

STATE OF ILLINOIS                     )  
   )  
COUNTY OF KENDALL                     )  
   )  
UNITED CITY OF YORKVILLE             )

**PETITION FOR SPECIAL USE AND PLANNED UNIT DEVELOPMENT APPROVAL**

**THE UNDERSIGNED** Petitioner, C1 Yorkville, LLC, a Delaware limited liability company (hereinafter the “**Petitioner**”), respectfully petitions the United City of Yorkville (the “**City**”) to grant a special use for planned unit development with development allowances as detailed on the plans submitted herewith for the Property (as defined below).

**BACKGROUND INFORMATION**

1. The owner of the Property is Yorkville Nexus LLC, an Illinois limited liability company (“**Owner**”);
2. The Petitioner is C1 Yorkville, LLC, a Delaware limited liability company, having an office located at 2820 N. Harwood Street, Suite 2200, Dallas, TX 75201.
3. Petitioner is the contract purchaser of the Property or is an affiliated entity of the contract purchaser of the Property;
4. The Property consists of +/- 228 acres located at the northeast corner of Eldamain Road and Faxon Road in the City, which property is legally described on **Exhibit A**, attached hereto and made a part hereof (the “**Property**”) and depicted on the Preliminary PUD Plan attached as **Exhibit B** (hereinafter the “**Preliminary Plan**”);
5. The Property was originally annexed to the City pursuant to Ordinance No. 2005-48 on May 24, 2005;
6. The Property is zoned M-2 General Manufacturing District under the Unit City of Yorkville Unified Development Ordinance (the “**Code**”);

7. Petitioner seeks to develop the Property as a secure data center campus with an onsite electrical substation (the “**Data Center Campus**”) as generally depicted on the Preliminary Plan;

8. The Data Center Campus will be developed in phases, over what Petitioner estimates to be a ten to twenty year period;

9. The planned unit development will establish standards which will govern the phased development of the Data Center Campus;

10. As a Data Center Campus, the Property will be used for up to nine (9), stand-alone building facilities comprised of networked computers, storage systems, and computing infrastructure used to assemble, process, store and disseminate data, along with an onsite electrical substation to provide electricity to such facilities; and

11. Petitioner has submitted the appropriate supporting details for approval of the special use and Planned Unit Development as set forth herein.

### **PROJECT SUMMARY**

Petitioner is a wholly owned subsidiary of CyrusOne. CyrusOne is a leading global data center developer and operator specializing in delivering state-of-the-art digital infrastructure solutions that serve some of the world’s foremost technology companies. CyrusOne currently owns and operates a multi-building data center campus in Aurora at 2905 Diehl Road (hereinafter the “**C1 Facility**”). The C1 Facility, purchased by an affiliate of CyrusOne in 2016 and expanded in subsequent years, is a collection of mission-critical buildings that have been a welcome addition to the City of Aurora, ultimately leading to significant additional development in the area. The data center’s use is low-impact in terms of demand on public resources, but generates significant tax revenues due to the unique electric demands of the facility.

The proposed Data Center Campus, as depicted on the Preliminary Plan, will allow CyrusOne to expand its footprint in the Chicagoland region beyond its existing C1 Facility for the express purpose of meeting the growing demand of its customer base. The relative proximity of the regional facilities will provide an efficient operation for both the operator of the facility and for tenants who intend to expand into the new Data Center Campus. Located on approximately 228 acres, the proposed Data Center Campus will consist of up to nine (9) separate data center building facilities and an electrical substation. Improvements to the Data Center Campus will be constructed in up to nine (9) phases as generally depicted in the Preliminary Plan. In the first phase of construction, Petitioner will install all necessary utilities and site infrastructure to service the first phase of the project, including the electrical substation, as well as building 4, detention ponds 3 and 5, the primary access road and security checkpoint, as well as on-site parking for building 4 and perimeter fencing for the Data Center Campus. Construction of each building generally requires approximately one (1) year to eighteen (18) months to bring online. Petitioner estimates that the ultimate build-out of the Data Center Campus will take ten to twenty years, depending on market conditions.

