

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2020-06

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

AN ORDINANCE GRANTING THE ISSUANCE OF A PRELIMINARY AND
FINAL PLANNED UNIT DEVELOPMENT FOR A COMMERCIAL BUILDING
WITH A DRIVE-UP/THRU, OUTDOOR SEATING, AND SECOND FLOOR
RESIDENTIAL FOR THE PROPERTY AT 502 WEST MAIN STREET

Adopted March 17, 2020, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
this 17th day of March 2020.

ORDINANCE NO. 2020-06

An Ordinance Granting the Issuance of a Preliminary and Final Planned Unit Development for a Commercial Building with a Drive-Up/Thru, Outdoor Seating, and Second Floor Residential for the Property at 502 West Main Street

WHEREAS, Broad Oak Properties Genoa LLC, Mark Bradac, as petitioner and property owner, has petitioned the City of Genoa for approval and issuance of a Preliminary and Final Planned Unit Development to allow an a commercial building with a drive-up-thru, outdoor seating, and second floor residential on certain property (the "Subject Property") described as follows:

THE NORT HALF OF LOT 1 AND THE EAST 25 FEET OF LOT 2 AS MEASURED ALONG THE NORTH AND SOUTH LINES OF SAID LOT IN BLOCK 2 OF PLAT "A" OF THE ORIGINAL TOWN, NOW THE CITY OF GENOA.

WHEREAS, the Plan Commission, after deliberation, has made a report with the findings of fact and recommended approval of issuance of a Preliminary and Final Planned Unit Development to allow for a commercial building with a drive-up/thru, outdoor seating, and second floor residential at the above described property; and

WHEREAS, the City Council has considered the evidence presented 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 a Preliminary and Final Planned Unit Development to allow for a commercial building with a drive-up/thru, outdoor seating, and second floor residential at the above described property, located at 502 West Main Street, in accordance with the site plan submitted by the petitioner, is hereby approved for the Subject Property subject to the following conditions:

1. Documents submitted for the March 12th Plan Commission meeting for consideration and approval and as modified by the conditions herein by the City of Genoa include:
 - Exhibit A (Dated February 21, 2020)- Narrative and drawings including a blue prints, color rendering, design concepts, landscaping plan, lighting plan, signage renderings, and various site plans (19 pages total)
2. All other City codes and ordinances not otherwise modified by the submitted plans and recommendations for approval will be satisfied.
3. The alley along the southern portion of the property as well as the public parking created to the east of the property shall be maintained by the property owner. A maintenance agreement will be required for the alley usage and the public parking spaces.
4. Parking bumpers will be required for the public parking along the east of the property.
5. Engineering for the stormwater has been approved by the Director of Public Works. Any other improvements requiring engineering will be subject to the approval of the Director of Public Works.

6. Delivery of supplies and trash removal shall not impede traffic on South Washington Street, Route 72, nor the alley between South State Street and South Washington Street.
7. Additional landscaping shall be provided surrounding the monument sign fronting Route 72 as well as enclosing the area beneath the second floor deck in order to shield the garbage storage area. The petitioner shall receive approval of an amended landscaping plan from the Development Administrator. Maintenance of landscaping (which is required for the life of the business), including seasonal variations in the ornamental grasses and adequate screening, shall be subject to the approval of Staff.
8. If the 90-gallon toters to be stored under the 2nd floor deck become inadequate, approval of a future trash enclosure area shall be approved by the Development Administrator.
9. The illumination of the building or parking lot lighting shall comply with 5.4.10 of the City of Genoa's Unified Development Ordinance. Following the installation of lighting, Staff will require any adjustments necessary.
10. The drive-up/thru shall not operate before 6 AM or after 8 PM. Noise, whether by traffic or speakers for ordering, shall not be a disturbance to neighboring property owners.
11. The outdoor patio/seating shall only be in use during the operation of the business, unless approval by the City is received. Landscape screening will be required surrounding the patio, subject to approval of the Development Administrator.
12. A detailed sign plan shall be submitted for Staff approval and prior to building permit. A building permit will be required for all signage. The directional drive up/thru sign shown to be placed at the alley and South Washington Street will not be permitted on public property or the alley. A suitable location for directional sign should be determined by the petitioner and approved 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, Winter, Cravatta, Brust, Lang, Mayo Pro Tem Stevenson*

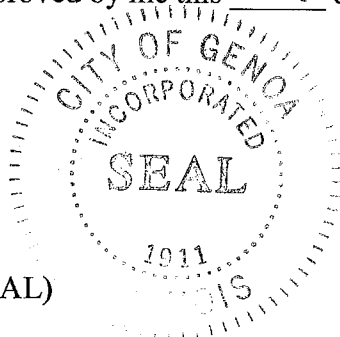
NAYES: *0*

ABSTAINED: *0*

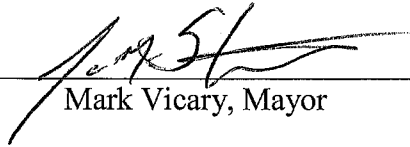
ABSENT: *0*

PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 17 day of March, 2020.

Approved by me this 17 day of March, 2020.



(SEAL)


Mark Vicary, Mayor

ATTESTED and filed in my office this 18 day of March, 2020.


Kim Winker, City Clerk