AN ORDINANCE APPROVING A REVISION TO THE AURORA UNIVERSITY PLAN DESCRIPTION AND MASTER PLAN FOR 38 ACRES OF PROPERTY LOCATED DIRECTLY SOUTH OF MARSEILLAISE PLACE, WEST OF GLADSTONE AVENUE, EAST OF EVANSLAWN AVENUE AND NORTH OF PRAIRIE STREET IN KANE COUNTY, ILLINOIS

WHEREAS, the City of Aurora has a population of more than 25,000 persons in it and is, therefore, a home rule unit as defined in Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois; and

WHEREAS, said section of the Constitution authorizes a home rule unit to exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, Aurora University is the owner of record of the real estate legally described on Exhibit “A”, attached hereto and incorporated herein by reference as if fully set forth, and hereafter referred to as Exhibit “A”; and

WHEREAS, a revised Plan Description and Master Plan in the form of Exhibit “B”, attached hereto and included herein by reference as if fully set forth, has been duly submitted to the Corporate Authorities of the City of Aurora for review for the property described in Exhibit “A”; and

WHEREAS, all public hearings and other action required to be held or taken prior to the adoption and execution of said Plan Description and Master Plan in order to make the same effective have been held or taken pursuant to notice as required by law and in accordance with all requirements of law; and

WHEREAS, a Master Plan as described on Exhibit “B” for the property described in Exhibit “A” was duly referred by the Aurora City Clerk to the Aurora City Council, who in turn, referred said plan to the Aurora Planning Council and Planning Commission for study and recommendation, and to the Aurora City Council for final decision; and

WHEREAS, Exhibits “A” and “B” attached hereto and included herein by reference as if fully set forth, in their present form, have been on file with the City Clerk of the City of Aurora for public inspection for at least one week; and
WHEREAS, the City Council, based upon the recommendation of Planning Commission and P&D Committee, and after due investigation and consideration, has determined that the classification and establishment of a revised Plan Description and revised Master Plan for the property legally described in Exhibit “A” will promote the sound planning and development of the City, and therefore serve the best interests of the City of Aurora; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois. As follows:

Section One: That said City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That the revised Plan Description and revised Master Plan in the form of Exhibit “B” attached hereto and included herein by reference as if fully set forth, and incorporated in and made a part of this Ordinance, is hereby approved with the following conditions:

1. That the Expansion Area redevelopment provision from the 2004 Plan Description shall be maintained.
2. That the University shall use building materials on the campus consistent with or complimentary to the materials presently used, such as masonry and copper.
3. That the University shall use its best efforts to preserve mature trees and evergreens during the demolition of a house/structure within the Expansion Areas.
4. That the University shall use its best efforts to improve the information technology of parking space availability within the Campus.

Section Three: That the Mayor of the City of Aurora is hereby authorized and directed to execute such Plan Description on behalf of the City, and the City Clerk is hereby authorized and directed to attest the Mayor’s signature and affix the corporate seal of the City thereto.

Section Four: That all modifications and exceptions under the Aurora Zoning Ordinance and all modifications and exceptions from the Aurora Subdivision Control Ordinance, as set forth in the Plan Description, are hereby granted and approved.

Section Five: That the City Council of the City of Aurora hereby adopts pursuant to the terms of the revised Plan Description and the revised Master Plan described on Exhibit “B.”

Section Six: That such number of duplicate originals of said Plan Description may be executed as the Mayor shall determine.

Section Seven: That this Ordinance shall take effect and be in full force and effect upon and after its passage, approval and publication in pamphlet from as required by law.

Section Eight: That all ordinances or part of ordinances in conflict herewith are hereby repealed insofar as any conflict exists.
Section Nine: That any section, phrase or paragraph of this ordinance that is
consrued to be invalid, void or unconstitutional shall not affect the remaining sections.
phrases or paragraphs of this ordinance which shall remain in full force and effect.

PASSED AND APPROVED to the City Council of the City of Aurora, Illinois on this
14th day of April, 2009.

AYES  12  NAYS  0  NOT VOTING

SIGNED by the Mayor of the City of Aurora, Illinois, on this 14th day of April, 2009.

Thomas Weisner, Mayor
City of Aurora, Illinois

Attest:

Cheryl Vohhoff, City Clerk

This instrument prepared by:
Aurora Land Use and Zoning Division
1 South Broadway
Aurora, Illinois 60505

Case File Number: AU20/3-08.333-Sw/R
Parcel Number:
EXHIBIT "A"

LEGAL DESCRIPTION

For the property located directly south of Marseillaise Place, west of Gladstone Avenue,
east of Evanslawn Avenue and north of Prairie Street

"TO BE ATTACHED"
AURORA UNIVERSITY
LEGAL DESCRIPTION

Original Legal – Master Plan

Parcel One:
Lots 106 through 137 inclusive; Lots 142 through 158 inclusive; that part of vacated Glenwood Place lying east of and adjoining said Lots 123 through 137, and west of the center line of said Glenwood Place; that part of vacated Glenwood Place lying east of and adjoining said Lots 110, 121 and 122; that part of vacated Randall Road lying east of and adjoining said Lots 116, 117, and 118; that part of vacated Kenilworth Place described as follows: beginning at the southwest corner of said Lot 156; thence south along the east line of Evanslawn Avenue 66.00 feet to the northwest corner of said Lot 157; thence east along the south line of said vacated Kenilworth Place 669.38 feet to the east line of said vacated Randall Road; thence north along said east line 33.00 feet to the center line of said vacated Kenilworth Place; thence west along said center line 373.00 feet to the center line of vacated Glenwood Place; thence north along said center line 33.00 feet to the south line of Lot 123 extended east; thence west along said south line extended and along the south line of said Lots 123 and 156,296.32 feet to the point of beginning, all in Country Club Estates, Aurora, in the City of Aurora, Kane County, Illinois.

Parcel Two:
That part of the southwest quarter of Section 20, Township 38 North, Range 8 east of the third principal meridian described as follows: beginning at the point of intersection of the east line of said southwest quarter with the center line extended east of Kenilworth Place; thence west along said extended center line 373.00 feet; thence north parallel with the east line of said southwest quarter 634.50 feet to the south line extended east of Marseillaise Place; thence east along said extended south line 373.00 feet to the east line of said southwest quarter; thence south along said east line 634.50 feet to the point of beginning, in the City of Aurora, Kane County, Illinois.

Parcel Three:
Block 33 and that part of vacated Calumet Avenue lying west of and adjoining said Block 33; Block 34; Lots 1 through 14 in Block 35 and that part of Kenilworth Place lying north of and adjoining said Block 35; Lot K (except the north 66 feet thereof), Lot L and that part of Lot M lying north of the south line of said Lot 14 in Block 35 extended west; Lot 20 (except the north 15 feet thereof), Lots 21, 23 and 24 in Block 23; Lots 1, 2, 3 and 6 in Block 36, all in New Downer Place Addition to Aurora, in the City of Aurora, Kane County, Illinois.
Expansion Area 1

Lots 4, 5, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23 and 24, in Block 36 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.

Lots 9 and 16, in Block 36 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.*

Lots 15, 16, 17, 18, 19, 20, 21, 23 and 24, in Block 35 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.

Lots 23 and 24 (except the North 75 feet thereof) and Lot 22 (except the Westerly 30 feet and except the Northerly 75 feet) in Block 35 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.