There are up to four (4) secure points of access to the Data Center Campus. Two (2) of access points are intended to exclusively service the onsite electrical substation, which will generate very infrequent traffic. These access points will be locked, only providing access to ComEd officials and EMS teams. The substation access points are located at the northeast and northwest corners of the Property, providing alternative access from Beecher Road and Eldamain Road. If it is determined that ComEd requires only one access point to the substation, then one of the two (2) access points may be eliminated.

The buildings within the Data Center Campus will be accessed exclusively from the two southern access points on Eldamain Road. The central access driveway will serve as the primary means of ingress and egress to the buildings. This driveway will be improved with a guard stand and a series of gates to maintain necessary levels of security within the Data Center Campus. This primary point of access allows a vehicle to enter the campus through an automatic, electric fence, wherein identification and access credentials are required at a security checkpoint to proceed through in order to access the buildings within the Data Center Campus. Visitors who are not granted access to the campus are directed to exit the premises through the southwesternmost access drive back to Eldamain Road. The internal pavement section north of the southwesternmost access point provides ample room to facilitate security operations without negatively impacting traffic on the public roadway (Eldamain Road). To secure the Data Center Campus, Petitioner proposes an approximately eight foot (8') perimeter security fence as delineated on the Preliminary Plan. A spec for the security fence is included with the submittal materials. The security fence will also encompass the proposed electric substation.

Like the C1 Facility, the façade of the buildings to be constructed on the Data Center Campus incorporate architectural treatment atypical of traditional warehouse or industrial buildings. The proposed glazing, façade articulation, precast concrete walls and metal building components are representative of the extraordinary investment in the campus, which consists of nine (9) buildings, the first of which is anticipated to come online in 2026, subject to power availability, with each subsequent building completed each year thereafter. The building height is measured at fifty feet (55') to the surface of the flat roof, a spec of which is included with the submittal materials. Rooftop equipment extends up to a maximum height of 75 feet. The actual and specific heights of the buildings and rooftop equipment will vary over time as changes are

made to CyrusOne's standard building specifications or if other specific building changes are dictated by their customers.

**STANDARDS FOR SPECIAL USE APPROVAL FOR A PLANNED UNIT  
DEVELOPMENT PURSUANT TO UDO SECTION 10-8-5. D.**

1. *The establishment, maintenance or operation of the Special Use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.*

The proposed development of the Property as a Data Center Campus will promote the public health, safety, morals, comfort and general welfare of the City. The Property was originally annexed and zoned in the City in 2005. Despite the underlying zoning, the Property has sat fallow, without productive use consistent with the underlying zoning district for nearly 20 years. The proposed use of the Property as a Data Center Campus is a permitted use consistent with the underlying zoning. The proposed development of the Property will facilitate substantial investment in the City that will produce new construction jobs, long-term employment opportunities, and significant new tax revenue streams. The investment in the Data Center Campus will establish the City as a competing regional leader in data center capacity for future tenants and position the community as an employment base within a new and growing sector of the economy.

2. *The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within or near the neighborhood in which it is to be located.*

The parcel to the north of the Property is located in unincorporated Kendall County and is occupied by ComEd for use as a transfer station, aligning with the proposed location of the electric substation to be constructed in connection with the Data Center Campus. The parcel to the west of the Property is beyond the jurisdictional boundaries of the City, located within the City of Plano and occupied by Menards for warehousing purposes, aligning with the general manufacturing zoning use of the Property. The parcel to the south of the Property is located in unincorporated

Kendall County and is used for agricultural purposes. The parcel to the east of the Property was annexed to the City in 2023 and occupied by New Leaf Energy and used as a solar farm, which is compatible to other M-2 General Manufacturing uses. The proposed use of the facility, as a Data Center Campus, is a “permitted use” in the underlying zoning district.

