

VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

PLANNING & ZONING COMMISSION

Wednesday, May 24, 2023 - 6:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Motion to approve minutes from the September 28, 2022 Planning and Zoning meeting

PUBLIC COMMENTS: (General Comments)

NEW BUSINESS

- Case 2023-01- The applicant, Nikita Lopez, is requesting a special use pursuant to the Poplar Grove Zoning Ordinance, Section 8-6-9-B-2 Indoor Entertainment Sales/Service, Table 8-6-13 Permitted Uses and Section 8-5-7 Special Uses. Specifically, the applicant is requesting a special use to have video gaming machines in the Country Side Mall at 13535 Route 76, within the GB, General Business District in a 2,000 square foot tenant space (PIN: 03-26-402-006). The property is developed with a multi-tenant shopping center and parking area. The business would be named Boone's Bar and Grill.
- Case 2023-02 The applicant, Thomas Felker, is requesting a special use pursuant to the Poplar Grove Zoning Ordinance, Section 8-6-9-B-2 Indoor Entertainment Sales/Service, Table 8-6-13 Permitted Uses and Section 8-5-7 Special Uses. Specifically, the applicant is requesting a special use to have video gaming machines in the Snyder Pharmacy, within the GB, General Business District in the 13,000 square foot building (PIN: 03-26-451-007). The property is developed with a single building occupied by Snyder Pharmacy.
- 4. Discussion on possible changes to the zoning code regarding storage containers

ADJOURNMENT



VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

PLANNING & ZONING COMMISSION

Wednesday, September 28, 2022 - 6:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

MINUTES

CALL TO ORDER

Meeting Called to order by Chairwoman Roberts at 6:00pm

ROLL CALL

PRESENT

Chairwomen Jessica Roberts

Commissioner Nate Sroka

Commissioner Kim Krawczyk

Commissioner Dean Svarc

Commissioner Darrell McFarlin

Clerk Karri Anderberg

Building Official Seth Sommers

Attorney Aaron Szeto

Commissioner Jason Vodnansky

ABSENT

Commissioner Al Tilford

APPROVAL OF AGENDA

Motion made by Commissioner Svarc, Seconded by Commissioner Sroka. Motion passed by voice vote.

APPROVAL OF MINUTES

Motion to approve minutes from the August 24, 2022 meeting
 Motion made by Commissioner Sroka, Seconded by Commissioner McFarlin. Motion passed by voice vote

OLD BUSINESS

2. Case 2022-02; Jose Tamayo 12750 Caledonia Road Belvidere, Illinois 61008: The applicant, Jose Tamayo is requesting is to install an off street parking area at the corner of Poplar Grove Roads and Orth for the Tamayo Trucking Company. The unimproved property is zoned GB and R-1 (see attached map). PIN #04-31-300-020.

Attorney Szeto explained that the applicant has requested that the case be moved to the next meeting of October 26, 2022. Some members of the public would still like to speak at public comment on the matter

Motion made by Commissioner Vodnansky, Seconded by Commissioner Svarc to move public comment to after the case 2022-02. motion passed by voice vote.

Motion made by Commissioner McFarlin, Seconded by Commissioner Brandenburg to move case 2022-02 to October 26, 2022.

PUBLIC COMMENTS: (General Comments)

6:08pm Collin McBride would like a federal impact study done on the matter because of the stream right next to the property

6:10pm Johnathan Paranothy - Moved to the area 22 years ago and does not want a truck depot in his community. States he likes the rural living

6:12pm Christopher Prchal - Stated that General Business is not Industrial and that is where a truck depot belongs. Wants a traffic study and environmental study done. Also the bike bath is set to go right in front of the property How would this effect the bike path

6:17pm Timothy Pearson - Had slide of Tamayo Tucks and examples of outdoor truck depots. Spoke of the Boone County Comp plan and is asking the commissioners to deny the case.

6:25pm Ann Roper - Concerned about the environmental impacts to the area people animals and corps. Ms. Roper is concerned about the additional infrastructure cost due to road maintenance and repair

6:26 Allycia Huezda - Does not want the truck depot right across from her home. She is concerned about light and air pollutions. Ms. Huezda feels the truck depot belongs in industrial.

Ms. Huexda wants to know what happens if Tamayo break the special use rules?

6:33pm Scott Anderson- Has lived in the community for 12 years and feels like this is a bad idea for the community.

6: 41pm Jan Pearson - Thank you to the community for coming out. Does not want the trucking company next the the property her family farms

6:48pm Ray Pearson - The word is getting out about the truck stop. This be a negative thing for your community. Asking the board to review.

6:50 - Eric Nelson - Had pictures shown on tv. Wanted the commissioners to know that he is ready for a fight

ADJOURNMENT

Motion made by Commissioner McFarlin, Seconded by Commissioner Svarc. Motion passed by voice vote

Meeting adjourned at 6:53pm



VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

200 Hill Street, Poplar Grove, IL 61065

Phone: (815) 765-3201 - Fax: (815) 765-3571

www.poplargrove-il.gov

Special Use Application

Please complete this Zoning Special Use Permit Application and return it to the Village of Poplar Grove along with the following documentation:

- Written Narrative of the Proposed Request
- Plat of Survey of the Property
- Site Plan of property if changes to the property are proposed
- Floor Plan
- Legal description of the Property
- Any other information required by staff such as hours of operation, number of employees, traffic report, landscape plan, lighting plan, elevation plan.
- List of Adjacent Property Owners within 250 feet, excluding public right-of-way. This may be obtained from the Supervisor of Assessments Office, 1208 Logan Ave. The accuracy of the information is the applicant's responsibility.
- Application Fee
- Natural Resource Information (NRI) State law requires applicants to request a natural Resource Information Report (NRI) from Boone county Soil and Water Conservation District at 211 North Λppleton Road, Belvidere, IL 61008-1983, 815-544-2677, ext 3. This report must be received by the Village of Poplar Grove prior to the Plan Commission public hearing.
- Proof of submittal to IDNR regarding the Endangered Species Act. The applicant shall contact the Illinois Department of Natural Resources (IDNR) via the EcoCat website at https://dnr@Illinois.gov/EcoPublic/
- Proof of submittal to the Illinois Historic Preservation Agency at 217-782-4836 if the proposal involves State or Federal Funding.

Applicant

Name:

Email:

Address/City:

Nikitam. Lopez @ Omail. Com 191 Reg Oak St. Poplar Gnove IL. 61065 Phone Number(s):

816.608.4419

		COUNTRY SIDE MALL A DIV OF
Owner of	Name:	HARRIS-FARMS OAK LAWN LTD
Record	Email:	birthday101938 @gmail.com
	Address/City: Phone Number(s):	13537 IL 76, POPLAR GROVE, IL 61065 8157652662 or 8153780180
	raidhe Maimber(5).	
Attorney	Name:	
	Fmail:	the control of the co
	Address/City:	
	Phone Number(s):	
		13535 ROUTE 76
Street Addres		and the second s
Tax Parcel Nu	mber (PIN):	03-26-402-006
14371		
Legal Descript	ion: 2.6-	-45-3 COUNTRYSIDE MALL SUB PLAT 3 LOT 34
(May be on se		
	E. 74 MM	
Current Use of	f the Property	Commercial
		(12)
Current Zonin	g of the property	EID
	e e e e e e e e e e e e e e e e e e e	
Surrounding Zi	oning and Land Use	
North	COMMERCIAL	BUSINESS
South		BUSINESS
East _	COMMERCIAL	BUSINESS
West	COMMERIAL	BUSINESS
		and the training department of providing the thoroughly describe the
	roposed special use (/ and/or business)	Attach additional sheets as needed to thoroughly describe the
roposea use i	muyor nasusisə)	

The Plan Commission will make its recommendation to approve or deny the proposed special use based on compliance with the facts listed below. Describe how the proposed use will comply with the minimum standards set forth in the Village of Poplar Grove Zoning Ordinance:

1. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;

All laws will be followed when completing maintenance and operation. The business will not be detrimental to or endanger the bublics health, safety, morals, confirt or general welfaire.

