

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #621H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW IN-VEHICLE SALES OR SERVICE (AUTOMATIC CAR WASH) AND INDOOR COMMERCIAL ENTERTAINMENT (VIDEO GAMING) WITHIN THE GB, GENERAL BUSINESS DISTRICT (1125 NORTH STATE STREET)

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. 621H**

**AN ORDINANCE GRANTING A SPECIAL USE  
TO ALLOW IN-VEHICLE SALES OR SERVICE  
(AUTOMATIC CAR WASH) AND  
INDOOR COMMERCIAL ENTERTAINMENT  
(VIDEO GAMING)  
WITHIN THE GB, GENERAL BUSINESS DISTRICT  
(1125 North State Street)**

**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, Gunsteen Car Wash c/o Daniel Gunsteen, 651 S. Sutton Road, Ste 305, Streamwood, IL 60107 on behalf of the property owner, DM Enterprises of 651 S. Sutton Road, Ste 305, Streamwood, IL 60107 has petitioned the City for a Special Use to permit in-vehicle sales or service and indoor commercial entertainment to operate an automatic car wash and video gaming at 1125 North State Street; 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 GB, General Business District for in-vehicle sales or service (automatic car wash) and indoor commercial entertainment (video gaming) on the property depicted in Attachment A and legally described as:

Lot Two (2) as designated upon the Plat of Dixon Commercial Subdivision, being a Subdivision of part of Section 26 Township 44 North, Range 3 East of the Third Principal Meridian, according to the Plat thereof recorded June 15, 2017 as Document No. 2017RO3026 in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and the State of Illinois. (PIN: 05-26-127-011)

is hereby approved, subject to the following conditions:

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

**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.

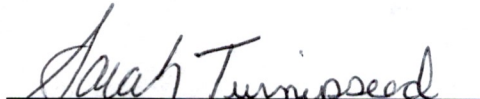


**PASSED** by the City Council of the City of Belvidere this 3rd day of April, 2023.

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

  
Clinton Morris, Mayor

**ATTEST:**

  
Sarah Turnipseed, City Clerk

Ayes: 10   Nays: 10   Absent: 0

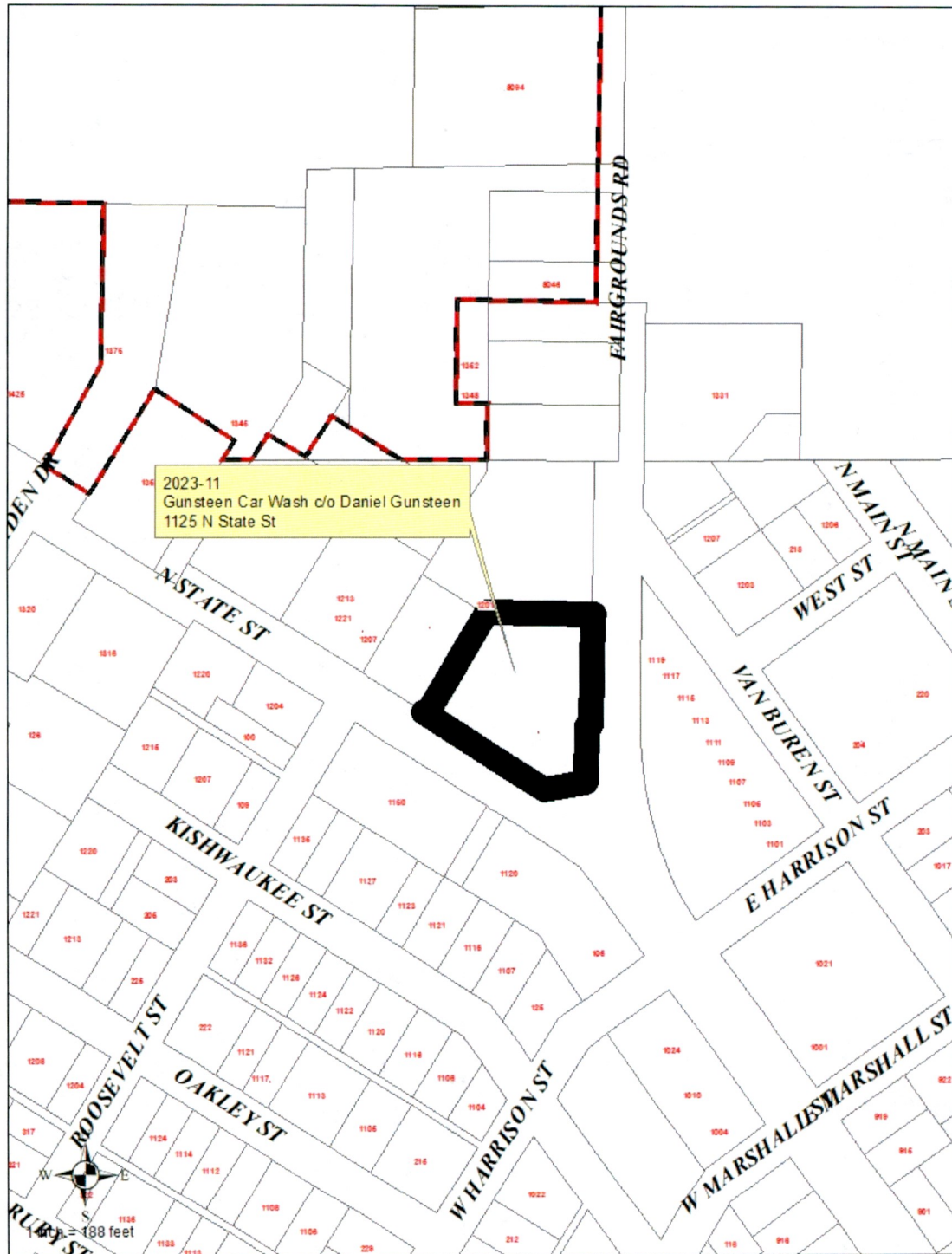
City Council Members Voting Aye: Freeman, McGee, Mulhall, Porter, Prather,  
Snow, Stevens, Brereton, Fleury and Frank.

