

**EXHIBIT "B"**

**A PLAN DESCRIPTION FOR GRISELDA ESCALANTE AND SALVADOR CARRASCO**  
**LOCATED AT 759 AUSTIN AVENUE**  
**CONSISTING OF 3.203 ACRES**

A Plan Description for the property at 759 Austin Avenue with B-2(S) General Retail, R-1(S) One Family Dwelling and OS-1(S) Conservation, Open Space, and Drainage Zoning, with a Special Use Planned Development for the Escalante and Carrasco Development Pursuant to Section 10.6-6 of the Aurora Zoning Ordinance.

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FINAL PLAT

## I. QUALIFYING STATEMENTS

### A. PURPOSE

This Special Use Planned Development has evolved to assist the Aurora Planning Commission and City Council 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 Section 10.6-6.2 of the Aurora Zoning Ordinance. 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 City of Aurora Comprehensive Plan. These policies include:

22.1 (1): To achieve appropriate zoning protection for residential areas designated in the land use plan

51.1 (6): To promote the location and expansion of commercial activities within the City consistent with the Comprehensive Plan.

81.1 (3): To require the adequate provision of useable open space in areas of new development

## II. GENERAL CHARACTER

### A. EXISTING CONDITIONS

#### 1. Subject Property

The Subject Property consists of approximately 3.203 acres lying at the east side of Austin Avenue, west side of North Farnsworth Avenue, and north of Mountain Street. The property is currently used for a landscaping business permitted in the county with a temporary special use permit. The property lies within the East

Aurora School District #131 boundaries. The property is currently unincorporated, and zoned F Farming District in Kane County. The City of Aurora Comprehensive Plan designates the Subject Property as low density residential / conservation, open space, recreation, drainage.

## 2. Surrounding Property

North: The surrounding incorporated parcels to the north are zoned R-1 One Family Dwelling District and the unincorporated parcels are zoned F Farming in Kane County, with single family dwelling uses, and the City of Aurora Comprehensive Plan designates the properties as low density residential.

South: The property to the south across Mountain Street is zoned B-3(S), the property is vacant, and the City of Aurora Comprehensive Plan designates the property as industrial.

East: The surrounding properties to the east are zoned R-1 One Family Dwelling District, with open space and single family dwelling uses, and the City of Aurora Comprehensive Plan designates the property as conservation, open space, recreation, drainage and industrial.

West: The surrounding incorporated parcels to the west are zoned R-1 One Family Dwelling District and the unincorporated parcels are zoned F Farming in Kane County, with single family dwelling uses, and the City of Aurora Comprehensive Plan designates the properties as low density residential and conservation, open space, recreation, drainage.

## III. DEVELOPMENT STANDARDS FOR EACH PARCEL

### A. ZONING

The Subject Property shall be divided into three 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 – R-1(S) One Family Dwelling District

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

The zoning parcel referenced within this document as Parcel A may contain up to 3.203 acres but no less than 0.918 acres. Upon approval of this document, said parcel shall be designated as R-1(S) One Family Dwelling District Zoning, with a Special Use Planned Development on the City of Aurora Zoning Map, and be regulated by the Aurora Zoning Ordinance except as modified herein, including but

not limited to the provisions for the underlying base zoning district being Section 7.5 titled R-1(S) One Family Dwelling District.

## 1.2. Statement of Intent

The One 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 single family homes with an interim use as a landscaping business.

## 1.3 Use Regulations

1. This property shall be limited to those uses permitted in the R-1 One Family Dwelling District Section 7.5, with the following modifications:
  - a. The following uses shall be permitted, until such time as the property is Final Platted for single family lots, but limited in number to:
    - (1) One Landscaping Business with Outside Storage (2910)

## 1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the R-1 One Family Dwelling District, Section 7.5, and Section 5 with the following modifications:
  - a. For a Landscaping Business with Outside Storage (2910) use Minimum setbacks shall be as follows:
    - (1) Front Yard Setback: Thirty feet (30')
    - (2) Exterior Rear Yard Setback: Thirty feet (30')
    - (3) Interior Rear Yard Setback: Ten feet (10')
    - (4) Interior Side Yard Setback: Eight feet (8')
  - b. For Single Family the lot width shall be reduced to a minimum of seventy feet (70') at the established building line.

## 2. Parcel B – OS-1(S) 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 0.753 acres. Upon approval of a Final Plat for the Subject Property, said parcel shall be designated as OS-1(S) Conservation, Open Space and Drainage District zoning, with a Special Use Planned Development on the City of Aurora Zoning Map, and be regulated by the Aurora Zoning Ordinance, including

but not limited to the provisions for the underlying base zoning district being OS-1 Section 6.4 titled Conservation, Open Space and Drainage District.

## 2.2. Statement of Intent

The 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 remain open space and drainage in the form of the Indian Creek.

