

EXHIBIT "B"

**A PLAN DESCRIPTION FOR MISSNER DEVELOPMENT,
AT 1998 MELISSA LANE AND 2706, 2717, 2718 DANCER DRIVE LOCATED NORTH AND
SOUTH OF CURRENT LOCATION OF DANCER DRIVE AND WEST OF MELISSA LANE
CONSISTING OF 10.615 ACRES**

A Plan Description for the property at 1998 Melissa Lane, 2706, 2717, and 2718 Dancer Drive located north and south of the current location of Dancer Drive and west of Melissa Lane with ORI District Zoning, with a Special Use Planned Development for the Missner Development Pursuant to Section 10.6-6 of the Aurora Zoning Ordinance.

TABLE OF CONTENTS

I. QUALIFYING STATEMENTS 3

 A. PURPOSE 3

 B. INTENT..... 3

II. GENERAL CHARACTER 3

 A. EXISTING CONDITIONS..... 3

III. DEVELOPMENT STANDARDS FOR EACH LAND USE PARCEL..... 4

 A. ZONING 4

 1. Parcel A – ORI (S) Office, Research and Light Industry District..... 4

 B. BUILDING, STRUCTURES AND SIGNAGE..... 5

 C. PUBLIC IMPROVEMENTS..... 5

IV. GENERAL PROVISIONS 6

LIST OF ATTACHMENTS

- ATTACHMENT "A" - LEGAL DESCRIPTION OF DEVELOPMENT PARCELS
- ATTACHMENT "B" – LOCATION MAP OF DEVELOPMENT PARCELS

I. QUALIFYING STATEMENTS

A. PURPOSE

This Special Use Planned Development has evolved to assist the Aurora Planning Commission and City Council in governing their recommendations and actions on this development as it relates to the existing zoning and land uses in the area.

Developer shall mean the person(s) or entity who brings the Subject Property described herein to a more complete, complex, or desirable state.

Owner shall mean the person(s) or entity who is described as the legal owner of record of the Subject Property described herein.

For the purposes of this document, Developer and Owner shall be one and the same and held equally accountable for all requirements within this Plan Description.

B. INTENT

This Plan Description has been prepared pursuant to the requirements of Section 10.6-6.2 of the Aurora Zoning Ordinance. It is the intent of this document to promote and protect the public health, safety, morals, comfort, and general welfare of the area; and to guide the development toward the realization of the appropriate Physical Development Policies of the City of Aurora Comprehensive Plan. These policies include:

- 11.1(5) To guide and promote development to areas where public utilities, public roads and municipal services are either available or planned.
- 12.0 To plan and provide for the growth of the city through the integration of land use patterns and functions that promotes complementary interactions between different land use components.
- 40.1(7) To encourage improvements in existing industrial areas that minimize industrial blight and reduce incompatibilities with neighboring land uses.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 10.615 acres lying north and south of current location of Dancer Drive and west of Melissa Lane. The property is currently vacant and is currently zoned ORI Office, Research, and Light Industry District. The property lies within the West Aurora School District #129 boundaries. The City of Aurora Comprehensive Plan designates the Subject Property as

Office/Research/Light Industrial.

2. Surrounding Property

North: The I-88 Tollway is located directly to the north of the Subject Property. Beyond that, further north, the property is zoned BB(S) Business-Boulevard District which is currently vacant. The City of Aurora Comprehensive Plan designates the property as Conservation, Open Space, Recreation, and Drainage and Estate.

South: The surrounding property to the south is zoned ORI Office, Research and Light Industry District and consist of storm water detention and a vacant ORI lot. The City of Aurora Comprehensive Plan designates the property as Office/Research/Light Industrial.

East: The surrounding property to the east is zoned ORI Office, Research and Light Industry, and consists of offices, fitness center and hotel uses. The City of Aurora Comprehensive Plan designates the property as Office/Research/Light Industrial.

West: The surrounding unincorporated property to the west is zoned F Farming in Kane County, with agricultural uses. The City of Aurora Comprehensive Plan designates the property as Office/Research/Light Industrial.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

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

Development of the zoning parcel(s) shall be regulated as follows:

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

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately 10.615 acres. Upon approval of this document, said property shall be designated as ORI(S) Office, Research and Light Industry District Zoning, with a Special Use Planned Development on the City of Aurora Zoning Map, and be regulated by the Aurora Zoning Ordinance except as modified herein, including but not limited to the provisions for the underlying base zoning district being Section 8.10 titled "ORI" Office Research and Light Industry District.

