

EXHIBIT “B”

A PLAN DESCRIPTION FOR LIBERTY AND EOLA SUBDIVISION
LOCATED AT THE SOUTHWEST CORNER OF LIBERTY STREET AND N. EOLA ROAD
CONSISTING OF 5.609 ACRES

A Plan Description for the property at the southwest corner of Liberty Street and N. Eola Road with B-2 (C) Business District – General Retail and OS-1 (C) Conservation, Open Space and Drainage Zoning, with a Conditional Use Planned Development for the Liberty and Eola Subdivision Development Pursuant to the Code of Ordinances, City of Aurora, Illinois (“City Code”).

I. QUALIFYING STATEMENTS

A. PURPOSE

This Conditional Use Planned Development has evolved to assist the Planning and Zoning Commission (“Commission”) and the City Council (“City Council”) of the City of Aurora, Illinois (“City”) in governing their recommendations and actions on this development as it relates to the existing zoning and land uses in the area.

Developer shall mean the person(s) or entity who brings the Subject Property described herein to a more complete, complex, or desirable state.

Owner shall mean the person(s) or entity who is described as the legal owner of record of the Subject Property described herein.

For the purposes of this document, Developer and Owner shall be one and the same and held equally accountable for all requirements within this Plan Description.

B. INTENT

This Plan Description has been prepared pursuant to the requirements of Sec. 34-602 of Chapter 34 of the City Code. It is the intent of this document to promote and protect the public health, safety, morals, comfort, and general welfare of the area; and to guide the development toward the realization of the appropriate Physical Development Policies of the Comprehensive Plan of the City (“Comprehensive Plan”). These policies include:

- 10.0 To provide for the orderly, balanced and efficient growth and redevelopment of the City through the positive integration of land use patterns, functions, and circulation systems. To protect and enhance those assets and values that establishes the desirable quality and general livability of the City. To promote the City’s position as a regional center.
- 31.1 (3) To promote the development of commercial facilities in existing or planned commercial areas.
- 32.0 To enhance the positive and minimize the negative impact and relationships that the location, design and appearance of commercial activities have on traffic patterns and on the stability and vitality of surrounding neighborhoods, other commercial centers, and the City as a whole.
- 91.1 (3) To encourage the maintenance and enforcement of Federal and State environmental quality standards

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 5.609 acres lying at the southwest corner of Liberty Street and N. Eola Road. The property is currently vacant. The property lies within the Indian Prairie School District #204 boundaries. The property is currently unincorporated DuPage County. The Comprehensive Plan designates the Subject Property as Commercial.

2. Surrounding Property

North: The surrounding property to the north is zoned PDD Planned Development District, with a Multi-Family Dwelling (1140) and Stormwater management facilities (7300) uses, and the Comprehensive Plan designates the property as Conservation, Open Space, Recreation and Drainage and High Density Residential.

South: The surrounding property to the south is zoned Unincorporated DuPage County, with a vacant use, and the Comprehensive Plan designates the property as Commercial.

East: The surrounding property to the east is zoned Unincorporated DuPage County, with a One-Family Dwelling (1110) uses, and the Comprehensive Plan designates the property as Commercial.

West: The surrounding property to the west is zoned PDD Planned Development District, with a One-Family Dwelling (1110) use, and the Comprehensive Plan designates the property as Low Density Residential.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

The Subject Property shall be divided into two zoning parcel(s) as legally described on Attachment "A", and generally depicted on Attachment "B".

Development of the zoning parcel(s) shall be regulated as follows:

1. Parcel A: B-2 (C) Business District – General Retail

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains two zoning lots of approximately 3.34 acres. Upon approval of this document, said property shall be designated as B-2 (C) Business District – General Retail Zoning, with a Conditional Use Planned Development on the Zoning Map of the City ("Zoning Map"), and be regulated by Chapter 49 of the City Code ("Zoning Ordinance"), including but not limited to the provisions for the underlying base zoning district set forth in Section 49-108.3 titled B-2 Business District – General Retail, except as modified herein.

