

EXHIBIT “B”

A PLAN DESCRIPTION THE PROPERTY
LOCATED AT 1165 N. LAKE STREET
CONSISTING OF 1.02 ACRES

A Plan Description for the property at 1165 N. Lake Street with B-2(S) Business District, General Retail Zoning, with a Special Use Planned Development for the Glazier Corporation Development Pursuant to 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: to encourage new development contiguous to existing development; 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; to encourage quality site design throughout the City; to provide for the visual enhancement of the City through attractive landscaping, quality signage and diverse building design and arrangement; to promote and plan for the location of commercial centers, based on their functions and interrelationships, in order to provide a balanced distribution of commercial development and redevelopment; to promote the development of commercial facilities in existing or planned commercial areas.

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property

The Subject Property consists of approximately 1.02 acres lying on east side of Lake Street, south of West Indian Trail. The property currently consists of a vacant commercial building which was the former Long John Silvers restaurant.

The property is zoned B-2 Business District, General Retail. The property lies within the West Aurora School District boundaries. The City of Aurora Comprehensive Plan designates the Subject Property as commercial.

2. Surrounding Property

The surrounding properties to the north, east and west are zoned B-3 Business and Wholesale District, with a retail, restaurant, and private club uses. The City of Aurora Comprehensive Plan designates the property as commercial and high density residential.

The surrounding property to the south is zoned B-2 Business District, General Retail with a cemetery use. The City of Aurora Comprehensive Plan designates the property as quasi-public.

III. DEVELOPMENT STANDARDS FOR EACH PARCEL

A. ZONING

Development of the Subject Property as legally described on Attachment "A", and generally depicted on Attachment "B" shall be regulated as follows:

1.1 Parcel Size and Use Designation

The zoning parcel referenced within this document as is contains approximately 1.02 acres. Upon approval of this document, said property shall be designated as B-2(S) Business District, General Retail 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.

1.2 Statement of Intent

The B-2 Business District, General Retail, 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 multi-tenant commercial strip center building with a drive-thru. There will be a full access point to the property located off of Lake Street.

1.3 Use Regulations

1. This property shall be limited to those uses permitted in the B-2 District, Section 8.3, with the following modifications:

- a. The following additional uses shall be permitted:
 - (1) Restaurant with a drive-through facility (2530)

1.4 Bulk Restrictions

- 1. This property shall be subject to the Bulk Restrictions in the B-2 District, Section 8.3, and Section 5 with the following modifications:
 - a. Minimum setbacks shall be as follows:
 - (1) West Setback (Lake Street): 9 feet
 - (2) East Property Line Setback: 0 feet
 - (3) South Property Line Setback: 5 feet
 - (4) North Property Line Setback: 0 feet

B. BUILDING, STRUCTURES AND SIGNAGE

- 1. 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.
- 2. 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 1 monument 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 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.
- 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 Parcel
ATTACHMENT "B" – Final Plan

ATTACHMENT "A"
LEGAL DESCRIPTION OF DEVELOPMENT PARCELS

PARCEL A

Parcel Number: 15-15-176-003

Commonly known as: 1165 N. Lake Street located in Kane County.

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING IN THE CENTER OF ILLINOIS STATE HIGHWAY NO. 31, 5.22 CHAINS SOUTHERLY FROM THE NORTH LINE AND 15.30 CHAINS EASTERLY FROM THE WEST LINE OF SAID SECTION 15; THENCE NORTH 22 DEGREES 45 MINUTES WEST ALONG THE CENTER OF SAID HIGHWAY, 212 FEET TO THE CENTER OF A PRIVATE ROAD; THENCE NORTH 66 DEGREES 33 MINUTES EAST ALONG THE CENTER OF SAID PRIVATE ROAD, 205 FEET; THENCE SOUTH 22 DEGREES 45 MINUTES EAST ALONG A LINE PARALLEL WITH THE CENTER OF SAID HIGHWAY, 306.97 FEET TO AN OLD CLAIM LINE DRAWN SOUTH 88 DEGREES 30 MINUTES WEST ALONG SAID OLD CLAIM LINE, 225.12 FEET TO THE POINT OF BEGINNING, EXCEPT THEREFROM A STRIP OF LAND 40 FEET IN WIDTH OFF THE WEST END THEREOF LYING AND BEING IN THE RIGHT OF WAY OF SAID ILLINOIS STATE HIGHWAY NO. 31, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

ATTACHMENT "B"
Final Plan