

CITY OF BELVIDERE, ILLINOIS

Ordinance #503H

An Ordinance Granting a Special use to Allow Indoor Commercial Entertainment (Video Gaming) Within
the GB, General Business District (396-400 W. Chrysler Drive).

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 8th DAY OF September 2020.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 9th DAY OF September 2020.

Published in Pamphlet Form this 9th day of September 2020.

ORDINANCE NO. 503H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(VIDEO GAMING)
WITHIN THE GB, GENERAL BUSINESS DISTRICT
(396-400 W. Chrysler Drive)**

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, Belvidere Fiesta Market, Inc., 400 West Chrysler Drive, Belvidere, IL 61008 on behalf of the property owner, MB Belvidere, LLC, 400 West Chrysler Drive, Belvidere, IL 61008 is requesting a special use to permit indoor commercial entertainment to operate video gaming machines at 396-400 W. Chrysler Drive; 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 August 11, 2020 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 GB, General Business District for indoor commercial entertainment (video gaming) on the property depicted in Attachment A and legally described as:

Lot Two (2) as designated upon Plat No. 2 Commercial Plaza, being a subdivision of the replat of Plat No. 1 of Commercial Plaza and also being a part of the northeast quarter (1/4) of Section 2, Township 43 North, Range 3 East of the Third Principal Meridian according to the Plat thereof recorded March 25, 1986 as Document No. 88-1144 in the Recorder's Office in Boone County, Illinois; situated in the County of Boone, State of Illinois. PIN: 07-02-200-016.

is hereby approved, subject to the following conditions:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. The video gaming shall be in substantial compliance with the site plan submitted. (Attachment B)

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.

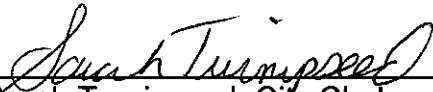
PASSED by the City Council of the City of Belvidere this 8th day of September, 2020.

APPROVED by the Mayor of the City of Belvidere this 9th day of September, 2020.



Michael W. Chamberlain, Mayor

ATTEST:



Sarah Turnipseed, City Clerk

Ayes: 9 Nays: 0 Absent: 1

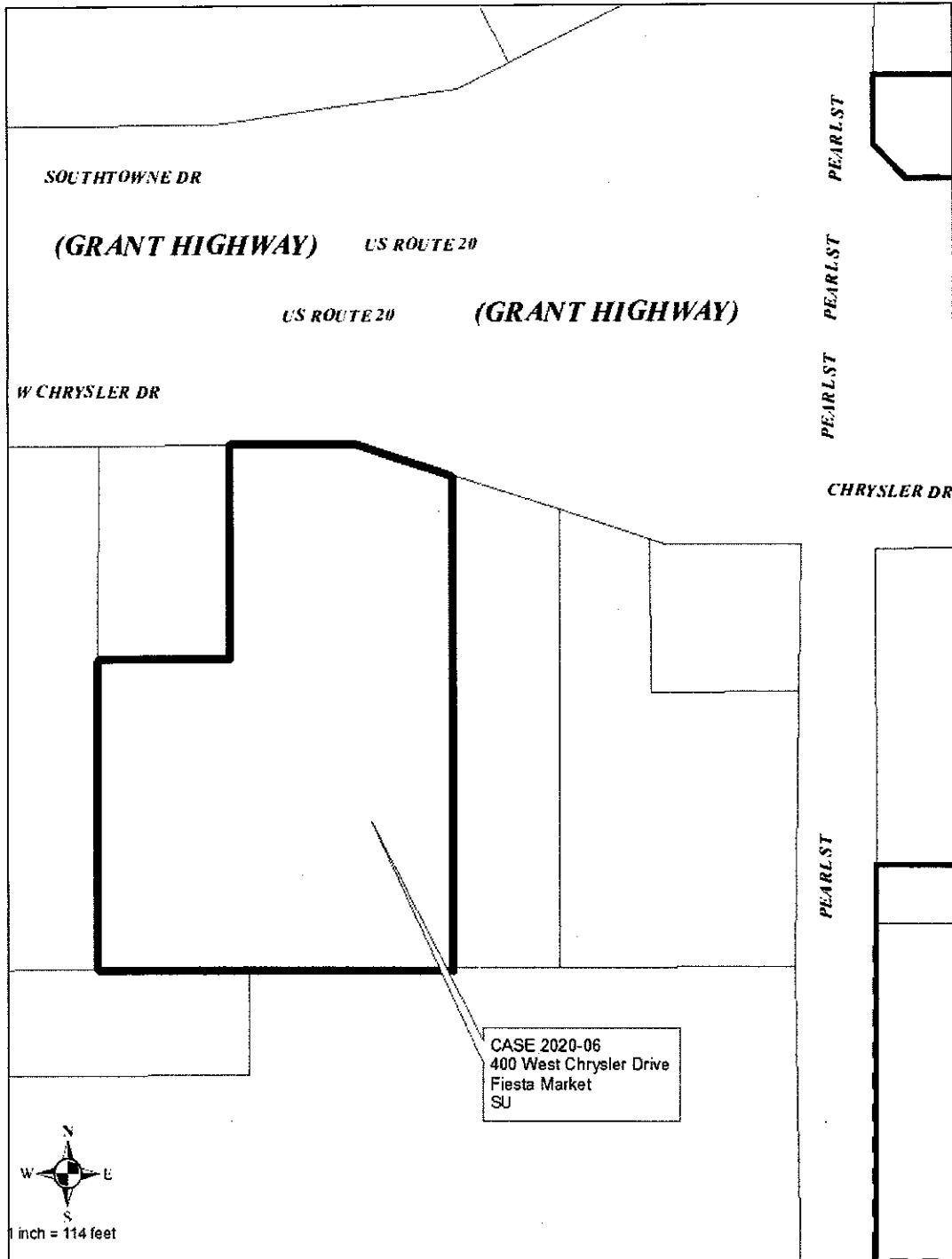
City Council Members Voting Aye: Fleury, Frank, Freeman, McGee, Ratcliffe, Snow, Stevens, Arevalo and Brereton.

City Council Members Voting Nays: None.

Date Published: September 9, 2020

Sponsor: Ald. Stevens

ATTACHMENT A



ATTACHMENT B




AFFIDVAIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

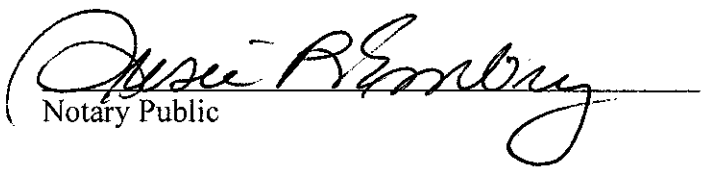
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #503H of the City of Belvidere, Illinois, in pamphlet form on September 9, 2020, and as a convenience for the public; I posted the pamphlet form of Ordinance #503H on the bulletin board in the lobby 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 9th day of Sept., 2020.


Notary Public