North 75 feet of Lots 23 and 24, and the Westerly 30 feet and Northerly 75 feet of Lot 22, in Block 35 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.*

Lots 26 and 27, and North 62 feet of Lots 24 and 25, in Country Club Estates, City of Aurora, Kane County, Illinois.*

Expansion Area 2

(PROPERTIES ADDED IN THE REVISED PLAN DESCRIPTION AND MASTER PLAN)

Lots 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39 and South 138 feet of Lots 24 and 25, in Country Club Estates, City of Aurora, Kane County, Illinois.*

*Properties not yet owned by Aurora University as of filing of the Land Use Petition requesting approval of a Revision to The Aurora University Plan Description and Master Plan for 38 Acres of Property Located Directly South of Marseillaise Place, West of Gladstone Avenue, East of Evanslawn Avenue and North of Prairie Street in Kane County, Illinois.
EXHIBIT "B"

AURORA UNIVERSITY PLAN DESCRIPTION

For the property located directly south of Marseillaise Place, west of Gladstone Avenue, east of Evanslawn Avenue and north of Prairie Street

"TO BE ATTACHED"
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- 2 -
I. **QUALIFYING STATEMENT**

This document shall serve as Exhibit "B" to the ordinance amending The City of Aurora's (the "City") Ordinance No. O04-058 dated June 8, 2004 ("2004 Ordinance"), which amended Ordinance O90-30 dated March 20, 1990 ("1990 Ordinance"), which established a Special Use Planned Development for Aurora University. This document shall amend in its entirety and supersede the plan description attached to Ordinance O04-058 and shall apply to the property legally described in Exhibit "A" to the amending ordinance which is generally located south of Marseillaise Place (with the exception of two (2) lots included on the north side of Marseillaise between Calumet and Gladstone), east of Evanslawn Avenue, west of Gladstone Avenue and north of Prairie Street (the "Subject Property") and legally described in Attachment "A" to this Amended and Restated Plan Description. In addition, this Amended and Restated Plan Description shall establish the developmental and zoning standards for the Existing Campus (as defined herein) and for all property added by the University to its Campus (as defined herein) within the Expansion Area No. 1 (as defined herein), and the Expansion Area No. 2 (as defined herein), subject to the normal zoning approval process unless otherwise modified by this Plan Description. This document has been created subsequent to the adoption of a master plan by Aurora University (herein “AU” or “University”), which conceptually sets forth its intended future development goals.

A. **PURPOSE**

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

The provisions and standards herein presented have been established to insure that the needs of the University to expand its educational programs are permitted, while mitigating the impact of such expansion on adjacent properties. This document has been created to establish short term and long-range parameters for the further development of the Campus. The standards herein are designed to insure that all future development occurs in a cohesive manner, which is of the highest quality and is sensitive to both the existing character of the surrounding neighborhood and to the needs and requirements of the Aurora community as a whole.

2. Developer shall mean the person(s) or entity that brings the Subject Property described herein to a more complete, complex, or desirable state. However, since this property has been an institutional use owned and operated by Aurora University, all references shall be to the University.

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

4. For the purposes of this Plan Description, any references to the Developer or the Owner shall mean the University.
B. INTENT

This Amended and Restated 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 neighborhood; and to guide the future development of the Campus toward the realization of the appropriate physical development policies of the City of the City’s comprehensive plan (the “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.

11.1(3) To encourage new development contiguous to existing development.

12.1(8) To promote an accessible open space system that would be based on the various needs generated by the community.

71.1(3) To work toward accomplishing complete utilities, including water mains and separated storm and sanitary sewers in all parts of the City.

To provide for the orderly, balanced, and efficient growth and development of the City of Aurora through positive integration of land use patterns, functions, and circulation systems.

To protect and enhance those assets and values that establishes the desirable quality and general livability of the City;

II. GENERAL CHARACTER

A. EXISTING CONDITIONS

1. Subject Property:

The Subject Property currently includes the University, a private, post secondary institution of higher education with accredited Bachelor’s, Master’s, and Doctoral level programs. The Campus currently consists of slightly over thirty-two (32) acres and includes fourteen (14) major buildings, seven (7) parking lots, and a football field/soccer field with bleachers. The University has acquired all but six (6) homes in the Expansion Area No. 1. Some of the homes acquired have been demolished and devoted to open space until redevelopment occurs. The remaining homes are being used for University offices, classrooms and a studio.

2. Surrounding Property:

In general, all the surrounding properties consist of single family homes. The majority of these homes directly face the University. These homes were generally built forty-five (45) to fifty-five (55) years ago and have been well maintained. However, a portion of the southern property is the Aurora Country Club.
The street system around the University consists of streets with curb and gutter along Calumet, Gladstone, and Marseillaise. On the Evanslawn and Southlawn sides of the Campus, the streets are built with a rural cross-section. Major City storm sewers are farther from the perimeter of the Campus, generally running in Prairie Street to the south and Kensington Street to the east.

B. EXISTING ZONING CLASSIFICATIONS

1. Subject Property:

The Existing Campus and portions of the Expansion Area No. 1 currently zoned R-I(S) One-Family Dwelling District with a Special Use for a Planned Development. The special use for the Subject Property was granted in 1979 and was amended on March 20, 1990, by the Ordinance No. O90-30. The special use was amended further on June 8, 2004, by Ordinance No. O04-58. There are six properties located within the Expansion Area No. 1 that are currently zoned R-2 One-Family Dwelling District. The properties located within the Expansion Area No. 2 are currently zoned R-1 One-Family Dwelling District.

2. Surrounding Property:

The northern and western properties are zoned R-1 One-Family Dwelling District. The properties south of Prairie Street are zoned R-I(S) One-Family Dwelling District with a Special Use, R-5 Multi-Family Dwelling District and zoned R-1 Single-Family District within unincorporated Kane County. The eastern properties are zoned R-1 One-Family Dwelling District and R-2 One-Family Dwelling District.

C. COMPREHENSIVE PLAN

1. Subject Property:

The Existing Campus and Expansion Area No. 1 are designated as Quasi-Public on the Comprehensive Plan. The Expansion Area No. 2 is currently designated as Low Density Residential on the Comprehensive Plan. The City shall amend its Comprehensive Plan to designate the Expansion Area No. 2 as "Quasi-Public" after the adoption of this Amended and Restated Plan Description, which shall allow the University to acquire additional properties within Expansion Area No. 2 over time and convert such properties to the uses permitted under this Amended and Restated Plan Description, subject to the zoning procedures set out in this Plan Description.

2. Surrounding Property:

The northern, eastern and western properties are designated as Low Density Residential on the Comprehensive Plan. The southern properties are designated as Low Density Residential and Quasi-Public.
III. DEVELOPMENT STANDARDS

A. ZONING

The Campus as envisioned by the Amended Master Plan shall be defined as the following three (3) parcels: (i) Parcel "A" is the original twenty-seven (27) acre campus ("Existing Campus"); (ii) Parcel "B" is the existing expansion area ("Expansion Area No. 1"); and (iii) Parcel "C" is the proposed additional expansion area ("Expansion Area No. 2"). The Expansion Area No. 1 and the Expansion Area No. 2 may be collectively referred to herein as the "Expansion Areas".

1. Parcel A, that parcel lying directly south of Marseillaise Place, west of Gladstone Avenue, east of Evanslawn Avenue and generally north of Southlawn and vacated Kensington Place extended.

1.1. Parcel Size and Use Designation:

The Existing Campus referenced within this document and on the Master Plan shown on Attachment "B", as Parcel A and/or Existing Campus, contains ± twenty-seven (27) acres. This property was designated as R-1(S) One-Family Dwelling District with a Special Use for a Planned Development on the City of Aurora Zoning Map. The Existing Campus shall be regulated by this Amended and Restated Plan Description and Section 10.7. of the Aurora Zoning Ordinance as modified herein.

1.2. Statement of Intent:

The R-1 One-Family Dwelling District has been chosen as the underlying base zoning for this development to provide for the long-term viability of the property and to ensure consistency and compatibility with the adjacent zoning and uses. The area is currently the Aurora University Campus and is proposed to have improvements and/or expansions to the Campus pursuant to this Plan Description and the Master Plan Narrative attached hereto in Attachment "B".

1.3. Specific Rules and Definitions:

a. To facilitate communication with the neighboring residential community, the University agrees to hold annual meetings at the campus in the fall of each year with the residents and the City to update the residents about the University's development plans, to review parking issues, and to share any other information and concerns that may be of common interest. The University will mail notice of such meetings to all residents within two hundred feet (200') of the Campus at least two (2) weeks prior to the meeting.

b. The University shall retain ownership of all properties that it currently owns or that it acquires in Expansion Area No. 1 or Expansion Area No. 2, unless it enters into a sale and lease back or similar arrangement. Notwithstanding the
foregoing, the University may enter into joint ventures with private developers, retailers or others with regard to property owned by the University.

c. Terms not defined in this Amended and Restated Plan Description shall have the meanings provided by the City of Aurora Zoning Ordinance ("Zoning Ordinance") or the City of Aurora Code of Ordinances ("Code"), as applicable.

