

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #520H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT (VIDEO GAMING) WITHIN THE GB, GENERAL BUSINESS DISTRICT (2001 NORTH STATE STREET)

PASSED AND ADOPTED

BY THE CITY COUNCIL

OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 1ST DAY OF MARCH 2021.

APPROVED BY THE

MAYOR OF THE CITY OF

BELVIDERE, ILLINOIS

ON THE 2ND DAY OF MARCH, 2021.

Published in Pamphlet Form this 2nd day of March 2021.

ORDINANCE NO. 520H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(VIDEO GAMING)
WITHIN THE GB, GENERAL BUSINESS DISTRICT
(2001 North State Street)**

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, Birju Trivedi, 4849 N. Milwaukee Avenue, Ste 408, Chicago, IL 60630 on behalf of the property owner, GPM Midwest LLC, 8565 Magellan Parkway, Ste 400, Richmond, VA 23227 is requesting a special use to permit indoor commercial entertainment to operate video gaming at 2001 North State Street; 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 February 9, 2021 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:

PARCEL 1

Lots One (1), Two (2) and Three (3) in "Von Ach's Subdivision", a subdivision in the southeast Quarter (1/4) of Section 22, Township 44 North, Range 3 East of the Third Principal Meridian, Boone County, Illinois, as platted and recorded in the Recorder's Office of Boone County, State of Illinois, situated in the County of Boone and the State of Illinois. PIN: 05-22-426-053

PARCEL 2

Part of the southeast Quarter of Section 22, Township 44 North, Range 3 East of the Third Principal Meridian, bounded and described as follows, to wit: BEGINNING at the northeast corner of Lot 1 as designated upon Von Ach's Subdivision, being a subdivision in 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, Page 31 in the Recorder's Office of Boone County, Illinois; THENCE South 32 degrees 59 minutes 22 seconds West, along the easterly line of said Lot 1, a distance of 159.95 feet to the northerly right-of-way line of North State Street (Bus. US 20), as dedicated per Book 2 of Roads on Page 192; THENCE South 57 degrees 47 minutes 52 seconds East, along said northerly right-of-way line, a distance of 200.84 feet to the intersection of said northerly right-of-way line, with the easterly line of premises conveyed from Sylvia J. Hendrickson to the Belvidere National Bank and Trust Company per Warranty Deed in Trust, recorded November 23, 1994 as Document No. 94-8457 in said Recorder's Office; THENCE North 31 degrees 58 minutes 14 seconds East, along said easterly line so conveyed, a distance of 160.01 feet to the northerly line of said premises so conveyed; THENCE North 57 degrees 49 minutes 11 seconds West, along said northerly line and said northerly line extended northwesterly, a distance of 198.00 feet to the point of BEGINNING. All being situated in the County of Boone and the State of Illinois. PIN: 05-22-426-064

is hereby approved, 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.

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 March, 2021.

APPROVED by the Mayor of the City of Belvidere this 2nd day of March, 2021.



Michael W. Chamberlain, Mayor

ATTEST:



Sarah Turnipseed, City Clerk

Ayes: 10

Nays: 0

Absent: 0

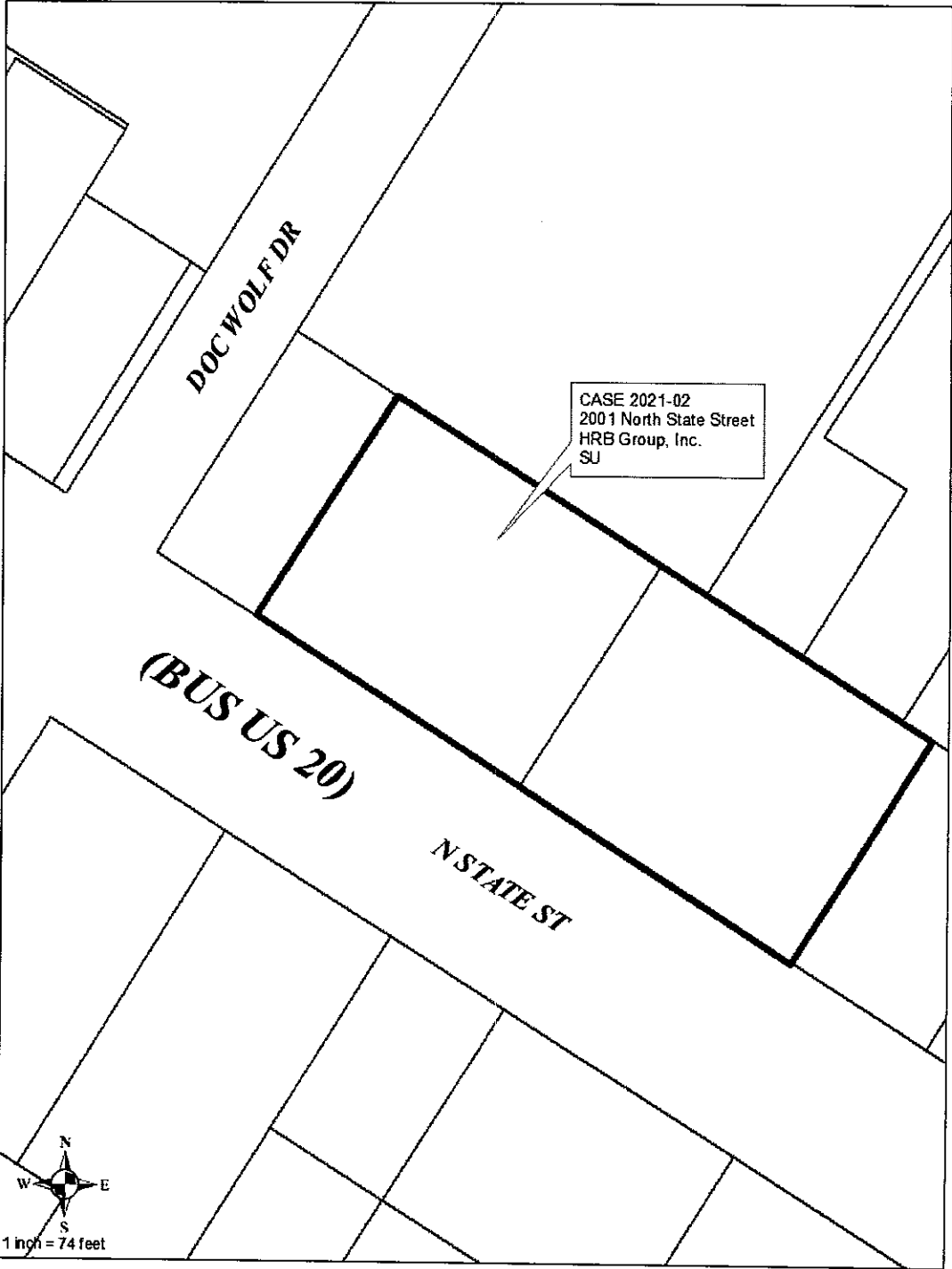
City Council Members Voting Aye: McGee, Porter, Ratcliffe, Snow, Stevens, Arevalo, Brereton, Fleury, Frank and Freeman.

City Council Members Voting Nay: None.

Date Published: March 2, 2021

Sponsor: Ald. Snow

ATTACHMENT A



AFFIDVAIT

STATE OF ILLINOIS)
)
COUNTY OF BOONE)

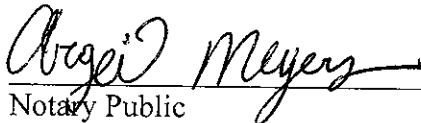
Sarah Turnipseed, first being duly sworn on oath deposes and says as follows:

By authority of the City Council of the City of Belvidere, Illinois, I published Ordinance #520H of the City of Belvidere, Illinois, in pamphlet form on March 2, 2021, and as a convenience for the public; I posted the pamphlet form of Ordinance #520H 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 2nd day of March, 2021.



Notary Public