City Council Members Voting Nay: None.

Date Published: April 6, 2023

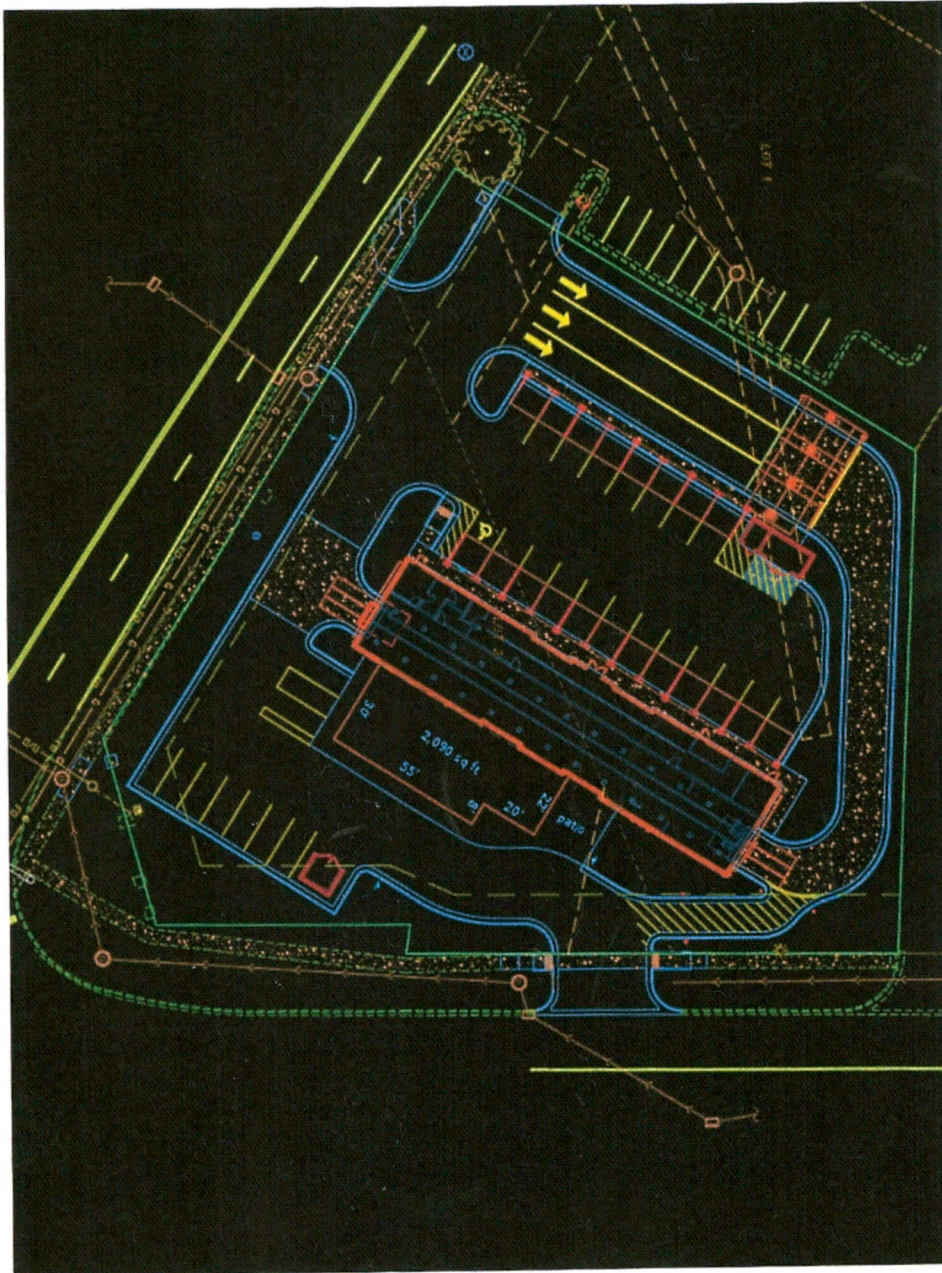
Sponsor: Ald. Snow

## ATTACHMENT A

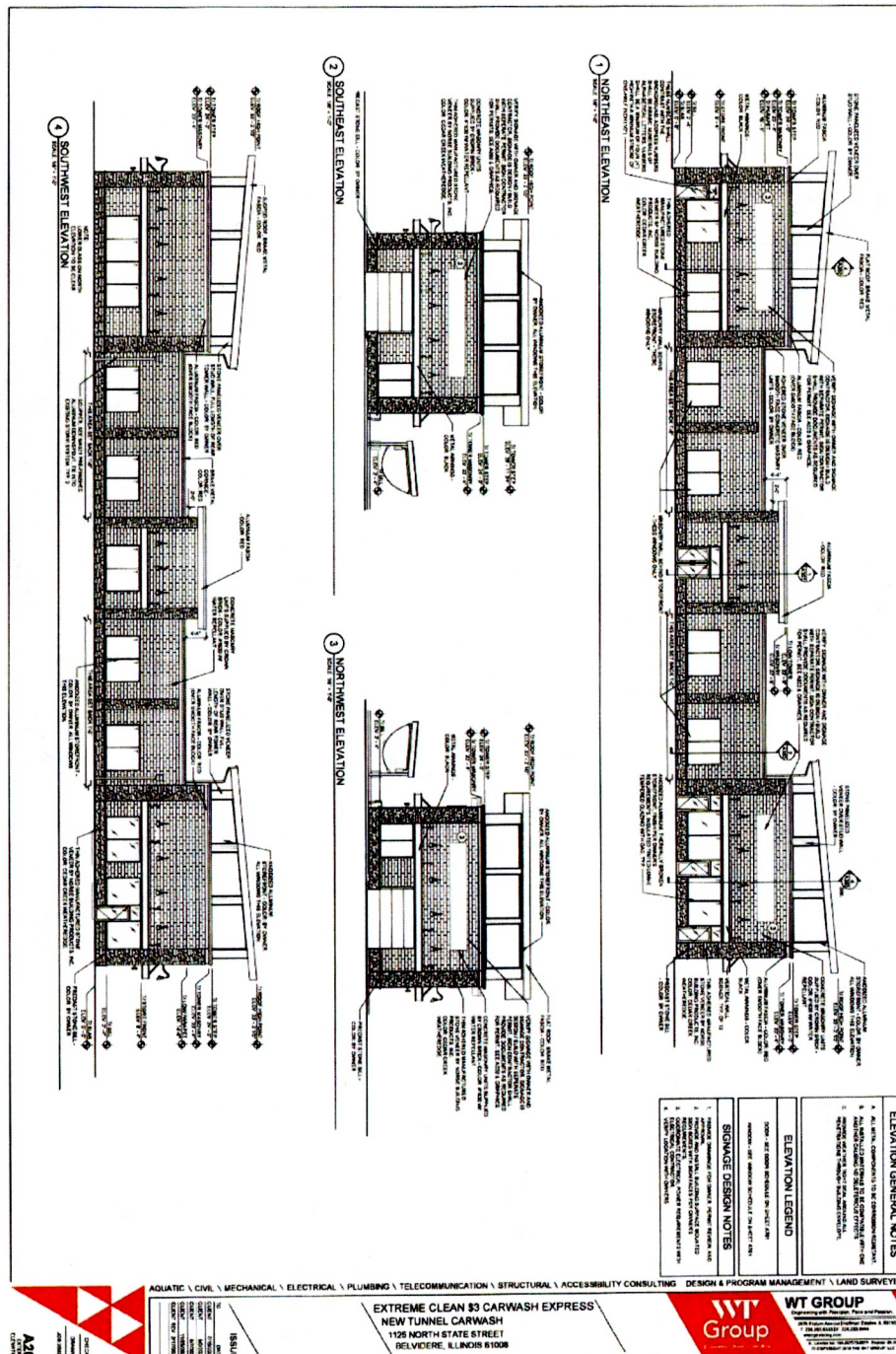




## ATTACHMENT B



3/2023



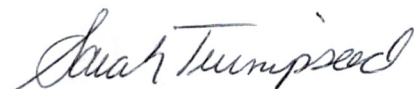


**AFFIDVAIT**

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 #621H 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 #621H 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  
City Clerk

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

  
Notary Public