1.4. Permitted Uses:

The permitted uses of the Existing Campus shall be limited to those uses permitted in the R-1 One-Family Dwelling District, Section 7.5, with the following additional permitted uses:

a. The current use of the Subject Property as a university shall continue to be permitted as an educational institution of the highest level with a number of undergraduate colleges and graduate level and professional studies with the authority to confer various degrees including, but not limited to, bachelor's, master's, and doctoral degrees. Said current use includes, but is not limited to, the following: athletic facilities, dormitories, offices, classrooms, library, dining room and food service, cafes, indoor and outdoor athletic facilities, elementary school educational programs, daycare facilities, theater, museum spaces, retail, laboratory, computer science facilities, maintenance operations and facilities, campus security, parking lots, and other related activities.

b. The University shall be allowed to use any University-owned residential structures as offices, graduate or faculty housing, non-traditional classrooms or studios, and/or single family residences (including leased houses to University employees or University tenants), provided that those structures shall not house undergraduate students of the University.

1.5. General Provisions

All development within the Campus shall be governed by the provisions of the Zoning Ordinance, as specifically modified by the following provisions:

a. Plan Approval

i. All development shall be subject to final plan approval pursuant to Section 10.7-12.2., entitled "Procedures for approval of plans" subsection "Final Plans", of the Zoning Ordinance and shall contain all information as described on Attachment "E" Required Components of Final Plans. However, the University shall not be required to submit a separate legal description or plat with any such final plan. Instead, the University shall submit the legal description defining the whole campus in the same format that Attachment "A" defines the present campus. Interior or exterior improvements to an existing building that is not being expanded in
terms of its existing foot print shall not require the submittal and approval of a final plan.

ii. New Additions or Buildings: If new additions or buildings have not been identified herein as part of the University’s Amended Master Plan and if such new additions or buildings lie within one-hundred feet (100’) of the rights of way of the current perimeter of the Campus, (i.e., Marseillaise, Evanslawn, Gladstone, or Southlawn), or within one hundred feet (100’) of the rights of way of the perimeter of the Campus after the Campus is expanded by the acquisition of property in the Expansion Areas, then a public hearing shall be required prior to approval by the City of such new additions or buildings. Any new additions or buildings not identified in the Amended Master Plan which are greater than one hundred feet (100’) away from the applicable perimeter rights of way shall not require a public hearing prior to City approval. The University may construct new additions, expansions, or buildings not listed above either within the Existing Campus or within the Expansion Areas upon submitting final plans for such development.

iii. Where a public hearing is required under this Amended and Restated Plan Description for a final plan area, the notice to adjacent property owners is limited to two-hundred and fifty feet (250’) from the perimeter of the area to be developed, consistent with the existing Zoning Ordinance requirements.

iv. As the University does not have a specific plan for Area 27 of the Amended Master Plan, and the University may some day construct either a building or a parking lot in this area, any approval for Area 27 shall be subject to the holding of a public hearing relative to the proposed development to inform the affected residents of the development and to give the affected residents an opportunity to comment on the proposed development. Notwithstanding the foregoing, such public comment shall not impair, hinder, or limit in any way the University’s right to construct such improvements consistent with the footprints shown on the Amended Master Plan and the Bulk Standards of this Amended and Restated Plan Description.

v. With the exception of the Approved Final Plan evidenced by the Resolution Number R08-230 attached hereto as Attachment “G”, the University shall be required to submit to the City for review and approval a final plan for each new building or expansion to an existing building, prior to a building permit being issued. Landscaping or the construction of plazas, general maintenance facilities, courtyards, paths, walkways and interior or exterior
improvements to any existing buildings that are not being expanded in terms of their existing footprints shall not require the submittal and approval of a final plan. Rather, these improvements shall only require administrative approval from the City's Zoning Administrator or such other officer as designated by the City. It is anticipated by the University that future improvements to the Campus will be done in various phases of development.

b. Signs

i. The installation of new and upgraded signage shall be regulated by a Special Sign District hereby established pursuant to the City's Sign Ordinance, Section 41-14 of the Code.

(1) Monument signs may be added to the Campus in accordance with the general guidelines found in Attachment "C". This attachment is for illustration purposes and shows general architectural elements of the signs and their general size.

(2) Internal signs may be placed on the Subject Property, without limitation, as long as they generally follow a consistent style and are generally within the sizes shown on Attachment "C". This attachment also shows typical street furniture and ornamental lighting that may be used on the campus.

c. Landscaping and Screening

All Landscaping and screening shall be undertaken pursuant to Section 5.4, "Landscaping", of the Aurora Zoning Ordinance, with the following exceptions:

i. To the extent that the University owns the homes adjacent to Campus that are not separated from Campus by a public street, no special fencing or landscaping buffer shall be required. If a parking lot is adjacent to home(s) not owned by the University, the University shall be required to install a six-foot high board on board fence and perimeter landscaping to buffer its uses from those non-University residences.

ii. It is understood by the parties that due to safety concerns for campus residents and guests, landscaping surrounding the perimeter of the campus will not be of such a type or nature as to create an opaque or shielded area that would be attractive to criminal elements.
iii. Landscaping shall generally consist of canopy trees, reasonably spaced evergreens, and low shrubbery to provide an aesthetically pleasing perimeter without creating an opaque buffer that could pose a safety issue. In addition, the University shall generally use fencing as a buffer between parking lots and adjacent residences.

iv. The City and the University recognize that fencing often attracts graffiti. In addition, perimeter lighting may have an impact on immediately adjacent residences even though it meets the City's lighting standards. The University may address these concerns as follows:

- Install landscaping in a variegated pattern to provide a buffer without creating conditions that would impact Campus security, in lieu of fencing.

- The University shall be credited against any landscaping obligation for the existing trees, evergreens, and shrubs that may be adjacent to an area to be redeveloped. All landscaping and screening shall be installed pursuant to Section 5.4 of the Aurora Zoning Ordinance.

d. Parking and Fire Access Plan

Notwithstanding Section 5.13 “Off-Street Parking and Loading” of the Zoning Ordinance and the applicable sections of the City Fire Code, the on-Campus parking requirements and fire access shall comply with the Parking and Fire Access Plan included herein as Attachment “H” and with the following additional qualifications:

The City recognizes that the University has always relied on having a portion of its parking needs met by students, faculty, and guests parking on the side streets in the neighborhoods around the Campus. However, at the time the Master Plan was originally adopted in 2004, the City and the neighbors considered the amount of parking off the Campus was excessive. To address this concern, the University has almost doubled the amount of parking on the Campus since the adoption of the 2004 Master Plan. The City recognizes that in order for the University to maintain open space and areas for landscaping, the University cannot cover more of its Campus with parking lots. For these reasons, the City has agreed to an on Campus Parking Plan to address parking space requirement, as more particularly described below.
The City and University agree that the University shall at all times provide a minimum of 804 parking spaces on the Campus to meet the On Campus parking needs generated by the existing uses, any additions to existing buildings, and the construction of any new educational buildings that may be approved pursuant to this Plan Description. The University built new parking in anticipation of removing some existing parking spaces, as the current number of parking spaces substantially exceeds the 804 minimum. Nonetheless, under the currently approved additions to the Campus, the University is allowed to remove some of these existing On Campus parking spaces to allow for the construction of such approved buildings and additions as shown in the Master Plan or Approved Final Plan. The University shall maintain a minimum of 804 parking spaces through all phases of construction. The City and University recognize that increases in the full time student population may result in the need for more On Campus parking spaces or alternative parking arrangements to minimize the impact of such a student population on parking off Campus in the surrounding neighborhood. To monitor this student population, the City and University agree that, if the ratio of On-Campus parking spaces as compared to the full time student population (as based on IPEDS data for Aurora Campus Full Time Equivalency Enrollment) falls below 0.25 for more than two (2) of any four (4) consecutive semesters, the City and University will meet and develop a revised Parking Plan to address additional parking needs at that time.

