

EXHIBIT “B”/ ATTACHMENT “C”

**A PLAN DESCRIPTION FOR ALL PETS WELNESS CENTER
LOCATED AT 1975 MELISSA LANE,
CONSISTING OF APPROXIMATELY 4 ACRES**

A Plan Description for the property at 1975 Melissa Lane, with ORI(C), Office, Research and Light Industry District Zoning, with a Conditional Use Planned Development for the All Pets Wellness Center 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:

- 31.1 (4): To encourage the development of multiple use commercial, employment and service centers.
- 40.0 (6): To promote attractive, well-maintained industrial and office-research areas, through landscaping and site design.
- 51.1 (6): To promote the location and expansion of commercial activities within the City consistent with the Comprehensive Plan.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 4 acres lying at the northeast corner of Melissa Lane and Dancer Drive. The property is currently used for a fitness and physical therapy center. The property lies within the West Aurora School District #129 boundaries. The property is currently zoned ORI, Office, Research, Light Industry. The Comprehensive Plan designates the property as

Office/Research/Light Industrial.

2. Surrounding Property

North: The surrounding property to the north is zoned ORI, Office, Research, Light Industry, and is currently vacant. The Comprehensive Plan designates the property as Office/Research/Light Industrial.

South: The surrounding property to the south is zoned ORI, Office, Research, Light Industry, with a Hotel, Motels, or Other Accommodation Services (1300) use, and vacant land. The Comprehensive Plan designates the property as Office/Research/Light Industrial.

East: The surrounding property to the east is zoned ORI, Office, Research, Light Industry, with a Stormwater Management Facility (7300) use. The Comprehensive Plan designates the property as Office/Research/Light Industrial.

West: The surrounding property to the west is zoned ORI, Office, Research, Light Industry, with a Warehouse, Distribution and Storage Services (3300) use, and the 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, 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 4 acres. Upon approval of this document, said property shall be designated as ORI, Office, Research and Light Industry District Zoning, with a Conditional Use Planned Development on the Zoning Map of the City ("Zoning Map"), and be regulated by the 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 108.10, titled Office, Research and Light Industry District, except as modified herein.

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 as an domestic animal care facility use. Access to the property will be from Melissa Lane.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the ORI, Office, Research, Light Industry District, Section 108.10 of the Zoning Ordinance, with the following modifications:
 - a. The following additional uses shall be permitted:
 - (1) Restaurant/Food and Beverage Services (2500)
 - (2) Pet and Animal Sales or Services (Except Veterinary) (2700)
 - (3) Kennel with Outdoor Pens and Runs (2710)
 - (4) Animal Hospital (2720)

C. PUBLIC IMPROVEMENTS

1. 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 Control Ordinance, Section 43-55(a)3 of the City Code.

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" – SITE PLAN

ATTACHMENT "A"
LEGAL DESCRIPTION OF DEVELOPMENT PARCELS

PARCEL A

Parcel Number(s): 14-12-225-003

Commonly known as: 1975 Melissa Lane located in Kane County.

LOT 7 IN PODOLSKY ORCHARD 88 PHASE 1 SUBDIVISION, A SUBDIVISION OF PART OF THE NORTH $\frac{1}{2}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 7 OF EAST OF THE THIRD PRINCIPAL MERIDIAN IN KANE COUNTY, ILLINOIS, RECORDED FEBRUARY 15, 2008 AS DOCUMENT NUMBER 2006K017320.

