

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, March 14, 2023

City Council Chambers

401 Whitney Boulevard

6:00 pm

ROLL CALL

Members Present:

Paul Engelman, Chair
Carl Gnewuch
Alissa Maher
Bob Cantrell
Brad Anderson
Dan Druckrey Vice-Chair
Art Hyland

Staff Present:

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

Members Absent:

The meeting was called to order at 6:03 p.m.

MINUTES: It was moved and seconded (Cantrell/Druckrey) to approve the minutes of the January 10, 2023 meeting. The motion carried with a 7-0 roll call vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

2023-08: Rosati's (SU): Application of 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 for a special use to permit indoor commercial entertainment which includes video gaming at 1946 Gateway Center Drive, 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 2.89 acres. PIN: 08-06-101-011

PUBLIC HEARING FOR CASE 2023-08 OPENED : 6:05 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on February 23, 2023 and notifications were sent by certified mail to property owners within 250 feet of the subject property on February 21, 2023. Ms. DelRose summarized the staff report dated March 6, 2023 and stated the

recommendation is for approval of case #2023-08 for a special use to permit indoor commercial entertainment which included video gaming at 1946 Gateway Center Dr., Belvidere, IL 61008. PIN: 08-06-101-011.

There was discussion regarding availability of room. Gina DelRose stated that the applicant would be best to explain.

Applicant was present.

Sam Rosati was sworn in at 6:11 pm. Mr. Rosati explained the majority of their business was delivery and carry out. They would be rearranging the dining area. There will be less seating for indoor dining.

No questions or testimony from the audience for Case #2023-08.

PUBLIC HEARING FOR CASE 2023-08 CLOSED: 6:16 PM

It was moved and seconded (Highland/Druckrey) 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 (Gnewuch/Cantrell) to recommend approval of Case 2023-08 subject to conditions as presented. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on March 20, 2023 and on April 3, 2023 for a second reading and final vote.

2023-09: City of Belvidere (TA): Application of The City of Belvidere, 401 Whitney Boulevard, Belvidere, IL 61008 for a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended) pertaining to Sections 150.706 Exterior Storage Standards for Residential, Office and Commercial Districts, 150.712 Fencing Standards, 150.1008 Changeable Copy Signs and Section 150.902 Amendment of Zoning Regulations (Text Amendments). Specifically, the amendments are in regards to commercial vehicles, barbed wire fencing and animated signage.

PUBLIC HEARING FOR CASE 2023-09 OPENED : 6:18 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on February 23, 2023. Ms. DelRose summarized the staff report dated March 3, 2023 and stated the recommendation is for approval of case #2023-09 for a text amendment to the City of Belvidere Zoning Ordinance (Chapter 150 as amended).

There was discussion regarding the danger of the barbed wire. Ms DelRose explained the barbed wire would only be allowed in industrial areas for outdoor storage and truck parking.

PUBLIC HEARING FOR CASE 2023-09 CLOSED : 6:26 PM

It was moved and seconded (Gnewuch/Druckrey) to recommend approval of Case 2023-09. The motion carried with a 7-0 roll call vote.

2023-10: Maggio's Pizzeria (SU): Application of Maggio's Pizzeria, 132 N. State Street, Belvidere, IL on behalf of the property owner, Tyler Bauscher, 8510 Greenport Way, Rockford, IL 61108 for a special use to permit indoor commercial entertainment which allows for a bar/tavern and video gaming at 132 N. State 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 0.05 acres. PIN: 05-26-433-019.

PUBLIC HEARING FOR CASE 2023-10 OPENED : 6:26 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on February 23, 2023 and notifications were sent by certified mail to property owners within 250 feet of the subject property on February 21, 2023. Ms. DelRose summarized the staff report dated March 7, 2023 and stated the recommendation is for approval of case #2023-10 special use to permit indoor commercial entertainment which allows for a bar/tavern and video gaming at 132 N State St., Belvidere, IL.

Ms. DelRose explained the applicant currently has a liquor license. Discussion was had regarding business hours. Ms. DelRose explained that liquor sales are allowed up to 2:00 am and gaming is allowed as long as liquor is sold.

There was discussion regarding the number of licenses allowed and granted for indoor commercial entertainment. Ms. DelRose explained there is one license available. All applicants are made aware of this.

No questions from audience or applicant.

Mr. Tyler Bauscher was sworn in 6:37 pm. Mr. Bauscher was asked about the possibility of pre & post parties for the Apollo Theater . Mr. Bauscher explained it would be highly unlikely during the week, but in the future possibly on the weekend. Mr. Bauscher also explained he only intends on have 4 video machines, not 6.

There were no further questions.

PUBLIC HEARING FOR CASE 2023-10 CLOSED: 6:39 PM

It was moved and seconded (Maher/Druckrey) 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/Cantrell) to recommend approval of Case 2023-10 subject to conditions as presented. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on March 20, 2023 and on April 3, 2023 for a second reading and final vote.

2023-11: Gunsteen (SU): Application of 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 for a special use to permit in-vehicle sales or service and a special use to permit indoor commercial entertainment. Specifically, a car wash with accessory retail sales with the potential for a restaurant, bar and video gaming at 1125 N. State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(5)(B)(2) In-vehicle sales or service; 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 approximately 1.2 acres. PIN: 05-26-127-011.

PUBLIC HEARING FOR CASE 2023-11 OPENED : 6:40 PM

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on February 23, 2023 and notifications were sent by certified mail to property owners within 250 feet of the subject property on February 21, 2023. Ms. DelRose summarized the staff report dated March 8, 2023 and stated the recommendation is for approval of case #2023-11 special use to permit in-vehicle sales or service and a special use to permit indoor commercial entertainment. Specifically, a car wash with accessory retail sales with the potential for a restaurant, bar and video gaming at 1125 N. State Street, Belvidere, IL subject to conditions.

There was discussion regarding what type of restaurant and the reason behind alcohol. Ms. DelRose explained in order to have video gaming you are required to sell liquor. It was also asked if there is no restaurant is video gaming allowed. Ms. DelRose explained the only requirement was a liquor license. Other questions were directed to the applicant.

Mr. Daniel Gunsteen was sworn in at 6:52 pm. Mr. Gunsteen (showing pictures and site plans) explained his intentions for both the car wash and restaurant/bar. Question was raised as to whether or not water is recycled. Mr. Gunsteen explained no, water is not recycled. Mr. Gunsteen explained that one parking stall would be dedicated for a Pet Wash. Question was raised to the possibility that Mr. Gunsteen

would not be granted the video gaming license from the city. Mr. Gunsteen stated that the car wash will be built regardless.

No further questions for staff or applicant

PUBLIC HEARING FOR CASE 2023-11 CLOSED: 7:06 PM

It was moved and seconded (Maher/Cantrell) to recommend approval of Case 2023-11 with an amendment to condition one, referencing the new site plan submitted during testimony. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would go to City Council on March 20, 2023 and on April 4, 2023 for a second reading and final vote.

Staff Report: Gina DelRose informed the commission there are currently no cases for the April 11, 2023 meeting. Expect a heavy case load for May 9, 2023

ADJOURNMENT:

Motion to adjourn meeting was moved and seconded (Gnewuch/Maher). The motion carried with a voice call.

The meeting adjourned at 7:10 p.m.

Recorded by:



Kimberly Whitt
Administrative Assistant

Reviewed by:



Gina DelRose
Community Development Planner