

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION AGENDA
Tuesday, February 11, 2025
City Council Chambers
401 Whitney Boulevard
6:00 pm**

ROLL CALL

Members:

Paul Engelman, CH
Robert Cantrell, VCH
Daniel Druckrey
Carl Gnewuch
Art Hyland
Alissa Maher
Bill Bieber

Staff:

Gina DelRose, Community Development Planner
Kim Whitt, Administrative Assistant

MINUTES: Approve the minutes of the January 14, 2025 meeting.

PUBLIC COMMENT:

UNFINISHED BUSINESS: None.

NEW BUSINESS:

2025-02: Baikoziev, 3792 Morreim Drive (VAR): The applicant, Nursultan Baikoziev, 108 Club Circle, Belvidere, IL 61008 on behalf of the property owner, Baikozu Truck Service Center, LLC, 108 Club Circle, Belvidere, IL 61008 is requesting a variance at 3792 Morreim Drive, Belvidere, IL 61008 within the HI, Heavy Industrial District (Belvidere Zoning Ordinance Sections 150.702(J) Width of Driveways: Maximum Width of Access Drives 35 feet with a Maximum Flare of 5 feet and Section 150.909 Variance Review). The variance will allow for the access drive to be 60 feet wide with flares totaling 47 feet for a total width of 107 feet where it connects to Morreim Drive. PIN: 05-33-400-022.

Staff (Approval); PZC ()

2025-03: Boone County Arts Council, 323 South State Street (SU): The applicant, Boone County Arts Council, PO Box 311, Belvidere, IL 61008 on behalf of the property owners, Jeffrey and Deborah Carlson, 1540 Whitney Boulevard, Belvidere, IL 61008, is requesting a special use to paint a mural at 323 South State Street within the CB, Central Business District (Belvidere Zoning Ordinance Sections 150.1012(A)(1) and 150.904 Special Use Review and Approval Procedures). The proposed mural will be railroad themed and painted on the western wall, along the chimney. PIN: 05-25-353-012.

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

OTHER BUSINESS:

DISCUSSION:

Staff report

ADJOURNMENT

**CITY OF BELVIDERE
PLANNING AND ZONING COMMISSION**

Minutes

Tuesday, January 14, 2025

City Council Chambers

401 Whitney Boulevard

6:00 pm

ROLL CALL

Members Present:

Carl Gnewuch,
Paul Engelman, CH
Alissa Maher
Bob Cantrell, VCH
William Bieber
Daniel Druckrey
Art Hyland

Staff Present:

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

Members Absent: None

Chair Engelman called the meeting to order at 6:00 p.m.

MINUTES: It was moved and seconded (Maher/Druckrey) to approve the minutes of the December 10, 2024 meeting. The motion carried with a vote 7-0 voice vote.

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

2025-01: Hamblock, 230 N. Appleton Road (MA): The applicant, Joe Hamblock, 1800 N. Appleton Road, Belvidere, IL 61008 on behalf of the property owner, Peggy Wolf TR, 9562 Lawrenceville Road Garden Prairie, IL 61038 is requesting a map amendment (rezoning) on approximately 2.5 acres commonly known as 230 N. Appleton Road and the adjacent vacant parcel from the SR-4, Single-family Residential-4 District to the GB, General Business District pursuant to the Belvidere Zoning Ordinance Section 150.903 Amendment to Official Zoning Map. PINs: 05-22-479-002 and 05-22-479-003

PUBLIC HEARING FOR CASE 2025-01 OPENED: 6:02 PM

Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on December 19, 2024 and notifications were sent by certified mail to property owners within 250 feet of the subject property on December 17, 2024. Ms. DelRose summarized the staff report dated January 6, 2025 and stated the recommendation is for approval of case #2025-01; Joe Hamblock, 1800 N Appleton Rd. re-zoning from the SR-4, Single-family Residential-4 District to the GB, General Business District.

Gina DelRose stated that the two properties were annexed into the City of Belvidere separately in the 1990's. Upon annexation they were classified as single-family residential, like the properties to the west and south. The majority of the nearby property was already established as either commercial (to the north and east) or residential (to the south and west), limiting the amount of new development occurring since the property was annexed. Although new residential development has been limited, the North State Street commercial corridor has experienced significant reinvestment.

Carl Gnewuch asked we understand the SR-4 what would be the development under SR-4?

Gina DelRose explained that SR-4 lots would be 80' wide 10k sq ft lots. This would allow 4 lots along Appleton Rd, or 7 lots in a developed cult-de-sac.

Carl Gnewuch asked if there is currently service to those lots?

Gina DelRose explained there is service along Appleton, but would have to be brought to individual lots.

Carl Gnewuch noted there is a 3rd lot not being rezoned. Would this rezoning prevent development of the back lot not being rezoned?

Gina DelRose explained that although it would be more difficult to develop, it would still be possible.

Paul Engelman questioned that since this property has never been developed under SR-4, will rezoning to General Business (GB) change the likelihood of development.

Gina DelRose stated that yes it would be more likely be developed being zoned GB. However, development would still require a Special Use.

Paul Engelman asked if this rezoning was a recommendation in the Comprehensive Plan?

Gina DelRose state that the Comprehensive Plan did not call for any rezoning.

Mayor Clint Morris also stated that the Comprehensive Plan is also not written in granite.

Gina DelRose followed up by stating that the Comprehensive Plan is a tool for guidance.

