

**CITY OF BELVIDERE  
PLANNING AND ZONING COMMISSION AGENDA  
Tuesday, December 10, 2019  
City Council Chambers  
401 Whitney Boulevard  
6:00 pm**

**ROLL CALL**

**Members:**

Daniel Arevalo, CHM  
Alissa Maher, VCHM  
Andrew Racz  
Paul Engelman  
Robert Cantrell  
Art Hyland  
Carl Gnewuch

**Staff:**

Gina DelRose, Community Development Planner  
Cathy Crawford, Administrative Assistant

**MINUTES:** Approve the minutes of the October 8, 2019 meeting.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

**2019-15: Rathod (SU):** Application of Indrasinh Rathod, 6615 Rolling Hedge Lane, Rockford, IL 61108 on behalf of the property owner, Judy L. Winters, 1409 Walts Way, Belvidere, IL 61008 for a special use to permit indoor commercial entertainment. Specifically, a bar with video gaming at 1500 N. State Street, Belvidere, IL 61008, commonly known as House of Bottles, (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 approximately 1.30 acres. (PIN: 05-23-351-012)

**Staff (Approval); PZC ( ); CC-1 ( ); CC-2 ( )**

**2019-16: GCZ Corner Subdivision (RP):** The applicant is requesting replat approval of the one-lot subdivision named GCZ Corner Subdivision. The subject property is at the northeast corner of North State Street and Doc Wolf Drive. It is approximately 0.75 acres in size and was developed with two single-family residences that were demolished. PINs: 05-22-426-020; 05-22-426-021; and 05-22-426-042.

**Staff (Approval); PZC ( ); CC-1 ( ); CC-2 ( )**

**2019-17: N-Trak Group (SU):** Application of N- Trak Group, LLC, 1523 Windsor Road, Loves Park, IL 61111 on behalf of the property owner, Trinski, LLC 82 N. Route 12, Fox Lake, IL 60020 for a special use for a planned development (Belvidere Zoning Ordinance Section 150.907 Planned Development District Procedures). Specifically, an amendment to an existing planned development (Ordinance 645G) allowing a quarry and batch plant activities at 1050 ECS Way in the PI, Planned Industrial District on approximately 200 acres. The amendment will increase the allowable hours for the batch plant. PINs: 05-32-100-010; 05-32-100-002; 05-32-

**City of Belvidere  
Planning and Zoning Commission Agenda  
December 10, 2019  
Page 2 of 2**

100-011; 05-32-100-012; 05-32-200-009; 05-32-200-030; 05-32-276-001; 05-32-276-002 and 05-32-276-005.

**Staff (Approval); PZC ( ); CC-1 ( ); CC-2 ( )**

**OTHER BUSINESS:**

**DISCUSSION:**

**Staff report**

**ADJOURNMENT**

**CITY OF BELVIDERE  
PLANNING AND ZONING COMMISSION**

**Minutes**

**Tuesday, October 8, 2019**

**City Council Chambers**

**401 Whitney Boulevard**

**6:00 pm**

**ROLL CALL**

**Members Present:**

Daniel Arevalo CHM

Art Hyland

Carl Gnewuch

Robert Cantrell

Andrew Racz

Paul Engelman

**Staff Present:**

Gina DelRose, Community Development Planner

Cathy Crawford, Administrative Assistant

Michael Drella, City Attorney

**Members Absent:**

Alissa Maher, VCHM

Chairman Daniel Arevalo called the meeting to order at 6:00 p.m.

**MINUTES:** It was moved and seconded (Racz/Cantrell) to approve the minutes of August 13, 2019. The motion carried with a 6-0 roll call vote.

**PUBLIC COMMENT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**2019-14; CCSIP Properties, Inc. (SU):** Property Owner, CCSIP Properties, Inc. 8642 US Highway 20, Garden Prairie, IL 61038 is requesting a special use to permit a planned development in the CB, Central Business District at 300 South Main Street. Special uses of the planned development are indoor commercial entertainment and outdoor commercial entertainment. Variances of the planned development include decreasing the setback of outdoor commercial entertainment from 300 feet to 90 feet. Deviations of the planned development include the building material (metal prefabricated structures). Belvidere Zoning Ordinance Sections 150.105 (C)(6)(B)(2) permitted as Special Use, 150.204(D)(10)(A)(1) and 150.904 Special Use Review and Approval Procedures. The planned development will allow for the construction of a container park with outdoor seating.

The public hearing was opened at 6:03 p.m.

Gina DelRose was sworn in. Ms. DelRose stated that the case was published in the Boone County Journal on September 13, 2019 and certified mailings were sent on

September 11, 2019 to surrounding property owners within 250 feet of the subject property. Ms. DelRose summarized the staff report dated October 2, 2019.

The subject property is currently developed with a 5,000 square foot metal building and a concrete wall that enclosed a former salvage yard. On April 3, 2017, the Belvidere City Council approved Ordinance 342H, granting a special use for a planned development (Iron and Coal project) on the subject property. That development has not moved forward due to various site conditions. The proposed planned development will not nullify Ordinance 342H and encompasses many of the same deviations. The applicant is requesting a new planned development for a container park on the site. Gina DelRose explained that container parks are comprised of metal shipping containers that have been retrofitted to house a variety of uses such as retail businesses, photography studios, farmers' markets, bars, musical events, etc. Due to their ability to be removed from a site easily, container parks are becoming popular as "pop-up shops." Ms. DelRose provided several examples of a "pop-up shop."

Gina DelRose presented the findings of fact and stated that the planning staff recommends approval of case 2019-14 subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan dated 7/24/2019.
2. A full site plan including building plans by a licensed design professional that includes any structural changes, water and sewer service details, stormwater conveyance, detention calculations, driveway access, etc. shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to issuance of building permits.
3. The Planned Development is granting only the following flexible standards:

Special Uses for: Indoor commercial entertainment (Section 150.105(C)(6)(B)(2)).

Variances for: A decrease in the buffer required between residential and outdoor commercial entertainment properties from 300' to 90' (Section 150.204(D)(10)(A)(1)).

Deviations for: The use of metal and a primary exterior building material (Section 150.710(D)).

The Chair invited questions for the staff.

Robert Cantrell asked Ms. DelRose if there is any time limit to how long the containers being proposed can remain installed at the site.

Gina DelRose said no.

Robert Cantrell asked if the proposed site would resemble a rail yard.

Gina DelRose said all of the proposed containers would be inside the concrete wall.

Robert Cantrell speculated that the presence of the containers would cut down on the useable indoor space.

Gina DelRose suggested questions like this would be better answered by the applicant.

Paul Engelman asked Gina DelRose to summarize the Iron and Coal project.

Gina DelRose provided a summary of that project. Ms. DelRose said there were various reasons that the project did not go forward including ADA requirements and soil conditions. Ms. DelRose said the applicant has been looking for a use to occupy that space.

Paul Engelman clarified that the special use is still in place and the current application would be an addendum to that special use.

Gina DelRose said that was correct.

Paul Engelman asked if this was a potential temporary way to get the property in use until it can be permanently used.

Gina DelRose said this was correct.

Andy Racz asked how the proposed project would be a positive for Belvidere.

Gina DelRose explained the potential benefit to smaller commercial businesses that can't afford the large startup fees for a permanent space.

Andy Racz said the site is prime real estate in the downtown area.

Gina DelRose stated that many potential business owners cannot afford to start businesses in permanent locations. The benefits of the container park would also include the ability to have a farmers' market downtown, the use of the space for city festivals, and space for events that might otherwise be cancelled due to weather.

Andy Racz said the original Iron and Coal project was a very appropriate use of the space and would have enhanced the downtown area. Mr. Racz said he does not think the proposed planned development is a positive for the downtown area.

Gina DelRose said Iron and Coal was the more preferred development for the subject property, however, container parks are not permanent buildings. They are designed to be removable and temporary. Ms. DelRose said her research did not show that container parks have scared away development or had negative effects. Ms. DelRose said container parks are a common newer use in larger cities.

Robert Cantrell speculated that the containers could exist at the site for an unknown period of time.

Carl Gnewuch said he realized the proposed use is a new way of thinking of the use of space; he asked what public facilities it would include.

Gina DelRose said the code requires that there be all sanitation facilities in place. Ms. DelRose said the development will also be required to follow all property maintenance codes as well.

Andy Racz repeated that he feels the proposed planned development would not be a positive addition to the downtown area.

Daniel Arevalo asked Ms. DelRose how long the "temporary" container park would be allowed to remain at the site.

Gina DelRose asked City Attorney Mike Drella to clarify that the only special uses that one is allowed to place a time limit on would be quarry and extraction uses.

Mike Drella said he believes this is correct; generally speaking, the nature of a special use is that it is a permitted use that requires further oversight. A special use typically is allowed to remain until such time as there is a zoning district change.

Daniel Arevalo asked if the process for securing a business license would be the same for a business in a container park.

Gina DelRose stated that the process for a business license would be the same.

Robert Cantrell stated that the proposed use does not match the surrounding area, since the surrounding properties are not industrial.

Paul Engelman asked for clarification of the boundaries of the property.

Gina DelRose described the site. Ms. DelRose said there is a significant elevation change on the property, which prompted Mr. Cantrell to speculate the interior of the development would be visible on the west and east sides of the property.

Robert Cantrell asked if the containers would be higher than the concrete wall.

Gina DelRose said the applicant could answer this question. Ms. DelRose stated that the development would be a part of the redevelopment the city hopes to promote further north towards Meadow and Locust Streets, where several metal buildings exist.

There were no further questions for the staff.

The applicant, Russell Caldwell was sworn in. Mr. Caldwell stated that his businesses have been the only significant developments in the downtown Belvidere area in recent years. Mr. Caldwell said his existing businesses have had to cut hours due to less interest from the public at the lunch hour. Mr. Caldwell said he would not be interested in developing the subject property if the City does not want to approve it. Mr. Caldwell said the subject property has been neglected for years and his planned development would be an improvement to the site.

Mike Drella asked Mr. Caldwell to describe the containers and the proposed development.

Russell Caldwell said the containers would all be inside the walled area. The concrete wall against the parking lot will be concrete-sawed to create two entrances and a lower middle section. The containers are about eight feet tall and the wall is ten feet tall; there would be some visibility over the wall on the west and Main Street sides due to the sixty-inch grade variation on the property. The pavilion will be in the middle of the site. One of the containers on the Main Street side would open up to a band shell. There is interest in renting some of the spaces.

Russell Caldwell described the various issues that existed in completing the Iron and Coal project. Mr. Caldwell said this would be his seventh business to be developed in the City of Belvidere.

Carl Gnewuch asked for clarification of the water and electric issues that exist on the property.

Russell Caldwell said the city is locating and correcting water issues that exist there. Electricity is already at the site.

Paul Engelman clarified that all of the businesses using the container park will be temporary ones.

Russell Caldwell said it is hard to say at the present time.

Carl Gnewuch asked what population would be attracted to the development.

Russell Caldwell said this could vary depending on the event being held there. Mr. Caldwell said he was steering the project toward the festival crowd.

Paul Engelman asked about liquor sales at the proposed site.

Gina DelRose said Mr. Caldwell already has a city catering liquor license that would be used for liquor sales at the subject property.

Discussion was held between Andy Racz and Russell Caldwell regarding issues related to the Iron and Coal project.

Carl Gnewuch thanked Mr. Caldwell for the contributions he has made to development in the city.

Daniel Arevalo asked if Mr. Caldwell would allow murals to be painted on his property.

Russell Caldwell said such murals would need city council approval.

The Chair invited questions from the audience.

Jack Wolf spoke out in favor of the proposed planned development. Mr. Wolf described his family's history in the city. Mr. Wolf said a previous development he had planned had not been approved by the city council due to a lack of "vision." Referring to Mr. Caldwell's previous projects, Mr. Wolf said he has never seen another individual do what Mr. Caldwell has done for development in Belvidere. Mr. Wolf indicated he was "ashamed" at the negative responses to the proposal that had been discussed. Mr. Wolf said in his opinion all of Mr. Caldwell's projects have been well done. Mr. Wolf stated that the proposed site has never been developed in his entire life and he asked that the Commission not turn the project down.

The public hearing closed at 6:45 p.m.

Paul Engelman said he appreciated Mr. Caldwell's and Mr. Wolf's comments. Mr. Engelman said the choice before the commission was not between the proposed development and Iron and Coal, but was between the proposed development or nothing. Mr. Engelman said having such a space available for use by someone who has made a "first class" investment is a good start. Mr. Engelman said he has much experience with working, living and shopping in metal container buildings in the military and that such buildings can be done well.



Carl Gnewuch said he is in favor of transitional steps; he said he feels that the proposed planned development would be a "step in the right direction." Mr. Gnewuch said he could see no downside to the proposed development and felt it was visionary.

