

PETITIONER: Levy Organization

CITY OF AURORA

RESOLUTION NO. R88-322
DATE OF PASSAGE 10-18-88
RESOLUTION APPROVING A REVISED LAND USE PLAN FOR
BUTTERFIELD PLANNED DEVELOPMENT DISTRICT

WHEREAS, by letter dated February 4, 1988, The Levy Organization filed with the City of Aurora a (Revised) Land Use Plan for the Butterfield Planned Development District, attached hereto as Exhibit "A"; and

WHEREAS, said plan was duly referred by the Aurora City Clerk to the Aurora City Council, who, in turn, referred said plan to the Aurora Planning Council and Planning Commission for study and recommendation, and to the Aurora City Council for final decision; and

WHEREAS, said plan has been determined to have been properly submitted pursuant to Section V, I, 2 "Submission of Updated Land Use Plans" of the Butterfield Annexation Agreement; and

WHEREAS, on 7/26/88, the Aurora Planning Council recommended that said plan be conditionally approved; and

WHEREAS, on 8/3/88, the Aurora Planning Commission reviewed said plan and recommended that said plan be conditionally approved ; and

WHEREAS, on 8/22/88, the Planning and Development Committee of the Aurora City Council reviewed said plan and said recommendations and recommended that said plan be approved with the following conditions:

1. That 5 Preliminary Plan Areas be established. Prior to the approval of any further final plans or plats, a Preliminary Plan for the area including such final plan or plat shall be submitted and approved by the City; and
2. That any roadway connections to Butterfield Road other than those at Hedgerow Drive, DuPage Parkway and Eola Road, shall be submitted for the City's approval along with the appropriate Preliminary Plans. The City will consider such applications after traffic studies have been provided and consultation with the state has occurred; and
3. That if there is a substantial change in the proposed land use patterns which affect the number of school children

generated, the City reserves the right to convert the northwestern Preliminary Planning Area (sub-areas 1, 4, 5 and 6) to low density residential land use, in order to provide the school children to support an elementary school; and

4. That the developer dedicate a utility easement from Quail Court to Eola Road, within 30 days following the date of this Resolution; and

5. That the developer provide a continuous road from Route 59 to the western boundary of the Butterfield PDD. The City prefers that such road cross the Prairie Path about 1000 feet north of the Tollway boundary, but if soil conditions warrant, will accept an alignment further north, more or less due west of the current Bilter-Ferry Road; and

6. That the developer dedicate the right of way for Bilter-Ferry Road from DuPage Parkway to Eola to the City within 30 days following the date of this Resolution; and

7. That the developer fully improve Bilter-Ferry Road from DuPage Parkway to Eola by November 30, 1989; and

8. That the developer remove the existing Bilter Road by November 30, 1989, but no sooner than the developer completes Bilter-Ferry Road; and

9. That the residential densities indicated on the Revised Land Use Plan shall be the absolute maximum number of units that will be considered and that the actual density shall be established at the time the Preliminary Plans are developed and an acceptable housing product has been determined.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Kane and DuPage Counties, Illinois, finds as facts all of the preamble recitals of this Resolution, accepts the recommendation of the Aurora Planning Commission, and hereby approves said Plan with the following conditions:

1. That the Tollway frontage road, at the option of the City, shall cross the Prairie Path about 1000 feet north of the Tollway boundary, or at the Bilter Road crossing. The final configuration and design of this portion of the frontage road will be determined at the time of approval of either the Preliminary Plan Area north or south of the frontage road, abutting the western boundary of the Butterfield PDD.

2. That within 30 days following the date of this resolution:

A. The developer dedicate a utility easement from Quail Court to Eola Road, within 30 days following

the date of this Resolution; and

B. The developer dedicate the right of way for Bilter-Ferry Road from DuPage Parkway to Eola to the City; and

3. That by November 30, 1989:

A. The developer fully improve Bilter-Ferry Road from DuPage Parkway to Eola; and

B. The developer remove the existing Bilter Road, but no sooner than Bilter-Ferry is completed; and

4. That 5 Preliminary Plan Areas be established. Such Areas shall be bounded by the E, J and E tracks, Eola Road, Bilter-Ferry Road, and the existing development. Such Preliminary Plan Areas shall be regulated as follows:

A. Prior to the approval of any further final plans or plats, a Preliminary Plan for the area including such final plan or plat shall be submitted and approved by the City; and

B. Any roadway connections to Butterfield Road other than those at Hedgerow Drive, DuPage Parkway and Eola Road, shall be submitted for the City's approval along with the appropriate Preliminary Plans. The City will consider such applications after traffic studies have been provided and consultation with the state has occurred; and

C. Roadway configurations east of Eola Road are conceptual only. Plans for such roads shall be submitted for the City's approval along with the appropriate Preliminary Plans.

