

Location of Site: 622 S. State Street
PIN(S): 05-36-104-025

Contact	Petitioner	Owner
LHC Properties, LLC 201 S. 8 th St. South Beloit, IL 61080	Same	Same
815-770-2044 ryanjrombie@outlook.com		

Request: Special Use for outdoor commercial entertainment and variance for outdoor activities.

Sincerely,

Jennifer Becker
Boone County Soil & Water
Conservation District

Re: LHC Properties, LLC



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 22, 2019

FAX: 815-547-0789

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

Re: 2019-04; LHC Properties, LLC, 622 South State Street (VAR)

Dear Gina,

We are in receipt of the application for a variance to reduce the required setback from residentially zoned property from 300 feet to 150 feet. Specifically, allowing outdoor commercial entertainment to occur zero feet from residentially zoned property at 622 State Street.

The Boone County Health Department has no comments.

Thank you,

Amanda Mehl
Administrator
skm

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 5, 2019

ADVISORY REPORT

CASE: 2019-05 **APPLICANT:** Lindenberg, Townhall Industrial Park Plat 3 (RP)

REQUEST:

The applicant is requesting final plat approval of Plat 3 of the Townhall Industrial Park Subdivision. The plat is a replat of Lot 12 of Plat 1. Plat 3 consists of 2 lots comprised of 3.14 acres.

LOCATION:

The subject property is located in the northeast corner of the subdivision, bordered by Townhall Road and Morreim Drive.

BACKGROUND:

The property was annexed into the City of Belvidere in 1998. In 1998 the property was rezoned to I-2. In 2006 it was rezoned to Heavy Industrial. The first plat was approved in 1999; the second plat was approved in 2002. It appears that Townhall Road was not required to be approved during the platting process in 1999 because of the lack of development to the north. The applicant is requesting the replat of Lot 12 in order to accommodate a business desiring to locate in the industrial park.

A request for comments was forwarded to 17 departments, agencies or other parties. Comments received have been incorporated into the recommended conditions of approval.

SUMMARY OF FINDINGS:


The third final plat of Townhall Industrial Park is in conformance with the City of Belvidere's subdivision and zoning ordinances provided the suggested conditions of approval are met.

RECOMMENDATION:

Planning staff recommends the **approval** of case number **2019-05** subject to the following conditions:

1. All public improvements shall be completed in accordance with approved construction plans for the development.
2. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to recording of the Final Plat or approval and release of the construction plans for the development by the Director of Public Works.
3. A construction inspection fee in the amount of three percent of the approved engineer's estimate of cost for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director Public Works.
4. Prior to approval of the Final Plat for this subdivision, the developer shall pay all normal, customary, and standard permit, inspection, tap-on, connection, recapture, basin and other fees that are required by the City at the time of Final Plat submittal.
5. A drain overlay for this plat needs to be submitted for review and approval prior to the final plat approval.
6. All lots shown on this plat must have sanitary sewer and water services stubs to the property line in accordance with City Subdivision standards.
7. Show 2 concrete monuments at opposite corners per 765 ILCS 205/1.
8. No monument found or set at PC of curve on south line of Lot 16.
9. Identify solid and open circles shown at property corners as either being set or found monuments.
10. Remove found 5/8" IP notes at the northwest and southeast corner of Lot 15. These are new corners so how can the monuments be found?
11. Identify existing easements with the recoding information for the easement (i.e. 12" Utility Easement per Doc. No. 2005R02019.)
12. The duplicate Public Works Director certificate block shall be replaced with a Drainage Overlay certificate block.
13. The building setback line shall be changed to 45 feet.
14. The Stormwater Management Plan note shall reflect the Boone County Soil and Water Conservation District's updated information. Their address is 211 North Appleton Road, Belvidere, IL 61008 and their phone number is 815-544-2677 extension 3.
15. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
16. The plat shall be recorded with the County Recorder of Deeds within 90 days of City Council approval, unless a plat-recording extension is granted.
17. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

Submitted by:


Gina DelRose
Community Development Planner

ATTACHMENTS

1. Location Map by Planning Staff.
2. Aerial Photo by Planning Staff.
3. Letter from Boone County Conservation District, Dan Kane, February 27, 2019.
4. Memo from the Belvidere Public Works Department, Brent Anderson, February 28, 2019.
5. Letter from the Boone County Soil and Water Conservation District, James Mulcahy, March 5, 2019.
6. Final Plat 3 of Townhall Industrial Park Subdivision.

