

City of Aurora

Development Services Department | Zoning and Planning Division

44 E. Downer Place | Aurora, IL 60505

Phone: (630) 256-3080 | Fax: (630) 256-3089 | Web: www.aurora-il.org



Land Use Petition

Subject Property Information

Address / Location: East of Raddant Road between Sonoma Lane and Moorehead Drive

Parcel Number(s): 12-35-400-003; 12-35-400-004; 12-35-200-037

Petition Request

Requesting the Establishment of a Conditional Use Planned Development on the property located east of Raddant Road between Sonoma Lane and Moorehead Drive;

Requesting approval of a Preliminary Plan and Plat for Harvest Lane Subdivision, located east of Raddant Road between Sonoma Lane and Moorehead Drive, for an One Family Dwelling (1110) Use

Attachments Required

(a digital file of all documents is also required)

Development Tables Excel Worksheet - digital only (1-0)
Word Document of: Legal Description (2-1)

Preliminary Engineering Plans
Wetland Report
Project Information Sheet
Stormwater Permit Worksheet &
Application & SW Report
Soil Investigation Report
Drain Tile Survey
Traffic Impact Study
Fire Access Plan

Two Paper and pdf Copy of:
Word Doc and PDF of Plan Description
(2-18)
Preliminary Plan (2-8)
Preliminary Plat (2-9)
Preliminary Elevations

One Paper and pdf Copy of:
Qualifying Statement (2-1)
Plat of Survey (2-1)
Legal Description (2-1)
Letter of Authorization (2-2)
Existing or Proposed CC and Rs OR Lease Restrictions
(2-1)

Petition Fee: \$ 2,766.50

Payable to: City of Aurora

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: _____

Date 11/14/2024

Print Name and Company: ANDY STERN, DIVISION PRESIDENT - DULTE HOME COMPANY, LLC

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 14TH day of NOVEMBER.

State of IL)

) SS

County of COOK)

NOTARY PUBLIC SEAL

Notary Signature _____



Project Contact Information Sheet

Project Number: 2023.076

Petitioner Company (or Full Name of Petitioner): SR Jacobson

Owner

First Name: Marmion Initial: Last Name: Title: Mr.
Company Name: Andrew E. Kolb, Esq.
Job Title: Attorney
Address: 1000 Butterfield Road
City: Aurora State: IL Zip: 50502
Email Address: akolb@vklawfirm.com Phone No.: (630) 887-1705 Mobile No.:

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Owner
Company Name: Pulte Group
First Name: Matt Initial: Last Name: Brolley Title: Mr.
Job Title: Division Director of Entitlements: Illinois Division
Address: 1900 E Golf Rd #300
City: Schaumburg State: IL Zip: 60173
Email Address: matt.brolley@pultegroup.com Phone No.: 847-230-5400 Mobile No.: 630-777-2973

Additional Contact #1

Relationship to Project: Engineer
Company Name: CEMCON, LTD.
First Name: Mark Initial: Last Name: Scacco Title:
Job Title: Project Manager
Address: 2280 White Oak Circle
City: Aurora State: IL Zip: 60502
Email Address: mark.scacco@cemcon.com Phone No.: 630-862-2100 Mobile No.:

Additional Contact #2

Relationship to Project:
Company Name:
First Name: Initial: Last Name: Title:
Job Title:
Address:
City: State: Zip:
Email Address: Phone No.: Mobile No.:

Additional Contact #3

Relationship to Project:
Company Name:
First Name: Initial: Last Name: Title:
Job Title:
Address:
City: State: Zip:
Email Address: Phone No.: Mobile No.:

Additional Contact #4

Relationship to Project:
Company Name:
First Name: Initial: Last Name: Title:
Job Title:
Address:
City: State: Zip:
Email Address: Phone No.: Mobile No.:

Filing Fee Worksheet

Project Number: 2023.076

Petitioner: SR Jacobson

Number of Acres: 21.02

Number of Street Frontages: 1.00

Non-Profit 0

Linear Feet of New Roadway: 66

New Acres Subdivided (if applicable): 21.02

Area of site disturbance (acres): 21.02

Filing Fees Due at Land Use Petition:

| | | |
|-------------|---|-------------|
| Request(s): | Conditional Use Plan Description/Revision | \$ 1,440.80 |
| | Preliminary Plan & Plat | \$ 1,310.70 |
| | Public Hearing Notice Sign(s) | \$ 15.00 |
| | | |
| | | |
| | | |

