

EXHIBIT “B”/ ATTACHMENT “C”

**A PLAN DESCRIPTION FOR AURORA METAL RECYCLING
LOCATED WEST OF NORTH HIGHLAND AND SOUTH OF WEST NEW YORK STREET,
CONSISTING OF .15 ACRES**

A Plan Description for the property located west of North Highland Avenue and south of West New York Street with M-1, Manufacturing District – Limited Zoning, with a Conditional Use Planned Development for the Aurora Metal Recycling Development, Pursuant to the Code of Ordinances, City of Aurora, Illinois (“City Code”).

I. QUALIFYING STATEMENTS

A. PURPOSE

This Conditional Use Planned Development has evolved to assist the Planning and Zoning Commission ("Commission") and the City Council ("City Council") of the City of Aurora, Illinois ("City") in governing their recommendations and actions on this development as it relates to the existing zoning and land uses in the area.

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

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

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

B. INTENT

This Plan Description has been prepared pursuant to the requirements of Sec. 34-602 of Chapter 34 of the City Code. It is the intent of this document to promote and protect the public health, safety, morals, comfort, and general welfare of the area; and to guide the development toward the realization of the appropriate Physical Development Policies of the Comprehensive Plan of the City ("Comprehensive Plan"). These policies include:

- 11.1(4): To encourage appropriate development on and maintenance according to code of vacant lands within the corporate limits of the City.
- 12.0: To plan and provide for the growth of the City through the integration of land use patterns and functions that promote complementary interactions between different land use components.
- 14.0: To plan and provide for the growth of the City while protecting, conserving and enhancing its social, cultural and aesthetic environment and economic resources.
- 14.1(1): To foster future growth in the City that does not contribute to deterioration in either existing developments or a reduction in the City's ability to provide adequate services.
- 20.0: To insure the provision of decent housing and a quality living environment for every resident of Aurora.
- 30.0: To develop and maintain an adequate supply of properly zoned areas for commercial facilities to serve existing and future population needs.

- 32.0: To enhance the positive and minimize the negative impacts and relationships that the location, design and appearance of commercial activities have on traffic patterns and on the stability and vitality of surrounding neighborhoods, other commercial centers, and the City as a whole.
- 50.0: To promote sound, diversified and organized industrial, office and commercial growth within the City to widen employment opportunities and strengthen the economic base.
- 51.1(6): To promote the location and expansion of commercial activities within the City consistent with the Comprehensive Plan.
- 93.0: To enhance the visual and aesthetic environment throughout the City.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately .15 acres, located near the southwest corner of N. Highland Ave. and W. New York St. The property is currently vacant. The property lies within the West Aurora School District #129 boundaries. The property is currently zoned R-2, One Family Dwelling District. The Comprehensive Plan designates the Subject Property as Utilities.

2. Surrounding Property

North: The surrounding property to the north is zoned R-2, One Family Dwelling District, with a Parking Lot use, and the Comprehensive Plan designates the property as Utilities and Low Density Residential.

South: The surrounding property to the south is zoned M-2, Manufacturing - General, with a railroad use, and the Comprehensive Plan designates the property as Utilities.

East: The surrounding property to the east is zoned M-2, Manufacturing - General, with a railroad use, and the Comprehensive Plan designates the property as Utilities.

West: The surrounding property to the west is zoned R-2, One Family Dwelling district, with a One Family Dwelling use, and the Comprehensive Plan designates the property as Low Density Residential..

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 – M-1, Manufacturing District - Limited

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately .15 acres. Upon approval of this document, said property shall be designated as M-1, Manufacturing District – Limited with a Conditional Use Planned Development. The property will be regulated by Chapter 49 of the City Code ("Zoning Ordinance"), including but not limited to the provisions for the underlying base zoning district set forth in Section 109.2, Manufacturing District – Limited.

