

**EXHIBIT "B"**

**A PLAN DESCRIPTION FOR: LIBERTY MEADOWS**  
**LOCATED: WOLVERINE DRIVE**  
**CONSISTING OF: ±15.66 ACRES**

A Plan Description for the property at the southern end of Wolverine Drive with R-4A(C) and OS-1(C)\_District Zoning, with a Conditional Use Planned Development for the Liberty Meadows Development Pursuant 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 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:

- 11.1(5) To guide and promote development to areas where public utilities, public roads and municipal services are either available or planned.
- 11.1(3) To encourage new development contiguous to existing development.
- 12.1(3) To encourage residential development in close proximity to places of work, shopping and recreation
- 20.0 To insure the provision of decent housing and a quality living environment for every resident of Aurora
- 21.1(2) To promote a wide variety of housing types
- 22.1(1) To achieve appropriate zoning protection for residential areas designated in the land use plan.

## II. GENERAL CHARACTER

### A. EXISTING CONDITIONS

#### 1. Subject Property

The Subject Property consists of approximately 15.66 acres lying at the southern

end of Wolverine Drive. The property is currently used for farming. The property lies within the Indian Prairie School District #204 boundaries. The property is currently zoned ORI(C): Office, Research, and Light Industrial with a Conditional Use. The City of Aurora Comprehensive Plan designates the Subject Property as Office/Research/Light Industrial.

## 2. Surrounding Property

North: The surrounding property to the north is zoned ORI(C) Office, Research, Light Industrial with a Conditional Use, with a Warehouse, Distribution and storage services (3300) use, and the City of Aurora Comprehensive Plan designates the property as Office/Research/Light Industrial.

South: The surrounding property to the south is zoned R-4A(C): Two-Family Dwelling District with a Conditional Use and BB(C): Business-Boulevard District use, with a Townhome ROW Dwelling (1130) and Vehicle Repair, Minor (2834) use, and the City of Aurora Comprehensive Plan designates the property as Medium Density Residential (6-12 DUs/Acre) and Commercial.

East: The surrounding property to the east is zoned PDD, with a Conservation/Open Space/Recreation/Drainage use, and the City of Aurora Comprehensive Plan designates the property as Conservation/Open Space/Recreation/Drainage.

West: The surrounding property to the west is zoned R4-A(C): Two-Family Dwelling District and ORI: Office, Research and Light Industrial, with a Townhome ROW Dwelling (1130) use and recreational uses with Soccer Fields directly adjacent, and the City of Aurora Comprehensive Plan designates the property as Medium Density Residential (6-12 DUs/Acre) and Office/Research/Light Industrial.

## III. DEVELOPMENT STANDARDS FOR EACH PARCEL

### A. ZONING

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

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

#### 1. Parcel A – R4-A(C) Two-Family Dwelling District

##### 1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately 9.52 acres. Upon approval of this document, said property shall be designated as R4-A(C) Two-Family Dwelling District 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 49-107.9 titled R-4A Two-Family Dwelling District, except as modified herein.

## 1.2. Statement of Intent

The R4-A Two-Family Dwelling 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 is intended to be developed as 91 townhomes. Access to the property will be provided by extension of existing Wolverine Drive.

## 1.3 Use Regulations

1. This property shall be limited to those uses permitted in the R4-A Two-Family Dwelling District, Section 49-107.9-4, including ROW Dwelling (Party Wall) use.

## 1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the R4-A Two-Family Dwelling District, Section 49-107.9, and Section 49-105 with the following modifications:
  - a. Maximum Lot Area Coverage by Buildings and Structures – forty percent (40%) of the area of the Subject Property (not including public right-of-way).
  - b. Minimum Neighborhood setbacks from the property line, if not located along a public right-of-way, shall be 20 feet.
  - c. Minimum setbacks from the public right of way as measured perpendicular from building face to right of way:
    1. Front – 25
    2. Side – 20
    3. Rear - 40
  - d. Minimum separations between buildings:
    1. Front to Rear – 80
    2. Front to Side – 50
    3. Side to Side - 20
  - e. Additional Minimum separations between **“Rear-loaded Garage”** buildings (meaning the garage is located on the opposite side as the front door):
    - Rear to Side – 60
    - Rear to Rear – 60 (driveway access area)
    - Front to Front - there shall be a minimum separation of 50 feet.However, if the structures are arranged in any way other than a

parallel arrangement, a separation of 40 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 50 feet.

Additional Minimum separations between “**Front-loaded Garage**” buildings (meaning the garage is located on the same side as the front door):

Rear to Side – 30

Rear to Rear - there shall be a minimum separation of 50 feet. However, if the structures are arranged in any way other than a parallel arrangement, a separation of 40 feet shall be allowed at the closest point between the structures as long as the average separation between the structures is 50 feet.

