

EXHIBIT "B"

A PLAN DESCRIPTION FOR O'REILLY AUTO PARTS
LOCATED AT 1435 E. NEW YORK STREET
CONSISTING OF ± 2.08 ACRES

A Plan Description for the property at the 1435 E. New York Street with B-2(S) and OS-1 Districts Zoning, with a Special Use Planned Development for the O'Reilly Auto Enterprises, LLC Pursuant to Section 4.3 (8000) and Section 10.6-6 of the Aurora Zoning Ordinance.

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:

- 11.0 To guide the growth of the City in an orderly and structured manner.
- 11.1 (3) To encourage new development contiguous to existing development
- 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.
- 30.0 To develop and maintain an adequate supply of properly zoned areas for commercial facilities to serve existing and future population needs.
- 31.1 (3) To promote the development of commercial facilities in existing or planned commercial areas.
- 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.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 2.08 acres lying at the south side of New York Street east of Farnsworth Avenue. The property is currently a vacant commercial building. The property lies within the East Aurora School District #131 boundaries. The property is currently zoned B-B Business-Boulevard District. The City of Aurora Comprehensive Plan designates the Subject Property as commercial.

2. Surrounding Property

North: The surrounding properties to the North are currently zoned a combination of M-1 Manufacturing District, limited with a retail use, and B3 Business and Wholesale District with a parking lot and retail use. The City of Aurora Comprehensive Plan designates the properties as Commercial.

South: The surrounding properties to the South are a combination of Right-of-Way and properties currently zoned R-1 One Family Dwelling District, with a forest preserve use. The City of Aurora Comprehensive Plan designates the properties as Low Density Residential.

East: The surrounding properties to the East are currently zoned B-B Business-Boulevard District, with a Business use. The City of Aurora Comprehensive Plan designates the properties as a mixture of Commercial and Low Density Residential.

West: The surrounding properties to the West are currently zoned a combination of BB Business-Boulevard District, with a retail use, and B3 Business and Wholesale District, with a retail use. The City of Aurora Comprehensive Plan designates the property as a mixture of Commercial and Low Density Residential.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

The Subject Property shall be divided into two 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 – B-2 Business District-General Retail District

1.1. Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately 1.787 acres. Upon approval of this document, said property shall be designated as B-2 Business District-General Retail 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 8.3 titled B-2 Business District-General Retail District.

1.2. Statement of Intent

The B-2 Business District-General Retail 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 Auto Parts and Supplies (2820) use. Access to the property will be from New York Street.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the B-2 Business District-General Retail, Section 8.3, with the following modifications:
 - a. The following uses shall be prohibited:
 - (1) Pawnshop (2160)
 - (2) Used Clothing Stores (2120)
 - (3) Alternative Financial Institutions (2220)
 - (4) Laundromat (2610)
 - (5) Tattoo Salon (2630)
 - b. No auto repair or servicing may be performed on the premises by employees or customers as per the B-2 district, all activities except for off-street parking, shall be conducted wholly within the enclosed building.

1.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the B-2 Business District-General Retail, Section 8.3, and Section 5 with the following modifications:
 - a. Minimum setbacks shall be as follows:
 1. Front Yard – Fifteen (15) feet

2. Parcel B – OS-1 (S) Conservation, Open Space and Drainage District

2.1 Parcel Size and Use Designation

The zoning parcel referenced within this document as Parcel A contains approximately 1.098 acres. Upon approval of this document, said property shall be designated as OS-1 (S) Conservation, Open Space and Drainage 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 6.4 titled OS-1 Conservation, Open Space and Drainage District.

2.2. Statement of Intent

The OS-1 Conservation, Open Space and Drainage 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 will be developed as Open Space and Drainage.

2.3 Use Regulations

1. This property shall be limited to those uses permitted in the OS-1 Conservation, Open Space and Drainage District, Section 6.4.

2.4 Bulk Restrictions

1. This property shall be subject to the Bulk Restrictions in the OS-1 Conservation, Open Space and Drainage District, Section 6.4, and Section 5.

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 and will be evaluated based on the quality and variety of building materials, orientation and presentation from the public street and the use of architectural elements.
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 is 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 or eight-foot (8') asphalt path is required to be installed by the Developer along all property lines adjacent to public streets. Said sidewalk or path may be located one foot inside the right of way line. The determination of materials and location shall be determined at the time of Final Plan.
2. 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"
DESCRIPTION OF DEVELOPMENT PARCELS

PARCEL A

Lot 1 of O'Reilly Subdivision located south of E. New York Street and east of Farnsworth Avenue

PARCEL B

Lot 2 of O'Reilly Subdivision located south of E. New York Street and east of Farnsworth Avenue

ATTACHMENT "B"
MAP OF DEVELOPMENT PARCELS

Location Map (1:1,000):

