

ORDINANCE NUMBER 2004-69

**AN ORDINANCE EXTENDING THE DEVELOPMENT SCHEDULE AND RESTATING
ORDINANCE 2002-69 WHICH GRANTED A SPECIAL USE FOR A PLANNED UNIT
DEVELOPMENT AND COMBINED PRELIMINARY/FINAL PLANNED UNIT
DEVELOPMENT PLAN APPROVAL IN THE B-3E BUSINESS DISTRICT FOR 223 EAST
STATE STREET**

WHEREAS, Ordinance 2002-69 was adopted by the City Council of the City of Geneva on December 16, 2002 granting a special use for a planned unit development and preliminary/final PUD plan approval for property located at 223 East State Street; and

WHEREAS, Section 6 "Development Schedule" of Ordinance 2002-69 required that all construction of building and site improvements on the subject realty, as set forth in the Preliminary/Final Planned Unit Development Plan be completed by December 16, 2004; and

WHEREAS, the owner of the subject property has requested a two year extension of the development schedule through and including December 16, 2006; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, KANE COUNTY, ILLINOIS, as follows:

**SECTION 1: EXTENSION OF DEVELOPMENT SCHEDULE/ RESTATEMENT OF ORDINANCE
2002-69**

Ordinance No. 2002-69 be and the same is hereby approved and restated as Ordinance No. 2004-69 including a modification to Section 6 thereof to provide that all construction of building and site improvements on the subject realty, as set forth in the Preliminary/Final Planned Unit Development Plan shall be completed not later than December 16, 2006.

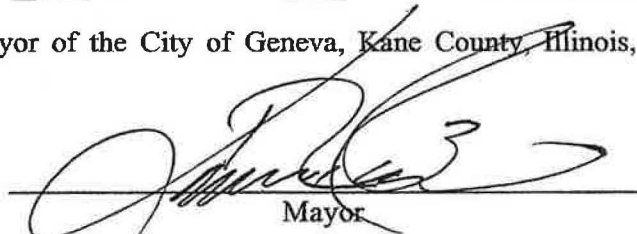
SECTION 2: EFFECTIVE DATE

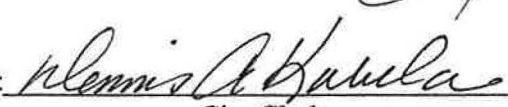
That this Ordinance shall become effective from and after its passage and approval in accordance with law.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 6th day of December 2004.

AYES: 9 NAYS: 0 ABSENT: 1 ABSTAINING: 0 HOLDING OFFICE: 10

APPROVED by me as Mayor of the City of Geneva, Kane County, Illinois, this 6th day of December 2004.


Mayor

ATTEST: 
City Clerk

November 22, 2004

City of Geneva
22 S. First St.
Geneva, IL 60134
Tom Swierczewski, AICP
City Planner

RE: PUD Extension

Dear Tom:

This letter is a formal request to extend the PUD for the development at 223 E. State. Since the approval of the PUD much activity has transpired on the project.

First, the project was delayed for several months while I attempted to receive additional approval for a third commercial building on the site. This was a time consuming process because of our need to solicit the opinions of the neighbors.

Upon rejection of that request, the residential lots were immediately marketed. A contract was received quickly, however, due to the ambiguity of existing storm sewers, the sale took an extended time frame. In conjunction with the city crews, it took several months to excavate and determine the development potential of the two residential lots.

Upon completion of the sale of the residential lots, it was agreed that the residential developer could start with his project prior to the commercial development.

The development of the residential lots has been slowed for six months due to the relocation of an AT & T junction box. Despite receiving \$26,000 six months ago, AT & T finally completed their responsibilities only last week.

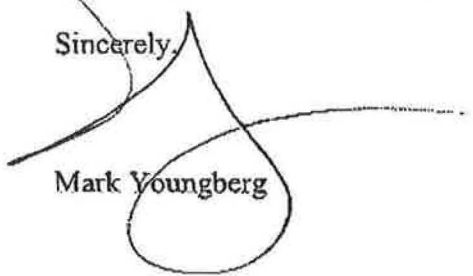
Regardless of the incompleteness of the residential lots, my general contractor submitted for permit to begin construction of the commercial building. This request was submitted in August 2004. As of today's date, E.P. Doyle and Son have yet to receive formal approval of that permit. Whatever can be done on your end to secure that permit would be greatly appreciated.

Due to the above mentioned logistics, I would like to request a two year extension on the PUD. The delays on the commercial project have been predominately out of my control.

A two year extension will allow the development of the residential lots in early and mid-2005. Upon their completion, the commercial development would start in late 2005 or early 2006 with a six month completion.

I would appreciate a quick response to my request due to the urgency of the situation.

Sincerely,



Mark Youngberg