

March 10, 2023

The City of Geneva  
The Mayor and City Council  
22 South First Street  
Geneva, IL 60134

Re: Geneva Oaks Business Park  
Petition for Annexation and Rezoning

Dear Sirs:

Please be advised that I represent applicant, Richmar Realty and Development, LLC ("Richmar"). Richmar is the developer acting on behalf of the record owners of approximately 19 acres of land along the north side of Fabyan Parkway in unincorporated Kane County (the "Property"). On the owners' behalf, Richmar is applying for annexation of the Property into the City of Geneva, together with rezoning of the Property to I-1 Light Industrial District Planned Unit Development.

The Property is located about ¼ mile east of Kirk Road, directly east of the Comfort Inn Hotel. The Property has about 1,000 feet of frontage on Fabyan Parkway, and consists primarily of vacant land. The easternmost 1.67 acres of the Property is improved with the Fabyan Office Plaza/Warehouse building, containing approximately 11,610 square feet, and ancillary driveways and parking. The next most westernmost parcel of the Property has no building, but does contain a contractors open storage yard, approximately 2.25 acres. The balance of the property is vacant land.

The adjoining properties are as follows: North- vacant land with a pending annexation for a light industrial building-the Venture One/Dempsey development; West-Comfort Inn Hotel; East- Office building along Fabyan Parkway and vacant land- the Mid-West Industrial Funds proposed industrial park; South-Batavia. All the surrounding properties, including those to the south in Batavia are either commercial or industrial uses or zoned for same.

At this time, although the applicant has received many inquiries about the purchase and development of all or portions of the Property, the applicant has no specific proposal for the immediate use of the Property. The City's Future Land Use Plan calls for Industrial and/or Commercial uses for the Property. It would be beneficial in marketing the Property for development to obtain annexation and zoning for high quality industrial/commercial development, consistent with the City's Future Land Use Plan, preserving the option for either industrial or commercial development along Fabyan Parkway.

Applicant envisions that the Property could be potentially subdivided into up to 6 lots. Lots 1-3 along Fabyan Parkway, containing approximately 7.1 acres, are vacant and could be developed with smaller commercial and/or industrial buildings. Applicant believes that there will be future demand for 25,000-40,000 square foot buildings for retail or light industrial businesses that are expanding and want to stay in Geneva or come into Geneva. Lot 4, containing approximately 1.7 acres, is already improved with the existing office and warehouse building-Fabyan Office Plaza, and would remain As Is. Lot 5, set back from

Fabyan Parkway and containing approximately 7.75 acres would most likely be developed with a larger industrial use. Lot 6, containing approximately 3 acres, would be a storm water detention facility serving the entire Property.

Applicant's proposed PUD ordinance would provide for commercial/industrial uses found under both the I-1 Industrial District and the B-5 Business District for Lots 1-4. For Lots 5 & 6, the PUD ordinance would provide for industrial uses found under the I-1 Industrial District.

Geneva water lines are adjacent to the northwest corner of the Property and would provide water to service the Property. Currently, there is an existing Geneva sanitary sewer line at the west boundary of the Property. This line, in concert with private lift stations on the Property could serve the Property for developments in the immediate future. However, in the long term, sanitary sewer service would be provided from the east, if and when development of the Mid-West Industrial Park becomes proximate to the Property. Based on current capacities, Geneva electric service in the immediate future is uncertain. Lot 6 has been sized to accommodate full development of the Property. All on site utilities would be located within easements.

Pursuant to a prior agreement with KDOT, the Property Owners previously dedicated to Kane County an 80 foot right of way for Dawn Blvd, a collector road running north from Fabyan Parkway along the western boundary of the Property. Although Dawn Blvd is currently owned by Kane County, it would be transferred to Geneva upon annexation of the Property. Dawn Blvd is to serve both the Property and the Venture One/Dempsey parcel to the north. A copy of the prior KDOT agreement is attached. Applicant has worked with KDOT and come to an agreement on the design of the intersection improvements needed for the Dawn Blvd access to and from Fabyan Parkway.

There is an existing 66 foot access easement along the north of Lots 1-4, extending from Dawn Blvd east to the Property's easterly property line. The easement serves the Property, the Venture One/Dempsey property to the north, and the Midwest Industrial Funds property to the east. Applicant has discussed the easement with the adjacent property owners. Midwest Industrial Funds has indicated that they would be willing to abate their rights to the use of the easement. Discussions with the Venture One/Dempsey group are ongoing.

