BUTTERFIELD PLANNED DEVELOPMENT DISTRICT

Plan Description

This Plan Description consists of the following:

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Part One. A written explanation of the general character of the Proposed Planned Development District divided into the following Sections:

I. General description of the Proposed District.

II. Description of land uses to be included in the Proposed District.

III. Description of the development standards, design criteria and land improvement requirements applicable to the Proposed District.

IV. Description of requested modifications and exceptions from the Aurora Zoning Ordinance and the Aurora Subdivision Control Ordinance.

V. General provisions relating to the Proposed District.

Part Two. A legal description of the property to be included in the Proposed Planned Development District.

Part Three. The following maps:

I. Map showing the boundaries of the Proposed Planned Development District and the area covered thereby.

II. Topographical Map of the Proposed Planned Development District.
III. Map showing existing utilities.

IV. Map showing proposed utilities which will serve the proposed district.

V. Map showing the existing zoning of the proposed district and adjacent boundaries.

VI. Land use map for the proposed district.

VII. Flood plain map for the proposed district and adjacent properties.

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Part One

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BUTTERFIELD PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section I

GENERAL CHARACTER OF PROPOSED DISTRICT

BUTTERFIELD consists of approximately 1,400 contiguous acres located in an area bounded generally by butterfield Road on the north, Molitor Road on the south, the Illinois Prairie Path on the west, and Route 59 on the east.

The District, tentatively named "BUTTERFIELD", is being planned as a new city extension of the City of Aurora, Illinois (hereinafter called the "City") to serve the present and future needs of the people in its region.

The District is at the very center of the transportation system serving the region; it is bisected by the East-West Tollway and bounded by the regionally important Butterfield Road (on the north) and Route 59 (on the east). It is located on the proposed interchange of the Fox Valley Regional road and on the East-West Tollway, and is just north of the Burlington-Northern, Inc. commuter line. Moreover, the District is contiguous to and immediately south of the National Accelerator Laboratory, 6,800 acres of governmental research, most of which land remains open. It is west and south approximately 4000 acres of active DuPage County Forest Preserve.
areas, including a ski area. BUTTERFIELD is planned as a balanced community of industrial, office, research, commercial, residential, institutional, open space and municipal uses.

In its own right, the District will represent a major fiscal and territorial addition to the resources of the City and the other governmental units serving the DuKane Valley region.

The District is planned to minimize the use of the private passenger automobile more than previous developments of its type and introduce transportation patterns conducive to regional transportation planning.

In co-ordination with the Fox Valley East Planned Development District and local and regional planning agencies, the BUTTERFIELD Planned Development District will cooperate to gain support for a transportation center for the interchange of rail, bus, private automobile and other forms of traffic in the area of Lola Road and the Burlington Railroad tracks.

Office, research, and industrial uses play a major role in the BUTTERFIELD development. The areas along the E. J. & E. Railroad, the East-West Tollway, and Route 59 are planned for major concentrations of employment. The East-West Tollway corridor, which already has a major
concentration of research facilities including Amoco Research, Bell Labs and the National Accelerator Laboratory, will be used to attract similar uses to the District.

The development schedule will approximate 20 years. Therefore, the exact details as to housing types, sizes and amenities in the District will be determined by market experience as successive units of housing are completed and made available. It is contemplated that a high degree of residential units will be owner occupied, and that a broad spectrum of housing types and prices will be produced to meet the needs of the labor force required by the area's employers.

Provisions will be made for schools, parks, transportation, libraries and other community facilities. Wherever possible, the natural resources and characteristic land forms of the area shall be preserved with the concept in mind that a community and its environment must be viewed as one. Wherever possible, woodlands will be preserved and dedicated for public parks and existing historical structures will be preserved and maintained.
SPECIFIC CHARACTER OF PROPOSED AREAS

As earlier stated BUTTERFIELD is a new planned community. New in the sense that 1,400 acres of new vacant land are being proposed for development. Planned in the sense that the arrangement of future community uses has received careful thought and will proceed on a predictable basis. As development proceeds, community elements will support and compliment each other rather than result in piecemeal, conflicting use patterns, and the environmental deficiencies associated with typical unplanned suburban sprawl. A community in the sense that many of the elements of daily life – schools, shopping, recreation, employment, entertainment – will be conveniently available to a wide variety of residents with differing needs and life styles within the BUTTERFIELD area.

BUTTERFIELD is intended to be a mixed income community and its housing, employment and community amenities will be planned for and made available to all people without regard to color, sex, race, religion, age or national origin.

It is also a community in the sense that it will build a new physical environment of tree lined streets, neighborhoods, parks and open space, and a variety of activity centers. These will provide a strong and attractive sense of place where people can feel they belong, where participation in local affairs and events will be encouraged, and where community pride will be fostered.

It is located in the new and growing outer ring of the Western Chicago region where major new employment centers are being established. The physical boundaries of BUTTERFIELD are quite rational. BUTTERFIELD Road on the north with the
vast NAL lands adjoining the north boundary, Route 59, a
major arterial linking across the East-West Tollway on the
east. The East-West Tollway on the south linking to the
City of Aurora, and the closer-in Chicago western suburbs
to the east, and the proposed Fox Valley Tollway and Illinois
Prairie Path on the west.

Americans value mobility, choice and the access
to specialized services and employment opportunity which a
great metropolitan region offers. BUTTERFIELD is excellently
located to allow this combination of local neighborhood and
community identity and access to the overall cultural richness
of the region.

Its immediate link will be to the City of Aurora
where the functions and services of municipal government will
be centered and where an easily accessible cluster of services
and facilities not available in BUTTERFIELD will be convenient.
The existing (and expanding) net of highways and rapid transit
will link BUTTERFIELD to other Chicago metropolitan centers
near and far.

Perhaps the most significant new aspects of BUTTERFIELD
lies in two areas - its balanced land use program (roughly ½ its
area in employment uses and ½ in residential uses) and its
"scale". By scale is meant its combination of openness and
intensity. It will not be "rural" nor will it be "urban"
in the downtown or older urban neighborhood sense nor yet
"suburban" in the endlessly and wastefully sprawling condition urban critics and environmentalists have come to deplore. It will have significant contracts within it between more intensively developed areas, including perhaps even some mid to high rise buildings, and less intensively developed areas where green space will tend to prevail. Careful arrangement of the various community open space elements will tend to make the community appear green and open while maintaining the advantages of close and convenient relationships even walking distance in some cases, between neighborhoods and the various activity centers. The balanced land use program should provide a self-supporting tax, financial and public services situations which will avoid inequities where the public services generated by BUTTERFIELD would be required to be borne by others. Balance and close proximity of all community elements will also do a great deal to reduce the need for long daily automobile trips to work, schools, shopping and to foster a satisfying sense of community.

The planning for BUTTERFIELD has taken into account both the existing physical constraints and sensitivities of its land and location and its impacts upon the wider community of which it will become an important part. It is conceived in the conviction that man can, and must, build on and interact with the land in a way which serves his needs and yet creates a rich, satisfying and attractive environment.

Following is a summary description of each major BUTTERFIELD community component:
GENERAL BUSINESS AREA

The northwest corner of the BUTTERFIELD property is proposed for a special commercial site allowing for the development of a hotel/motel center and other general business uses which would serve an expanded NAL and other science, research, industrial and residential areas nearby. This general business area is located at the highly important future intersection of BUTTERFIELD Road and the proposed Fox Valley Tollway. There shall be no regional shopping center location since, given the existing regional shopping already in downtown Aurora and Fox Valley Center there is no need for such uses. If the proposed Tollway is not built or no market becomes available for the proposed General Business Area, this area will either be reduced in size or be used, under the land use option plan, for some other residential or manufacturing use. Uses within the General Business Area will generally be clustered and related within the clusters design wise and when possible functionally.

A successful hotel/motel business center at this location would benefit the entire area and would generate, along with the Town Center, office-research and industrial parks, both employment and tax revenue. It would add a significant dimension of life and activity to BUTTERFIELD as well.

TOWN CENTER BUSINESS AREA

The Town Center area, at Butterfield Road and Eola Road will provide BUTTERFIELD with one of its more interesting
features. It will combine open space with intensity of development and convenience of location with a variety of activities and services. The higher density residential components are clustered within and around it. It will be a place which will draw and serve the entire BUTTERFIELD community. It will provide a place where people can gather and meet in groups and even, on occasions, in crowds. It will be the equivalent of the town square but in a new and different form of great potential attractiveness and delightfulness. Though it will of necessity start as a center of relatively small size and complexity, it will, as the community grows, increase its role and become a very useful and attractive community feature. Its combination of residential areas, shopping, entertainment, special services, recreation and open space will embody some of the more exciting concepts of new urban patterns to appear in recent years.
MANUFACTURING AREAS

TOLLWAY OFFICE/INDUSTRIAL PARK

This key BUTTERFIELD land use component builds upon the science-energy-research concentration of facilities already burgeoning along the East West Tollway near BUTTERFIELD. The Fermi National Accelerator Laboratory directly across Butterfield Road is a key facility in attracting this special and highly desirable kind of use.

The BUTTERFIELD plan proposes that the main "window" portions of the property, those facing the East West Tollway and the proposed Fox Valley Tollway, be devoted to lower density, "garden" type office research and industrial facilities development. These will feature extensive landscaping and high quality building architecture appropriate to the high-speed "freeway" scale and will give the BUTTERFIELD community a distinct and attractive identity from the outside. Persons living in BUTTERFIELD and working in the Tollway Office/Industrial Park could easily walk to work. Employees could conveniently use the facilities of the Town Center and the general business area.

The Prairie Trail abuts a significant portion of the perimeter of the Tollway Office/Industrial Park, especially in the very wide portion of the proposed Fox Valley Tollway right-of-way along the western boundary. Here the view from the Tollway, if it is built, to the Office-Research and special commercial, will be through a deep linear parkway.

The Tollway Office/Industrial Park is an important part of both the use concept and development program and the visual character and quality of this eastern "entrance" to
the City of Aurora.

Its benefits to both BUTTERFIELD and the City of Aurora and other surrounding communities are very significant.

INDUSTRIAL PARK

The Industrial Park is proposed to be located in the eastern portion of BUTTERFIELD, with its main access from State Route 59, an important highway arterial linking to and over the East West Tollway from Butterfield Road to the growing area to the south. It is the most "separate" part of BUTTERFIELD, on the opposite side of the Commonwealth Edison Power lines and E. J. & E. Railroad and yet it is very convenient, even within walking distance of some of the residential neighborhoods. Together with the Tollway Office/Industrial Park it forms the major employment generating portion of the development program which constitutes the "balanced community" concept.

Not all, or perhaps even a majority, of those employed at BUTTERFIELD commercial-industrial or office facilities, will actually live in BUTTERFIELD, but it is moving in the direction of increasingly allowing such proximity of place of residence and place of work as the limitations on transportation and energy consumption have become more severe.

The Industrial Park will be served by major road arterials as well as rail. Though it will be an area of relatively high land coverage and utilitarian architecture, the intention is, by means of establishing certain development guidelines for entries, setbacks, front yard landscape requirements and street design, to create a sense of order and attractiveness which is so often
lacking in areas of industrial and warehouse development. Many recent new manufacturing/warehouse areas have demonstrated that such attractive environments can be achieved and still allow for functional requirements of such uses and developmental economic limits of such use areas.

RESIDENTIAL AREAS

Grouped in four major areas (a fifth residential area is optional) around the Town Center are the residential neighborhoods. They are linked by major and minor road arterials and pedestrian/bike greenways to other community areas and the Town Center in particular. Though not all the residential neighborhoods are within easy walking distance of the shopping areas of the Town Center, many are. Those that are not, will be linked by trails, short automobile trips and possibly by an intra-community bus system.

The residential neighborhoods will offer those features that families in particular value - quiet, tree lined local streets, easy access to neighborhood schools, parks and recreation centers, and buffering from adjoining non-residential uses and heavy traffic.

The existing wooded areas and water retention area components of the open space system will benefit the residential neighborhoods most directly and will provide significant blocks of permanent open green area of great attractiveness.

The residential neighborhoods are arranged in "super-blocks" where the roadway and green space system will
allow various smaller land units to be developed in a variety of housing types ranging from single family detached lots to patio houses to various forms of townhouses and lower density garden apartments. These smaller units within the overall neighborhood super-block will have their own separate mini-neighborhood identity and yet be linked together by street and greenway movement systems and will share common recreational and school facilities.

As in other portions of BUTTERFIELD, there will be a mixture of relatively higher density with relatively lower density development, interspersed with both small scale "local" open space and larger community-wide open space components. Thus, the neighborhoods will have amenity and open space which is both "inwardly" oriented and "outwardly" oriented, resulting in visual quality and attractiveness on a local and community level.

PARKS, RECREATION AND OPEN SPACE

Since BUTTERFIELD is situated in close proximity to more than 10,000 acres of permanent open space, including major regional parks which supply extensive active recreational facilities, no major regional park is proposed within BUTTERFIELD. BUTTERFIELD does, however, feature an integral relation to the existing Prairie Path, a regional pathway/linear park, which abuts a significant portion of its perimeter, and is more fully described under Connector System on next page.

What is being stressed at BUTTERFIELD is the location, arrangement, and quality of all project open space. A relatively
smaller piece of open space beautifully landscaped and properly located will provide more visual impact and be more useful than a poorly located and underdeveloped larger area. It is the intention at BUTTERFIELD, for instance, that the Town Center area provide significant and attractive park-like areas though it is primarily for shopping, services, entertainment and other uses. The area can be used and experienced as a community park space though it is not formally designated as such.

The proposed system of open space and recreation areas outlined below will very adequately serve the community in both a visual and functional sense. In a very real way, the entire BUTTERFIELD concept, insofar as it will look, is to build a community which is green and park-like throughout its area, including its industrial, office and commercial areas, as well as its residential neighborhoods.

SCHOOL/NEIGHBORHOOD PARK

It is intended that neighborhood parks, wherever possible, be located next to neighborhood schools.

MINI-FOREST PRESERVE

Those areas on the site now existing as significant tree stands will be preserved. These are concentrated in the residential land use areas west of Eola Road between Butterfield and Bilter.

CONNECTOR SYSTEM

The connector system is in a mixed public/private ownership category. Certain major bike/pedestrian way facilities are proposed for the Eola Road/Bilter Road/Ferry Road main
roadway corridors as an integral part of the street right-of-way. This particular component will connect to the Prairie Path at several key points. The Prairie Path itself is a major perimeter connector which links BUTTERFIELD with the 6,800 acre NAL lands to the north, to Polo Road south of the BUTTERFIELD south boundary, to Route 59 on the east and 4,000 acres of active Forest Preserve lands east of Route 59.

There is a major enlargement of the Prairie Path system proposed along the entire west boundary of BUTTERFIELD in connection with the construction of the proposed Fox Valley Tollway which could create both a "scenic parkway" component and the possibility of a linear park.

Other more local components of a bikeway and/or pedestrian movement system are proposed as integral parts of "neighborhood" open space systems. These will link neighborhood areas to schools, to main bikeways and pedestrian ways, to the town center and other community areas.

WATER RETENTION (PONDING) AREAS

Up to 70 acres of land area will be devoted to the retention of storm water runoff. The exact location and boundaries of these areas cannot be defined until development in particular sectors begins.

There will be an emphasis upon "holding" water for natural percolation through the soil rather than concentrating and "running-off" water quickly which tends to create greater flood potential in major creeks and regional low areas.

These areas will provide strategic open space
sometimes oriented to the "outside" or along major movement corridors and sometimes oriented "inward" as a focal point for a neighborhood center. Some will be large and some will be small. Some may be permanent, and some will be open water areas (small lakes) and some will be open "meadow" areas where, in dry periods, active use can take place.

**BUTTERFIELD BUFFER**

An area of approximately 10 acres stretching along the south side of Butterfield Road west of Bola Road of peaty, low wet soils are proposed to remain either untouched or modified to provide more open water area. This area will serve to deeply setback proposed development in the Town Center area from Butterfield Road, allowing BUTTERFIELD to retain an "open" uncluttered character in keeping with the open lands of the NAL immediately across from BUTTERFIELD. One of the main blocks of existing wooded land is located just south of this proposed buffer area and, together, these two areas will form a very significant open space feature which benefits the general public as well as the BUTTERFIELD project.

**NEIGHBORHOOD CENTERS**

Five neighborhood centers are proposed. These are built by developers as residential neighborhoods, are completed and will probably be owned and maintained by either neighborhood associations or private owners. They are "semi-public" in that they are used by fairly large numbers of persons but limited to residents of a particular area or project. Neighborhood centers may include swimming pools, tennis courts, tot lots,
game and meeting rooms, and other active recreation activities. These will serve to provide for a significant portion of the need for local neighborhood (walking distance) active recreation facilities.
The District shall be developed into the land use areas described below and in accordance with the land use plan marked Exhibit VI.A. or the optional plan marked Exhibit VI.B. or combinations thereof, or the fall back plan marked Exhibit VI.C., included in Part Three of this Plan Description. Said land use plan may be changed from the original plan to the optional plan or any combinations thereof from time to time as provided for in Subsection I. of Section V. hereof. On each Preliminary Plan and Final Plan submitted for approval in accordance with Subsection 14.7 of City Ordinance No. 3100 (which Ordinance No. 3100, together with all amendments thereto, is hereinafter called the "Zoning Ordinance"), and on each General Development Plan submitted pursuant to Subsection J. of Section V. hereof, the land use areas to be included in that part of the District covered by such Preliminary or Final Plan or General Development Plan shall be indicated.

A. Business Areas.

1. General Business Area.

The permitted uses shall be as follows:
Accessory uses.
Agricultural implement sales and service when conducted wholly within an enclosed building.
Air conditioning and heating sales and service.
Antique shops.
Art galleries and studios.
Art and school supply stores.
Art, dancing, vocational, professional and business schools.
Auto accessory store.
Automobile sales and service established for new passenger automobiles and trucks, including sale of used cars and trucks when operated in conjunction with a principal use. Mechanical repairs, body repairs and repainting may be included. All facilities shall be contained in an enclosed building except the storage of automobiles and trucks displayed in the open.
Automotive service stations.
Automobile, trailer and truck, under one and one-half (1½) ton capacity, rental agencies.
Bakery shop, including the baking and processing of food products.
Banks and financial institutions.
Barbershop, beauty parlor, chiropody, massage, or similar personal service shop.
Beverage, nonalcoholic, bottling and distributing.
Bicycle sales and repair.
Billiard and poolrooms.
Blueprinting and photostating establishments.
Boat showroom and repairs, including outboard engine service.
Book and stationery store.
Bookbinding.
Building materials sales, when conducted wholly within a building.
Camera and photographic supply shops for retail sale.
Candy and ice cream shops, retail only. Catering establishments.
Clubs and fraternal organizations.
Coin and philatelic stores.
Contractors' offices and shops, where no fabricating is done on the premises and where all storage of material is within a building.
Costume rental shop.
Custom dressmaking, millinery, tailoring or shoe repair when conducted for retail sales on the premises only.
Delicatessens.
Department stores.
Dress shops.
Drugstores.
Dry cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than seven hundred and fifty (750) pounds of dry goods per day, and when using carbon tetrachloride or other similar inflammable solvents approved by the fire department.
Dry goods store.
Electrical appliance store and repair, but not including appliance assembly or manufacturing.
Employment agency.
Exterminating shop.
Feed and seed store, wholesale.
Florist shop and conservatory for retail trade on the premises only.
Food and fruit stores.
Frozen food stores.
Furniture store and upholstery when conducted as part of the retail operations and secondary to the main use.
Furrier, when conducted for retail trade on the premises only.
Garden supplies and seed stores, including repair of equipment.
Garages, public, for storage of private passenger automobiles and commercial vehicles under one and one-half (1½) ton capacity.
Gift shops.
Glass cutting and glazing establishments.
Greenhouse, wholesale growers when part of retail florist shop.
Grocery stores.
Hand laundries employing not more than four (4) persons.
Haberdashery.
Hardware stores.
Hobby stores.
Hotels, including dining and meeting rooms, which must be staffed with 24 hour clerk service, maid and janitor service.
Household appliance stores and repair shops.
Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the main use.
Jewelry store and watch repair.