The City acknowledges that when the street improvements are made to Evanslawn, the City will construct approximately fifty-eight (58) angled parking spaces along the east side of Evanslawn between Marseillaise and Southlawn within the public right of way. These spaces shall be treated as on Campus parking spaces for the purpose of determining the amount of parking the University must provide on Campus.

The University also acknowledges and agrees that if it adds a second museum to the Campus or adds retail uses to any existing or new building that are unrelated to Campus activities (e.g., a restaurant or store open to the public), the parties will agree upon a revised Parking Plan, as part of the Final Plan approval, to address any additional parking needs for said uses.

The City acknowledges and agrees that the University may be allowed to adopt the following to eliminate the need for additional parking on Campus: (1) Alter class schedules to
reduce the demand for parking off Campus; and (2) Make every effort to schedule sporting events and other special events so that attendees are not competing for the same parking spaces; or (3) adopt other measures designed to minimize the impact of such an increase in student population on the parking on the neighboring streets around the Campus.

c. Special Events

The City understands that the University hosts numerous symposia, cultural events, civic meetings, sporting events, graduations, and similar activities that bring guests and members of the public to the Campus. No additional parking is required for these events, but the University shall use its best efforts to assist the attendees in finding parking.

f. Lighting Standards

The University shall use lighting fixtures for interior structures and parking lots, with a maximum illumination of an average of two and one-half foot candles. All lighting fixtures for parking lots and structures at the perimeter of the campus shall be shielded so as to not cause more spill of light than one-tenth (0.10) foot candle at the adjacent property lines. The University will be required to provide a lighting study for each phase of development that involves placing lighting along the perimeter of the campus.

1.6. Nonconforming Zoning Lots, Structures and Uses

All nonconforming zoning lots, structures, and uses shall comply with Section 5.8., "Nonconforming" of the Zoning Ordinance.

1.7. Special Uses

All special uses pursuant to Section 4.3., "Special Uses & Structures", of the Zoning Ordinance shall be established in accordance with Section 10, "Administration" of the Zoning Ordinance.

1.8. Accessory Uses

The following uses shall be in addition to the uses set out in Section 1.4 above. All Accessory structures and uses shall comply with Section 4.4., entitled "Accessory Uses & Structures" of the Zoning Ordinance, with the following uses allowed as well as the accessory uses specifically allowed, which may also apply to any proposed building in the Expansion Areas:

a. Single family homes, excluding student housing or fraternity or sorority houses;
b. General retail sales, as well as within a student center, or in connection with food service facilities;
c. Parking structures or garages;
d. Civic buildings;
e. Cultural institutions;
f. Offices - business or professional; medical or dental;
g. Buildings for the teaching of elementary, secondary or college education;
h. Food and beverage sales in connection with Campus food service options;
i. Book stores;
j. Ticket office or sales center;
k. Theater and performing arts facility;
l. Indoor athletic facilities, locker rooms, and related facilities;
m. Outdoor athletic facilities including playing fields, grandstands, press box, amphitheater, bathrooms, recreational areas, adjacent locker rooms and related facilities;
n. Daycare centers;
o. Maintenance facilities and operations; and
p. Restaurants or fast food providers, as long as no drive-through is allowed.

1.9. Bulk Restrictions

a. Lot Coverage – The maximum lot area coverage by building and pavement (excluding walkways and football field) shall be sixty percent (60%) of the Campus.

b. No Minimum Lot Size – The Campus shall be considered as one parcel with no minimum lot size or width required.

c. Required Setback Area – The minimum required setback areas for newly established parking lots and buildings/additions as measured from the public right-of-way (ROW) or Campus interior property line shall be as follows, with the exception that no such setbacks shall apply if the street is vacated pursuant to this Plan Description:

i. Marseillaise Place ROW – twenty feet (20’) for parking lots and twenty feet (20’) for buildings/additions.

ii. Gladstone Avenue ROW – twenty feet (20’) for parking lots and thirty feet (30’) for building/additions.

iii. Calumet Avenue ROW – ten feet (10’) for parking lots and fifteen feet (15’) for building/additions.

iv. Prairie Street – ROW twenty-five feet (25’) for parking lots or athletic fields and thirty feet (30’) for buildings/additions.
v. **Southlawn Place ROW** – seventeen feet (17') for parking lots and thirty feet (30') for buildings/additions.

vi. **Evanslawn Avenue ROW** – ten feet (10') for parking lots and thirty feet (30') for buildings/additions, except for the football field grandstand, press box and bleachers, which shall have a minimum set back of twenty-five feet (25').

vii. **Founders House and Alumni House** – five feet (5') for both the rear and side yards.

viii. It is contemplated that if the University acquires all the houses in Expansion Area No. 1, Randall Road will be vacated between Southlawn Place and Prairie Street. It is anticipated that if the University acquires all the homes along Southlawn in Expansion Area No. 2, Southlawn will be vacated between Evanslawn and Randall. At such time as the University acquires the last home on Calumet in Expansion Area No. 1, the City will vacate Calumet Avenue between Prairie and existing vacated Calumet.

d. **Permitted Obstructions in Required Setback Area** - Notwithstanding Section 5.9. "Obstructions" of the Zoning Ordinance, the only obstructions allowed on the Campus shall be University signage (pursuant to the Special Signage District hereby established), walkways, landscaping material, and fencing as more particularly described on Attachment "C".

e. **Maximum Height** – The maximum height of all structures shall be pursuant to the following, with such height being determined by measuring from the finished grade within ten feet of the structure's foundation to the midpoint of the pitched roof, if the roof is pitched, or base of roof if a parapet wall up to four feet high is used to shield mechanical systems, and shall comply with the following guidelines and requirements:

i. If a portion of the structure is located less than thirty feet (30') from the public right-of-way, the maximum height shall be thirty-five feet (35') within that zone.

ii. If a portion of the structure is located thirty feet (30') or more but less than fifty feet (50') from the public right-of-way, the maximum height shall be forty-five feet (45') within that zone.

iii. If a portion or all of a structure is located fifty feet (50') or more from the public right-of-way, the maximum height shall be fifty-five feet (55').

- 14 -
1.10. Building Elevations

For the two existing homes the University owns north of Marseillaise (including Founders House), the University shall maintain the residential character of such structures.

2. Parcel B, that parcel lying directly west of Gladstone Avenue and directly north of Prairie Street and extending to and including the homes on the west side of Randall Road.

2.1. Parcel Size and Use Designation

The Expansion Area No. 1 referenced within this document and on the Master Plan shown on Attachment "B", as Parcel B and/or Expansion Area No. 1, contains approximately 5 acres. The University has acquired most of the homes in the Expansion Area No. 1 and has rezoned such properties as R-1(S) with a special use for a planned development. After the University acquires any additional properties in the Expansion Area No. 1 and files the necessary petition for rezoning, the City shall designate such property as R-1 (S) with a special use for a planned development on the City's Zoning Map. At that time, the City shall adopt the provisions of this Amended and Restated Plan Description to cover the development of such Expansion Area No. 1 properties, consistent with Section 10.7. of the Zoning Ordinance, as modified herein.

2.2. Statement of Intent

Parcel Statement of Intent shall be consistent with Section 1.2 herein and with the following:

The parties recognize that in order for the University to remain viable and to meet projected demands in a very competitive higher education market, the University must have the ability to grow in size should the opportunity for growth present itself. The City acknowledges that under the 1990 Plan Description, the University was unable to purchase homes as they became available to position itself for continued economic viability and that unless some provision is made for growth, the University would have to move essential functions off campus or even consider relocating its operations. The City recognizes that the University is a major employer and major contributor to the financial well being of the City, as well as an invaluable educational resource and institutional presence.

Therefore, the University was allowed to increase its boundaries to include the Expansion Area No. 1 set forth in Attachment "B." The University has acquired by voluntary sales initiated by the homeowners all but six (6) homes within Expansion Area No. 1. It is understood by the parties that neither the City nor the University may condemn any of the properties in the Expansion Area for future expansion. However, if the individual property owners in this Expansion Area should voluntarily decide to sell their properties to the University, then the University shall be permitted to purchase such properties and to use or redevelop such properties in accordance with this document.
2.3. Specific Rules and Definitions

Parcel Specific Rules and Definitions shall comply with Section 1.3 herein and with the following:

To the extent that the University acquires residences within Expansion Area No. 1, including, but not limited to, those discussed in the preceding paragraph, it shall be allowed to rezone such properties as extensions of the Special Use designation given under this Amended and Restated Plan Description.