It was moved and seconded (Engelman/Cantrell) to accept the findings of fact as presented by staff. The motion carried with a 6-0 roll call vote.

It was moved and seconded (Engelman/Hyland) to recommend approval of case 2019-14 subject to the conditions as presented by staff. The motion carried with a 5-1 roll call vote. Andy Racz voted no.

Gina DelRose said the case would go before the City Council on October 21, 2019 for a first reading and on November 4, 2019 for a second reading and final vote.

**OTHER BUSINESS:** None

**DISCUSSION:** None

**Staff Report:**

Gina DelRose reminded the commission that the final Buchanan Street Strolls will be on October 20, 2019. There have been three others from 1:00 to 6:00 p.m. on Sunday afternoons this fall. Ms. DelRose said Hometown Christmas will be coming soon. Ms. DelRose said the U.S. Census is hiring people to help with census taking and other related functions.

Paul Engelman commended Ms. DelRose for the successful festivals that have been held downtown.

Gina DelRose said the downtown events have been well received; there is an opportunity to show off the downtown area during these events.

Gina DelRose said there will be no cases before the commission next month.

**ADJOURNMENT:**

The meeting adjourned at 6:57 p.m.

**Recorded by:**

\_\_\_\_\_  
Cathy Crawford  
Administrative Assistant

**Reviewed by:**

\_\_\_\_\_  
Gina DelRose  
Community Development Planner

**CITY OF BELVIDERE**

*Community Development*



**BUILDING DEPARTMENT**

**PLANNING DEPARTMENT**

---

401 WHITNEY BLVD. SUITE 300 BELVIDERE, IL 61008 \* PH (815)547-7177 FAX (815)547-0789

---

December 2, 2019

**ADVISORY REPORT**

**CASE NO:** 2019-15

**APPLICANT:** Rathod, 1500 North State Street

**REQUEST AND LOCATION:**

The applicant, Indrasinh Rathod, 6615 Rolling Hedge Lane, Rockford, IL 61108 on behalf of the property owner, Judy L. Winters, 1409 Walts Way, Belvidere, IL 61008 is requesting a special use to permit indoor commercial entertainment. Specifically, a bar with video gaming at 1500 N. State Street, Belvidere, IL 61008, commonly known as House of Bottles, (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. The subject property is rectangular in shape, approximately 1.30 acres and is comprised of a portion of a multi-tenant commercial building and large paved area.

**EXISTING LAND USE:**

**Subject property:** House of Bottles

**North:** Roll N Donut

**South:** Residential

**East:** Multi-tenant commercial building

**West:** Taco Bell

**CURRENT ZONING:**

**Subject property:** GB, General Business District

**North, East and West:** GB, General Business District

**South:** SR-6, Single Family-6 Residential District

**COMPREHENSIVE PLAN:**

**Subject property:** General Business

**North, East and West:** General Business

**South:** Single Family Residential

**BACKGROUND:**

The building is approximately 5,600 square feet and is part of a larger multi-tenant commercial development that has housed a mix of retail, professional services and office space throughout the years. There are currently 11 striped parking spaces on the property instead of the required 19 spaces which is due to the shared parking of the overall development. There is enough paved area to stripe the additional eight parking spaces if need be.

The video gaming machines are proposed to be in the northeast corner of the building, in an enclosed 20'x7' area behind the check-out counter (former office space). An opening of at least 32 inches will need to be provided to access the gaming area per fire code requirements.

The Zoning Ordinance was updated in 2006 requiring a special use for Indoor Commercial Entertainment. Bars and taverns that were in existence prior to that date have been considered "grandfathered" for the bar use. In 2013, Illinois State Law allowed municipalities to determine that video gaming would be permitted within their jurisdiction. The State limits the number of machines to six per establishment and every establishment must have a liquor license that allows for the pouring of alcohol (except for those that qualify as a truck stop). In 2013, Belvidere voted to allow video gaming and in 2018, the City Council voted to limit the number of gaming establishments to 30. Although all 30 licenses have been issued, this application would permit the 35<sup>th</sup> establishment to be eligible to apply for a license. The applicant is aware that granting the special use does not guarantee them a license.

**TREND OF DEVELOPMENT:**

The subject property is located near the intersection of North State Street and Cadillac Court which is the center of the North State Street Commercial Corridor. Several businesses have either recently located to North State Street or have gone through extensive renovations. North State Street consists of a mix of automobile-related businesses, retail, office and professional services.

**COMPREHENSIVE PLAN:**

The subject property is designated as "General Business" by the City of Belvidere Comprehensive Plan, adopted July 15, 1999. The General Business map category encourages indoor commercial, office, institutional, and controlled outdoor display land uses, with moderate landscaping and signage.

**FINDINGS OF FACT:**

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- A. **Findings: The establishment, maintenance, or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The special use is for a bar that would allow video gaming machines. The existing video gaming machines in Belvidere have not been shown to be unreasonably detrimental. The conditions of approval will limit the bar/gaming area to a specific portion of the building allowing retail sales to remain the primary use. Due to the size and location of the special use, staff does not anticipate a danger to the public health or general welfare.

- B. **Findings: The proposed special use, both its general use independent of its location and in its specific location, will be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan designates the subject property as General Business; the current zoning is General Business. A variety of land uses are encouraged in general

business, institutional and indoor commercial (retail). Bars and video gaming are a type of indoor commercial land use.

- C. **Findings:** The special use will not in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The indoor commercial land use will not be noticeable from the outside except for potential signage. There is an active special use for indoor commercial entertainment across the street (Molly's) in the State Street Plaza.

The property has adequate parking and ingress/egress off of North State. The additional traffic from the special use is not anticipated to negatively impact the accessibility of nearby businesses.

- D. **Findings:** The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The planning staff is not aware of any business that chose not to locate or expand due to video gaming. North State Street is developed with a variety of businesses. The special use conditions limit the amount of space the special use can occupy, therefore, planning staff does not anticipate that this special use will deter development on the adjacent tenant spaces or redevelopment of nearby properties.

- E. **Findings:** The proposed special use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The subject property is already developed with a commercial building that is served with municipal utilities.

- F. **Findings:** The potential public benefits of the proposed special use outweigh any and all potential adverse impacts of the proposed special use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

There do not appear to be any public benefits or adverse impacts related to the special use request. Although there are nearby residences, nearby properties along North State Street already are developed with bars and video gaming; it is not a unique business. Staff is not aware, however, of any negative impacts the other bars and video gaming have created.

**SUMMARY OF FINDINGS:**

The special use is for a bar that would allow video gaming machines. The conditions of approval will limit the bar/gaming area to a specific portion of the building, allowing retail sales to remain the primary use. The indoor commercial land use will not be noticeable from the outside except for potential signage. The property has adequate parking and ingress/egress off of North State. The additional traffic from the special use is not anticipated to negatively impact the accessibility of nearby businesses. Due to the size and location of the special use, staff does not anticipate a danger to the public health or general welfare.

The Comprehensive Plan designates the subject property as General Business; the current zoning is General Business. A variety of land uses are encouraged in general business, such as institutional and indoor commercial (retail). Bars and video gaming are a type of indoor commercial land use. There is an active special use for indoor commercial entertainment across the street (Molly's) in the State Street Plaza.

There do not appear to be any public benefits or adverse impacts related to the special use request. Although there are nearby residences, nearby properties along North State Street already are developed with bars and video gaming; it is not a unique business. Staff is not aware, however, of any negative impacts the other bars and video gaming have created and does not anticipate that this special use will deter development on the adjacent tenant spaces or redevelopment of nearby properties.

**RECOMMENDATION:**

The planning staff recommends the **approval** of case number **2019-15** for a special use at 1500 North State Street subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. Alcohol consumption is only permitted within the video gaming area.
3. The video gaming area must be enclosed and only accessible through a designated entrance.

**Submitted by:**

---

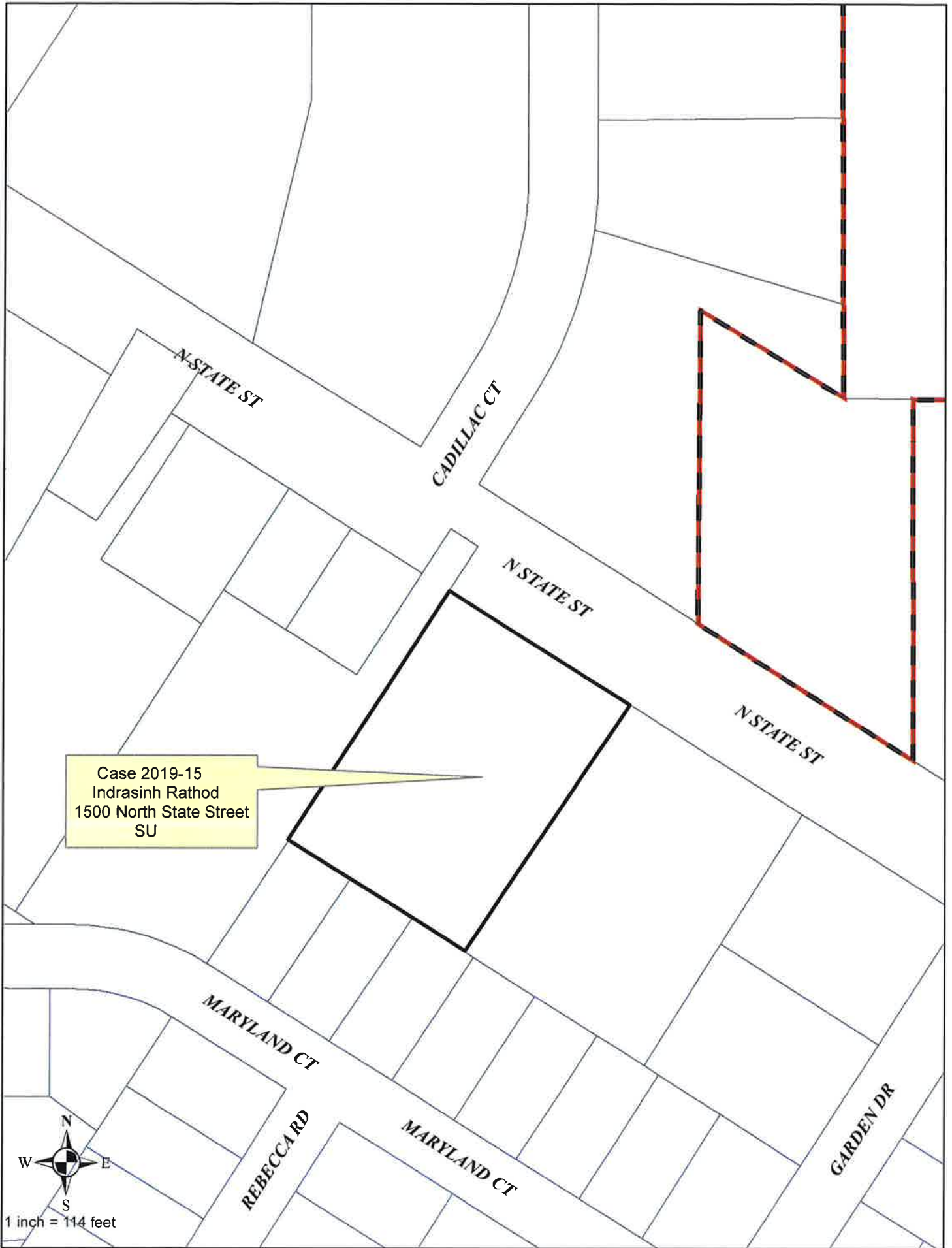
Gina DelRose  
Community Development Planner

**Review and Recommendation by the Planning and Zoning Commission.** The Planning and Zoning Commission shall review the application, adopt findings of fact, and make a recommendation to the City Council.

**Review and Action by the City Council.** The City Council shall consider the Planning and Zoning Commission's recommendation regarding the proposed special use. The City Council may approve or deny the special use as originally proposed, may approve the proposed special use with modifications or may remand the matter back to the Planning and Zoning Commission for further discussion or hearing. The City Council's approval of the requested special use shall be considered the approval of a unique request, and shall not be construed as precedent for any other proposed special use.

**ATTACHMENTS**

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, October 10, 2019.
6. Letter submitted by the Boone County Health Department, Amanda Mehl, November 27, 2019.