Total: **\$2,766.50**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By: Jill N Morgan

Date: 11/8/2024

B. LEGAL DESCRIPTION OF DEVELOPMENT PARCEL

THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 419.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST 1044.28 FEET TO THE EAST LINE OF RADDANT ROAD DEDICATED PER DOCUMENT 96K024895; THENCE NORTH 00 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID EAST LINE 916.62 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST, 958.26 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2, RECORDED AS DOCUMENT NO. 97K000622; THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 91 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET ALONG THE SOUTH LINE OF LOT 91 IN SAID SUBDIVISION TO THE NORTHWEST CORNER OF LOT 93 IN SAID SUBDIVISION; THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 2 AND THE WEST LINE OF AFOREMENTIONED KIRKLAND FARMS UNIT 1, 736.37 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

B. LEGAL DESCRIPTION OF DEVELOPMENT PARCEL

THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 419.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST 1044.28 FEET TO THE EAST LINE OF RADDANT ROAD DEDICATED PER DOCUMENT 96K024895; THENCE NORTH 00 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID EAST LINE 916.62 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST, 958.26 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2, RECORDED AS DOCUMENT NO. 97K000622; THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 91 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET ALONG THE SOUTH LINE OF LOT 91 IN SAID SUBDIVISION TO THE NORTHWEST CORNER OF LOT 93 IN SAID SUBDIVISION; THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 2 AND THE WEST LINE OF AFOREMENTIONED KIRKLAND FARMS UNIT 1, 736.37 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

October 9th, 2024

From:

Marmion, an Illinois not-for-profit corporation
1000 Butterfield Road
Aurora, IL 60502

Via Attorney for Owner:

Andrew E. Kolb, Esq.
Vanek, Larson & Kolb, LLC
200 W. Main Street
St. Charles, IL 60174
Phone: (630) 513-9800 (ext. 2024)
Email: akolb@vklawfirm.com; kelly@vklawfirm.com

To:

City of Aurora, Planning and Zoning Division
44 E. Downer Place,
Aurora, IL 60507
630-256-3080
Email: coaplaning@aurora-il.org

Re: Authorization Letter for Parcels 12-35-200-037 and 12-35-400-004, , east of Raddant Road, north of Butterfield Road,

To whom it may concern:

As the record owner of the above stated property, I hereby affirm that I have full legal capacity to authorize S.R. Jacobson Development Corp. and its representatives, to act as the owner's agent through the Rezoning and Land Use Petition process with the City of Aurora for said property.

Signature: Albert Joel Ryzinger, D.S.B.

Date 10/9/2024

Title: Chairman

SUBSCRIBED and SWORN to before me this 9th day of October, 2024

Notary Signature

Ophelia L. Hernandez



STATE OF ILLINOIS)
)
COUNTY OF KANE)
)
CITY OF AURORA)

PETITION TO THE CITY OF AURORA

THE UNDERSIGNED Petitioner, Pulte Home Company, LLC (hereinafter the “**Petitioner**” or “**Pulte**”), a Michigan limited liability company, respectfully submits this Petition to the City of Aurora (“**City**”) for i) approval of a Preliminary Plat of Subdivision (“**Preliminary Plat**”); ii) approval of a Preliminary Plan (“**Preliminary Plan**”); iii) approval of a major change to a plan description; iv) approval of an amended plan description; v) approval of a conditional use for a planned development; vi) approval of a rezoning from R-1(S) to R-2(S) and OS-1(C); and vii) approval of such other relief to the City of Aurora’s Municipal Code (hereinafter the “**Code**”) as may be deemed necessary and appropriate to develop the property legally described on **Exhibit A** (“**Subject Property**”) and depicted on the Preliminary Plat submitted herewith as **Exhibit B**.

BACKGROUND INFORMATION

1. The Owner of the Subject Property is Marmion, Inc., an Illinois not-for-profit corporation having an address of 1000 Butterfield Rd. Aurora, IL 60502 (“**Owner**”).

2. The contract purchaser of the Subject Property and Petitioner herein is Pulte Home Company, LLC, a Michigan limited liability company having an office at 1900 E. Golf Road, Suite 300, Schaumburg, IL 60173.