The development of a data center represents a unique level of investment. Data center developers are attracted to certain locations due to existing utility infrastructure. Still, existing infrastructure is typically insufficient to support the ultimate requirements of a data center (electric load in particular), so development of a data center typically entails significant new private investment in upgrades to utility infrastructure. The ultimate development, which is typically backed by institutional investment, results in uniquely high values within a sub-market. These values bolster revenue streams for local governmental jurisdictions that rely heavily on property taxes. By way of comparison, the C1 Facility has an assessed value of nearly \$16,000,000, or approximately \$350,000 per acre. Accordingly, the investment and accompanying Data Center Campus and electrical substation improvements Petitioner proposes to construct on the Property will vastly increase values of adjacent properties, not impair or diminish them.

*3. The establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The City’s Code specifically identifies a “data center” as a “permitted use” in both the M-1 and M-2 zoning districts. In other words, the City has already deemed a “data center” as an appropriate use of the Property. It is not the use of the Property as a “data center” that necessitates a “special use,” but it is Petitioner’s request for a planned unit development that establishes comprehensive standards for the phased development of multiple data centers within a campus-like setting that necessitates the special use. As Petitioner makes significant long-term investment

with the initial phase of development for the Data Center Campus, the special use for a planned unit development will provide Petitioner with a long-term guaranty that the standards for future phases of project are not subject to legislative change. The framework for development that is set forth in the planned unit development will not impede normal and orderly development of surrounding properties. Quite to the contrary, the planned unit development will provide a clear framework for the intended improvement of the Property thereby providing surrounding property owners with clear direction that may help facilitate the improvement of their properties.

The City's Comprehensive Plan, adopted in 2016, specifically references the development of the Property (referred to as the "Lincoln Prairie Industrial Properties") in its vision strategy, stating that "...future Industrial development should occur as a planned industrial subdivision, similar to the Yorkville Business Center...". The direction provided in the Comprehensive Plan aligns with the M-1 zoning of the Property. Both the Comprehensive Plan and the underlying zoning are consistent with the proposed development of the Property as a Data Center Campus.

*4. Adequate utilities, access roads, drainage or other necessary facilities have been or shall be provided.*

The Property is generally well-positioned in terms of access and utilities.

The means of ingress/egress to the Data Center Campus is specifically outlined above. Based on Petitioner's international experience with development of data center facilities, Petitioner believes that the proposed ingress/egress will sufficiently service the intended use of the Property. Internal to the Property, Petitioner has designed a series of drive aisles which are essential to the function and security requirements for the Data Center Campus. Due to the security associated with the Data Center Campus, all of these drive aisles will be privately owned, operated and maintained. The private ownership of this road network significantly reduces the development's impact on public facilities, as the City will have no internal public roadway that it will be

responsible for owning and maintaining. Necessary and appropriate easements will be granted at final plat to ensure perpetual private rights of access and other utility easements, including water line easements as reflected on the Preliminary Plan.

Petitioner's civil engineer has designed a series of stormwater management basins consistent with applicable stormwater regulations. These stormwater management basins will be improved with native vegetation. The naturalized stormwater basins will provide open space and establish new habitat. The deep-rooted native vegetation will minimize erosion and promote infiltration, providing new ecological benefits.

Petitioner is coordinating the extension of municipal sanitary and water services with City staff. The extension of these public services represents a significant up-front cost to be borne by Petitioner. While the cost of utility extensions will be subject to reimbursement, the size and scale of the investment undertaken by Petitioner is extraordinary. The Petitioner's extension of public infrastructure will position other property in the area for additional investment.

