

## **PUD PROPERTY ADHERENCE TO APPLICABLE ZONING STANDARDS**

### 1. Conditional Use Standards

The requested conditional use meets the applicable standards set forth in Section 6-3-8:2 of the City of Naperville Municipal Code as follows:

***The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare; and***

The establishment, maintenance, and operation of the project will not be detrimental to, or endanger the health, safety, and general welfare of the public. Block 59 is already developed with retail uses in a strong retail/commercial corridor. The project improvements will be developed in accordance with all modern building codes. The developer is designing the project with safe and efficient pedestrian walkways, redeveloped retail, restaurant and entertainment space, and an event plaza. The project will promote the general welfare by providing new dining and entertainment opportunities to City of Naperville (the “City”) residents, create new job opportunities, draw people from surrounding areas to shop at other City businesses and strengthen the City’s tax base.

***The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and***

The proposed conditional use will not be injurious to the use and enjoyment of other property in the immediate area and will not diminish or impair property values within the neighborhood. The property’s intended use as an entertainment/restaurant focused development is consistent with, and complimentary to, current retail and commercial uses of the immediately surrounding areas. People are able to shop, dine and engage in recreational activities all within the immediate area. Moreover, the project is being developed in conjunction with improvements on the adjacent Westridge Shopping Center so that the two properties are more seamlessly integrated. Drive aisles, parking fields, loading and service drives are all designed so as to integrate the two shopping centers. Finally, the property has already been developed as a retail center. The developer is making a substantial investment to improve the condition of the property. Far from diminishing or impairing property values, the developer anticipates that the project will enhance property values. The proposed project will add new restaurants and businesses to the area, which will attract additional customers to the neighborhood. In turn, the increased foot traffic will increase patronage to the surrounding businesses.

***The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district; and***

The establishment of the conditional use will not impede the normal and orderly development and improvement of adjacent properties. The Westridge Shopping Center and the Block 59 property are already developed. The developer is seeking to enhance the conditions on both properties by providing greater pedestrian connectivity and improved vehicular patterns. Moreover, the developer seeks to provide a greater customer connection between the two properties. There are multiple points of entry onto the property from the adjacent right of ways that would help eliminate excessive traffic in surrounding properties. Further, once at the property, there will be clear

signage, for both vehicles and pedestrians, that will allow patrons to locate and navigate to their desired location quickly and efficiently, keeping congestion to a minimum. All of these efforts result in the promotion of the normal and orderly development of these properties.

***The establishment of the conditional use is not in conflict with the adopted comprehensive master plan.***

The property is not in conflict with the City's Land Use Master Plan. The project is located in one of Naperville's "Urban Centers" which its primary uses include restaurants and commercial and retail services. The redevelopment of the property will fit in to the City's master plan by providing additional restaurant and entertainment options in a high traffic area of the City.

## 2. Planned Unit Development

The requested planned unit development meets the applicable standards set forth in Section 6-4-7:1 of the City of Naperville Municipal Code as follows:

***The design of the planned unit development presents an innovative and creative approach to the development of land and living environments.***

The design of the planned unit development presents an innovative and creative approach to an already existing shopping center by modernizing it and transforming it into an enticing attraction for patrons looking for a fun and relaxing outing. The property will include new restaurants, retail stores and entertainment uses which are centered around large, outdoor lawn areas and seating areas.

***The planned unit development meets the requirements and standards of the planned unit development regulations.*** (Section 6-4-3)

The property is under a single ownership. While the Block 59 property and the Westridge Shopping center property technically have different owners, both owners are wholly owned by Brixmor Property Group. Moreover, the owner of the Westridge Shopping Center has consented to the planned unit development application.

All buildings, structures, and uses of land within the property are designed to conform to the area, lot width, yard, height, and bulk regulations of the B2 zoning district where it is located, except where deviations have been approved by the City.

The principal amenity for this project is an outdoor event plaza with open space which will allow for passive and active recreation and entertainment. This outdoor plaza will be the focal point of the development and will host outdoor concerts, exhibitions, recreational activities and other events that draw patrons to the area. In addition, the developer proposes a large, outdoor seating area at the corner of Route 59 and Aurora Avenue which can be used for outdoor dining, as a gathering space and/or for a connection to/compliment of activities occurring on the larger outdoor space. Overall, the Block 59 project substantially exceeds the 20% outdoor common area requirements.

A combined landscape and lighting plan which meets or exceeds City code requirements, except to the extent deviations have been approved, has been submitted to the City for final approval.

City requirements for pedestrian and bicycle circulation have been met through purposeful, landscaped walkways that integrate all of the improvements on the Block 59 Project.

The Block 59 project will be built with pedestrian and vehicular connections to adjoining land and its design will emphasize accessibility, open views, and connections with the larger community. A key planning element of the Block 59 project is to create greater pedestrian and vehicular connectivity between the Westridge Property and the Heritage Property so as to improve the retail, dining and entertainment experience on both properties.

The property will be designed in accordance with the applicable provisions of the Land Use Master Plan.

***The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site.***

The property's physical design will efficiently utilize the land and adequately provide for transportation and public facilities while preserving the natural features of the site. The Block 59 project provides for four nodes of buildings that are centered around several interior parking fields. One node is centered around an outdoor event space while another node abuts a second, smaller outdoor gathering space. The physical layout has been designed to allow for attractive, landscaped spacing between the nodes and their individual buildings while at the same time providing safe and efficient pathways for vehicular and pedestrian movements.

***Open space, outdoor common area, and recreational facilities are provided.***

The property will feature an outdoor event plaza centrally located within the project. This space will be at a crossroads of the newly redeveloped buildings and will allow patrons to enjoy time outdoors while visiting the property. Events will be programmed year round at the plaza. In addition, the Applicant proposes a smaller, outdoor gathering space at the corner of Aurora Avenue and Route 59.

The property itself is designed to be pedestrian friendly, allowing patrons to easily flow between the open-air walkways leading between the parking facilities, buildings, and the event plaza.

***The modifications in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations.***

Granting a planned unit development for the property will allow for an innovative and fresh design at a unique location in the City which would otherwise not be permitted under the more strict and current B2 zoning. Though the proposed project departs from some of the bulk regulations and zoning regulations, the property will offer attractive amenities and entertainment that will draw in customers from many different areas and result in increased traffic, revenue, and recognizability for the City.

***The planned unit development is compatible with the adjacent properties and nearby land uses.***

The property will continue to include existing restaurants, such as Lazy Dog, and will complement the surrounding retail uses by bringing new food establishments and outdoor open spaces to the area.

***The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.***

As discussed above, the property will comply with the purpose and requirements of the Urban Centers of the City's Land Use Master Plan.