

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #681H

AN ORDINANCE GRANTING A SPECIAL USE TO AMEND A PLANNED DEVELOPMENT WITHIN THE HI,
HEAVY INDUSTRIAL DISTRICT
(Crosslink Business Park 2 Subdivision)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 1ST DAY OF JULY 2024.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 2ND DAY OF JULY, 2024

Published in Pamphlet Form this 3rd day of July, 2024.

ORDINANCE NO. 681H

**AN ORDINANCE GRANTING A SPECIAL USE
TO AMEND A PLANNED DEVELOPMENT
WITHIN THE HI, HEAVY INDUSTRIAL DISTRICT
(Crosslink Business Park No 2. Subdivision)**

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

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

WHEREAS, The applicant, William Hupperich (Manhard Consulting, LTD), 1 Overlook Point, #290, Lincolnshire, IL 60069 on behalf of property owner, Wal-Mart Stores East, LP, 702 SW 8th Street Mailstop 0505, Bentonville, AR 72716 is requesting a special use to amend a planned development in regards to photometrics and road frontage requirements; and

WHEREAS, after due notice by publication pursuant to the Illinois State Statutes, the City of Belvidere Planning and Zoning Commission held a public hearing on June 11, 2024 concerning the proposed Special Use; and,

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

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

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

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

Section 2. That a Special Use in the HI, Heavy Industrial District to amend a planned development on the property depicted in Attachment A and legally described as:

Lots 1 and 2 as designated upon the Final Plat of Crosslink Business Park No. 2 Subdivision, being a subdivision of Part of the Northeast Quarter, Southeast Quarter and Southwest Quarter of Section 34, Township 44 North, Range 3,

East of the Third Principal Meridian according to the Plat thereof recorded September 11, 2023 in Plat File Envelope 403-B of Plats as Document No. 2023R03635 in the Recorder's Office of Boone County, Illinois; situated in the County of Boone and State of Illinois. PINs: 05-34-400-013 and 05-34-326-005.

Is hereby approved, subject to the following conditions:

1. The Planned Development shall be developed in substantial conformance with the site plan shown on the photometrics plan dated 5/1/24. (Attachment B)
2. A full final site plan shall be submitted to staff (building, public works, police, fire, planning, etc.) for review and subject to final approval prior to the issuance of building permits.
3. The amendment to the planned development is granting only the following flexible standards Section 150.105(C)(9)(G)(2)(B) reducing the required minimum street frontage from 40 feet to zero feet, Section 150.707(E)(1) allowing for the maximum luminaire height to be increased from 30 feet to 42 feet; Section 151.41.f.3 reducing the required frontage along a street from 40 feet to zero feet.

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

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

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

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

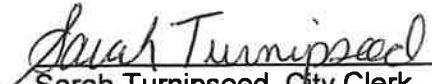
Section 7. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Belvidere this 1st day of July, 2024.

APPROVED by the Mayor of the City of Belvidere this 2nd day of July, 2024.


Clinton Morris, Mayor

ATTEST:



