

December 23, 2010

Dear

We'd like to thank you and fellow members of City Council for allowing the Roots & Shoots presentation in November and for your consideration of the proposed egg cooperative. We have put a great deal of time and thought into this idea and feel it has tremendous potential for the city of Geneva. We are writing to ask your support in gaining Council permission to site the co-op on the land along Exchange Street known as the "OEO site."

Manager Horn has been very helpful in encouraging and orchestrating the dialogue thus far. Following the November Council meeting, he referred us to Mr. Anthony Validzic in efforts to gain further insight into possible regulations and requirements. Mr. Validzic identified three areas for us to consider, and we would like to share our thoughts and further investigations into each of them:

*1) Siting the egg cooperative on land in Geneva would require permission of the landowner.*

In our opinion, the success of this project (in terms of community development, sustainability, and public education) hinges on its proximity to downtown. It simply wouldn't achieve its objectives out in the country or on the fringes of Geneva. That is why we are requesting permission from the City of Geneva, as landowners, to use the OEO site. In every way it is an ideal space for this use.

*2) City Statute 77-3: No person shall keep or harbor any chickens, ducks, geese, or other domesticated fowl in the city except in the AR, Agricultural Residential Use Districts and F Industrial Use Districts...*

We believe four reasons can be given that this statute does not apply to this project:

a) Zoning laws describe buildings and permanent construction. We do not propose to build any permanent, immobile structures.

b) City Statute 77-6 expressly allows the keeping of "birds and other domesticated pets." Chickens are birds, and they are domesticated.

c) Zoning does not apply in cases of educational use. The egg cooperative is intended to be an ongoing learning experience for schoolchildren, Roots & Shoots, and Geneva citizens in general, as described in the Council presentation.

d) The introduction to the municipal code states that these statutes were meant to be "interpreted liberally and for the purposes intended." We believe the prohibition on poultry was not intended to discourage creative means of land reuse, community-building, and education.

*3) Use of the OEO site may not align with Geneva's drafted priorities for downtown development.*

In conferring with the Business Improvement District, downtown business owners, and the Geneva Chamber of Commerce, we feel that this project directly supports the stated initiatives of bringing foot traffic downtown, drawing tourists to Geneva, and cultivating "pride of place" in this city we call home. It may be nontraditional or atypical, but that does not mean it can't effectively achieve the same ends as traditional retail.

We would like to request a vote by Council for use of the site, and we would like your support as someone dedicated to the betterment of Geneva. If permission is granted, we agree to immediately move the cooperative to an alternative site if a development opportunity for this site is identified. We pledge to be careful stewards of the land as we remain responsive to the needs of this city.

Sincerely,

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Jeff Henderson

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James Emery-Elkin  
City Green Committee

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John Hicks  
Executive Director  
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Rob Gladden  
Executive Director  
Geneva Chamber of Commerce