Joe Hamblock was sworn in at 6:14 pm and gave testimony that he wanted to rezone this area in order to expand the Service Department for Hamblock Ford. This expansion would create 10 to 20 new jobs.

Joseph Davis (audience member) asked Joe about the 3rd lot not being rezoned.

Joe Hamblock stated that his intentions are to also purchase that lot, but to leave it as a buffer for the houses behind the dealership. Mr. Hamblock is not rezoning the 3rd lot at this time.

John McNamara of 1972 Lake Shore Dr was sworn in at 6:20 pm. Mr. McNamara gave testimony to how the dealership affects him personally as it stands now. Mr. McNamara is concerned about the light pollution and the traffic.

Joe Hamblock explained that they have already addressed the lights by dimming them at night after hours. Mr. Hamblock also stated that he currently has no plans for building. Mr. Hamblock is taking the first steps getting the lots rezoned.

Alissa Maher asked Mr. McNamara if there was something he would like the applicant to.

John McNamara stated No, he is just concerned as to how the expansion would affect him in the future.

Joseph Davis of 1709 Maryland Ct was sworn in at 6:32 pm. Mr. Davis also gave a statement as to how the dealership affects his life. Mr. Davis would like to see these lots remain SR-4 to protect the surrounding neighbors and not decrease the value of their homes. Mr. Davis does not want to see the green space removed and the wildlife affected.

Alissa Maher asked Gina DelRose if a light and noise barrier stipulation was a possibility?

Gina DelRose stated not during the rezoning process.

Alissa Maher asked Mr. Davis if a light and noise barrier would be acceptable to him during the Special Use process?

Joseph Davis said he didn't know.

Carl Gnewuch asked Mr. Davis if he had anticipated any development on these lots.

Joseph Davis responded that he didn't think it would be General Business. Mr. Davis also stated that he would go to any meeting for development on these lots.

Gina DelRose explained to Mr. Davis that the lots are currently zoned SR-4 and would not require any Special Use for development of this property. At any time, someone could come in and build houses in this area.

Joe Hamblock explained the honking from the dealership was due to the congestion in the back of the building. Rezoning and expanding the building would alleviate the honking. Mr. Hamblock stated he will do his bests to cooperate with the neighbors.

PUBLIC HEARING FOR CASE 2025-01 CLOSED: 6:49 PM

It was moved and seconded (Cantrell/Hyland) to recommend approval of Case #2025-01, as presented by staff. The motion carried with a 7-0 roll call vote.

Gina DelRose stated the case would move forward to City Council.

Joseph Davis questioned the process for this rezoning.

Paul Engelman stated that the board has passed the recommendation for rezoning from SR-4 to GB for 230 N. Appleton Rd. The case will now go to City Council for approval.

Gina DelRose also explained that City Council cannot hear new testimony and that their decision will be based on the evidence presented at tonight's public hearing.

OTHER BUSINESS: None

DISCUSSION: None

Staff Report:

Ms. DelRose stated there are two cases for the February 11, 2025 meeting.

ADJOURNMENT:

Paul Engelman stated that with no objections the meeting was adjourned.

The meeting adjourned at 6:54 p.m.

Recorded by:

Kimberly Whitt
Administrative Assistant

Reviewed by:

Gina DelRose
Community Development Planner

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PLANNING AND ZONING COMMISSION**

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DISCUSSION: None

Staff Report:

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Recorded by:

Kimberly Whitt
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

February 4, 2025

ADVISORY REPORT

CASE NUMBER: 2025-02

APPLICANT: Baikoziev, 3792 Morreim Drive

REQUEST AND LOCATION:

Nursultan Baikoziev, 108 Club Circle, Belvidere, IL 61008 on behalf of the property owner, Baikozu Truck Service Center, LLC, 108 Club Circle, Belvidere, IL 61008, is requesting a variance at 3792 Morreim Drive, Belvidere, IL 61008 within the HI, Heavy Industrial District (Belvidere Zoning Ordinance Sections 150.702(J) Width of Driveways: Maximum Width of Access Drives 35 feet with a Maximum Flare of 5 feet and Section 150.909 Variance Review). The variance will allow for the access drive to be 60 feet wide with flares totaling 47 feet for a total width of 107 feet where it connects to Morreim Drive. The property is rectangular in shape, 1.82 acres and is currently vacant. PIN: 05-33-400-022.

EXISTING LAND USE ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: Vacant

Adjacent property:

North: Multi-tenant warehousing/manufacturing and a semi-trailer parking lot.

South: Warranty test site

West: Manufacturing

East: Kamps National Pallet Solutions

CURRENT ZONING ON SUBJECT PROPERTY AND ADJACENT PROPERTY:

Subject property: HI, Heavy Industrial District

All Adjacent properties: HI, Heavy Industrial District

COMPREHENSIVE PLAN:

Subject properties: Heavy Industrial

All Adjacent properties: Heavy Industrial

BACKGROUND:

The Townhall Industrial Park was annexed into the City in 1998 and the first final plat was approved in 1999. There is a total of 16 lots, four of which are still vacant. The subdivision is zoned heavy industrial and comprised of a mix of manufacturing, warehousing, semi-trailer parking and outdoor storage. The subject property is 1.82 acres in size and has 245 feet of road frontage. This meets the minimum zoning code requirements of 20,000 square feet and 40 feet of road frontage.