5. *Adequate measures shall be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.*

Based on Petitioner's international experience with development of data center facilities, Petitioner designed an efficient and appropriately security means of ingress/egress to the Data Center Campus. The proposed ingress/egress utilizes a significant setback from the Eldamain right-of-way to ensure that queuing at the security entrance to the Data Center will not result in back-up of traffic onto the public streets. Internal to the campus, the drive aisles and gating systems are appropriately sized and spaced not only for traffic entering the campus, but to handle vehicles which are not admitted to the campus. Along Eldamain, the northernmost access to the substation is aligned with ingress/egress to the adjacent industrial development. The central and southern access points, which will handle ingress/egress to the buildings located in the Data Center

Campus, are appropriately spaces between competing access points. Petitioner has engaged a traffic engineer to prepare a traffic study to confirm capacity of the roadways. The traffic study will be provided to the City upon completion.

*6. The proposed Special Use is not contrary to the objectives of the City's adopted Comprehensive Plan.*

The City adopted its most current Comprehensive Plan in 2016. According to the Comprehensive Plan, to accomplish the future development of the City's industrial areas, the community planning objectives include: (i) removing barriers to industrial area investment and facilitating development through the use of incentives and regulatory relief; (ii) concentrating industrial attraction efforts in near-term industrial areas, such as the Yorkville Business Center and the Fox Industrial Park; (iii) facilitating redevelopment of industrial areas to accommodate industrial uses of different sizes and to achieve more modern office park settings; and (iv) encouraging best practices in industrial building/park design, stormwater management, landscape buffering and placemaking. The Comprehensive Plan identifies five (5) industrial areas with developable land, which include the Property. By granting the special use for a planned unit development to permit the use and construction of the proposed Data Center Campus on the Property, the City is advancing the objectives of the Comprehensive Plan in facilitating industrial development through regulatory relief. Additionally, granting the special use for the development of the Data Center Campus accomplishes a long-range goal in the immediate future (reflected on Table 5.2) for the development of Healey Asphalt/Lincoln Prairie, given the "slack in demand" as expressly cited by the Comprehensive Plan.

Furthermore, the Comprehensive Plan specifically references the development of the Lincoln Prairie Industrial Properties in its vision strategy, stating that "...future Industrial development should occur as a planned industrial subdivision, similar to the Yorkville Business

Center...”. Accordingly, the proposed Special Use is not contrary to the objectives of the City’s Comprehensive Plan, but further accomplishes its objectives in the near-term.

**REVIEW STANDARDS FOR APPROVAL OF PLANNED UNIT DEVELOPMENT**  
**PURSUANT TO UDO SECTION 10-8-8. E.**

1. ***Plan and Policy Alignment.*** *The Planned Unit Development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.*

As stated hereinabove, the proposed Planned Unit Development for the Data Center Campus is consistent with the objectives of the City’s Comprehensive Plan. The Comprehensive Plan specifically references the development of the Lincoln Prairie Industrial Properties in its vision strategy, stating that “..future Industrial development should occur as a planned industrial subdivision, similar to the Yorkville Business Center...”. By granting Petitioner’s request for a planned unit development, the City accomplishes this goal in the near term, much in advance of the long-term strategy outlined in it Comprehensive Plan. By approving development of the Property as a planned unit development, the City ensures the coordinated and thoughtful planning of a large-scale industrial property and establishes a framework for the type of phased investment that is generally required for a development of this size and scale.

2. ***Integrated Design with Identifiable Centers and Edges.*** *The Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.*

The Preliminary Plan is laid out and shall be developed as a unit in accordance with an integrated overall design, in which the two (2) land uses function as a cohesive whole and support one another; one for the electric substation and the other for data center building uses. As reflected on the Preliminary Plan, a new electric substation will be developed as a critical component of the

project in order to provide the necessary electricity to the nine (9) phased buildings to be constructed on the Property. This design provides an identifiable center for which the substation is located. The focal areas of the project are the nine (9) data center buildings with allocated parking and access driveways, which form focus areas of activity. The edges of the Data Center Campus are defined by the access driveways and stormwater ponds that provide the necessary and appropriate drainage for the impervious surfaces and as required by the Code, creating a harmonious grouping of buildings, uses, facilities.

