

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, October 8, 2024

City Council Chambers

401 Whitney Boulevard

6:00 pm

ROLL CALL

Members Present:

Carl Gnewuch,
Paul Engelman, CH
Alissa Maher
Bob Cantrell , VCH
William Bieber
Daniel Druckrey
Art Hyland

Staff Present:

Gina DelRose, Community Development Planner
Kimberly Whitt, Administrative Assistant
Mike Drella, City Attorney

Members Absent:

Vice Chair Engelman called the meeting to order at 6:02 p.m.

Carl Gnewuch arrived at 6:04 p.m.

MINUTES: It was moved and seconded (Maher/Cantrell) to approve the minutes of the July 09, 2024 meeting. The motion carried with a vote 7-0 voice vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

2024-15: T.A.B. Holdings, LLC, 155 E. Hurlbut Avenue (RZ): The applicant and property owner, T.A.B. Holdings, LLC (c/o Tad Butitta), 2429 S. Alpine Road, Rockford, IL 61108 is requesting a map amendment (rezoning) on approximately 8,800 square feet known as 155 E. Hurlbut Avenue and adjacent parking area from the SR-6, Single-family Residential-6 District to the CB, Central Business District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. The subject property is irregular in shape and is developed with a garage and parking lot.

PUBLIC HEARING FOR CASE 2024-15 OPENED: 6:04 PM

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on September 19, 2024 and notifications were sent by certified mail to property owners within 250 feet of the subject property on September 13, 2024. Ms. DelRose summarized the staff report dated September 24, 2024 and stated the recommendation is for approval of case #2024-15; T.A.B. Holding LLC. 155 E. Hurlbut Avenue re-zoning from the SR-6, Single-family Residential-6 District to the CB, Central Business District.

Carl Gnewuch questioned the difference between the allowable improvements if left as SR6 versus improvements for CB

Gina DelRose stated that the existing improvements do not meet the SR-6 regulations due to lot coverage, pavement setbacks, and land use. Accessory structures such as garages must be located on the same lot as a primary structure such as a residence and parking lots

are not permitted in the SR-6 District. Therefore, the existing improvements cannot be improved by more than 50% of their value. Also, due to lot size, lot width and road frontage requirements, the individual lots cannot be developed as residential without other zoning relief being granted. However, if the property were to be rezoned to the Central Business District, the garage and parking lot may be maintained and improved regardless of the monetary value. The existing lot configurations, lot coverage and setbacks are more in line with the bulk regulations of the Central Business District. However, any kind of improvement made on the property must adhere to current municipal codes and ordinances such as building and stormwater management.

Representation for the applicant was present, but had no questions of staff.

The Commission had no questions for the applicant's representative.

There was no testimony from the public for Case #2024-15.

PUBLIC HEARING FOR CASE 2024-15 CLOSED: 6:13 PM

It was moved and seconded (Maher/Druckrey) to recommend approval of Case #2024-15, as presented by staff. The motion carried with a 7-0 roll call vote.

Ms. Gina DelRose stated the case would move forward to City Council.

2024-16: City of Belvidere (TA): The applicant, The City of Belvidere, 401 Whitney Boulevard, Belvidere, IL 61008 is requesting a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Section 150.101: Purpose, 150.102: Standard Zoning Districts and Standard Zoning District Categories, 150.105(A)(1) Rural Holding (RH) District, 150.105(B)(1) Single-Family Residential-3 (SR-3) District, 150.105(B)(2) Single-Family Residential-4 (SR-4) District, 150.105(B)(3) Single-Family Residential-6 (SR-6) District, 150.105(B)(4) Two-family Residential-7 (TR-7) District, 150.105(B)(5) Multi-family Residential-8 Small (MR-8S) District, 150.105(B)(6) Multi-family Residential-8 Large (MR-8L) District, 150.105(C)(6) Central Business (CB) District, 150.105(C)(7) Planned Industrial (PI) District, 150.105(C)(8) General Industrial (GI) District, 150.105(C)(9) Heavy Industrial (HI) District, 150.105(E) Tollway Corridor Districts, 150.204(G)(5) Small Wireless Facility, 150.204(H)(2) Private Residential Garage and/or Utility/Storage Shed, 150.204(H)(2) Private Residential Garage and/or Utility/Storage Shed, Table 150.604: Landscaping Requirements for Regular Development, Table 150.607(C)(2)A: Required Bufferyard Opacity Values, 150.710(D) Building Design and Construction Requirements: Planned Office and Commercial Districts (PB, GB, CB) and Tollway Corridor Districts (PM1, PM2, PM4, CC and TC), 150.904(J) Termination of an Approved Special Use, Table 150.1007(A)1, Table 150.1007(B)1, Table 150.1007(C)1, Figure 150.1007(C)(1)a, Appendix A: City of Belvidere Density and Intensity Standards, Appendix B: City of Belvidere Bulk Regulations, Appendix C: Land Use Summary Chart; 150.902 Amendment of Zoning Regulations and Text Amendments and Section 151.62 Maintenance of Improvements of the Belvidere Subdivision Ordinance.