Insurance, commercial (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.

Laundrette and launderette, when operated with supervisory personnel.

Leather goods and luggage store.

Libraries.

Liquor store, package goods only.

Locksmith.

Meatmarket.

Mirror and glazing shop.

Motel.

Musical instrument sales and repair.

Newstand.

Notions store.

Offices, business and professional, including medical clinics.

Off-street parking and loading facilities, as regulated by section 10, of the Aurora Zoning Ordinance.

Optician, optometrist.

Orthopedic and medical appliance store, but not including the assembly or manufacture of such articles.

Parcel delivery station.

Pawnshop.

Pet shop, kennel, or animal hospital when conducted wholly within an enclosed building.

Photograph developing and processing.

Photography studio, including the developing of film and pictures when conducted as a part of the retail business on the premises.

Physical culture and health services.

Picture framing when conducted for retail trade only on the premises.

Plumbing, heating and roofing supply shops.

Plumbing shop.

Plumbing showroom.

Postal substations (finance stations and contract stations).

Printing, publishing and issuing of newspapers, periodicals, books, stationary and other reading matter.

Processing or assembly limited to the following, provided that space occupied in a building does not exceed six thousand (6000) square feet of total floor and basement space, not including stairwells, or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other condition which might be disturbing to occupants of adjacent buildings:

Advertising displays.

Awnings, venetian blinds and window shades.

Bakeries, wholesale.

Brushes and brooms.

Cosmetics, drugs and perfumes.

Electrical equipment appliances.

Food processing, packaging and distribution.
Jewelry.
Medical and dental supplies.
Optical goods and equipment.
Pattern-making.
Products from finished materials such as plastic, bone, cloth, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious or semi-precious stones, rubber, shell or yarn.
Scientific and precision instruments.

When manufacturing operations of the same or similar products demand space exceeding six thousand (6000) square feet, they shall then be located in the Manufacturing District.

Radio and television broadcasting stations.
Radio and television, including major repairs and service.
Radio and television, including minor repairs and service.
Reading rooms.
Recreation places, including bowling alley, dance hall, gymnasium, skating rink, archery range, golf practicing range, miniature golf course or other similar places of recreation or entertainment.
Restaurants, drive-ins, car service.
Restaurant, tea room, cafe or tavern.
Schools; music, dance, business, commercial or trade.
Sewing machine sales and service.
Sheet metal shop, providing floor area occupied does not exceed six thousand (6000) square feet.
Shoe stores.
Smoking as defined and regulated in Section 9.
Signs, as regulated by this Plan Description.
Silver plating and repair shop.
Sporting goods store.
Taverns.
Taxicab and bus waiting rooms and dispatcher's offices.
Taxidermist.
Telegraph office.
Telephone booths.
Theater indoor.
Tobacco shop.
Toy store.
Travel bureau and transportation ticket office.
Truck, motorcycle and boat sales, services shops and major automotive repair as defined in section 3.2-6 of this ordinance, but only when confined within an enclosed structure.
Type writer and adding machines sales and service.
Uses customarily incidental to any of the above uses and accessory buildings when located on the same premises.
Variety store.
Wearing apparel shop.
Wholesale business, excluding a building, the principal use of which is for a storage warehouse.
Any other similar type retail stores not specifically permitted herein and which have economic compatibility with the established uses on adjoining properties.
All activities as permitted or required in this use area shall be conducted wholly within an enclosed building, except:

Off street parking facilities.
Outdoor restaurants and sidewalk cafes.
Garden and landscape sales.
Art sales.
Bicycle sales and rental.
Recreation places.
Other uses with the approval of the City Council, which approval may be given as part of the approval of a Preliminary or Final Plat.
All such outdoor use areas shall be shown on the Preliminary or Final Plat.
The additional uses listed in sub-paragraph 2.e. shown on page 14 hereafter.

The provisions relating to a use change included in sub-paragraph 2.f. on page 15 hereafter shall apply to this General Business area.
2. **Town Center Business Area.**

In Town Center Business Area of the District, which Town Center Business Area shall be planned and developed as a unit under single, unified or coordinated control (regardless of ownership), the permitted uses shall be as follows:

a. Accessory uses.
   - Antique shops.
   - Art, dancing, vocational, professional and business schools.
   - Art galleries and studios.
   - Art and school supply stores.
   - Auto accessory store.
   - Automobile sales and service established for new passenger automobiles and trucks, including sale of used cars and trucks when operated in conjunction with a principal use. Mechanical repairs, body repairs and repainting may be included. All facilities shall be contained in an enclosed building except the storage of automobiles and trucks displayed in the open.
   - Automobile service stations.
   - Bakery shop, including the baking and processing of food products.
   - Banks and financial institutions.
   - Barbershop, beauty parlor, chiropody, massage or similar personal service shop.
   - Bicycle sales and repair.
   - Billiard and poolrooms.
   - Blueprinting and photostating establishments.
   - Book and stationery store.
   - Camera and photographic supply shops for retail sale.
   - Candy and ice cream shops, retail only.
   - Clubs and fraternal organizations.
   - Coin and philatelic stores.
   - Costume rental shop.
   - Custom dressmaking, millinery, tailoring or shoe repair when conducted for retail sales on the premises only.
Delicatessens.
Department stores.
Dress shops.
Drugstores.
Dry cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than seven hundred and fifty (750) pounds of dry goods per day, and when using carbon tetrachloride or other similar inflammable solvents approved by the fire department.
Dry goods store.
Electrical appliance store and repair, but not including appliance assembly or manufacturing.
Employment agency.
Florist shop and conservatory for retail trade on the premises only.
Food and fruit stores.
Frozen food stores.
Furniture store and upholstery when conducted as part of the retail operations and secondary to the main use.
Furrier, when conducted for retail trade on the premises only.
Gift shops.
Grocery stores.
Haberdashery.
Hand laundries employing not more than four (4) persons.
Hardware stores.
Hobby stores.
Hotels, including dining and meeting rooms, which must be staffed with 24 hour clerk service, maid and janitor service.
Household appliance stores and repair shops.
Interior decorating shops, including upholstery and making of draperies, slip covers and other similar articles, when conducted as part of the retail operations and secondary to the main use.
Jewelry store and watch repair.
Laundrette and laundromat, when operated with supervisory personnel.
Leather goods and luggage store.
Libraries.
Liquor store, package goods only.
Locksmith.
Meat markets.
Mirror and glazing shop.
Motels.
Musical instrument sales and repair.
Newstand.
Notions store.
Offices, business and professional, including medical clinics.
Off-street parking and loading facilities, as regulated by section 10, of the Aurora Zoning Ordinance.
Optician, optometrist.
Orthopedic and medical appliance store, but not including the assembly or manufacture of such articles.
Pawnshop.
Photograph developing and processing.
Photography studio, including the
developing of film and pictures when
conducted as a part of the retail business
on the premises.
Physical culture and health services.
Picture framing when conducted for
retail trade only on the premises.
Plumbing showroom.
Postal substations (finance stations
and contract stations).
Public utility collection offices.
Radio and television, including major
repairs and service.
Radio and television, including minor
repairs and service.
Reading rooms.
Restaurant, tearoom, cafe or tavern.
Schools: music, dance, business,
commercial or trade.
Sewing machine sales and service.
Shoe stores.
Signs, as defined and regulated in
section 9.
Signs, as regulated by this Plan
Description.
Sporting goods store.
Taverns.
Taxicab and bus waiting rooms and dis-
patchers offices.
Taxidermist.
Telegraph office.
Telephone booths.
Theater indoor.
Tobacco shop.
Toy store.
Travel bureau and transportation ticket
office.
Typewriter and adding machine sales and
service.
Variety store.
Wearing apparel shop.
Any other similar type retail stores not
specifically permitted herein and which
have economic compatibility with the
established uses on adjoining properties.
All activities as permitted or required in this use area shall be conducted wholly within an enclosed building, except:

Off street parking facilities.
Outdoor restaurants and sidewalk cafes.
Garden and landscape sales.
Art sales.
Bicycle sales and rental.
Recreation places.
Other uses with the approval of the City Council, which approval may be given as part of the approval of a Preliminary or Final Plat.

All such outdoor use areas shall be shown on the Preliminary or Final Plat.

b. The following additional uses:

One-family detached dwellings.
Truck gardening and other horticultural uses where no building is involved and when no sale of products is conducted on the premises.
Churches and related indoor and recreational facilities.
Convents, monasteries, rectories, parsonages, ministerial homes, parish houses, and reading rooms.
Temporary buildings and uses for construction purposes for a period not to exceed one year.
Accessory buildings, as defined herein.
Signs as regulated herein.
Off-street parking facilities as regulated by this Plan Description.

Two-family dwellings.
Three and four family dwellings as transitional use, when located on lots having a side lot line adjoining or when facing a business or manufacturing district, or a railroad right-of-way, provided the building is located on a lot having a width of not less than sixty (60) feet and has an area of not less than two thousand (2000) square feet per dwelling unit.
Multiple-family dwelling and apartments.
One family row dwellings (party wall) with not more than ten dwellings in a row or building.
Existing structures designed for single-family use may be converted for use for not more than four (4) families, provided that all other requirements of this ordinance are complied with.

Rooming houses. Apartments and apartment hotels, including dwelling units above a business use.

c. Any uses that become permitted uses in the B-1, B-2 and O Districts of the Aurora Zoning Ordinance, subsequent to the approval date, shall be deemed to have been permitted uses in said Business Areas on the approval date.

d. With the approval of the City Council, which approval may be given as part of the approval of a preliminary or final plan, the following uses:

Agricultural implement sales and service when conducted wholly within an enclosed building.

Air-conditioning and heating sales and service.

Automobile, trailer and truck, under one and one-half (1½) ton capacity, rental agencies.

Beverage, nonalcoholic, bottling and distributing.

Boat showroom and repairs, including outboard engine service.

Bookbinding.

Building materials sales, when conducted wholly within a building.

Catering establishments.

Contractors' offices and shops, where no
fabricating is done on the premises and where all storage of material is within a building.

Exterminating shop.
Feed and seed store, wholesale.
Garden supplies and seed stores, including repair of equipment.
Garages, public, for storage of private passenger automobiles and commercial vehicles under one and one-half (1½) ton capacity.
Glass cutting and glazing establishments.
Greenhouse, whole growers when part of retail florist shop.
Laboratories, commercial (medical, dental, research, experimental and testing), provided no production or manufacturing of products takes place.
Parcel delivery station.
Pet shop, kennel, or animal hospital when conducted wholly within an enclosed building.
Plumbing, heating and roofing supply shops.
Plumbing shop.
Printing, publishing and issuing of newspapers, periodicals, books, stationery and other reading matter.
Processing or assembly limited to the following, provided that space occupied in a building does not exceed six thousand (6000) square feet of total floor and basement space, not including stairwells, or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other condition which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand (6000) square feet, they shall then be located in the Manufacturing district.
Advertising displays.
Awnings, venetian blinds and window shades.
Brushes and brooms.
Bakeries, wholesale.
Cosmetics, drugs and perfumes.
Electrical equipment appliances.
Food processing, packaging and distribution.
Jewelry.
Medical and dental supplies.
Optical goods and equipment.
Pattern-making.
Products from finished materials such as plastic, bone, cloth, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious or semi-precious stones, rubber, shell or yarn.
Scientific and precision instruments.

Radio and television broadcasting stations.
Recreation places, including bowling alley, dance hall, gymnasium, skating rink, archery range, golf practicing range, miniature golf course or other similar places of amusement or entertainment when operated for pecuniary profit.
Restaurants, drive-ins, car service.
Sheet metal shop, providing floor area occupied does not exceed six thousand square feet.
Silver plating and repair shop.
Truck, motorcycle and boat sales, service shops and major automotive repair, as defined in section 3.2-6 of this ordinance, but only when confined within an enclosed structure.
Uses customarily incidental to any of the above uses and accessory buildings when located on the same premises.
Wholesale business, excluding a building, the principal use of which is for a storage warehouse.
e. The following additional uses shall be permitted in both the General Business Area and the Town Center business area:

(1) Auditoriums, stadiums, arenas, armories, gymnasiums and other similar places for public events.

(2) Bus terminals, railroad passenger stations, freight terminals, and other public transportation terminal facilities.

(3) Municipal or privately owned recreation buildings and community centers.

(4) Nursery schools and day nurseries.

(5) Police stations and fire stations.

(6) Public buildings, including art galleries, post offices, libraries, museums and similar buildings.

(7) Public telephone booths not installed in a building or structure but standing in the open for the general use of the public.

(8) Public or private parks and playgrounds.

(9) Public utility facilities, i.e., filtration plants, water reservoirs and pumping stations, heat or power plants, transformer stations and other similar facilities.

(10) Radio and television transmitting or antenna towers (commercial) and other electronic
equipment requiring outdoor structures, and including antenna towers used for the sending of private messages.

(11) Rest homes and nursing homes.
(12) Schools, elementary, high and college, public or private.
(13) Clinics and medical centers.
(14) Golf courses, public or private.
(15) Hospitals or sanitariums, public or private.
(16) Telephone exchanges, antenna towers and other outdoor equipment essential to the operation of the exchanges.

f. In both the General Business Area and the Town Center Business Area, once a use has been shown on a Preliminary or Final Plat for either a building or a use not required by the provisions hereof to be in an enclosed building, such use may be changed to a similar type use permitted in such use area, provided:

(1) Any structure already built shall be suitable under the Aurora Building Code for such changed use.

(2) Such changed use shall have economic compatibility with the established uses on adjoining property.

(3) An occupancy permit shall have been issued by the City for such changed use.
B. Manufacturing Areas.

1. The permitted uses shall be as follows:

   Dwelling accommodations as may be needed to house a caretaker or watchman employed on the premises and their families and such temporary accommodations as may be required for employees of a permitted use in this section provided.

   Accessory uses.
   Alcoholic beverages, manufacture.
   Apparel and other products manufactured from textiles.
   Art, dancing, vocational, professional and business schools.
   Art galleries - for display purposes only and not including retail shops selling gifts or antiques.
   Artificial limb manufacture.
   Asbestos and asbestos products, manufacture.
   Automobiles, trucks and trailers, manufacture.
   Automobile and truck repair (major), painting, upholstering, reconditioning and body and fender repairing when done within the confines of a structure. Truck and trailer rental agencies.
   Batteries, manufacture and rebuilding.
   Bedspring and mattress manufacture.
   Belting manufacture.
   Bicycle manufacture.
Blacksmith shop.
Boiler works.
Boat building and repair.
Box and crate manufacture.
Brass foundry.
Brick, tile and terra cotta manufacture.
Building equipment yards; yards for building materials; lumber yards, wholesale or retail, and yards for contracting equipment, maintenance or operating equipment of public agencies, or public utilities, or materials or equipment of similar nature.
Building materials - such as prefabricated houses, composition wallboards, partitions and panels.
Bus line shops and garages.
Business offices and research facilities.
Canning and preserving.
Canvas and canvas products manufacture.
Carpet and rug cleaning.
Carpet manufacture.
Cartage (local), express hauling or storage yards.
Cement block manufacture.
Cement products.
Ceramic products, pottery and glazed tile manufacture.
Chalk manufacture.
Charcoal manufacture.
Chemicals, not including those which may be inflammable or explosive.
Cigarette and cigar manufacture.
Cleaning and dyeing establishments when employing facilities for handling more than one thousand (1000) pounds of dry goods per day.
Coated fabrics, except rubberized, manufacture.
Coffin manufacture.
Cooperage works.
Cork and cork products manufacture.
Corrugated metal products.
Cotton ginning and cotton wadding.
Cottonseed oil manufacture.
Creameries and dairies.
Drapery and bedding manufacture.
Drugs and pharmaceutical products manufacture.
Dyes, aniline, ink pigments and others, manufacture.
Electric motors and generators manufacture.
Engraving.
Feed milling and processing.
Felt manufacture.
Funeral homes.
Fur goods, not including tanning or dyeing manufacture.
Gelatin, vegetable and animal.
Glass blowing and manufacture.
Glass products, from previously manufactured glass.
Grain elevators.
Graphite, and graphite products, manufacture.
Heating appliances and sheet metal products, including stoves and ranges, manufacture.
Hemp products, manufacture.
Hosiery manufacture.
Ice cream and ice manufacture.
Ink from primary raw materials, including colors and pigment.
Kennel with outdoor pens and runs.
Laundries, more than one thousand (1000) pounds daily capacity.
Linoleum manufacture.
Lumber, preserving treatment, processing, sawmills, and planing mills.
Machine shops and metal products manufacture, when not equipped with heaving (exceeding fifty (50) ton pressure), punch presses, drop forges, riveting and grinding machines or any other equipment which may create noise, vibrations, smoke, odors, heat, glare or fire hazards, exceeding the performance standards of this section.
Machinery, heavy manufacturing and repair, including electrical, construction, mining and agriculture, manufacture.
Meat and fish products, packing and processing of, but not including slaughtering and glue and size manufacture.
Metal foundries and casting.
Metal polishing and plating.
Metal stamping and extrusion of metal products.
Motor freight terminal, private.
Motor testing or internal combustion motors, manufacture.
Musical instrument manufacture.
Offices of professional persons such as physicians, dentists, health practitioners (but not including veterinarians), attorneys, architects and engineers, and including outpatient medical and dental clinics, but not hospitals.
Off-street parking and loading facilities, as regulated by Section 10.
Perfume and cosmetics manufacture.
Photography studios.
Piano and organ manufacture.
Plastic products, but not including the processing of the raw materials, manufacture.
Porcelain products—such as bathroom and kitchen equipment, manufacture.
Private clubs and lodges of fraternal and religious organizations—when not operated for profit.
Public utility electric substations and distribution centers, gas regulation centers.
Public libraries.
Railroad equipment - such as railroad car and locomotive manufacture.
Rubber products, including tires and tubes manufacture.
Rubber products (small), such as washers, gloves, footwear, bathing caps, and tire re-capping, but excluding rubber and synthetic rubber processing, manufacture.
Shoe and boot manufacture.
Signs, as regulated by section 9.
Sporting and athletic equipment manufacture.
Stone, marble and granite grinding and cutting.
Storage of household goods.
Storage and sale of trailers, farm implements, and other similar equipment on an open lot.
Storage of flammable liquids, fats or oil in tanks, each of fifty thousand (50,000) gallons or less capacity, but only after the location and protective measures have been approved by local governing officials.
Telephone booths.
Textiles - spinning, weaving, dyeing and printing.
Tools and hardware, such as hand tools, bolts, nuts, screws, cutlery, house hardware, locks and plumbing appliances, manufacture.
Tool and die shops.
Toys and children's vehicles, manufacture.
Truck, tractor, trailer or bus storage or parking yard, lot or garage.
Truck terminal, including exchange and handling of freight.
Wax products, manufacture from paraffin.
Wire brush manufacture.
Wool scouring and pulling.

Any other establishment that can be operated in compliance with the requirements of this section, without creating objectionable noise, odor, dust, smoke, gas, fumes or vapor, and that is a use compatible with the use and occupancy of adjoining properties.