3. ***Public Welfare.*** *The Planned Unit Development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.*

The proposed development of the Property as a Data Center Campus as a Planned Unit Development will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare. The design and operation of data centers does not impact the vast supply of light or air. Notably, physical improvements to the Property are located toward the core of the Property. Planned setbacks are significantly greater than what is required under the zoning ordinance. Moreover, Petitioner has generally located open space in the form of stormwater detention basins around the perimeter of the Property. The proposed configuration of the buildings ensures that the planned unit development will not impair the supply of light and air nor increase the danger of fire to adjacent property.

4. ***Compatibility with Adjacent Land Uses.*** *The Planned Unit Development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.*

The establishment of Planned Unit Development for the Property consisting of the Data Center Campus is generally compatible with and consistent with the uses of adjacent parcels. As previously provided herein, the parcel to the north of the Property is located in unincorporated Kendall County and is occupied by ComEd for use as a transfer station, which aligns with the proposed location of the substation to be constructed in connection with the Data Center Campus. The parcel to the west of the Property is beyond the jurisdictional boundaries of the City and is located within the City of Plano, being used and occupied by Menard's for warehousing purposes, aligning with the current general manufacturing and industrial zoning use of the Property. The parcel to the south of the Property is located in unincorporated Kendall County and is used for agricultural purposes. The parcel to the east of the Property is occupied by New Leaf Energy for a solar farm, which is considered by the City Code to be compatible to an industrial use. In connection with the development of the Property, building setbacks will significantly exceed City Code requirements. Perimeter landscaping and stormwater improvements will also create natural buffer feature, further protecting the current and future uses on adjacent properties.

5. ***Impact on Public Facilities and Resources.*** *The Planned Unit Development is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. The Planned Unit Development shall include such impact fees as may be reasonably determined by the City Council. These required impact fees shall be calculated in reasonable proportion to the impact of the Planned Unit Development on public facilities and infrastructure.*

The Planned Unit Development of the proposed Data Center Campus is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. Petitioner's civil engineer has designed a series of stormwater management basins, which will handle runoff from impervious surfaces. Roadway access has been discussed at length herein. While public utilities are not presently available at the Property, Petitioner and City staff have been coordinating on a plan to extend utilities to and through the Property. The

extension of public utilities through the Property represents a significant investment which will help position other properties in the immediate area for development. A new electric substation will be developed as a critical component of the project. The development of the proposed Data Center Campus as a Planned Unit Development will not pose a significant burden on public facilities and infrastructure, but will improve public facilities and infrastructure in a manner that will likely facilitate additional investment on nearby properties.

6. ***Archaeological, Historical or Cultural Impact.*** *The Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.*

The proposed Data Center Campus as a Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development. Petitioner has/will undertake necessary and appropriate studies to evaluate wetlands/waters, threatened/endangered species, and historical resources. Petitioner will coordinate necessary approvals with the City as a condition to the construction of improvements to the Property.

#### **REQUIRED DEVIATIONS FROM UNIFORM DEVELOPMENT ORDINANCE**

1. **Table 10-3-9(A) Bulk and Dimensional Standards.** In accordance with the City's Code, required setbacks are as follows: Front: 25'; Side: 20'; Rear: 0'. Petitioner seeks a deviation to measure setbacks only to the boundary of the Property. Petitioner anticipates future subdivision of the Property into multiple parcels and seeks a waiver of any setback requirement between property lines internal to the Property (i.e. between buildings 1 and 2). For purposes of applying setbacks, Eldamain Road shall be the front setback. Beecher Road shall be the rear setback. The north and south property lines of the Property shall be side yards.
2. **Chapter 10-4-10 Energy Industrial Uses.** Under the City's Code, a data center is defined as an Energy Industrial Use. The City has not established specific use standards for Energy Industrial Uses, which include data centers. As such, the proposed Data Center Campus is not presently subject to any use standards under Chapter 4 of the City's Code. No use

standards adopted after the approval of the planned unit development shall be applicable to the Property.

