

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #628H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT WITHIN
THE PB, PLANNED BUSINESS DISTRICT (1868 CRYSTAL PARKWAY)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 5th DAY OF JUNE 2023.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 8th DAY OF JUNE 2023.

Published in Pamphlet Form this 8th day of June 2023.

ORDINANCE NO. 628H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
WITHIN THE PB, PLANNED BUSINESS DISTRICT
(1868 Crystal Parkway)**

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, May's Belvidere LLC, 100 W. Higgins Road #H71, South Barrington, IL 60010 on behalf of the property, Belvidere Retail, LLC, 5277 Trillium Boulevard, Hoffman Estates, IL 60192 is requesting a special use to permit indoor commercial entertainment which includes a bar and video gaming; 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 May 9, 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 for indoor commercial entertainment on the property depicted in Attachment A and legally described as:

Lot 3 as designated upon Final Plat 2 of Belvidere Retail Subdivision, being a part of the Northeast Quarter (1/4) of Section 1, Township 43 North, Range 3 East of the Third Principal Meridian and part of the Northwest Quarter (1/4) of Section 6, Township 43, Range 4 East of the Third Principal Meridian, according to the Plat thereof recorded March 6, 2023 in Plat

Index File Envelope No. 403-A as Document No. 2023R00824 in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and State of Illinois. PIN: 08-06-152-004

Is hereby approved, subject to the following conditions:

1. The special use is only for the tenant space commonly known as 1868 Crystal Parkway.
2. 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.

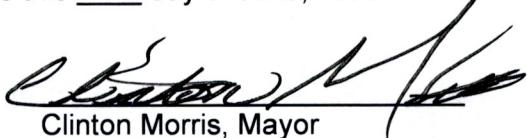
Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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.

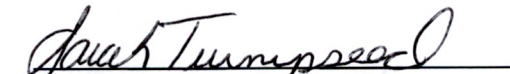
Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this 5th day of June, 2023.

APPROVED by the Mayor of the City of Belvidere this 8th day of June, 2023.


Clinton Morris, Mayor

ATTEST:


Sarah Turnipseed, City Clerk

Ayes:6 Nays:0 Absent: 3

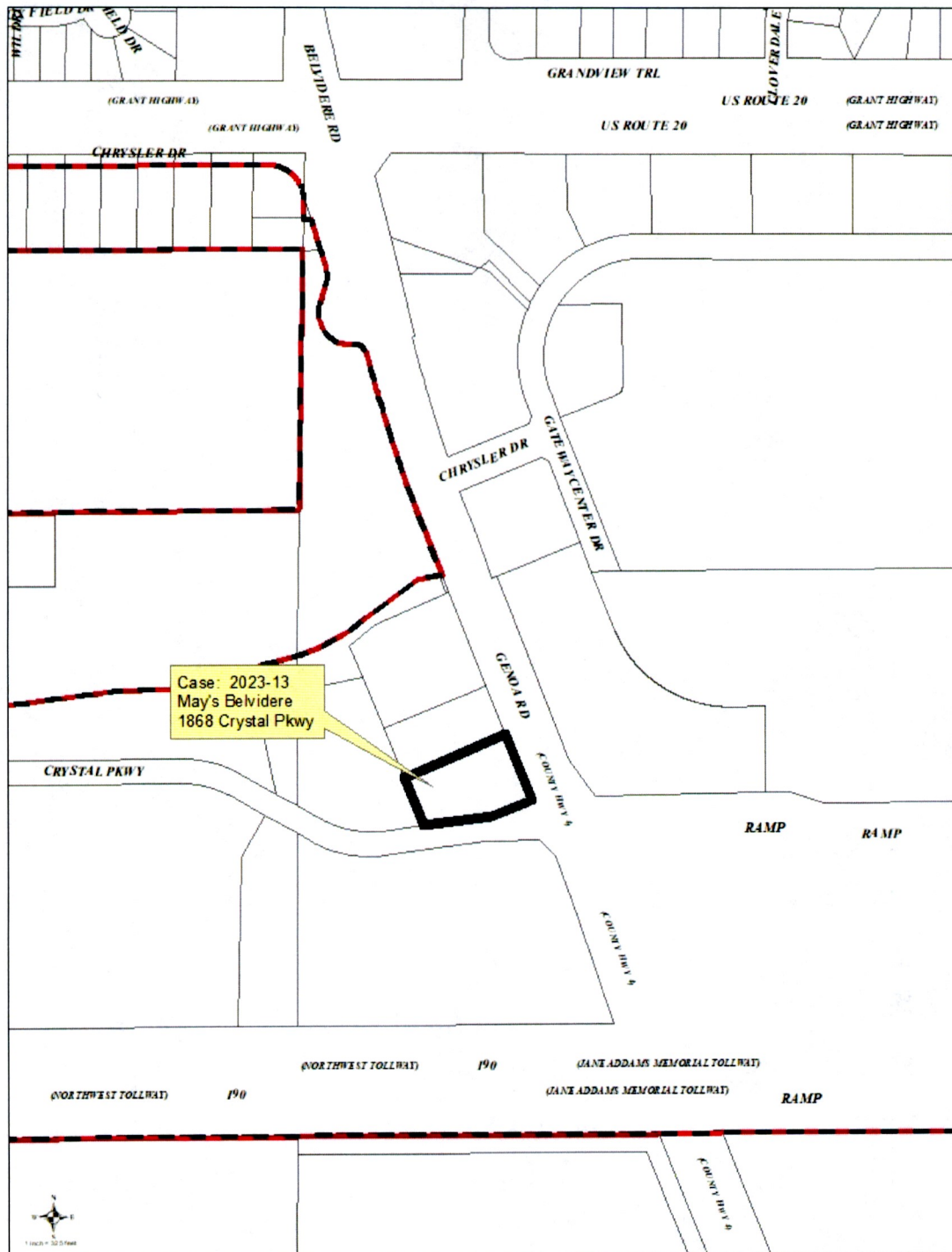
City Council Members Voting Aye: Brereton, Fleury, McGee, Mulhall, Snow and Albertini.

City Council Members Voting Nay: None.

Date Published: 6/8/2023

Sponsor: Ald. Albertini

ATTACHMENT A

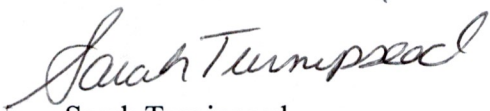


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STATE OF ILLINOIS)
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COUNTY OF BOONE)

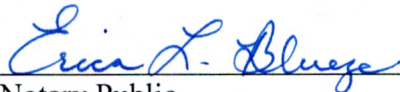
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #628H of the City of Belvidere, Illinois, in pamphlet form on June 8, 2023, and as a convenience for the public; I posted the pamphlet form of Ordinance #628H 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 8th day of June, 2023.



Notary Public