N STATE ST

Case 2019-15  
Indrasinh Rathod  
1500 North State Street  
SU



1 inch = 57 feet



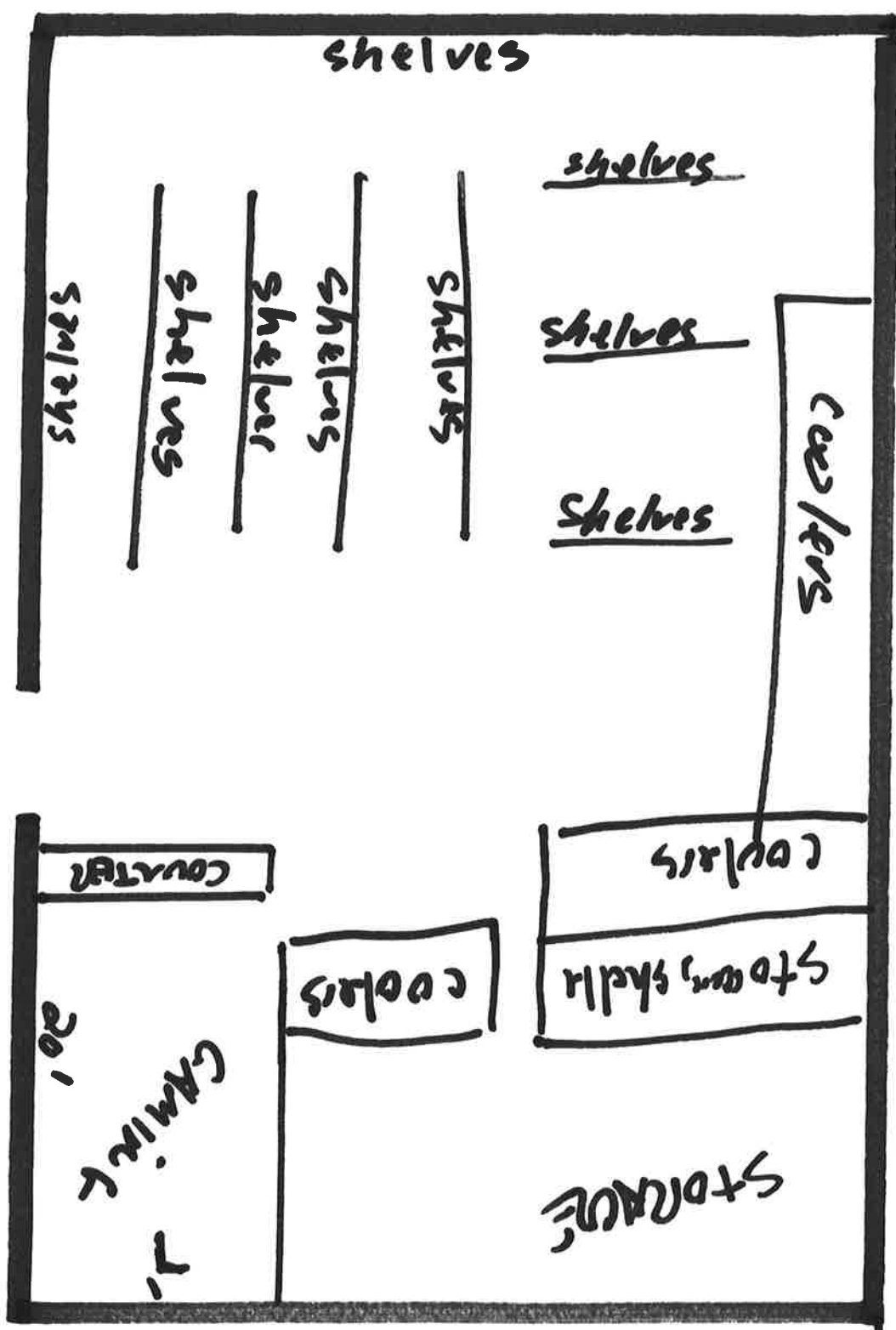
The reason for the request of the application for special use is to allow having Video Gaming Terminals available to play by our patrons. The gaming area is to be built into the area behind the existing counter, where my current office is located. The gaming area will be monitored by cameras and an alarm system, as well as a direct line of sight of the employee /customer counter. All patrons will be required to show valid proof of age before entering the gaming area.



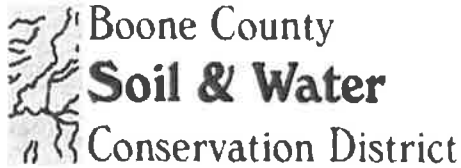
STATE ST.



Parkings Approx 40+ spaces



170W DUTTS



211 North Appleton Road  
Belvidere, IL 61008  
815-544-2677 x3

October 18, 2019

**SWCD NRI #: 1630**

City of Belvidere Planning Department  
401 Whitney Blvd.  
Belvidere, IL 61008

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted for the property listed in this letter. We will supply a written reply to you office as indicated below:

Our review does not apply in this instance.  
 Other (see attached)

**Location of Site: 1500 N. State Street Belvidere, IL 61008**

**PINs: 05-23-351-012**

Contact	Petitioner	Owner
Indra Rathod 1500 N. State St. Belvidere, IL 61008	same	same
815-544-9260 indrathod@yahoo.com		

**Request: Special Use for indoor commercial entertainment**

Sincerely,  
  
Jennifer Becker  
Boone County Soil & Water  
Conservation District

Re: Indra Rathod



**Public Health**  
Prevent. Promote. Protect.

## Boone County Health Department

1204 Logan Avenue, Belvidere, Illinois 61008  
Main Office 815.544.2951 Clinic 815.544.9730 Fax 815.544.2050  
www.boonehealth.org

---

*The mission of the Boone County Health Department is to serve our community by preventing the spread of disease, promoting optimal wellness & protecting the public's health.*

November 27, 2019

Gina Del Rose  
City of Belvidere Community Development  
401 Whitney Blvd., Suite 300  
Belvidere, IL 61008

FAX 815-547-0789

Re: Case: 2019-15; Rathod, 1500 N State Street

Dear Gina,

We are in receipt of the special use to permit in door commercial entertainment. Specifically, a bar with video gaming. Our office has no objections on this request. However, prior to operation of the establishment a to-scale plan and a food application must be submitted to the health department for review. The plan review fee would be determined when menu information is submitted. Below is the county code explaining this further.

Sec. 30-35. Submission and review of plans; permits.

- (a) *Generally*, whenever a food service establishment or retail food store is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, and the type and model of proposed fixed equipment and facilities.
- (b) *Permit required*. Any business or organization desiring to operate as a food service establishment or retail food establishment must have a current food service permit.
- (c) *Plans, inspection and approval*. Before issuing a food service permit to a new establishment, plans must be submitted to and approved by the health authority. Plans submitted for review must be accompanied by the appropriate plan review fee as listed in section 38-31.

RE: Case: 2019-15; Rathod, 1500 N State Street

Date: November 26, 2019

Page: 2 of 3

***Food establishment classifications.*** All food service establishments or retail food establishments shall be categorized according to their type of operation, size of operation, and risk category of the food prepared and/or served and shall obtain a permit for the class of operation as hereinafter defined. The listing of various types of operation is not intended to be all inclusive, but typical and not limited to those mentioned. If a food establishment is not specifically listed, it shall be classified according to the class to which it most closely resembles.

- (1) ***High Risk Facility:*** is a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks and/or type of population served by the facility. The following criteria shall be used to classify facilities as Category I High Risk facilities:
  - a. whenever cooling of potentially hazardous foods occurs as part of the food handling operations at the facility;
  - b. when potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;
  - c. if potentially hazardous foods which have been previously cooked and cooled must be reheated;
  - d. when potentially hazardous foods are prepared for off-premises service for which time-temperature requirements during transportation, holding and service are relevant;
  - e. whenever complex preparation of foods, or extensive handling of raw ingredients with hand contact for ready to eat foods, occurs as a part of the food handling operations at the facility;
  - f. if vacuum packaging and/or other forms of reduced oxygen packaging are performed at the retail level; or
  - g. whenever serving immunocompromised individuals, where these individuals compromise the majority of the consuming population.
- (2) ***High Risk Multi-Department Facility:*** is a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks. These facilities have the same criteria as Category I High Risk facilities, and have 3 or more departments within their facilities which need inspection including but not limited to main grocery, bakery, deli, meat and seafood departments.

RE: Case: 2019-15; Rathod, 1500 N State Street

Date: November 26, 2019

Page: 3 of 3

(3) *Medium Risk Facility*: is a food establishment that presents a medium risk of causing foodborne illness based upon a few food handling operations typically implicated in foodborne illness outbreaks. The following criteria shall be used to classify facilities as Category II Medium Risk facilities:

- a. if hot or cold foods are not maintained at that temperature for more than 12 hours and are restricted to same day service;
- b. if preparing foods for service from raw ingredients uses only minimal assembly; and
- c. foods served at an establishment that require complex preparation (whether canned, frozen, or fresh prepared) are obtained from an approved food processing plants, (high risk) food service establishments or retail food stores.

(4) *Low Risk Facility*: is a food establishment that presents a low relative risk of causing foodborne illness based on few or no food handling operations typically implicated in foodborne illness outbreaks. The following criteria shall be used to classify facilities as Category III Low Risk facilities:

- a. only prepackaged foods are available or served in the facility, and any potentially hazardous foods available are commercially pre-packaged in an approved food processing plant;
- b. only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages occurs at the facility; or
- c. only beverages (alcoholic and non-alcoholic) are served at the facility.

Please let us know if you have any questions or concerns at (815) 544-2951 ext. 2 or [info@boonehealth.org](mailto:info@boonehealth.org)

Thank you,



Amanda Mehl  
Public Health Administrator

AT

**CITY OF BELVIDERE**

*Community Development*



**BUILDING DEPARTMENT**

**PLANNING DEPARTMENT**

---

401 WHITNEY BLVD. SUITE 300 BELVIDERE, IL 61008 \* PH (815)547-7177 FAX (815)547-0789

---

December 2, 2019

**ADVISORY REPORT**

**CASE:** 2019-16

**APPLICANT:** GCZ Corner Subdivision, Replat

**REQUEST:**

The applicant is requesting replat approval of the one-lot subdivision named GCZ Corner Subdivision.

**LOCATION:**

The subject property is at the northeast corner of North State Street and Doc Wolf Drive. It is approximately 0.75 acres in size and was developed with two single-family residences that were demolished (see attached aerial photo). PINs: 05-22-426-020; 05-22-426-021; and 05-22-426-042.

**BACKGROUND:**

The subject property is currently zoned GB, General Business District, consists of 3 lots and was developed with 2 single-family residences. Although the two lots were developed as residential they are zoned business. The third lot is approximately 11 feet wide and provides the road frontage along Doc Wolf Drive. The portion of North State Street the property abuts is maintained by the Illinois Department of Transportation.

The two southern lots are part of the Von Ach's Subdivision which was platted in 1957, the third lot is not part of a named subdivision. The applicant is requesting to combine the three lots into 1 lot so that a commercial development may be constructed. Public improvements such as utilities and roadways are not anticipated to be installed.

A request for comments was sent to 17 departments, agencies, or other parties. Comments received were either addressed by the applicant or have been incorporated into the recommended conditions of approval.

**SUMMARY OF FINDINGS:**

The final plat of GCZ Corner Subdivision is in conformance with the City of Belvidere's subdivision and zoning ordinances provided the suggested conditions of approval are met.

**RECOMMENDATION:**

Planning staff recommends the **approval** of case number **2019-16** subject to the following conditions:

1. All public improvements shall be completed in accordance with approved construction plans for the development. An engineer's estimate of cost for the public improvements to be completed as a part of this project shall be submitted along with the construction plans for the development. Public improvements may include sidewalks, water and sanitary service stubs.
2. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to recording of the Final Plat or approval and release of the construction plans for the development by the Director of Public Works.
3. A construction inspection fee in the amount of three percent of the approved engineer's estimate of cost for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director of Public Works.
4. Prior to approval of the Final Plat for this subdivision, the developer shall pay all normal, customary and standard permit, inspection, tap-on, connection, recapture, basin and other fees that are required by the City at the time of Final Plat submittal.
5. A drainage overlay needs to be submitted for review and approval prior to final plat approval.
6. A utility easement shall be placed along Doc Wolf Drive if requested by a utility company.
7. A note shall be placed on the plat stating: All proposed access to the property along North State Street shall be approved by the Illinois Department of Transportation.
8. A note shall be placed on the plat stating: Access to Doc Wolf Drive shall be limited to the northeast corner of the property.
9. If the present water services are not utilized in the new development they shall be disconnected at the main.
10. A certificate for the Illinois Department of Transportation shall be placed on the plat. The certificate shall read: This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to 765 ILCS 205/2. However, a Permit for access issued by the Department is required by the owner of the property. A plan meeting the requirements contained in the Departments "Policy on Permits for Access Driveways to State Highways" will be required by the Department. Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_ Region Two Engineer\_\_\_\_\_.
11. The revised plat shall be presented to the planning department for review and approval before any signatures are obtained.
12. The plat shall be recorded with the County Recorder of Deeds within 90 days of City Council approval, unless a plat-recording extension is granted.
13. The final plat shall be in compliance with all applicable codes, ordinances and agreements.