2. All of the foregoing uses must comply with the performance standards set forth in sub-sections 13.2-1 and 13.2-4 through 13.2-4.6 of the Aurora Zoning Ordinance, to be permitted uses.
3. The following additional uses shall be permitted throughout all Manufacturing Areas:

a. Helio ports.

b. Bus terminals, railroad passenger stations, freight terminals, and other public transportation terminal facilities.

c. Public telephone booths not installed in a building or structure but standing in the open for the general use of the public.

d. Railroad rights-of-way.

e. Cultural, educational and child care facilities when part of, and related to, a planned industrial park.

f. The following business uses shall be permitted in the manufacturing district without further city approval:

1. Stationery or office supplies stores.
2. Newspaper, cigar and candy stores.
3. Restaurants.
5. Gift shops and other businesses related to hotel or restaurant operations.
6. Business equipment sales and services.
7. Auto service stations.
8. Banks.
10. Living quarters when used in conjunction with training and related programs conducted by businesses located in the Manufacturing District.
11. Health clubs, recreational and related facilities, each having permanent seating for not more than 500 spectators, unless additional seating is approved by the City Council.
g. With the approval of the City Council, which approval may be given as part of the approval of a preliminary or final plan, any use permitted in the general business area of the district.

4. In any part of any Manufacturing Area of the District which is, at the time when a Preliminary Plan including such part of the Manufacturing Area is submitted for approval, within one hundred feet of the boundary of a Residential Area of the District or the boundary of any area outside the District which was, on the approval date, and is, at the time when such Preliminary Plan is submitted for approval, zoned for residential use, the permitted uses in such part shall be limited to (1) warehouse or parking facilities associated with any uses located in the Manufacturing area; (2) any uses listed in Section B of this Section II; provided, that if the boundary of such Residential Area or such area outside the District shall be in a road, highway, railroad or similar right-of-way or in a stream, park, river or similar natural barrier, the depth of that part of such right-of-way or natural barrier which is within such Residential Area or such area outside the District zoned for residential use may be deducted from the one-hundred foot requirement for the part of the Manufacturing Area in which the permitted uses shall be so limited.
c. Residential Areas.

1.a. The permitted uses shall be as follows:

   One-family detached dwellings.
   Home occupations as defined in the Aurora Zoning Ordinance. (see Section 3 (4S)).
   Truck gardening and other horticultural uses where no building is involved and when no sale of products is conducted on the premises.
   Churches and related indoor and recreational facilities.
   Convents, monasteries, rectories, parsonages, ministerial homes, parish houses, and reading rooms.
   Temporary buildings and uses for construction purposes for a period not to exceed one year.
   Accessory buildings, as defined herein.
   Signs as regulated herein.
   Off-street parking facilities as regulated by this Plan Description.
   Two-family dwellings.
   Multiple-family dwelling and apartments.
   One family row dwellings (party wall) with not more than ten dwellings in a row or building.

b. Any uses that become permitted uses in any Residential District of the Aurora Zoning Ordinance subsequent to the approval date shall be permitted uses throughout such Residential Area; and

c. The following additional uses shall be permitted throughout such Residential Areas:

(1) Golf courses, public or private.
(2) Municipal or privately owned recreation buildings and community centers.
(3) Nursery schools and day nurseries.
(4) Police stations and fire stations.
(5) Public buildings, including art galleries, post offices, libraries, museums and similar buildings.

(6) Public or private parks and playgrounds.

(7) Public telephone booths not installed in a building or structure but standing in the open for the general use of the public.

(8) Public utility facilities, i.e., filtration plants, water reservoirs and pumping stations, heat or power plants, transformer stations and other similar facilities.

(9) Rest homes and nursing homes.

(10) Schools, elementary, high and college, public or private.

(11) Telephone exchanges, antenna towers and other outdoor equipment essential to the operation of the exchanges.

D. Open Space.

Land shall be reserved for public open space, parks and recreation uses in accordance with the provisions of Subsection B.19. of Section IV hereof.
E. School Sites.

Land shall be reserved for school sites in accordance with the provisions of Subsection B.19. of Section IV hereof.

F. Existing and Temporary Uses in the District.

Any lawfully established use of a building or land in the District, including farm and agricultural uses, which is established or being carried on on the approval date, may be continued pending the commencement of construction in accordance with approved Final Plans for the land on which such building is located or on which such use is established or being carried on. Subject to the provisions of Subsection A.9. of Section III hereof, temporary uses of a building or land in the District may be permitted pending the commencement of construction in accordance with approved Final Plans for the land on which such building is located or on which such temporary use is permitted. Any such temporary use shall be compatible with existing uses in the area where such temporary use is located. Except as provided for herein, after complete development of the District in accordance with approved Final Plans, no uses of a building or land shall be allowed except uses permitted by approved Final Plans for the District.
G. Determination of Density.

In determining the density of an area provided in Section A.2 and C hereof of this Section II, such density determination shall be applied to the land area of the District after deducting from such land area all land devoted to or reserved or dedicated for (i) above ground public utility buildings and structures required to service the District and (ii) rights-of-way for public streets, highways and alleys. Land area devoted to or reserved or dedicated for school and other public building sites and public parkways (when not part of a public street), walkways and drainage courses shall be included in the land area to which such determination is being made. In determining the land devoted to each land use Area, land devoted to parking and private open space, park and recreational facilities shall also be included.
"BUTTERFIELD" PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section III

Development Standards, Design Criteria and Land Improvements

A. Zoning Standards.

The standards set forth in this Subsection III A. shall be applicable to all buildings and structures and the use of all land in the District in lieu of comparable or similar standards or requirements of the Zoning Ordinance, and all provisions and requirements of the Zoning Ordinance inconsistent with the standards set forth herein shall be inapplicable. Any uncertainty between the applicability of a standard or requirement of the Zoning Ordinance and the applicability of a standard set forth herein shall be resolved in favor of the standard set forth herein.

1. Dwelling Standards.

a. One-Family Dwellings. Each one-family one-story dwelling shall have a total ground floor area of not less than seven hundred and fifty square feet. Each one-family dwelling of more than one story shall have a total floor area of not less than nine hundred and fifty square feet.
b. Two-Family Dwellings. Each two-family dwelling shall have a total floor area per dwelling unit of not less than seven hundred and fifty square feet.

c. Multiple-Family Dwellings and Apartments. Multiple-family dwellings and apartments shall have a minimum total floor area per dwelling unit as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Efficiency apartments</td>
<td>450</td>
</tr>
<tr>
<td>(2) Apartments with one bedroom</td>
<td>650</td>
</tr>
<tr>
<td>(3) Apartments with two bedrooms</td>
<td>850</td>
</tr>
<tr>
<td>(4) Apartments with three bedrooms</td>
<td>1000</td>
</tr>
<tr>
<td>(5) Apartments with four or more</td>
<td>1100</td>
</tr>
</tbody>
</table>

bedrooms

In all cases, ground floor area or floor area shall be measured from the outside of the exterior walls, shall include utility rooms, but shall not include cellars, basements, open porches, balconies, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes. A basement shall not be considered as a story for the purposes of this Subsection III A.1.

2. Building Height.

a. Residential Areas. The following building-
height limitations shall be applicable in all Residential Areas of the District:

(1) No one-family detached dwelling, no two-family dwelling, or one-family row dwelling shall be erected or structurally altered to exceed a height of three stories or a height of forty feet, whichever is the higher.

(2) No three-family or four-family dwelling shall be erected or structurally altered to exceed a height of four stories or a height of forty feet, whichever is the higher.

(3) No multiple-family dwelling or apartment building shall be erected or structurally altered to exceed a height of two hundred feet and no more than fifteen stories in any such building may be devoted to dwelling units.

b. Business Areas. In Business Areas of the District no building or structure shall be erected or structurally altered to exceed a height of four stories or a height of sixty feet, whichever is the
higher except that buildings which may be erected or
structurally altered to a greater height pursuant to
the City Building Code may be erected or structurally
altered within the height limitations set forth in
said Code, except that office buildings in the Town
Center Business Area may be twelve stories in height
or 150 feet in total height, and also in the Town Center
Business Area no multiple-family dwelling or apartment
building shall be erected or structurally altered to
exceed a height of two hundred feet and no more than
fifteen stories in any such building may be devoted
to dwelling units.

c. Manufacturing Areas. In Manufacturing
Areas of the District no building or structure shall
be erected or structurally altered to exceed a height
of seventy-five feet, except that buildings intended
for business or office uses which may be erected or
structurally altered to a greater height pursuant to
the City Building Code may be erected or structurally
altered within the height limitations set forth in
said Code.

Parapet walls, chimneys, cooling towers, elevator bulk
heads, fire towers, stacks, stage towers, scenery lofts,
necessary mechanical or structural appurtenances, aerials,
light towers, flag poles and similar extensions to the
height of buildings shall be permitted to exceed the
maximum height limitations set forth above, provided they
are erected in accordance with all other ordinances of the
City. A basement shall not be considered as a story for
the purposes of this Subsection III A.2.
3. Location of Buildings in Relation to Boundary Lines of the District and in Relation to Boundary Lines of Use Areas in the District.

a. Residential Areas. In Residential Areas of the District, the minimum distance between the exterior wall of any building and a boundary line of the District or a boundary line of the Residential Area shall be twenty-five feet; provided, that if the building exceeds twenty-five feet in height, such minimum distance shall be increased one foot for each two feet or fraction thereof by which the building height exceeds twenty-five feet, but in no case shall such minimum distance exceed forty feet. Further the developer recognizes that certain proposed Residential Areas in the District will be adjacent to the existing Residential Area commonly known as Willowby Manor. Accordingly, all land adjacent to said Willowby Manor will be developed in a fashion sensitive to existing residences in order to protect the character and value of the area.

b. Business Areas. In Business Areas of the District, the minimum distance between the exterior wall of any building and a boundary line of the District or a boundary line of the Business Area, if the property abutting such boundary line is in a Residential Area of the District, or if such building includes dwelling units, shall be thirty feet; provided, that if the building exceeds twenty-five feet in height, such minimum distance shall be increased one foot for each two feet or fraction thereof by which the building height exceeds twenty-five feet, but in no case shall such
minimum distance exceed forty feet; and, provided further, that if the property abutting such boundary line is not in a Residential Area of the District or is in an area outside the District zoned for nonresidential use, and if such building does not include dwelling units, such minimum distance shall be twenty feet.

c. **Manufacturing Areas.** In Manufacturing Areas of the District, the minimum distance between the exterior wall of any building and a boundary line of the District or a boundary line of the Manufacturing Area, if the property abutting such boundary line is in a Residential Area of the District shall be thirty feet; provided, that if the building exceeds twenty-five feet in height, such minimum distance shall be increased one foot for each two feet or fraction thereof by which the building height exceeds twenty-five feet, but in no case shall such minimum distance exceed forty feet; and, provided further, that if the property abutting such boundary line is not in a Residential Area of the District or is in an area outside the District zoned for nonresidential use, such minimum distance shall be twenty-five feet.

d. **General Provisions.** The following provisions governing the location of buildings in
relation to boundary lines of the District and in
relation to boundary lines of the use Areas in the
District shall apply in all use Areas in the District:

(1) Where a boundary line of
the District or of a use Area in the
District is in a public street, alley,
railroad, or similar right-of-way, the
minimum distance provided for in
clauses a., b. and c. above shall be
measured from the nearest right-of-way
line of such street, alley, railroad or
similar right-of-way.

(2) The area between a boundary
line of the District or of a use Area in
the District and the minimum distance at
which the exterior wall of any building
may be located may contain the following
permitted encroachments: open terraces
not over four feet above the average
level of the adjoining ground but not
including a permanently roofed-over
terrace or porch; awnings and canopies;
steps, four feet or less above the aver-
age level of the adjoining ground which
are necessary for access to a building
or building site; chimneys projecting
eighteen inches or less; recreational
and laundry drying equipment; arbors and
trellises; flag poles; fences and walls not exceeding five feet in height above the average level of the adjoining ground; open-type fences exceeding five feet in height (provided that visibility at right angles to any surface of such fence may not be reduced by more than twenty percent); balconies, breezeways and open porches; one-story bay windows projecting three feet or less; overhanging eaves and gutters projecting three feet or less; and air conditioning pads.

4. **Zoning Lot.** Within the District any parcel of land may be shown as a zoning lot on any Preliminary or Final Plan covering all or any part of the District, provided such parcel of land meets the zoning lot requirements set forth in this Plan Description. Subject to the modifications and exceptions provided for in this Plan Description, all provisions of the Zoning Ordinance which refer or apply to a zoning lot shall refer or apply to the zoning lots so shown on any such Preliminary or Final Plan; provided that (a) each zoning lot must be located entirely within a designated use area of the District as shown on such Preliminary or Final Plan; (b) a parcel of land shown as a zoning lot on any Preliminary Plan may be divided into two or more zoning lots on a Final Plan for all or a part
of the property covered by such Preliminary Plan; and

c) a zoning lot may not be intersected by a public highway, street, or railroad right-of-way. Except as otherwise limited by this Plan Description, one or more principal buildings and one or more accessory buildings may be located on a zoning lot. A zoning lot may be used for any one or more of the uses permitted in the use Area in which the zoning lot is located.

5. **Zoning Lot Coverage and Floor Area Ratios.**

   a. **Residential Areas.** The following zoning lot coverage and floor area ratio limitations shall be applicable in all Residential Areas of the District:

   (1) Not more than forty percent of the area of a zoning lot on which detached one-family or two-family dwellings are located may be occupied by buildings, including accessory buildings, and a minimum of twenty-five percent of the required open space shall be in planted areas.

   (2) Not more than forty percent of the area of a zoning lot on which multiple-family dwellings, apartments or one-family row dwellings (party wall) are located may be occupied by buildings, including accessory buildings, and a minimum of twenty-five percent of the required open space shall be in planted areas.

   (3) On a zoning lot on which multiple-family dwellings or apartments
are located the following floor area ratio limitations shall apply:

(a) For buildings up to and including three stories in height, the floor area ratio shall not exceed one.

(b) For buildings which exceed three stories but not eight stories in height, the floor area ratio shall not exceed two.

(c) For buildings which exceed eight stories in height, the floor area ratio shall not exceed three; provided, that for buildings which exceed twelve stories in height, the floor area ratio may exceed three if at least fifty percent of required parking facilities are provided in garage areas which are a part of the building, in which case the floor area ratio shall not exceed four.

(d) With the approval of the City Council, which approval may be given as part of the approval of a Preliminary of Final Plan, the
floor area ratio for any zoning lot may exceed the limitation applicable to that lot provided that the floor area ratio for all zoning lots within each use Area, separately, shall, within such use Area, comply with such limitations.

b. Business Areas. The maximum lot coverage for all Business or Office Areas in the Business Areas of the District shall be sixty percent and the floor area ratio shall be not more than 2.00 for business uses and 4.00 for office uses. In buildings containing dwelling units, each of which shall be located on a single zoning lot, not more than forty percent of the area of the zoning lot may be occupied by that portion of such a building containing dwelling units; provided, that the area of the zoning lot left open may begin at the level of the building's elevation at which the portion of the building containing dwelling units commences, and provided further that a minimum of ten percent of the required open space shall be in planted areas.

c. Manufacturing Areas. In Manufacturing Areas of the District, the floor area ratio shall not be more than 1.5 and for office building properties, the floor area ratio shall not be more than 4.00.

d. Permitted Encroachments. The areas left open to comply with the above zoning lot coverage and floor area ratio limitations may contain the permitted obstructions listed in clause (2) of Subsection A.3.d. of this Section III.
e. **Floor Area Ratio.** For the purpose of this Plan Description, the floor area ratio shall be the total floor area (as defined in Subsection A.1.c. of this Section III) of the dwelling unit portions of the building or buildings located on a zoning lot or lots divided by the area of such zoning lot or lots.

f. **Basement as a Story.** A basement shall be considered as a story for the purposes of this Subsection III A.5. if more than one-half its height is above the established curb level or above the average level of the adjoining ground where no curb level has been established.

6. **Residential Density.**

a. **Average Residential Density.** In Residential and Business Areas of the District the average residential density shall not exceed 12.5 dwelling units per acre; provided that in the District no more than twenty percent of the permitted dwelling units shall be efficiency apartments located in the multiple-family dwellings and apartment buildings. In computing such average density, all land in the District devoted to Residential Areas and all land devoted to open space, public parkways, walkways and drainage courses, school sites, parks, recreation areas, public or private, and other public building sites, shall be included in the number of acres which is to be divided into the total dwelling units in the District to produce average density in dwelling units per acre;
provided, that there shall be deducted from such number of acres into which the dwelling units are to be divided all land devoted to or reserved or dedicated for (i) above ground public utility buildings and structures required to service the District, and (ii) rights-of-way for public streets, highways and alleys.

b. Limitations on Density in High and Medium Dwelling Units. In the District, the maximum percentage of the zoning lot land area developed with dwellings or apartment buildings in Residential Areas which may be developed with medium density dwellings and apartment buildings or with high density apartment buildings shall be as follows:
Medium density dwellings and apartment buildings.

High density apartment buildings.

For the purposes of this Subsection 6.b., zoning lot land area assigned to medium density dwellings and apartment buildings shall meet or exceed the requirements set forth in Subsection A.8.b. of this Section III or the requirements set forth in Subsection 14.b.(2) of this Section III, and zoning lot land area assigned to apartment buildings which does not meet or exceed such requirements shall be assigned to high density apartment buildings and shall be subject to the requirements of Subsection A.8.c. of this Section III or the requirements set forth in Subsection 14.b.(3) of this Section III. Any part of the zoning lot area in the District which may be developed with high density apartment buildings may be developed with medium density dwellings and apartment buildings.

c. Limitations on Number of Dwelling Units.
The maximum permitted number of dwelling units in the District will be 10,400. The maximum density in any residential neighborhood shall not exceed the maximum figure for such neighborhood shown on Exhibit VI.

d. Assigned Zoning Lot Land Area. The zoning lot land area assigned to each dwelling or apartment building shall be shown on each Preliminary or Final Plan which includes Residential Areas.
7. **Yard and Minimum Zoning Lot Size Requirements.**

There shall be no yard or minimum zoning lot size, area or width requirements in the District except as follows:

a. In Residential Areas of the District the minimum distance between the closest right-of-way line of any public street and the exterior wall of any building shall be twenty-five feet.

b. In Residential Areas of the District:

(1) The minimum distance between adjacent detached dwellings and apartment buildings shall be twelve feet for dwellings and apartment buildings of not more than two stories in height, and if one or both of such adjacent dwellings or apartment buildings exceeds two stories in height, such minimum distance shall be increased two feet for each story by which each of such dwellings or apartment buildings exceeds two stories in height.

(2) The minimum distance between a dwelling or apartment building and the boundary of the area covered by any Final Plan shall be six feet for a dwelling or apartment building of not more than two stories in height, and if such dwelling or apartment building exceeds two stories in height, such minimum distance shall be increased two feet for each story by which
such dwelling or apartment building exceeds two stories in height.

(3) The minimum distance between adjacent buildings containing one-family row dwellings (party wall) shall be twenty feet.