A site plan was submitted for an approximate 2,500 square-foot building comprised of office space and truck maintenance and service space along with 10 semi-truck and trailer parking spaces and 10 passenger vehicle parking spaces. Due to the size of the property and the layout, only one access drive is being proposed. Only three other properties in the subdivision have a singular access drives, the rest have up to three access drives.

The majority of the properties in the subdivision were developed under a previous code that did not limit the width of access drives and flares. Therefore, numerous driveways that exceed the current zoning regulation of 35 feet wide at the property line with 5-foot flares (45 feet wide at the curb line). Twelve nearby driveways appear to average 51 feet at the property line and 92 feet at the curb line. One driveway to the north appears to be 103 feet wide and flares out to 133 feet at the curb line and the property to the east has three driveways appearing to range from 45 feet to 60 feet wide with one combined flared area of 245 feet wide

The applicant states that due to the nature of the business, a wider access drive is needed to accommodate trucks turning in and out of the property.

The Belvidere Public Works Department advises that the construction of the driveway approach shall not disturb the integrity of the existing storm sewer special inlet.

TREND OF DEVELOPMENT:

The subject property is located in the Townhall Industrial Park. The companies occupying the industrial buildings change periodically. No new construction has occurred in recent years.

COMPREHENSIVE PLAN:

The subject property is designated as "Heavy Industrial" on the City of Belvidere Comprehensive Plan, adopted May 7, 2024. The heavy industrial land use refers to more intensive industrial activities including distribution, fabrication, processing, and production. The heavy industrial designation is typically characterized by heavy traffic use, intense environmental impacts and need for robust energy, water, wastewater, and stormwater management.

FINDINGS OF FACT:

Per Section 150.909 (E) of the City of Belvidere Zoning Ordinance, the criteria for granting a Variance are as follows:

- A. **Findings:** The requested variance is needed due to special conditions and circumstances existing that are peculiar to the land, structure or building involved and is not applicable to other lands, structures or buildings in the same district.

The additional width and flare space for the access drive is needed due to the type of land use developing on the property. The proposed development will be for a trucking company that will not only be storing their trucks on-site but will also be repairing and maintaining them onsite. Like other heavy industrial land uses, this proposed development is anticipated to have more truck traffic than standard commercial land uses. The zoning ordinance requirements are designed for buildings and land uses that typically have less truck traffic or have lots large enough to accommodate two access drives with one-way traffic.

- B. **Findings:** The requested variance is not needed due to a particular hardship or difficulty arisen because of the unusual shape of the original acreage parcel;

unusual topography or elevation; or because the lot was platted/created before the passage of the current, applicable zoning regulations and is not economically suitable for a permitted use or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed.

The minimum lot width required for the Heavy Industrial District is 90 feet and the minimum lot size is 20,000 square feet. The subject property exceeds both of these requirements. The difficulty the applicant is facing is not related to the configuration of the lot but the type of land use. Semi-trucks and trailers have wider turning radius than smaller trucks and passenger vehicles.

- C. Findings: The requested variance is not due to hardships or difficulties created from the actions of the Applicant.**

Although the applicant is involved with designing the site plan, according to the submitted application, the basis for the variance is due to the type of land use, not necessarily the layout. The zoning ordinance's requirements for drive aisles and flares are catered more towards passenger vehicle traffic and land uses that generate little semi-truck and trailer traffic.

- D. Findings: The requested variance will not confer on the Applicant a special privilege that is denied by this subsection to the owners of other lands, structures or buildings in the same district.**

The majority of the driveways located in the Townhall Industrial Park are wider than what the current zoning ordinance permits. The widest single driveway being approximately 105 feet wide at the property line and the widest combined flared area being approximately 245 feet wide. Since 2023, a variance and two planned developments were approved granting additional width for access drives and flares. All three requests were in the heavy industrial district and based on semi-truck and trailer turning radii.

- E. Findings: The requested variation is not the minimum variation that will make possible the reasonable use of land, structure or building.**

According to the Driveway Exhibit, a 35-foot wide driveway cannot accommodate two-way traffic for semi-trucks and trailers. However, the application does not state whether or not the requested width was the minimum width needed or if the site plan could be reconfigured to have two narrower one-way access drives.

- F. Findings: The subject property may yield a reasonable return if permitted to be used only under the regulations allowed in the applicable zoning district.**

The access drive could be reconfigured to meet the zoning ordinance requirements. However, there is an increased likelihood for damage to the right-of-way along its shoulders due to vehicles hitting the curb and tires damaging the grass. If two one-way access drives were utilized instead, the building would most likely be placed between the access driveways, altering the vehicle circulation pattern and possibly creating an obstruction.

- G. **Findings:** The granting of the variation will be in harmony with the general purpose and intent of the Zoning Ordinance, will not be injurious to the neighborhood, will not impair the adequate supply of light and air to adjacent property, will not unreasonably increase the congestion in public streets, will not unreasonably diminish property values within the surrounding area, or otherwise be detrimental to the public interest.

The variance is being requested in order to prevent negative traffic impacts from occurring. Restricting the widths of access drives and flares was meant to prevent vehicle circulation areas opening onto the public right-of-way with no true entrance and exit area. The unrestricted layouts create confusion for drivers, increased risk of accidents and decreases safety for pedestrians utilizing sidewalks that cross the wider paved areas. Being located in an industrial park zoned Heavy Industrial increases the likelihood of semi-truck and trailer traffic, therefore the site plan shall take such traffic patterns into consideration.

