

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #618H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT WITHIN  
THE PB, PLANNED BUSINESS DISTRICT (1946 GATEWAY CENTER DRIVE)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 3<sup>RD</sup> DAY OF APRIL 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 6<sup>TH</sup> DAY OF APRIL 2023.

Published in Pamphlet Form this 6<sup>th</sup> day of April 2023.

**ORDINANCE NO. 618H**

**AN ORDINANCE GRANTING A SPECIAL USE  
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT  
WITHIN THE PB, PLANNED BUSINESS DISTRICT  
(1946 Gateway Center Drive)**

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

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

**WHEREAS**, The applicant, Belvidere Pizza Inc., 1946 Gateway Center Drive, Belvidere, IL 61008 on behalf of the property owner, Belvidere Gateway Center LLC, 2777 Finley Road #12, Downers Grove, IL 60515 is requesting a special use to allow indoor commercial entertainment at 1946 Gateway Center Drive; and

**WHEREAS**, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on March 14, 2023 concerning the proposed Special Use; and,

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

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

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

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

**Section 2.** That a Special Use in the PB, Planned Business District to allow for indoor commercial entertainment on the property depicted in Attachment A and legally described as:



Lots (7&14) as designated upon Plat of Gateway Center, being a part of the Northwest Quarter (1/4) of Section 6, Township 43 North, Range 4 East of the Third Principal Meridian, according to the Plat thereof recorded March 23, 2005 in Plat Index File Envelope No. 316-A as Document No. 2005R03084 in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and State of Illinois.

Excepting therefrom Part of Lot Seven (7) as designated upon the Plat of Gateway Center; bounded and described as follows, to-wit: Beginning at the Northwest Corner of said lot; thence South 72 degrees 35 minutes 47 seconds East, along a North line of said lot, 251.76 feet; thence South 44 degrees 11 minutes 17 seconds West, 27.58 feet; thence South 89 degrees 25 minutes 13 seconds West, 195.58 feet to the West line of said lot; thence North 14 degrees 41 minutes 03 seconds West, along the West line of said lot, 100.34 feet to the point of beginning; situated in the County of Boone and the State of Illinois. PIN: 08-06-101-011

is hereby approved, subject to the following conditions:

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

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

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

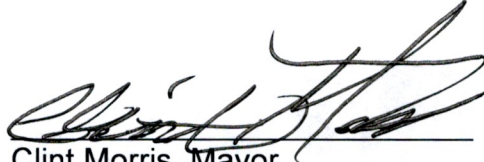
**Section 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

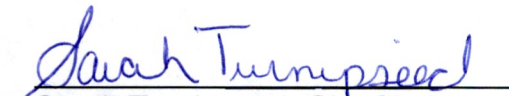
**Section 7.** This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**PASSED** by the City Council of the City of Belvidere this 3<sup>rd</sup> day of April, 2023.

**APPROVED** by the Mayor of the City of Belvidere this 6<sup>th</sup> day of April, 2023.

  
Clint Morris, Mayor

**ATTEST:**

  
Sarah Turnipseed, City Clerk

Ayes: 10   Nays: 0   Absent: 0

City Council Members Voting Aye: Brereton, Fleury, Frank, McGee, Mulhall, Porter, Prather, Snow and Stevens.

City Council Members Voting Nay: None.

Date Published:    April 6, 2023

Sponsor: Ald. Prather





**AFFIDVAIT**

STATE OF ILLINOIS       )  
                                      )  
COUNTY OF BOONE       )

Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #618H of the City of Belvidere, Illinois, in pamphlet form on April 6, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #618H on the bulletin board in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's office.

*Sarah Turnipseed*

Sarah Turnipseed  
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
this 6<sup>th</sup> day of April, 2023.

*Erica L. Bluege*  
\_\_\_\_\_  
Notary Public