PUBLIC HEARING FOR CASE 2024-16 OPENED: 6:14 PM

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on September 19, 2024. Ms. DelRose summarized the staff report dated September 25, 2024 and stated the recommendation is for approval of case #2024-16; The

City of Belvidere, 401 Whitney Boulevard, Belvidere, IL 61008 is requesting a text amendment to the City of Belvidere Zoning Ordinance.

Gina DelRose explained each section of the amendments:

Group 1 – No questions or concerns

Group 2 – No questions or concerns

Group 3 – Carl Gnewuch asked if the amendment would cause issues in the future by creating non-conforming garages.

Gina DelRose stated that the amendment was removing the more restrictive aspects and giving more clarification. It is not expected to create non-conforming issues.

Group 4 – Carl Gnewuch questioned the City's ability to regulate small wireless facilities. Gina DelRose stated that small wireless facilities are regulated by FCC and the city cannot be more restrictive.

Group 5 – No questions or concerns

Group 6 – No questions or concerns

Group 7 – No questions or concerns

Group 8 – No questions or concerns

Group 9 – Carl Gnewuch questioned if this would allow Special Uses to be revoked unfairly.

Attorney Drella responded that it is not an automatic revocation. Only that it allows the City Council to take into consideration the failure to comply with conditions of approval when deciding if a Special Use should be revoked.

Group 10 – The commission questioned what kind of improvements would be affected and the time frame for completion of such improvements.

Attorney Drella stated that the public improvements are items such as roads, utilities and sidewalks. The amendment would require the developer to continue maintenance such as filling in potholes, and plowing roads until the city accepts public improvements. Attorney Drella clarified that most improvements are bonded. Therefore, if they are not done a timely manner the City can call the bond and complete the improvements.

There was no testimony from the public for Case #2024-16

PUBLIC HEARING FOR CASE 2024-16 CLOSED: 6:58 PM

It was moved and seconded (Maher/Druckrey) to recommend approval of Case #2024-16, as presented by staff. The motion carried with a 7-0 roll call vote

Ms. Gina DelRose stated the case would move forward to City Council.

2024-17: By Liquors, 1253 Logan Avenue (SU): The applicant, Yash Musabji, 1455 Kennedy Drive, Belvidere, IL 61008 on behalf of the property owner, David Black, 2662 McFarland Road, Rockford, IL 61107 is requesting a special use to permit indoor commercial entertainment. The special use includes a bar and video gaming at 1253 Logan Avenue, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the GB, General Business District on less than 1 acre.

PUBLIC HEARING FOR CASE 2024-17 OPENED: 6:59 PM

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on September 19, 2024 and notifications were sent by certified mail to property owners within 250 feet of the subject property on September 13, 2024. Ms. DelRose summarized the staff report dated September 24, 2024 and stated the recommendation is for approval of case #2024-17; Yash Musabji requesting special use to permit indoor commercial entertainment at 1253 Logan Ave., Belvidere, IL subject to 6 conditions.

There were no questions from the commission.

A representative for the applicant was present to answer questions but had no testimony to give.

There was discussion regarding the Illinois Gaming Board regulations in regards to casino and video gaming.

PUBLIC HEARING FOR CASE 2024-17 CLOSED: 7:17 PM

There were no questions or testimony from the audience for Case #2024-017.

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

It was moved and seconded (Maher/Druckrey) to recommend approval of Case 2024-17 subject to the 6 conditions as presented by staff. The motion carried with a 7-0 roll call vote.

Ms. Gina DelRose stated the case would move forward to City Council.

OTHER BUSINESS:

DISCUSSION:

Staff Report:


Ms. DelRose stated there are two cases for the November 12, 2024 meeting.

ADJOURNMENT:

Paul Engelman stated that with no objections the meeting was adjourned.


The meeting adjourned at 7:27 p.m.

Recorded by:



Kimberly Whitt
Administrative Assistant

Reviewed by:



Gina DelRose
Community Development Planner