

CITY OF BELVIDERE, ILLINOIS

ORDINANCE #521H

AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT (VIDEO GAMING) WITHIN THE PB, PLANNED BUSINESS DISTRICT (1052 BELVIDERE ROAD)

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. 521H

**AN ORDINANCE GRANTING A SPECIAL USE
TO ALLOW INDOOR COMMERCIAL ENTERTAINMENT
(VIDEO GAMING)
WITHIN THE PB, PLANNED BUSINESS DISTRICT
(1052 Belvidere Road)**

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 1052 Belvidere Road; 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 PB, Planned Business District for indoor commercial entertainment (video gaming) on the property depicted in Attachment A and legally described as:

Beginning at a point in the West line of the Northwest Quarter of Section 31, Township 44 North, Range 4, east of the Third Principal Meridian, 264 feet North of the Southwest corner of said Quarter Section; thence East and parallel with the South Quarter Section line, 277.5 feet to an iron stake; thence North and parallel with said West Quarter Section line, 192.5 feet to an iron stake; thence West and parallel with said South Quarter Section line, 277.5 feet to a point in the West line of said Northwest Quarter Section; thence South along last said West line 192.5 feet to the place of beginning. Situated in the Town of Bonus, in the County of Boone in the State of Illinois. ALSO: Beginning at a point in the West line of the Northwest Quarter of Section 31, Township 44 North Range 4, East of the Third Principal Meridian, 456.5 feet North of the Southwest corner of said Quarter Section, said point of beginning being the Northwest corner of the tract of land now owned by the grantees herein; thence East and parallel with the South Quarter Section line and along the North line of said Tract of land now owned by said grantees herein, 277.5 feet to the Northeast corner of said Tract of land; thence North and parallel with said West Quarter Section line, 40 feet to a point; thence West and parallel with the South Quarter Section line, 277.5 feet to a point in the West line of said Northwest Quarter Section; thence South along last said West line 40 feet to the place of beginning; the same being a strip of land 40 feet of even width, along the North line of said Tract of land, now owned by the grantees herein. Situated in the County of Boone and the State of Illinois. PIN: 06-31-100-007

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.

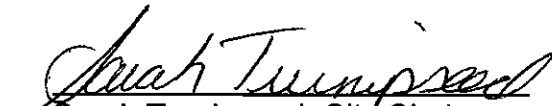
PASSED by the City Council of the City of Belvidere this 1st day of March, 2021.

APPROVED by the Mayor of the City of Belvidere this 1st day of March, 2021.



Michael W. Chamberlain, Mayor

ATTEST:



Sarah Turnipseed, City Clerk

Ayes: 10

Nays: 0

Absent: 0

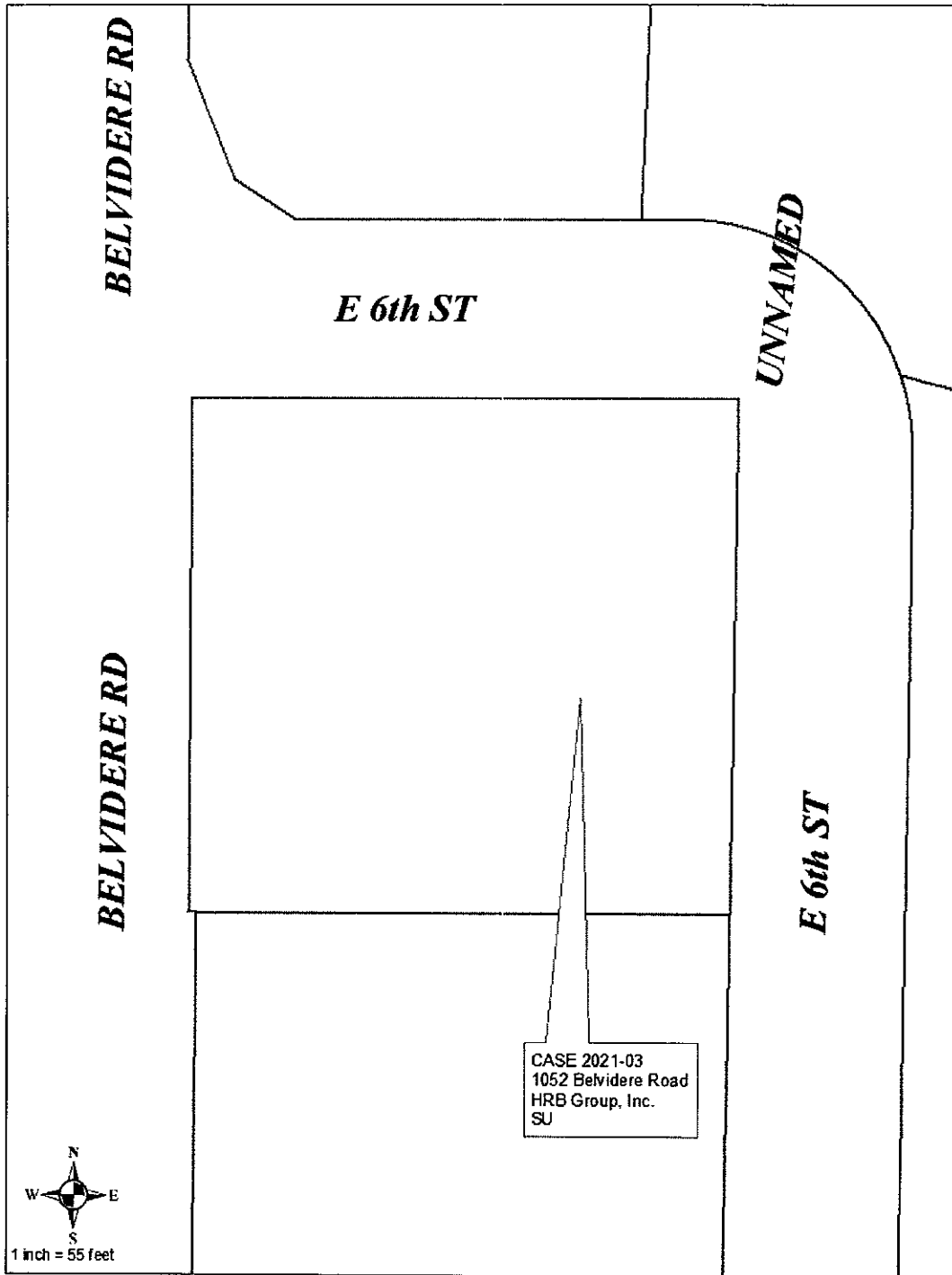
City Council Members Voting Aye: Porter, Ratcliffe, Snow, Stevens, Arevalo, Brereton, Fleury, Frank, Freeman and McGee.

City Council Members Voting Nay: None.

Date Published: March 2, 2021

Sponsor: Ald. Arevalo

ATTACHMENT A

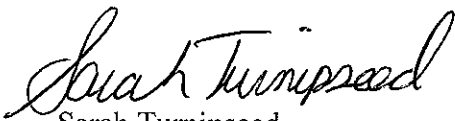


AFFIDVAIT

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 #521H 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 #521H 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