The special use will not be injurious to the use and enjoyment of other property in the

The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood;

The business will be for enjoyment of citizens & will not diminish or impair any property values within the neighborhood

3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district;

The hwiness will not impede any normal or order by development and improvements sumpunding it.

 Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided;

All utilities win be adequately minded. Access roads, dramage and necessary taunities are all established of provided.

5. Adequate measures have been, or will be taken, to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and

measures have already been taken to provide these.

6. The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.

The business will conform to all applicable regulations of the districts in which it is located.

Once a special use application is submitted with all required documentation it will be reviewed by Villago Staff. It is recommended that the proposed use be described in as much detail as passible to avoid delays in processing. Staff may request additional information to complete its review

When the review is complete, a public hearing before the Plan Commission will be scheduled. The public hearing will be conducted no less than 15 days or more than 30 days after public notice is sent to adjacent property owners within 250 feet by certified mail. The notice form will be provided to the applicant by Village staff, but the applicant shall send the notices and provide proof of service to the Village prior to the lighting. The Village will place a legal notice in a newspaper of general circulation The cost of the newspaper notification shall be paid by the applicant.

The Plan Commission may make a recommendation after the public hearing, or continue the case to a future date for additional information.

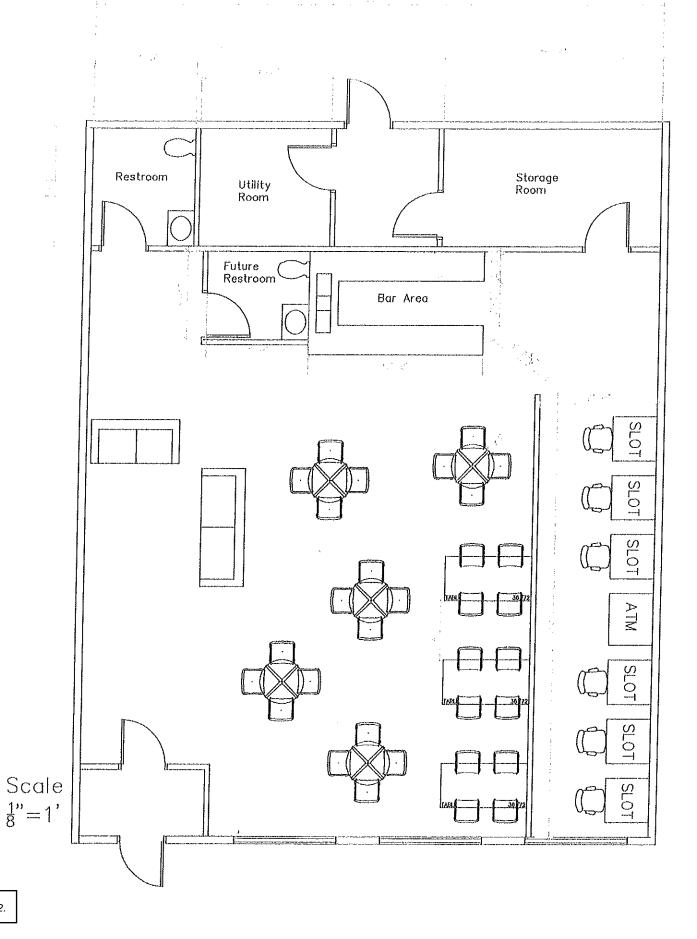
The Plan Commission will forward its recommendation, along with its Findings of Fact to the Village Board, which will make the final determination on the proposed special use.

Payment of fees. Fees shall be payable at the time applications are filed with the Village Clerk and are not refundable.

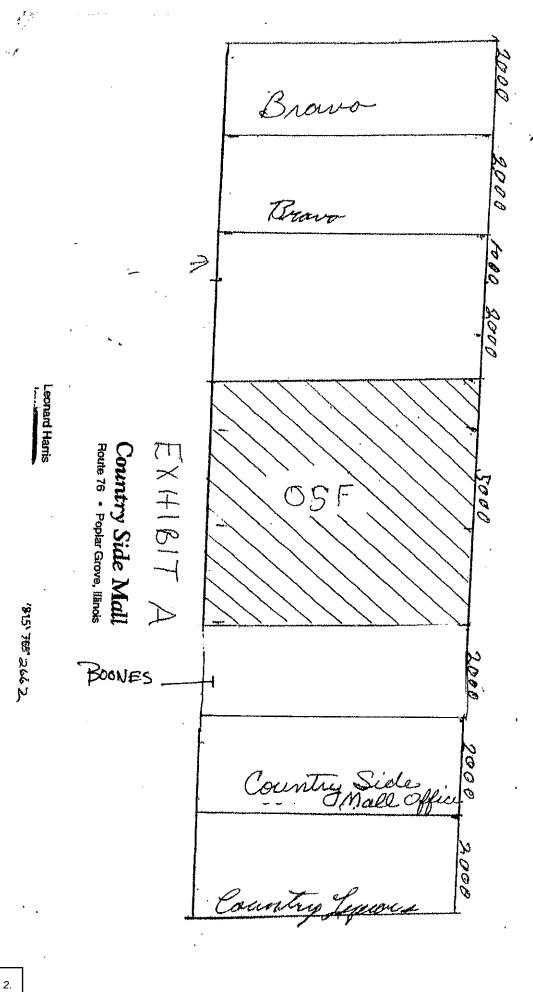
Reimbursable Costs. The Village may expend time in the investigation and processing of zoning procedures and site plan review. In addition to Village involvement, the Village may retain the services of professional consultants including, but not limited to engineers, landscape architects, architects, attorneys, environmental specialists, and recreation specialists in the administration, investigation and processing of such matters. Any person, firm or corporation requesting action by the Village on zoning procedures shall reimburse the Village for staff time expended in the administration, investigation and processing of applications for such permits or amendments and the cost to the Village charged by any professional consultant retained by the Village on any such matter. Notice shall be sent to the property owner or representative of the property owner informing them of the V_0 lage policy on reimbursement costs prior to the costs being incurred.

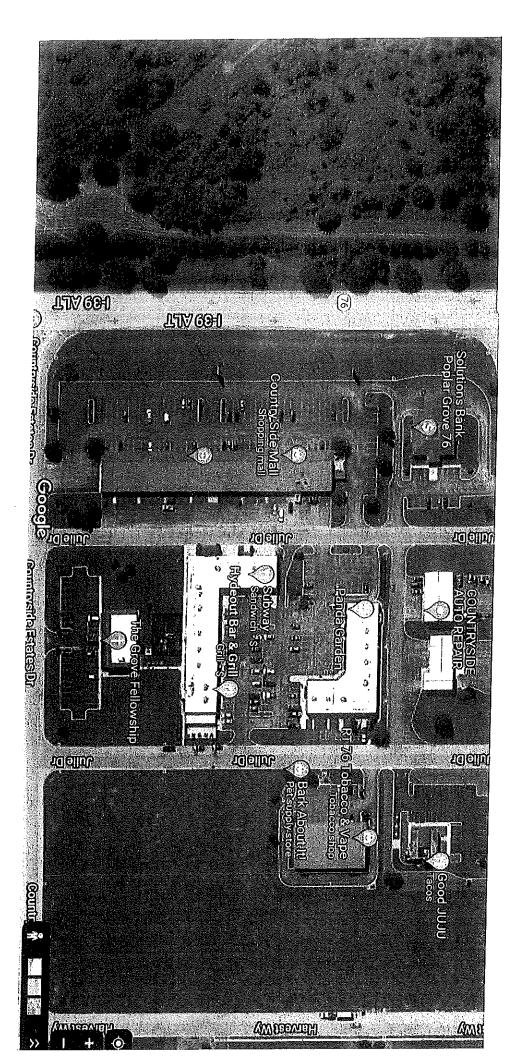
Fees for Public Hearing Notification. Applicants for all zoning matters (special uses, variations, map amendments, etc.) shall pay all expenses incurred for notification of all public hearings and other notices; including, but not limited to, publication, first class mail, certified mail, etc.