**Submitted by:**

  
\_\_\_\_\_  
Gina DelRose  
Community Development Planner



**ATTACHMENTS**

1. Location Map by Planning Staff.
2. Aerial Photo with Platting by Planning Staff.
3. Letter from HLR, Dirk A. Yuill, November 21, 2019.
4. Memo from Belvidere Public Works Department, Brent Anderson, November 21, 2019.
5. E-mail from Illinois Department of Transportation, Jason Stringer, November 27, 2019.
6. Plat of GCZ Corner Subdivision by RK Johnson & Associates, Inc.

Case 2019-16  
GCZ Corner  
Miguel Zepeda  
RP

**DOC WOLF DR**

**N STATE ST**



1 inch = 46 feet



Case 2019-16  
GCZ Corner  
Miguel Zepeda  
RP



1 inch = 34 feet



## Hampton, Lenzini and Renwick, Inc.

Civil Engineers • Structural Engineers • Land Surveyors • Environmental Specialists  
www.hlrengineering.com

November 21, 2019

Mr. Brent Anderson  
Director of Public Works  
City of Belvidere  
401 Whitney Boulevard, Suite 200  
Belvidere, IL 61008

Re: GCZ Corner Subdivision  
Final Plat Review

Dear Mr. Anderson:

We reviewed the Final Plat of GCZ Corner Subdivision and offer the following comments for your consideration:

### FINAL PLAT COMMENTS

1. The plat shows the northerly line of this subdivision approximately 4 feet away from the southerly line of Lot 1 of Plat No. 3 of Little Thunder Village. We question the reason for this as there is an iron pin on the extension of the westerly line of this subdivision and who owns this strip of land.
2. The plat shows a 6-foot utility easement to be created along the northerly line of this subdivision. No easement is shown along the westerly line of this subdivision. We question if an easement should be shown.
3. As the proposed lot is adjacent to North State Street and Doc Wolf Drive, it does not appear that any public improvements, streets, sanitary sewer, or water main, are required. As the existing use is single family residential and the proposed use will be commercial, we question what the requirements will be for detention when this lot is developed.

If you have any questions or need additional information on the plan comments, please call me at (847) 697-6700.

Yours truly,

**HAMPTON, LENZINI AND RENWICK, INC.**

By:

Dirk A. Yull

DAY

P:\190754\ GCZ Corner Plat Review 11-21-19.docx

# Memo

**To:** Gina DelRose, Community Development Planner  
**From:** Brent Anderson, Director of Public Works  
**Date:** 11/21/2019  
**Re:** Review of Final Plat – GCZ Corner Subdivision

---

Having reviewed the above Plat, I offer the following comments:

1. All public improvements shall be completed in accordance with approved construction plans for the development. An engineer's estimate of cost for the public improvements to be completed as a part of this project shall be submitted along with the construction plans for the development. Public improvements include sidewalks, water and sanitary service stubs.
2. A Performance Bond or Letter-of-Credit is required for all public improvements on forms provided by the City and must be submitted prior to recording of the Final Plat or approval and release of the construction plans for the development by the Director of Public Works.
3. A construction inspection fee in the amount of three percent of the approved engineer's estimate of cost for the public improvements must be paid to the City Clerk prior to approval and release of the construction plans for the development by the Director of Public Works.
4. Prior to approval of the Final Plat for this subdivision, the developer shall pay all normal, customary, and standard permit, inspection, tap-on, connection, recapture, basin, and other fees that are required by the City at the time of Final Plat submittal.
5. North State Street adjacent to this plat is IDOT jurisdiction. The plat will need to be reviewed and approved by IDOT as well as any proposed access to State Street.
6. Access to Doc Wolf Drive shall be limited to the northeast corner of the property.
7. This plat combines two parcels that had a single family residence on each lot. The sanitary sewers have been abandoned in place. The water services will need to be disconnected at the main if they are not used in the new development.
8. A drainage overlay needs to be submitted for review and approval prior to final plat approval.

All other provisions of the subdivision control ordinance will be required unless specifically waived by the City Council.

## Gina DelRose

---

**From:** Stringer, Jason M <Jason.Stringer@illinois.gov>  
**Sent:** Wednesday, November 27, 2019 3:35 PM  
**To:** Gina DelRose; Gina DelRose  
**Subject:** GCZ Corner Subdivision (Replat)

Gina,

Per our conversation, please add the signature block below.

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to 765 ILCS 205/2. However, a Permit for access issued by the Department is required by the owner of the property. A plan meeting the requirements contained in the Departments "Policy on Permits for Access Driveways to State Highways" will be required by the Department.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20 \_\_\_\_\_


\_\_\_\_\_  
Region Two Engineer

Thank you and have a great holiday!

*Jason M. Stringer*

**Senior Permits Technician**  
**Region 2/District 2**  
**819 Depot Avenue**  
**Dixon, Illinois 61021-3500**  
**Ph: (815) 284-5413 Cell: (815) 677-6180**  
**[Jason.Stringer@illinois.gov](mailto:Jason.Stringer@illinois.gov)**

PRIVILEGED & CONFIDENTIALITY NOTICE: This email transmission (and /or the documents accompanying such) may contain legally privileged/confidential information. Such information is intended only for the use of the individual or entity above. If you are not the named or intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of such information is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by telephone to arrange for the secure return of the document.

 Please consider the environment before printing this e-mail.

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

FINAL PLAT  
OF  
**GCZ CORNER**

BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 22-44-3  
EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF LOT 6 AND  
ALL OF LOT 7 AS DESIGNATED UPON VON ACH'S SUBDIVISION,  
BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF  
SECTION 22-44-3 EAST OF THE THIRD PRINCIPAL MERIDIAN  
CITY OF BELVIDERE  
BOONE COUNTY, ILLINOIS  
OCTOBER 2019

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

I hereby certify that at the request of the owners I have surveyed and re-subdivided according to the attached Plat of GCZ Corner, a part of the Southeast Quarter of Section 22, Township 44 North, Range 3 East of the Third Principal Meridian and part of Lot Six (6) and all of Lot Seven (7) as designated upon Von Ach's Subdivision, being a subdivision of part of the Southeast Quarter of Section 22, Township 44 North, Range 3 East of the Third Principal Meridian, the plat of which is recorded in Book 4 of Plats on Page 31 in the Recorder's Office of Boone County, Illinois, bounded and described as follows, to-wit: Beginning at the Southwest corner of Doc Wolf Drive as designated upon Plat No. 1 of Little Thunder Village, being a subdivision of part of the S.E. 1/4 of Section 22 and S.W. 1/4 of Section 23, Township 44 North, Range 3 East of the Third Principal Meridian, the plat of which subdivision is recorded in Plat Index File Envelope 150-B as Document No. 95-2479 in said Recorder's Office of Boone County, Illinois; thence North 58°-37'-00" East, 169.56 feet; thence North 31°-44'-27" East, 210.88 feet; thence South 58°-37'-00" East, 80.06 feet to a West line of Lot One (1) as designated upon Plat 3 of Little Thunder Village, being a re-subdivision of Lot 3 of Plat 2 of Little Thunder Village, said Plat 3 of Little Thunder Village being recorded in Plat Index File Envelope 176-A as Document No. 97-775 in said Recorder's Office of Boone County, Illinois; thence North 30°-23'-00" West, along the West line of said Lot One (1), a distance of 50.90 feet; thence South 58°-37'-00" East, along the South line of said Lot One (1), a distance of 89.06 feet to the West line of aforesaid Doc Wolf Drive; thence South 32°-10'-22" West, along the West line of said Doc Wolf Drive, 160.00 feet to the point of beginning. Situated in the County of Boone and State of Illinois. Containing 0.7197 Acres.

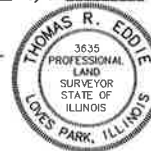
Dimensions are given in feet and decimals of a foot. Dimensions along circular curves are chord distances pin to pin. Iron pins three-fourth inch in diameter and four feet long have been found or set at all points marked on the plat with a solid dot and iron pins five-eighths inch in diameter and three feet long have been found or set at all other lot corners, unless otherwise specified.

I FURTHER CERTIFY that the lands embraced within this Subdivision are within the corporate limits of the City of Belvidere, Illinois, and that the Subdivision Control Ordinance of Belvidere has been complied within the preparation of this Plat.

I FURTHER CERTIFY that no part of the lands embraced within this Subdivision are situated within 500 feet of a surface drain or watercourse serving a tributary area 640 acres or more.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_ at \_\_\_\_\_, Illinois.

Thomas R. Eddle I.P.L.S. 3635  
Expiration Date: 11-30-2020



STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

This is to certify that the undersigned is the owner of the land described in the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

I further certify that the property herein described in the surveyor's certificate, to the best of my knowledge, is located within the boundaries of Belvidere Consolidated Unit School District No. 100 in Boone County, Illinois.

(Signature of Owner)

(Address)

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

I, \_\_\_\_\_, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that personally known to me to be the same person whose name is subscribed to the foregoing instrument as such owner, appeared before me this day in person and acknowledged that he signed and delivered the annexed plat as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_ at \_\_\_\_\_, Illinois.

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

I, \_\_\_\_\_, Public Works Director of the City of Belvidere, do hereby certify that this plat has been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of Belvidere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed improvements.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

I, \_\_\_\_\_, Public Works Director of the City of Belvidere, do hereby certify that this drainage overlay has been examined by me and found to comply with the regulations governing plats of subdivided land adopted by the City of Belvidere, Illinois, and I do hereby certify that I have reviewed the amount of bond required in regard to the proposed improvements.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

Approved this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_

CITY PLANNER

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

This is to certify that the City Council of the City of Belvidere did, at its meeting of the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, approve of this Plat and authorize it to be recorded.

In witness whereof, I, \_\_\_\_\_, Mayor of the City of Belvidere, have hereunto set my hand and affixed the seal of said City of Belvidere, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_

Mayor  
ATTEST:  
City Clerk

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

We, Commonwealth Edison Company, Frontier Communications, Northern Illinois Gas Company, and Comcast Communications by our signatures hereon do hereby acknowledge that we have received a copy of this Plat and hereby consent to the recording of said plat as prepared.

By: \_\_\_\_\_

Dated: \_\_\_\_\_ 20\_\_\_\_

NICOR

By: \_\_\_\_\_

Dated: \_\_\_\_\_ 20\_\_\_\_

FRONTIER COMMUNICATIONS

By: \_\_\_\_\_

Dated: \_\_\_\_\_ 20\_\_\_\_

COMCAST COMMUNICATIONS

By: \_\_\_\_\_

Dated: \_\_\_\_\_ 20\_\_\_\_

General easement provision.

(1) An easement is reserved for and granted to the designated governmental bodies and public utilities or cable television companies, (including Commonwealth Edison, Frontier Communications, NICOR and Comcast Communications) with the necessary authorizations or franchises and their respective successors and assigns within the area as shown by dotted lines on the Plat and marked easement, to install, lay, construct, renew, operate, and maintain storm and sanitary sewers, water lines, pipes, conduits, cables, poles, and wires, overhead and underground with all necessary braces, guys, anchors, and other properties with telephone, electric, NICOR GAS and other service or cable television services; also is granted the right to use the streets for those purposes, the right to overhang lots with aerial service wires to serve adjacent lots, the right to enter on the lots of all times to install, lay, construct, renew, operate, and maintain within the easement area the storm and sanitary sewers, pipes, conduits, cables, poles, wires, braces, guys, anchors, and other equipment; and finally the right is granted to cut down and remove or trim and keep trimmed any trees, shrubs, or saplings that interfere or threaten to interfere with any of the public utility equipment or cable television equipment installed on the easement. No permanent buildings or trees shall be placed on the easement but same may be used for gardens, shrubs, landscaping, and other purposes that do not then or later interfere with the aforesaid uses or rights herein granted.

(2) If the grade of the subdivision property must be so altered or if storm and sanitary sewer facilities require that the underground utility or cable television equipment be moved or otherwise altered, the owners, their respective successors and assigns shall reimburse the utility company or cable television company for the necessary expense involved.

(3) Maintenance of the drainage and storm water detention easements shall be the sole responsibility of the individual property owner; the finished grade of the easements shall not be altered or encroached upon by filling, regrading or construction of surface improvements that obstruct or redirect the flow of water, nor shall any buildings or structures be erected within the easements.

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

I, \_\_\_\_\_, Collector of the City of Belvidere do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land described in this plat.

I further certify that I received all required fees in connection with this plat.

I further certify that the required bond and/or security funding is posted for the completion of the improvements covering streets including storm sewers and other public ways not under state or county jurisdiction.