2.4. Permitted Uses

Parcel Permitted Uses shall comply with Section 1.4 herein and with the following:

The University can continue to use the properties it has already acquired in Expansion Area No. 1, as well as any new homes it may acquire. Such uses shall also apply to any homes acquired in the Expansion Area No. 2. These uses include using homes for offices, non-traditional classrooms, graduate student housing, open space (if demolished), faculty housing, studios, and athletic fields and related uses. The University may, upon rezoning, immediately use such homes for non-traditional classroom space, offices, studios, or graduate student housing, or demolish such homes and use the property as open space without any further approvals. The University may not rent any properties acquired in this Expansion Area to undergraduate students of the University.

2.5. General Provisions

Parcel General Provisions shall comply with Section 1.5 herein.

2.6. Nonconforming Zoning Lots, Structures and Uses

Parcel Nonconforming Zoning Lots, Structures and Uses shall comply with Section 1.6 herein.

2.7. Special Uses

Parcel Special Uses shall comply with Section 1.7 herein.

2.8. Accessory Buildings and Uses

Parcel Accessory Buildings and Uses shall comply with Section 1.8 herein.

2.9. Bulk Restrictions

Parcel Bulk Restrictions shall comply with Section 1.9 herein.
2.10. Building Elevations

Parcel Building Elevations shall comply with Section 1.10 herein and with the following:

The University may tear down existing residential structures along the west side of Gladstone and construct student housing not to exceed forty feet (40’) in height on the Gladstone side (the “Gladstone Housing”). The University may also construct student housing in other locations within the Expansion Areas.

The Gladstone Housing will be designed so that it utilizes architectural elements consistent with a residential scale. The University shall use building materials consistent with or complementary to the materials used in the more recent buildings on the Campus (e.g., Dunham Hall and Institute Building). At least some of the entrances to the Gladstone Housing will be along Gladstone. Similarly, if balconies are used as an architectural feature, some of the balconies shall be on the Gladstone side of the Gladstone Housing. If any parking is required for the Gladstone Housing, it shall be located on the Calumet side of the building.

2.11. Demolition of Existing Homes

The University shall not demolish any homes for redevelopment unless there is a buffer home between the redevelopment and the existing residences not owned by the University. The buffer home would be a home owned by the university but retained for the uses permitted in 2.4 above. The only area in Expansion Area No. 1 that would be limited by this provision is the west side of Randall Road. The University shall use its best efforts to preserve mature trees and evergreens when it demolishes a home, but may remove such vegetation at such time as redevelopment occurs. This Section 2.11 shall not apply if the home is not structurally sound or cannot be occupied due to safety issues or the need to perform extraordinary maintenance.

3. Parcel C, that parcel lying directly east of Evanslawn Avenue, directly north of Prairie Street, directly south of Southlawn Place, and west of Expansion Area No. 1.

3.1. Parcel Size and Use Designation

The Expansion Area No. 2 referenced within this document and on the Master Plan shown Attachment "B", as Parcel C and/or Expansion Area No. 2, contains approximately 5 acres and includes a number of single family homes. With the adoption of this Amended and Restated Plan Description, the City shall adopt a Comprehensive Plan amendment to designate the Expansion Area No. 2 as “Quasi-Public”. After the University acquires any properties in the Expansion Area No. 2 and files the necessary petition for rezoning, the City shall designate such property as R-1 (S) with a special use for a planned development on the City’s Zoning Map. At that time, the City shall adopt the provisions of this Amended and Restated Plan Description to cover the development of such Expansion Area No. 2 properties, consistent with Section 10.7. of the Zoning Ordinance, as modified herein.
3.2. Statement of Intent

Parcel Statement of Intent shall be consistent with Section 1.2 herein and with the following:

The parties recognize that in order for the University to remain viable and to meet projected demands in a very competitive higher education market, the University must have the ability to grow in size should the opportunity for growth present itself. The City acknowledges that under the 2004 Plan Description, the University was unable to purchase homes in Expansion Area No. 2 as they became available to position itself for continued economic viability. The City recognizes that the University is a major employer and major contributor to the financial well being of the City, as well as an invaluable educational resource and institutional presence.

Therefore, the University shall be allowed to increase its boundaries to include the homes in Expansion Area No. 2 as set forth in Attachment "D", which generally includes that property south of the Campus between the Randall homes currently in the Expansion Area No. 1 on the east and Evanslawn on the west, and bordered by Prairie on the south and Southlawn on the north (collectively, the “Expansion Area No. 2”), to the extent that such homes become available for purchase. It is understood by the parties that neither the City nor the University may condemn any of the properties in the Expansion Area No. 2 for future expansion. However, if the individual property owners in this Expansion Area should voluntarily decide to sell their properties to the University, then the University shall be permitted to purchase such homes and use or redevelop such properties in accordance with this document.

3.3. Specific Rules and Definitions

Parcel Specific Rules and Definitions shall comply with Section 1.3.

3.4. Permitted Uses

Parcel Permitted Uses shall comply with Section 1.4 and Section 2.4 herein.

3.5. General Provisions

Parcel General Provisions shall comply with Section 1.5 herein.

3.6. Nonconforming Zoning Lots, Structures and Uses

Parcel Nonconforming Zoning Lots, Structures and Uses shall comply with Section 1.6 herein.

3.7. Special Uses

Parcel Special Uses shall comply with Section 1.7 herein.
3.8. Accessory Buildings and Uses

Parcel Accessory Buildings and Uses shall comply with Section 1.8 herein.

3.9. Bulk Restrictions

Parcel Bulk Restrictions shall comply with Section 1.9 herein.

3.10. Building Elevations

Parcel Building Elevations shall comply with Section 1.10 herein. The University may tear down existing residential structures in Expansion Area No. 2 prior to Final Plan approval for any portion of said Expansion Area, except for those residences located at 430 S. Evanslawn Avenue and 1433 Prairie Street. The University shall use reasonable efforts to use the existing residential structures that it purchases for offices, non-traditional classrooms, studios, graduate student housing, faculty housing or rental housing for employees until such time as Expansion Area No. 2 is redeveloped.

3.11. Demolition of Existing Homes

The University shall use reasonable efforts to use the existing residential structures that it purchases until such time as redevelopment occurs. The University shall not demolish any homes for redevelopment in Expansion Area No. 2, unless there is a buffer home that will be retained between the redevelopment area and the home being demolished for redevelopment. This restriction applies both along Southlawn and Prairie. The University shall use its best efforts to preserve mature trees and evergreens when it demolishes a home, but may remove such vegetation at such time as redevelopment occurs. This Section 3.11 shall not apply if the home is not structurally sound or cannot be occupied due to safety issues or the need to perform extraordinary maintenance.

B. PUBLIC IMPROVEMENTS

1. Access and Right-of-Way

Access to the Existing Campus is currently provided along all the arterial and perimeter streets to the Existing Campus. Access to Expansion Area No. 1 may be from Prairie Street, Calumet and Gladstone. Access to Expansion Area No. 2 may be from Evanslawn Avenue, Southlawn Place and Prairie Street. Upon request from the University, the City may vacate portions Southlawn Place (west of Randall Road and east of Evanslawn Avenue), Calumet Avenue (north of Prairie Street and south of Marseillaise Place) and Randall Road (north of Prairie Street and south of Southlawn Place) public right-of-ways once the University has acquired the properties located adjacent to said right-of-ways. With the acquisition of additional properties in the Expansion Areas, it is expected that the University will eventually own both sides of Southlawn between Randall and Evanslawn, both sides of Calumet between vacated Kensington and Prairie, and both sides of Randall between Southlawn and Prairie. Upon request from the University, the City shall vacate those portions of the public streets to aid the University in the redevelopment of the Campus.
The University may have up to three (3) entrances to the Campus off of Prairie, two (2) between existing Randall Road and Gladstone Avenue and one (1) between existing Randall Road and Evanslawn Avenue. The University may use the existing entrance at Randall Road and Calumet Avenue or create a new entrance between those streets and one additional new entrance between Randall and Evanslawn. The entrances located at Gladstone and Evanslawn shall not be counted against these entrance restrictions. In addition the foregoing described entrances, the University shall be allowed an additional entrance off of Gladstone Avenue, between vacated Kensington Place and Prairie Street.

