

ATTACHMENT "C"/EXHIBIT "B"

A PLAN DESCRIPTION FOR THE SHEILA BROWN TRUST PROPERTY
LOCATED SOUTH OF SUNRISE ROAD AND EAST OF FRIEDER LANE,
CONSISTING OF 6.3 ACRES

A Plan Description for the property located south of Sunrise Road and east of Frieder Lane with ORI (C) Office, Research, and Light Industry District Zoning, with a Conditional Use Planned Development for Sheila Brown Trust Property 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:

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- (1) To attract and encourage industrial, office and office-research development to planned sites where requisite public facilities are either present or proposed.
- (2) To promote a balanced distribution of industries within the City.
- (3) To encourage the location of industrial, office and office-research development near transportation facilities designed to provide adequate and efficient linkages to sources of labor, production materials and markets.
- (6) To promote attractive, well-maintained industrial and office-research areas through landscaping and site design.
- (8) To promote a quality environment through the enforcement of industrial performance standards.

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

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 6.3 acres lying south of Sunrise Road and east of Frieder Lane. The property is currently used for Agriculture. The property lies within the Naperville School District #204 boundaries. The property is currently zoned R-2 Single-Family District in DuPage County..

2. Surrounding Property

North: The surrounding property to the north is zoned PDD Planned Development District and part of the Butterfield Plan Description, with a warehouse use, and the Comprehensive Plan designates the property as Office, Research, and Light Industrial.

South: The surrounding property to the south is zoned in Naperville I-Industrial use, with an agricultural use, and the Naperville's Comprehensive Plan designates the property as Employment Center.

East: The surrounding property to the east is zoned in DuPage County, R-2 Single-Family, Residential, with a vacant use, and the Naperville's Comprehensive Plan designates the property as Employment Center.

West: The surrounding property to the west is zoned PDD Planned Development District and part of the Butterfield Plan Description, with a U.S. Post Office sorting facility use, and the Comprehensive Plan designates the property as Office, Research, and Light Industrial.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

The Subject Property shall be one zoning parcel as legally described on Attachment "A", and generally depicted on Attachment "B".

Development of the zoning parcel shall be regulated as follows:

1. Parcel A – ORI (C) Office, Research, and Light Industry

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately 6.3 acres. Upon approval of this document, said property shall be designated as ORI (C) Office, Research, and Light Industry 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 49-108.10 titled ORI Office, Research, and Light Industry District, except as modified herein.

1.2. Statement of Intent

The ORI Office, Research, and Light Industry 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 Light Industrial use. Access to the property will be on Sunrise Road.

1.3 Use Regulations

This property shall be limited to those uses permitted in the ORI District, Section 49-108.10 of the Zoning Ordinance with the exception of the property can continue to be used for agricultural use until the property is developed.

1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the ORI District, Section 49-108.10 of the Zoning Ordinance.
2. All parking and loading shall be pursuant to Section 105.13., "Off-Street Parking and Loading" of Chapter 49 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").
4. 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. 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. The Developer shall be permitted to construct and maintain other appurtenant facilities for said trailers including temporary driveways.
- d. 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.
- e. Construction and storage trailers shall be removed within sixty (60) days following the completion of construction activity on the affected parcel.
- f. All references to trailers in this Section shall be as that term is defined in Chapter 49 of 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.

C. PUBLIC IMPROVEMENTS

1. Sunrise Road – At the time of development of the Subject Property, the Developer, at its sole cost, shall be required to extend the existing curb, gutter, and pavement on the north and south sides of Sunrise Road to the easterly property line of the Subject Property a distance of approximately 103 feet. **OWNER RESPONSIBILITY:** Upon commencement of development, Owner shall construct a 39 foot-back-of-curb to back-of-curb cross section with B6-12 curb and gutter, with storm sewer and street lighting, in the existing right of way from the eastern property line of the subject property to the existing completed full cross section of the road.. The Owner shall provide an appropriate transition section between the full width road section and the eastern section. Street trees along the entire length of the southern roadway frontage of the Subject Property shall be installed. Developer shall also be responsible for payment of any recapture pursuant to any recapture agreement approved by City Council regarding the 8" gravity sanitary sewer main within the Sunrise Road right of way as outlined in the Annexation Agreement that was approved by Ordinance

O22-003 on January 25, 2022. Developer shall pay to the City said recapture prior to permitting any connections and use of the Sunrise Road 8" gravity sanitary sewer main or provide the City with an agreement with the beneficiary of the recapture showing satisfaction thereof.

2. The access points from the existing public right-of-way for the Subject Property shall meet all applicable codes and ordinances and shall be limited to:
 - a) One full access drive on Sunrise Road for the easternmost entrance and a restricted right in and left out for the westernmost entrance for semi-truck. A posted sign shall be installed.
3. A five-foot (5') concrete sidewalk or eight-foot (8') asphalt path may be required to be installed by the Developer along all property lines adjacent to public streets. 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 A

Parcel Number(s):07-04-300-019; 07-04-300--020

Commonly known as: located south of Sunrise Road and east of Frieder Lane located in DuPage County.

LOT 13 IN ARTHUR T. MCINTOSH AND COMPANY'S FERRY ROAD FARMS, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1943 AS DOCUMENT 455751, IN DUPAGE COUNTY, ILLINOIS.

ATTACHMENT "B"
MAP OF DEVELOPMENT PARCELS

Location Map (1:3,000):