CASE 2019-05
Townhall Industrial Park
Plat 3
Gary Lindenberg
RP

1000

3467

TOWN HALL RD

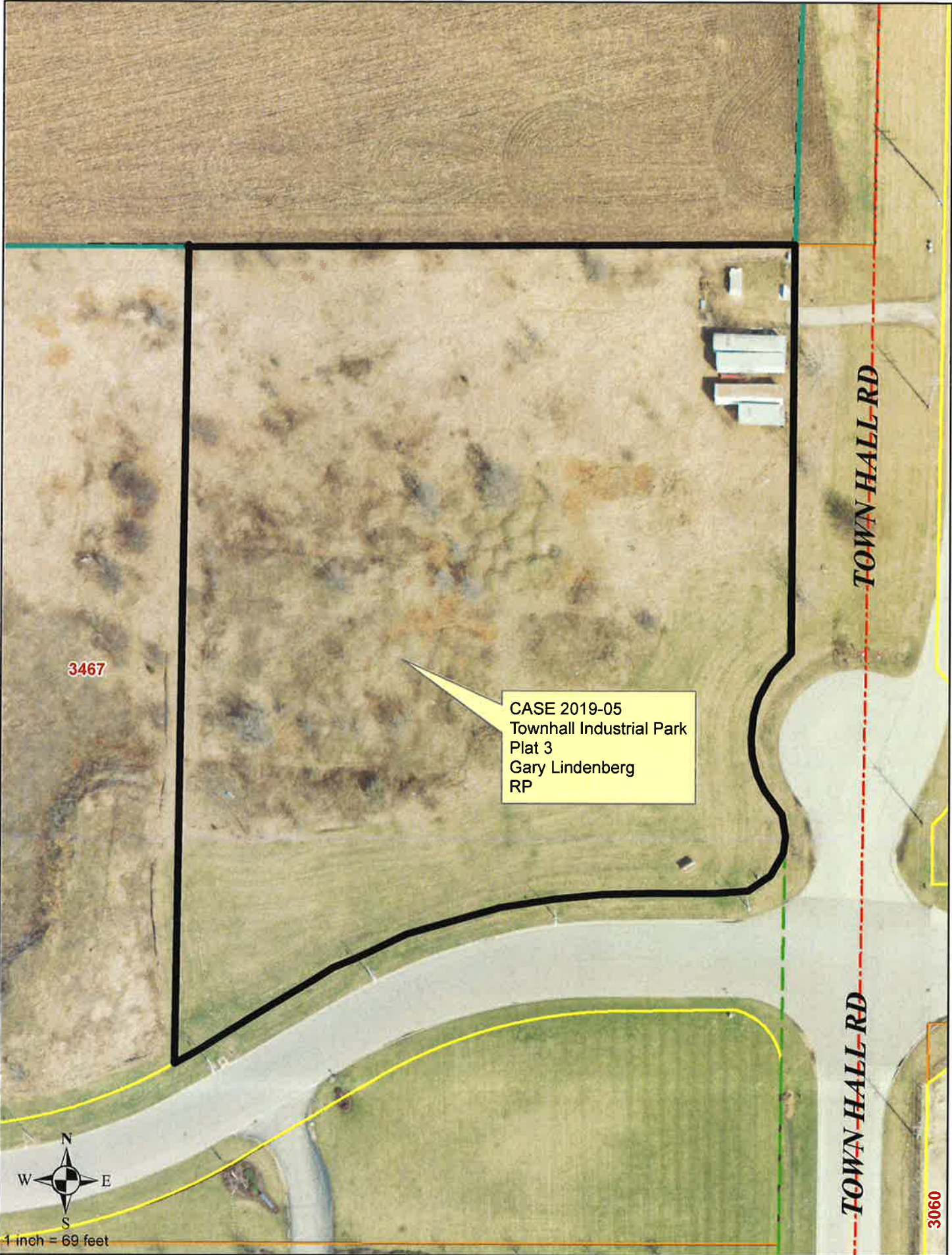
MORREIM DR

3060

3458



1 inch = 144 feet



3467

CASE 2019-05
Townhall Industrial Park
Plat 3
Gary Lindenberg
RP

TOWN HALL RD

TOWN HALL RD

3060



1 inch = 69 feet



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

**BOONE COUNTY
CONSERVATION
DISTRICT**

February 27, 2019

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

Re: 2019-05; Townhall Industrial Park Plat 3 (replat)

Dear Ms. DelRose:

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

Thank you.