3. The Subject Property consists of approximately twenty-one (21) acres located at the northeast corner of Butterfield Road and Raddant Road in the City of Aurora, County of Kane, State of Illinois.

4. The existing land uses surrounding the Subject Property are as follows:

- a. North: “F” Farmland in Unincorporated Kane County (single-family home)

- b. East: R-1(S) – Kirkland Farms subdivision
- c. South: R-1(S) – Vacant
- d. West: R-1(S) – The Vineyards subdivision

5. The Subject Property was annexed to the City by Ordinance No. 095-40, “An Ordinance Annexing Certain Property Generally Located Along Butterfield Road, East of Hart Road, Commonly Known as the Marmion Academy to the City of Aurora Pursuant to an Approved Annexation Agreement 1000 Butterfield Rd.”, which was recorded on September 22, 1995 as Document No. 95K055921.

6. The Subject Property was annexed subject to an Annexation Agreement per Ordinance No. 095-39 passed June 20, 1995, “An Ordinance Providing for the Execution of an Annexation Agreement with the Owners of Record of Territory Which May Be Annexed to the City of Aurora and Which is Located Along Butterfield Road, East of Hard Road, Commonly Known as the Marmion Academy” (“**Annexation Agreement**”), which Annexation Agreement has expired.

7. The Subject Property was annexed as part of a larger tract of land consisting of approximately two hundred eighty-seven (287) acres comprising Marmion Academy, a not-for-profit high school for young men (“**Marmion**”).

8. The Subject Property was established as a planned development pursuant to a plan description and preliminary plan as set forth in Ordinance No. 095-41 passed on June 20, 1995, “An Ordinance Establishing a Planned Development, Approving a Plan Description for the Marmion Academy, and Approving a Preliminary Plan Pursuant to the Terms of Said Plan Description” (“**Plan Description**”).

9. The original intent for the Subject Property per the Plan Description was for an

abbey and secondary school and additionally for the growing of evergreen trees and other agricultural products, for a religious retreat house, for faculty and staff housing, for catering service, and for the maintenance of small domestic animals and bees.

10. The Plan Description designates the land use zoning district for the Subject Property as R-1(S).

11. The Subject Property is no longer necessary or accretive to Marmion's operation of an abbey and secondary school. As such, Owner desires to sell, and Petitioner seeks to acquire, the Subject Property.

12. Petitioner seeks an amendment to the Plan Description to rezone the Subject Property to R-2(S) and OS-1(C) as depicted on the Preliminary Plat to facilitate the Subject Property's development with a residential use.

13. Petitioner's proposed amendment to the Plan Description for the Subject Property, a copy of which is attached hereto as **Exhibit C ("Amended Plan Description")**, will facilitate Petitioner's development thereof.

14. The Amended Plan Description will permit the Petitioner to develop the Subject Property with fifty-nine (59) single-family detached homes, which subdivision is to be known as Harvest Point ("**Harvest Point**").

15. The proposed entitlement requests meet all City and State requirements for the development of property and will facilitate the beneficial use of the Subject Property as stated below.

QUALIFYING STATEMENT

The Petitioner and builder is Pulte Home Company, LLC. Pulte is a multi-brand

homebuilding company capable of serving homeowners during all phases of life. Pulte has been building homes in the Chicago area since the 1960s, bringing decades of construction and development experience to each project. Petitioner has found success building communities that offer quality housing options designed to serve the diverse needs of the local community, and Petitioner looks forward to providing a new housing option for Aurora's existing residents as well as those that would like to live in a well-respected municipality with excellent schools and park facilities.

Petitioner seeks to develop Harvest Point with fifty-nine (59) traditional detached single-family residences. Harvest Point will consist of Petitioner's "Meadows" series of homes, which is Petitioner standard home line-up consisting of 40'-wide homes situated on 55'-wide lots. The Meadows were recently offered in the Lincoln Crossing subdivision located east of the intersection of Eola Road and US Route 30 in the City of Aurora and were received with overwhelming success.

It has been Pulte's experience in recent years that in the single-family residential market, homebuyers are interested in smaller lots, reducing the time and money spent on maintenance and upkeep of larger lots. Families lead much busier lives and choose to spend time and money on other activities and products rather than the upkeep of a large yard. In fact, over the last ten (10) years, and especially since the COVID pandemic, minimum lot sizes in Pulte's residential subdivisions have been steadily decreasing. Instead, there is increased purchaser demand for more options associated with the livability of the home, including sunrooms, smart home upgrades, upgraded flooring, gourmet kitchens, upgraded bathroom options, and less yard.

