

CITY OF GENOA  
DEKALB COUNTY, ILLINOIS

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ORDINANCE NO. 2019-18

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

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AN ORDINANCE APPROVING AN AMENDED FINAL PLANNED  
UNIT DEVELOPMENT AND AMENDED FINAL PLAT FOR UNITS 4 AND 6  
OF THE RIVERBEND SUBDIVISION AND APPROVING A PLAT OF VACATION  
FOR A PORTION OF STEARN DRIVE AND ANGLER LANE

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Adopted July 16, 2019, by the Mayor and City Council of the City of Genoa  
DeKalb County, Illinois, and approved and published in pamphlet form  
this 16 day of July, 2019.

ORDINANCE NO. 2019 - 18

*An Ordinance Approving an Amended Final Planned Unit Development and Amended Final Plat for Units 4 and 6 of the Riverbend Addition to Genoa Subdivision and Approving a Plat of Vacation for a Portion of Stearn Drive and Angler Lane (Riverbend Addition to Genoa)*

WHEREAS, the City of Genoa has been requested by a petition signed by By Grainger, LLC, an Illinois Limited Liability Company, the Petitioner and Property Owner, to approve an amended final planned unit development and an amended final plat for Units 4 and 6 of the Riverbend Addition to Genoa Subdivision, legally described as follows:

LOTS 337-339 OF UNIT FOUR OF THE RIVERBEND ADDITION TO GENOA, A SUBDIVISION LOCATED IN PART OF THE NE 1/4 OF SECTION 25, T42N, R4E OF THE 3RD. P.M., CITY OF GENOA, DEKALB COUNTY, ILLINOIS, and recorded as Document No. 2005012392;

LOTS 401-412 OF UNIT SIX OF THE RIVERBEND ADDITION TO GENOA, A SUBDIVISION LOCATED IN PART OF THE SE 1/4 OF SECTION 24 AND PART OF THE NE 1/4 OF SECTION 25, T42N, R4E OF THE 3RD. P.M., CITY OF GENOA, DEKALB COUNTY, ILLINOIS, and recorded as Document No. 2007012796

and commonly known as Units 4 and 6 of the Riverbend Addition to Genoa Subdivision (“Subject Property”); and

WHEREAS, the Petitioner also requested approval of a plat of vacation for a portion of Stearn Drive and Angler Lane;

WHEREAS, By Grainger, LLC previously received Council approval for an amendment to the final PUD and final plats of subdivisions for Units 4, 5, and 6, however, the Developer did not own the lots included in the legal descriptions listed above; and

WHEREAS, By Grainger, LLC is requesting approval for this very similar PUD amendment and plat of subdivision amendment to be made to continue the 55+ community concept throughout the remaining lots as described above in Units 4 and 6; and

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

WHEREAS, the Genoa Plan Commission, after deliberation, has made a report and recommended the approval of said amended final planned unit development and amended final plat for the Subject Property and plat of vacation for a portion of Stearn Drive and Angler Lane; and

WHEREAS, the City Council has considered the findings of fact, based upon the evidence presented at the public hearing to the Genoa Plan Commission by the Petitioner.

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

SECTION 1: The amended final planned unit development and amended final plat for the Subject Property is hereby approved, subject to the following documents and conditions:

- A. Land Plan, prepared by HR Green, with the latest revision date of June 19, 2019.
- B. Replat of Unit Four, prepared by C.E.S., with the latest revision date of June 21, 2019.
- C. Replat of Unit Six, prepared by C.E.S. with the latest revision date of July 21, 2019.
- D. Landscape Detail Plan, prepared by HRGreen with the latest revision date of June 21, 2019.
- E. Independent Living Rental Units Color Rendering, prepared by Brian Grainger submitted for the July 11, 2019 Plan Commission Meeting.
- F. 55+ Ranch Condo/Townhome Units Example, prepared by Brian Grainger, submitted for the July 11, 2019 Plan Commission Meeting.
- G. Condo Elevation, prepared by Michael J. Grimson and Assoc. with the latest revision date of March 22, 2019.
- H. Condo Floor Plan, prepared by Brian Grainger submitted for the July 11, 2019 Plan Commission meeting.
- I. Sign Rendering, prepared by Brian Grainger submitted for the July 11, 2019 Plan Commission Meeting
- J. Proposed Plat of Vacation for a portion of Stearn Drive and Angler Lane, prepared by CES with the latest revision date of June 21, 2019.
- K. All other City Codes and ordinances not otherwise modified by the submitted plans and recommendations for approval will be satisfied.
- L. This development is subject to the final approval of the City Public Works Director and City Engineer and Building Code requirements.
- M. Maintenance of the monument signs and all common areas will be the responsibility of the HOA or property owners of the age restricted units. Developer agrees to establish an SSA as soon as practical as a financial backup for failure to maintain these areas prior to closing any units within Unit 4 and 6.
- N. All streets shall have sidewalks and/or walking paths pursuant to the U.D.O.
- O. The Development within Units 4 and 6 is also subject to the conditions outlined in Ordinance 2018-28 and the Development Agreement dated November 14, 2018.
- P. Covenants for both senior housing communities shall be submitted to the City Attorney and City Staff for approval prior to any closings within Units 4 and 6.

- Q. Any substantive changes to this PUD must follow the PUD amendment process before the Plan Commission and City Council.
- R. The Re-Plat of Unit 6 will require that the portion of Riverbend Drive at the intersection of Stearn Drive and Riverbend Drive to the current Parkview Lane be renamed Stearn Drive. Parkview Lane must also be renamed Stearn Drive. The portion of Middleton Street from Stearn Drive to Parkview must also be renamed Stearn Drive. The final plats are subject to the approval of the Development Administrator.

SECTION 2: The Plat of Vacation for a portion of Stearn Drive and Angler Lane prepared by CES with the latest revision date of June 21, 2019 is hereby approved.

SECTION 3: 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 4: The findings of fact on the petition to approve the amended final planned unit development and amended final plat are hereby accepted.

SECTION 5: 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 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: 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: *6 - Carroll, Di Giusto, Stevenson, Winter, Brust, Chang*


NAYES: *0*

ABSTAINED: *0*

ABSENT: *2 - Wesner, Cravatta*

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 16 day of July, 2019.

Approved by me this 16 day of July, 2019.

  
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 Mark Vicary, Mayor



(SEAL)  
 ATTESTED and filed in my office this 17 day of July, 2019.



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Kim Winker, City Clerk

Prepared by:  
Kelly Cahill, Special City Counsel  
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50 Virginia Street  
Crystal Lake, Illinois 60014