(4) A rear yard of at least fifteen feet shall be required on all single family detached dwellings and single family attached dwellings, unless such rear yard adjoins other public or private open space. When a rear yard is required under this provisions, it shall be appropriately protected from encroachment, either by covenant or platting. With the approval of the City Council, such rear yard requirement can be waived and such approval may be given by the City Council as part of the approval of a Preliminary or Final Plan.

c. If a building located in a Business Area of the District contains dwelling units, the minimum distance between the exterior wall of that portion of such building which contains the dwelling units and the closest right-of-way line of any public street shall be twenty-five feet.

d. If a building located in a Business Area of the District contains dwelling units, the minimum distance between any boundary of the zoning lot on which the building is located and the exterior wall of that portion of the building which contains the dwelling units shall be twenty-five feet if the
residential portion of the building does not exceed two stories in height. If the residential portion of the building exceeds two stories in height, one foot shall be added to such minimum distance for each story by which such residential portion of the building exceeds two but not five stories in height, and one-half foot shall be added to such minimum distance for each story by which the residential portion of the building exceeds five stories in height.

e. In Manufacturing Areas of the District the minimum distance between the closest right-of-way line of any public street and the exterior wall of any building shall be twenty-five feet. In such yard areas no storage of material or equipment or parking of motor vehicles shall take place and such yard areas shall be landscaped. Such landscaping requirement shall not prevent the location within such yard areas of driveways, pathways, utility easements and structures and similar appurtenances.

f. In Manufacturing Areas of the District the minimum distance between adjacent principal buildings shall be thirty feet and the minimum distance between a principal building and an accessory building shall be fifteen feet.
The required area between adjacent detached dwellings and apartment buildings, between a dwelling or apartment building and the boundary of the area covered by any Final Plan, between adjacent buildings containing one-family row dwellings (party wall) or between buildings and the closest right-of-way line of public streets or the boundary of a zoning lot may contain the permitted encroachments listed in clause (2) of Subsection A.3.d. of this Section III. A basement shall not be considered as a story for the purposes of this Subsection III A.7.

8. Required Zoning Lot Land Area Per Dwelling Unit.

a. Medium Density Minimum Zoning Lot Land Area Requirements. In portions of Residential Areas which are not developed pursuant to Subsection A.14. of this Section III, all zoning lot land area which is assigned to dwellings or apartment buildings which have an assigned zoning lot land area equal to or in excess of the following requirements shall be counted as zoning lot land area developed with medium density dwellings and apartment buildings:
(1) For each one-family detached dwelling, 6000 square feet

(2) For each two-family dwelling, 8000 square feet

(3) For each row dwelling (party wall) with one bedroom, 1500 square feet per dwelling unit

(4) For each row dwelling (party wall) with two bedrooms, 2000 square feet per dwelling unit

(5) For each row dwelling (party wall) with three or more bedrooms, 2500 square feet per dwelling unit

(6) For multiple-family dwellings and apartment buildings:

<table>
<thead>
<tr>
<th>Square Feet Per Dwelling Unit</th>
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<tbody>
<tr>
<td>(a) For efficiency apartments, 1000</td>
</tr>
<tr>
<td>(b) For dwelling units with one bedroom, 1500</td>
</tr>
<tr>
<td>(c) For dwelling units with two bedrooms, 2000</td>
</tr>
<tr>
<td>(d) For dwelling units with three or more bedrooms, 2500</td>
</tr>
</tbody>
</table>
The requirements set forth above for one-family
detached dwellings, for two-family dwellings, for row
dwellings (party wall) with one bedroom, for row dwell-
ings (party wall) with two bedrooms and for row dwell-
ings (party wall) with three or more bedrooms shall
be the minimum requirements in the District for such
types of dwellings except when portions of Residential
Areas are developed pursuant to Subsection A.14. of
this Section III.

b. High Density Apartment Building Minimum

Zoning Lot Land Area Requirements. In portions of
Residential Areas which are not developed pursuant
to Subsection A.14. of this Section III, all zoning
lot land area assigned to apartment buildings which
do not have an assigned zoning lot land area equal
to the requirements of Subsection a. of this Subsec-
tion 8. shall be counted, for the purpose of apply-
ing the limitations set forth in Subsection A.6.c.
of this Section III, as zoning lot land area
developed with high density apartment buildings and
shall have a minimum assigned zoning lot land area
per dwelling unit in accordance with the following:

<table>
<thead>
<tr>
<th>Square Feet Per Dwelling Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) For efficiency apartments,</td>
</tr>
<tr>
<td>(2) For dwelling units with one bedroom,</td>
</tr>
</tbody>
</table>
(3) For dwelling units with two bedrooms,

(4) For dwelling units with three or more bedrooms.

c. Buildings Containing Dwelling Units

Located in Business Areas. In Business Areas of the District, each zoning lot on which a building containing dwelling units is located shall have a minimum land area per dwelling unit in accordance with the requirements set forth in Subsection b. of this Subsection 8.

9. Approval of Bulk Requirements for Certain Uses and Temporary Uses. The bulk requirements to be complied with in connection with any use permitted by Subsections A., B. and C. of Section II hereof and any temporary use of a building or land provided for in Subsection P. of Section II hereof shall be subject to the approval of the City Council, which approval may be given as part of the approval of a Preliminary or Final Plan. Separate application for such an approval may be submitted to the City Council by the developer in writing. The City Council shall promptly refer such application to the Plan Commission and the Plan Commission shall, within thirty days from the date of referral, submit to the City Council its written recommendations with respect to such
application. The Plan Commission may recommend that the City Council approve or disapprove the application and, in the event of a favorable recommendation, specify particular conditions which should be incorporated in the approval. Within sixty days after receipt of the Plan Commission's recommendation, the City Council shall either approve or disapprove the application. An approval may be conditional and, if so, shall state what additions or deletions from the application as submitted shall be made in the application as approved.

10. Off-Street Parking and Loading. Off-street parking and loading facilities shall be provided in accordance with Section 10 of the Zoning Ordinance, subject to the modifications and exceptions provided for in Section IV of this Plan Description.

11. Performance Standards in Manufacturing Areas of the District. The Performance Standards set forth in Subsections 13.2-1 and 13.2-4 through 13.2-4.6 of the Zoning Ordinance shall be applicable to Manufacturing Areas of the District; provided that references in Subsections 13.2-1 and 13.2-4.1 of the Zoning Ordinance to residential districts shall be deemed to include Residential Areas of the District, that references in Subsection 13.2-4.1 to B-2, B-3 and B-4 ("O") districts shall be deemed to include Business Areas of the District, and that references in Subsection 13.2-4.1 to an M-1 district
shall be deemed to include any Manufacturing Area of the District. In Manufacturing Areas of the District, no storage of material or equipment or parking of automobiles shall take place within twenty feet of a boundary line of the District or a boundary line of the Manufacturing Area if the property abutting such boundary line is in a Residential Area of the District, a Business Area of the District and is used for buildings containing dwelling units or an area outside the District zoned for residential use. Such yard areas in which parking and the storage of materials are not permitted will be landscaped. Such landscaping requirement shall not prevent the location within such yard areas of driveways, pathways, utility easements and structures and similar appurtenances.

12. **Accessory Buildings.** Accessory buildings or accessory uses, including off-street motor vehicle parking lots, but not including public utility, communication, electric, gas; water and sewer lines and their support and incidental equipment, may not be located beyond the building setback lines provided for in Subsections A.3.a., A.3.c., A.7.c., A.7.d. and A.7.e. of this Section III.

13. **City Disapproval Rights.** Notwithstanding the limitations of the second sentences of Subsection 14.7-6(a) and Subsection 14.7-9 of the Zoning Ordinance, portions of Residential Areas on any Preliminary Plan, or on any Final Plan (if such portions on such
Final Plan are not consistent with an approved Preliminary Plan, may be disapproved for reasons which may be inconsistent with this Plan Description provided that:

a. Any such disapproval shall have been recommended by a two-thirds vote of the members of the Plan Commission voting on the issue and the votes of not less than seven members of the Plan Commission then in office; and

b. Any such disapproval shall have been adopted by a two-thirds vote of the members of the City Council then in office; and

c. The disapproval right provided for in this Subsection 13. shall be subject to the provisions of Subsection 13.d below.

d. In the event portions of Residential Areas are disapproved, the density shall be reduced for such Residential Area to the fall back density for such neighborhood shown on Exhibit VI.C. and the use limited to the use shown for such neighborhood on said Exhibit, and the land shall be developed in accordance with applicable City Ordinances, as of the approval date.

1. The legend, definition of density in the fall back position (if a preliminary, or final plan for a residential area is disapproved) Standards for Town House Areas, and all other information set forth on Exhibit VI.C is incorporated herein by reference.

2. In that instance or those instances wherein a preliminary or final plan for a residential area is disapproved, the land included in the preliminary or final plan so disapproved shall be developed in accordance with applicable City Ordinances as of the approval date and in such a case or cases, the provisions of paragraphs A.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, and B of Section III shall be inapplicable, and paragraphs A. 1, 3, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 40, 41, 42, 43, 44 and Paragraphs B. 1, 2, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 39, 40, 41, 42, and 43 of Section IV of this Plan Description shall be inapplicable.
14. Development Pursuant to Existing Standards.

The Plan Commission and the City Council shall approve those portions of Residential Areas on any Preliminary or Final Plan if such Residential Area portions comply with Subsections a. or b. below.

a. In the case of a Final Plan, such Residential Area portions shall be approved if they are consistent with an approved Preliminary Plan for such Residential Area portions.

b. In the case of a Preliminary or Final Plan, such Residential Area portions shall be approved if they shall have been divided into areas which are classified as either one-family detached dwelling areas, medium density multiple-family dwelling and apartment building areas, or high density apartment building areas, and if each such area meets the applicable requirements set forth in Subsections (1), (2) or (3) below.

(1) In the case of a one-family detached dwelling area, the requirements for Permitted Uses, Height of Buildings, Lot Size, Yard Area, Permitted Obstructions and Dwelling Standards set forth in Subsection 11.3 of the Zoning Ordinance on the approval date, or
Pursuant to Subsection 14., all zoning lot and area assigned to one-family detached dwellings which meet the requirements for Height of Buildings, Lot Size, Yard Area, Permitted Obstructions and Dwelling Standards set forth in Subsection 11.3 of the Zoning Ordinance on the approval date.

[3] In the case of a high density apartment building area, the requirements for Permitted Uses, Lot Area Per Dwelling, Yard Area, Maximum Floor Area, Dwelling Standards, Signs and Off-Street Parking and Loading set forth in Subsection 11.6 of the Zoning Ordinance on the approval date.
against the obligation to develop a minimum of twenty-six (26%) per cent of the total zoning lot land area developed with dwellings or apartment buildings in Residential Areas.

d. In Residential Areas of the District developed pursuant to this Subsection 14., all zoning lot land area assigned to multiple-family dwellings and apartment buildings which meet the requirements for Height of Buildings, Lot Area Per Dwelling, Yard Areas, Maximum Floor Area Ratio, Dwelling Standards and Off-Street Parking and Loading set forth in Subsection 11.6 of the Zoning Ordinance on the approval date shall be counted, for the purpose of applying the limitations set forth in Subsection A.6.c. of this Section III, as zoning lot land area developed with medium density dwellings and apartment buildings.

e. In Residential Areas of the District developed pursuant to this Subsection 14., all zoning lot land area assigned to apartment buildings which meet the requirements for Lot Area Per Dwelling, Yard Areas, Maximum Floor Area Ratio, Dwelling Standards, Signs and Off-Street Parking and Loading
set forth in Subsection 11.7 of the Zoning
Ordinance on the approval date shall be counted,
for the purpose of applying the limitations set
forth in Subsection A.6.c. of this Section III
as zoning lot land area developed with high
density apartment buildings.

f: From and after the date of the
fifteenth annual anniversary of the approval date,
Subsections b.(1), b.(2) and b.(3) of this Subsection
14. shall be deemed modified to incorporate those
requirements of the Zoning Ordinance on such
anniversary date which shall have modified or re-
placed the requirements of the Zoning Ordinance which
have been incorporated in this Plan Description by
Subsections b.(1), b.(2) and b.(3) of this Subsec-
tion 14.

15. City disapproval rights in the General Business
and Town Center Business Area. Notwithstanding the limitations
of the second sentence of Subsections 14.7 - 6(a) and Sub-
sections 14.7 - 9 of the Zoning Ordinance, portions of the
General Business Area and Town Center Business Area on any
Preliminary Plan or on any Final Plan (if such portions on
such Final Plan are not consistent with an approved Preliminary
Plan) may be disapproved for the reason that in the judgment of
the Plan Commission and City Council, the development, pursuant
to such Preliminary Plan, would be inconsistent with the
Specific Character of the Business Areas as described on pages
vii and viii of Part One Section I, provided that:
a. Any such disapproval shall have been recommended by a two-thirds vote of the members of the Plan Commission voting on the issue and the votes of not less than seven members of the Plan Commission then in office; and

b. Any such disapproval shall have been adopted by a two-thirds vote of the members of the City Council then in office; and

In the event of such disapproval, the developer shall be limited in the use of such area covered by the disapproved Preliminary Plan or Final Plan to the uses permitted under the Aurora Zoning Ordinance in the B-1 and B-2 Business Areas, provided however, no residence shall be located above a business and the land shall be developed in accordance with applicable City Ordinances as of the approval date.

In that instance, or those instances wherein a Preliminary Plan or Final Plan for a business area is disapproved, the provisions of paragraphs A. 1, 2, 3d2, 4, 5, 6, 7, 8, 9, 10, 12, and B of Section III shall be inapplicable, and paragraphs A. 1, 3, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 33, 36, 37, 40, 41, 42, 43, 44, and Paragraphs B. 1, 2, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 39, 40, 41, 42, and 43 of Section IV of this Plan Description shall be inapplicable.

B. Design Standards and Required Land Improvements.

To the extent that any development in the District is subject to the provisions of City Ordinance No. 3446 (hereinafter called the "Subdivision Control Ordinance"), the design standards and required land improvements provided for in Articles IV and V of said Ordinance shall apply, subject to the modifications and exceptions provided for in Section IV hereof.
"BUTTERFIELD" PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section IV

Requested Modifications and Exceptions from the Zoning

Ordinance and the Subdivision Control Ordinance

A. Zoning Ordinance Modifications and Exceptions.

The District shall not be subject to those pro-
visions of the Zoning Ordinance listed below and described
as inapplicable. With respect to those provisions of the
Zoning Ordinance listed below and shown in modified form,
the District shall be subject thereto only as so modified.
The definitions contained in the Aurora Zoning Ordinance
on the approval date, unless shown as inapplicable or
modified in this Section, shall apply to the District.

1. Subsection 3.2 (22) shall be modified
to read as follows:

"(22) BUILDING, PRINCIPAL. A building in which
is conducted one of the principal uses of the
zoning lot on which it is situated."

2. Subsection 3.2 (23) shall be modified to
read as follows:

"(23) BUILDING SETBACK LINE. A line parallel
to a street line, a boundary line of the
District or a boundary line of a Use Area in
the District at the distance from it required
by Subsections III A.3. or III A.7. et seq."

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3. Subsection 3.2. (39) shall be modified to read as follows:

"(39) DWELLING, ROW (PARTY-WALL). A row of two to eight attached, one-family, party-wall dwellings."

4. Subsection 4.3 shall be inapplicable.

5. Subsection 4.4 shall be modified to read as follows:

"4.4. ZONING OF STREETS, ALLEYS, PUBLIC WAYS AND RAILROAD RIGHTS-OF-WAY. All streets, alleys, public ways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same use district or use area as the property immediately abutting upon such streets, alleys, public ways and railroad rights-of-way. Where the center line of a street, alley or public way serves as a district or use area boundary, the zoning of such street, alley or public way, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line."

6. Subsection 4.5 shall be modified in part to read as follows:

"4.5. BOUNDARY LINES. Wherever any uncertainty exists as to the boundary of the District or of any use area in the District, as shown

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on any Preliminary or Final Plan, the following rules shall apply:

7. Subsection 4.5-1 shall be modified to read as follows:

"4.5-1. Where District or use Area boundary lines are indicated as following streets, alleys or similar rights-of-way, they shall be construed as following the center lines thereof."

8. Subsection 4.5-2 shall be modified to read as follows:

"4.5-2. Where District or use Area boundary lines are indicated as approximately following zoning lot lines, such zoning lot lines shall be construed to be such boundaries."

9. Subsection 4.5-3 shall be inapplicable.

10. Subsection 5.3-1 shall be modified to read as follows:

"5.3-1. No building shall be erected, reconstructed, relocated or structurally altered so as to have a greater height or bulk, a higher percentage of lot coverage or smaller open space about it than permissible under the limitations set forth in this Plan Description."

11. Subsection 5.3-3 shall be inapplicable.
12. Subsections 5.4, 5.4-1, 5.4-2, 5.4-3 and 5.4-4 shall be inapplicable.

13. Subsection 5.5-1 shall be inapplicable.

14. Subsection 5.5-2 shall be inapplicable.

15. Subsection 5.6 shall be modified to read as follows:

"5.6. LOCATION OF BUILDINGS. Every building shall be constructed or erected on a zoning lot which abuts a public dedicated street, court or cul-de-sac or a private street, drive, driveway, court, or cul-de-sac which provides permanent easement of access to a public street, drive, court or cul-de-sac, which easement of access shall have a minimum width of twenty-five feet."

16. Subsection 5.8 shall be modified to read as follows:

"5.8. BUILDINGS ON A ZONING LOT. Every building hereafter erected or structurally altered shall be located on a zoning lot as such term is used and described in this Plan Description. Except as otherwise limited by this Plan Description, one or more principal buildings and one or more accessory buildings may be located on a zoning lot. A zoning lot may be used for
any one or more of the uses permitted in the use Area in which the zoning lot is located."

17. Subsection 5.9 shall be inapplicable.

18. Subsection 5.10 shall be inapplicable.

19. Section 6 shall be inapplicable.

20. Section 7.1 shall be modified in part to read as follows:

"7.1. AUTHORITY. The City Council shall have the authority to permit by ordinance the following uses of land or structures or both, subject to the conditions contained in Section 14.6 of the Zoning Ordinance; provided, that any of the following uses which is a permitted use pursuant to Subsections A.1.c., B.1.c., or C.1.b. of Section II hereof shall not require authorization of the City Council by ordinance pursuant to Section 14.6 of the Zoning Ordinance, but shall be subject to the provisions of Subsection A.9. of Section III hereof."

21. Subsections 8.1, 8.2 and 8.4 shall be inapplicable.
22. Section 9 shall be inapplicable.

23. Subsection 10.2-6.2 shall be modified to read as follows:

"10.2-6.2. Floor Area. The term 'floor area' as employed in this parking and loading Section, in the case of office, merchandising or service types of use, shall mean the gross floor area of a building or structure used or intended to be used for service to the public as customers, patrons, clients, patients or tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise. The term 'floor area', for the purposes of this Section, shall not include any area used for:

a.) Storage accessory to the principal use or uses of a building;

b.) Incidental repairs;

c.) Processing or packaging of merchandise;

d.) Show windows or offices incidental to the management or maintenance of a store or a building;

e.) Rest rooms;

f.) Utilities;

g.) Dressing, fitting or alteration rooms;

h.) Malls or service corridors; or

i.) Parking facilities."

24. Subsection 10.3-1 shall be modified to read as follows:
"10.3-1. USE OF PARKING FACILITIES. Off-street parking facilities accessory to dwellings located in Residential Areas shall be used solely for the parking of passenger automobiles owned by occupants of the dwellings to which such facilities are accessory or by employees and guests of said occupants. Under no circumstances shall required parking facilities accessory to such dwellings be used for the storage of commercial vehicles or for the parking of automobiles belonging to the employees, owners, tenants, visitors, or customers of business or manufacturing establishments, except as permitted in Subsection 10.3-5 as modified by this Plan Description."