Front to Front – 60

- f. Maximum Density shall not exceed 6 dwelling units per acre with respect to the Subject Property.
- g. Permitted Obstructions in Required Setback Areas  
Obstructions in required setback areas shall be pursuant to Section 105.9 “Obstructions” of Chapter 49 with the following exceptions:
  - 1. Front to Front Separation – Covered or uncovered porches and patios may encroach into the front to front separation requirements.
  - 2. Rear to Rear Separation – Second floors balconies may encroach into the rear to rear separation requirements
- h. Maximum Height - The maximum height of structures shall be 35 feet.
- i. Maximum floor Area Ratio with respect to the Subject Property – 1.0
- j. Maximum units per buildings – 6
- k. Minimum floor area per dwelling unit
  - 1. 900 sq. ft. – one story
  - 2. 1200 sq. ft. – two story
- l. All parking and loading shall be pursuant to Section 105.13., "Off-Street Parking and Loading" of Chapter 49 of the Zoning Ordinance. Minimum parking – 2.0 enclosed garage spaces and 2.0 driveway spaces per dwelling unit and if development roadways are less than 31’ back to back then an additional 0.75 individually accessible guest spaces per dwelling unit are required in bays and/or on the street, and must be evenly distributed throughout the neighborhood.

## 1.5 Specific Rules and Definitions

The City may approve Final Plans that contain variations up to 10% of the requirement from Sections A-1.4. pertaining to Bulk Restrictions. Variations above 10% shall be requested through the Final Plan process with a public hearing as outlined in Section 34-603 of Chapter 34 of the City Code.

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 6.14 acres. Upon approval of this document, said property shall be designated as OS-1(C) Conservation, Open Space, and Drainage with a Conditional Use on the Zoning Map, and be regulated by the Zoning Ordinance except as modified herein, including but not limited to the provisions for the underlying base zoning district being Section 49-106.4 titled OS-1 Conservation, Open Space and Drainage District.

2.2. Statement of Intent

The OS-1 Conservation, Open Space, and Drainage 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. .

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,

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.
  - a. 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. A five-foot (5') concrete sidewalk is required to be installed by the Developer along all property lines adjacent to public streets. Said sidewalk may be located one foot inside the right of way line. The location shall be determined at the time of Final Plan.
2. The Developer will be responsible for the installation of a five-foot (5') concrete sidewalk along the west side of Wolverine Drive from the property's northwest corner boundary to Liberty Street located one foot inside the right of way line. The location shall be determined at the time of Final Plan.
3. The streets on this property shall be subject to the provisions of Section 42-20 of Chapter 42 of the City Code except for the following modification: dead-end streets (cul-de-sac) designed to be permanent is permitted to be longer than (500) feet from the centerline of the intersecting street to the radius point.
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.
5. The Developer will reimburse the City \$25,878.16 for the improvements the City made to Wolverine Drive in 2021. This cost will be due prior to approval of Final Engineering Plans.
6. The Developer will reimburse the City for the cost to hire a consultant to perform an analysis for water main flows to and within the proposed development if required as determined by the City Engineer.

## D. MODEL HOMES AND SALES TRAILERS, CONSTRUCTION TRAILERS

1. Residential Model Unit(s) shall be permitted. At the Developer's sole risk the Developer may construct, maintain and occupy up to one (1) model building subject to the following:
  - a) Permits for model units will not be issued until a final plat is approved containing the model unit area;
  - b) Tested and approved water with sufficient fire hydrant coverage for the model homes (subject to the review of the Fire Marshal), gravel street, street signs, and stormwater detention with a functioning overland flood route from the model home area to the detention facility shall be provided prior to model permit issuance. Sanitary and water services do not need to be provided until approval of residential occupancy.
2. Sales and Construction Trailer  
Sales and Construction Trailer(s) shall be permitted. At the Developer's sole risk the Developer may install, maintain and occupy up to one (1) trailer subject to the

following:

- a.) Upon Preliminary plan approval for the Subject Property and in advance of final engineering, final plat approval and the construction of sanitary, storm sewer, storm water detention facilities, water main, streets, curbs and gutters, the Developer shall be permitted to set temporary construction office, storage and sales trailers on the site. Approval for placement of trailers shall be subject only to staff review, which includes meeting the requirements of Article 18-V of Chapter 18 of the City Code. Planning Commission or City Council approval shall not be required;
- b.) Installation of sanitary sewer and public water shall not be a condition to the issuance of permits for construction, storage and sales trailers;
- c.) Sales Trailers shall be removed at such time as the Developer receives occupancy permits for the Sales/Model homes;
- d.) The Developer shall be permitted to construct and maintain other appurtenant facilities for said trailers including temporary driveways;
- e.) The Developer, upon approval of the City Engineer may construct temporary parking facilities, haul roads, and other pertinent facilities in advance of receipt of approved formal permits applicable to any parcel. The City Engineer's approval shall not be unreasonably withheld;
- f.) Construction and storage trailers shall be removed within sixty (60) days following the completion of construction activity on the affected parcel.
- g.) All references to trailers in this Section shall be as that term is defined in the Zoning Ordinance. All such trailers shall be maintained in a neat and orderly manner. The Developer shall maintain and repair any and all temporary facilities.

#### IV. GENERAL PROVISIONS

##### A. PLAN DESCRIPTION DOCUMENT

1. All current codes and ordinances of the City in effect at the time of the development 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 Number: 07-19-101-021

Commonly known as: southern end of Wolverine Drive

LOT 2 IN LIBERTY STREET BUSINESS PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH ½ OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 21, 2001 AS DOCUMENT NUMBER 2001-283291, IN DUPAGE COUNTY, ILLINOIS.

ATTACHMENT "B"  
MAP OF DEVELOPMENT PARCELS