The proposed development and Meadows Series reflect this market demand, offering different entrance points for prospective purchasers based on home/lot size and price. The

Meadows Series will feature 5 floor plan options, each with four or five different elevations to provide a diversity of architecture along the streetscape. The architecture is modern American, blending a variety of design features to create attractive facades. The community will feature homes based on traditional styling that includes farmhouse, low country, heritage, and craftsman designs.

The use of professional landscaping design and materials will enhance the overall aesthetics of the development. Landscaping materials will include a mix of parkway trees, decorative trees and shrubs and other landscape materials, improving the aesthetics of Harvest Point. Generous perimeter yards will provide the opportunity for landscape buffering, including a large setback between Raddant Road and the homes on the west side of the development.

Large stormwater detention basins will be positioned along the southern and eastern perimeters of the development to provide a significant buffer between Harvest Point, future development, and the homes in the Kirkland Farms subdivision. The stormwater management facilities have been designed efficiently to provide sufficient stormwater storage for Harvest Point. Fox Metro sanitary sewer and potable water are available in the requisite capacity to serve Harvest Point.

The Subject Property will be located in close proximity to key transportation corridors including Butterfield Road, and I-88 will be easily accessible for commuting residents. Access to Harvest Point will be from the west via two access points from Raddant Road. Both access points have been aligned with the access points to the Vineyards subdivision to the west, consistent with best engineering practices. The curvilinear roadway internal to the Harvest Point development will be dedicated to the City and is designed to circulate traffic efficiently and safely. As part of the Harvest Point development, sidewalks throughout Harvest Point will provide interconnectivity and

walkability within the neighborhood. The future residents will benefit from the development's proximity to shopping districts, recreational amenities, and employment centers. Within a 3-mile radius, there are a large variety of retail establishments, groceries, restaurants, entertainment opportunities, and recreational amenities. Nearby employment corridors will offer future residents the additional feature of conveniently located employment opportunities.

Harvest Point will be an appropriate use along a major collector roadway corridor like Raddant Road and will complement the existing Vineyards and Kirkland Farms subdivisions to the east and west. Further, residential development is a natural use in close proximity to the Marmion Academy, providing prospective students and families with reduced transportation costs. The proposed homes will also help support the existing commercial and retail uses at the intersection of Butterfield Road and Kirk Road, which uses include a Walmart Supercenter, Walgreens, Jersey Mike's Subs, Wendy's, Sonic restaurant, Anytime Fitness, Space Saver Self Storage, and the PRIDE gas station.

STANDARDS

I. The Qualifying Statement shall provide information on how the proposal relates to the following standards:

a. The public health, safety, morals, comfort or general welfare.

It is essential to the public health, comfort, safety, convenience and general welfare to provide diverse housing types and additional housing stock to accommodate the needs of Aurora's growing population to support the residents of the City and surrounding areas. While the Subject Property has been annexed and zoned for nearly 30 years, the Subject Property remains undeveloped and is no longer necessary or accretive to Marmion's operations. The proposed Plan Description Amendment will facilitate development of the Subject Property to its highest and best

use with fifty-nine (59) single-family detached homes.

The proposed development is consistent and compatible with the surrounding uses, including the Vineyards and Kirkland Farms subdivisions to the east and west and single-family home to the north. Residential development is also a natural use in close proximity to schools such as Marmion, providing reduced transportation costs for prospective students and families. Further, the development's close proximity to the nearby commercial uses will help support the existing retail and commercial uses at the intersection of Butterfield Road and Kirk Road, enhancing the City's revenue streams through new property, utility, and sales taxes.

b. The use and enjoyment of other property already established or permitted in the general area.