## 3. Parcel C – B-2(S) Business District - General Retail

### 3.1 Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel C shall contain no more than 1.532 acres. Upon approval of a Final Plat for the Subject Property, said parcel shall be designated as B-2(S) Business District - General Retail zoning, with a Special Use Planned Development on the City of Aurora Zoning Map, and be regulated by the Aurora Zoning Ordinance except as modified herein, including but not limited to the provisions for the underlying base zoning district being B-2(S) Section 8.3 titled Business District - General Retail.

### 3.2. 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 will be developed as a commercial or retail use.

### 3.3 Use Regulations

1. This property shall be limited to those uses permitted in the B-2 Business District - General Retail, Section 8.3, with the following modifications:
  - a. The following additional uses shall be permitted:
    - (1) General contractor, or special trade contractor (off site work) (2900)
    - (2) Greenhouse, nursery, and floriculture (7100)
    - (3) Car Wash, Single Bay (2832)
    - (4) Landscaping with Outside Storage (2910)
  - b. The following uses shall be prohibited:
    - (1) Pawnshop (2160)

- (2) Used Clothing Stores (2120)
- (3) Alternative Financial Institutions (2220)
- (4) Laundromat (2610)
- (5) Tattoo Salon (2630)

c. The following additional uses shall be permitted as a special use:

- (1) Car Wash, Multiple Bay (2833)

d. The following uses shall be limited in number:

- (1) Up to one (1): Drive Through Restaurants (2530)
- (2) Up to one (1): Retail sales or service, with a Drive Through (2110)

## 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 the Aurora Sign Ordinance, with the following modifications and requirements for free standing commercial signs:
  - a. Construction: Signs must be monument style, with any combination of wood, masonry, or concrete.
  - b. Quantity: A maximum of one (1) per lot is allowed.
  - c. Area: A maximum of fifty (50) square feet per sign face is allowed.
  - d. Height: A maximum of eight (8) feet in height per sign is allowed.
  - e. Setback: Setback of a sign shall equal the height of the sign.
  - f. Lighting: Signs may be internally lit, externally lit or lit with backlit pin lettering.
  - g. Landscaping: shrubs and other landscaping materials should be planted at the base of each sign.

## 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 Section 15 of the Aurora Zoning Ordinance. Public notice shall be provided in accordance with said section 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.
6. At the time of Final Plan, Owner agrees to establish and record cross-access easement(s) with regard to commercial private drives on the Subject Property serving the adjacent properties. Owner agrees that such cross-access easements shall include the right of access by contiguous and adjoining property owners to the Farnsworth Avenue full access point reference in Section D.2 herein. Owner has the right to recover from said contiguous and adjoining property owners a proportionate share of construction and ongoing maintenance costs.

## V. LIST OF ATTACHMENTS

ATTACHMENT "A" – LEGAL DESCRIPTION OF DEVELOPMENT PARCELS  
ATTACHMENT "B" – MAP OF APPROXIMATE DEVELOPMENT PARCELS AFTER  
FINAL PLAT



ATTACHMENT "A"  
LEGAL DESCRIPTION OF SUBJECT PROPERTY

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Parcel Number(s): 15-14-427-018

Commonly known as: 759 Austin Avenue located in Kane County.

THAT PART OF THE SOUTHEAST QUARTER OF SEC110N 14, TOWNSHIP 38 NORTH, RANGE 8 EAST, OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTH 00 DEGREES 27 MINUTES 50 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14; 417.54 FEET TO A LINE LYING 417.54 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED NORMAL TO) THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTH 89 DEGREES 38 MINUTES 18 SECONDS WEST, PARALLEL WITH (AS MEASURED NORMAL TO) THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SEC110N 14, 40.00 FEET TO THE WEST LINE OF FARNSWORTH AVENUE FOR THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 27 MINUTES 50 SECONDS EAST, ALONG THE WEST LINE OF SAID FARNSWORTH AVENUE, 369.33 FEET TO THE NORTH LINE OF H. THIELMAN SUBDIVISION; THENCE SOUTH 89 DEGREES 48 MINUTES 15 SECONDS WEST, ALONG THE NORTH LINE OF SAID H. THIELMAN SUBDIVISION AND SAID NORTH LINE EXTENDED WESTERLY, 365.06 FEET TO THE WESTERLY LINE OF AUSTIN AVENUE; THENCE NORTH 26 DEGREES 41 MINUTES 31 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID AUSTIN AVENUE, 411.01 FEET TO A LINE 417.54 FEET SOUTHERLY OF AND PARALLEL WITH (AS MEASURED NORMAL TO) THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 38 MINUTES 18 SECONDS EAST, ALONG SAID PARALLEL LINE, 546.70 FEET TO THE POINT OF BEGINNING.

ATTACHMENT "B"  
MAP OF APPROXIMATE DEVELOPMENT PARCELS AFTER FINAL PLAT

Location Map (1:5,000):