1.2. Statement of Intent

The ORI Office, Research and Light Industry District, has been chosen as the underlying base zoning for this Parcel to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel is intended to be developed with such uses that are compatible with the development of a first class office, research and services park including that there be a number and variety of tenants which provides a large employment base given the larger office components and less truck traffic than a distribution building. Access to the property will be from the relocated Dancer Drive and Melissa Lane.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the ORI Office, Research and Light Industry District, Section 8.10, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Food, textiles, and related products (3110)

1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the ORI Office, Research and Light Industry District, Section 8.10, and Section 5 with the following modifications:
 - a. Minimum setbacks shall be as follows:
 - (1) Melissa Lane: Ten feet (10') for parking

B. BUILDING, STRUCTURES AND SIGNAGE

1. Retaining walls utilized within the development shall not exceed three (3) feet in height. The stepping of retaining walls is allowed up to six (6) feet in overall height with a minimum run of three (3) feet between steps.
2. Building Elevations shall be subject to approval with the Final Plan. The building elevations will be evaluated based on the high standard of quality and variety of building materials consistent with an office, research and services park, orientation and presentation to the public street including that any loading dock areas be screened and oriented away from the Tollway or public street; and the use of architectural elements such as entry features, glass, etc. be used to highlight the building to minimize the "big box" feel to giving an office look.
3. Signage Elevations and locations shall be subject to approval with the Final Plan and will be evaluated based on the quality and variety of materials, orientation and presentation to the public street and the use of architectural elements matching the building. The signage on the property shall be subject to the Aurora Sign

Ordinance, with the following modifications and requirements for free standing signs:

- a. Construction: Signs must be monument style, with any combination of wood, masonry, or concrete.
- b. Quantity: A maximum of one (1) sign(s) are allowed
- c. Area: A maximum of fifty (50) square feet per sign face is allowed.
- d. Height: A maximum of eight (8) feet in height per sign is allowed.
- e. Setback: Setback of a sign shall equal the height of the sign.
- f. Lighting: Signs may be internally lit, externally lit or lit with backlit pin lettering.
- g. Landscaping: shrubs and other landscaping materials should be planted at the base of each sign.

C. PUBLIC IMPROVEMENTS

1. A five-foot (5') concrete sidewalk is required to be installed by the Developer along all property lines adjacent to public streets, except that portion of sidewalk adjacent to Lot 15 of Podolsky Orchard 88, Phase 2 Subdivision. Said sidewalk may be located one foot inside the right of way line.
2. Vacation and Relocation of Dancer Drive: The public right of way to be vacated for the existing Dancer Drive including the adjacent easements shall be recorded concurrently with a Plat of Subdivision showing the dedication of the relocated Dancer Drive. The public right of way to be dedicated for relocated Dancer Drive shall be established at 66 feet with a cross section of 31 feet of pavement width back to back with B6-12 curb and gutter. A five-foot (5') concrete sidewalk on the north and south side adjacent to the property line, except that portion of sidewalk adjacent to Lot 15 of Podolsky Orchard 88, Phase 2 Subdivision, are required and shall be permitted within the public right of way up to 1 foot off the property line. DEVELOPER RESPONSIBILITY: Developer will dedicate right of way and shall be responsible for one hundred percent (100%) of the cost and installation of the required improvements to this roadway and sidewalk improvements as stated above. In addition, Developer shall be responsible for one hundred percent (100%) of the removal of existing Dancer Drive roadway and sidewalk improvements and the relocation of any necessary utilities and shall be completed in a timely manner after the plats are recorded.
3. The City shall enter into a Roadway Agreement with the Developer prior to the Vacation for Dancer Drive. Said Roadway agreement shall address the offsite Roadway Improvements at Sullivan Road and Deerpath Road Intersection. Developer shall obtain all necessary right of way, if any, and install the roadway improvements to Sullivan Road and Deerpath Road including the realignment of the intersection, as a condition of development of the Subject Property.
4. The installation of street trees and landscaping shall be a condition of the issuance of a Certificate of Occupancy and shall not be included in the security required under Subdivision Code 43-55(a)3.

IV. GENERAL PROVISIONS

A. PLAN DESCRIPTION DOCUMENT

1. All current codes and ordinances of the City in effect at the time of the development shall govern except where expressly stated within this Plan Description document to the contrary.
2. Amendments to this Plan Description document shall be subject to Section 15 of the Aurora Zoning Ordinance. Public notice shall be provided in accordance with said section and, to all current owners of property subject to this Plan Description.
3. This Plan Description document shall be mutually binding upon the heirs, executors, administrators, successors and assigns of present or future owners who use the property for the same permitted use.
4. If any section, subsection or paragraph of this Plan Description document shall be held invalid, the invalidity of such section, subsection or paragraph shall not affect any of the other provisions of this Plan Description document.
5. Any provisions contained within this Plan Description document that are in conflict shall be enforced in accordance with the more restrictive provision.