The development of Harvest Point as a single-family detached residential community will not have a negative effect on the use or enjoyment of the other property in the general area. The Subject Property was annexed to the City in 1995 as part of a larger tract of land comprising the Marmion Academy. The initial intent for the Subject Property was for an abbey and secondary school and additionally for the growing of evergreen trees and other agricultural products, for a religious retreat house, for faculty and staff housing, for catering service, and for the maintenance of small domestic animals and bees. However, the Subject Property is no longer necessary or accretive to Marmion's operations and remains vacant and undeveloped under its current land use designation, contributing little to Marmion, the community, or the surrounding properties. Re-designating the Subject Property for residential development, including 59 single-family detached homes, will provide for the highest and best use of the Subject Property complementary to the residential nature of the area. In addition, the proposed development will help support the existing commercial and retail uses along Butterfield Road, increase the City's workforce, and enhance the City's revenue streams through new property, utility, and sales taxes.

The use of professional landscaping design and materials will be utilized to enhance the overall aesthetics and visual appeal of the community, including a mix of parkway trees, shade trees and shrubs. The landscape design enhancements will include decorative plantings around the perimeter of the Subject Property. Landscape buffers will be provided throughout and around the perimeter of the community to create the feel of a residential enclave. Large stormwater detention basins will be positioned along the southern and eastern perimeter of the development to provide a significant buffer between Harvest Point, future development, and the homes in the Kirkland Farms subdivision.

c. Property values within the neighborhood.

Petitioner's development of the Subject Property will not be a detriment to the property values within the neighborhood. Rather, the development of Harvest Point will improve the City's housing stock, serve under-represented demographics, and create new revenue streams through property, utility, and sales taxes. Harvest Point will preserve and increase property values by developing a property which has historically been vacant and will eliminate uncertainty with development of the Subject Property. Given the proposed development's location and proximity to nearby retail uses, the development will support the nearby retail and commercial uses.

d. The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts.

The Development is consistent with the normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts. The Subject Property was annexed to the City in 1985 as part of the larger tract of land comprising the Marmion Academy. However, the Subject Property is no longer necessary or accretive to Marmion's operation of an abbey and secondary school and remains vacant and undeveloped under the Subject Property's current land use designation set forth in the Plan

Description. The proposed amendment to the Plan Description to redesignate the Multifamily Residential Property to R-2(S) and OS-1(C) is consistent with the adjacent residential uses. With the Vineyards subdivision to the west, the Kirkland Farms subdivision to the east, and a single-family home to the north, the proposed development will be a natural and complementary addition to the area.

e. Utilities, access road, drainage and/or other necessary facilities.

City water is available to the Subject Property in the requisite capacity to serve Harvest Point. Fox Metro Water Reclamation District sanitary sewer will be able to service the Subject Property. Two stormwater management facilities will be located along the south and east perimeter of the development. These detention facilities have been designed efficiently to provide sufficient stormwater storage for Harvest Point. Sufficient access to Harvest Point will be provided from the west via two access points along Raddant Road. Both entrances to Harvest Point have been aligned with the access points to the Vineyards subdivision to the west, consistent with best engineering practices.

f. Ingress and egress as it relates to traffic congestion in the public streets

Sufficient ingress and egress access points will be provided from the west via two access points from Raddant Road. KLOA performed a Traffic Report dated October 10, 2024 (“**Traffic Report**”), which Traffic Report has been included with the submittal material. The Traffic Report found that the ingress and egress points are sufficient for Harvest Point, concluding:

- The existing roadway system will have sufficient reserve capacity to accommodate the traffic that will be generated by the proposed development and no additional roadway improvements and/or traffic control modifications are required; and
- The proposed access system will adequately accommodate site-generated traffic and ensure that efficient and flexible access to and from the site is provided.

- g. *The applicable regulations of the zoning district in which the subject property is proposed to be or is located.*

Except for the variance requests set forth below, the Preliminary Plan and Plat and Amended Plan Description for Harvest are consistent with the proposed R-2(S) and OS-1(C) zoning designations for the Subject Property. The stated purpose of the R-2 zoning designation is to provide the City with a wide range of quality housing opportunities by providing single-family areas of a medium-density character. Likewise, the stated intent and purpose of the OS-1 zoning district is to regulate and protect public and private drainage area, stormwater management facilities and passive open space. The intent of the proposed Amended Plan Description is to re-designate the land use designation to facilitate the development of a medium density (2.8 du/acre) single-family detached residential community consistent with the intent of the R-2 zoning district. Further, two stormwater management facilities will be located along the south and east perimeter of the development to efficiently provide sufficient stormwater storage for Harvest Point.