Sincerely,

BOONE COUNTY CONSERVATION DISTRICT

A handwritten signature in black ink, appearing to read 'Dan Kane', is written over the printed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dan Kane
Executive Director

Memo

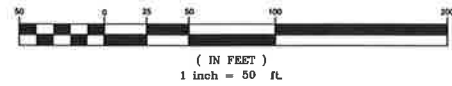
To: Gina DelRose, Community Development Planner
From: Brent Anderson, Director of Public Works
Date: 2/28/2019
Re: 2019-05; Townhall Industrial Park, Plat #3 (Replat of Lot 12)

Having reviewed the above plat, I would offer the following comments:

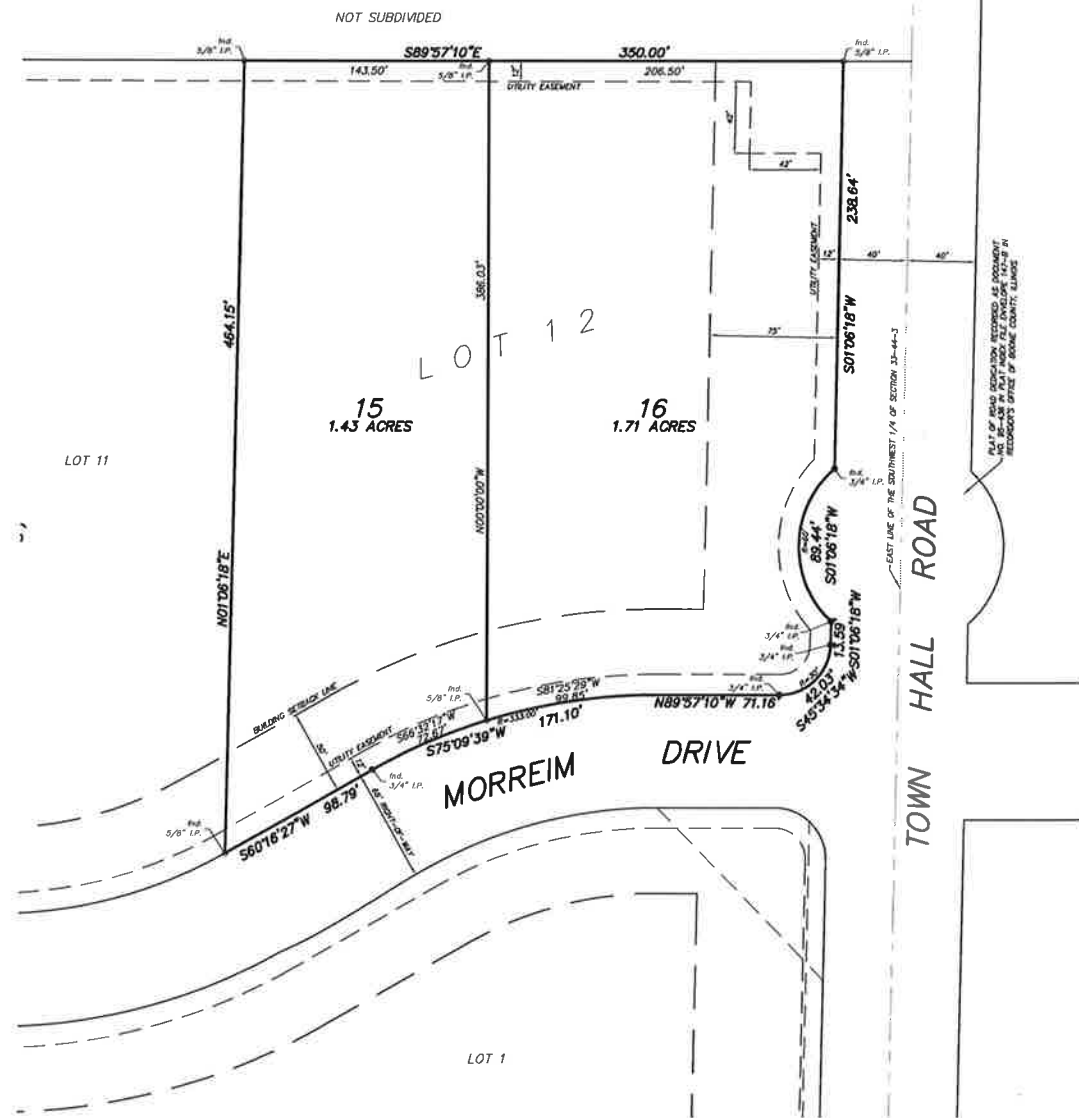
1. All public improvements shall be completed in accordance with approved construction plans for the development.
2. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to recording of the Final Plat or approval and release of the construction plans for the development by the Director of Public Works.
3. A construction inspection fee in the amount of three percent of the approved engineer's estimate of cost for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director of Public Works.
4. Prior to approval of the Final Plat for this subdivision, the developer shall pay all normal, customary, and standard permit, inspection, tap-on, connection, recapture, basin, and other fees that are required by the City at the time of Final Plat submittal.
5. A drainage overlay for this plat needs to be submitted for review and approval prior to final plat approval.
6. All lots shown on this plat must have sanitary sewer and water service stubs to the property line in accordance with City subdivision standards.
7. Show 2 concrete monuments at opposite corners per 765 ILCS 205/1.
8. No monument found or set at PC of curve on south line of Lot 16.
9. Identify solid and open circles shown at property corners as either being set or found monuments.
10. Remove found 5/8" IP notes at the northwest and southeast corner of Lot 15. These are new corners so how can the monuments be found?
11. Identify existing easements with the recording information for the easement. (i.e. 12' Utility Easement per Doc. No. 2005R02019.)