2. Detention

The Existing Campus is part of three watersheds. The City has acknowledged that the older part of the Existing Campus is composed of two watersheds, generally draining to the northeast or southeast. These watersheds are identified in Attachment “F”. The City has agreed that any proposed expansion of buildings or new construction in this area of the Existing Campus will have no new detention required. However, the University has capped off an existing storm water pipe that currently conveys water from a third watershed on the southeast of the campus across the drainage divide into the northeast drainage area. The location of the cap on this pipe is shown on the Approved Final Engineering Plan.


To address storm water runoff in the southwest watershed (see Drainage Area “L” on Attachment “F”) the University has provided for sufficient detention on site to control the flow offsite to no more than the amount of water currently discharging from the University campus during a storm event meeting the City’s stormwater management criteria. This detention was provided by a structured detention facility built in the first phase of the 2004 development under the parking lot constructed west of the Institute Building. This facility has a minimum of 3.4 acre-feet of storage. The University has paid to the City a fee in lieu for the additional requirements of the City’s storm water ordinance (“Storm Water Fee”). Further detention needed in the Expansion Areas may be satisfied by conventional detention ponds, structured detention or a payment of a fee in lieu. In determining the detention requirements in the Expansion Areas, the City shall give the University credit for the impervious areas that existed at the time of the approval of the acquisition of properties in the Expansion Areas. This calculation shall include houses, garages and other accessory structures, patios and decks, sidewalks, driveways, and any streets that are vacated and removed as part of the redevelopment of the Expansion Areas.

To authorize this arrangement, the City has processed a variance petition from the University to satisfy the requirements of the City and Kane County’s storm water ordinances. The University shall receive a credit against the Storm Water Fee for the cost of all the improvements to any outlet structure and downstream storm water conveyance pipes and structures that qualify as regional improvements, as well as any oversizing of the structured detention to accept storm water from any off-campus tributary area.
4. **SSA**

The University agrees to cooperate with the City in establishing a backup special service area to maintain the structured detention and any downstream conveyance pipe in the event the University fails to undertake such maintenance. The University shall maintain the detention structure and the portion of any downstream conveyance pipe that is located on University property.

In the event that the neighbors on the west side of the University initiate the process for the approval of a Special Service Area ("SSA") to finance street, curb, gutter, and storm sewer improvements that include the portion of Marseillaise on the northwest end of the Existing Campus and the block of Evanslawn on the west between Marseillaise and Southlawn, the University agrees to participate in such SSA to the extent of its pro-rata share of one-half (1/2) the improvement cost along its portion of those two streets. These costs would be limited to one-half (1/2) of the costs of improvements to the portion of Marseillaise between Randall and Evanslawn and the one block of Evanslawn between Marseillaise and Southlawn. Alternatively, if the City finds funding for such improvements, the University is agreeing to pay its share of those costs. The University’s share of these improvements is currently estimated at $271,147.00 (See Engineering Plan Sheet and Cost Estimate with Allocation of University’s Share attached as Attachment “1”.)

The parties acknowledge that as a not for profit corporation, the University would not otherwise be required to participate in such an SSA. The City agrees that as part of any such improvements, the City would construct approximately fifty-eight (58) angled parking spaces to be built along the east side of the public right of way of Evanslawn between Marseillaise and Southlawn. Given that Southlawn will be vacated in the future, the City will not make major improvements to Southlawn between Randall Road and Evanslawn.

### IV. REQUESTED MODIFICATIONS AND EXCEPTIONS TO CERTAIN CITY CODES AND ORDINANCES

#### A. ZONING ORDINANCE MODIFICATIONS AND EXCEPTIONS

1. The City may approve Final Plans that contain variations consistent with Section III of this Amended and Restated Plan Description pertaining to Bulk Restrictions. A public hearing shall not be required for such approvals. The City may also approve Final Plans that exceed up to ten percent (10%) from the requirements within Section III of this Amended and Restated Plan Description pertaining to Signs and Section III of this Amended and Restated Plan Description pertaining to Landscaping & Screening. A public hearing shall also not be required for these approvals.

2. Modification of Section 7.5-5.3. "Height" of the Zoning Ordinance from the maximum of thirty-five feet (35') to that provided for within Section III of this Amended and Restated Plan Description.
3. Modification of Section 7.5-5.6. "Lot Coverage" of the Zoning Ordinance to that provided for within Section III of this Amended and Restated Plan Description.

4. Variations exceeding those described in this section may be requested through a Final Plan process with a public hearing as outlined in Section 11 of the Aurora Zoning Ordinance.

B. OTHER ORDINANCE MODIFICATIONS AND EXCEPTIONS

The "Storm-water Management" Article of the "Floodplain Management" chapter of the Code shall be varied to provide a portion of the storm water detention on the Campus, with the University paying the Storm Water Fee for the balance of said stormwater not being retained on site, as described in Section III of this Amended and Restated Plan Description.

V. GENERAL PROVISIONS

A. AMENDED AND RESTATED PLAN DESCRIPTION

1. All current codes and ordinances of the City in effect at the time of development shall govern, except where expressly stated within this Amended and Restated Plan Description to the contrary.

2. Amendments to this Amended and Restated Plan Description shall be subject to Section 11 of the Zoning Ordinance. Public notice shall be provided in accordance with Section 11 and, notice to all current owners of property subject to this Amended and Restated Plan Description shall be provided in accordance with this Amended and Restated Plan Description.

3. This Amended and Restated Plan Description 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 Amended and Restated Plan Description shall be held invalid, the invalidity of such section, subsection or paragraph shall not affect any of the other provisions of this Amended and Restated Plan Description.

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

6. Section 11 of the Zoning Ordinance shall provide the process of adding property to the University's Planned Development from within the Expanded Area. Public notice shall be provided in accordance with Section.
B. PLAN DOCUMENTS

1. A Preliminary Plan and a Preliminary Plat are not required to be approved prior to approval of a Final Plan for property on Campus.

2. A subdivision plat is not required to be approved prior to approval of a Final Plan. There shall be no time limitation on the submission of final plans.

3. Each Final Plan document submitted will indicate all areas of the Campus being modified for any specific improvement being proposed by the University.

4. All plan attachments to this Amended and Restated Plan Description are for illustrative purposes only and shall not limit the University's ability to propose additional buildings and/or additions subject to the requirements of this Amended and Restated Plan Description.

5. Notwithstanding the provisions within Section 10.6-6 of the Zoning Ordinance, a proposed Final Plan that includes a building addition not depicted on the Amended Master Plan that involves an increase of the first floor area of said building by more than fifteen percent (15%) shall be subject to Section 11 of the Zoning Ordinance. Public notice shall be provided in accordance with Section 11.

6. In keeping with the principles of flexibility built into this Amended and Restated Plan Description, the University has depicted the building and additions anticipated to be constructed in the near future on the Amended Master Plan. The parties acknowledge that the exact location of these structures and their size may change, provided that the Bulk Standards are met by the University. In addition, areas designated for change include the southwest corner of the Campus, which may be developed with either a parking lot or building. With regard to the Expansion Areas, the University shall be allowed to build new structures, parking lots, athletic facilities or other permitted buildings upon the rezoning of such properties to come under this Amended and Restated Plan Description. All such development shall conform to the Bulk Standards of this Amended and Restated Plan Description.