Dated at \_\_\_\_\_ Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_

(City Clerk)

STATE OF ILLINOIS ) SS  
COUNTY OF BOONE )

This plat was filed for record in the Recorder's Office of Boone County aforesaid on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_

at \_\_\_\_\_ o'clock, \_\_\_\_\_ M. and recorded in Plat Index file envelope \_\_\_\_\_ as Document No. \_\_\_\_\_

County Recorder

**LEGEND**

- (M) . . . . . MEASURED BEARING & DISTANCE
- (P) . . . . . PLAT BEARING & DISTANCE
- SUBJECT PROPERTY LINE
- EXISTING PROPERTY LINE
- SECTION LINE
- UTILITY EASEMENT
- SANITARY SEWER EASEMENT
- STORM SEWER EASEMENT
- EXISTING BUILDING OUTLINE

OWNER:  
MIGUEL ZEPEDA  
1535 MARYLAND COURT  
BELVIDERE, ILLINOIS 61008



PREPARED BY:

**R.K. JOHNSON & ASSOCIATES, INC.**  
CONSULTING CIVIL ENGINEERS - LAND SURVEYORS  
1515 WINDSOR ROAD LOVES PARK, ILLINOIS 61111  
(815) 633-5097 FAX (815) 633-4593  
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004994  
OCTOBER 11, 2019 JOB NO. 17252  
PREPARED FOR: MIGUEL ZEPEDA

GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

CITY OF BELVIDERE

*Community Development*



BUILDING DEPARTMENT

PLANNING DEPARTMENT

401 WHITNEY BLVD, SUITE 300 BELVIDERE, IL 61008 \* PH (815)547-7177 FAX (815)547-0789

---

December 4, 2019

**ADVISORY REPORT**

**CASE NO:** 2019-17

**APPLICANT:** N-Trak Group, LLC, 1050 ECS Way

**REQUEST AND LOCATION:**

The applicant, N- Trak Group, LLC, 1523 Windsor Road, Loves Park, IL 61111 on behalf of the property owner, Trinski, LLC 82 N. Route 12, Fox Lake, IL 60020 is requesting a special use for a planned development (Belvidere Zoning Ordinance Section 150.907 Planned Development District Procedures). Specifically, an amendment to an existing planned development (Ordinance 645G) allowing a quarry and batch plant activities at 1050 ECS Way in the PI, Planned Industrial District on approximately 200 acres. PINs: 05-32-100-010; 05-32-100-002; 05-32-100-012; 05-32-200-009; 05-32-200-030; 05-32-276-001; 05-32-276-002 and 05-32-276-005. The amendment will increase the allowable hours for the batch plant.

**EXISTING LAND USE ON SUBJECT PROPERTY AND ADJACENT PROPERTY:**

**Subject property:** Quarry (dredging), batch plant, row crop production, automobile mechanic, private shooting range and an industrial building

**North:** Boone County Conservation District, industrial and row crop production

**South:** Rail road, row crop production and industrial

**West:** Boone County Conservation District, quarry (dredging) and industrial

**East:** row crop production and industrial

**CURRENT ZONING ON SUBJECT PROPERTY AND ADJACENT PROPERTY:**

**Subject property:** PI, Planned Industrial

**North:** RH, Rural Holding District, PI, Planned Industrial District and I-1, Light Industrial District (County)

**South:** I-1 Heavy Industrial District (County) and I-1, Light Industrial District (County)

**West:** RH, Rural Holding District

**East:** I-1, Light Industrial District (County)

**COMPREHENSIVE PLAN:**

**Subject property:** Planned Industrial and Environmental Corridor

**North:** Passive Recreation and Planned Industrial

**South:** Planned Industrial and Environmental Corridor

**West:** Environmental Corridor

**East:** Planned Industrial



**BACKGROUND:**

The subject property is situated south of Newburg Road, north of the rail road, west of Irene Road and east of Ipsen Road. In 1992, Boone County granted a rezoning and a special use to commence quarrying activities (dredging). In 2004 the property was annexed into the City of Belvidere and a special use was granted to continue quarrying activities with the addition of a batch plant. Batch plant operations were limited to the hours of 6am to 6pm. Although the ability to operate a batch plant was granted in 2004, the plant was not constructed until 2019.

The only amendment being requested to the special use that was granted in 2004 by ordinance 645G is condition 3 which regulates the batch plant. The applicant is requesting to expand the batch plant operation hours to 5am to 10pm with extended hours on a temporary basis for special circumstances such as projects for the Illinois Department of Transportation, Illinois Toll Highway Authority and other large state, federal and local government project subject to the approval of the City of Belvidere. Other batch plants in the area operate under these hours which provides the competitive edge over the applicant on construction projects.

**TREND OF DEVELOPMENT:**

The subject property is located on the western edge of Belvidere and is surrounded by a mix of older industrial, open space and transportation land uses. As growth expands westward, row crop production is being replaced by industrial land uses while the Boone County Conservation District has acquired much of the floodplain in the area.

**COMPREHENSIVE PLAN:**

The majority of the subject property is designated as "Planned Industrial" on the City of Belvidere Comprehensive Plan, adopted July 19, 1999. The planned industrial category encourages high-quality indoor manufacturing, assembly and storage uses with generous landscaping and signage. A portion of the subject property on the western side is designated as "Environmental Corridor" on the City of Belvidere Comprehensive Plan, adopted July 19, 1999. The environmental corridor category denotes floodplains, wetlands, woodland and other sensitive environmental features.

---

**FLEXIBLE DEVELOPMENT STANDARDS:**

According to Section 150.907 (B) (1) A. of the City of Belvidere Zoning Ordinance, new and alternative standards may be approved for a development by the city. The applicant is requesting the following standards specific to this project.

**Zoning Ordinance:**

- **Section 150.106(C)(7) Planned Industrial (C)(2) Accessory Uses Permitted As Special Use**

Batch Plants are currently only permitted by special use in the Rural Holding District. The previous special use granted in 2004 by ordinance 645G, however, has permitted the batch plant in addition to the quarrying activities. The request is an amendment to that previous special use and is not a new planned development.

---

**FINDINGS OF FACT:**

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use (Planned Development) Permit are as follows:

- A. **Findings:** The establishment, maintenance, or operation of the amended Planned Development will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The batch plant is located in an area developed with a quarry, trucking company and railroad tracks. The extended hours will grant them an additional hour in the morning and an additional 4 hours at night plus extended hours granted on a case by case basis for special projects. These hours mirror other batch plants in the area which have not become detrimental to the community.

- B. **Findings:** The requested amendment to the Planned Development, both its general use independent of its location and in its specific location, will be in harmony with some of the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.

The requested amendment for the extended batch plant hours is not a significant departure from the approved planned development and does not affect the land uses previously approved for the development which are in compliance with the Comprehensive Plan due to their conditions of approval.

- C. **Findings:** The amended Planned Development will not in its proposed location and as depicted on the required site plan, completely result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.

The batch plant is required to be in the southwestern portion of the property near the other industrial uses along ECS Way. Aesthetically, there is minimal impact to the area compared to adjacent land uses. The extended batch plant hours may increase truck traffic during the additional hours. ECS Way and Ipsen Road, however, already experience truck traffic due to adjacent land uses and their proximity to US Route 20.

- D. **Findings:** The establishment of the amended Planned Development will not impede the normal and orderly development and improvement of surrounding property, and maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

The subject property is located in a mix of industrial and open space areas. Batch plants are often located near quarries due to their product compatibility (aggregate). As

development increases, especially road projects, the demand for local aggregate and batch plants increases.

- E. **Findings:** The proposed Planned Development is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The Planned Development is located within the City of Belvidere and will be served by municipal utilities and agencies.

- F. **Findings:** The potential public benefits of the proposed amendment to the Planned Development outweighs the potential adverse impacts of the proposed amendment to the Planned Development after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

The extended hours will not only allow the applicant to be competitive with neighboring batch plants, it will provide another local source of materials for upcoming projects. Due to the location of the property and adjacent land uses, negative impacts, if any, will be minimal.

**SUMMARY OF FINDINGS:**

The batch plant is located in an area developed with a quarry, trucking company and railroad tracks. The extended hours will grant them an additional hour in the morning and an additional 4 hours at night plus extended hours granted on a case by case basis for special projects. These hours mirror other batch plants in the area which have not become detrimental to the community.

The requested amendment for the extended batch plant hours is not a significant departure from the approved planned development and does not affect the land uses previously approved for the development which are in compliance with the Comprehensive Plan due to their conditions of approval.

The batch plant is required to be in the southwestern portion of the property near the other industrial uses along ECS Way. Aesthetically, there is minimal impact to the area compared to adjacent land uses. The extended batch plant hours may increase truck traffic during the additional hours. ECS Way and Ipsen Road, however, already experience truck traffic due to adjacent land uses and their proximity to US Route 20.

The extended hours will not only allow the applicant to be competitive with neighboring batch plants, it will provide another local source of materials for upcoming projects. As development increases, especially road projects, the demand for local aggregate and batch plants increases. Due to the location of the property and adjacent land uses, negative impacts, if any, will be minimal.

**RECOMMENDATION:**

Planning staff recommends the **approval** of case number **2019-17** subject to the following conditions:

1. The Planned Development is granting only the following flexible standards: Batch Plant (150.106(C)(7) (C)(2).

2. The Planned Development is only amending condition 3 of Ordinance 645G to read as follows:

3. This ordinance will allow for one concrete or asphalt batch plant on-site. The concrete or asphalt batch plant shall be located only on the area identified as "Area A" or within the bounds of "Area B" on Exhibits H-1 through H-5, Boone County Quarry Mining Operations Plans, Phases 1-5, all revised as of 8-23-93. Concrete or asphalt production or processing shall not take place within 150 feet of any lot line.

Concrete or asphalt production operations shall be conducted only during the hours of 5:00 a.m. to 10:00 p.m. This operating hours accommodation shall allow for extended or altered hours of operation, if reasonably approved by the City, permitting the Owner(s) to conduct batch plant operations as needed on a temporary basis when reasonably necessary to meet the requirements of specific projects. Examples of projects for which extended hours are reasonable include specified projects for the Illinois Department of Transportation, the Illinois Toll Highway Authority and other state, federal and local government projects. There shall be comparable time limitations and allowances on the operation of a concrete or asphalt batch plant whether producing asphalt or other construction products pursuant to an identified construction contract.

If concrete or asphalt batch plant operations on-site terminate permanently, all stockpiles on-site shall be removed and the subject property shall be restored appropriately. Only one entrance/exit is permitted for the concrete or asphalt batch plant, and shall be from ECS Way.

**Submitted by:**

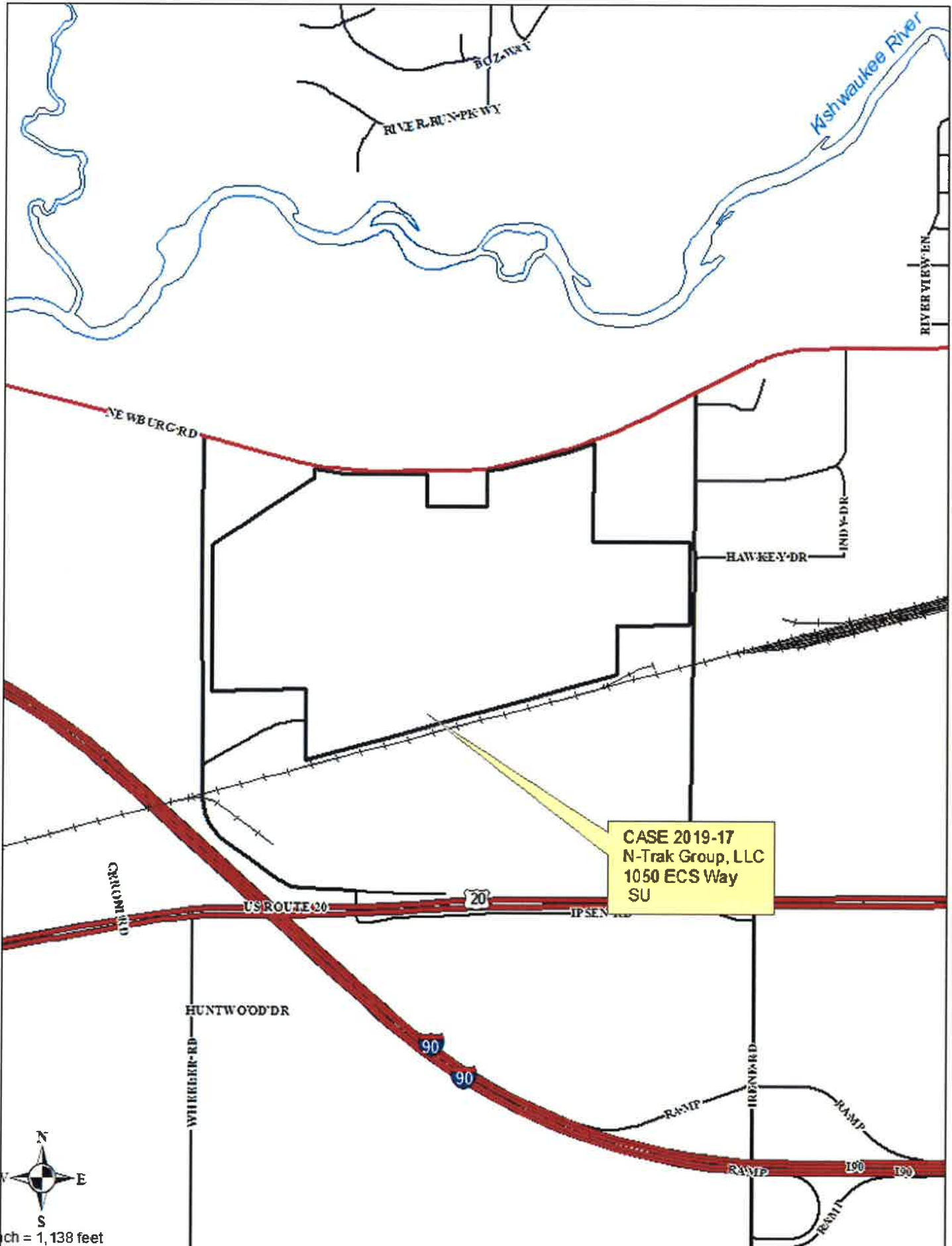
  
Gina DelRose,  
Community Development Planner

**PLANNING AND ZONING COMMISSION/CITY COUNCIL ACTION**

The Planning and Zoning Commission shall make and forward findings of fact as to the compliance of the proposed planned development with the standards and make a recommendation to the City Council. The City Council shall review the findings and recommendation and may accept or reject the findings and recommendation of the Planning and Zoning Commission in whole or in part; or the City Council may refer the matter back to the Planning and Zoning Commission for further consideration. Any approval shall be considered the approval of a unique request and not be construed as precedent for any other proposed planned development.

