

EXHIBIT "B"

A PLAN DESCRIPTION FOR FOX VALLEY APARTMENTS- TODD SCHOOL
LOCATED 100 OAK AVENUE
CONSISTING OF 0.91 ACRES

A Plan Description for the property at 100 Oak Avenue with R-5(C) Multiple-Family Dwelling District with a Conditional Use Planned Development for the Fox Valley Apartments-Todd School Development Pursuant to Article VI of Chapter 34 and Section 104.3-4 of Chapter 49 (Zoning Ordinance) of the Code of Ordinances, City of Aurora.

I. QUALIFYING STATEMENTS

A. PURPOSE

This Conditional Use Planned Development has evolved to assist the Aurora Planning and Zoning 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 Sec. 34-602 of Chapter 34 Code of Ordinance, City of Aurora. 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:

- 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.
- 12.0 To plan and provide for the growth of the city through the integration of land use patterns and functions that promotes complementary interactions between different land use components.
- 12.1(3) To encourage residential development in close proximity to places of work, shopping and recreation
- 14.1 (3) To protect, preserve and restore the historical and architectural heritage of the City.
- 20.0 To insure the provision of decent housing and a quality living environment for every resident of Aurora
- 21.1 (1) To promote access to housing opportunities for all economic, racial, religious, ethnic and age groups.
- 21.1(2) To promote a wide variety of housing types.
- 21.1 (3) To promote housing in all price ranges for purchase or rent.
- 22.1 (5) To recognize the unique characteristics of individual neighborhoods and promote their positive attributes.

- 23.1 (7) To encourage that adaptive reuse of commercial and industrial structures to housing where such conversions are economically feasible, supportive of revitalization efforts, and consistent with the land use plan.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 0.91 acres lying at the northwest corner of W. New York Street and Oak Avenue. The building was built in 1934 as an elementary school named Mary A. Todd School. It is currently vacant but was used as an early childhood education center until 2019. The property lies within the West Aurora School District #129 boundaries. The property is currently zoned R-3 (C) One-Family Dwelling District with a Conditional Use. The City of Aurora Comprehensive Plan designates the Subject Property as Public.

2. Surrounding Property

North: The surrounding property to the north is zoned R-4 Two-Family Dwelling District and R-5 Multi-Family Dwelling District, with two-family (1120) and multi-family (1140) uses, and the City of Aurora Comprehensive Plan designates the property as Low Density Residential.

South: The surrounding property to the south is zoned B-1 Business District-Local Retail, with a bank (2200) use, and the City of Aurora Comprehensive Plan designates the property as Office.

East: The surrounding property to the east is zoned B-2 Business District-General Retail, with restaurants (2500) and multi-family (1140) uses, and the City of Aurora Comprehensive Plan designates the property as Office.

West: The surrounding property to the west is zoned R-3 One-Family Dwelling District, with one-family (1110) and multi-family (1140) uses, and the City of Aurora Comprehensive Plan designates the property as Low Density Residential.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

The Subject Property shall be divided into one 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-5 Multiple-Family Dwelling District

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately 0.91 acres. Upon approval of this document, said property shall be designated as R-5(C) Multiple-Family Dwelling District with a Conditional Use Planned Development on the City of Aurora Zoning Map, and be regulated by Chapter 49 except as modified herein, including but not limited to the provisions for the underlying base zoning district being Section 107.10 titled Multi-Family District.

1.2. Statement of Intent

The R-5 Multiple-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 a multi-family (1140) use specifically as 11 workforce housing units and a Social Service Agencies, Charitable Organizations, Health Related Facilities, and similar uses when not operated for pecuniary profit (6630) use specifically being for a not-for-profit healthcare provider serving the needs of the students at West Aurora School District and their families. Access to the property will be Grand Avenue and Spruce Street.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the R-5 Multiple-Family Dwelling District, Section 107.10-4, with the following modifications:

- a. The following additional uses shall be permitted:
 - (1) Social Service Agencies, Charitable Organizations, Health Related Facilities, and similar uses when not operated for pecuniary profit (6630) use limited to 5,014 square feet