7. All Final Plans filed with the City for approval shall provide the required data and legal description of the total Campus owned at that time by the University.
ATTACHMENT “A”
LEGAL DESCRIPTION OF DEVELOPMENT PARCELS
Original Legal – Master Plan

Parcel One:
Lots 106 through 137 inclusive; Lots 142 through 158 inclusive; that part of vacated Glenwood Place lying east of and adjoining said Lots 123 through 137, and west of the center line of said Glenwood Place; that part of vacated Glenwood Place lying east of and adjoining said Lots 110, 121 and 122; that part of vacated Randall Road lying east of and adjoining said Lots 116, 117, and 118; that part of vacated Kenilworth Place described as follows: beginning at the southwest corner of said Lot 156; thence south along the east line of Evanslawn Avenue 66.00 feet to the northwest corner of said Lot 157; thence east along the south line of said vacated Kenilworth Place 669.38 feet to the east line of said vacated Randall Road; thence north along said east line 33.00 feet to the center line of said vacated Kenilworth Place; thence west along said center line 373.00 feet to the center line of vacated Glenwood Place; thence north along said center line 33.00 feet to the south line of Lot 123 extended east; thence west along said south line extended and along the south line of said Lots 123 and 156, 296.32 feet to the point of beginning, all in Country Club Estates, Aurora, in the City of Aurora, Kane County, Illinois.

Parcel Two:
That part of the southwest quarter of Section 20, Township 38 North, Range 8 east of the third principal meridian described as follows: beginning at the point of intersection of the east line of said southwest quarter with the center line extended east of Kenilworth Place; thence west along said extended center line 373.00 feet; thence north parallel with the east line of said southwest quarter 634.50 feet to the south line extended east of Marseillaise Place; thence east along said extended south line 373.00 feet to the east line of said southwest quarter; thence south along said east line 634.50 feet to the point of beginning, in the City of Aurora, Kane County, Illinois.

Parcel Three:
Block 33 and that part of vacated Calumet Avenue lying west of and adjoining said Block 33; Block 34; Lots 1 through 14 in Block 35 and that part of Kenilworth Place lying north of and adjoining said Block 35; Lot K (except the north 66 feet thereof), Lot L and that part of Lot M lying north of the south line of said Lot 14 in Block 35 extended west; Lot 20 (except the north 15 feet thereof), Lots 21, 23 and 24 in Block 23; Lots 1, 2, 3 and 6 in Block 36, all in New Downer Place Addition to Aurora, in the City of Aurora, Kane County, Illinois.
Expansion Area 1

Lots 4, 5, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23 and 24, in Block 36 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.

Lots 9 and 16, in Block 36 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.*

Lots 15, 16, 17, 18, 19, 20, 21, 23 and 24, in Block 35 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.

Lots 23 and 24 (except the North 75 feet thereof) and Lot 22 (except the Westerly 30 feet and except the Northerly 75 feet) in Block 35 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.

North 75 feet of Lots 23 and 24, and the Westerly 30 feet and Northerly 75 feet of Lot 22, in Block 35 of New Downer Place Addition to Aurora, City of Aurora, Kane County, Illinois.*

Lots 26 and 27, and North 62 feet of Lots 24 and 25, in Country Club Estates, City of Aurora, Kane County, Illinois.*

Expansion Area 2

(PROPERTIES ADDED IN THE REVISED PLAN DESCRIPTION AND MASTER PLAN)

Lots 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39 and South 138 feet of Lots 24 and 25, in Country Club Estates, City of Aurora, Kane County, Illinois.*

*Properties not yet owned by Aurora University as of filing of the Land Use Petition requesting approval of a Revision to The Aurora University Plan Description and Master Plan for 38 Acres of Property Located Directly South of Marseillaise Place, West of Gladstone Avenue, East of Evanslawn Avenue and North of Prairie Street in Kane County, Illinois.
EXHIBIT “B”

AMENDED AND RESTATED PLAN DESCRIPTION

Ordinance Number: O09-024

Date: April 14, 2009

Amended and Restated Plan Description for Aurora University generally located directly south of Marscillaise Place between Evanslawn Avenue on the west and Gladstone Avenue on the east and Prairie Street to the south with R-1(S) Special Use Planned Development Zoning Pursuant to Section 14.6-7 of the Aurora Zoning Ordinance.
ATTACHMENT “B”
AMENDED MASTER PLAN AND MASTER PLAN NARRATIVE

In recent years, the University has enjoyed significant academic and enrollment growth and now seeks to develop Campus facilities commensurate with this progress. Toward this end, the institution initiated a master planning process in the summer of 2002 with the following purposes in mind:

- Provide AU students, faculty and staff with the physical facilities necessary for fulfillment of the institution's educational mission;
- Enhance the University's ability to compete successfully with peer institutions in the western suburbs;
- Respond to concerns presented by the University's neighbors on the west side of Aurora; and
- Align University master planning initiatives with those of the city as a whole.

The University's original Master Plan accomplished these objectives, while also preserving the essential nature of the residential Campus and its central quadrangle. This amendment continues to complete these goals while adding new area for expansion.

A primary goal of the Amended Master Plan is to reduce congestion on the north side of the Campus and the adjacent neighborhood through development of a new quadrangle to the south. The quad will be anchored by the academic building that will house the Institute for Collaboration, the College of Education, an expanded School District 129 Partnership School and offices for several community organizations. The plan calls for construction of a new residence hall or townhome style residential buildings, significant improvements to existing structures and a consolidation of on-Campus parking facilities. The Amended Master Plan is designed to give the University flexibility in handling future development. The University will be allowed to make additions to existing buildings or add new buildings within the limits established by the Amended Master Plan.

In this regard, the Amended Master Plan is intended to be a guide and not a definitive document as to the location or size of any specific building expansions or new structures. The footprints shown on the Amended Master Plan are intended to establish the anticipated size of such building additions or new buildings and their general location. The size of the additions and new buildings shown on the Amended Master Plan is intended to set some limits on the square footage of the first floor of such additions or new structures, subject to the Bulk Standards within the Plan Description. The exact size and location of such new construction shall be left to the determination of the University, as long as such construction is within the limits of the Bulk Standards.

For example, the Amended Master Plan shows the potential expansion of the Phillips Library on both the north and south sides of the existing structure. This expansion footprint is merely intended to establish the total first floor square footage that can be constructed. The floor plan could result in an addition on only one side, which could be longer or shorter than shown. The only restrictions on such an addition are the height, setback, and total floor area limits which are set out in the Bulk Standards. In other words, the total square footage of expansion permitted
would be the total footage shown on the Amended Master Plan, times the number of floors allowed, and subject to an additional fifteen percent 15% upward adjustment in the Bulk Standards. In a similar fashion, the location of new buildings in the Existing Campus is not limited by the specific sites shown on the Amended Master Plan, but by the general size of the structures identified. For example, the Amended Master Plan shows a building west of parking lot 19. A building may be built anywhere in this general area or elsewhere on the Existing Campus, subject to the Bulk Standards. A parking lot could also be built in this area.

It is anticipated by Aurora University that future improvements to the campus and Expansion Areas will be done in various phases of development. The proposed future improvements to the Campus are set forth below in their anticipated phases of development. However, the University may construct any of the improvements set forth below at any given time. As noted in this narrative, such improvements may be made, subject to final plan review as long as they generally follow the Amended Master Plan and the Bulk Standards provided in the Amended and Restated Plan Description. The University’s Approved Final Plan, attached hereto as Attachment H is described below:

**Campus** - The University shall have the following development options:

i. Construction of an addition to the existing library, generally as depicted on the Amended Master Plan as number “11,” in order to provide more research resources for students and faculty.

ii. Construction of an addition to Alumni Hall at the location depicted on the Amended Master Plan as number “23A,” to expand its current functions and improve accessibility and construction of an addition to Alumni Hall as shown on the Amended Master Plan as number “23B.”

iii. Construction of a parking lot, dormitory, or classroom building in the general location of number 27 on the Amended Master Plan, subject to the Bulk Standards.

iv. Construction of a library and student center in the general location of number 26 on the Amended Master Plan, subject the Approved Final Plan.

v. Construction of a parking lot in the general location of number 24 on the Amended Master Plan, subject to the Approved Final Plan.

vi. An addition to Founder’s House as shown on the Amended Master Plan.