Any person who shall knowingly make or cause to be made, conspire, combine, aid, assist in, agree to, arrange for, or in any way procure the making of a false or fraudulent application affidavit, certificate or statement, shall be guilty of a misdemeanor as provided by statute by the State of Illinois. Thereby acknowledge that the information provided in this application is true and correct and that I understand that I am responsible for costs incurred. Name of property owner: LOCHARD HAPRISgnature: Samuel Janus Date: 2-9-23



2.





Welcome to Boone's Bar

We're so glad to have you take the time to review our business plan. This guide is meant to provide specific information to help you understand our mission, goals and targeted market.

WHO WE ARE	1
Our mission	1
Management	1
PRODUCT & PROCESS	2
Facility	2
Menu	
Gaming	2
MARKET	2
Targeted Market	
Start up Costs	
Financial Targets	2
RESOURCES	2
Mailing lists	2
Glossary of terms	2

WHO WE ARE

Our mission

Is to provide a safe and cozy environment for local patrens to enjoy live sports, adult gaming, food and drinks. Boone's will be a relaxing and fun bar that welcomes any and everybody over the age of 21 to enjoy gaming and drinks. While enjoying free time at our location, anyone can peacefully play a gaming terminal in private, order our locally puchased premade pizzas, and watch their favorite sports team.

Management

I (Nikita M. Lopez) will own and operate Boone's. I will also oversee the hiring and training of all staff. While vetting all staff, I can insure and properly maintain a workforce that will adhere to all state and local laws at all times while maintaining my standards for daily operation, customer service, and cleanliness. We plan on hiring 6-8 employees to help operate the bar.

Boone's Bar & Slots

Nikita M. Lopez 191 Red Oak St. Poplar Grove IL, 61065 (815) 608-4419 DPG Enterprise, LLC Nikitam.lopez@qmail.com

Dear Mr. Miller,

Today DPGL Enterprise, LLC. is inquiring to obtain a class "C" liquor license for the village of Poplar Grove and the state of Illinois. Obtaining the license will allow me to open Boone's Bar and Slots at 33535 Route 76 Poplar Grove, 61065. At this location, I plan to run a gaming parlor including beer and liquor sales. My experience with managing parlors includes but is not limited to recruiting staff, scheduling work hours, maintaining food/beverage safety regulations, age identification for consumers, preparing and serving alcoholic beverages, accepting and balancing cash. This 2000 square foot unit is equipped with city water/sewage and a fully functional unisex restroom to provide adequate ammenities.

At Boone's we will be a safe, positive, and cozy atmosphere for local adults to have a fun during their free time. We will provide a safe and clean environment while adhering to state and local laws at all times. Our sales strategy will only target adults 21 years of age or older with the focus of safe and responsible drinking and gaming. At the same time working with the most reputable distributors so we can have competitive but affordable pricing for all to enjoy.

Our goal is to be up and running by spring 2023 and be an inviting parlor that will be a local favorite so that we can contribute to the community almost immediately. While continuing strong growth we plan to have a sister parlor near or around our community hear in Poplar Grove to also contribute to our growth along with the same principles we listed above. At Boone's we look forward to assisting in the economic growth by hiring local contractors, creating new job opportunities, and increasing the tax revenue for the village of Poplar Grove.

Sincerely, Nikita M. Lopez Owner/Operator DPG Enterprise, LLC

FORM **BCA 2.10**ARTICLES OF INCORPORATION

Business Corporation Act

Fili	ng Fee: \$150							
	#: 73989221							
App	proved By: <u>AKM</u>							
	FILED							
	NOV 10 2022							
	Jesse White Secretary of State							
1.	Corporate Name: DPGI	_ ENTERPRISES,	INC.					
_	Leitini Danielana da Amerika	NATHAN I NOR	IE P.C	***************************************				
2.	Initial Registered Agent	Firs	t Name	ľ	Aiddle Ini	tial	Last Name	
	Initial Registered Office	504 N STATE ST	-					
		Number		Street		Suite No.		DOONE
		BELVIDERE	City		<u>IL</u>	61008-2742 ZIP Code		BOONE County
	Purposes for which the The transaction of any o Corporation Act.			vhich corpora	tions m	ay be incorpora	ited under the	e Illinois Business
4.	Authorized Shares, Issu	ed Shares and Co	nsideratio	n Received:				
	Class	Number of Share Authorized	S		umber of	Shares be Issued		deration to be ived Therefor
	Class COMMON	1000		110	10 10		\$ 100	1100 111010101
		NAI	ME & ADI	DRESS OF I	NCORF	ORATOR		
	The undersigned incorp Articles of Incorporation		ares, und	er penalties (of perju	ry, that the state	ements made	in the foregoing
	Dated NOVEMBER 1		2022 Year					
	NIKITA M. LOPEZ							
	Total and		Name		,			
	191 RED OAK ST.							
	POPLAR GROVE	Street	IL.	61065				

State

City/Town

2.

ZIP Code

Boone's Menu

Chips N' Pico

Lightly Salted tortilla chips served with Pico de Gallo.

Pretzel Bites

Bite sized pretzels, salted, served with a side of beer cheese.

Cheese Curds

6 Cheddar Cheese curds served with your choice of Ranch or Marinara.

Boone Dog

Hot dog served on a seeded bun with Ketchup, Mustard, and Relish. Served with a side of chips. Choice of classic or BBQ.

Personal Pizza

6" personal pizza Your choice of Cheese, Pepperoni, or Sausage.

Cheesecake

Single slice of cheesecake served with your choice of chocolate, caramel, or Strawberry Drizzle.

Boone's Menu

Chips N' Pico

Lightly Salted tortilla chips served with Pico de Gallo.

Pretzel Bites

Bite sized pretzels, salted, served with a side of beer cheese.

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Boone Dog

Hot dog served on a seeded bun with Ketchup, Mustard, and Relish. Served with a side of chips. Choice of classic or BBQ.

Personal Pizza

6" personal pizza Your choice of Cheese, Pepperoni, or Sausage.

Cheesecake

Single slice of cheesecake served with your choice of chocolate, caramel, or Strawberry Drizzle.



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

7 February 2023

SWCD NRI #: 1724

Village of Poplar Grove 200 N. Hill St. Poplar Grove, IL 61065

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:

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

Location of Site: 13535 Route 76 Poplar Grove, IL 61065

PIN(S): 03-26-402-006

Contact	Petitioner	Owner
Nikita Lopez	Same as Contact	Leonard Harris – Harris Farms
191 Red Oak St.		Oak Lawn LTD
Poplar Grove, IL 61065		13011 Office Dr.
		Poplar Grove, IL 61065
(815) 608-4419		
Nikitam.lopez@gmail.com		

Request: Bar and Gaming

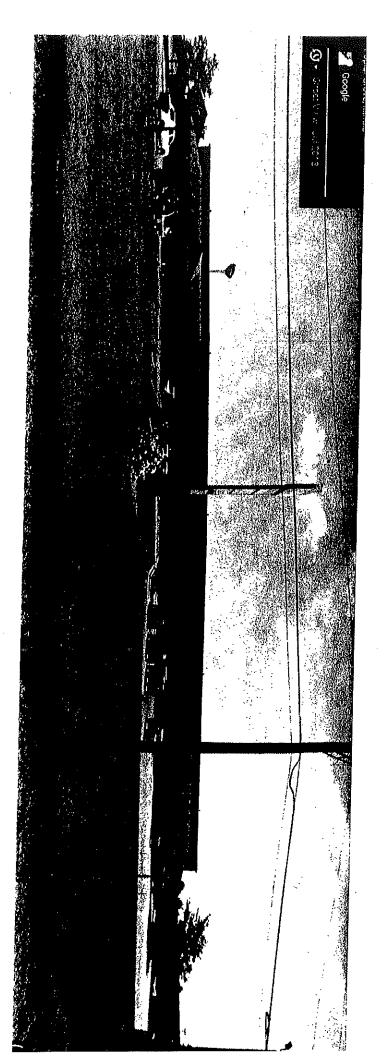
Notes, **if any:** By considering the current zoning, current land use, Geographical Information Systems maps, and requested permit, the Boone County Soil and Water Conservation District has determined that the proposed use will have no significant impact on the natural resources on the property or surrounding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

