

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2023- 10

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

AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT FOR A
COMMERCIAL BUILDING WITH A DRIVE THRU AND FINAL PLAT OF
SUBDIVISION AT 720 EAST MAIN STREET

Adopted June 7, 2023, by the Mayor and City Council of the City of Genoa
DeKalb County, Illinois, and approved and published in pamphlet form
This 7th day of June, 2023.

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**AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT FOR A
COMMERCIAL BUILDING WITH A DRIVE THRU AND FINAL PLAT OF
SUBDIVISION AT 720 EAST MAIN STREET**

WHEREAS, Richard J. Kearney and the Genoa Masonic Temple Association, as property owners and Ampler Development, as petitioner, have petitioned the City of Genoa for approval of a Planned Unit Development for a commercial property with a drive thru in the Suburban Commercial Zoning District as well as a Final Plat of Subdivision of property (the "Subject Property"), described as follows:

A PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 29 AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20, ALL IN TOWNSHIP 42 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF MAIN STREET AND EAST OF ROUTE 23 DESIGNATED AS COUNTY HIGHWAY NO. 2, COMMENCING AT THE SOUTHWEST CORNER OF SECTION 29; THENCE 364.85 FEET EAST, THEN 446 FEET NORTH 10 DEGREES 44 FEET WEST; THEN 3129.90 FEET NORTH, 2 DEGREES 23 FEET EAST; THENCE NORTHEASTERLY 792 FEET AROUND A CURVE CONVEXLY TO THE WEST AND HAVING A RADIUS OF 603.69 FEET WHERE IT INTERSECTS THE BOUNDARY LINE OF THE PRESENT STREET; THENCE ALONG THE SOUTH BOUNDARY OF SAID STREET IN AN EASTERLY DIRECTION 141 FEET; THENCE 20.40 FEET SOUTH; THENCE 827.60 FEET ALONG A CURVE CONVEXLY TO THE WEST AND HAVING A RADIUS OF 543.69 FEET; THENCE 1173.30 FEET SOUTH 0 DEGREES 28 FEET WEST; THENCE 30 FEET NORTH 87 DEGREES 37 FEET WEST TO THE PLACE OF BEGINNING, IN DEKALB COUNTY, ILLINOIS.

AND

A PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20, AND THE NORTHWEST $\frac{1}{4}$ OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 5, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 20; THENCE EAST ALONG THE SOUTH LINE OF SECTION 20, A DISTANCE OF 496.1 FEET TO THE WEST RIGHT OF WAY LINE OF STATE BOND ISSUE ROUTE NO. 23; THENCE NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE, 109.7 FEET TO THE SOUTH LINE OF MAIN STREET IN THE CITY OF GENOA, ILLINOIS; THENCE EASTERLY ALONG THE SOUTH LINE OF MAIN STREET, A DISTANCE OF 226.2 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHERLY TO THE FORMER NORTHWESTERLY LINE OF RIGHT OF WAY OF THE ILLINOIS STATE BOND ISSUE ROUTE NO. 23, A DISTANCE OF 156.1 FEET (DEED) (MEASURES 152.48 FEET) THENCE NORTHEASTERLY ALONG THE FORMER NORTHWESTERLY RIGHT OF WAY LINE OF SAID ILLINOIS STATE BOND ISSUE ROUTE NO. 23, A DISTANCE OF 262.8 FEET (DEED) (MEASURES 252.57 FEET) TO THE POINT OF INTERSECTION OF SAID FORMER NORTHWESTERLY RIGHT OF WAY LINE OF ILLINOIS STATE BOND ISSUE ROUTE 23 AND THE SOUTHERLY RIGHT OF WAY OF LINE OF MAIN STREET AFORESAID; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID MAIN STREET, A DISTANCE OF 235.7 FEET (DEED) (MEASURES 227.27 FEET) TO THE POINT OF BEGINNING, IN DEKALB COUNTY, ILLINOIS

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 recommended approval of a Preliminary and Final Planned Unit Development for a commercial building with a drive-thru at 720

East Main Street as well as a Preliminary and Final Plat of Subdivision 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: That a Preliminary and Final Planned Unit Development for a commercial building with a drive-thru at 720 East Main Street as well as a Preliminary and Final Plat of Subdivision at the above described property is hereby approved subject to the following conditions:

- A. Documents submitted for the April 13, 2023 Plan Commission meeting for consideration and approval of the Preliminary and Final Planned Unit Development and preliminary and final plat of subdivision and as modified by the conditions herein by the City of Genoa include:
 1. Final Engineering Plans, Sheets C0.0, V0.0, V0.1 Sheet 1 and 2, C1.0,C2.0,C3.0, C4.0, C4.1, C7.0, C7.1, L1.0, L1.1, all stamped and received for the April 13, 2023 Plan Commission meeting
 2. Grading Plan and Utility Plan, all stamped and received for the April 13, 2023 Plan Commission meeting
 3. Concept Lot Sketch, stamped and received for the April 13, 2023 Plan Commission meeting
 4. Architectural and Site Plans including SP1.0, SP1.1, SP1.2, PH1.0, A2.0, A4.0, A4.1, A4.2, A4.3
 5. Concept Sketch showing the easement to be vacated
 6. Final Plat of Subdivision of 720 East Main Street
- B. All other City Codes and ordinances not otherwise modified by the submitted plans and recommendations for approval will be satisfied pursuant to existing City Ordinances
- C. This development is subject to the final approval of the City Public Works Director and City Engineer requirements. One area known to need additional Engineering evaluation and consideration is the parking lot in regards to traffic patterns and appropriate signage to address the unique parking lot layout and ingress/egress along Route 72.
- D. As shown in the plans, a sidewalk is required along the northern property line and Route 72. If the State of Illinois does not permit the sidewalk to be constructed in the right-of-way, then the sidewalk must be placed on the subject property with a public access agreement granted.
- E. Additional low-lying landscaping should be provided around the monument sign.
- F. Landscaping with a height of approximately 3' is required along northern parking spots without causing line of site concerns as well as 6' screening landscaping along the west property line. Final landscaping plans will be subject to Staff approval.
- G. This project requires IDOT approval, an NPDES permit, County Health Department approval and IEPA approval.
- H. This property has an right-of-way that must be approved and vacated by IDOT prior to construction as shown in the Concept Sketch. Documentation regarding the approved vacation of the previous Route 72 ROW should also be submitted.

- I. Building materials (with the exception of signage and logos) are required be of earthtone colors that complement the brick color.
- J. The “chalk board graffiti signs” shall be removed from the façade of the building.
- K. In general, signage has been reviewed but additional sign details will be required for the sign permit review, including for the drive-thru menu board.
- L. The Preliminary and Final Plat of Subdivision approval is subject to Engineering review as well as the City Administrator’s approval.

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: The report and recommendations of the Plan Commission on the question of a Planned Unit Development for the Subject Property are hereby accepted.

SECTION 4: 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 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: 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.

Alderman Name	Aye	Nay	Abstain	Absent
Pam Wesner	✓			
Christopher Pulley	✓			
Melissa Freund				✓
Walter Stage	✓			
Courtney Winter	✓			
Kendra Braheny	✓			
Gary Roca	✓			
Gregg Hughes	✓			
Mayor Jonathon Brust				


PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 7th day of June, 2023.

Approved by me this 7th day of June, 2023.




Jonathon Brust, Mayor

ATTESTED and filed in my office this 7th day of June, 2023.


Becca Stevenson, City Clerk