Applicant is requesting that existing uses, structures and signage for the Fabyan Office Plaza and Contractor's Yard be grandfathered in, in connection with the annexation of the Property.

Enclosed please find the following documents in connection with this application:

Annexation:

1. This narrative description letter (10 hard copies);
2. Application for Annexation & Annexation Agreements;
3. Petition Requesting Annexation;
4. Proof of Ownership;
5. Owners' Authorization Letter;

6. Draft Annexation Agreement (10 hard copies);
7. Nearby taxpayer list & affidavit of accuracy, 2 sets of addressed, stamped envelopes;
8. Plat of Annexation (6 full size folded copies, 4 folded 11" x 17" copies);
9. Preliminary PUD Plan (6 full size folded copies, 4 folded 11" x 17" copies);
10. Preliminary Landscape Plan (6 full size folded copies, 4 folded 11" x 17" copies);
11. Stormwater Permit Application;
12. Preliminary Engineering Plans (6 full size folded copies and 4 folded 11' x17" copies);
13. KDOT Agreement.

I am forwarding by email to Chayton True pdf copies of: this letter (the narrative description); the legal descriptions and PINs for the subject property (in WORD format); the draft Annexation Agreement; the Plat of Annexation; the Preliminary PUD Plan; the Preliminary Landscape Plan and the Preliminary Engineering Plans.

In connection with the PUD ordinance requested in conjunction with annexation, the following additional documents are enclosed:

PUD.

Many of the forms requested by the City in connection with the application for a PUD are included in the annexation list above, including this narrative description letter. Additional documents being provided are as follows:

14. Application for the PUD;
15. Draft PUD Ordinance (10 hard copies);
16. Land Use Opinion Letter Application (1 copy);
17. List of requested variations (10 hard copies);
18. Traffic Impact Analysis (I understand one is not required at this time, but I am providing the study previously prepared for KDOT. (Let me know if you want additional copies);
19. Master Signage Plan;
20. Setback Exhibit (6 full sized folded copies, 4 folded 11' x 17" copies).

I am forwarding by email to Chayton True pdf copies of: the list of requested variations; the Traffic Impact Analysis; the Setback Exhibit; and the Master Signage Plan.

As there are no specific proposals for the immediate use of the Property, none of the following are being submitted at this time: covenants for the use and maintenance of common open space; a development schedule; preliminary architectural elevations; and the Kane County Improvement Impact Fee Application. It is my understanding that a fiscal impact study is not being required by staff.

As there are no specific proposals for the immediate use of the property, Lot 6, the stormwater pond for the Property, has been designed to accommodate stormwater runoff, assuming maximum coverage of the Property by impervious materials.

Furthermore, most of the variance requests are associated to the fact that there are no specific proposals for the immediate use of the property. One prospective buyer proposed to develop the entire property (excluding Fabyan Office Plaza) with one large logistics building. He requested the variance for the width of the parking spaces. There wouldn't be a need for an association to manage the sign outlot or the stormwater pond with that buyer. The interior lot setback lines would not be relevant. Other prospective purchasers have been looking for only a portion of the property along Fabyan Parkway. Depending on the size of the facility and the use, the lot lines for Lots 1-3 along Fabyan Parkway would need to be revised and parking setbacks may not be relevant. Regardless how the Property is developed, there would be no need for parking lot setbacks for property adjoining the stormwater pond, Lot 6.

The preliminary engineering plans being provided consist of the Preliminary Plat & Plan of PUD, and the following Annexation Agreement Exhibits: Exhibit E Sanitary Sewer Utilities, Exhibit F Water Utilities, Exhibit F Electric Utilities.

Finally, enclosed please find payment of applicable fees for the above applications:

Application fee	\$ 500
Third Party costs fee	\$ 500
Legal costs fee	\$1,000
Stormwater permit fee	\$ 50
Professional assistance fee	\$2,500

Applicant would greatly appreciate the City's prompt review and approval of this application.

If you require anything further, or if questions arise regarding this application, please do not hesitate to contact me.

Very truly yours,

MCNEES & ASSOCIATES, LLC

By: \_\_\_\_\_  
Robert A. McNees

RAM:rm

Enc.

cc: Mark Sorrentino  
Bryan Stresney  
Jon Green  
Chayton True by email