D. If there is a substantial change in the proposed land use patterns which affect the number of school children generated, the City reserves the right to convert the land use mix in the residential Preliminary Plan areas (C and/or E) to include more low density residential acreage, in order to provide the school children to support an elementary school; and

E. The residential densities indicated on the Revised Land Use Plan shall be the absolute maximum number of units that will be considered and that the actual density shall be established at the time the Preliminary Plans are developed and an acceptable housing product has been determined; and

5. That all future final plats in the Indian Creek watershed be regulated as follows:

A. They shall comply with the Aurora stormwater retention standards in effect at the time of application for the final plat; and

B. No such plats shall be required to provide more retention than required by the 1988 standards; and

6. That when the frontage road is constructed:

A. The developer shall construct it as a four-lane, divided road with 60/40 financing; and

B. The median shall be landscaped, with maintenance of such landscaping financed through an SSA composed of the abutting ORI property owners. This SSA shall also maintain the existing median in DuPage Parkway; and

C. This parkway treatment shall extend from the western boundary of Butterfield to at least the E, J and E tracks; and

7. That the developer agree to:

A. Fully cooperate with the Illinois Toll Highway Authority in any land acquisition negotiations for an interchange at I88 and Eola Road involving property at that intersection under its control; and

B. Donate to said Authority the sum of \$500,000.00 toward the acquisition cost of such land upon completion of that interchange while the developer controls such land; and

8. That the developer agree, if Illinois is awarded the SSC, to fully cooperate with federal, state and local authorities in connection with land acquisition related to said SSC, in the area south of Fermilab.

9. That the developer abide by the Aurora School-Park Ordinance as modified by the Butterfield Annexation Plan Description; and

10. That the developer certify that he accepts the above-stated conditions by affixing his signature below within 10 days following the date of this Resolution. If such signature is not affixed in this time, this Resolution shall be null and void.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Aurora hereby adopts the Revised Land Use Plan attached hereto as Exhibit "A", and that the Aurora City Clerk is hereby directed to file said plan and a certified copy of this Resolution, after its passage and signing by the Aurora City Council, with the County Recorders Office and the DuPage County Clerk, at the earliest possible time.

Submitted by Paul Rasmussen, Director of Planning

PRESENTED to the City Council of the City of Aurora, Illinois, on OCTOBER 18, 1988.

PASSED AND APPROVED by the City Council of the City of Aurora,

Illinois, on OCTOBER 19, 1988.