FINAL PLAT NO. 3
OF
TOWN HALL INDUSTRIAL PARK
BEING A REPLAT OF LOT 12 OF TOWN HALL INDUSTRIAL PARK, BEING A
SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 33-44-3

CITY OF BELVEDERE
BOONE COUNTY, ILLINOIS
DECEMBER 2018
GRAPHIC SCALE



BEARING BASES: FINAL PLAT OF
TOWN HALL INDUSTRIAL PARK



STATE OF ILLINOIS) SS
COUNTY OF BOONE)
I hereby certify that at the request of the owners, I have resurveyed and re-subdivided, according to the attached plat,
LOT TWELVE (12) AS DESIGNATED UPON THE AMENDED PLAT OF TOWN HALL INDUSTRIAL PARK, BEING A SUBDIVISION OF
PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 44, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, THE
PLAT OF WHICH IS RECORDED FEBRUARY 23, 2005 AS DOCUMENT NO. 2005R02019 IN THE RECORDER'S OFFICE OF BOONE
COUNTY, ILLINOIS; SITUATED IN THE COUNTY OF BOONE AND STATE OF ILLINOIS.

Dimensions are given in feet and decimals of a foot. Dimensions along circular curves are chord distances pin to pin. Iron
pins three-fourth inch in diameter and four feet long have been found or set at all points marked on the plat with a
solid dot and iron pins five-eighths inch in diameter and three feet long have been found or set at all other lot corners,
unless otherwise specified.

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

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

Given under my hand and seal this _____ day of _____ A.D. 20_____ at _____ Illinois.

Thomas R. Eddle L.P.L.S. 3635
Expiration Date: 11-30-2020



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

I further certify that the property herein described in the surveyor's certificate, to the best of my knowledge, is located
within the boundaries of Belvedere Consolidated Unit School District No. 100 in Boone County, Illinois.

(Signature of Owner) _____ (Address) _____

STATE OF ILLINOIS) SS
COUNTY OF BOONE)
I, _____ a Notary Public, in and for said County, in the State aforesaid, do hereby certify that
personally known to me to be the same person whose name is subscribed to the foregoing
instrument as such owner, appeared before me this day in person and acknowledged that he signed and delivered the
annexed plat as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this _____ day of _____ A.D. 20_____ at
_____ Illinois.

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

I further certify that the property herein described in the surveyor's certificate, to the best of my knowledge, is located
within the boundaries of Belvedere Consolidated Unit School District No. 100 in Boone County, Illinois.

(Signature of Owner) _____ (Address) _____

STATE OF ILLINOIS) SS
COUNTY OF BOONE)
I, _____ a Notary Public, in and for said County, in the State aforesaid, do hereby certify that
personally known to me to be the same person whose name is subscribed to the foregoing
instrument as such owner, appeared before me this day in person and acknowledged that he signed and delivered the
annexed plat as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this _____ day of _____ A.D. 20_____ at
_____ Illinois.

STATE OF ILLINOIS) SS
COUNTY OF BOONE)
I, _____ Public Works Director of the City of Belvedere, do hereby certify that this plat has been
examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of
Belvedere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed
improvements.