V. LIST OF ATTACHMENTS

ATTACHMENT "A" - LEGAL DESCRIPTION OF DEVELOPMENT PARCELS
ATTACHMENT "B" – MAP OF DEVELOPMENT PARCELS

ATTACHMENT "A"
LEGAL DESCRIPTION OF DEVELOPMENT PARCELS

Pin Nos.: 14-12-209-002; 14-12-209-001; 14-12-210-003; 14-12-210-001

LOTS 11, 12, 13, AND 14 IN PODOLSKY ORCHARD 88 PHASE 2, BEING A SUBDIVISION IN PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 1, 2008 PER DOCUMENT NUMBER 2008K062470, IN KANE COUNTY, ILLINOIS.

TOGETHER WITH:

THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, KNOWN AS DANCER DRIVE HERETOFORE DEDICATED PER DOCUMENT NUMBER 2008K062470, IN KANE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 12 IN PODOLSKY ORCHARD 88 PHASE 2, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 1, 2008 PER DOCUMENT NUMBER 2008K062470 IN KANE COUNTY, ILLINOIS; THENCE NORTH 89 DEGREES 01 MINUTES 50 SECONDS EAST (BASIS OF BEARING IS ILLINOIS STATE PLANE EAST ZONE (NAD83)) ALONG THE SOUTH LINE OF LOTS 12 AND 11 IN SAID PODOLSKY ORCHARD 88 PHASE 2, A DISTANCE OF 595.11 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE NORTH 20 DEGREES 01 MINUTES 50 SECONDS EAST ALONG THE SOUTHEAST LINE OF SAID LOT 11, A DISTANCE OF 41.15 FEET TO THE WEST LINE OF MELISSA LANE PER DOCUMENT NUMBER 2006K017320, SAID POINT BEING A POINT OF CUSP OF A CURVE BEING CONCAVE TO THE EAST; THENCE THE NEXT FOUR (4) COURSES ALONG THE WEST LINE OF SAID MELISSA LANE: (1) THENCE SOUTHERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 63.00 FEET AND A CHORD BEARING SOUTH 00 DEGREES 58 MINUTES 10 SECONDS EAST 45.15 FEET, FOR AN ARC DISTANCE OF 46.18 FEET TO ITS POINT OF TANGENCY; (2) THENCE SOUTH 21 DEGREES 58 MINUTES 10 SECONDS EAST 64.16 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE TO THE WEST; (3) THENCE SOUTHERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 42.50 FEET AND A CHORD BEARING SOUTH 11 DEGREES 28 MINUTES 10 SECONDS EAST 15.49 FEET, FOR AN ARC DISTANCE OF 15.58 FEET TO ITS POINT OF TANGENCY; AND (4) THENCE SOUTH 00 DEGREES 58 MINUTES 10 SECONDS EAST 16.63 FEET TO THE EAST LINE OF LOT 13 IN SAID PODOLSKY ORCHARD 88 PHASE 2, SAID POINT BEING A POINT OF CUSP OF A CURVE BEING CONCAVE TO THE

SOUTHWEST; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG THE EAST LINE OF SAID LOT 13, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 32.50 FEET AND A CHORD BEARING NORTH 45 DEGREES 58 MINUTES 10 SECONDS WEST 45.96 FEET, FOR AN ARC LENGTH OF 51.05 FEET TO THE NORTH LINE OF SAID LOT 13 AND TO ITS POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 01 MINUTES 50 SECONDS WEST ALONG THE NORTH LINE OF LOTS 13 AND 14 IN SAID PODOLSKY ORCHARD 88 PHASE 2, A DISTANCE OF 603.87 FEET TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE NORTH 00 DEGREES 21 MINUTES 36 SECONDS WEST 66.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12 AND THE POINT OF BEGINNING, SAID PARCEL CONTAINING 0.948 ACRES OR 41,315 SQUARE FEET OF LAND, MORE OR LESS.

CONTAINING A TOTAL OF 462,381 SQUARE FEET OR 10.615 ACRES MORE OR LESS.

ATTACHMENT "B"
MAP OF DEVELOPMENT PARCELS

Location Map (1:5,000):