3. **Table 10-5-1(H)(5) Minimum Parking Requirement.** In accordance with the City's Code, the minimum parking requirements are 0.3 spaces per 1,000 square feet. Petitioner hereby requests a variance from the Code to 0.2 spaces per 1,000 square feet. Petitioner's average building is 287,400 square feet, requiring 57 spaces per building and is closely aligned with Petitioner's actual need per building, calculated to be approximately 54 spaces per building. Parking within the Data Center Campus shall not be calculated on a lot-by-lot basis, but shall be shared between buildings/lots that comprise the Data Center Campus. To the extent that the security needs of a lot/building dictate that access to the parking for said lot/building is restricted solely for the use of the occupant of said building, the parking allocated to said lot/building shall not be counted toward the required minimum parking provided for the rest of the buildings in the Data Center Campus.
4. **10-5-1(F) Cross Access.** The City's Code requires cross access between adjoining developments. Given the unique security constraints associated with the use and operation of a Data Center Campus, all cross-access requirements shall be waived with respect to the Property.
5. **10-5-1 (N) Pedestrian Circulation.** The City's Code requires pedestrian walkways between buildings. Where appropriate, Petitioner will provide walkways between parking areas and building entrances and will comply with applicable ADA requirements; however, the Property will not be developed with pedestrian connections between buildings or for purposes of accessing open spaces. Petitioner seeks a waiver of requirements for pedestrian circulation, except as is necessary between a building and the parking areas intended to serve each building.
6. **10-5-1(O) Bicycle Parking.** The City's Code requires bicycle parking. The surrounding roadways and the use of the Property is not conducive to bicycle access and parking. Petitioner seeks a waiver of bicycle parking requirements.
7. **10-5-1 Q. Required Off-Street Loading Spaces.** In accordance with the City's Code, the number of off-street loading spaces is left to the discretion of the Zoning Administrator. Petitioner hereby requests the minimum standard be one (1) off-street loading space per Data Center Campus building located on the Property.
8. **10-5-3. Landscape.** The City's Code requires extensive landscape in and around parking lots and building areas as a means of improving the character of the community. In light of secured nature of the campus and potential conflicts between landscaping and the mechanical appurtenances unique to a Data Center Campus, Petitioner seeks to minimize

the amount of internal space allocated to landscape enhancements. In lieu of the City's landscape requirements, Petitioner proposes standards as established in the landscape plan for the Property.

9. **10-5-4 (B) & 10-5-4 (C). Screening of Mechanical Units.** The City's Code requires screening of both ground-mounted and rooftop-mounted mechanical units. Due to the nature of the use of the Data Center Campus, the development will incorporate significant ground-mounted and rooftop-mounted mechanical units associated with each building in the Data Center Campus. Given the secured nature of the Data Center Campus and in lieu of the applicable Code requirements, Petitioner seeks to establish a standard for both ground-mounted and rooftop-mounted mechanical units: Ground Mounted: Vinyl fencing equal to the height of generator units but excluding any stacks protruding above the generator unit; Rooftop Mounted: mechanical penthouses shall not require screening.
10. **10-5-5. Fences.** City Code establishes requirements for fencing, which includes a requirement that fencing shall not extend beyond the front plane of the primary building façade. Petitioner seeks approval of the fencing specification and the location of the fencing as specifically delineated on the Preliminary Plan.
11. **10-5-8(4). Appearance Standards, Industrial Uses.** The City Code establishes standards for Industrial Buildings, including the requirement that any building greater than 100' in length shall incorporate recesses along at least thirty percent (30%) of the length of the façade abutting a public street. In light of the significant setbacks incorporated in the layout of the Data Center Campus and the emphasis on open space around the roadway perimeter of the campus, the architectural standards are hereby waived so long as the buildings are constructed of masonry, pre-cast materials.
12. **10-7-2. Lots.** The City's Code requires all lots to abut a public street and reserves to the Planning and Zoning Commission and the City Council the ultimate approval of the size, shape and orientation of lots. Given the unique nature of the secure Data Center Campus, the City hereby waives the requirement for access on a public street and agrees to approve such future subdivision of the Property into individual units as Petitioner deems reasonably necessary and appropriate to facilitate the use, operation, maintenance, and disposition of the Property.
13. **10-7-3 and 10-7-4.** The City's Code establishes standards for the development of streets and circulation necessary for the development of property. The development of the Property does not include new streets and driveways internal to the development and shall be exempt from the requirements of these sections.