SUMMARY OF FINDINGS:

The additional width and flare space for the access drive is needed due to the type of land use developing on the property. The proposed development will be for a trucking company that will not only be storing their trucks on-site but will also be repairing and maintaining them onsite. Like other heavy industrial land uses, this proposed development is anticipated to have more truck traffic than standard commercial land uses. The zoning ordinance requirements are designed for buildings and land uses that typically have less truck traffic or have lots large enough to accommodate two access drives with one-way traffic.

The majority of the driveways located in the Townhall Industrial Park are wider than what the current zoning ordinance permits. The widest single driveway being approximately 105 feet wide at the property line and the widest combined flared area being approximately 245 feet wide. Since 2023, a variance and two planned developments were approved granting additional width for access drives and flares. All three requests were in the heavy industrial district and based on semi-truck and trailer turning radii.

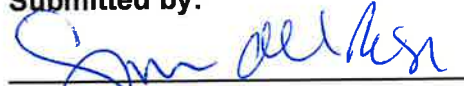
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The access drive could be reconfigured to meet the zoning ordinance requirements. However, there is an increased likelihood for damage to the right-of-way along its shoulders due to vehicles hitting the curb and tires damaging the grass. If two one-way access drives were utilized instead, the building would most likely be placed between the access driveways, altering the vehicle circulation pattern and possibly creating an obstruction.

RECOMMENDATION:

The planning staff recommends the **approval** of case number **2025-02; Baikoziev, 3792 Morreim Drive.**

Submitted by:



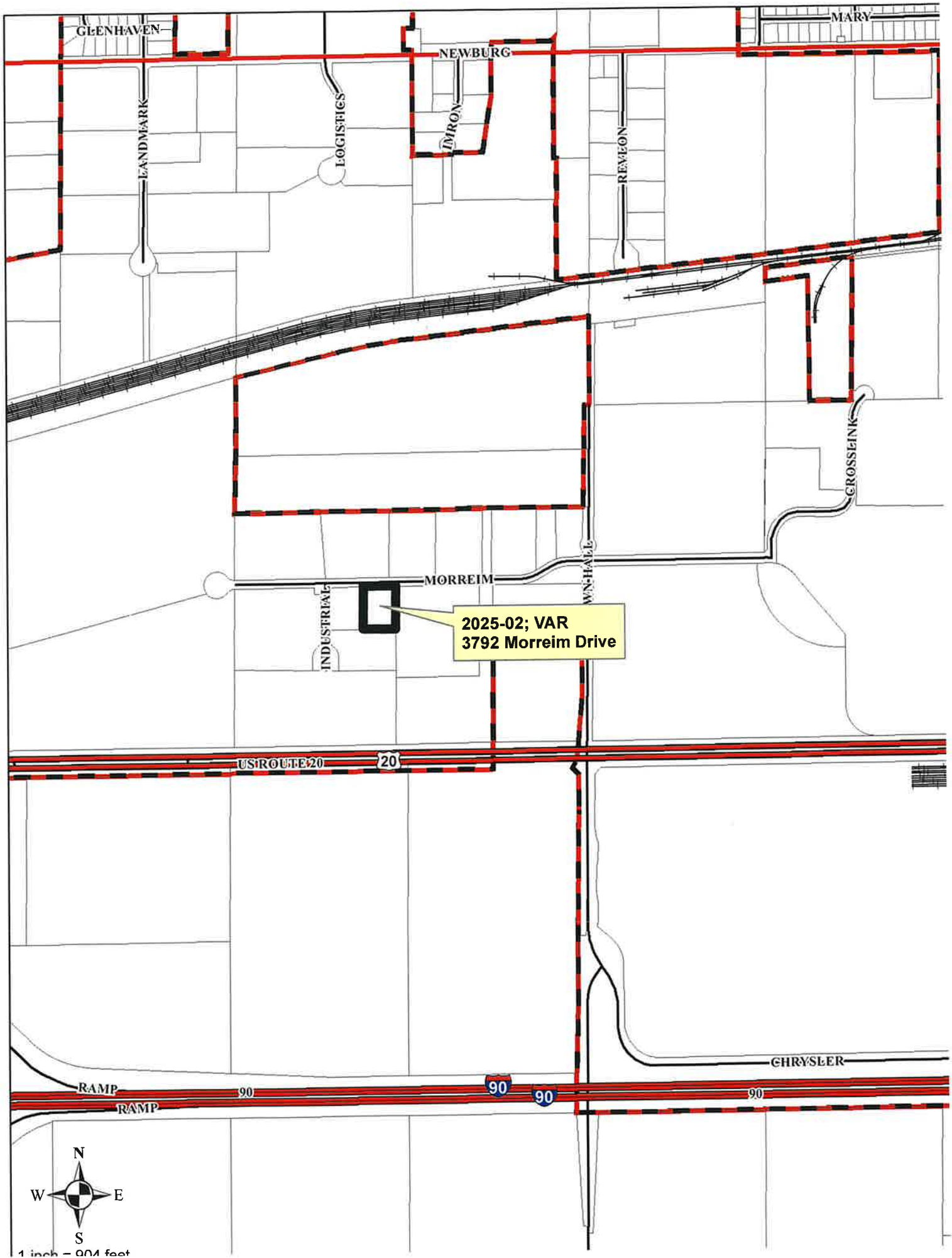
Gina DelRose,
Community Development Planner

PLANNING AND ZONING COMMISSION ACTION

After the holding of the public hearing, the Planning and Zoning Commission shall make and adopt findings of fact and make its determination regarding the application as a whole. The Planning and Zoning Commission may request further information and/or additional reports from the Zoning Administrator and/or the Applicant. The Planning and Zoning Commission may take final action on the request for approval of the proposed variance at the time of its initial meeting or the proceedings may be continued for further consideration. Granting of a variance shall be considered as unique to the variance granted and shall not be construed as precedent for any other proposed variance.