Dated this _____ day of _____ A.D. 20_____

STATE OF ILLINOIS) SS
COUNTY OF BOONE)
I, _____ Public Works Director of the City of Belvedere, do hereby certify that this drainage overlay has
been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of
Belvedere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed
improvements.

Dated this _____ day of _____ A.D. 20_____

NOTES FROM RECORDED AMENDED PLAT OF TOWN HALL INDUSTRIAL PARK:

MAINTENANCE OF THE DRAINAGE AND STORM WATER DETENTION EASEMENTS SHALL
BE THE SOLE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER. THE FINISHED
GRADE OF THE EASEMENTS SHALL NOT BE ALTERED OR ENCRUSTED UPON BY
FILLING, REGRADING OR CONSTRUCTION OF SURFACE IMPROVEMENTS THAT
OBSTRUCT OR REDIRECT THE FLOW OF WATER, NOR SHALL ANY BUILDINGS OR
STRUCTURES BE ERRECTED WITHIN THE EASEMENTS.

A STORM WATER MANAGEMENT PLAN, DEVELOPED TO REDUCE IMPACTS TO SURFACE WATER
AND GROUNDWATER RESOURCES, IS ON FILE AT THE BOONE COUNTY SOIL AND WATER
CONSERVATION DISTRICT OFFICE FOR A COPY OF THIS PLAN, MORE INFORMATION, OR
TECHNICAL SUPPORT REGARDING THIS PLAN CONTACT: THE BOONE COUNTY SOIL AND WATER
CONSERVATION DISTRICT LOCATED AT 8108 APPLETON ROAD, P.O. BOX 218, BELVEDERE,
ILLINOIS 61008, OR CALL (815) 544-2611.

*NO ADDITIONAL ACCESS POINTS OTHER THAN THAT SHOWN ON THIS PLAT SHALL
BE ALLOWED ALONG US ROUTE 20 FOR THE SUBDIVISION.*

THIS PLAT WAS AMENDED FROM ITS RECORDED FORM, RECORDED IN PLAT FILE
INDEX ENVELOPE 2189 AS DOCUMENT NO. 1999 RD 7371, TO REMOVE THE TEXT,
SHALL BE ALLOWED ALONG TOWN HALL ROAD AND NO ACCESS POINTS FROM THE
THIRD NOTE ON SHEET 1 OF 2.

STATE OF ILLINOIS) SS
COUNTY OF BOONE)
Approved this _____ day of _____ A.D. 20_____

CITY PLANNER

STATE OF ILLINOIS) SS
COUNTY OF BOONE)
This is to certify that the City Council of the City of Belvedere did, at its meeting of the _____ day of
A.D. 20_____, approve of this Plat and authorize it to be recorded.
In witness whereof, I, _____ Mayor of the City of Belvedere, have hereunto set my hand and affixed the
seal of said City of Belvedere, this _____ day of _____ A.D. 20_____

Mayor

ATTEST:

City Clerk

STATE OF ILLINOIS) SS
COUNTY OF BOONE)

We, Commonwealth Edison Company, Frontier Communications, Northern Illinois Gas Company, and Comcast
Communications by our signatures hereon do hereby acknowledge that we have received a copy of this Plat and hereby
consent to the recording of said plat as prepared.

COMMONWEALTH EDISON COMPANY FRONTIER COMMUNICATIONS

By: _____ Dated: _____, 20_____

Dated: _____, 20_____ Dated: _____, 20_____

NICOR COMCAST COMMUNICATIONS

By: _____ Dated: _____, 20_____

Dated: _____, 20_____ Dated: _____, 20_____

General easement provision.

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

(2) If the grade of the subdivision property must be so altered or if storm and sanitary sewer facilities require that the
underground utility or cable television equipment be moved or otherwise altered, the owners, their respective successors
and assigns shall reimburse the utility company or cable television company for the necessary expense involved.

(3) Maintenance of the drainage and storm water detention easements shall be the sole responsibility of the individual
property owner. The finished grade of the easements shall not be altered or encroached upon by filling, regrading or
construction of surface improvements that obstruct or redirect the flow of water, nor shall any buildings or structures be
erected within the easements.