25. Subsection 10.3-2 shall be modified to read as follows:

"10.3-2. JOINT PARKING FACILITIES. Off-street parking facilities for different buildings, structures or uses or for mixed uses may be provided collectively in any use Area in which separate parking facilities for each constituent use would be permitted and the total number of spaces so located together may be less than the sum of the separate requirements for each use if a time diversity factor between each use is shown."
26. Subsection 10.3-3 shall be modified to read as follows:

"10.3-3. CONTROL OF OFF-SITE FACILITIES. When required accessory off-street parking facilities are provided elsewhere than on the property on which the use served is located, they shall be in the same possession, either by deed, long-term lease or other arrangement, as the property occupied by such use, and the owner shall be bound by covenants filed of record in the office of the Recorder of Deeds of the county in which the property is located, requiring the owner and his or her heirs and assigns to maintain the required number of parking spaces during the existence of said use."

27. Subsection 10.3-4 shall be modified to read as follows:

"10.3-4. PERMITTED USE AREAS FOR ACCESSORY PARKING. Accessory parking facilities provided elsewhere than on the same zoning lot with the use served may be located in any use area except that no parking facilities accessory to a business or manufacturing use shall be located in a Residential Area except when authorized by the City Council as prescribed hereinafter in Subsection 10.3-5 as modified by this Plan Description."
28. Subsection 10.3-5 shall be modified to read as follows:

"10.3-5. NONRESIDENTIAL PARKING IN RESIDENTIAL AREA. Accessory off-street parking facilities serving nonresidential uses of property may be permitted in any Residential Area when authorized by the City Council, which authorization may be given as part of the approval of a Preliminary or Final Plan, and, in any case, shall be subject to the following requirements in addition to all other relevant requirements of this Section:

a.) The parking facility shall be accessory to and for use in connection with one or more nonresidential establishments located in adjoining use Areas.

b.) The parking facility shall be used solely for the parking of passenger automobiles.

c.) No commercial repair work or service of any kind shall be conducted on the parking facility.

d.) No sign of any kind other than signs designating entrances, exits, and conditions of use, shall be maintained on the parking facility, and no sign shall exceed twenty square feet in area.

e.) Each entrance to and exit from the parking facility shall be at least five feet distant from any adjacent property located in any Residential Area, except where ingress and egress to
the parking facility is provided from a public alley or public way separating the Residential Area from the parking facility."

29. Subsection 10.3-6.1 shall be modified to read as follows:

"10.3-6.1. Parking Space--Description. A required off-street parking space shall be an area of not less than one hundred and sixty-one and one-half square feet nor less than eight and one-half feet wide by nineteen feet long (exclusive of access drives or aisles, ramps, columns, or office and work areas) accessible from streets or alleys, or from private driveways or aisles leading to streets or alleys, to be used for the storage or parking of passenger automobiles and commercial vehicles under one and one-half ton capacity where permitted under this Ordinance. Aisles between vehicular parking spaces shall not be less than twelve feet in width when serving vehicles parked at an angle of forty-five degrees to the axis of an aisle accommodating one-way traffic, nor less than twenty feet in width when serving vehicles parked perpendicular to the axis of an aisle accommodating two-way traffic, nor less than seventeen feet in width when serving vehicles parked at an
angle of sixty degrees to the axis of an aisle accommodating two-way traffic."

30. Subsection 10.3-6.3 shall be modified to read as follows:

"10.3-6.3. Open and Enclosed Spaces. Parking areas may be open or enclosed."

31. Subsection 10.3-6.4 shall be modified to read as follows:

"10.3-6.4. Access. Parking facilities shall be designed with appropriate means of vehicular access to a street or alley in such a manner as will least interfere with the movement of traffic."

32. Subsection 10.3-6.5 shall be modified to read as follows:

"10.3-6.5. Signs. No sign shall be displayed in any parking area within Residential Areas except such as may be necessary for the orderly use of the parking facilities."

33. Subsection 10.3-6.6 shall be inapplicable.

34. Subsection 10.4-1.2 shall be modified to read as follows:

"10.4-1.2. Location. No permitted or required loading berth shall be closer than fifty feet
to any Residential Area unless completely enclosed by building walls, or a uniformly painted solid fence or wall, or any combination thereof not less than six feet in height. No permitted or required loading berth shall be located within twenty-five feet of the nearest point of intersection of any two streets.

35. Subsection 10.5-1.1 shall be modified to read as follows:

"10.5-1.1. For one-family detached or two-family dwellings located on individual zoning lots, the required off-street parking facilities shall be provided on the same zoning lot with the dwelling they are required to serve."

36. Subsection 10.5-1.2 shall be inapplicable.

37. Subsection 10.5-1.3 shall be modified to read as follows:

"10.5-1.3. For one-family detached or two-family dwellings not located on individual zoning lots and for multiple-family dwellings, apartments or one-family row dwellings (party-wall), the required off-street parking facilities shall be provided on the same zoning lot where the building they are required to serve is located or on a separate zoning lot or parcel of land, in either case not more than
three hundred feet from the nearest entrance to the building they are intended to serve."

38. Subsection 10.5-1.4 shall be modified to read as follows:

"10.5-1.4. For rooming houses, lodging houses, clubs, hospitals, sanitariums, orphanages, homes for the aged, convalescent homes, dormitories, sorority and fraternity houses, and for other similar uses, the off-street parking facilities required shall be provided on a zoning lot or parcel of land not more than five hundred feet from the nearest entrance to the building they are intended to serve measured from the nearest point of the parking facility; provided that the zoning lot or parcel of land intended for the parking facility is located in the same use area as is the building which the parking facility is intended to serve."

39. Subsection 10.5-1.5 shall be modified to read as follows:

"10.5-1.5. For uses other than those specified above, off-street parking facilities shall be provided on the same zoning lot as the building being served or on a separate zoning lot or parcel of land, in either case not over one
thousand feet from the nearest entrance to the building being served measured from the nearest point of the parking facility; provided that the zoning lot or parcel of land intended for the parking facility is located in the same use area as is the building which the parking facility is intended to serve."

40. Subsection 10.6-2 shall be modified to read as follows:

"10.6-2. For buildings containing three or more dwelling units:

(a) A dwelling unit with two or more bedrooms; two parking spaces per dwelling unit.

(b) A dwelling unit with one bedroom; one and one-half parking spaces per dwelling unit.

(c) An efficiency dwelling unit; one parking space per dwelling unit.

(d) For every building containing three or more dwelling units which is located in a Residential Area of the District, the parking requirements provided for in Subsections (a), (b) and (c) of this Subsection 10.6-2 may, with the approval of the City Council, be reduced
by twenty-five percent if a station stop of a public surface transportation system is located no more than one thousand feet from the nearest point of such building, or a building within one thousand feet from the nearest point of such building is served by a "Dial-A-Bus" system, or such other system as may be approved by the City Council. Such approval by the City Council may be given as part of the approval of any Preliminary or Final Plan."

41. Subsection 10.6-19 shall be modified to read as follows:

"10.6-19. The parking facilities required for mixed uses shall be the sum of the requirements for the various individual uses computed separately in accordance with this Section, and parking facilities for one use may be considered as providing the required parking facilities for another use if a time diversity factor is shown."

42. Except for the incorporation of permitted use descriptions in Section II hereof, Sections 11, 12 and 13 shall be inapplicable. For the purpose of such incorporated permitted use descriptions Subsection 12.2-1.1 shall be modified to read as follows:

"12.2-1.1. Dwelling Units, provided that they are located above the ground floor and that the zoning lot area coverage and floor area ratio limitations provided for in Subsection A.5.b. of Section III hereof are complied with."
43. Clause (a) of Subsection 14.7-6 shall be modified to read as follows:

"(a) Within such time periods as are prescribed in Subsection 14.7-8, Preliminary Plans for all or specified development phases of the District shall be submitted for approval in accordance with the procedures set forth in Subsection 14.7-12. Approval of Preliminary Plans may not be withheld for reasons that would be inconsistent with the approved Plan Description. Preliminary Plans may contain reasonable variations from the approved Plan Description. In approving a Preliminary Plan, the City Council may, without further public hearing, also approve changes from the Plan Description which exceed the scope of such reasonable variations, provided that no such change is a 'major change' as defined in clause (b) of Subsection 14.7-6, below."

44. Subsection 14.7-15 shall be modified to read as follows:

"14.7-15. PERMITS. Building, zoning and occupancy permits shall be required for each structure in the District. No building permit relating to any part of the District shall be issued prior to the approval of a Final Plan for such part of the District in accordance with the provisions of this Subsection 14.7;"
provided that, subject to the approval of the City Engineer, mass grading and excavation operations may be carried on prior to the approval of such Final Plan; and, provided further, that if authorized by the City Council and subject to such conditions as may be prescribed in such authorization, building permits relating to any part of the District may be issued prior to the approval of a Final Plan for such part of the District."

B. Subdivision Control Ordinance Modifications and Exceptions.

The District shall not be subject to those provisions of the Subdivision Control Ordinance listed below and described as inapplicable. With respect to those provisions of the Subdivision Control Ordinance listed below and shown in modified form, the District shall be subject thereto only as so modified. With respect to Subsection 1. below, the Subdivision Control Ordinance, in its application to the District, shall be deemed generally modified in accordance therewith.

1. The words "improvement", "improvements", "public improvements" and "street improvements", wherever used in the Subdivision Control Ordinance, shall be deemed to mean only those land improvements which are required
to be dedicated to the City or to the State of Illinois or a unit of local government (hereinafter called "other public body") pursuant to the provisions of said Ordinance as modified by this Plan Description, and the design standards set forth in Sections 43-59, 43-60 and 43-61 of the Subdivision Control Ordinance, as modified by this Plan Description, shall be applicable only to such required land improvements.

2. Section 43-5 shall be modified to read as follows:

"Sec. 43-5. EFFECT OF CONFLICTS.

Where the conditions imposed upon the use of land by any provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this chapter, the regulations which are more restrictive or which impose higher standards or requirements shall govern; provided, that where the conditions imposed upon the use of land by any provision of this chapter which have been modified by this Plan Description are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this chapter, the conditions imposed by the provisions of this chapter which have been so modified shall govern. Where the conditions imposed upon the use of land by any provision
of this chapter, as modified by this Plan Description, are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, rule or regulation of any kind, the conditions imposed by the provisions of this chapter, as modified by this Plan Description, shall govern."

3. Section 43-11 shall be modified to read as follows:

"Sec. 43-11. COMPLIANCE PREREQUISITE TO BUILDING PERMIT.

No building permit shall be issued by any governing official for the construction of any building, structure or improvement to the land or any lot within a subdivision as defined herein, which has been approved for platting or replatting, until all requirements of this chapter have been fully complied with; provided that with the approval of the City Engineer, mass grading and excavation operations may be carried on in areas covered by a preliminary plat approved pursuant to the provisions of this ordinance or in areas covered by a Preliminary Plan approved pursuant to Subsection 14.7 of the Zoning Ordinance."

4. Section 43-12 shall be modified to read as follows:
"Sec. 43-12. PREREQUISITE TO OCCUPANCY PERMITS.

No occupancy permit shall be granted by any governing official for the use of any structure within a subdivision approved for platting or replatting until required utility facilities have been installed and made ready to service the property, and until roadways providing access to the subject lot or lots have been constructed or are in the course of construction; provided, that an occupancy permit may be granted if the City Engineer has approved the use of temporary utility facilities and roadways pending completion of the required permanent utility facilities and roadways."

5. Subsection (a) of Section 43-16 shall be modified to read as follows:

"(a) No land shall be subdivided, nor any street laid out, nor any improvements made to the natural land; provided that with the approval of the City Engineer, mass grading and excavation operations may be carried on in areas covered by a preliminary plat approved pursuant to the provisions of this ordinance or in areas covered by a Preliminary Plan approved pursuant to Subsection 14.7 of the Zoning Ordinance."
6. Subsection (c) of Section 43-16 shall be modified to read as follows:

"(c) Unless authorized by the City Engineer, no improvements, such as sidewalks, water supply, storm water drainage, sanitary sewerage facilities, gas service, electric service, lighting, grading, paving, or surfacing of streets, shall hereafter be made by any owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or his or their agent."

7. Subsection (C) of Section 43-31 shall be modified to read as follows:

"(C) OTHER PRELIMINARY PLANS. When required by the Plan Commission, the preliminary plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions within the District for a reasonable distance beyond the limits of the proposed subdivision and extensions outside of the District for such a reasonable distance where such new streets connect with existing streets outside of the District; typical cross sections of the proposed grading, roadway, and sidewalks; and preliminary plan of proposed sanitary and storm water sewers with grades
and sizes indicated. All elevations shall be based on the USGS datum plane."

8. Subsection (D) of Section 43-31 shall be inapplicable.

9. Subsection (b) of Section 43-32 shall be modified to read as follows:

"(b) Typical cross sections and profiles of streets showing grades approved by the City Engineer. The profiles shall be drawn to city standard scales and elevations and shall be based on the USGS datum plane."

10. Subsection (a) of Section 43-45 shall be modified to read as follows:

"(a) The subdivider shall cause to be prepared a preliminary plat, together with improvement plans and other supplementary material as specified below. Thirty copies of the preliminary plat and supplementary material specified shall be submitted to the City Clerk, on forms provided by the City Clerk, with written application for approval. The preliminary plat and fee, as required by this chapter, shall be submitted
to the City Clerk at least thirty days prior
to the regular meeting of the Plan Commission
to receive action thereon at that meeting."

11. Subsection (d)(3) of Section 43-45 shall be
modified to read as follows:

"(3) Approval of the preliminary plat shall
be effective until the expiration of the
eighteen-year period following the approval
date (as defined in Subsection A.l. of Sec-
tion II hereof) unless, upon application of
the subdivider, the City Council grants an
extension. The application for said exten-
sion shall not require an additional filing
fee, or the submittal of additional copies
of the plat of subdivision."

12. Subsection (c) of Section 43-46 shall be
modified to read as follows:

"(c) A final plat for all or a portion of the
area covered by any approved preliminary plat,
prepared as specified in Article II, shall be
submitted to the City Clerk for approval prior
to the expiration of the eighteen-year period
following the approval date (as defined in Sub-
section A.l. of Section II hereof) unless, upon
application of the subdivider, the City Council
grants an extension. Such an application shall
not require an additional fee or filing of additional copies of the plat. Every final plat submitted for approval shall be submitted in thirty counterparts."

13. Subsection (f)(3) of Section 43-46 shall be modified to read as follows:

"(3) Upon approval by the City Council, the subdivider shall record the plat with the county recorder of the county or counties in which the property is located within six months or such longer period as may be approved by the City Council. If not recorded within such time, the approval shall be null and void. Immediately after recording, the original tracing or a duly certified cloth or mylar reproducible copy shall be filed with the City Engineer."

14. Subsection (a) of Section 43-47 shall be modified to read as follows:

"(a) The final plat shall be approved by the City Council before recording and such approval shall not be given until the subdivider has complied with the requirements of this Section. No building permit may be issued until the final plat has been recorded; provided that with the approval of the City Engineer, mass grading and excavation operations may be carried on in areas
covered by a preliminary plat approved pursuant to the provisions of this ordinance or in areas covered by a Preliminary Plan approved pursuant to Subsection 14.7 of the Zoning Ordinance."

15. Subsection (a)(1) of Section 43-47 shall be modified to read as follows:

"(1) After approval of the preliminary plat, the subdivider may present plans and specifications for all improvements to the City Engineer for approval. Upon approval by the City Engineer, and by all other pertinent authorities, the subdivider may construct and install all such improvements. On approval and certification of completion of such improvements by the City Engineer, the final plat shall be submitted as herein provided for approval, and, upon approval, may be recorded. If engineering plans require substantial changes from the preliminary plat, as approved, the subdivider shall, prior to constructing the improvements, revise and resubmit the preliminary plat for reapproval."

16. Subsection (a)(2) of Section 43-47 shall be modified to read as follows:
"(2) In lieu of actual construction of the improvements, as provided in (1) above, the subdivisions may post with the City Clerk, cash, negotiable securities, an irrevocable letter of credit issued by a bank authorized to do business in the State of Illinois, or a surety bond running to the City with sureties acceptable to the City Council or with sureties whose surety bonds for similar improvements are acceptable to the State of Illinois, in any case, in an amount sufficient to cover the full list of said improvements in such amounts as shall have been approved by the City Engineer and conditioned on the completion and acceptance by the City Engineer of all improvements within two years from the approval of the final plat. Upon acceptance of such cash, negotiable securities, irrevocable letter of credit or surety bond, approval of plans and specifications for all improvements by the City Engineer and approval of the final plat by the City Council, such plat may be recorded."

17. Subsection (a)(3) of Section 43-47 shall be modified to read as follows:

"(3) In lieu of the provisions of (1) or (2) above, the subdividers may submit with his final plat his plans and specifications for all improvements and evidence of a binding
agreement with a responsible contractor for
the installation of all such improvements within
two years after the approval of the final plat,
together with a performance bond running to the
City with sureties acceptable to the City
Council or with sureties whose performance bonds
for similar improvements are acceptable to the
State of Illinois. Upon approval of the plans
and specifications by the City Engineer and
other interested agencies and of the agreement,
bond and final plat by the City Council, such plat
may be recorded."

18. Subsection (b) of Section 43-47 shall be
modified to read as follows:

"(b) Upon acceptance of the improvements or any
substantial portion thereof by the City, any cash,
negotiable securities, letter of credit, or bond
posted with the City with respect to such improve-
ments or such portion pursuant to Subsections (a)(2)
or (a)(3) above shall promptly be returned to the
subdivider. The subdivider shall in the case of
improvements installed pursuant to Subsections
(a)(1), (a)(2) or (a)(3) of this Section 43-47,
as modified by this Plan Description, be respon-
sible for defects in construction of all improve-
ments for one year following their acceptance by
the City, and shall guarantee the correction
of any such defects by posting cash, negotiable
securities, an irrevocable letter of credit issued by a bank authorized to do business in the State of Illinois, or a surety bond with sureties approved by the City Council or with sureties whose surety bonds for similar improvements are acceptable to the State of Illinois in the amount of twenty percent of the cost of such improvements. The fulfillment of this requirement is a condition to approval of the final plat, and is in addition to the requirements of Subsection (a) of this Section. Unless there is a pending unresolved claim by the City with respect to any defects in construction of such improvements, such cash, negotiable securities, letter of credit or bond shall promptly be returned to the subdivider at the end of such one-year period."