ATTACHMENTS

1. Location Map by the Planning Staff
2. Aerial Photo by the Planning Staff
3. Narrative submitted by the Applicant
4. Site Plan submitted by the Applicant
5. Driveway Exhibit
6. NRI 1784 from the Boone County Soil and Water Conservation District, Heather VanTilburg, January 7, 2025.
7. Letter from the Boone County Health Department, Alisen O'Hearn, January 23, 2025.
8. Memo from the Belvidere Public Works Department, Brent Anderson, January 27, 2025.





2025-02; VAR
3792 Morreim Drive

MORREIM

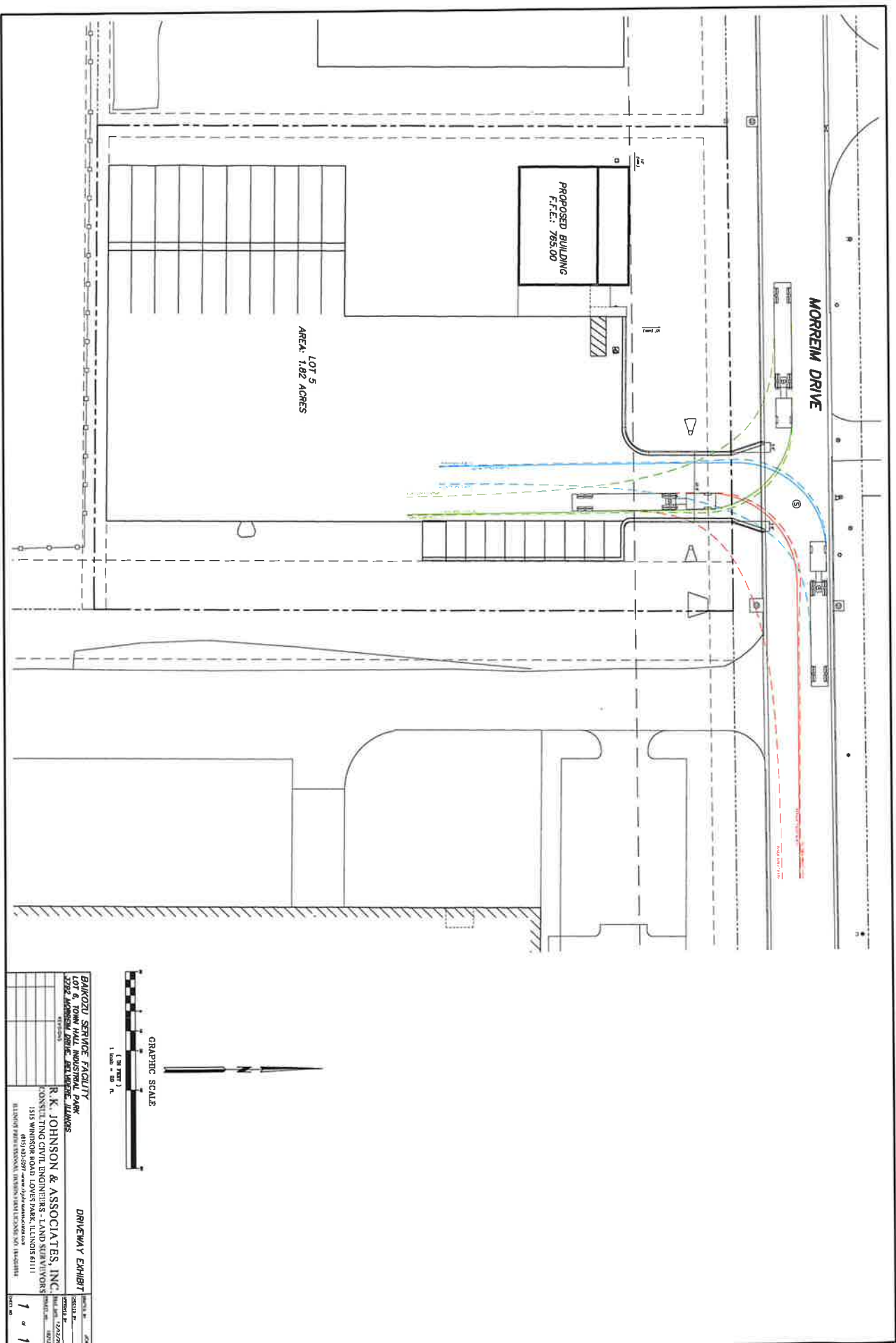
INDUSTRIAL



Variance

My name is Nursultan Baikovich,
and I own Baikov Truck Service Center LLC.
I am building a repair shop for
semi trucks and trailers located
in heavy industrial zoning at
3792 Norheim Dr, Belvidere, IL, 61008.
I am requesting you allow us to
cut the curb to 7 feet as in the
civil engineer's plan, which the
civil engineer (Rick Johnson) tested
while showing 107 feet, allowing
full-size trucks an average of
72 feet to enter and exit the
repair shop.