**ATTACHMENTS:**

1. Location Map by Planning Staff.
2. Aerial Photo by Planning Staff.
3. Narrative as Submitted by the Applicant.
4. Site Plan Submitted by the Applicant.
5. Quarry Map
6. Ordinance 645G.
7. Letter submitted by the Boone County Health Department, Amanda Mehl, November 27, 2019.



BOZART  
RIVER RUN PKWY

Kishwaukee River

RIVERVIEW LN

NEWBURG RD

HAWKEY DR

LINDY DR

CASE 2019-17  
N-Trak Group, LLC  
1050 ECS Way  
SU

CHAMBERS

US ROUTE 20

20

IPSEN

HUNTWOOD DR

WHERRY RD

90

90

IRENBERG

RAMP

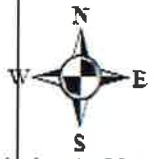
RAMP

RAMP

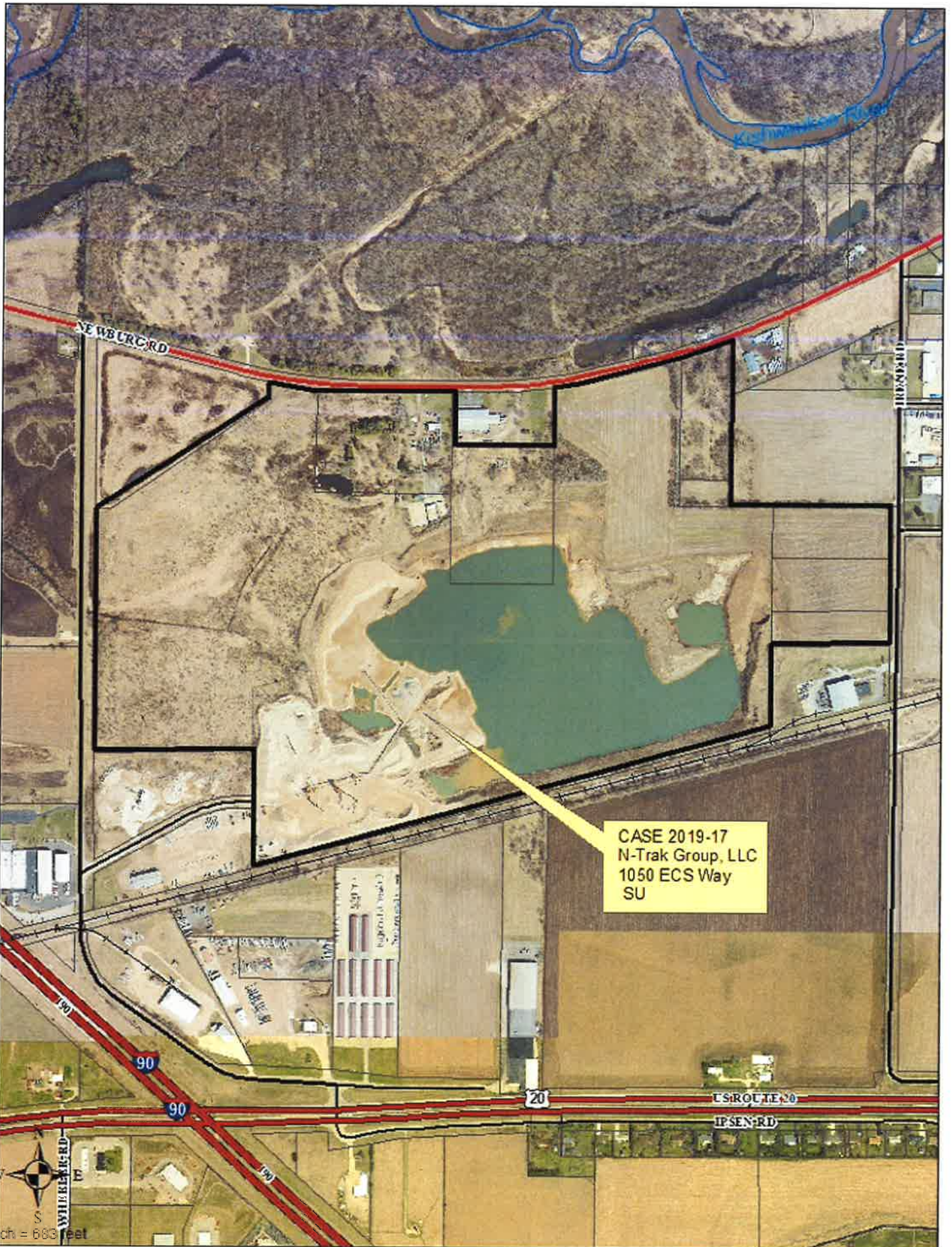
190

190

RESUIT



1 inch = 1,138 feet



CASE 2019-17  
N-Trak Group, LLC  
1050 ECS Way  
SU

NEWBURC RD

HENDER RD

US ROUTE 20

IPSEN RD

WHEBER RD



1 inch = 663 feet

**NARRATIVE IN SUPPORT OF SPECIAL USE PERMIT AMENDMENT FOR THE PROPERTY LOCATED AT 1050  
ECS-WAY, BELVIDERE, IL 61008**

The City of Belvidere previously approved a Special Use Permit for a Planned Unit Development for the property commonly known as 1050 ECS-Way, Belvidere, IL 61008. The Special Use Permit was granted via City Ordinance 645G which was approved by the City Council on July 19, 2004.

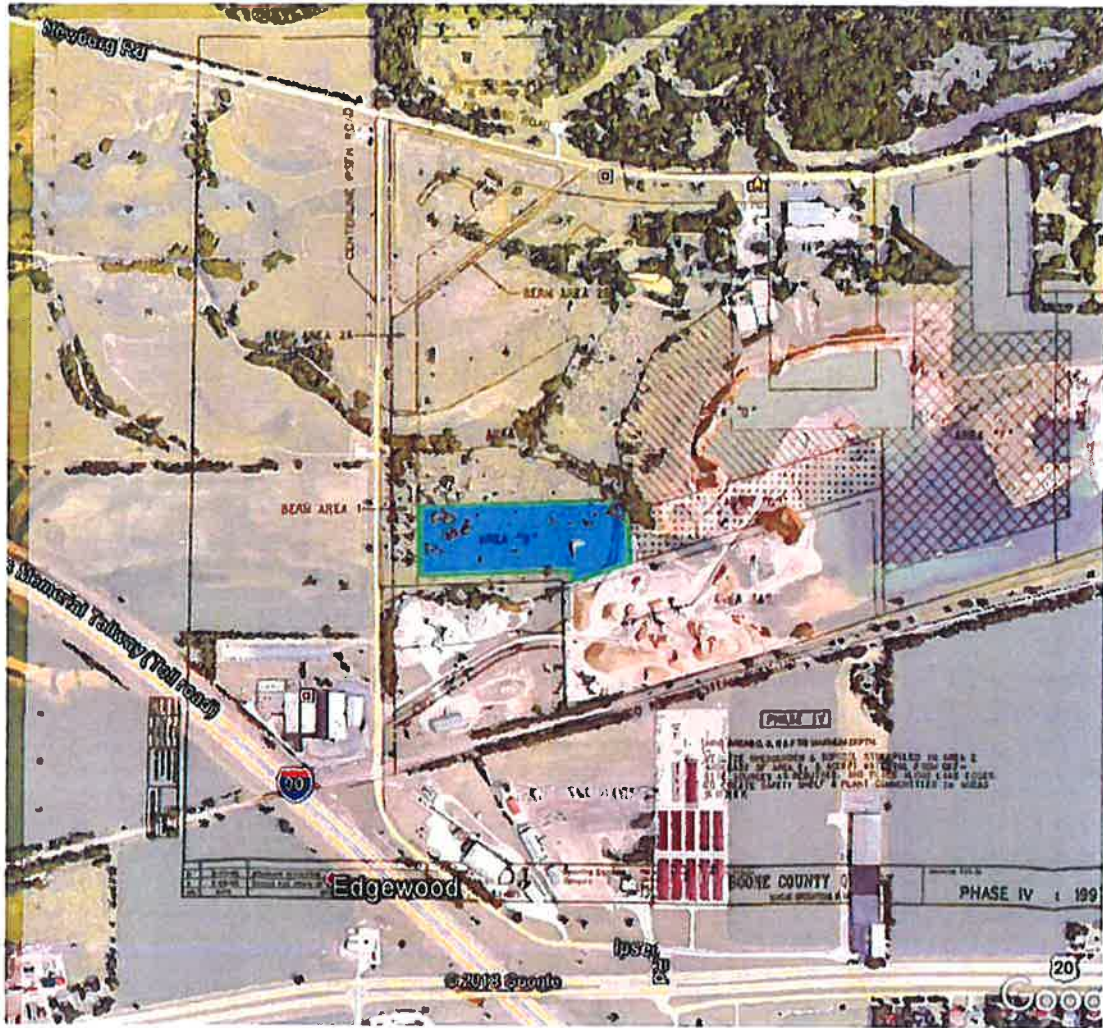
Among other items, the Special Use Permit provides that one concrete or asphalt batch plant is allowed on the Property and that the hours of concrete or asphalt production operations shall be between the hours of 6:00 a.m. to 6:00 p.m.

The applicant is requesting an amendment to the hours of production operations from the current permitted hours of 6:00 a.m. to 6:00 p.m. to 5:00 a.m. to 10:00 p.m. weekdays and Saturdays. The applicant would also request that these hours could be temporarily extended for special circumstances such as Illinois Department of Transportation, Illinois Toll Highway Authority and other large state, federal and local government projects, subject to approval by the City.