1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the R-5 Multi-Family Zoning district, Section 107.10-5, and Section 105 with the following modifications:
 - a. Minimum setbacks shall be as follows:
 - (1) W. New York Street: Three feet (3')
 - (2) Grand Avenue: Three feet (3')
 - (3) Spruce Street: Three feet (3')

- (4) Oak Avenue: Zero feet (0')
- b. Lot Size
 - (1) There shall be no minimum lot size.
 - (2) There shall be no minimum lot width.
- c. Lot Coverage
 - (1) There shall be no maximum lot coverage per individual zoning lot.
- d. All parking and loading shall be pursuant to Section 105.13., "Off-Street Parking and Loading" of Chapter 49 with the following exception(s):
 - (1) Structure 2100: Business or professional offices, including financial institutions should have a minimum of 1 space per 400 square feet
 - (2) Unenclosed parking spaces by be closer than ten (10) feet to the principal building.
 - (3) A Parking Management Plan shall be provided to the city that requires parking permits for all residents' vehicles. The number of parking permits shall not exceed the number of individual spaces within the development. Said Parking Management Plan shall be provided to all new residents within the development explaining the Parking Management Plan as part of the lease agreement.
- e. Building, Dwelling and Structure Standards
 - (1) Individually accessible balcony, deck and/or patio for each dwelling unit is not required
 - (2) Residential dwelling units shall be permitted on the first at grade level
 - (3) Parking facilities shall not be required to be within the primary structure and no minimum enclosed parking spaces shall be required
- f. Landscaping
 - (1) Landscaping requirement may be reduced by 50 percent (50%)

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. 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 Code of Ordinances, City of Aurora, titled Sign Ordinance, with the following modifications and requirements for free standing signs:
 - a. Construction: New Signs must be monument style, with any combination of wood, masonry, or concrete.
 - b. Quantity: A maximum of two (2) sign(s) are allowed
 - c. Area: A maximum of fifty (50) square feet per sign face is allowed.
 - d. Height: A maximum of five (5) 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.

C. PUBLIC IMPROVEMENTS

1. 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 Code 43-55(a)3.

D. OWNER/DEVELOPER RESPONSIBILITY

1. All historically significant artwork, including murals and sculptures, shall be preserved pursuant to the Intergovernmental Agreement between the City of Aurora and West Aurora School District 129 passed by Resolution R20-326 on December 22, 2020 and the Memorandum of Understanding passed by Resolution R19-206 on June 25, 2019 and pursuant to the Redevelopment Agreement (RDA).
2. If historically significant artwork is removed, Developer agrees to allow the removal of said artwork contained in the property. Developer shall provide access to the building for such removal. The Developer shall in good faith work with the City on a reasonable timeframe for such removal and potential future reinstallation. All artwork shall be removed using a professional with knowledge of art removal in a manner that will not damage the art.
3. If historically significant artwork is not removed, Developer agrees that all artwork shall be restored using a professional with knowledge of art conservation, specifically familiar with conservation of murals.

IV. REQUESTED MODIFICATIONS AND EXCEPTIONS TO THE AURORA BUILDING CODE

1. Building Code Amendment 1107.6.2 #1 In-Unit Laundry

Allow common space laundry in lieu of in-unit laundry as amended for R-2 dwelling units.

2. Building Code Amendment 2801.1.1 Natural Gas Service
Allow for a single gas meter for entire building in lieu of independent meter per R-2 dwelling unit.
3. Building Code Amendment 2901.1.2 Domestic Water Service
Allow for single main for domestic water for entire building in lieu of meters individually serving and privately metering each R-2 dwelling unit.

V. 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 Code of Ordinances, City of Aurora. 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 A

Parcel Number(s): 15-22-159-001

Commonly known as: 100 Oak Avenue located in Kane County.

LOTS 1 THROUGH 4 IN BLOCK 8 OF GALE'S ADDITION TO AURORA, IN THE
CITY OF AURORA, KANE COUNTY ILLINOIS.

ATTACHMENT "B"
MAP OF DEVELOPMENT PARCELS

Location Map (1:1,000):