**WHEREFORE**, by reason of the foregoing, the undersigned Petitioner requests the City's Plan Council, Economic Development Committee, Planning and Zoning Commission and City Council take the necessary and appropriate action to grant a special use for planned unit development with development allowances as detailed on the plans submitted herewith for the Property and pursuant to the appropriate provisions of the City's Code.

RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of April, 2024

**PETITIONER:**

**C1 YORKVILLE LLC,**  
a Delaware limited liability company

A handwritten signature in blue ink, appearing to read "Rosanova", is written over the text of the petitioner.

Rosanova & Whitaker, Ltd.  
Attorney for the Petitioner

**EXHIBIT A**  
Legal Description of the Property

PARCEL ONE:

THAT PART OF THE SOUTH 1/2 OF SECTION 18 AND THE NORTHWEST 1/4 OF SECTION 19, ALL IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 1030.91 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST, 3352.25 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, 844.76 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 26 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 18, 231.91 FEET; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 852.71 FEET; THENCE NORTH 73 DEGREES 28 MINUTES 36 SECONDS WEST, 514.80 FEET TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 88 DEGREES 38 MINUTES 24 SECONDS WEST, ALONG SAID SOUTH LINE OF SAID SOUTHWEST 1/4 1816.32 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTH 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4, 1917.41 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST TO A POINT ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION, 3126.88 FEET; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE, 223.50 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, 886.50 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 33 SECONDS WEST, TO A POINT ON SAID WEST LINE, 3352.25 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG SAID WEST LINE, 886.50 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF THE WEST 1/2 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS EAST ALONG

THE WEST LINE OF SAID NORTHWEST 1/4, 1929.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 01 MINUTES 27 SECONDS EAST, 565.21 FEET; THENCE SOUTH 59 DEGREES, 16 MINUTES 25 SECONDS EAST 913.73 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 45 SECONDS EAST, 191.76 FEET; THENCE SOUTH 23 DEGREES 01 MINUTES 57 SECONDS EAST, 820.55 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 33 SECONDS WEST, TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION, SAID POINT BEING 1917.41 FEET NORTHERLY OF THE SOUTHWEST CORNER OF SAID SECTION AS MEASURED ALONG THE WEST LINE OF SAID SECTION, 1671.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG SAID WEST LINE TO THE WEST QUARTER CORNER OF SAID SECTION, 722.59 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 54 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, 702.00 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 08 MINUTES 07 SECONDS EAST, ALONG THE NORTH AND SOUTH QUARTER LINE, 3437.83 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS EAST, 223.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED COURSE TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF SAID SECTION, 1102.80 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 12 SECONDS EAST, ALONG SAID EAST LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD, 1423.23 FEET; THENCE SOUTH 74 DEGREES 23 MINUTES 26 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT 231.91 FEET NORTHEASTERLY OF SAID QUARTER LINE AS MEASURED ALONG SAID NORTH RIGHT-OF-WAY LINE, 1147.75 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 07 SECONDS WEST, PARALLEL WITH SAID QUARTER LINE, 1731.26 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS.

COMMONLY KNOWN AS approximately 228 acres of vacant land located at northeast corner of Edamain Road and Faxon Road in Bristol Township, in unincorporated Kendall County

PINs:

02-18-300-001;  
02-18-300-002;  
02-18-300-003;  
02-18-300-004;  
02-19-100-004;  
02-19-100-005; and  
02-18-400-004

**EXHIBIT B**  
Preliminary Plan  
(Attached)