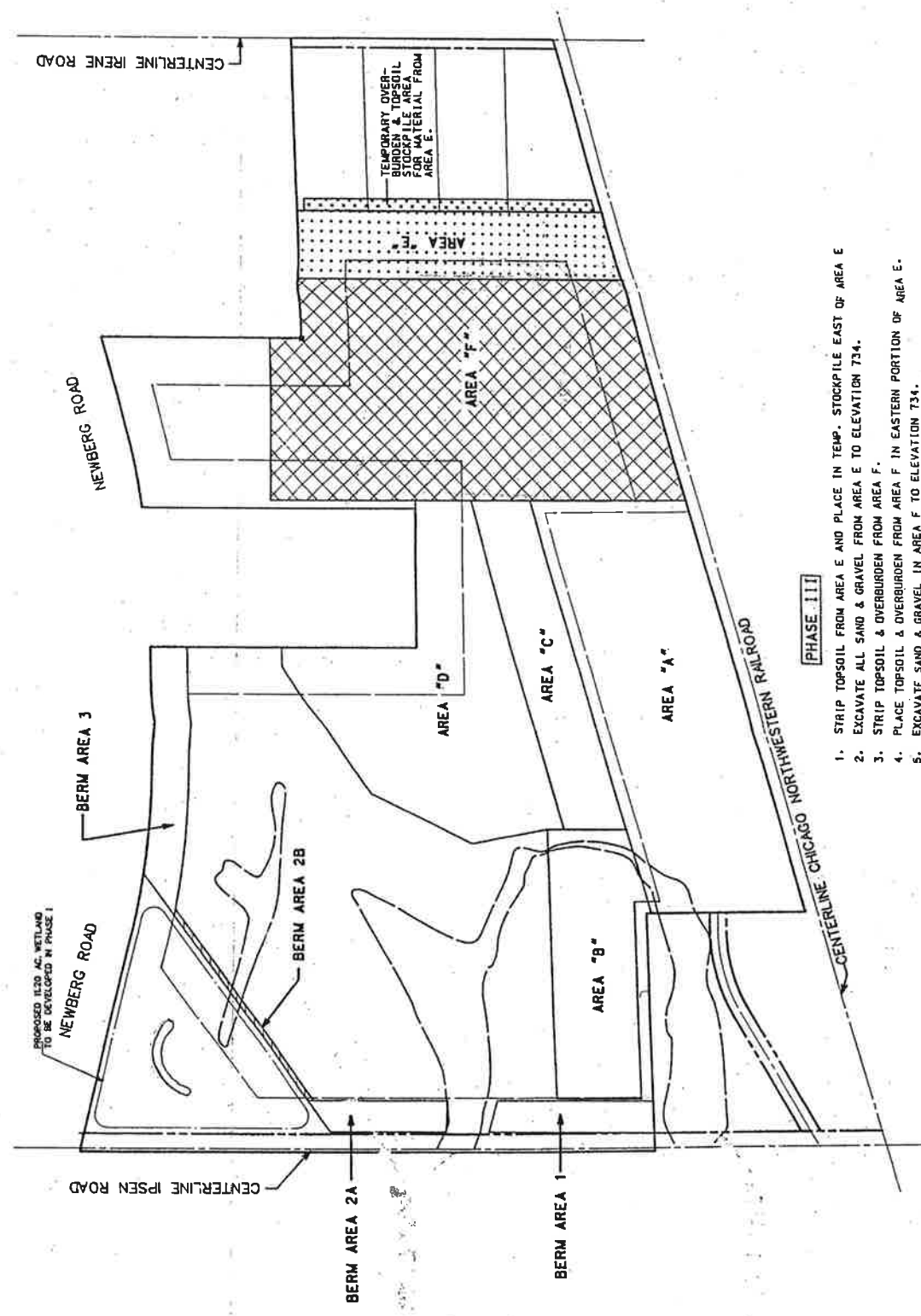
With the Governor's plan to allocate 23 billion dollars to road and bridge work throughout the State, it is anticipated that some significant road and bridge projects will take place in the northern Illinois region. However, the applicant will not be able to compete for these projects if its permitted hours of operation are significantly less than its competitors. These proposed hours would be the same as the current William Charles asphalt plant hours which is located on Irene Road. The applicant is seeking the change in hours so as to remain competitive with all other plants in the area. It should be noted that there is no blasting at the 1050 ECS-Way quarry as the quarry is a dredging quarry only. Further, the 1050 ECS-Way plant is further from residential neighborhoods compared to the William Charles site and most the neighboring properties appear to be more industrial in nature. The applicant believes the change in hours would not create any significant detriment to the surrounding area. The applicant's plant has been operational since September of 2019 and there have been no complaints from the public regarding the applicant's manner of operating the plant.



# LOCATION OF PLANT ON PROPERTY



SCALE	1" = 100'
DATE	6/93



NO.	DATE	BY	REVISION
1	6/93	SDI	ISSUED FOR CONSTRUCTION
2			
3			

**PHASE III**

1. STRIP TOPSOIL FROM AREA E AND PLACE IN TEMP. STOCKPILE EAST OF AREA E
2. EXCAVATE ALL SAND & GRAVEL FROM AREA E TO ELEVATION 734.
3. STRIP TOPSOIL & OVERBURDEN FROM AREA F.
4. PLACE TOPSOIL & OVERBURDEN FROM AREA F IN EASTERN PORTION OF AREA E.
5. EXCAVATE SAND & GRAVEL IN AREA F TO ELEVATION 734.

<table border="1"> <tr> <td>NO.</td> <td>DATE</td> <td>BY</td> <td>REVISION</td> </tr> <tr> <td>1</td> <td>6/93</td> <td>SDI</td> <td>ISSUED FOR CONSTRUCTION</td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> </table>	NO.	DATE	BY	REVISION	1	6/93	SDI	ISSUED FOR CONSTRUCTION	2				3				<p style="text-align: center;"><b>SDI</b> CONSULTANTS LTD.</p> <p style="text-align: center;">Civil Engineers Surveyors</p> <p style="text-align: center;">USE HEREIN IS LIMITED TO THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN FOR THE PROJECT AND SITE IDENTIFIED HEREIN.</p> <p style="text-align: center;">PROJECT TITLE: <b>BOONE COUNTY QUARRY</b> MINING OPERATIONS PLAN</p> <p style="text-align: center;">DRAWING TITLE: <b>PHASE III : 1995 - 1996</b></p>	<table border="1"> <tr> <td>DATE</td> <td>6/93</td> </tr> <tr> <td>DRAWING NO.</td> <td>3</td> </tr> </table>	DATE	6/93	DRAWING NO.	3
NO.	DATE	BY	REVISION																			
1	6/93	SDI	ISSUED FOR CONSTRUCTION																			
2																						
3																						
DATE	6/93																					
DRAWING NO.	3																					

**ORDINANCE NO. 645G**

**AN ORDINANCE GRANTING A SPECIAL USE  
FOR A PLANNED COMMUNITY DEVELOPMENT  
(ELMHURST CHICAGO STONE COMPANY)**

**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 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 and are reviewed on a case by case basis, and are permitted only by permission of the Belvidere City Council; and,

**WHEREAS**, Elmhurst Chicago Stone Company, applicant and owner, has petitioned the City for a special use for a planned community development in the I1 Light Industrial District on the subject property (see exhibit A); and,

**WHEREAS**, after due notice by publication pursuant to the Illinois State Statutes, the Planning and Zoning Commission held a public hearing on May 18, 2004 concerning the proposed special use; and,

**WHEREAS**, the Planning and Zoning Commission having examined said application and having considered the evidence, both oral and documentary, and being fully advised about the premises did make finding of facts and a recommendation; and,

**WHEREAS**, the corporate authorities of the City considered the finding of facts and 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.** That a special use for a planned community development in an I-1, Light Industrial District on the property legally described on exhibit B, be and is hereby approved, subject to the following conditions:

1. The stone and gravel quarry and crushing, grading, working and loading equipment and structures shall be in compliance with the 33 conditions approved by the Boone County Board on February 12, 1992, dated February 5, 1992, which conditions are incorporated herein and made hereof by this reference. Within said conditions any reference made with regard to the County Board shall instead be to the City Council of the City of Belvidere; any reference to the Belvidere Township Commissioner and/or County Engineer shall instead be the Public Works Director of the City of Belvidere or his designee; any reference to the Zoning Board of Appeals shall instead be

the City Council; any reference to the State's Attorney shall instead be the City Attorney; any reference to the Boone County Clerk shall instead be the City Clerk; any reference to the Planning, Zoning, and Building Committee shall be instead be the City of Belvidere Building, Planning, and Zoning Committee (Committee of the Whole) and any reference to any county code or ordinance contained in said conditions shall continue to refer to County codes or ordinances which are hereby incorporated herein and made a part hereof. The PCD shall not expire within 5 years of approval as indicated in the special use approved by the County.

2. The municipal shooting range shall not be located within the 100 year floodplain. The municipal firing range shall be designed in a way that minimizes potential conflicts. No firearms shall be stored on-site and the proper back drop or berming shall be provided to collect fired bullets.
3. This ordinance will allow for one concrete or asphalt batch plant on-site. The concrete or asphalt batch plant shall be located only on the area identified as "Area A" or within the bounds of "Area B" on Exhibits H-1 through H-5, Boone County Quarry Mining Operations Plans, Phases 1-5, all revised as of 8-23-93. Concrete or asphalt production or processing shall not take place within 150 feet of any lot line. Concrete or asphalt production operations shall be conducted only during the hours of 6:00 a.m. to 6:00 p.m. If concrete or asphalt batch plant operations on-site terminate permanently, all stockpiles on-site shall be removed and the subject property shall be restored appropriately. Only one entrance/exit is permitted for the concrete or asphalt batch plant, and shall be from ECS Way.
4. Compliance with the condition listed in the memo from Public Works Department, Brent Anderson, dated May 5, 2004.
5. Compliance with the approved annexation agreement for the subject property.
6. The departures (additional permitted uses) granted herein for the subject property are detailed out within the Planned Community Development Departures and Exception Section of the Staff Advisory Report, dated May 18, 2004 and to allow one concrete or asphalt batch plant on-site (SEE EXHIBIT C). \*Compliance with all other applicable codes and ordinances.

**Section 2.** 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 special use.

**Section 3.** 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 4.** 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 19th day of July,  
2004.

**APPROVED** by the Mayor of the City of Belvidere this 21st day of July,  
2004.



Frederic C. Brereton, Mayor

**ATTEST:**

  
Shauna Arco, City Clerk

Ayes: 8 Nays: 1 Absent 1 (Wise)

City Council Members Voting Aye: Racz, Robinson, Sanderson, Bowley,  
Cantrell, Murphy, Gamlin, Gordon

City Council Members Voting Nay: Lewis

Date Published: July 21, 2004

Sponsor: Alderman Murphy

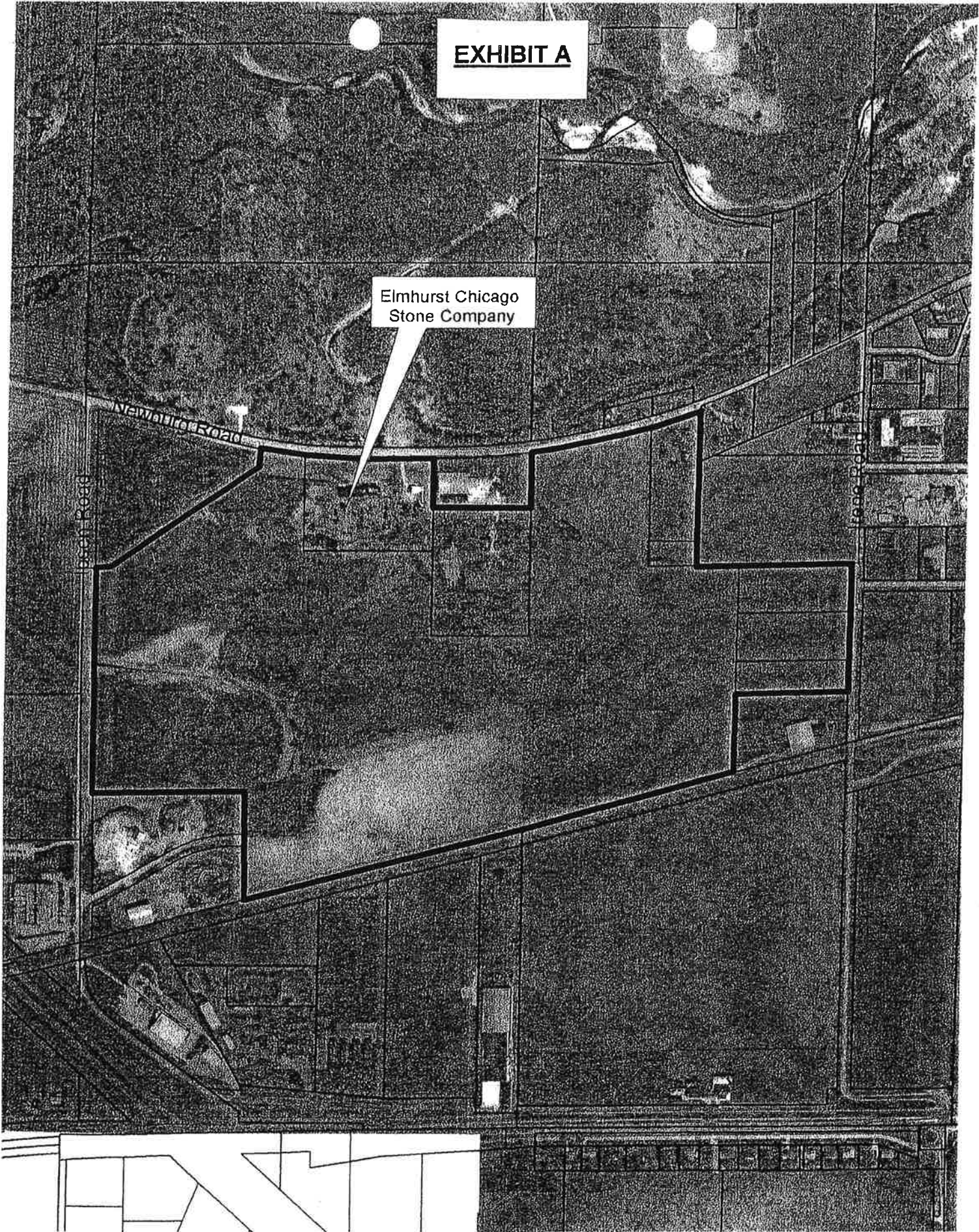
**EXHIBIT A**

Elmhurst Chicago  
Stone Company

Newman Road

Bech Road

Bech Road



## EXHIBIT B

LOTS 1, 2, 3, 4, AND 5, AND THAT PART OF IRENE ROAD HERETOFORE DEDICATED, AND THAT PART OF IPSEN ROAD, HERETOFORE DEDICATED, LYING NORTH OF THE NORTH LINE OF LOT 6, EXTENDED WESTERLY, IN HAMMERSMITH SUBDIVISION OF PART OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 3, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12 1994, AS DOCUMENT NUMBER 94-3127 IN BOONE COUNTY, ILLINOIS.