Sarah Turnipseed, City Clerk

Ayes:10 Nays: 0 Absent: 0

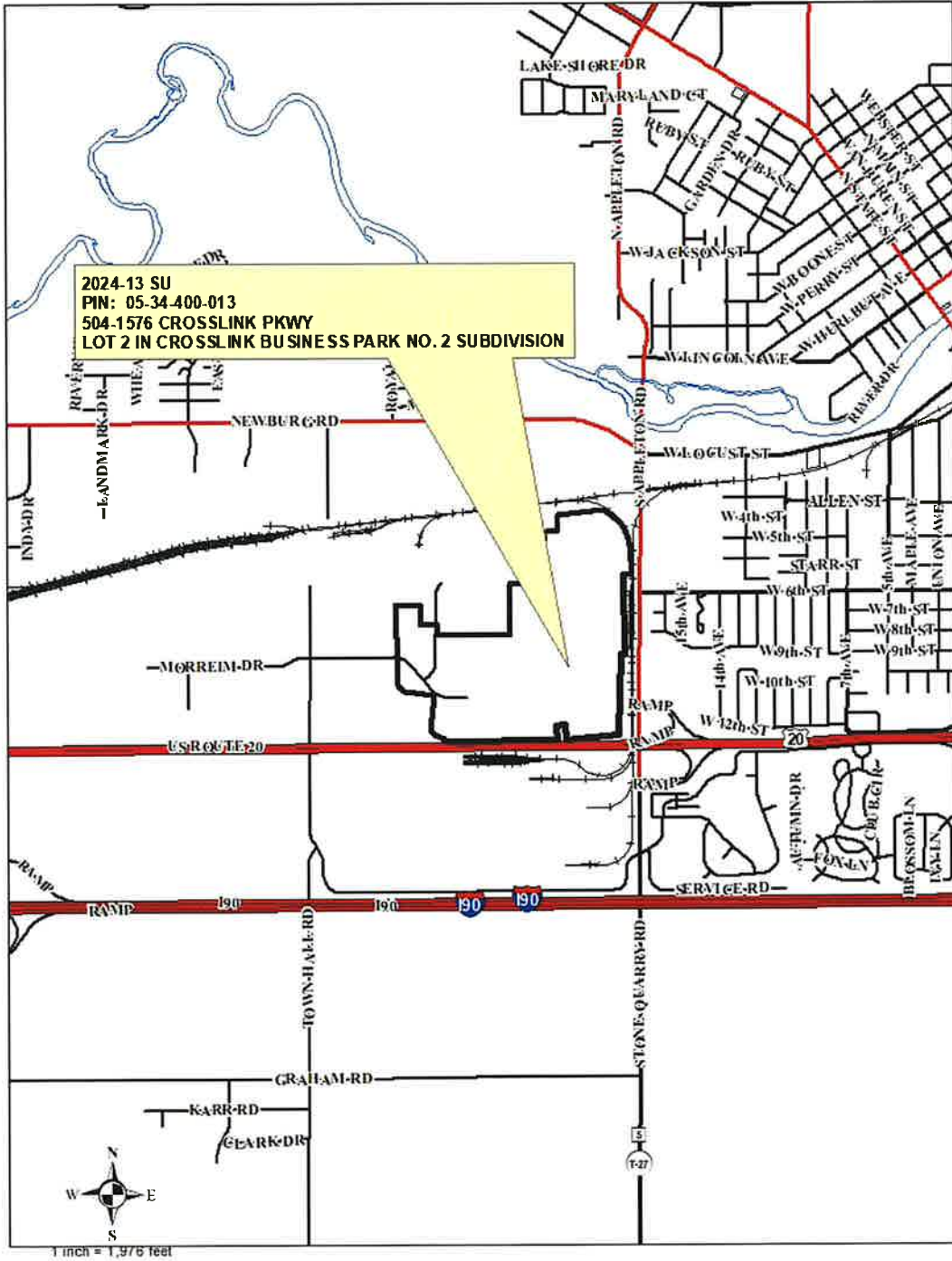
City Council Members Voting Aye: Albertini, Brereton, Fleury, Frank, Freeman, Gramkowski, McGee, Mulhall, Snow and Stevens.

City Council Members Voting Nay: None.