Sincerely,

Teagan Duffy

Boone County Soil & Water

Conservation District



2021 BOONE COUNTY PEAL ESTATE TAX BILL PERMANENT PROPERTY NUM. 03-26-402-006 FIRST DUE DATE 06/01/2022 POPIET Grove Township FIRST INSTALLINENT 523:524.61 FIRST INSTALLINENT FIRST INSTALLINENT 523:524.61 FAND	SECOND INSTALLAMENT 185,106	CLASS CODE 100000 100000 100000 100000 100000 100000 100000 1000000
FRSPINSTALMEN STOND DETAILMENT MAY 2 3 2022 DHE: iial: 06/01/2022 PHE 2 9 2022 PROPERTY DESC. 26-45-3 COUNTRY SIDE HANGE BE PLAT 3 LOT MANANUEL LUTHERAN NORTH JESSE (OSE), 135 13522 (OSE), 135 13522 (PROPIED NORTH JESSE (OSE), 135 143 13547 (PROPIED NORTH JESSE (OSE), 135		COUNT. SOUTH STATEMENT. COUNT. STATEMENT. TAKETHE FAMOUNT 1.030 SEC. TAKETHE FAMOUNT 1.030 SEC. TAKETHE FAMOUNT 1.030 SEC. SOUTH 1.0
CURTIS P. NEWPORT BOONE COUNTY TREASURER 1212 LOGAN AVENUE, SUITE 104 BELVIDERE, IL 61008 REGISTRATION CODE # 711825	HARRIS FARMS - OAK LAWN LTD 13537 IL ROUTE 76 POPLAR GRÖVE IL: 61065	SITE ADDRESS: 11325 SOONE COUNT.

Owner Address

2086 E OAK GROVE RD

1901 UNION AVE

4210 COUNTRYSIDE ESTATES DR

318 CANDLEWICK DR SE

C/O SOLUTIONS BANK, 996 W FAIRVIEW RD FREEPORT IL 61032

13537 IL ROUTE 76

4209 MENGE LN

13537 IL ROUTE 76

Owner City

BYRON IL 61010

BELVIDERE IL 61008

POPLAR GROVE IL 61065

Memorandum

DATE: May 10, 2023

TO: Village of Poplar Grove Planning and Zoning Commission

FROM: Joanne Kalchbrenner, AICP, B&F Construction Code Services Zoning Supervisor

SUBJECT: Staff advisory memo for case: 2023-01; Boone's Bar and Grill, 13535 Route 76

REQUEST AND LOCATION:

The applicant, Nikita Lopez, is requesting a special use pursuant to the Poplar Grove Zoning Ordinance, Section 8-6-9-B-2 Indoor Entertainment Sales/Service, Table 8-6-13 Permitted Uses and Section 8-5-7 Special Uses. Specifically, the applicant is requesting a special use to have video gaming machines in the Country Side Mall at 13535 Route 76, within the GB, General Business District in a 2,000 square foot tenant space (PIN: 03-26-402-006). The property is developed with a multi-tenant shopping center and parking area. The business would be named Boone's Bar and Grill.

BACKGROUND:

The property is just over 3 acres in size and is developed with a 18,180 square foot multiple tenant shopping center. The applicant proposes to lease a 2,000 square foot space that was formerly occupied by Immanuel Lutheran Church.

Parking is provided as part of the overall shopping center and should be adequate for the proposed video gaming establishment

According to the applicant, the proposed Boone's Bar and Grill will only allow customers 21 years old and older. They will have a bar area and lounge area along with four televisions. Six video gaming terminals are proposed, which is the maximum allowed by State of Illinois law. They plan to hire six to eight employees

The applicant will also be required to obtain a liquor license, which will be considered separately by the Village Board of Trustees.

The adjacent property owners were sent certified notices on April 27, 2023 and the green cards have been returned. The request was published in the Boone County Journal on April 27, 2023. The appropriate village staff and other agencies were notified on March 31, 2023. No objections from the agencies were received.

FINDINGS OF FACT:

Per Section 8-5-7(D) of the Village of Poplar Grove Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

A. <u>Findings:</u> The establishment, maintenance or operation of the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The property has been a multi-tenant commercial shopping center for years. Provided that the proposed bar with video gaming operates within accordance with the law, there should be no negative impacts on the health, safety, morals and comfort of the general welfare.

B. <u>Findings:</u> The special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood.

The proposed business would occupy 2,000 square feet of the 136,000 square foot shopping center which was intended to provide multiple shopping and entertainment options for the public. The use should not negatively impact the other business in the center or neighborhood.

C. <u>Findings</u>: The establishment of the special use will not impede the normal or orderly development and improvements of the surrounding property for uses permitted in the district.

The subject property and surrounding area is fully developed.

The general business district permits professional services, indoor retail sales or services and open space. Institutional, entertainment and boarding land uses require a special use. The bar and video gaming establishment is not expected to negatively impact the existing businesses or deter other businesses from locating in the area.

D. <u>Findings:</u> Adequate utilities, access roads, drainage and/or necessary facilities will be provided.

The property is currently developed within a multi-tenant building and parking area. It has been used for commercial purposes prior to the special use request and is adequately served by utilities.

E. <u>Findings:</u> Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

The special use will be within an existing multi-tenant shopping center with adequate parking for all of the tenants. The amount of traffic generated by the special use will be minimal compared to other land uses that are permitted within the general business district. The existing road network is adequate.

F. <u>Findings:</u> The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.

The special use will be required to conform to all the applicable regulations of the Zoning Ordinance, the Subdivision Ordinance, all other regulations and to any conditions of approval enacted by the Village Board.

RECOMMENDATION:

The planning staff recommends approval of case 2023-01 subject to following conditions:

- 1. The special use shall permit video gaming machines to operate in only one tenant space on the property.
- 2. The unit shall comply with building, fire and health codes prior to opening the business.

PLANNING AND ZONING COMMISSION/VILLAGE BOARD ACTION

The Planning and Zoning Commission shall make and forward findings of fact as to the compliance of the proposed special use with the standards and make a recommendation to the Village Board. The Village Board shall review the findings and recommendation and may accept or reject the findings and recommendation of the Planning and Zoning Commission in whole or in part; or the Village Board may refer the matter back to the Planning and Zoning Commission for further consideration. Any approval shall be considered the approval of a unique request and not be construed as precedent for any other proposed special use.

Attachments
Aerial Photo
Location Map
Application
Applicant Narrative



Aerial Photo

2023-01: Boone's Bar and Grill, 13535 Route 76



Location Map

Memorandum

DATE: May 10, 2023

TO: Village of Poplar Grove Planning and Zoning Commission

FROM: Joanne Kalchbrenner, AICP, B&F Construction Code Services Zoning Supervisor

SUBJECT: Staff advisory memo for case: 2023-02; Snyder Pharmacy, 13521 II Route 76

REQUEST AND LOCATION:

The applicant, Thomas Felker, is requesting a special use pursuant to the Poplar Grove Zoning Ordinance, Section 8-6-9-B-2 Indoor Entertainment Sales/Service, Table 8-6-13 Permitted Uses and Section 8-5-7 Special Uses. Specifically, the applicant is requesting a special use to have video gaming machines in the Snyder Pharmacy, within the GB, General Business District in the 13,000 square foot building (PIN: 03-26-451-007). The property is developed with a single building occupied by Snyder Pharmacy.

BACKGROUND:

The property is approximately 2.02 acres in size and is developed with a 13,000 square foot building. The applicant proposes to remodel the building to install a video gaming area.

Parking is provided within the lot and should be adequate for the proposed video gaming establishment. The owner also operates a UHaul facility but there is still sufficient parking available.

According to the application, an area within the pharmacy will be sectioned off for the video gaming machine, in compliance with State of Illinois law. There will be six gaming machines, which is the maximum allowed by State of Illinois law.