STATE OF ILLINOIS) SS
COUNTY OF BOONE)

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

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

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

Dated at _____ Illinois, this _____ day of _____ A.D. 20_____

(City Clerk)

STATE OF ILLINOIS) SS
COUNTY OF BOONE)

This plat was filed for record in the Recorder's Office of Boone County
aforesaid on the _____ day of _____ A.D. 20_____

at _____ o'clock, _____ M. and recorded in
Plat index file envelope _____ as Document No. _____

County Recorder

OWNERS:
AMCORE INVESTMENT GROUP
TRUST 99-13431
6735 VISTA GREEN WAY SUITE 300
ROCKFORD, IL 61107
GARY LINDENBERG ELECTRIC SYSTEMS
4579 AMERICAN ROAD
ROCKFORD, ILLINOIS 61109



LOCATION MAP

PREPARED BY:
R.K. JOHNSON & ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS - LAND SURVEYORS
1515 WINDSOR ROAD, LOVES PARK, ILLINOIS 61111
(815) 633-5097 (815) 633-4593 FAX
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004994
DECEMBER 21, 2018 JOB NO. 17132
PREPARED FOR: LANDMARK DEVELOPMENT



Boone County
Soil & Water
Conservation District

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

5 March 2019

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

Re: 2019-5; Townhall Industrial park Plat 3 (Replat)

Dear Ms. DelRose:

The Boone County Soil & Water Conservation District has no comment at this time on the above noted replat.

Thank you for the opportunity to comment.

Sincerely:



James Mulcahy

BELVIDERE

Community Development Department Planning Department

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

February 2019 Monthly Report

Number	Project	Description	Processed
Belvidere Projects			
1	Cases: October	Beverly Materials (Plote), SU, 4654 Townhall Rd	9/10/2018
0	Cases: February	None	
5	Cases: March	Crombie, SU, 982 Belvidere Road	2/1/2019
		Crombie, SU, 1550 Pearl Street	2/1/2019
		Crombie, VAR, 622 S. State Street	2/1/2019
		Crombie, SU, 622 S. State Street	2/1/2019
		Lindenberg, RP, Townhall Industrial Park	2/19/2019
2	Annexation	Plote, 4654 Townhall Road	
		Plote, Irene Rd and US Route 20	
0	Temporary Uses	None	
2	Site Plans (New/Revised)	128 W. Hurlbut Avenue	2/7/2019
		203 Kishwaukee Street	2/7/2019
0	Final Inspection	None	
0	Downtown Overlay Review	None	
0	Prepared Zoning Verification Letters	None	
0	Issued Address Letters	None	
	Belvidere Historic Preservation Commission	The Commission continued planning their spring awards program and began planning their fall fundraiser. Staff ordered landmark plaques, awards and has been in communication with the Historic US Route 20 Association regarding tourism and marketing options.	
	Heritage Days	Began to sign up vendors, prepare schedules, organize blood drive and meet with other organizers	
	Hometown Christmas	None	
Poplar Grove Projects			
1	Cases: February	Crombie, SU, 13561 Julie Drive	1/28/2019
1	Cases: March	Straw, SU, 5445 IL Rte 173	2/27/2019
0	Issued Address Letters	None	
2	Prepared Zoning Verification Letters	478 S. State Street (eastern parcel)	2/20/2019
		478 S. State Street (western parcel)	2/20/2019

Planning Monthly Report Cont.

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

1	Recorder's Office	
1	Other Department	
0	General Public	None

Census	Completed BAS updates
--------	-----------------------

Planning Department Current Duties

Close out completed planning case files

Respond to all FOIA requests

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

Assist Growth Dimensions with requested data

Meetings and phone calls with developers regarding potential development

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

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

Prepare deposits and purchase orders for bill payments

Continue meeting with RMAP regarding planning activities

CITY 2019

Date	Planner	Case	Request	Petitioner/ Address	PZC	CC1	CC2
March							
2/1/2019	GD	2019-01	SU	JBLH Properties, LLC/ 982 Belvidere Road	3/12/2019	3/18/2019	4/1/2019
2/1/2019	GD	2019-02	SU	LHC properties LLC/1550 Pearl Street	3/12/2019	3/18/2019	4/1/2019
2/1/2019	GD	2019-03	SU	LHC Properties LLC/ 622 S. State Street	3/12/2019	3/18/2019	4/1/2019
2/1/2019	GD	2019-04	VAR	LHC Properties LLC/622 S. State Street	3/12/2019	3/18/2019	4/1/2019
2/19/2019	GD	2019-05	RP	Gary Lindenberg/ 3397 Morreim Drive	4/9/2019	4/15/2019	5/6/2019
April							

Variation	1
Map Amendment	
Subdivision	1
Special Use	3
Annexation	
Text Amendment	
Temporary Use	
Appeals	
Total	5