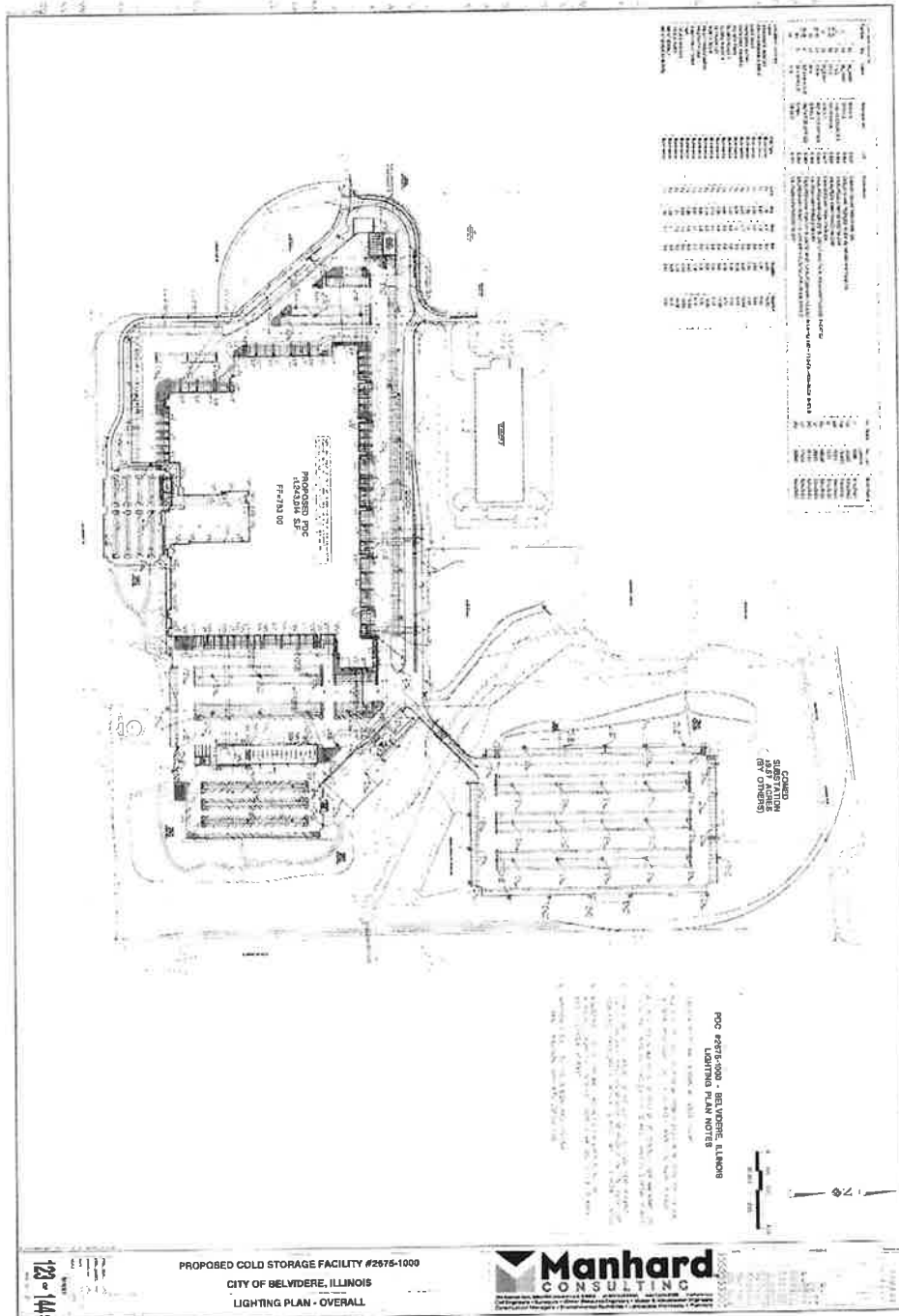
Date Published: July 3rd, 2024

Sponsor: Ald. Snow

ATTACHMENT A



ATTACHMENT B



AFFIDAVIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

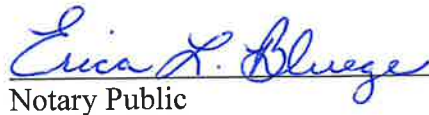
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #681H of the City of Belvidere, Illinois, in pamphlet form on July 3, 2024, and as a convenience for the public; I posted the pamphlet form of Ordinance #681H on the bulletin board in the lobby of Belvidere City Hall at 401 Whitney Blvd., Belvidere, Illinois; said location being readily accessible to the public during business hours of the City Clerk's office.



Sarah Turnipseed
City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
this 3rd day of July, 2024.



Notary Public