- h. *A bullet point list of any variances, modifications or exceptions that you are seeking from the City's Codes and Ordinances.*

Petitioner respectfully requests the following variances and modifications:

- A variance to Section 47-107.6(e)(5)(a) to permit a minimum lot area of 6,875 square feet.
- A variance to Section 47-107.6(e)(5)(b) to permit a minimum lot wide of 55 feet.
- A variance to Section 47-107.6(e)(6) to permit a maximum lot coverage of 48%.
- A variance to Section 47-107.6(e)(11) to permit the following setbacks:
 - Front Yard: 25'
 - Side, exterior (corner lot): 15'
 - Side, exterior (reverse corner lot): Not applicable.
 - Side, interior: 6'
 - Rear: 25'

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests i) approval of a Preliminary Plat of Subdivision; ii) approval of a Preliminary Plan; iii) approval of

a major change to a plan description; iv) approval of an amended plan description; v) approval of a conditional use for a planned development; vi) approval of a rezoning from R-1(S) to R-2(S) and OS-1(C); and vii) approval of such other relief to the City of Aurora's Municipal Code as may be deemed necessary and appropriate to develop the Subject Property.

RESPECTFULLY SUBMITTED this 27th day of November, 2024

PETITIONER:

PULTE HOME COMPANY, LLC
A Michigan limited liability company

A handwritten signature in black ink, appearing to read "Rosanova & Whitaker", written over a horizontal line.

Rosanova & Whitaker, Ltd.
Attorney for the Petitioner

EXHIBIT A
LEGAL DESCRIPTION

THAT PART OF THE EAST HALF OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF KIRKLAND FARMS SUBDIVISION UNIT 1, RECORDED AS DOCUMENT NUMBER 95K074038, SAID POINT ALSO BEING ON THE NORTH LINE OF SAVANNAH CROSSINGS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 2007K066321; THENCE NORTH 02 DEGREES 12 MINUTES 24 SECONDS WEST ALONG THE WESTERLY LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 1, 419.92 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 24 MINUTES 42 SECONDS WEST 1044.28 FEET TO THE EAST LINE OF RADDANT ROAD DEDICATED PER DOCUMENT 96K024895; THENCE NORTH 00 DEGREES 38 MINUTES 30 SECONDS WEST ALONG SAID EAST LINE 916.62 FEET TO THE SOUTH LINE OF LAND DESCRIBED IN WARRANTY DEED DOCUMENT NO 91K27434; THENCE NORTH 89 DEGREES 18 MINUTES 51 SECONDS EAST, 958.26 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF KIRKLAND FARMS SUBDIVISION UNIT 2, RECORDED AS DOCUMENT NO. 97K000622; THENCE SOUTH 00 DEGREES 04 MINUTES 19 SECONDS EAST, 163.11 FEET, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF LOT 91 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS EAST, 67.39 FEET ALONG THE SOUTH LINE OF LOT 91 IN SAID SUBDIVISION TO THE NORTHWEST CORNER OF LOT 93 IN SAID SUBDIVISION; THENCE SOUTH 02 DEGREES 12 MINUTES 24 SECONDS EAST ALONG THE WEST LINE OF SAID KIRKLAND FARMS SUBDIVISION UNIT 2 AND THE WEST LINE OF AFOREMENTIONED KIRKLAND FARMS UNIT 1, 736.37 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

EXHIBIT B
PRELIMINARY PLAT OF HARVEST POINT

EXHIBIT C
AMENDED PLAN DESCRIPTION

A Plan Description Amendment for **Part of** Property of Marmion
for **Development of Harvest Point**
Special Use Planned Development Pursuant to
Section 14.6-7 of the Aurora Zoning Ordinance

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| Attachment “C” – Required Components of Final Site Plan | |

A Plan Description Amendment for Part of Property of Marmion
For Development of Harvest Point
Special Use Planned Development Pursuant to Section 14.6-7
of the Aurora Zoning Ordinance

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 those existing 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. The obligations of the Developer shall be deemed satisfied upon the City's acceptance of public improvements and release of any associated maintenance guaranty.

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.

It is the intent of ~~this document~~ the Marmion Plan Description is to promote and protect the public health, safety, morals, comfort and general welfare of this area; and

This Amendment to the Marmion Plan Description is intended to facilitate the development of certain property (the "Subject Property"), being located east of Raddant Road and comprising approximately 21.02 acres, which is not core to Marmion's continued operation for an abbey and secondary school. The Subject Property is legally described in Exhibit - -. This Amendment applies only to the Subject Property.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS.