Boone County
Soil & Water
Conservation District

211. N. Appleton Road
Belvidere, IL 61008
815-544-3465 x3

07 January 2025

SWCD NRI #: 1784

Belvidere Planning Department
401 Whitney Blvd., Suite 300
Belvidere, IL 61008

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted. We will supply a written reply to your office as indicated below:

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

Location of Site: 3792 Morreim Dr, Belvidere, IL 61008
PIN(S): 05-33-400-022

| Contact | Petitioner | Owner |
|--|-----------------|--|
| Nursultan Baikoziev 108 Club Circle Belvidere, IL 61008 (917)935-7090 nick@baikozu.com | Same as Contact | Baikozu Truck Service Center, LLC See Contact Info |

Request: Variance-Driveway Width and Flare Dimensions

Notes, if any: By considering the current zoning, current land use, Geographical Information Systems maps, and requested variance, the Boone County Soil and Water Conservation District has determined that the proposed use will have no significant impact on the natural resources on the property or surrounding area.

Sincerely,

Heather VanTilburg, Resource Conservationist
Boone County Soil & Water Conservation District

Memo

To: Gina DelRose, Community Development Planner
From: Brent Anderson, Director of Public Works
Date: 1/27/2025
Re: Case #2025-02: Baikoziev, 3792 Morreim Drive

Having reviewed the above referenced case, I would offer the following:

1. Construction of the driveway approach shall not disturb the integrity of the existing storm sewer special inlet.



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 equitable wellness & protecting the public's health.*

January 23, 2025

City of Belvidere

Email: GDelRose@BelvidereIL.gov

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

**Re: Case 2025-02 (VR); Baikoziev, 3792 Morreim Drive
PIN: 05-33-400-022**

Dear City of Belvidere,

We are in receipt of a variance review at 3792 Morreim Drive within the Heavy Industrial District, pursuant to the Belvidere Zoning Ordinance Section 150.702 (J) Width of Driveways, allowing the access drive to be 60 feet wide with flares totaling 47 feet for a total width of 107 feet, where it connects to Morreim Drive.

The Boone County Health Department (BCHD) does not have records indicating if there are any wells and/or septic system components on this property, that may or may not be impacted by the total width of the access drive. BCHD has no further comment at this time.

If you have any questions or concerns, please contact us at (815) 544-2951 ext. 2 or at info@boonehealth.org.

Sincerely,

Alisen O'Hearn, LEHP, REHS/RS
Environmental Center Supervisor
Boone County Health Department

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

February 4, 2025

ADVISORY REPORT

CASE NO: 2025-03

APPLICANT: Boone County Arts Council

REQUEST AND LOCATION:

The Boone County Arts Council, PO Box 311, Belvidere, IL 61008 on behalf of the property owners, Jeffrey and Deborah Carlson, 1540 Whitney Boulevard, Belvidere, IL 61008, is requesting a special use to paint a mural at 323 South State Street within the CB, Central Business District (Belvidere Zoning Ordinance Sections 150.1012(A)(1) and 150.904 Special Use Review and Approval Procedures). The proposed mural will be railroad themed and painted on the western wall, along the chimney. The subject property is 1,940 square feet, irregular in shape and developed with a real estate office and small parking area. PIN: 05-25-353-012.

EXISTING LAND USE:

Subject property: Berkshire Hathaway Home Services Starck Real Estate

North: Berkshire Hathaway Home Services Starck Real Estate

South: Fantasy Bound Ink and Olivo Gaming and Bar

East: Hub Plaza

West: Parking Area

CURRENT ZONING:

Subject property: CB, Central Business District

All Adjacent Property: CB, Central Business District

COMPREHENSIVE PLAN:

Subject property: Commercial

All Adjacent Property: Commercial

BACKGROUND:

Belvidere has a long history with the railroad. The Belvidere Subdivision of the Galena Chicago Union Railroad was constructed in 1852, just five years after Belvidere was incorporated as a town in 1847. The mural will be painted on the chimney of the O.H. Wright & Company Building which was a former lumber yard established in 1889. The building was originally built one-foot onto the railroad property. This allowed business transactions to occur without staff needing to leave the building or exit the train. In 1971 the building was moved approximately 10 feet in order to avoid potential obstructions with the railroad.

The mural will not cover any architectural features or openings. The chimney is 16.4 feet at its widest point and is visible to those traveling eastbound along West Pleasant Street. Most newer murals are painted onto panels that are affixed to the brick walls. This allows for easier maintenance and repairs. However, since the building is already painted white, there is already the anticipation of maintenance in regards to the painted brick. Maintaining the mural will require similar effort.

TREND OF DEVELOPMENT:

The subject property is located downtown in an area of established mixed-use, commercial and institutional uses.

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 subject property is located on South State Street, just north of the railroad tracks. Since 2006, City Council has approved murals on three nearby properties. The murals depict the County's nine townships, the former train depot, architects Jeanne Gang and Frank Lloyd Wright and the Sister Cities Association of Belvidere. There are several other murals located throughout the City's downtown area. The addition of another mural, with a railroad theme, would not be out of character. Murals act as landmarks, giving properties an identifying aspect. The mural will highlight Belvidere's long history with the railroad and contribute to Belvidere as the "City of Murals".