1.2. Statement of Intent

The M-1, Manufacturing District - Limited, has been chosen as the underlying base zoning for this Parcel to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The Parcel is intended to be developed as a Parking Facilities, Non-Residential (4170) use. Access to the property will be from West New York Street.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the M-1 Manufacturing – Limited District, Section 109.2 of the Zoning Ordinance, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Parking Facilities, Non-Residential (4170)

1.4 Permitted Uses and Structures

1. This property shall be subject to the Permitted Uses and Structures, Section 104.2, with the following modifications:
 - a. Non-Residential Districts:
 - (1) Fence height shall be modified as follows:
 1. The maximum permitted height is eight (8) feet.
 - (2) The fence material shall be solid corrugated steel, with an open chain-link gate.

1.5 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the M-1, Manufacturing District - Limited, Section 109.2, and Section 49-105 of the Zoning Ordinance with the following modifications:
 - a. Minimum setbacks shall be as follows:
 - (1) Front Yard Setback: Twenty-five feet (25')
 - (2) Exterior Rear Yard Setback: Zero feet (0')
 - (3) Exterior Side Yard Setback: Zero feet (0')
 - (4) Interior Rear Yard Setback: Zero feet (0')
 - (5) Interior Side Yard Setback: Zero feet (0')
 - b. All parking and loading shall be pursuant to Section 105.13., "Off-Street Parking and Loading" of Chapter 49 of the Zoning Ordinance with the following modification(s):
 - (1) Surfacing:
 1. All open off-street parking facilities shall be improved with a gravel compacted macadam base, not less than four (4) inches thick, and surfaced with asphalt or asphaltic concrete, or comparable specification.
 - (2) Location of parking facilities:
 1. An off-street parking facility is permitted to be located on a separate parcel of land no more than four hundred-sixty (460) feet from the entrance of the principal building, measured from the nearest point of the parking area.

IV. GENERAL PROVISIONS

A. PLAN DESCRIPTION DOCUMENT

1. All current codes and ordinances of the City in effect at the time of the commencement of construction shall govern except where expressly stated within this Plan Description document to the contrary.
2. Amendments to this Plan Description document shall be subject to City Code. Public notice shall be provided in accordance with said code and, to all current owners of property subject to this Plan Description.
3. This Plan Description document shall be mutually binding upon the heirs, executors, administrators, successors and assigns of present or future owners who use the property for the same permitted use.
4. If any section, subsection or paragraph of this Plan Description document shall be held invalid, the invalidity of such section, subsection or paragraph shall not affect any of the other provisions of this Plan Description document.

5. Any provisions contained within this Plan Description document that are in conflict shall be enforced in accordance with the more restrictive provision.

V. LIST OF ATTACHMENTS

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

ATTACHMENT "A"
LEGAL DESCRIPTION OF DEVELOPMENT PARCELS

PARCEL A

Parcel Number(s): 15-21-177-024

Commonly known as: vacant lot, west of North Highland Avenue and south of West New York Street, located in Kane County.

A PARCEL OF LAND IN THE EAST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: THAT PORTION OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY'S (FORMERLY CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY) 100.0 FOOT WIDE AURORA TO WEST BATAVIA BRANCH LINE RIGHT OF WAY AT AURORA, ILLINOIS, LYING 50.0 FEET WEST OF SAID RAILWAY COMPANY'S MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED ACROSS HOYT'S THIRD ADDITION TO AURORA, BOUNDED ON THE NORTH BY THE SOUTH LINE OF WALNUT STREET, NOW KNOWN AS NEW YORK STREET AND BOUNDED ON THE SOUTH BY A LINE DRAWN PARALLEL WITH AND DISTANT 162.8 FEET SOUTHERLY OF THE SOUTH LINE OF WALNUT STREET, NOW KNOWN AS NEW YORK STREET, AS MEASURED ALONG SAID MAIN TRACK CENTERLINE EXCEPTING THEREFROM A 10.0 FOOT WIDE STRIP OF LAND BEING 10.0 FEET WEST OF AND ADJACENT TO SAID RAILWAY COMPANY'S RELOCATED MAIN TRACK CENTERLINE, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

ATTACHMENT "B"
MAP OF DEVELOPMENT PARCELS