The applicant will also be required to obtain a liquor license to allow serving of alcohol, which will be considered separately by the Village Board of Trustees.

The adjacent property owners were sent certified notices on April 27, 2023 and the green cards have been returned. The request was published in the Boone County Journal on April 27, 2023. The appropriate village staff and other agencies were notified on March 31, 2021. No objections from the agencies were received.

FINDINGS OF FACT:

Per Section 8-5-7(D) of the Village of Poplar Grove Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

A. <u>Findings:</u> The establishment, maintenance or operation of the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The property has had an established business on site for many years. Provided that the proposed video gaming and alcohol service operates within accordance with the law, there should be no negative impacts on the health, safety, morals and comfort of the general welfare.

B. <u>Findings:</u> The special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood.

The proposed video games would occupy a portion of the 13,000 square foot business and will not negatively impact the use of the remainder of the business. The use should not negatively impact the other businesses in the neighborhood.

C. <u>Findings</u>: The establishment of the special use will not impede the normal or orderly development and improvements of the surrounding property for uses permitted in the district.

The subject property and surrounding area is fully developed. The general business district permits professional services, indoor retail sales or services and open space. Institutional, entertainment and boarding land uses require a special use. The video gaming machines within the pharmacy is not expected to negatively impact the existing businesses or deter other businesses from locating in the area.

D. <u>Findings:</u> Adequate utilities, access roads, drainage and/or necessary facilities will be provided.

The property is currently developed with a freestanding business which has been used for commercial purposes prior to the special use request to add the video games and is adequately served by utilities.

E. <u>Findings:</u> Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

The special use will be within an existing freestanding building within a shopping center with adequate parking for all the uses including the UHaul rental, pharmacy and video gaming. The amount of traffic generated by the special use will be minimal compared to other land uses that are permitted within the general business district. The existing road network is adequate.

F. <u>Findings:</u> The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.

The special use will be required to conform to all the applicable regulations of the Zoning Ordinance, the Subdivision Ordinance, all other regulations and to any conditions of approval enacted by the Village Board.

RECOMMENDATION:

The planning staff recommends approval of case 2023-02 subject to following conditions:

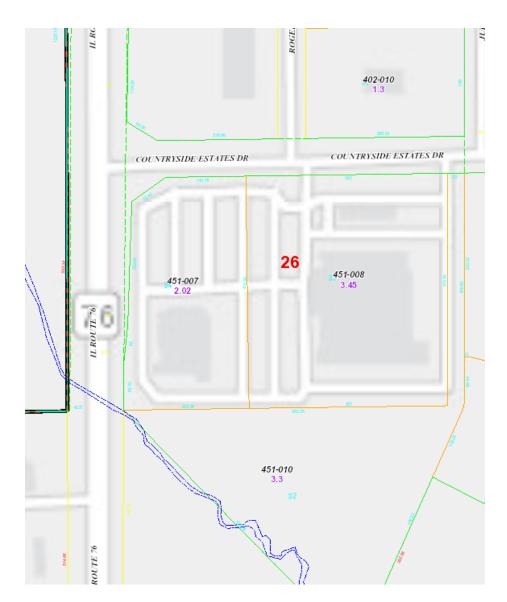
1. The unit shall be comply building, fire and health codes prior to operating the video game portion of the business.

PLANNING AND ZONING COMMISSION/VILLAGE BOARD ACTION

The Planning and Zoning Commission shall make and forward findings of fact as to the compliance of the proposed special use with the standards and make a recommendation to the Village Board. The Village Board shall review the findings and recommendation and may accept or reject the findings and recommendation of the Planning and Zoning Commission in whole or in part; or the Village Board may refer the matter back to the Planning and Zoning Commission for further consideration. Any approval shall be considered the approval of a unique request and not be construed as precedent for any other proposed special use.



Aerial Photo



Location Map

Attachments Application Applicant Narrative



Village of Poplar Grove APPLICATION FOR LICENSE TO SELL ALCOHOLIC LIQUOR AT RETAIL

• Class A (6 Day, On Premise, Full Kitchen) \$900	• Class F (BYOB with Food) \$150
 Class B (6 Day, Retail off Premise) \$500 	• Class G (Golf) \$900
Class BB (Boutique) \$5000	• Class H (Local Catering) \$250
• Class C (6 Day, Less 12% on Premise) \$700	• Class I (Non-Local Cater) \$350
Class D (Sunday) \$100	• Class J (Beer Garden) \$100
• Class E (Event) \$100	• Class K (Sealed Delivery) \$ 50

Check Class of License Applied for: *Initial Application will include a \$100 administrative fee

SECTION 1: Applicant Information:

Applicant Name:Thomas Felker Date of Birth:12/11/55
Address: 2086 E. Oak Grove Rd, Byron, IL 61010 Phone: (_815_)262-4808
Primary Contact Person:Janet Rodrirguez Phone: (815) 765-1300
Business Name: _Felker Pharmacy, INC Phone: (815_) _7654-1300
d/b/a Name: Poplar Grove Snyders Pharmacy
Premise Address:13521 IL. Rt. 76 Poplar Grove, IL 61065-0100
Entity Information (if applicable):
Date of formation: July 26th 1983 Illinois Secretary of State Number: 5740-606-2
Assumed Name; If any: Snyders Pharamcy
Is Entity in good standing with Illinois Secretary of State: Yes
If foreign Entity, date registered to do business in Illinois:
General Information: (applies to anyone listed in Section 2):
Owner of Premises:Thomas Felker (if leased, attach a copy of the lease to the application)
Renter of Premises: Illinois Liquor License No.: 1A-0083427

[]YES	[x] NO	Has applicant ever made an application for a liquor license which was denied?
		Has applicant ever had any previous liquor license suspended or revoked?
		Has the applicant ever been convicted of a felony?
[]YES	[x] NO	Has the applicant ever been convicted of a gambling offense?
[]YES	[x] NO	Do you possess a current federal wagering or gambling device stamp?
[]YES	x[x] NO	Are you, or any other owner, in your place of business, a public official?
*If yes to	any of the	ahove, please explain on a separate sheet and attach to application.

Dram Shop Coverage:

Applicant must provide a copy of their dram shop insurance naming the Village as certificate holder and additional insurer pursuant to Village Ordinance 2-2-3-A-2.

Insurance Company:National Specialty Ins. Co	oPolicy Number:	22608
--	-----------------	-------

Coverage Limit: 1,000,000 Policy Effective Date: _8-11-2022 Expiration Date: 8-10-2023



Village of Poplar Grove APPLICATION FOR LICENSE TO SELL ALCOHOLIC LIQUOR AT RETAIL

Section 2: Owner & Officer Information:

For every individual applicant, sole owner, partner, member, corporate officer, stockholder or director (whether or not they own any stock), stockholder owning in the aggregate more than 5% of the stock (including officers, directors, and stockholders of more than 5% for all corporate stockholders), manager or agent conducting the business please supply the following information. All Not-for-Profit organization and associations must supply the requested information for all officers, directors and managers. Indicate the total percentage of stock of the corporation, if any, which is held by persons who have less than 5% interest.

*If additional space is needed, please attach the additional sheet to the application.