### ALSO PARCEL 1

A PART OF THE NORTH HALF (1/2) OF SECTION 32, IN TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE THIRD (3RD) PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTHERLY LINE OF NEWBURG ROAD 742.10 FEET NORTHEASTERLY FROM THE WEST LINE OF THE NORTHEAST QUARTER (1/4) OF SECTION 32, MEASURED ALONG THE SOUTHERLY LINE OF SAID ROAD, (SAID POINT BEING THIRTY-THREE (33) FEET SOUTHERLY FROM THE CENTER LINE OF SAID ROAD MEASURED PERPENDICULARLY TO SAID CENTER LINE), THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID QUARTER (1/4) SECTION A DISTANCE OF 677.37 FEET) THENCE NORTH 90° EAST A DISTANCE OF 284.48 FEET) THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID QUARTER (1/4) SECTION A DISTANCE OF 778.50 FEET TO THE SOUTHERLY LINE OF SAID NEWBURG ROAD, THENCE SOUTH 65° 33' .00" WEST ALONG THE SOUTHERLY LINE OF NEWBURG ROAD A DISTANCE OF 154.92 FEET TO A POINT OF INTERSECTION ON THE SOUTHERLY LINE OF SAID ROAD, THENCE SOUTH 75° 38' 30" WEST ALONG THE SOUTHERLY LINE OF SAID ROAD A DISTANCE OF 149.12 FEET TO PLACE OF BEGINNING, SITUATED IN THE COUNTY OF BOONE AND THE STATE OF ILLINOIS.

### ALSO PARCEL 2

PART OF THE NORTHWEST QUARTER (1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP FORTY-FOUR (44) NORTH, RANGE THREE (3) EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE POINT OF INTERSECTION OF A LINE WHICH IS PARALLEL WITH AND 574.41 FEET PERPENDICULARLY DISTANT WEST OF THE EAST LINE OF SAID QUARTER (1/4) SECTION AND THE SOUTHERLY LINE OF NEWBURG ROAD, WHICH RUNS EASTERLY AND WESTERLY THROUGH SAID QUARTER (1/4) SECTION, THENCE SOUTH 89° 17' 10" WEST ALONG THE SOUTHERLY LINE OF SAID NEWBURG ROAD A DISTANCE OF 417.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 3241.36 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE TO A POINT 1349.16 FEET PERPENDICULARLY DISTANT WEST OF THE EAST LINE OF SAID QUARTER (1/4) SECTION, THE CHORD ACROSS SAID CURVED COURSE BEARS NORTH 87° 32' 50" WEST A DISTANCE OF 359.11 FEET, THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID QUARTER (1/4) SECTION, A DISTANCE OF 572.64 FEET, THENCE NORTH 90° 00' EAST, PERPENDICULAR TO THE EAST LINE OF SAID QUARTER (1/4) SECTION, A DISTANCE OF 774.75 FEET, THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID QUARTER (1/4) SECTION, A DISTANCE OF 562.51 FEET TO THE PLACE OF BEGINNING, SITUATED IN THE COUNTY OF BOONE, AND THE STATE OF ILLINOIS.

ALSO:

PARCEL 3

PART OF THE NORTHEAST QUARTER (1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP FORTY-FOUR (44) NORTH RANGE THREE (3) OF THE THIRD (3RD) PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE NORTHEAST QUARTER (1/4) OF SAID SECTION THIRTY-TWO (32) AND THE EAST LINE OF THE WEST HALF (1/2) OF THE EAST HALF (1/8) OF THE NORTHEAST QUARTER (1/4) OF SAID SECTION THIRTY-TWO (32) THENCE SOUTH 00 DEGREES 37 MINUTES 00 SECONDS WEST (ASSUMED BEARING), ALONG SAID EAST LINE OF THE WEST HALF (1/2) OF THE EAST HALF (1/8) OF THE NORTHEAST QUARTER (1/4) OF SECTION THIRTY-TWO (32) A DISTANCE OF 1849.30 FEET) THENCE SOUTH 88 DEGREES 20 MINUTE 14 SECONDS WEST 973.51 FEET FOR A PLACE OF BEGINNING THENCE CONTINUING SOUTH 88 DEGREES 20 MINUTES 14 SECONDS WEST 285.41 FEET, THENCE NORTH 01 DEGREES 01 MINUTES 06 SECONDS WEST 159.14 FEET) TO A POINT 677.37 FEET SOUTHERLY OF THE SOUTHERLY LINE OF NEWBURG ROAD (AS MEASURED ALONG THE LAST DESCRIBED COURSE EXTENDED), THENCE SOUTH 89 DEGREES 36 MINUTES 40 SECONDS EAST A DISTANCE OF 285.48 FEET) THENCE SOUTH 01 DEGREES 01 MINUTES 06 SECONDS EAST 148.92 FEET TO THE PLACE OF BEGINNING, SITUATED IN THE COUNTY OF BOONE AND THE STATE OF ILLINOIS.

ALSO:

PARCEL 4:

THAT PART OF NEWBURG ROAD IN PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF NEWBURG ROAD, WHICH IS 479.80 FEET NORTHEASTERLY OF THE WEST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE SOUTH LINE OF SAID NEWBURG ROAD; THENCE NORTH 15 DEGREES 35 MINUTES 10 SECONDS WEST 66.00 FEET; THENCE NORTH 74 DEGREES 24 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID NEWBURG ROAD 171.97 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE BEING THE NORTHERLY LINE OF SAID NEWBURG ROAD, BEING CONCAVE TO THE NORTH, HAVING A RADIUS OF 3944.34 FEET A DISTANCE OF 367.08 FEET; THENCE SOUTH 21 DEGREES 09 MINUTES 27 SECONDS EAST, 66.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE, BEING THE SOUTH LINE OF NEWBURG ROAD, BEING CONCAVE TO THE NORTH AND HAVING A RADIUS OF 4010.34 FEET, A DISTANCE OF 373.23 FEET TO A POINT OF TANGENCY; THENCE SOUTH 74 DEGREES 24 MINUTES 50 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NEWBURG ROAD, 171.97 FEET TO THE POINT OF BEGINNING, IN BOONE COUNTY, ILLINOIS.

ALSO:

PARCEL 5:

THAT PART OF IRENE ROAD IN PART OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE NORTH LINE OF LOT 2 EXTENDED EASTERLY, IN HAMMERSMITH SUBDIVISION OF PART OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 3, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 84-3127, AND LYING NORTH OF THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO NORTHWESTERN RAILROAD, IN BOONE COUNTY, ILLINOIS.



Also:

Part of the North Half (1/2) of Section Thirty-two (32), Township Forty-four (44) North, Range Three (3) East of the Third (3<sup>rd</sup>) Principal Meridian, bounded and described as follows, to wit: Commencing at a point which is at the intersection of the Southerly line of Newburg Road and the East line of the Northwest Quarter of said Section, (said point being 33 feet Southerly from the center line of said road measured perpendicularly to said centerline); thence North 75°-38'-30" East, along the Southerly line of said road 10.50 feet to Northeast corner of premises conveyed by Josephine Vymetal to Theodore Badell and Frances A. Badell by Warranty Deed dated May 29, 1974 and recorded as Document No. 74-1137 in the Recorder's Office of Boone County, Illinois; thence South 00°-00'-00" East, along the East line of said premises so conveyed to Badell as aforesaid, 344.91 feet to the point of beginning for the following described tract; thence continuing South 00°-00'-00" East, 790.00 feet to the Southeast corner of said premises so conveyed to Badell as aforesaid; thence North 90°-00'-00" West, 584.58 feet to the Southwest corner of said premises so conveyed to Badell as aforesaid; thence North 00°-00'-00" West, along the West line of said premises so conveyed to Badell as aforesaid, 790.00 feet; thence South 90°-00'-00" East, 584.48 feet to the point of beginning. Situated in the County of Boone and State of Illinois.

PIN #05-05-32-100-107

EXCEPTING:

Lot Five (5) and the South 100 feet in equal width of Lot Four (4) as designated upon the Plat of Hammersmith Subdivision, being a Subdivision of part of Section 32, Township 44 North, Range 3 East of the Third Principal Meridian, according to the plat thereof recorded April 12, 1994 as Document No. 94-3127 in the Recorder's Office of Boone County, Illinois. Situated in the County of Boone and the State of Illinois.

Permanent Index Nos.: 05-05-32-400-008 and Part of 05-05-32-276-003

## EXHIBIT C

### **PLANNED COMMUNITY DEVELOPMENT DEPARTURES AND EXCEPTIONS:**

A planned community development may be granted certain departures from the normal standards, regulations, and requirements of the City of Belvidere Zoning Ordinance. This planned community development contemplates departures from the normal standards, regulations, and requirements of the zoning ordinance. For the purpose of this section, the underlying zoning district is the I-1, Light Industrial District. The applicant is specifically requesting the following departure:

**1. \*150.016 I-1 light industrial district, (b) Permitted uses:**

Any production, assembly, fabrication, manufacture, cleaning, servicing, including any of the uses listed as permitted only in the I-2 heavy industrial district.

Automobile painting and body repair

Clubs or lodges, private

Freight terminal, motor or rail

Lumberyards and contractors material and equipment storage yards

Public and community service uses

Office buildings

Wholesaling and warehousing

Other similar uses as listed above, however, subject to the approval of the zoning enforcement officer and the zoning administrator

**Applicant desires the following additional permitted uses:**

- Stone and gravel quarrying and crushing
- Grading, working and loading equipment and structures and accessory uses
- Municipal shooting range

\*NOTE: Although the I-1, Light Industrial District has a list of permitted land uses, a listed land use will still need City Council approval via the PCD process. The annexation agreement for this site requires that in the event the subject property is subdivided or developed in any manner, said development or subdivision shall occur as a PCD under the City of Belvidere Zoning and Subdivision Codes.



**Public Health**  
Prevent. Promote. Protect.

# Boone County Health Department

1204 Logan Avenue, Belvidere, Illinois 61008  
Main Office 815.544.2951 Clinic 815.544.9730 Fax 815.544.2050  
[www.boonehealth.org](http://www.boonehealth.org)

---

*The mission of the Boone County Health Department is to serve our community by preventing the spread of disease, promoting optimal wellness & protecting the public's health.*

November 27, 2019

FAX: 815-547-0789

Gina DelRose  
Community Development Planer  
401 Whitney Blvd Suite 300  
Belvidere, IL 61008

Re: 2019-17; N-Trak Group, LLC, 1050 ECS Way

Dear Gina,

We are in receipt of the request for a special use for a planned development. Specifically, an amendment to an existing planned development allowing a quarry and batch plant activities.

The Boone County Health Department has no comments.

Please let us know if you have any questions or concerns at (815) 544-2951 ext.2 or [info@boonehealth.org](mailto:info@boonehealth.org)

Thank you,

Amanda Mehl  
Administrator

AT

## CITY 2019

Date	Planner	Case	Request	Petitioner/ Address	PZC	CC1	CC2
<b>December</b>							
10/10/2019	GD	2019-15	<b>SU</b>	Indrasinh Rathod	12/10/2019	12/16/2019	1/6/2020
10/16/2019	GD	2019-16	<b>RP</b>	Miguel Zepeda	12/10/2019	12/16/2019	1/6/2020
11/12/2019	GD	2019-17	<b>SU</b>	N-Trak Group, LLC	12/10/2019	12/16/2019	1/6/2020

<b>Variation</b>	<b>2</b>
<b>Map Amendment</b>	<b>1</b>
<b>Subdivision</b>	<b>3</b>
<b>Special Use</b>	<b>9</b>
<b>Annexation</b>	<b>1</b>
<b>Text Amendment</b>	<b>1</b>
<b>Temporary Use</b>	
<b>Appeals</b>	
<b>Total</b>	<b>17</b>