1.2. Statement of Intent

The B-2 Business District – General Retail, has been chosen as the underlying base zoning for this Parcel to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel is intended to be developed as a car wash and a building with a mix of commercial uses. Access to the property will be from Liberty Street and N. Eola Road.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the B-2 Business District – General Retail, Section 49-108.3 of the Zoning Ordinance, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Car Wash, Single Bay (2832) – limited to one on Lot 2
 - b. The following uses shall be prohibited:
 - (1) Pawnshop (2160)
 - (2) Used Clothing Store (2120)
 - (3) Alternative Financial Institutions (2220)
 - (4) Laundromat (2610)
 - (5) Tattoo Parlor

1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the B-2 Business District – General Retail, Section 49-108.3, and Section 49-105 of the Zoning Ordinance with the following modifications:
 - a. Minimum setbacks shall be as follows:
 - (1) Front Yard Setback: thirty feet (30')
 - (2) Exterior Side Yard Setback: thirty feet (30')
 - (3) Interior Side Yard Setback for Lot 1 abutting residential (western property setback line): fifty feet (50')
 - (4) Interior Side and Rear Yard: Five feet (5')
 - b. Photometric Plan – A Photometric Plan must be provided at time of Final Plan for each Lot that shows a footcandle of less than 0.5 along the western property line of Lot 1
 - c. All Landscaping and Screening shall be pursuant to Section 49-105.4 “Landscaping” of the Aurora Zoning Ordinance with the following modifications:
 - (1) A three to five foot berm shall be provided on the western property line of Lot 1 within the 50 foot setback and shall be

installed at the time of construction of the first lot to be developed and prior to the issuance of a building permit for the first lot to be developed.

- (2) The Perimeter Yard Requirement and the Buffer Yard Requirement for the western property line of Lot 1 shall be installed at the time of the first lot to be developed and prior to the issuance of a building permit for the first lot to be developed.
- (3) In addition to the Landscape and Screening Provision requirements, an eight foot privacy fence shall be installed on the western property line of Lot 1 at the time of construction the first lot to be developed and prior to the issuance of a building permit for the first lot to be developed.

2. Parcel B – OS-1(C) Conservation, Open Space, and Drainage District

2.1 Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel B contains approximately 2.27 acres. Upon approval of this document, said property shall be designated as OS-1(C) Conservation, Open Space, and Drainage District Zoning, with a Conditional Use Planned Development on the Zoning Map of the City (“Zoning Map”), and be regulated by the Chapter 49 of the City Code (“Zoning Ordinance”), including but not limited to the provisions for the underlying base zoning district set forth in Section 49-106.4 titled OS-1 Conservation, Open Space and Drainage District, except as modified herein.

2.2. Statement of Intent

The OS-1 Conservation, Open Space, and Drainage District, District, has been chosen as the underlying base zoning for this Parcel to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel will be developed as detention and open space. Access to the property will be from N. Eola Road.

2.3 Use Regulations

1. This property shall be limited to those uses permitted in the OS-1 Conservation, Open Space and Drainage District, Section 49-106.4 of the Zoning Ordinance.

B. BUILDING, STRUCTURES AND SIGNAGE

1. Retaining walls utilized within the development shall not exceed three (3) feet in height. The stepping of retaining walls is allowed up to six (6) feet in overall height with a minimum run of three (3) feet between steps.

2. Building Elevations shall be subject to approval with the Final Plan and will be evaluated based on the quality and variety of building materials, orientation and presentation from the public street and the use of architectural elements.
3. Signage Elevations and locations shall be subject to approval with the Final Plan and will be evaluated based on the quality and variety of materials, orientation and presentation to the public street and the use of architectural elements matching the building. The signage on the property shall be subject to Chapter 41 of the City Code ("Sign Ordinance").