• Name:_	Thomas	Eaton]	Felker
12-11-1955	First F426-8255-5352	Middle IL	Pres.	Last 100
Date of Birth	Driver's Lieense No.	State	Title	% Ownership
• Name:				
	First	Middle		Last
Date of Birth	Driver's License No.	State	Title	% Ownership

• Name:	First				
	First	Middle		Last	
Date of Birth	Driver's License No.	State	Title		% Ownership
• Name: _	First				
	First	Middle		Last	
Date of Birth	Driver's License No.	State	Title		% Ownership
• Name: _					
	First	Middle		Last	
Date of Birth	Driver's License No.	State	Title		% Ownership
• Name: _					
	First	Middle		Last	
Date of Birth	Driver's License No.	State	Title		% Ownership

APPLICATION FOR SPECIAL USE

VILLAGE OF POPLAR GROVE

Poplar Grove Village Hall 200 North Hill Street Poplar Grove, Illinois 61065

FOR OFFICE USE ONLY		
Case Number	*****	PZC Date
Filing Date		Admin Date
Zone District	***************************************	VB Date
described in the application body. If the conditions are no	with any conditions plac ot met and/or the use is n	t it shall only authorize the special use sed on the special use per the governing of established (or substantially underway) ecial use shall be null and void.
PLEASE PRINT IN BLACK	INK OR TYPE	
13521 IL RTE	£76	ty for which this application is filed is:
POPLAR GROVE, 7	TC 61065	and its
r aroch identification (val)	Set 10. 0 3 2 2 7 3 7 3 1	
2) Applicant Name: パックス	AR GROWE SNY	MER PHARMACY
Mailing address: 73.52	LI IL RIE 76	
Posch	Commence of the commence of th	Zip: 61065
Daytime Phone <u>8/5-76</u>	5-130 ₀ Fax:	Zip: 6/065 Email: SNYPOPS63566 17
3) Property Owner Name:	THOMAS FELKE	
Mailing Address: Spm	E AS ABOUE	
	The second secon	Zip:
Daytime Phone 8/5 2 /	67-4808 Fav	
Daytimer Hone: 878 Co	-2 /000 Tax	
4) Attorney Name: NA		
4) Attorney Name: NA Mailing Address:		

be designated Name: Mailing Addres	<i>∠A</i>		**************************************	and the second s
Daytime Phone		Fax:	Zip: Email.	
-			ARPACY	
			Ordinance, that you a the subject prope	
GAMINET.	LICENSE			
Total number o	f acres the Special	Use will occupy: -2	ACRES	
			t the owner of record fo he perimeter of the su	
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10) SUPPORTING INFORMATION: Attach a vicinity map and a site plan drawn to scale regarding your proposal. Illustrate any existing and proposed buildings, parking and loading areas, traffic access and circulation drives, open space, landscaping, utilities, signs, refuse and service areas, and dimensions of setbacks and yard areas, as they apply to this application and as may be required by the Zoning Ordinance. Also include a detailed written statement relative to the above listed requirements, fully explaining your proposal and any measures to mitigate negative affects of your proposal on neighboring properties.

Incomplete applications will be returned to the applicant after sixty (60) days.

Natural Resource Information: Pursuant to state law, a copy of this application is to be provided to the Boone County Soil and Water Conservation District (SWCD). The SWCD is located at 211 N. Appleton Road, Belvidere, and may be contacted at (815)544-2677. Their business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. An application fee is required. The SWCD has thirty (30) days to respond and provide their Natural Resource Information (NRI) Report to the Planning Office. The SWCD must send a report to the Planning Department for your application to proceed.

NOTE: The "Endangered Species Act" entitles the Illinois Department of Natural Resources (IDNR) to review all special use permit applications for their impact on endangered or protected species. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the IDNR, via the EcoCAT website at DNR. EcoCAT@illinois.gov.

The "National Historic Preservation Act" entitles the Illinois Historic Preservation Agency to review all special use permit applications for their impact on cultural or historical resources if the proposed development involves State or Federal funding. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the Illinois Historic Preservation Agency at (1-217-782-4836).

DECLARATION

I, the applicant, of the above legally described property on which the special use is proposed, have provided answers to the questions given herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a special use on said property.

By virtue of my application for a special use, I do hereby declare that the appropriate appointed and elected officials responsible for the review of my application are given permission to visit and inspect the property proposed for a special use in order to determine the suitability of the request.

Applicant Signature: The Applicant Signature	Date Signed /2-8-2と
Owner(s) Signature:	Date Signed 12-8-25
	Date Signed:
Staff Signature:	Date Signed
Filing Fee - Amount Paid:	Check Number:
5 4 (7	

Page 3 of 7

FILING PROCEDURE

- A. Submit this form and supporting information accompanied by an application fee (make checks payable to the *Village of Poplar Grove*). See the attached fee schedule.
- B. Submit application and supporting information with fee to the Boone County Soil and Water Conservation District.
- C. Selection of newspaper publication. See the attached newspaper selection sheet.
- D. <u>Applicants</u> must appear before the Village's Planning and Zoning Commission, Administrative Committee and the Village Board.

Special Use for Corporations, Partnerships, and Joint Venture (If Applicable)

1.	Is the petitioner or applicant a corporation, partnership or joint venture?		
	CORPORATION		
2.	State the name for which the business is conducting business under.		
	POPLAR GROVE SNYMER PHARMACK		
3.	Are you acting for yourself, or in the capacity of agent, alter ego or representative of a principal?		
	MYSELF		
4.	State the name(s) and address(es) of the actual and true principal(s).		
	THOMAS FELKER		
5.	State the names and address of all officers, directors and all stockholders or shareholders owning any interest in excess of 20% of all outstanding stock of such corporation (use a separate sheet if necessary).		
	THOMAS FELKER 100% 2086 E. Oak Brave Rd. Byran, IC 61010		
	2086 E. Oak Brove P.M.		
	Byron, IC 6/0/0		

LEGAL NOTICE REQUIRED

According to Illinois State Statutes, "notice of each hearing shall be published at least 15 days in advance thereof in a newspaper of general circulation published in the township or road district in which such property is located."

A Notice of Public Hearing will be completed by Planning Staff for publication in a newspaper of local distribution. Please select one of the following newspapers for publication:

*****THE (COST OF THE PUBLICATION IS TO BE PAID BY THE APPLICANT*****
	Belvidere Daily Republican (815) 547-0084 (publishes 5 days a week)
	☐ Boone County Journal (815) 544-4430 (publishes weekly)

NOTE: Fees are based on the length of the Notice of Public Hearing. If you wish to seek the lowest price, please contact the above newspapers at the telephone numbers provided.

CERTIFIED MAIL NOTICE REQUIRED FOR APPLICATIONS

The cost of the required mailing is the responsibility of the applicant and is not included in the required application fee.

In order to complete the required mailing notice the procedure is as follows:

- The applicant shall provide the required names and addresses of the owners of record within the application form.
- Staff will prepare the required forms and labels for the certified mailings.
- The green cards (receipts showing the mailings were received) are delivered to the
 planning department by the post office and must be received prior to the public
 hearing as proof that the mailings have been completed and provided as required.
- Two options exist for covering the cost of postage.
 - The Village will cover the cost to mail the letters upfront, an invoice will be provided to the applicant with payment required prior to the public hearing (payable to the Village of Poplar Grove). If payment is not received prior to the public hearing the case will be delayed until such time as payment is received.
 - The applicant may pick up the completed mailings, take them to the post office and pay the required fee at that time. If this option is chosen, the white receipts shall be provided to village staff to verify that the mailings were sent out and sent out at the proper time.

NOTE: Cost of the mailing is based on the number of letters and weight of each mailing.

	NRI No.
Natural Reso	ource Information Report
•	and Water Conservation District
• •	oad, Belvidere, Illinois 61008-1983 -544-2677 Ext. 3
	344 2077 LAC. 3
Address:	
Contact Information: Phone Number(s): ()	
If a letter, would you like a copy for your r We will send copies via e-mail unless spec	
Note: If a report is required the applicant of legal representation, if applicable. Type of Request:	will receive a copy, in addition to the applicant's
Change in Zoning from	to
Subdivision- Attach proposed plat, it	f available.
Variance (Explain Type)	
Other (Describe)	
Legal Description Attached: Yes or No	
If yes, Sectionand Township the exact boundaries of the parcel.	. Note: Please include a map outlining
If no, please list the address of the propert	y for the proposed request:
Street/Road Address	Village, Town, or City
Parcel Identification Number(s), if known	Total Acres

NRIN			

Natural Resource Information Fee Schedule

0-5 Acres

\$400.00

5 or more Acres

\$400.00 plus \$20.00 per acre for each acre over five acres

Letter/No Report

\$75.00

Note: Unfortunately, we do not accept credit or debit cards at this time. Before the report or letter can be started a payment must be received in full. We are sorry for any inconveniences.