1. Subject Property is used principally for an abbey, and secondary school.
2. Surrounding Property is largely ~~agricultural to the north and east and residential to the west and south~~ residential to the north, east, and west. The property to the south, which is also part of the Marmion Plan Description, is agricultural but subject to a proposed amendment to the Marmion Plan Description to facilitate residential development thereof.

B. EXISTING ZONING CLASSIFICATIONS.

1. Subject Property is zoned ~~Kane County Agricultural~~ R-1(S) in the City of Aurora as part of the Marmion Plan Description.
2. ~~Surrounding Property is zoned either Residential, Farming or Office-Research as indicated above.~~
Property to the north of the Subject Property is not located in the City of Aurora
Property to the south, east, and west of the Subject Property is located in the City of Aurora and is zoned R-1(S).

C. COMPREHENSIVE PLAN.

1. Subject Property is quasi-public.
2. Surrounding Property is residential to the north and east and office-research industrial to the south.

III. DEVELOPMENT STANDARDS FOR EACH LAND USE PARCEL

A. ZONING.

~~The Development shall not be~~ Subject Property shall be divided into ~~multiple~~ two "Parcels." The Parcel's use designation and size is as follows:

A-1.1. Parcel One.

~~Parcel One, referenced as such within this document and on the Concept Plan attached hereto, is approximately 287.040 acres designated as "Parcel One." Upon approval of this document, Parcel One shall be designated as R-1(S) on the City of Aurora Zoning Map.~~

Parcel One is comprised of 15.11 acres. Parcel One comprises that part of the Subject Property that shall be developed for single family detached homes. Upon approval of this Amendment, Parcel One shall be designed as R-2(S) on the City of Aurora Zoning Map.

A-1.2. Statement of Intent.

~~Subject property is intended to be used principally for an abbey and secondary school and additionally for the growing of evergreen trees and other agricultural products, for a religious retreat house, for faculty and staff housing, for catering service, and for the maintenance of small domestic animals and bees.~~

This Amendment is intended to facilitate single family detached residential development on a portion of property that is no longer necessary or accretive to the operation of an abbey and secondary school on portions of the Marmion property located west of Raddant Road.

A-1.3. Specific Parcel Rules and Definitions.

The sections of this Plan Description pertaining to Signs, Landscaping and Screening, and Parking and Loading may contain reasonable variations from the approved plan description provided that such variations do not reduce the area set aside for common open space by more than five percent or increase or decrease by more than ten percent the criteria outlined in Section A-1.5 b, c, and d below. None.

A-1.4. Permitted Uses.

One family dwelling

MARMION ABBEY:

- _____ Religious Monastery
- _____ Private Cemetery
- _____ Automobile Garage
- _____ Church (to be constructed)
- _____ Retreat House (to be constructed)

MARMION ACADEMY:

- _____ Secondary School, Day and Resident Students:
- _____ Administration and Library Building
- _____ Classroom Building
- _____ Dining Hall
- _____ Residence Hall
- _____ Utilities Building
- _____ Garage/Maintenance Building
- _____ Performing Arts Building (future)

Athletic Facilities:

- _____ Indoors:
- _____ Gymnasium Building
- _____ Natatorium Building
- _____ Weight Training Room
- _____ Rifle Range
- _____ Locker Rooms
- _____ Field House (future)

Outdoors:

- _____ Stadium (night lighting future)
- _____ Baseball Fields
- _____ Tennis Courts
- _____ Practice Fields
- _____ Cross Country Course
- _____ Sand Volleyball Courts

~~_____ Athletic Storage Buildings~~
~~_____ Hockey Rink (future)~~
~~_____ Soccer Field~~

~~_____ Catering Services:~~
~~_____ Private non-profit social events~~
~~_____ Public for-profit events~~
~~_____ Liquor licenses may be permitted in accordance with the Aurora Liquor Control Ordinance.~~

~~_____ Faculty/Staff Residences~~

~~_____ MARMION ABBEY FARM:~~
~~_____ Christmas Tree Farm~~
~~_____ Grain Farm~~
~~_____ Apiary (honey bees)~~
~~_____ Domestic small animals (chickens)~~

~~_____ Any other similar type use not specifically permitted herein but which is compatible with the established uses listed above.~~

~~_____ ACCESS ROADS AND PARKING~~

~~_____ LANDSCAPED OPEN SPACE, RETENTION POND AND HIGHWAY BERM (future).~~

A-1.5. General Provisions.