19. Section 43-48 of the Subdivision Control Ordinance shall be inapplicable and in lieu thereof the following provisions shall govern the open space, park, recreation land and school site land reservation and dedication obligations which shall apply to the District:

a. **Open Space, Park and Recreation Land.**

Land shall be reserved in the District for public open space, park and recreation areas. The amount of land to be so reserved shall be five and one-half acres for each one thousand persons estimated to be included in the total residential population, using for
the purpose of such estimate the Table of Estimated Ultimate Population set forth in Subsection D of Section 43-48 of the Subdivision Control Ordinance (hereinafter called "Table of Estimated Population"). As a condition to the approval by the City Council of any Final Plan for a development phase of the District pursuant to Subsection 14.7 of the Zoning Ordinance, which Final Plan includes land reserved for public open space, park and recreational areas, the City Council shall require (i) a dedication of the reserved land to the City or to another public body approved by the developer and the City Council, or (ii) a contractual commitment from the developer obligating the developer to dedicate the reserved land to the City or such other public body within such time period as may be specified by the City Council, which time period shall not, without the developer's approval, be longer than one year commencing with the date of such Final Plan approval; provided, that:

(1) Such dedication obligation shall, at the request of the developer be conditioned upon the execution, prior to such dedication, of a legally binding agreement between the developer and the City, or between the developer and such other public body to which such land is to be dedicated, which agreement shall provide, among other matters, that:
(a) An equitable portion of the tax revenues attributable to the land in the District which shall have been or shall thereafter be received by the City or by such other public body during the period commencing with the date of annexation of the District to the City and ending three years after the date of approval of a Final Plan for the last development phase of the District, pursuant to levies made by the City or by such other public body for open space, park or recreational purposes, shall be expended for the installation, purchase, maintenance or operation of improvements to or recreational programs conducted in such dedicated land or other land in the District theretofore or thereafter dedicated pursuant to the provisions of this Subsection B.19.a; provided, that the improvements referred to in this Subsection B.19.a shall not include the improvements to be provided by the developer pursuant to the provisions of Subsection B.19.c.(1) hereof, but shall include the purchase and maintenance of landscaping, recreational equipment, tennis courts, ball fields, and similar park and recreation facilities (hereinafter called "recreational improvements"); and provided
further, that in determining an equitable portion of such tax revenues, the following factors shall be given consideration: (i) the need and desirability of adequate open space, park and recreational improvement expenditures during the development period of the District; (ii) expenditures by the City or such other public body for the installation, purchase, maintenance or operation of improvements to or recreational programs conducted in areas in the District which improvements and programs are reasonably available to persons residing outside of the District; and (iii) the general administrative costs of the City or such other public body related to open space, park or recreational purposes; and

(b) The City or such other public body which is to make the purchase of or payment for recreational improvements to be purchased with or paid for from tax revenues pursuant to the terms of such agreement shall, prior to the determination of the type of recreational improvements which are to be so purchased or paid for, consult with the developer and give consideration to the developer's views as to the type of recreational improvements which would be appropriate for the area in which they are to be installed or constructed; and
(c) Agreed upon recreational improvements may be made or paid for by the developer in advance of the time when tax revenues are available for their purchase, subject to arrangements for subsequent repayment to the developer, out of future tax revenues, of the agreed upon cost thereof to the developer plus agreed upon interest charges; and

(d) The City or such other public body agrees to accept such dedicated land and to assume responsibility for the maintenance thereof; and

(e) The land to be so dedicated will at all times after such dedication be maintained in a manner adequate to prevent such land from being a detriment to the value and use of other property in the District; provided, that the cost of such maintenance shall, for the purpose of Subsection 5.19.a.(1)(a) above, be treated as a cost of maintaining a recreational improvement as such term is defined in such Subsection; and

(f) The City or such other public body will use its best efforts to obtain federal or state funds or grants which may be available for the purchase and maintenance of recreational improvements to the land so
dedicated and will utilize any such funds or grants which are obtained for such purchase and maintenance; and

(g) The City or such other public body will, in the planning for any public open space, park or recreation area adjacent to a reserved school site, cooperate with the school district for which such school site has been reserved so as to maximize the utility of the public open space, park or recreation area for the needs of the educational facilities for which the reserved school site is to be used.

(2) If the developer and the City or the developer and such other public body to which land is to be dedicated are unable to agree upon the terms of such an agreement, the City, such other public body or the developer may at any time request that the areas of disagreement be submitted to arbitration in accordance with the rules then obtaining of the American Arbitration Association, and the arbitrators shall be selected as follows: on ten days' written notice by either party to the other, each of them shall designate an arbitrator, and a third arbitrator shall be selected within twenty days thereafter by the two arbitrators so designated. The award under such arbitration shall, if accepted by the City or such other public body, be binding upon the
developer. If the City or such other public body does not accept such award, within thirty days after its determination, the developer shall be relieved from the land dedication obligation to which the agreement was a condition, and if the City or such other public body to which the land was to be dedicated does not, within ninety days from the date of the determination of such award, acquire such land by purchase or commence proceedings to acquire such land by condemnation, the developer shall be relieved from any reservation obligation with respect to such land. Such land may then be developed and used in any manner permitted by Subsections A., B. and C. of Section II hereof.

(3) Subject to the limitations in Subsections (a) and (b) of this Paragraph (3), land devoted to private open space, park and recreation areas (including swimming clubs, tennis clubs and golf courses) may be deducted from the land reservation and dedication obligation for public open space, park and recreation areas, provided, that:

(a) Not more than forty percent of such open space, park and recreation area, land reservation and dedication obligation may be deducted from such obligation, without the approval of the City Council, provided that any such facility shall be equally available to the residents of Butterfield for whom the facility was intended, and
provided further, that fees for the use of any such facility shall be reasonable.

(b) No deduction from such obligation for land devoted to private open space, park and recreation uses, such as swimming clubs and tennis clubs which are designed to serve, and open to membership from, or available for use by, all residents of the City, shall be allowed without City Council approval.

(c) Appropriate arrangements by the Developer shall be required to provide for the continuing protection and maintenance of such private open space, park and recreation areas;

(d) Private open space, park and recreation areas shall be areas devoted exclusively to the scenic, landscaping, recreational or leisure uses of the occupants of dwelling units for whose use the private open space areas are intended and shall be accessible and available to all such occupants. Private open space areas shall not include public rights-of-way or areas covered by buildings, parking structures or accessory structures excepting where such buildings or structures are used solely for the purposes of recreational and leisure activities. Well-designed decks or plazas which are
used for recreational or leisure purposes and which are located upon buildings, parking structures or accessory buildings not solely used for recreational purposes may, subject to the approval of the City Council, be included as private open space;

(e) Any areas of private open space to be credited against public open space requirements shall be not less than twenty-four hundred square feet in area excepting for corridors of not less than twenty feet in width created to connect lots or buildings with larger private or public open space areas, in which case areas less than twenty-four hundred square feet shall be credited. Such private open space shall also be in addition to zoning lot land area requirements as contained in this Plan Description unless otherwise approved by the City Council;

(f) Any approvals by the City Council provided for in this Subsection B.19.a.(3) may be given as part of the approval of a Preliminary or Final Plan; and
(4) Prior to the preparation of Preliminary Plans for successive development phases of the District, the developer will consult with appropriate representatives of the City, or other public body for which land for public open space, park and recreation areas is to be reserved or dedicated, with respect to the location of such areas. The proposed location of such public open space, park and recreation areas shall be in accordance with the open space, park and recreation land development plans as shown on the developer's General Development Plans and preliminary Plans for successive development phases of the District submitted for approval in accordance with Subsection 14.7 of the Zoning Ordinance. Plans for public open space, park and recreation areas shall reasonably conform to the Goals and Standards for Parks and Open Space included in the Comprehensive Plan for Parks and
Recreation of the Fox River Valley Pleasure Drive-
way and Park District, Southern Kane County
Sector dated December, 1972 (hereinafter called
the "Park District Plan"). Whenever reasonably
possible, a park site of at least four acres in
size shall be located adjacent to each elemen-
tary school site.

(5) Subject to the requirements of
Subsection B.19.c.(1) below, the areas used for
the storm water retention and runoff facilities
described in Subsection C. of Section V hereof
and areas zoned as flood plain by the City may
be included as land reserved to meet the public
open space, park and recreation area land
reservation obligations of this Plan Descrip-
tion, and it shall be a condition to all of a
developer's obligations under this Subsec-
tion B.19.a. that at the developer's request,
the City or another public body approved by the
developer and by the City Council shall accept
the conveyance or dedication of such land and
shall assume responsibility for the maintenance
thereof; provided, that it may not be made a
condition of a developer's obligations under
this Subsection B.19.a. that responsibility for
the cost of constructing such storm water
detention and runoff facilities be assumed by the City or such other public body. Such storm water detention facilities shall be designed and constructed in a manner which shall be utilized generally accepted and economically feasible engineering methods to minimize the silting of such storm water detention facilities.

(6) The developers of the District will make land available for purchase by the City or other public body for which land for public open space, park and recreation areas is to be reserved or dedicated, subject to the following limitations:

(a) Such purchased land must be used for the enlargement, by the addition of contiguous purchased land, of a site already reserved or dedicated for a tot lot, neighborhood park, neighborhood playground or community playfield, as such terms are defined on pages 11 and 12 of the Park District Plan, and the purpose of such enlargement must be to conform such site to the size standards set forth on said pages 11 and 12.

(b) The purchase price for any such purchased land shall be computed at $12,000 per acre plus a sum equal to the
interest that would have been earned on the amount of the purchase price between July 1, 1973 and the date when any such purchase of land is closed if such interest were computed at the rate of one percent above the prime rate from time to time being charged by The First National Bank of Chicago to its large corporate borrowers.

(c) The maximum amount of land of the District which shall be subject to purchase pursuant to this subsection a.(6) shall be fifteen percent of the amount of land required to be reserved and dedicated in such District for public open space, park and recreation areas.

(d) It shall be a condition to the obligation of the developers to make land available for purchase pursuant to this Subsection a.(6) that the location of such land is consistent and compatible with the developer's Land Use Plan, General Development Plans and Preliminary Plans, if any, for the area in which the land to be purchased is located.

(e) No land need be made available for purchase pursuant to these provisions if such land is covered by an approved Preliminary Plan.
(f) No land need be made available for purchase pursuant to these provisions if such land shall have been conveyed pursuant to Subsection V L. of this Plan Description, and no provision for such purchase shall have been made in the deed or other document deposited with the Department of City Planning; provided, that prior to any such conveyance of land, located in a Residential Area of the District, the developers shall have consulted with the City or other public body for which land for public open space, park and recreation areas is to be reserved or dedicated as to the intended use of such conveyed land and shall have given good faith consideration to any request by the City or such other public body that a provision for such purchase be made in such deed or other document.

b. School Sites.

(1) Land shall be reserved in the District for school sites for elementary schools and junior high schools to serve such District, the number of elementary and junior high schools to be determined by the Table of Estimated Population and the Site Size Criteria appearing in Section 43-48 of the City of Aurora Subdivision Control Ordinance.

(2) Land shall be reserved for school sites for high schools to serve the District, the
number of high schools to be determined by the Table of Estimated Population and the Site Size Criteria appearing in Section 43-48 of the City of Aurora Subdivision Control Ordinance.

(3) In any case where the Table of Estimated Population requires the dedication of a fractional school site which is fifty percent or more of a required school site in accordance with the Site Size Criteria, the developers shall reserve additional land at such fractional site as required to meet the Site Size Criteria. Such additional land shall be subject to the purchase requirements provided for in Subsection B.19b.(5) below.

(4) As a condition to the approval by the City Council of any Final Plan for a development phase of the District pursuant to Subsection 14.7 of the Zoning Ordinance, which Final Plan includes land reserved for one or more school sites, the City Council shall require (i) a dedication to the appropriate school district of all or that part of the reserved land which is required to be dedicated in accordance with the Table of Estimated Population and the Site Size Criteria, or (ii) a contractual commitment from the developer obligating the developer to dedicate all or such part of the reserved land to
the appropriate school district within such time period as may be specified by the City Council, which time period shall not, without the developer's approval, be longer than one year commencing with the date of such Final Plan approval; provided, that such dedication obligation shall, at the request of the developer, be conditioned upon the receipt by the developer, prior to such dedication, of legally binding contractual undertakings from such school district to the effect that (a) such school district will cooperate with the City or other public body to which any land adjacent to the reserved school site is to be dedicated for public open space, park and recreational areas so as to maximize the utility of the public open space, park or recreational land for the needs of the educational facilities for which the reserved school site is to be used, and (b) the land to be dedicated will, within a reasonably prompt period of time, be improved with a building or buildings and other educational facilities adequate, in accordance with generally accepted standards, to meet the educational needs of the residents of the District which such dedicated land is intended to serve.
The contractual undertakings which may be required from a school district as a condition to a land dedication obligation shall take into consideration the financial resources of such school district and the legal requirements that such district must meet in order to provide buildings and other educational facilities on the reserved land to which such dedication obligation is applicable.

(5) If, in accordance with the Table of Estimated Population and the Site Size Criteria, a fraction of a reserved school site is required to be dedicated, the developer may be required to sell and, in such event the school district shall be required to purchase, at the time of or prior to the dedication of such fractional site, the additional land reserved in order that such site comply with the Site Size Criteria. The purchase price of such additional land shall be $12,000 per acre or such higher amount as shall in the future be provided by City of Aurora Ordinance. In the alternative, such school district may elect to substitute a cash contribution for the developer's dedicated obligation with respect to such fractional site, in which event the cash contribution provisions of Subsection B.19.b.(6) below shall be applicable, and the developer shall be relieved from any reservation or dedication obligation with respect to such fractional site and
any reservation obligation with respect to such additional land.

(6) If a school district chooses the cash contribution election provided for in Subsection B.19.b.(5) above in lieu of land dedication with respect to a fractional school site, the City Council shall, as a condition to the approval of the Final Plan for the development phase of the District which includes the reserved site with respect to which the cash contribution election shall have been made, require the developer to make a cash contribution or a cash contribution contractual commitment in lieu of a land dedication or a land dedication contractual commitment. All cash contributions and cash contribution commitments shall be computed by multiplying $12,000, or such higher figure as may be provided by City of Aurora Ordinance, by the number of acres or fraction thereof that would have been required to be dedicated pursuant to the dedication requirement for which the cash contribution is a substitute. A developer's obligation to make any cash contribution shall, at the request of the developer, be conditioned upon the receipt by the developer, prior to the time when such contribution is required to be made, of legally binding contractual undertakings from the school district which has the responsibility for providing the education facilities for whi
such cash contribution is intended, to provide, within a reasonably prompt period of time, educational facilities adequate, in accordance with generally accepted standards, to meet the education needs of the residents of the development phase for which such cash contribution is made. All cash contributions shall be held in trust by the City, or another public body, person, firm or corporation approved by the City and the developer, solely for use in the acquisition of land for a school site to serve the immediate or future needs of children from the development phase with respect to which such cash contribution shall have been made or for the improvement to an existing school site or buildings which already serve such needs. If any portion of such cash contribution is not expended for the purposes set forth herein during such time period as may be specified in any contractual undertaking of an affected school district made pursuant to the provisions hereof, or, in the absence of a specified time period in a contractual undertaking, within seven years from the date of receipt, it shall be refunded to the developer.

(7) If the developer and any school district are unable to agree upon the contractual undertakings which may be requested by the
developer pursuant to Subsections B.19.b.(4) or B.19.b.(6) above, such school district or the developer may at any time request that the areas of disagreement be submitted to arbitration in accordance with the rules then obtaining of the American Arbitration Association, and the arbitrators shall be selected as follows: on ten days' written notice by either party to the other, each of them shall designate an arbitrator, and a third arbitrator shall be selected within twenty days thereafter by the two arbitrators so designated. The award under such arbitration shall, if accepted by such school district, be binding upon the developer. If the school district does not accept such award within thirty days after its determination, the developer shall be relieved from the land dedication or cash contribution obligation to which the contractual undertakings were a condition. In the case of an arbitration concerning a contractual undertaking which is a condition to a land dedication obligation of the developer, if the award in such arbitration is not accepted by the school district and the school district does not, within ninety days from the date of determination of such award, acquire the land which is the subject of the developer's dedication obligation by purchase or commence proceedings to acquire such land by condemnation, the developer shall be relieved from any reservation obligation with respect to such land. Such
land may then be developed and used in any manner permitted by Subsections A., B. and C. of Section II hereof.

(8) Prior to the preparation of Preliminary Plans for successive development phases of the District, the developer will consult with appropriate representatives of the affected school district and Park District with respect to the location of school sites. The proposed location of such school sites shall be in accordance with the school site land development plans as shown on the developer's Preliminary Plans for successive development phases of the District submitted for approval in accordance with Subsection 14.7 of the Zoning Ordinance.

c. General Matters.

(1) All land dedicated for school sites, public open space, park or recreation areas pursuant to the provisions of this Subsection B.19. shall be suitable for its intended use and for the construction and maintenance of the educational facilities or recreational improvements for which such land is planned. With respect to all such dedicated land, the developer shall have the obligation to make provision for electrical, water, and sewer services adjacent to the site which shall be appropriate to the land to be dedi-
cated and the intended use thereof. The developer shall construct or have the obligation to make provision for the construction of public street improvements (including storm water drainage facilities and required curb and gutter improvement) adjacent to such dedicated land. Such provision for electrical, water and sewer services and public street improvements for a site shall be completed prior to the scheduled time for commencement of construction of the school or park facilities for which such site is to be used.

(2) Nothing in this Subsection B.19. shall obligate a developer to reserve or dedicate land for school sites or for public open space, park or recreation areas in any particular development phase of the District, and Final Plans for development phases of a District which do not provide for such land reservation or dedications may be approved in accordance with the provisions of this Plan Description and Subsection 14.7 of the Zoning Ordinance; provided that to the degree that any such Final Plan does not provide for such land reservations or dedications which are requirements of the development phase covered by such Final Plan and which have not been provided for in other Final Plans for property in
the District theretofore approved by the City Council, such reservation or dedication requirements remain a requirement to the development of the property in the District as to which Final Plans shall not have been approved; and, provided further, that if land reservation or dedication requirements attributable to any Final Plan for a development phase of the District are not provided for in such Final Plan or in other Final Plans for property in the District theretofore approved by the City Council, the City Council may require, as a condition to the approval of such Final Plan, that the developer designate the location or locations in those areas of the District for which Final Plans have not been submitted for approval, where land will be reserved to meet the developer’s land reservation or dedication obligations attributable to such Final Plan. Approval by the City Council of the location or locations of such land reservations in areas for which Final Plans have not been submitted for approval shall constitute prior approval of such location or locations for the purpose of Preliminary Plans or Final Plans covering such location or locations which may be submitted in the future.
(3) Nothing in this Subsection B.19. shall create any right of any kind in any school district or other public body other than the City; and any provision of this Plan Description which may be included for the benefit of a school district or other public body may be deleted or modified by the City and the developer (in accordance with the provisions of Subsection 14.7 of the Zoning Ordinance) without the approval of such school district or other public body; provided, that any school site land reservation or dedication obligation or any cash contribution obligation provided for in this Subsection B.19. may at any time or from time to time be modified by agreement between the developer and the affected school district; and, provided further, that any public open space, park or recreation land reservation or dedication obligation which requires dedication to a public body other than the City may at any time and from time to time be modified by agreement between the developer and such other public body. Any such agreement between the developer and an affected school district or between the developer and such other public body shall be binding upon the City as an effective modification of this Plan Description but shall not require the approval of the City.
Council. A copy of each such agreement shall be deposited with the Department of City Planning promptly after its execution.

(4) With respect to all land dedicated for school sites or for public open space, park or recreation areas pursuant to the provisions of this Subsection B.19., the deed, plat or other instrument by which such land is dedicated shall contain appropriate provisions restricting the use of such land to the use or uses contemplated in this Subsection B.19. or to the use or uses contemplated in any agreement between the developer and the City, school district or public body to which such land is to be dedicated.

(5) The developer or the City, may at any time, and from time to time, file an objection to the applicability of the Table of Estimated Population to all or any part of the District, and be entitled to a determination of such applicability in accordance with the provisions of Subsection D of Section 43-48 of the Subdivision Control Ordinance. In the event a portion of the District shall be developed as an adult community with appropriate safeguards for its use for such purposes for a minimum of three years after construction, then in such event the developer shall not be obligated to donate land for schools or cash in lieu thereof for the land devoted to such use. In the event, during the term
of this Plan Description, such an adult community shall be converted to another type development, then in such event the developer shall be obligated to donate land for schools or cash in lieu thereof for the land converted to such use, prior to the approval of the next development phase of the District.