C. PUBLIC IMPROVEMENTS

1. Liberty Street - Additional public right of way on Liberty Street shall be dedicated. A five-foot (5') concrete sidewalk on the south adjacent to the property line are required and shall be permitted within the public right of way up to 1 foot off the property line. Streetlights along the south side of Liberty Street shall be installed. An updated traffic impact study shall be provided to the City, reflecting the changes on the access on Liberty Street from a right-in/right- out to a full access. Dedicated turn lanes and roadway widening shall be required on Liberty Street for the proposed access. The City, at its expense, reserves the right to limit the access off Liberty Street to Right In/Right Out Only should traffic problems arise as determined by the City Engineer in consultation with the traffic engineer and the Aurora Police Department such as left turn stacking problems and safety issues. The City shall provide 90-day written notification to the owner of the City's decision to restrict access. DEVELOPER RESPONSIBILITY: Developer will dedicate right of way and install the required improvements to this roadway and sidewalk improvements as stated above.
2. N. Eola Road - The public right-of-way to be dedicated and public improvement to be installed for N. Eola Road shall be determined by the DuPage County Department of Transportation. Any required additional right-of-way dedication must be done prior to Final Engineering approval. An eight-foot (8') asphalt bike path on the west adjacent to the property line are required and shall be permitted within the public right of way up to 1 foot off the property line. DEVELOPER RESPONSIBILITY: Developer will dedicate right of way and install the required improvements to this roadway and sidewalk improvements as stated above.
3. A five-foot (5') concrete sidewalk or eight-foot (8') asphalt path is required to be installed by the Developer along all property lines adjacent to public streets, including along the entire frontage on N. Eola Road. Said sidewalk or path may be located one foot inside the right of way line. The determination of materials and location shall be determined at the time of Final Plan.
4. The installation of street trees and landscaping shall be a condition of the issuance of a Certificate of Occupancy and shall not be included in the security required under Subdivision Control Ordinance, Section 43-55(a)3 of the City Code.

IV. GENERAL PROVISIONS

A. PLAN DESCRIPTION DOCUMENT

1. All current codes and ordinances of the City in effect at the time of the commencement of construction shall govern except where expressly stated within this Plan Description document to the contrary.
2. Amendments to this Plan Description document shall be subject to City Code. Public notice shall be provided in accordance with said code and, to all current owners of property subject to this Plan Description.
3. This Plan Description document shall be mutually binding upon the heirs, executors, administrators, successors and assigns of present or future owners who use the property for the same permitted use.
4. If any section, subsection or paragraph of this Plan Description document shall be held invalid, the invalidity of such section, subsection or paragraph shall not affect any of the other provisions of this Plan Description document.
5. Any provisions contained within this Plan Description document that are in conflict shall be enforced in accordance with the more restrictive provision.

V. LIST OF ATTACHMENTS

ATTACHMENT "A" - LEGAL DESCRIPTION OF DEVELOPMENT PARCELS
ATTACHMENT "B" – MAP OF DEVELOPMENT PARCELS

ATTACHMENT "A"
LEGAL DESCRIPTION OF DEVELOPMENT PARCELS

PARCEL ONE:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER 1683.10 FEET; THENCE NORTH 88 DEGREES 40 MINUTES EAST 506.93 FEET TO THE ORIGINAL CENTER LINE OF EOLA ROAD; THENCE NORTHERLY ALONG SAID CENTER LINE 340.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 40 MINUTES WEST 519.46 FEET TO SAID WEST LINE; THENCE NORTH ALONG SAID WEST LINE 538.24 FEET TO THE CENTER LINE OF LIBERTY STREET; THENCE EASTERLY ALONG THE CENTER LINE OF SAID LIBERTY STREET 544.70 FEET TO THE ORIGINAL CENTER LINE OF SAID EOLA ROAD; THENCE SOUTHERLY ALONG THE ORIGINAL CENTER LINE OF EOLA ROAD 599.35 FEET TO THE POINT OF BEGINNING,

EXCEPT

THAT PART THEREOF CONVEYED BY DOCUMENT R94-065962 DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 20; THENCE SOUTH 0 DEGREES 09 MINUTES 31 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 20 A DISTANCE OF 1343.48 FEET; THENCE NORTH 89 DEGREES 28 MINUTES 55 SECONDS EAST 485.62 FEET TO A POINT ON THE WEST LINE OF EOLA ROAD FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 28 MINUTES 55 SECONDS WEST 33.69 FEET; THENCE NORTH 2 DEGREES 13 MINUTES 15 SECONDS EAST 487.50 FEET FOR A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE, BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 65.00 FEET, HAVING A CHORD BEARING OF NORTH 47 DEGREES 56 MINUTES 54 SECONDS WEST A DISTANCE OF 113.83 FEET TO A POINT IN THE SOUTHERLY RIGHT OF WAY LINE OF LIBERTY STREET; THENCE NORTH 83 DEGREES 11 MINUTES 23 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 112.40 FEET TO A POINT IN THE WEST LINE OF EOLA ROAD; THENCE SOUTH 2 DEGREES 15 MINUTES 33 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 570.02 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT

EXCEPT THAT PART THEREOF DESCRIBED BY COMMENCING AT A STONE IN THE NORTHWEST CORNER OF SAID SECTION 20; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION. 805.4 FEET TO THE CENTER OF THE AURORA AND WARRENVILLE ROAD (LIBERTY STREET) FOR A PLACE OF BEGINNING; THENCE NORTH 81 DEGREES 50 MINUTES EAST ALONG THE CENTER LINE OF SAID ROAD, 60 FEET; THENCE SOUTH PARALLEL WITH THE SECTION LINE, 133.34 FEET; THENCE SOUTH 81 DEGREES 50 MINUTES WEST PARALLEL WITH THE CENTER LINE OF THE AURORA AND WARRENVILLE ROAD, 60 FEET TO THE WEST LINE OF SECTION 20 AFORESAID; THENCE NORTH ON SAID WEST LINE, 133.34 FEET TO THE PLACE OF BEGINNING, ALL IN DUPAGE

COUNTY, ILLINOIS.

PARCEL TWO:

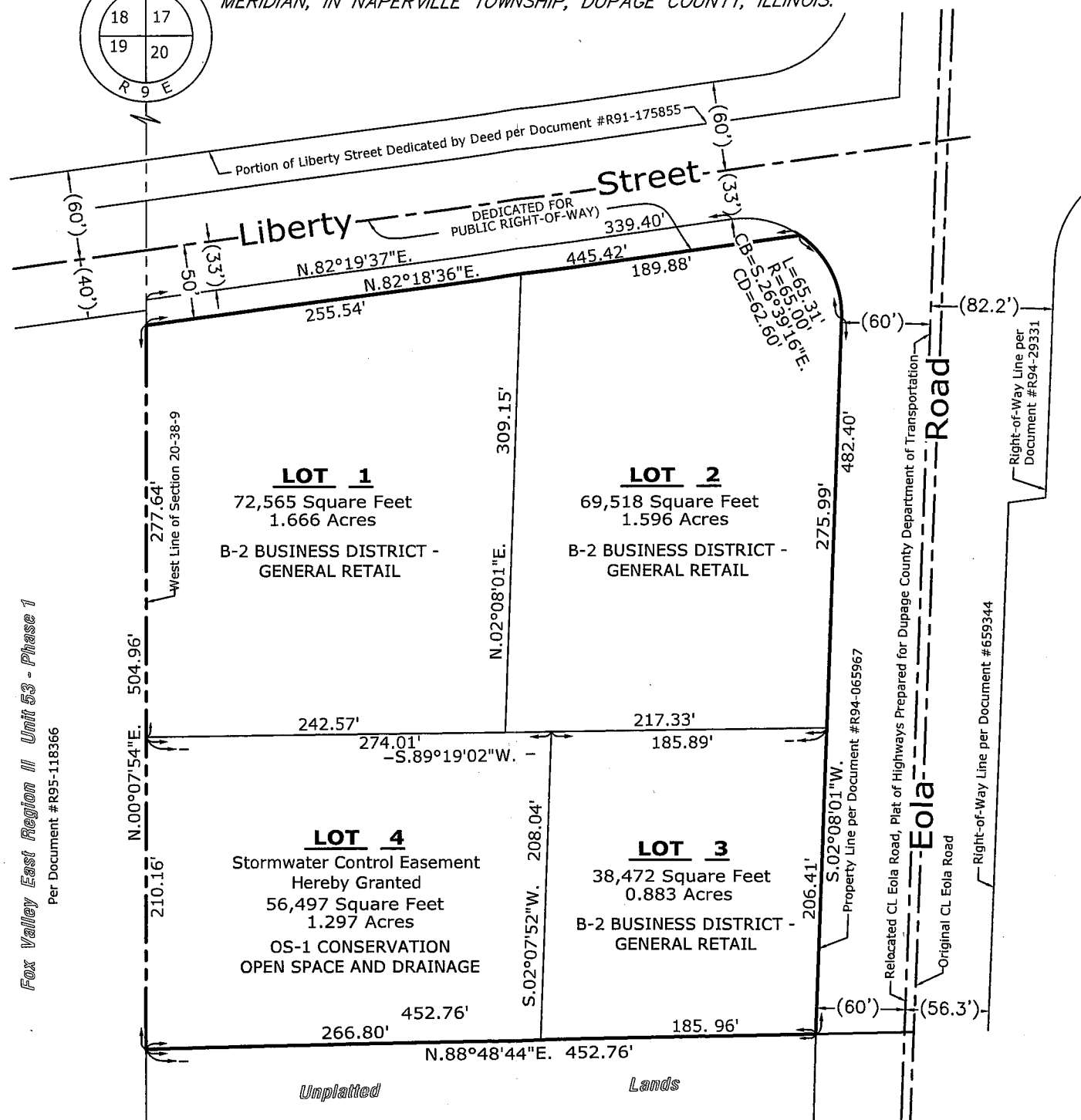
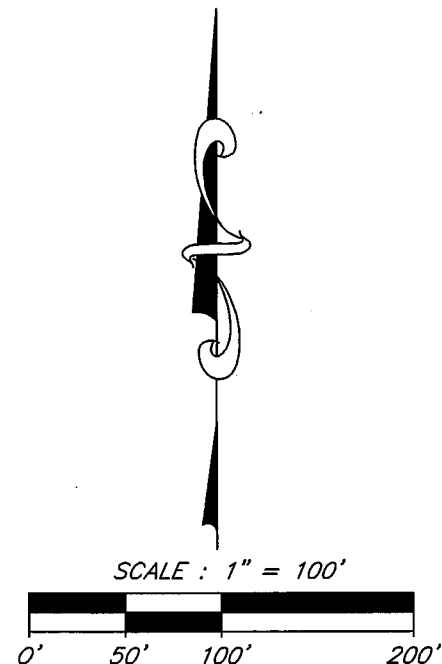
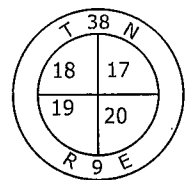
THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY: COMMINCING AT A STONE IN THE NORTHWEST CORNER OF SAID SECTION 20; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION. 805.4 FEET TO THE CENTER OF THE AURORA AND WARRENVILLE ROAD (LIBERTY STREET) FOR A PLACE OF BEGINNING; THENCE NORTH 81 DEGREES 50 MINUTES EAST ALONG THE CENTER LINE OF SAID ROAD, 60 FEET; THENCE SOUTH PARALLEL WITH THE SECTION LINE, 133.34 FEET; THENCE SOUTH 81 DEGREES 50 MINUTES WEST PARALLEL WITH THE CENTER LINE OF THE AURORA AND WARRENVILLE ROAD, 60 FEET TO THE WEST LINE OF SECTION 20 AFORESAID; THENCE NORTH ON SAID WEST LINE, 133.34 FEET TO THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS

ATTACHMENT "B"
MAP OF DEVELOPMENT PARCELS

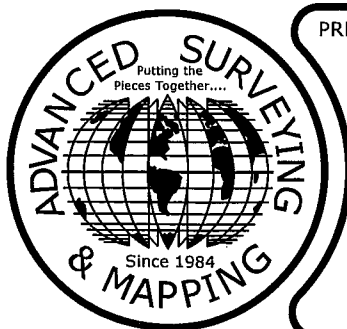
LOCATION MAP

CITY RESOLUTION: _____
 PASSED ON: _____

OF PART OF THE NORTHWEST QUARTER OF SECTION 20,
 TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL
 MERIDIAN, IN NAPERVILLE TOWNSHIP, DUPAGE COUNTY, ILLINOIS.



Fox Valley East Region II Unit 53 - Phase 1
 Per Document #R95-118366



PREPARED BY:



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PREPARED FOR:



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NO.	DATE	REVISION
1.	10/24/2023	ISSUED ZONING MAP

SITE DESIGNATION INFORMATION:
 SOUTHWEST CORNER OF
 LIBERTY STREET & EOLA ROAD
 AURORA, IL 60502

PROJECT NO.
 718006ZM

DRAWN BY: EM CHECKED BY: SVK

MAP
 SHEET 1 OF 1