- 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, Section 150.904 of the Belvidere Zoning Ordinance and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan shows the property and the surrounding areas as Commercial. The building's use as office space falls under this land use category; the murals are not changing the use in any way. The mural will be painted on the chimney of the building where the brick has already been painted and not cover any windows, doorways or architectural features. It will allow for the downtown building to be included in Belvidere's mural collection.

- 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 subject property is located in downtown Belvidere. The location is surrounded by institutional uses, residential, commercial and mixed-use buildings along with several murals nearby. The City of Belvidere's Comprehensive Plan designates this property as commercial, which calls for service businesses, restaurants, entertainment, office buildings, healthcare facilities and other similar land uses. Public art can become part of the streetscape and bring patrons to the downtown area. The requested special use for murals does not lessen the property's level of compliance with the Comprehensive Plan; the site will be required to be in conformance with the requirements of the City of Belvidere's Zoning Ordinance.

- 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.

Staff is not aware of any negative impacts created by the installation of other nearby murals. The murals do not alter the commercial, institutional or residential land uses permitted Downtown. The mural will help to tie-in the property with the rest of the downtown area, it will also honor the City's longstanding history with the railroad.

- 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 served with proper facilities and utilities.

- F. Findings:** The potential public benefits of the proposed special use outweighs 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.

The mural will be railroad themed. The mural will be painted onto the chimney of the building where the brick is already painted and will not cover any architectural features. In addition to the requirements of this Special Use, compliance with the City of Belvidere's Zoning Ordinance is required.

SUMMARY OF FINDINGS:

The subject property is located on South State Street, just north of the railroad tracks. Since 2006, City Council has approved murals on three nearby properties. The murals depict the County's nine townships, the former train depot, architects Jeanne Gang and Frank Lloyd Wright and the Sister Cities Association of Belvidere. There are several other murals located throughout the City's downtown area. The addition of another mural, with a railroad theme, would not be out of character. Murals act as landmarks, giving properties an identifying aspect. The mural will highlight Belvidere's long history with the railroad and contribute to Belvidere as the "City of Murals".

The Comprehensive Plan shows the property and the surrounding areas as Commercial. The building's use as office space falls under this land use category; the murals are not changing the use in any way. The mural will be painted on the chimney of the building where the brick has already been painted and not cover any windows, doorways or architectural features.

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RECOMMENDATION:

Planning staff recommends the **approval** of case number **2025-03**; Boone County Arts Council (Murals) special use subject to the following conditions:

1. The mural shall be maintained by the Boone County Arts Council and Property Owner according to Belvidere's Zoning Ordinance requirements. If the mural shall fall into disrepair, then it shall be removed from the subject property.
2. The mural shall be in substantial conformance with the narrative provided by the applicant.

Submitted by:

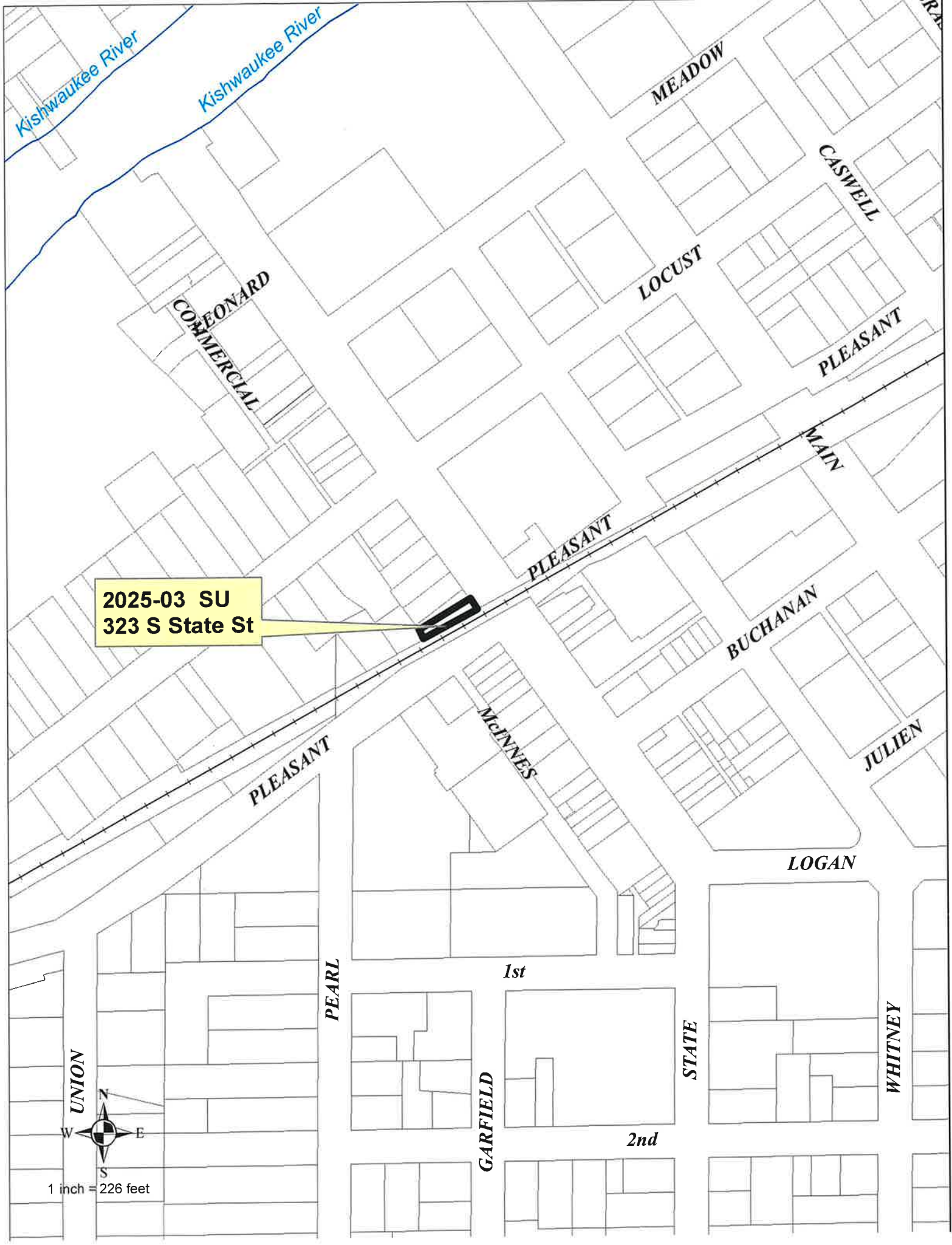

Gina DelRose
Community Development Planner

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 by Planning Staff.
3. Narrative submitted by the Applicant.
4. Placement of the Mural.
5. Example Images
6. Letter submitted by Alisen O'Hearn, Boone County Health Department, January 24, 2025.



2025-03 SU
323 S State St

1 inch = 226 feet

2025-03 SU
323 S State St

401



January 13, 2025

Gina Del Rose

Community Development Planner

City of Belvidere

401 Whitney Blvd.,

Belvidere IL 61008

Boone County Arts Council mural proposal for 323 S. State St. Belvidere

Proposed Mural to Honor Railroad Heritage at Historic O.H. Wright & Company

The O.H. Wright & Company building, a former lumber yard established in 1889 at 323 S. State Street, is set to gain a striking new feature: a mural that bridges the past and present of our community.

The mural, envisioned as the front of a train emerging from the back of the building, will pay homage to the area's deep connection to the railroad industry. With the proposed rail line expansion and the building's proximity to the tracks, the artwork will resonate as a powerful symbol of progress and history intertwined.




Renowned local artist Troy Yunk has been commissioned for the project, bringing his exceptional talent and passion for the region to this transformative piece. He plans to paint the mural directly onto the historic brick façade, ensuring the art integrates seamlessly into the building's character.

This project promises to be more than just a visual asset; it's a celebration of our shared history and a nod to the enduring role of the railroad in shaping our community.



2:14



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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 equitable wellness & protecting the public's health.*

January 24, 2025

City of Belvidere

Email: GDelRose@BelvidereIL.gov

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

Re: Case 2025-03: Boone County Arts Council, 323 S State St

Dear City of Belvidere,

We are in receipt of a special use request to paint a mural at 323 South State Street within the CB, Central Business District (Belvidere Zoning Ordinance Sections 150.1012(A)(1) and 150.904 Special Use Review and Approval Procedures). The proposed mural will be railroad themed and painted on the western wall, along the chimney. PIN: 05-25-353-012

At this time, the Boone County Health Department has no comment.

If you have any questions or concerns, please contact us at (815) 544-2951 ext. 2 or at info@boonehealth.org.

Sincerely,

Alisen O'Hearn, LEHP, REHS/RS
Environmental Center Supervisor
Boone County Health Department

BELVIDERE

Community Development Department

Planning Department

401 Whitney Boulevard, Suite 300, Belvidere, Illinois, 61008 (815) 547-7177 FAX (815) 547-0789

January 2025 Monthly Report

| Number | Project | Description | Processed |
|--------|---|--|-----------|
| 1 | Cases: January | Hamblock, 230 N. Appleton Rd, MA | 12/9/2024 |
| 2 | Cases: February | Baikoziev, 3792 Morriem Drive, VAR | 1/7/2025 |
| | | BCAC, 323 S. State Street, SU | 1/14/2025 |
| 0 | Annexation | None | |
| 0 | Temporary Uses | None | |
| 2 | Site Plans (New/Revised) | 3792 Morriem Drive | 1/9/2025 |
| | | 3792 Morriem Drive | 1/22/2025 |
| 0 | Final Inspection | None | |
| 2 | Downtown Overlay Review | 508/510 South State Street, façade | 1/22/2025 |
| | | 130 South State Street, signage | 1/31/2025 |
| 3 | Prepared Zoning Verification Letters | 1818 Logan Avenue | 1/8/2025 |
| | | 226 N. State Street | 1/22/2025 |
| | | 845 E. Jackson Street | 1/31/2025 |
| 0 | Issued Address Letters | None | |
| | Belvidere Historic Preservation Commission | The Commission discussed upcoming fundraisers. Staff notified the Commission of potential façade renovations located downtown. | |
| | Heritage Days | Staff has begun receiving inquiries | |
| | Hometown Christmas | None | |
| | Scanned Plats: E-mail, Print and/or Burn | | |
| 0 | Recorder's Office | | |
| 0 | Other Department | | |
| 0 | General Public | | |

Planning Department Current Duties

Close out completed planning case files

Respond to all FOIA requests

Work with 911, Fire Department and Post Office to verify all addresses in the City

Assist Growth Dimensions with requested data

Meetings and phone calls with developers regarding potential development

Phone calls/walk-ins for questions regarding zoning, floodplain, development, etc.

Prepare minutes, agendas and packets for various committees, commissions and boards

Prepare deposits and purchase orders for bill payments