AYES 7 NAYS 0 NOT VOTING 0

SIGNED by the City Council of the City of Aurora, Illinois, on

October 18, 1988

Joseph H. Reier
Alderman - 1st Ward

[Signature]
Alderman - 3rd Ward

Charles Pappas
Alderman - 5th Ward

[Signature]
Alderman-at-Large

[Signature]
Alderman - 2nd Ward

Robert B. Carter
Alderman - 4th Ward

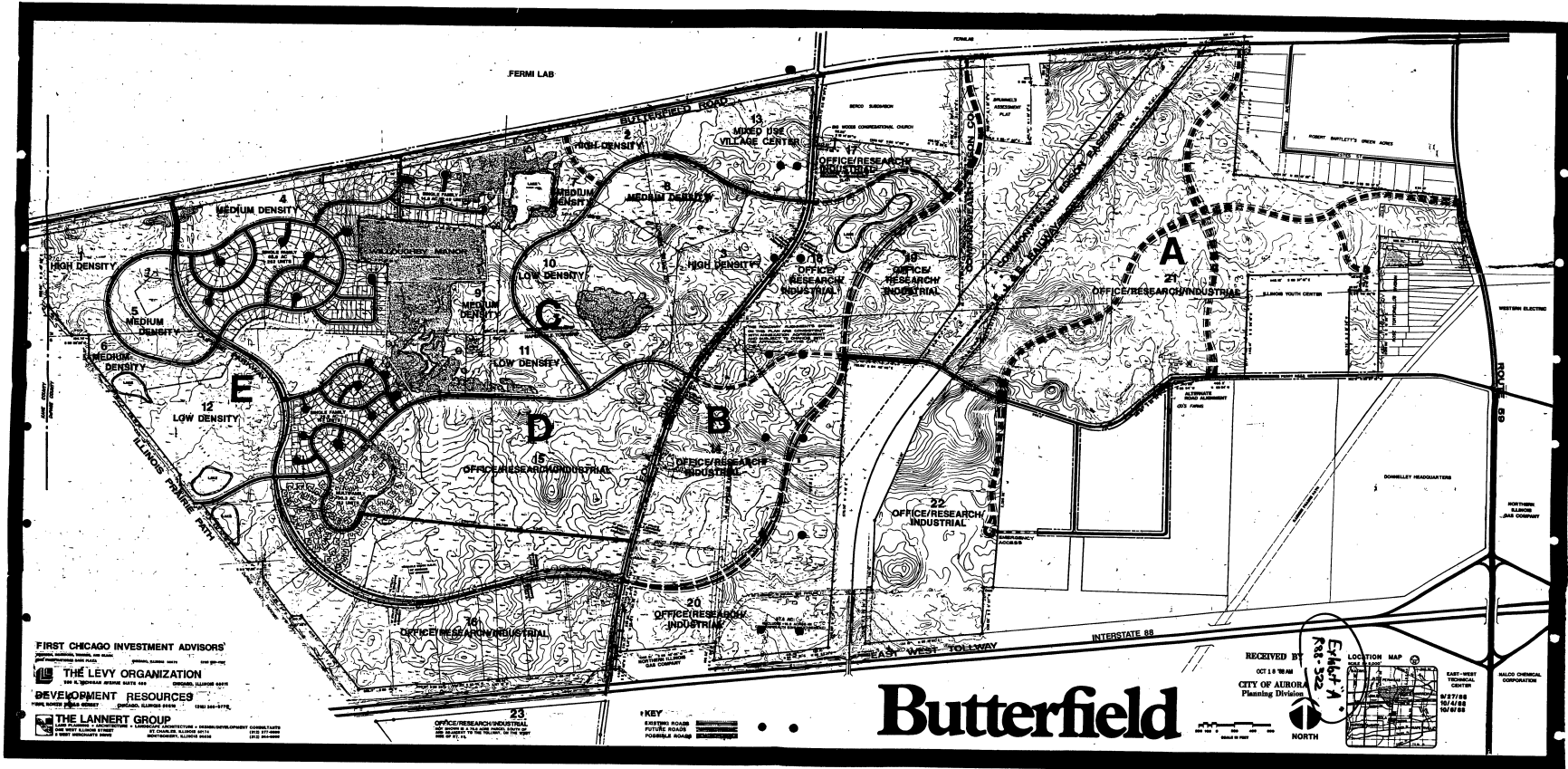
Michael B. Sankle
Alderman - 6th Ward

[Signature]
Alderman-at-Large

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk



FIRST CHICAGO INVESTMENT ADVISORS
 100 N. WASHINGTON STREET, SUITE 1000, CHICAGO, ILLINOIS 60602
 THE LEVY ORGANIZATION
 100 N. WASHINGTON STREET, SUITE 1000, CHICAGO, ILLINOIS 60602
 DEVELOPMENT RESOURCES
 100 N. WASHINGTON STREET, SUITE 1000, CHICAGO, ILLINOIS 60602
 THE LANNERT GROUP
 100 N. WASHINGTON STREET, SUITE 1000, CHICAGO, ILLINOIS 60602

KEY
 EXISTING ROAD
 FUTURE ROAD
 POSSIBLE ROAD

Butterfield

RECEIVED BY
 OCT 18 1988
 CITY OF ARLING
 Planning Division

LOCATION MAP
 EAST-WEST TOLLWAY
 CENTER
 482700
 1074788
 1074788

Map No. 1
 R-322

NORTH

MALCOLM CHENOWETH
 CORPORATION