Checks payable to:

Boone County SWCD 211 North Appleton Road Belvidere, IL 61008-1983

I (We) understand the filling of this application allows an authorized representative of the Boone County Soil & Water Conservation District to visit and conduct any necessary on-site investigations on the site described above. Completion of this report may require 30 days as allowed under State Law.

Petitioner's Name Printed

Petitioner's Name Signed

Date of Request

Approved by the Soil & Water Conservation District Board

Date of Approval

This report is issued as a guide in making land use decisions and does not preclude further refinement of soil type boundary lines during more detailed on-site investigations. Interpretations are based on criteria established by the National Soils Handbook (USDA-Natural Resources Conservation Service) and are subject to change by this office and appropriate agencies.

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VILLAGE OF POPLAR GROVE FEE SCHEDULE

3.

Annexation: \$500 + \$75/acre (or portion thereof)

Map Amendment (Rezoning):

To all Districts \$350 + \$75/acre (or portion thereof)

Variances: In all Districts

In all Districts \$250

Special Uses:

In all Districts (except MHP's) \$250 when accessory to a primary use

Planned Community
\$600 when establishing a primary use \$600 when establishing a primary use

and Mobile Home Parks: \$600 (annexation, map amendment and

subdivision fees still apply)

Subdivision Plat:
In all Districts

\$400 + \$75/lot \$250

\$400 + \$75/lot \$250

\$400 + \$75/lot \$400 + \$75/lot \$250 (Standard review fees, Public Works review fees, inspection fees, bonding fees, etc still apply)

etc atill apply)

Final Plat Reinstatement \$50% of Initial Plat Fee Extension Fee:

Text Amendment: \$500

lext Amendment: \$500

Comprehensive Plan
Text or Map Amendment: \$500

Appeal: \$250

Zoning Verification Letter: \$25



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 12/9/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must have ADDITIONAL INSURED provisions or be endorsed.

	SUBROGATION IS WAIVED, subject is certificate does not confer rights					require an endorsement.	A statement on
	DUCER			CONTACT NAME: Julie A. Tr			
	nur J. Gallagher Risk Managemen 5 S. Perryville Road	t Services	, Inc.	PHONE (A/C, No. Ext): 815-22		FAX (A/C, No): 8	315-398-1733
	ckford IL 61108			ADDRESS: julie_tres		om	
				IN:	SURER(S) AFFOR	RDING COVERAGE	NAIC#
				INSURER A: The Tra	velers Indemi	nity Company of CT	25682
INSU				INSURER B : West Be	end Mutual Ins	surance Company	15350
	plar Grove Snyder Pharmacy 321 IL Route 76			INSURER c : National	Specialty Ins	urance Company	22608
	plar Grove, IL 61065			INSURER D :			
•	, in the second			INSURER E :			
				INSURER F :			
CO	/ERAGES CE	RTIFICATE	NUMBER: 272237423			REVISION NUMBER:	
	IS IS TO CERTIFY THAT THE POLICIE						
	DICATED. NOTWITHSTANDING ANY F ERTIFICATE MAY BE ISSUED OR MAY						
	CLUSIONS AND CONDITIONS OF SUCH					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
INSR LTR	TYPE OF INSURANCE	ADDL SUBR		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
D .	V COMMERCIAL GENERAL LIABILITY		A041699	9/11/2022	9/11/2022		* 0.000.000

INSR LTR		TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
В	Х	COMMERCIAL GENERAL LIABILITY	Υ		A941688	8/11/2022	8/11/2023	EACH OCCURRENCE	\$ 2,000,000
		CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
								MED EXP (Any one person)	\$ 1,000
								PERSONAL & ADV INJURY	\$ 2,000,000
	GEN	N'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 4,000,000
	Χ	POLICY PRO-						PRODUCTS - COMP/OP AGG	\$ 6,000,000
		OTHER:							\$
В	AUT	FOMOBILE LIABILITY			A941688	8/11/2022	8/11/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	Χ	ANY AUTO		ĺ				BODILY INJURY (Per person)	\$
		OWNED SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
	Χ	HIRED X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$
									\$
В	Χ	UMBRELLA LIAB X OCCUR			A941688	8/11/2022	8/11/2023	EACH OCCURRENCE	\$4,000,000
l		EXCESS LIAB CLAIMS-MADE		1				AGGREGATE	\$ 4,000,000
		DED RETENTION \$							\$
		RKERS COMPENSATION EMPLOYERS' LIABILITY			UB-2R028010-22-42-G	8/11/2022	8/11/2023	X PER OTH-	
İ	ANY	PROPRIETOR/PARTNER/EXECUTIVE	N/A	İ				E.L. EACH ACCIDENT	\$ 500,000
ļ	(Man	ICER/MEMBER EXCLUDED?	17.4					E.L. DISEASE - EA EMPLOYEE	\$ 500,000
	If yes	s, describe under CRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	s 500,000
С		or Liability m Shop)			JFL/LIQ/236861	7/1/2022	7/1/2023	Combined Single Limit	\$1,000,000
DESC	RIPT	TION OF OPERATIONS / LOCATIONS / VEHICL	ES (A	CORD	101. Additional Remarks Schedule. may	be attached if more	space is require	ed)	

Additional insured: Village of Poplar Grove. CANCELLATION CERTIFICATE HOLDER

Village of Poplar Grove 200 N. Hill St. Poplar Grove IL 61065

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

THE ACCEL ADVANTAGE



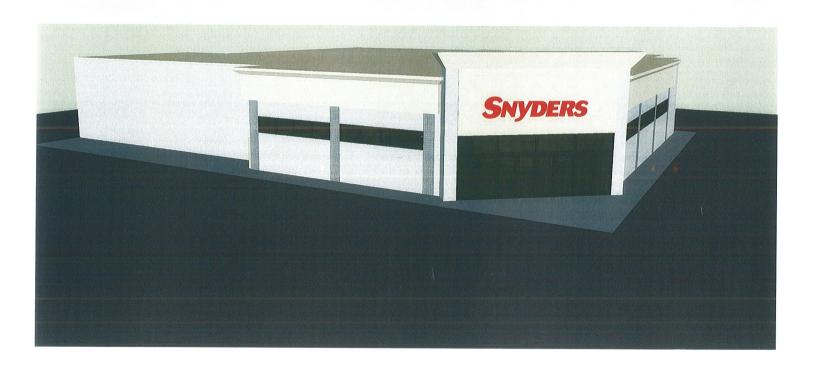
Snyders Pharmacy



OUR STRATEGY

- Increased awareness that Snyders Pharmacy is a PREMIER gaming location
- 2) Improvements to the gaming area to optimize the player experience leading to increased revenues to Snyders Pharmacy
- Data driven slot machine selection to optimize revenue performance









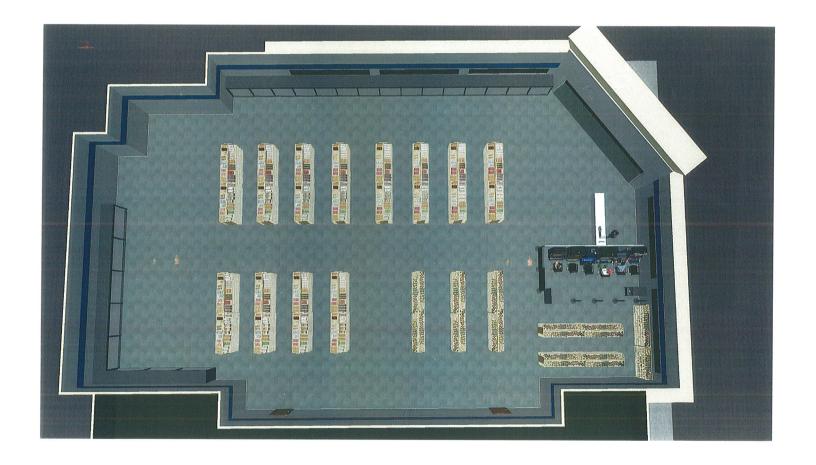


VGTs provided herein shall be for presentation purposes only, final VGT selection and placement may differ.



