

CITY OF GENOA  
DEKALB COUNTY, ILLINOIS

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ORDINANCE NO. 2018- 15

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ADOPTED BY  
THE MAYOR AND  
CITY COUNCIL  
OF THE  
CITY OF GENOA

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AN ORDINANCE APPROVING THE ISSUANCE OF A FINAL PLANNED  
UNIT DEVELOPMENT AND FINAL SUBDIVISION FOR A COMMERCIAL  
BUILDING LOCATED EAST OF THE INTERSECTION OF ROUTE 72 AND  
PRAIRIE STREET AND SOUTH OF ROUTE 72

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Adopted May 15, 2018, by the Mayor and City Council of the City of Genoa  
DeKalb County, Illinois, and approved and published in pamphlet form  
this 15<sup>th</sup> day of May 2018.

**ORDINANCE NO. 2018-15**

*An Ordinance Approving the Issuance of a Final Planned Unit Development and Final Subdivision for a Commercial Building Located East of the Intersection of Route 72 and Prairie Street and South of Route 72*

WHEREAS, Imperial Development Company, as petitioners, and Diana Kearney, as property owner, have petitioned the City of Genoa for approval and issuance of an Amendment to the Planned Unit Development and Final Subdivision to allow a commercial building, on certain property (the "Subject Property"), described as follows:

BEING PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER AS ESTABLISHED BY THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLAT PER DOCUMENT NUMBER 2003-030760 IN THE DEKALB COUNTY CIRCUIT CLERKS OFFICE; THENCE SOUTH 00 DEGREES 00 MINUTES 33 SECONDS WEST 32.66 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF IL RTE 23 & 72 AS ESTABLISHED BY SAID RIGHT OF WAY PLAT, BEING THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 51 MINUTES 16 SECONDS EAST 7.87 FEET TO A FOUND PIPE ON SAID SOUTH RIGHT OF WAY LINE; THENCE SOUTH 61 DEGREES 10 MINUTES 43 SECONDS EAST 29.22 FEET TO A FOUND DISK IN CONCRETE ON SAID SOUTH RIGHT-OF WAY LINE; THENCE SOUTH 72 DEGREES 48 MINUTES 49 SECONDS EAST 104.26 FEET TO A FOUND PIPE ON SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 89 DEGREES 36 MINUTES 21 SECONDS EAST 100.31 FEET TO A FOUND IRON ROD ON SAID SOUTH RIGHT OF WAY LINE; THENCE NORTH 78 DEGREES 48 MINUTES 30 SECONDS EAST 6.74 FEET TO A SET IRON ROD ON SAID SOUTH RIGHT OF WAY LINE; THENCE SOUTH ALONG A LINE PARALLEL TO THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, SOUTH 00 DEGREES 00 MINUTES 33 SECONDS WEST 346.59 TO A SET IRON ROD; THENCE WEST ALONG A LINE PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, NORTH 89 DEGREES 51 MINUTES 26 SECONDS WEST 240.00 FEET TO A SET IRON ROD ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH ALONG SAID WEST LINE, NORTH 00 DEGREES 00 MINUTES 33 SECONDS EAST 388.91 FEET TO THE POINT OF BEGINNING. CONTAINING 85,531 SQUARE FEET, OR 1.964 ACRES, MORE OR LESS.

WHEREAS, a public hearing was held by the City of Genoa Plan Commission, after due notice in the manner provided by law; and

WHEREAS, the Plan Commission, after deliberation, has made a report with the findings of fact and recommended approval of issuance of an amendment to the Planned Unit Development and Final Subdivision to allow a commercial building at the above described property; and

WHEREAS, the City Council has considered the evidence presented at the public hearing to the City of Genoa Plan Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: The petition for an amendment to the Planned Unit Development and Final Subdivision to allow a commercial building at the above described property, east of the intersection of Route 72 and Prairie Street and South of Route 72, in accordance with the site plan submitted by the petitioner is hereby approved, and a Final PUD and Final Subdivision for the previously described property is hereby issued for the Subject Property subject to the following conditions:

1. Documents submitted for consideration and approval by the City of Genoa include:
  - a. Site Plan submitted for the May 10, 2018 Plan Commission Meeting
  - b. Final Plat of Subdivision submitted for the May 10, 2018 Plan Commission Meeting
  - c. Landscaping Plan submitted for the May 10, 2018 Plan Commission Meeting
  - d. Elevation Plan submitted for the May 10, 2018 Plan Commission Meeting
  - e. Site Lighting and Power Plan submitted for the May 10, 2018 Plan Commission Meeting
2. All other City codes and ordinances not otherwise modified by the submitted plans and recommendations for approval will be satisfied.
3. This development is subject to the approval of the Illinois Department of Transportation, City Public Works Director and City Engineer requirements.
4. The City of Genoa is requiring a monument sign rather than a pylon sign. The brick of the monument sign must match the building. The petitioner must apply for a permit from the City of Genoa and comply with all code requirements.
5. The brick of the garbage screening area must match the building.
6. If shopping carts are allowed into the parking area, the City of Genoa is requiring a cart corral be installed at a logical location within the parking lot of the Dollar General.
7. The City of Genoa is requiring that the fence on the western property line be replaced with landscape screening subject to approval by the Development Administrator.
8. The Dedicated Right-of-Way for Commerce Street shall read "Hereby Dedicated to the City of Genoa" with final acceptance subject to approval of the road improvements by the City, which shall be constructed without the center median as shown. Snow removal and maintenance of Commerce Street shall be the responsibility of the owners of the subject property until another development is benefited by access to this portion of Commerce Street.
9. The development is prohibited from the outside display of vending machines and other merchandise, unless appropriately screened as determined by the Development Administrator.

SECTION 2: That all requirements set forth in the Unified Development Ordinance of the City of Genoa, as would be required by any owner of property zoned in the same manner as the Subject Property, shall be complied with, except as otherwise provided in this Ordinance.

SECTION 3: 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 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

AYES: 8 - Wesner, Carroll, DiGuido, Stevenson, Winter, Cravatta, Brust, Lang

NAYES: 0

ABSTAINED: 0

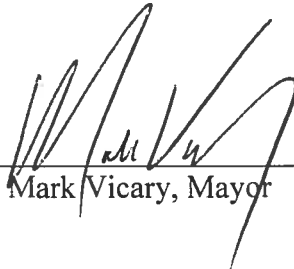
ABSENT: 0

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 15<sup>th</sup> day of May, 2018.

Approved by me this 15<sup>th</sup> day of May, 2018.



(SEAL)

  
Mark Vicary, Mayor

ATTESTED and filed in my office this 16<sup>th</sup> day of May, 2018.

  
Kim Winker, City Clerk