

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 Il 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. **Findings:** 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. Findings: 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. Findings: 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. Findings: 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. Findings: 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. Findings: 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:

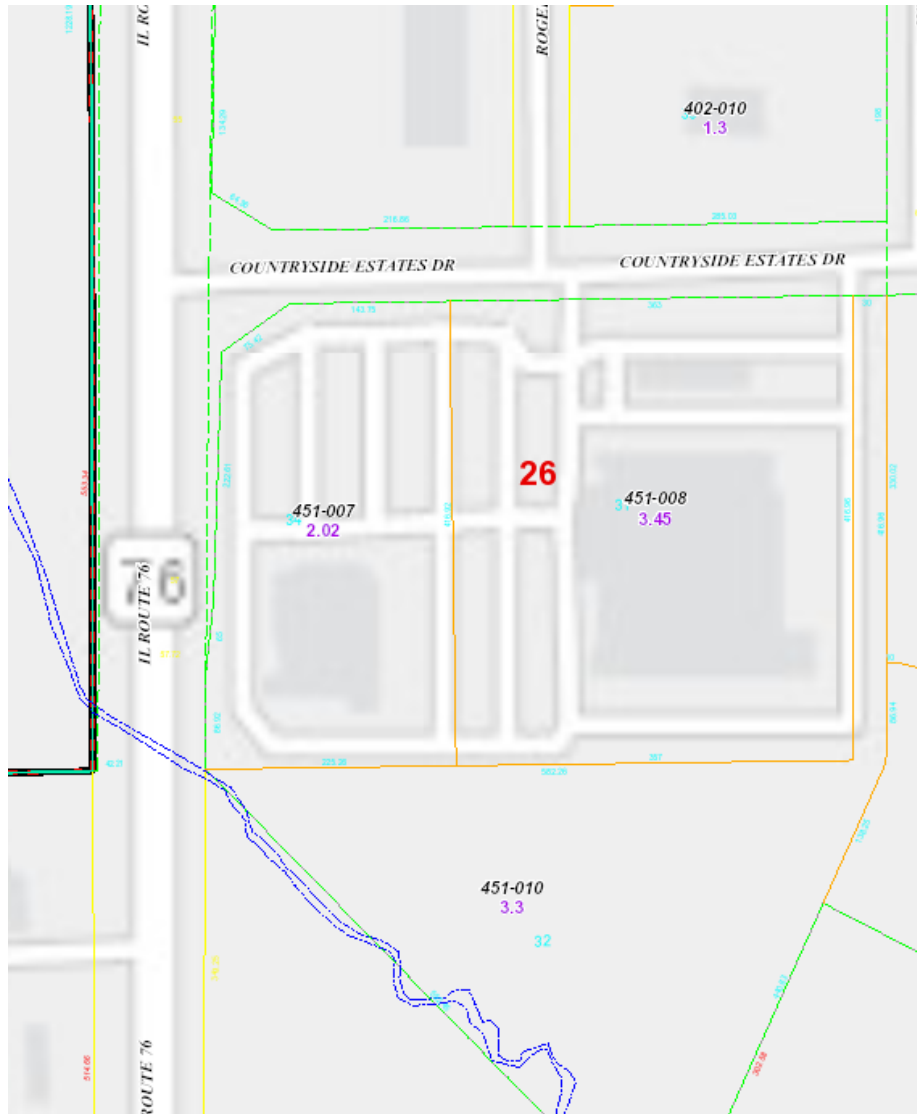
1. The unit shall be comply building, fire and health codes prior to operating the video game portion of the business.

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