VGTs provided herein shall be for presentation purposes only, final VGT selection and placement may differ.





VGTs provided herein shall be for presentation purposes only, final VGT selection and placement may differ.

STANDARD EXTERIOR MARKETING

A wide variety of marketing materials designed to promote your gaming business – at no charge to you

Here are a few examples of our standard exterior marketing items Accel offers:

- Window decal
- Feather flag
- A-frame
- Banner









SWEEPSTAKES PROMOTIONS

Current company-wide promotion

AE Player Rewards is a new exclusive loyalty program designed to:

- Differentiate AE in the eyes of players by rewarding their increased loyalty.
- Drive increase player visits as they chase exclusive status level benefits.
- Reward our best players with valuable prizes and opportunities.





Past company-wide promotions

"Mind Blowing Giveaway" "1,000,000 Giveaway" "Accel Entertainment Jeep-A-Week Sweepstakes" "\$50K Sweepstakes"



WORLD-CLASS EQUIPMENT

Accel is the largest buyer of Video Gaming Terminals in Illinois

41% more Video Gaming Terminals

than any other Terminal Operator in Illinois *



Buying Power

for best machines and most popular games.



AEPlayer TV

AEPlayer TV

AEPlayer TV is a digital signage platform that can interactively promote slot play, direct customers toward your machines and add an element of intrigue to your gaming area.



Memorandum

DATE: May 17, 2023

TO: Village of Poplar Grove Planning and Zoning Commission

FROM: Joanne Kalchbrenner, AICP, B&F Construction Code Services Zoning Supervisor

SUBJECT: Storage Containers in Commercial and Industrial Districts

BACKGROUND:

Several commercially and industrially zoned properties within the Village of Poplar Grove have storage containers. The Village Board has expressed interest in reviewing the current regulations and potentially amending the zoning regulations to clarify the requirements for storage containers. The following sections provide information on current regulations as well as several options to address the issue.

CURRENT CODE REGULATIONS:

Storage containers or structures are addressed in several code sections including Height and Area Regulations, Accessory Uses and Temporary Uses. Specifically:

Section 8-8-. H. indicates the following:

"One Main Building Permitted per Lot; Exceptions. Every building hereafter erected shall be located on a lot as defined in this title and in no case shall there be more than one main building on any lot in any district, except industrial buildings being used for industrial purposes in the Industrial Districts, and also except buildings, the location of which is approved in a planned community development pursuant to the regulations found in Chapter 5."

Based on this language, storage containers and structures are not considered primary structures and therefore would be considered accessory structures.

Section 8-8-3. B. specifically addresses Accessory Uses as follows:

'Detached Accessory Structures (Except Fences and Walls):

Setbacks: Refer to Chapter 6 for minimum setbacks.

Height: Maximum of 20 feet or equal to that of the principal building, whichever is less.

Size: No detached accessory structure or structures shall occupy more than 50 percent of the area of a required yard. In no instance shall the square footage of the accessory structure(s) be larger than the primary structure.

Residential: The total square footage of all accessory structures combined shall be less than the square footage of the primary structure.

Not within required yards'

Based on the section noted above, accessory uses and structures would require a building permit and would be required to comply with the setback requirements of the district.

Section 8-7-12 Temporary Use regulations indicates the following:

"Purpose. The purpose of this section is to provide regulations that govern the procedure and requirements for the review and approval, or denial, of proposed temporary uses.

Temporary uses are those uses that have the potential to create undesirable impacts on nearby properties if allowed to develop simply under the general requirements of this chapter. In addition to such potential, temporary uses also have the potential to create undesirable impacts on nearby properties that potentially cannot be determined except on a case-by-case basis. In order to prevent this from occurring, all temporary uses are required to meet certain procedural requirements applicable only to temporary uses, in addition to the general requirements of this chapter and the requirements of the zoning district in which the subject property is located.

Required Information. All applications for proposed temporary uses shall be approved as complete by the Village Clerk prior to certification of the proposed temporary use. Said complete application shall contain all of the following:

A map of the subject property showing all lands for which the temporary use is proposed. Said map shall clearly indicate the current zoning of the subject property and its environs, proposed structures or alterations, and the jurisdiction(s) which maintains that control.

A location map, such as the Land Use Plan Map, of the generalized location of the subject property in relation to the Village as a whole.

A written description of the proposed temporary use describing the type of activities, buildings, and structures proposed for the subject property and their general locations.

The Building Official may require a site plan of the subject property.

Applicable Regulations. No public hearing is required to develop a temporary use; however, a demonstration that the developer proposes to meet all temporary use requirements of <u>Section 8-7-10</u> must be made at time of application. Any temporary use must comply with other applicable codes, including but not limited to building, electrical, plumbing and fire codes. Any temporary use found not to be in compliance with the terms of this chapter shall be considered in violation of this Code and shall be subject to all applicable procedures and penalties.

Building Official Decision. Approval of a temporary use shall be by the Building Official following review of said complete application per subsection B. above."

This section specifically lists allowable temporary uses, including contractor's offices, contractor equipment, and relocatable buildings.

"Contractor's Project Office: Includes any structure containing an on-site construction management office for an active construction project. The temporary use regulations are:

The structure shall not exceed 2,000 square feet in gross floor area.

The facility shall be removed within ten days of completion of or issuance of occupancy permit for construction project.

The temporary use shall not be used for sales activity. (See subsection E. below.)

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Any projects requiring land use to be in place for more than 365 days shall require a special use permit.

The use shall comply with <u>Section 8-5-9</u>, standards and procedures applicable to all temporary uses.

Contractor's On-Site Equipment Storage Facility: Includes any structure or outdoor storage area designed for the on-site storage of construction equipment and/or materials for an active construction project. The temporary use regulations are:

The facility shall be removed within ten days of completion of or issuance of occupancy permit for construction project.

The use shall be limited to a maximum area not exceeding ten percent of the property's gross site area.

The use shall comply with <u>Section 8-5-9</u>, standards and procedures applicable to all temporary uses.

Any projects requiring land use to be in place for more than 365 days shall require a special use permit.

Re-locatable Building: Includes any manufactured building which serves as a temporary building for less than six months. The temporary use regulations are:

The use shall conform to all setback regulations.

The use shall conform to all building code regulations.

The use shall comply with <u>Section 8-5-9</u>, standards and procedures applicable to all temporary uses."

ANALYISIS:

Based on the above noted code sections a permanent storage structure or container would be considered an accessory structure and would be required to comply with the regulations of obtaining a permit, complying with setback requirements and all other accessory structure requirements. The location of these containers should not make the overall site nonconforming with other regulations such as landscape requirements or parking requirements. As an example, any storage structure or container should not be located within a parking lot and use parking spaces that are required to comply with minimum parking requirements, be located in a fire lane or within minimum landscape setbacks. If there is excess parking on a site, a storage building or container could potentially be located on those parking spaces, provided it meets all other regulations.

Temporary storage structures or containers should comply with the temporary use regulations and be approved by the Building Official. There are several other temporary uses listed in the code, but the most applicable are the Contractor's Offices, Contractor's on-site equipment Storage Facility and Relocatable Buildings. Both the Contractor's Office and Contractor's Equipment Storage facility include provisions that it be removed within ten days of completion of the permit or issuance of an occupancy permit. To further clarify the regulations, it would be appropriate to include language that the Contractor's Office or Equipment Storage facility not be on site until a building permit is used.

There is an opportunity to provide clarification on the temporary Use for a Relocatable Building including limitations that it may not be placed in required parking spaces, that no signage shall be erected on the structure or container, and the frequency of allowing the structures or containers. If

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they are allowable for a maximum of six months, once it is removed, how quickly can it be replaced?

Another option would be to define storage containers completely differently than other storage structures and create regulations specifically for storage containers. There should be consideration to the existing regulations for permanent and temporary structures that are provided above and if there are any regulations that should be unique to containers that would not otherwise be applicable to accessory structures.

RECOMMENDATION:

Based on input from the Plan Commission and Village Board, staff can prepare a text amendment to clarify the temporary use regulations related to accessory structures and containers.