**Expansion Phase** - Given the City’s goal to reduce parking demand on the north end of the campus and the University’s goal to establish a second quad as part of the Phase I improvements, the most effective corridor for growth is generally south of the campus toward Prairie Street. For this reason, the City is amending the Comprehensive Plan to allow the potential for growth to the south.
ATTACHMENT "C"
SIGNAGE
ATTACHMENT "E"
REQUIRED COMPONENTS OF FINAL SITE PLAN

A. General Directions
1. Must be drawn to accurate engineering scale.
2. Must contain following information.
   a) Scale
   b) North arrow
   c) Original and revision dates.
   d) Name and address of owner of record.
   e) Name and address of site plan designer.

B. Written documents
1. A statement of planning objectives to be achieved by the final plan through the particular approach proposed by the petitioner.
2. A development schedule indicating the approximate date when construction of the final plan or stages of the final plan can be expected to begin and be completed.
3. Petitioner's proposed covenants, restrictions and conditions to be established as part of the final plan.
4. A statement of the petitioner's intentions with regard to the future selling or leasing of all or portions of the final plan such as land areas, dwelling units, etc.
5. Exceptions or variations to City Zoning or Subdivision ordinances being requested as part of the final plan including the specific section of the Ordinance from which the variation is requested and the requested variation itself.
6. Estimates of cost of installation of all proposed improvements confirmed by a registered Illinois engineer.

C. Plan Data Requirements
1. Dimensions of property.
2. Existing and proposed streets (public and private), right-of-ways, driveways, all principal and accessory buildings and their use, dimensioned building setbacks, lot sizes, sidewalks, off-street parking, service areas, open space and recreational facilities.
3. Preliminary architectural plans for all buildings in sufficient detail to show basic building planning.
4. The existing and proposed vehicular and pedestrian circulation systems, indicating their interrelationship and proposed treatments of points of conflict.
5. Existing and proposed utility systems including sanitary sewers, storm sewers, water, electric, gas, telephone and cable television lines including their sizes.
6. Proposed public and private lighting system.
7. Existing and proposed easements for utility service.
8. Proposed signage indicating size and content.
9. Existing vegetation and plantings.
11. The location and size in acres or square feet of all areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites and similar public and semi-public uses.
12. Any other information necessary to clearly show the proposed site plan elements.

- 29 -
D. Information Regarding Contiguous Property
   1. Location of contiguous buildings.
   2. Zoning of contiguous property.
   3. Land Use of contiguous property.

E. Site Data to be Provided in Lower Right Hand Corner
   1. Legal Description.
   2. Size of property in square feet or acres.
   4. Proposed lot coverage of buildings by square feet and percentage.
   5. Proposed blacktop-pavement coverage by square feet and lot percentage.
   6. Number of parking spaces provided.
   7. Number of parking spaces required by Zoning Ordinance.
   8. Total amount of landscaped area by square feet and lot percentage.
   9. Number of buildings.
  10. Number of dwelling units, if residential project.
  11. Breakdown of dwelling unit bedroom types, if residential project.

F. Landscape Data to be Provided in Lower Left Hand Corner
   1. Number of plantings by type.
   2. Size of plantings at installation.
   3. On-center spacing for hedges.
   4. Caliper size of all trees at installation.
ATTACHMENT "G"
RESOLUTION NUMBER R08-230
APPROVING FINAL PLAN
ATTACHMENT "G"
RESOLUTION NUMBER R08-230
APPROVING FINAL PLAN

ORIGINAL

CITY OF AURORA
CITY COUNCIL

RESOLUTION NUMBER: R08-230
DATE OF PASSAGE: May 13, 2008

PETITIONER: Aurora University

RESOLUTION APPROVING THE FINAL PLAN ON 6.5 ACRES FOR A
LIBRARY/STUDENT CENTER, ALUMNI HALL ADDITION, PARKING LOTS,
FOOTBALL FIELD AND GRANDSTAND WITH A VARIANCE TO THE
GRANDSTAND'S SETBACK FOR S. EVANSLAWN AVENUE FROM 25 FEET TO 14
FEET LOCATED AT THE SOUTHEAST CORNER OF MARSEILLAISE PLACE AND
S. EVANSLAWN AVENUE

WHEREAS, by petition dated January 8, 2008, Aurora University filed with the City of
Aurora Requesting a Final Plan petition on 6.5 acres for a Library/Student Center, Alumni Hall
addition, parking lots, football field and grandstand with a variance to the grandstand's setback
for S. Evanslawn Avenue from 25 feet to 14 feet, as described on Exhibit "A" attached hereto;
and

WHEREAS, said plan was duly referred on February 19, 2008, by the Aurora City Clerk
to the Aurora City Council, who, in turn, referred said plan to the Aurora Planning Council and
Planning Commission for study and recommendation, and to the Aurora Planning and
Development Committee for final decision; and

WHEREAS, said plan has been determined to be in substantial conformance with the
approved Aurora University Master Plan; and

WHEREAS, said plan has been determined to be in substantial conformance with the
Aurora Zoning Ordinance Number 3100 Section 10.7-9 and 10.7-10; and

WHEREAS, on March 25, 2008, the Aurora Planning Council recommended that said
plan be conditionally approved; and

WHEREAS, after referral of said petition from the Aurora City Council, and after due
notice and publication of said notice, the Aurora Planning Commission conducted a public
hearing on April 2, 2008 for the setback variance pursuant to Section IV.A.2. of Ordinance
Number O04-58 and reviewed said plan and setback variance and recommended that said plan
and setback variance be conditionally approved; and

Page 1 of 4
WHEREAS, on April 24, 2008, the Planning and Development Committee of the Aurora City Council reviewed said plan and setback variance and said recommendations and recommended that said plan and setback variance be conditionally approved; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, finds as facts all of the preamble recitals of this Resolution, accepts the recommendation of the Aurora Planning Commission and the Planning and Development Committee, and hereby approves said plan and variance to the grandstand's setback for S. Evanslawn Avenue from 25 feet to 14 feet with the following conditions:

1. That approval shall be contingent upon Final Engineering approval.
2. That the Final Plan shall provide additional parking spaces to meet the on-campus parking requirement of 870 parking spaces.
3. That drive aisles with two-way traffic shall be a minimum of 24 feet wide.

NOW THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Aurora hereby adopts the Final Plan as described on Exhibit "A" along with any dedications deemed necessary by the Aurora City Engineer and that the Aurora City Clerk is hereby directed to file and keep on record said plan and a certified copy of this Resolution, after its passage.
PASSED AND APPROVED by the City Council of the City of Aurora, Illinois on this 12th day of May, 2008.

AYES 11  NAYS 0  NOT VOTING

Mayor
City of Aurora, Illinois

Attest:

City Clerk

Case File Number: AU20/4-07.599-Fpn
Parcel Numbers: 15-20-378-001
  15-20-378-002
  15-20-378-003
  15-20-378-004
  15-20-378-005
  15-20-378-006
  15-20-378-007
  15-20-378-008
  15-20-378-009
  15-20-378-010
  15-20-454-015
  15-20-454-014

This instrument prepared by:
Aurora Land Use and Zoning Division
1 South Broadway
Aurora, Illinois 60505

City Council Members

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EXHIBIT "A"

INFORMATION SHEET

For the Final Plan for the property located at the southeast corner of Marseillaise Place and S. Evanslawn Avenue.

Owner: Aurora University
        347 Gladstone Avenue
        Aurora, Illinois 60506

Date Plan Received By Planning: April 16, 2008

Plan Prepared By: Cordogan, Clark & Associates
                  960 Ridgeway Avenue
                  Aurora, Illinois 60506

Date Landscape Plan Received By Planning: April 16, 2008

Landscape Plan Prepared By: W.E. Mundy Landscaping
                           P.O. Box 1462
                           Aurora, Illinois 60507

NOTE: A COPY OF THE PLANS AS REFERENCED HEREON IS ON FILE IN THE CITY OF AURORA PLANNING DIVISION OFFICE ON THE SECOND FLOOR, 1 SOUTH BROADWAY, AURORA, ILLINOIS, 60505.
ATTACHMENT "I"
ENGINEERING PLAN SHEET AND
COST ESTIMATE WITH ALLOCATION OF UNIVERSITY'S SHARE