20. Subsection (d) of Section 43-59 shall be modified to read as follows:

"(d) Where a subdivision abuts or contains an existing or proposed primary highway and where it may be necessary for the adequate protection of residential properties or to afford separation of through and local traffic, the preliminary plats and final plats shall provide for (1) marginal access streets, (2) reverse frontage lots with a screen planting easement of at least ten feet in width located along the rear property line and across which there shall be no right of vehicular access, (3) deep lots with rear service access, or (4) such other treatment as the developer may propose which will adequately provide the necessary protection of residential property or traffic separation."
71. Subsection (e) of Section 43-59 shall be modified to read as follows:

"(e) Where a subdivision borders on or contains a railroad or an expressway right-of-way consideration shall be given to the location of a street approximately parallel to and on each side of such railroad or expressway right-of-way at a distance suitable for the appropriate use of the intervening land. Such distance shall be determined with due regard for the requirements of approach grades and future grade separations."

22. Subsection (l) of Section 43-59 shall be modified to read as follows:

"(l) Where the City Engineer determines that the geometrics at street intersections are such as to require property line cut offs, roundings or chords at such intersections, they shall be provided."

23. Subsection (m) of Section 43-59 shall be modified to read as follows:

"(m) Street right-of-way widths shall be as specified in the table of minimum standards as modified by this Plan Description."

24. Subsection (o) of Section 43-59 shall be modified to read as follows:

"(o) Dead-end streets (cul-de-sac) may have a maximum length of six hundred feet measured
from the right-of-way line at the open end to the center of the turn-around circle, shall be provided with a paved surface of twenty-seven feet back to back of curb and a turn-around at the closed end having an outside pavement diameter back to back of curb of at least eighty-seven feet and a street property line diameter of at least one hundred and twenty feet. The right-of-way for dead-end streets shall be at least fifty feet. The paved surface and right-of-way requirements for dead-end streets shall also be applicable to residential loop streets not over twelve hundred feet in length measured from the right-of-way line at each end. Such dead-end and loop streets shall originate and, in the case of loop streets, terminate at residential or collector streets."

25. The table of minimum standards for street design contained in Subsection (p) of Section 43-59 shall be modified to read as follows:

**MINIMUM STANDARDS FOR STREET DESIGN.**

<table>
<thead>
<tr>
<th></th>
<th>Residential</th>
<th>Collector</th>
<th>Secondary</th>
<th>Primary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Right-of-way</strong></td>
<td>60'</td>
<td>66'</td>
<td>80'</td>
<td>80' to 100</td>
</tr>
<tr>
<td><strong>Radius of horizontal curve of street center line</strong></td>
<td>200'</td>
<td>300'</td>
<td>400'</td>
<td>500'</td>
</tr>
<tr>
<td><strong>Length of vertical curve</strong></td>
<td>30 times algebraic difference of grade, but not less than 50 feet. (Not required when algebraic difference of grade is less than 1.5%)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Residential</td>
<td>Collector</td>
<td>Secondary</td>
<td>Primary</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>-------------</td>
<td>-----------</td>
<td>-----------</td>
<td>---------</td>
</tr>
<tr>
<td>Length of tangents between reverse curves</td>
<td>50'</td>
<td>50'</td>
<td>100'</td>
<td>100'</td>
</tr>
<tr>
<td>Maximum grade</td>
<td>6%</td>
<td>6%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>Minimum grade</td>
<td>0.35</td>
<td>0.35</td>
<td>0.40</td>
<td>0.40</td>
</tr>
<tr>
<td>Non-passing sight distance</td>
<td>200'</td>
<td>200'</td>
<td>300'</td>
<td>400'</td>
</tr>
<tr>
<td>Width of paving, back-to-back of curbs</td>
<td>31'</td>
<td>37'</td>
<td>41'</td>
<td>45'</td>
</tr>
</tbody>
</table>

26. Section 43-62 shall be modified to read as follows:

"Sec. 43-62. EASEMENTS.
(a) Easements shall be provided for utilities, ingress and egress. Easements for utilities provided by private public utility companies shall be approved by such companies; easements for sanitary sewers shall be approved by the City Sewer Department; easements for drainage, ingress and egress shall be approved by the City Engineer; and water utility easements shall be approved by the City Water Department.
(b) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the line of such watercourse, drainage way, channel or stream of a width which will provide adequate access for future construction and maintenance as recommended by the City Engineer."
27. Section 43-63 shall be modified to read as follows:

"Sec. 43-63. BLOCKS.

(a) Except as provided in Subsections (b), (c) and (d) below, no specific rule is made concerning the length, width or shape of blocks, but blocks shall be designed with due regard to:

(1) provision for adequate building sites suitable to the special needs of the type of use contemplated;

(2) the limitations and opportunities of topography; and

(3) the desirability of convenient access, and of street traffic circulation, control and safety.

(b) In Residential Areas where a pattern of residential and collector streets is planned, the City Engineer may, for the purpose of minimizing traffic congestion, recommend that the distance between cross streets not exceed eighteen hundred feet.

(c) Pedestrian cross walks not less than five feet wide shall be provided where deemed necessary to provide for pedestrian circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities; provided, that where recommended by the City Engineer, such cross walks shall have a greater width up to and including ten feet.

(d) Blocks or portions thereof intended for
commercial or industrial use shall be designated as such, and the plat shall show adequate off-street areas to provide for parking, loading docks, and other such facilities."

28. Subsection (a) of Section 43-64 shall be inapplicable.

29. Subsection (b) of Section 43-64 shall be modified to read as follows:

(b) A 'subdivided lot' is herein defined to mean a portion of a subdivision intended for transfer of ownership, building development, other uses consistent with this Plan Description or any combination of the foregoing. A subdivided lot shall be appropriate for the type of development and use contemplated by this Plan Description. A subdivided lot may be a zoning lot, as such term is defined in this Plan Description, or it may be a portion of a zoning lot. The term lot used alone in this Plan Description or in the Subdivision Control Ordinance shall be deemed to be a subdivided lot as such term is defined herein. If a subdivided lot on which dwelling units are or may be located is a portion of a zoning lot, appropriate arrangements shall be required to provide for the continuing protection and maintenance of the open areas, parking facilities and other common elements of such zoning
lot required by the development standards and
other terms of this Plan Description, or of any
Preliminary Plan or Final Plan for the area of
the District in which such zoning lot is located.
Such arrangements may provide for the conveyance
of all or part of such open areas, parking
facilities and other common elements to a pro-
perty owners association consisting of all the
owners, present and future, of subdivided lots
within such zoning lot; or such continuing
protection and maintenance may be provided by
other types of conveyances and agreements. The
following provisions shall be applicable to lots
or to zoning lots as indicated:

(1) Zoning lot dimensions and
areas shall conform to the require-
ments of this Plan Description.

(2) Zoning lots abutting a water-
course, drainage way, channel, or
stream shall have a minimum width
and depth as may be required to pro-
vide adequate building sites and to
afford the minimum usable area re-
quired by the provisions of this
Plan Description.

(3) The depth and width of lots in
the Business and Manufacturing Areas
of the District shall be adequate to
provide for the off-street parking
and loading facilities required by
the Zoning Ordinance as modified
by this Plan Description.
30. Subsection (d) of Section 43-64 shall be modified to read as follows:

"(d) All lots shall have access to or abut on a public dedicated street, court or cul-de-sac, or a private street, court or cul-de-sac."

31. Subsection (e) of Section 43-64 shall be modified to read as follows:

"(e) In the case of a subdivided lot which is a zoning lot, as such term is defined in this Plan Description, and which contains not more than one one-family detached dwelling, a double frontage or reverse-frontage lot shall be avoided except where essential to provide separation of residential development from highways or primary thoroughfares or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet and across which there shall be no right of vehicular access shall be provided along the lot line of such a lot abutting such a highway or primary thoroughfare."

32. Subsection (f) of Section 43-64 shall be inapplicable.

33. Section 43-65 shall be modified to read as follows:

"Sec. 43-65. BUILDING SETBACK LINES.

Building setback lines shall conform to the provisions and requirements of this Plan Description."
34. Subsection (a) of Section 43-66 shall be inapplicable.

35. Section 43-67 shall be inapplicable.

36. Section 43-78 shall be modified to read as follows:

"Sec. 43-78. COMPLIANCE REQUIRED; CERTIFICATION.

No subdivision of land shall be approved without the subdivider submitting a statement signed by the City Engineer certifying that the improvements described in the subdivider's plans and specifications, together with agreements, meet the minimum requirements of this Plan Description, of all ordinances of the City as modified by this Plan Description and of Article V of the Subdivision Control Ordinance as modified by this Plan Description."

37. Subsection (e) of Section 43-79 shall be modified to read as follows:

"(e) When required by the City Engineer storm sewers shall be constructed throughout the entire subdivision, which shall be separate and independent of the sanitary sewer system and which shall provide an adequate outlet or connection with the storm sewer system of the City or a stream or drainage course. The storm sewer system shall be designed by the rational method, to accept the runoff from a storm with
a five-year return frequency on the fully developed site. Storm water inlets shall be constructed in the pavement curbs and gutters to drain the pavement at intervals not to exceed six hundred feet; provided, that where standard engineering practices, as recommended by the City Engineer, would require a shorter interval between storm water inlets, such inlets shall be constructed at such shorter intervals which shall not be less than three hundred feet except at intersections. The total storm system may be a combination of open and closed conduits or channels. No storm sewer shall be connected to any sanitary sewer of the Aurora Sanitary District. When storm sewers are not installed, adequate facilities, as recommended by the City Engineer, for the removal of surface water shall be provided throughout the entire subdivision."

38. Section 43-80 shall be modified to read as follows:

"Sec. 43-80. WATER SUPPLY.

Water mains to furnish City water to each and every lot within the subdivision shall be constructed in accordance with the applicable ordinances of the City."

39. Subsection (a) of Section 43-81 shall be modified to read as follows:

"(a) Roadways of collector and residential streets shall have a surface consisting of one of the following materials as selected
by the subdivider's design engineers: non-reinforced Portland cement concrete pavement having a minimum thickness of six inches or a gravel or crushed stone base course Type B having a minimum compacted thickness of eight inches on residential streets and ten inches on collector streets, or structurally equivalent base material of appropriate thickness with a two inch Bituminous Concrete surface course, Sub-class B-5."

40. Subsection (d) of Section 43-81 shall be modified to read as follows:

"(d) All streets shall be improved with roadways bounded by non-reinforced Portland cement concrete curbs and gutters in accordance with specifications established by the City and approved by the City Engineer. Eighteen-inch wide roll type curbs and gutters shall be permitted on collector and residential streets. Where non-reinforced Portland cement concrete pavement is constructed, curbs may be constructed monolithic with the pavement."

41. Subsection (f) of Section 43-81 shall be modified to read as follows:

"(f) Street improvements shall be in accordance with the Table of Minimum Standards in Section 43-59 as modified by this Plan Description."
42. Section 43-84 shall be modified to read as follows:

"Sec. 43-84. SIDEWALKS.

Public sidewalks shall be constructed to a width of not less than five feet and shall be installed on both sides of publicly dedicated streets; provided, that with the approval of the City Council, public sidewalks may be installed on only one side of a publicly dedicated street if (1) adequate public pedestrian walkways are located on the property on the other side of such street, or (2) sidewalks on the other side of such street are inappropriate or unnecessary on both sides of such street because of the nature of the land use planned for the affected area. The construction of sidewalks may be deferred until such time as the development of the property adjacent to such sidewalks has been completed, and acceptance and dedication of other improvements may take place prior to the construction of such sidewalks; provided, that for reasons of public safety the City Engineer may in such cases require the subdivider to provide temporary walkways pending the construction of sidewalks. The specifications for such temporary walkways shall be subject to the approval of the City Engineer. Public sidewalks shall be constructed of
Portland cement concrete having a minimum thickness of four inches or equivalent material approved by the City Engineer. Unless otherwise approved by the City Council, all public sidewalks shall be located within the street right-of-way, one foot inside the right-of-way line. All City Council approvals provided for in this Section 43-84 may be given as part of the approval of a Preliminary or Final Plan."

43. Section 43-87 shall be modified to read as follows:

"Sec. 43-87. INSPECTION OF IMPROVEMENTS.

The subdivider shall be obligated to pay the City for the City's actual costs incurred in connection with the review of plans and specifications for all public improvements installed pursuant to Subsections (a)(1), (a)(2) or (a)(3) of Section 43-47 of the Subdivision Control Ordinance, as modified by this Plan Description. All such public improvements shall, at the subdivider's expense, be laid-out in the field prior to the commencement of construction and shall be inspected during the course of construction by a professional engineering firm retained by the subdivider, and copies of reports of such firm shall be made available
to the City Engineer without cost to the City. Routine inspections of such public improvements by the City during the course of and upon completion of construction will be made without cost to the subdivider, but the subdivider shall be obligated to pay the City for the City's actual costs of special inspections of such public improvements occasioned by defective work or work practices. Upon completion of construction of such public improvements, the subdivider shall supply the City with 'as built' drawings of such public improvements, which drawings shall, at the subdivider's expense, be certified by the professional engineering firm which performed the inspection services referred to above."
"BUTTERFIELD" PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section V

General Provisions Relating to the Proposed District

A. Sanitary Sewer Service to the District.

The developers of the District propose annexation of all of the area of the District west of the E. J. & E. Railroad right-of-way to the Aurora Sanitary District. The proposed sewer service system described below has been planned jointly by the developers of the District, Fox Valley East, and the Aurora Sanitary District. By describing the proposed sewer service system in this Plan Description the developers of the district do not assume responsibility for financing the proposed system. The developers of the District, Fox Valley East and the Trustees of the Aurora Sanitary District are jointly exploring methods by which such financing may be accomplished.

The sanitary outfall sewer systems serving the district shall be a continuation of the north trunk and the north trunk system extended easterly and northerly into the District of the sanitary sewer system servicing Region I and Region II of the Fox Valley East Planned District Development which will connection with their system to the interceptor running along Waubansee Creek.
Manholes will be located in accordance with Aurora Sanitary District’s design standards and at key connection points. Trunk sewers will be sized to accommodate the estimated future sewer requirements of the area.

The developers of the District propose that the area east of the E.J. & E. Railroad right-of-way be serviced with sanitary sewers by Westview Utilities Company which has been certified in this area by the Illinois Commerce Commission. In addition thereto the Illinois EPA has certified the area of the District east of the E.J. & E. Railroad right-of-way in Region VIII of DuPage County as outside the supervision area of the Aurora Sanitary District.

In the event that the developers are not able to arrange for satisfactory service for said area east of the E.J. & E. right-of-way, the City of Aurora agrees to use all means within its power to see that sanitary sewers are made available to the developer.

Any change in the above described sewer service system west of the E.J. & E. right-of-way which receives the approval of the Aurora Sanitary District shall be deemed a reasonable variation from this Plan Description for the purpose of clause a. of Subsection 14.7-6 of the Zoning Ordinance, and shall not require the approval of the City Council. Any change in the above described sewer service system east of the E.J. & E. right-of-way which receives the approval of the City of Aurora shall be deemed a reasonable variation from this Plan Description for the purpose of clause a. of Subsection 14.7-6 of the Zoning Ordinance. The Department of City Planning shall be notified of any change in the abovedescribed sewer service system.
B. Water Service to the District.

The proposed water distribution facilities described below have been planned jointly by the developers of the District and the City Water Department. By describing the proposed water distribution facilities in this Plan Description the developers of the District do not assume complete responsibility for financing the proposed facilities. The developers of the District and the City are jointly exploring methods by which such financing may be accomplished.

The City Water Department and the developer recognize that Westview Utilities Company has been certified by the Illinois Commerce Commission to service that portion of the property covered by this Plan Description lying east of the E.J.& E. Railroad right-of-way with water.

The developers understand that the City of Aurora is not desirous of having any private utility company provide water to any property within the City of Aurora since water service could be supplied to the entire property covered by this Plan Description, either by the City of Aurora solely or under some joint method with the City of Aurora and Westview Utilities Company supplying water, and therefore, two alternative paragraphs, namely, Paragraph One and Paragraph Two immediately following, have been inserted in this Plan Description for consideration by the City of Aurora Water Department; however, prior to any approval of the Plan Description, one of said paragraphs should be deleted.

Paragraph One: The water system to supply the District and to be installed by the City of Aurora will consist of a pipe distribution system to be connected to the existing City
of Aurora water system, a well, and a distribution pumping station with two one-million gallon ground storage reservoirs.

**Pipe Distribution System**

The pipe distribution system will consist of a 16 inch diameter main along Eola Road in the District to a point 200 feet south of the East-West Tollway south R.O.W. line; a 16 inch main along the proposed Northwest Road from Eola Road to Butterfield Road; a 16 inch main along Butterfield Road from Eola to Northwest Road; a 16 inch main along Ferry-Bilter Road from Eola Road to the proposed West Road; then a 16 inch main along the West Road to the intersection with the Entrance Road; then a 16 inch main on an easterly direction to connect to the mains along Eola Road. A 12 inch main loop will be installed to serve the property to the east of the proposed West Road with mains along Ferry Road to a point approximately 1,200 feet west of Route 59, then in a northerly direction along the property line to a point with the R.O.W. of the proposed Entrance Road, then along the Entrance Road to connect to the mains along the proposed West Road. This distribution system will be connected to the City of Aurora system with a 16 inch main along Butterfield Road and a 16 inch main along Bilter Road.

**Well**

An on-site well of 1,400 GPM capacity will be drilled in the vicinity of the intersection of Ferry Road and the proposed Northeast Road.

**Pumping Station and Storage Facilities**

The pumping station will pressurize the system to pressures compatible with the high pressure zone of the City of Aurora system, and will deliver flows as required by the most critical fire demand. Ground storage reservoirs will be located immediately adjacent to the pumping station.
Paragraph Two: The water system to supply the District will include facilities to be installed by the City of Aurora for those areas located to the west of the E.J. & E. Railroad (Western Region) and facilities that the City of Aurora will arrange to be installed by Westview Utilities Company for service to the areas located to the east of said railroad (eastern region).

The water system to be installed by the City of Aurora will consist of a pipe distribution system to be connected to the existing City of Aurora water system, a well, and a distribution pumping station with two one-million gallon ground storage reservoirs.

The facilities to be installed by Westview Utilities Company will include a pipe distribution system, a 500,000 gallon elevated storage reservoir and a well.

Pipe Distribution System

The pipe distribution system for the Western Region will consist of a 16 inch diameter main along Eola Road from Butterfield to a point 200 feet south of the East-West Tollway south R.O.W. line; a 16 inch main along the proposed Northwest Road from Eola Road to Butterfield Road; a 16 inch main along Butterfield Road from Eola to Northwest Road. This system will be connected to the existing City of Aurora system with a 16 inch main along Butterfield Road and a 16 inch main along Bilter Road.

A 12 inch main loop will be installed to serve the Eastern Region with main along the proposed West Road, along Ferry Road to a point approximately 1,200 feet west of Route 59.
then in a northerly direction along the property line to a point within the R.O.W. of the proposed Entrance Road, then along the Entrance Road to connect to the mains along the proposed West Road.

**Wells**

The well to supply the Western Region shall have a 1400 GPM capacity and the well to supply the Eastern Region shall be of 500 GPM capacity.

**Pumping Station and Storage Facilities**

The pumping station for the Western Region will pressurize the system to pressures compatible with the high pressure zone of the City of Aurora system, and will deliver flows as required by the most critical fire demand.

The elevated storage reservoir for the Eastern Region will provide 60 p.s.i. static pressure to any point within the limits of the project.
Any change in the above described water distribution facilities which receives the approval of the City Water Department shall be deemed a reasonable variation from this Plan Description for the purposes of clause a. of Subsection 14.7-6 of the Zoning Ordinance.

C. District Storm Water Retention and Disposal Systems.

The proposed storm water retention and disposal systems described below are being planned jointly by the developers of the District and the City. By describing the proposed storm water retention and disposal systems in this Plan Description the developers of the District do not assume complete responsibility for financing the proposed systems. The developers of the District are exploring methods by which such financing may be accomplished.