The development of this Parcel Parcel One shall be governed by the provisions of the Aurora Zoning Ordinance by specific references to Section 49-107.6 R-2 One-Family Dwelling District R-1, “Single Family” District, and by those provisions presented below.

a. Plan Approval.

Parcel One shall be subject to ~~final site plan approval pursuant to Section 14.6-7~~ approval pursuant to Chapter 34, Article VI, of the Aurora Zoning Ordinance and shall contain all information as described on Attachment C. Notwithstanding the above provision, any development occurring 250 feet or more from the perimeter boundary of the subject property shall only require a customary building permit. Notwithstanding the foregoing, that portion of the subject property identified as Parcel 9 on the Site Plan last revised on 4-10-95 by Cemcon, Ltd. (Job No. 903-064) and located south of Butterfield Road, as well as all Butterfield Road frontage located directly opposite such Parcel 9, shall require a final plan.

b. Signs.

All signs shall be pursuant to the Aurora Sign Ordinance. ~~Notwithstanding the Aurora Sign Ordinance, the road entrance sign at the Butterfield Road entrance, the sign on the water tower and signs on the press box and stadium score board may remain as they currently exist, as well as the proposed sign at the Abbey entrance on Butterfield Road.~~

c. Landscaping and Screening.

Landscaping and screening shall be ~~allowed within the 250-foot perimeter strip at the boundary of the property without a final plan being required~~ installed and thereafter maintained consistent with the minimum standards established in the approved landscape plan.

d. ~~Parking and Loading.~~

~~Pursuant to Section 10, "Off-Street Parking and Loading," of the Aurora Zoning Ordinance shall be applied to all future development.~~

A-1.6. Nonconforming Buildings and Uses.

Pursuant to ~~Section 6, "Nonconforming Buildings and Uses,"~~ of the Aurora Zoning Ordinance.

A-1.7. Special Uses.

~~All special uses pursuant to Section 7, "Special Uses," of the Aurora Zoning Ordinance shall be established in accordance with Section 14, "Administration."~~

None.

A-1.8. Accessory Buildings and Uses.

Pursuant to ~~Section 8, entitled "Accessory Buildings and Uses,"~~ of the Aurora Zoning Ordinance.

A-1.9. Bulk Restrictions.

- a. ~~Maximum Lot Area Coverage by building and Pavement—
None shall apply.~~
Forty Eight (48) percent
- b. ~~Minimum Lot Size and Width—
None shall apply.~~
Fifty-five (55) linear feet as measured at the front setback line.
- c. ~~Required Yard Areas~~ Minimum Lot Size

~~None shall apply.~~
6,875 sq ft.

d. Permitted Obstructions in Required Yard Areas—
Shall be pursuant to the Aurora Zoning Ordinance.

e. Maximum Height—
~~150 feet.~~
Shall be pursuant to the Aurora Zoning Ordinance.

f. Setbacks. In addition to the setback regulations set forth in Section 49-105.11, the following district specific provisions shall apply:

Front Yard: 25'
Side, exterior (corner lot): 15'
Side, exterior (reverse corner lot): Not applicable.
Side, interior: 6'
Rear: 25'

~~B. PUBLIC IMPROVEMENTS.~~

~~Obligations for Improvements No obligation.~~

A-2.1 Parcel Two.

Parcel Two is comprised of 5.91 acres. Parcel One comprises that part of the Subject Property that shall be developed for open space and stormwater detention associated with the development of Parcel One. Upon approval of this Amendment, Parcel Two shall be designed as OS-1(C) on the City of Aurora Zoning Map.

A-2.2 Parcel Two Standards.

Pursuant to Section 49-106 of the Aurora Zoning Ordinance.

IV. REQUESTED MODIFICATIONS AND EXCEPTIONS TO THE SUBDIVISION CONTROL ORDINANCE

~~See Section D from Annexation Agreement.~~
None.

V. GENERAL PROVISIONS RELATING TO THE PROPOSED DISTRICT

In the event any provision of this Plan Description is held to be invalid or otherwise unenforceable, all the remaining provisions of this document shall be fully valid and enforceable.