1. Ferry and Indian Creek Storm Water Detention and Disposal Facilities. Storm water detention facilities will be developed within the Ferry and Indian Creek watershed. The facilities will have the capacity to detain storm runoff resulting from a storm with a one-hundred-year return frequency from a fully developed site with a discharge restricted to 0.2 inches per hour per acre from the same contributing area.
The allowable discharge from the upstream watershed will bypass or be in addition to the discharge from the proposed storm water detention facilities.

Between storm water detention facilities a conduit or improved channel with an adjacent floodway will be provided with capacity to convey a maximum runoff equivalent to 0.2 inches per hour per acre from the site and from the upstream watershed.

2. Variations. Any change in the above described storm water disposal system which receives the approval of the City Engineer shall be deemed a reasonable variation from this Plan Description for the purpose of clause a. of Subsection 14.7-6 of the Zoning Ordinance.

D. Highways and Roads.

1. General. The following is an outline of the structure and general configuration of the major roadway network which will serve the District and the area surround-
ing it. It has been planned by the developers of the District after consultation with the State and County Highway Departments, the City Engineer and the Director of City Planning. The primary transportation system elements described herein are intended to serve as the basis for further detailed planning and design by the developers and their traffic consultants, working in close coordination with public transportation planning agencies at the City, County, State, and Federal levels. The portions of the major roadway network described herein which are outside the District are included only to illustrate what the developers of the district believe to be desirable road and highway planning, and it shall not be a condition to the right of the developers of the District to develop the District in accordance with this Plan Description that such portions of the major roadway network are completed in the manner described herein. By describing the proposed major roadway network in this Plan Description the developers of the District do not assume complete responsibility for financing the proposed network. The developers of the District, representatives of the State and County Highway Departments and the City are jointly exploring methods by which such financing may be accomplished.
The primary objectives of the transportation system are:

a. To provide for sufficient system-wide traffic capacity moving to, from and through the District.

b. To provide sufficient internal roadway capacity to meet the access and circulation requirements of development-related traffic moving within the district.

c. To interconnect the district with primary regional major arterials and expressways.

d. To create a transportation facilities infrastructure which will support and serve proposed land uses within the district and in the surrounding areas.

e. To form the basis for application of new transportation systems and technologies at a future time, as such new systems are developed and demonstrated to be feasible and desirable.

The staging of street and highway improvements within the district will be co-ordinated so as to provide
roadway capacities to meet travel needs which will exist at future dates. Since development within the district will be scheduled over a relatively long (twenty year) period, selected improvements may be accomplished in stages and be designated to both meet then-current needs and to complete linkages which will be required by new development and which will support the final transportation system.

Street and highway improvements are contemplated to fall within one or more of the following categories:

a. New construction of roads along existing or newly acquired rights-of-way, including arterial and collector streets as well as local access streets serving newly developed land uses.

b. Improvements of existing roads, including widening, resurfacing, providing controlled access, and realignment of some sections of roadway to complete required linkages.

c. Localized improvements, including installation of traffic control devices, intersection approach widening and channelization, and access control at critical points.
The major elements of the proposed transportation network are described in the following Subsections of this Subsection D. The proposed alignments will be fixed after completion of detailed traffic engineering studies and in coordination with appropriate transportation planning activities of City, County, State and Federal agencies.

2. Highway and Roads Network. The principal elements of the proposed District-Wide Transportation System are intended to form a grid network of primary and secondary arterial roads, which will link the District with adjacent regional arterials and expressways. Specific elements are described below:

a. North-South Linkages:

(1) Illinois Route 59 is planned for improvement by the construction of additional traffic lanes and the improvement of major intersections to increase both their through-movement and turning-movement capacities. These improvements should extend from the "Fox Valley East" road improvements to Illinois Route 56.

(2) A new north-south arterial is planned for construction along an alignment west of Illinois Route 59 and east of the Joliet & Eastern Railway Company. This new roadway should extend from "Fox Valley East" to Illinois Route 56. This improvement is sometimes called West Road and the alignment thereof is shown on Exhibit 8 attached hereto.

(3) The Fox Valley Freeway is proposed to extend from an interchange approximately midway between Eola Road and Farnsworth Avenue on Illinois Route 56.
southerly approximately parallel with the E.J.&E. Railroad right-of-way with an interchange with the East-West Tollway and southerly to its connection with the alignment adopted by Fox Valley East in their Annexation Agreement.

(4) A new generally northerly-southerly road, commonly called Northeast Road, is planned for major improvement from Illinois Route 56 southerly to Bilter-Ferry Road then connecting in a westerly direction to Bola Road as shown on Exhibit 8 attached hereto.

(5) A new generally northerly-southerly road, commonly called Northwest Road is planned for major improvement from Illinois Route 56 southerly to Bilter-Ferry Road then connecting in an easterly direction to Bola Road as shown on Exhibit 8 attached hereto.

(6) Bola Road is planned for improvement to an arterial from Illinois Route 56 to the Fox Valley East Development.

b. East-West Linkages:

(1) Illinois Route 56 is planned for improvement to a four lane arterial from Kirk Road easterly to Route 59. All right-of-way for this road has been acquired by the State of Illinois.

(2) Ferry Road is planned for major improvement to an arterial constructed so as to meet Bilter Road and is called for convenience Bilter-Ferry Road as shown on Exhibit 8 attached hereto.
3. Variations. Any change in the above described plans for highways and roads which receives the approval of the City Engineer shall be deemed a reasonable variation from this Plan Description for the purpose of clause a. of Subsection 14.7-6 of the Zoning Ordinance.

E. Time Limitations for Submission of Preliminary and Final Plans.

Within twelve months after the approval date Preliminary Plans for not less than forty acres of the District (hereinafter called the "Required First Preliminary Plans") shall be submitted for approval. Final Plans for not less than forty acres of the area covered by the Required First Preliminary Plans (hereinafter called "Required First Final Plans") shall be submitted for approval within three years after approval by the City Council of the Required First Preliminary Plans. Preliminary Plans for development phases of the District not included in the Required First Preliminary Plans may be submitted for approval from time to time after the approval date within the fifteen-year period following the approval date. Final Plans for development phases of the District not included in the Required First Final Plans may be submitted for approval from time to time after the approval date within the eighteen-year period following the approval date.

The developer may, with respect to any area of the District, without having obtained approval of a Pre-
liminary Plan covering such area, submit for approval, in accordance with the procedures prescribed in Subsection 14.7-12 of the Zoning Ordinance and within the time period prescribed for submission of a Preliminary Plan for such area, one or more Final Plans for such area.

On the approval date the developers of the District will have entered into certain agreements with the City which will obligate the City to install and construct certain water facilities in the District on or before certain dates as specified in such agreements. After the approval date the developers of the District contemplate entering into an agreement with the Aurora Sanitary District and Westview Utilities Company which will obligate the Aurora Sanitary District and Westview Utilities Company to install and construct certain sewerage facilities in the District on or before certain dates as specified in such agreement.

By approving the application for establishment of the District, the City agrees that any delays in constructing and installing such water facilities or sewerage facilities in accordance with such specified dates will, to the extent of such delays, be recognized as proper grounds for granting (in accordance with the procedures prescribed in Subsections 14.7-6 and 17.7-11 of the Zoning Ordinance) extensions to the time periods for submission of Preliminary Plans and Final Plans covering all of the District.
F. Deletion and Addition of Land from the Proposed District.

At any time prior to the approval date the developers shall have the right to delete or add one or more parcels of land from the District as proposed in the Plan Description originally filed with the application for establishment of the District and to amend the legal description of the District and the maps showing boundaries of the District to reflect such deletions; provided, that (i) not more than fifteen percent of the acreage of the District as described in the Plan Description as originally filed may be so deleted, and (ii) no such deletion may be made which would affect the contiguity of the property in the District as required by Subsection 14.7-2 of the Zoning Ordinance.

G. Consent of Owners.

The application for establishment of the District has been made by Hawthorn Realty Group, an Illinois Corporation, acting as agent for the owners of all of the land in the District. Prior to the approval date, this Plan Description shall be made part of an Annexation Agreement executed by the owners of record of all of the land in the District. Such Annexation Agreement shall contain a provision by which said owners of record consent to the establishment of the District in accordance with the terms of this Plan Description.
H. Obligation to Develop.

With respect to each parcel of land in the District included in a Final Plan approved by the City Council pursuant to Subsection 14.7 of the Zoning Ordinance, the obligation to develop said parcel in accordance with the provisions of such approved Final Plan, and the obligation to make the improvements and land reservations and dedications with respect to such parcel provided for in such approved Final Plan shall be solely a requirement of the development of such parcel of land in accordance with the provisions of such Final Plan, and no obligation with respect thereto shall attach to other land in the District.

I. Land Use Plans.

1. Submission of Land Use Plan Included in Plan Description. There is included in Part Three of this Plan Description as map number VI a land use plan for the District which sets forth the present plans of the developers of the District with respect to the future development of the District into the three types of land use Areas described in Subsections A., B. and C. of Section II hereof and the location of such land use Areas in the District.

2. Submission of Updated Land Use Plans.

a. Submission with Preliminary Plans. At any time and from time to time when a Preliminary
Plan for a development phase of the District is submitted for approval, it shall be an obligation of the developer of such development phase to cause the developers of such district to prepare and submit to the City with such Preliminary Plan an updated land use plan for those areas in the district for which Preliminary Plans shall not then have been submitted for approval.

b. Submission by Developers. At any time and from time to time any one or more developers of the District may prepare and submit to the City an updated land use plan for any area in the district for which Preliminary Plans shall not then have been submitted for approval which land use plan shall meet the requirements of this Subsection V I.

c. Annual Submissions. When no updated land use plan for the District shall have been prepared for one year, the developer of the District shall, unless the City waives such obligation, prepare and submit to the City a land use Plan for those areas in the District for which Preliminary Plans shall not then have been submitted for approval which land use plans shall meet the requirements of this Subsection V I.
3. Land Use Plans to Reflect Developers' Best Intentions. The land use plan included in Section Three of this Plan Description, and each updated land use plan subsequently prepared and submitted in accordance with this Subsection V I. shall, as of its date, reflect the best intentions of the developers of the District with respect to the future development of the District into land use Areas and the location of such land use Areas in the District.

4. Changes in Land Use Plans Requiring City Council Approval. Changes in the land use plan included in Section Three of this Plan Description or in any updated land use plan prepared and submitted in accordance with this Subsection V I. which involve the relocation of a land use Area in the District or the establishment of a new land use Area in the District shall require the approval of the City Council, which approval may be obtained in accordance with the procedures set forth in Subsection A.9. of Section III hereof; provided, that the following changes in any such land use plan shall not require the approval of the City Council:

a. The establishment or relocation of one or more business, residential and manufacturing areas as shown on the land use plan included in Section III of this Plan Description to conform all or partly with the optional land use plan included in this Plan Description; and
b. Any changes in any such land use plan involving land designated for open space, park, recreation or school site purposes; and

e. Any changes in such land use plan which are deemed necessary or desirable by the developers of the District for which preliminary plans shall not have been submitted for approval because of any of the following events and which are reasonably attributable to such event or events:

   (1) A change in the zoning
classification of property adjacent to but outside the boundaries of the District, unless such property is owned or controlled by a developer of the District and such change in zoning shall have been made with such developer's consent or approval; or

(2) A change in the location of the Fox Valley Freeway or other new arterial roads described in Subsection D. of this Section V as shown on the land use plan included in Part Three of this Plan Description or on any updated land use plan prepared and submitted in accordance with this Subsection V I., provided, that a substantial change or substantial changes in such land use plan occasioned by the abandonment of plans for the Fox Valley Freeway shall require approval of the City Council unless such change or changes are otherwise permitted to be made without City Council approval pursuant to the provisions of this Subsection I.; or

(3) The future location or elimination of major public transportation facilities or routes designated, in whole or in part, to serve the District; or

(4) The enactment of any municipal, state, or federal ordinance or law or the issuance
of any executive or judicial ordinances or

5. Preliminary Plans and General Development
Plans to Conform to Land Use Plan. Each Preliminary Plan
for a development phase of the District which is submitted
for approval and each General Development Plan submitted
pursuant to Subsection J. of this Section V shall conform
to the land use plan included in Part Three of this Plan
Description or the most recent updated land use plan sub-
sequently prepared and submitted in accordance with this
Subsection V I., and if those portions of any such updated
land use plan to which any such Preliminary Plan conforms
involve land use plan changes requiring the approval of
the City Council pursuant to the provisions of this
Subsection V I., such approval by the City Council shall
be a condition to the approval of such Preliminary Plan.

J. General Development Plans.

1. Each Preliminary Plan submitted for approval
in accordance with Subsection 14.7-12 of the Zoning
Ordinance shall (unless the Plan Commission waives the
requirement) either be accompanied by a General Develop-
ment Plan for the area in which the property covered by
such Preliminary Plan is located, or cover property
included within a General Development Plan previously
submitted to the City. Such General Development Plan
shall cover, or shall have covered, a sufficient area
beyond the borders of the property covered by such Preliminary Plan ("Preliminary Plan property") to show the relationship of the proposed land uses for surrounding property which may reasonably be affected by or may reasonably have an affect upon the Preliminary Plan property.

2. A General Development Plan shall include no less than one hundred and twenty acres of land (unless the Plan Commission shall approve a smaller acreage) and shall be at a scale of one inch equals two hundred feet and shall show proposed rights-of-way for primary and secondary roads, preliminary locations of open space and school sites, if any, and proposed land uses.

3. In each General Development Plan and in each Preliminary Plan the location of Business, Manufacturing and Residential Areas will be planned so that the locations of such Areas are in a compatible relationship to each other and Business Areas of the District shall not be developed in such a manner that they would be generally regarded as undesirable strip commercial developments.

4. A developer shall have the right to make revisions to any General Development Plan to the extent that such revisions will not impair the compatible relationship of land uses to each other or to the abutting land uses of previously approved Preliminary Plans.

5. Each Preliminary Plan which must be submitted with an accompanying General Development Plan,
or which covers property included with a previously submitted General Development Plan, shall be consistent with such accompanying or previously submitted General Development Plan.

K. Development Pursuant to Final Plans.

Each development phase of the District shall be developed only according to an approved Final Plan for such development phase, and in such development phase no site may be used nor structure erected except as provided for in such Final Plan or as provided for in changes made in an approved Final Plan pursuant to Subsection O. of this Section V.

L. Conveyances of Property Not Included in an Approved Final Plan.

When and if any property in the District not included in a Final Plan approved by the City Council pursuant to Subsection 14.7 of the Zoning Ordinance shall be conveyed to a person other than one of the developers of the District on the approval date, the deed of conveyance or another appropriate document which will bind such party and any subsequent owner of the property shall contain provisions specifying the land use Areas into which such property may be developed, the residential density which will be permitted in the development of such property, the open space, park, recreation land and school
site land reservation and dedication or sale obligations
which will apply to such property and such other restric-
tions and limitations as shall be deemed necessary and
relevant. A copy of such deed or other document shall be
deposited with the Department of City Planning.

M. Changes in Plan Description.

At any time or from time to time prior to the
approval of Final Plans for all of the District, the
developers of those areas of the District for which Final
Plans shall not have been approved may request approval
of changes in this Plan Description by filing a written
application for such approval with the City Clerk. The
procedure for obtaining such approval shall be the same
as the procedure set forth in Subsection 14.7-12 of the
Zoning Ordinance for obtaining approval of Preliminary
and Final Plans for all or specified phases of a planned
development district; provided, that if any of such requested
changes involves a major change from this Plan Description,
as such term is defined in clause (b) of Subsection 14.7-6
of the Zoning Ordinance, such change shall not be made
without consideration thereof at a public hearing held in
accordance with the provisions of Section 15 of the Zoning
Ordinance as in the case of an application for establishment
of a planned development district. If changes in this Plan
Description are approved by the City Council in accordance
with this Subsection N., ten complete copies of a new Plan
Description, incorporating such changes, with all accompanying materials and data shall be prepared at the expense of the developers of the District requesting such changes and deposited with the Department of City Planning.

N. Changes in Approved Final Plans.

1. Prior to Completion of Development Phase. After approval by the City Council of any Final Plan for any development phase of the District and prior to the completion of such development phase in accordance with such approved Final Plan, the developer of the uncompleted portion of such development phase may request approval of changes in such approved Final Plan by filing a written application for such approval with the City Clerk. The procedure for obtaining such approval shall be the same as the procedure set forth in Subsection 14.7-12 of the Zoning Ordinance for obtaining approval of Preliminary and Final Plans for all or specified phases of a planned development district, and the provisions of Subsection 14.7-9 of the Zoning Ordinance shall be applicable to the approval of requested changes in an approved Final Plan. If changes in an approved Final Plan are approved by the City Council, ten complete copies of a new Final Plan, incorporating such changes, with all accompanying materials and data, shall be prepared at such developer's expense and deposited with the Department of City Planning.
2. **After Completion of Development Phase.**

After completion of construction of a development phase in accordance with an approved Final Plan, the record owner of any property included in such development phase may request approval of changes in such approved Final Plan by filing a written application for such approval with the City Clerk. The procedure for obtaining such approval shall be the same as the procedure set forth in Subsection 14.7-12 of the Zoning Ordinance for obtaining approval of Preliminary and Final Plans for all or specified phases of a planned development district, and the provisions of Subsection 14.7-9 of the Zoning Ordinance shall be applicable to the approval of requested changes in an approved Final Plan; provided, that (i) prior to approving any such requested changes, the City shall give notice to the owners or occupants of other properties which may be affected by such changes as determined by the Plan Commission, and, at the written request of any of such owners or occupants, made within five days after the date on which such notice is given, such changes shall not be made without consideration thereof at a public hearing held in accordance with the provisions of Section 15 of the Zoning Ordinance as in the case of an application for establishment of a planned development district; and (ii) until such time as Final Plans shall have been approved for the district in which such property is located, such changes shall require the
approval of the developers of those areas of the District for which Final Plans shall not have been approved. If changes in an approved Final Plan are approved by the City Council, ten complete copies of a new Final Plan or the part thereof affected by such changes, incorporating such changes, with all accompanying materials and data, shall be prepared at such record owner's expenses and deposited with the Department of City Planning.

O. Reliance by Developers.

If the property included in the District is annexed to the City and is approved as a planned development district in accordance with the provisions of Subsection 14.7 of the Zoning Ordinance and in accordance with the provisions of this Plan Description, such approval shall be given with the recognition by the City and the Corporate Authorities thereof that the developers of the District:

1. Regard the District and all development phases of the District as a unified undertaking with a single goal of creating a single community of integrated residential, business, manufacturing and related municipal and public uses of the property included in the District.

2. Would not commence the development of the District and would not undertake the obligations provided for in the Principal Annexation Agreement to which this Plan Description is an Exhibit were it not for the assurance given to them by the City and the Corporate
Authorities thereof that they will have the opportunity to complete the development of the District in accordance with the provisions of this Plan Description, subject to its limitations and requirements and the limitations and requirements of the zoning ordinance as in effect on the approval date.

P. Developer.

As used in this Plan Description the terms "developer" and "developers" as applied to the District shall mean the record owner or record owners of property located within the District on the approval date. A developer shall have the right to assign some or all of its rights, subject to some or all of its duties and obligations, which the developer may have under this Plan Description. The developer, or its assignee, shall have the right to appoint an agent or representative to act for it with respect to the Plan Description. If the record owner of property in the District is a Land Trust, then either the beneficiary of such Land Trust or the Land Trust Trustee shall have the right to appoint and designate a duly authorized agent or representative for the owner of record.