

**BRIXMOR HERITAGE SQUARE LLC  
DESCRIPTION OF CASE**

**THE APPLICANT**

Brixmor Heritage Square LLC, a Delaware limited liability company (“Applicant”), is the owner of the shopping mall commonly known as 404 Illinois Route 59, Naperville, Illinois (the “Heritage Property”). Applicant makes this application for zoning approvals for the Project, as defined below and as described in greater detail below.

Applicant makes this application with the consent of the owner of the abutting Westridge Shopping Center (the “Westridge Property”), Brixmor Holdings 6, SPE, LLC, a Delaware limited liability company (the “Westridge Owner”). Applicant and Westridge Owner are under common ownership of the Brixmor Property Group, a publicly traded company.

**THE PROPERTY**

The Heritage Property is an approximately 16 acre parcel that is located at the northeast corner of Illinois Route 59 and Aurora Avenue. It is currently improved with four commercial/retail buildings, approximately 960 accessory parking spaces and stormwater detention facilities. The buildings include approximately 212,000 square feet of leasable area, but today, only about 36,000 square feet are occupied. The Heritage Property has <sup>3</sup>/<sub>4</sub> access from Illinois Route 59, right in/right out access from Aurora Avenue and cross access rights from the Westridge Property. It is zoned B2 Community Shopping District with a planned unit development.

The Westridge Property is an approximately 49.65 acre L-shaped parcel with frontage on Illinois State Route 59, Aurora Avenue and Jefferson Avenue. The Westridge Property includes approximately 471,000 gross square feet of in-line retail space with multiple points of access from all three right of way frontages. The Westridge Shopping Center currently has 2,585 parking spaces<sup>1</sup>. It is zoned B2 Community Shopping District.

As part of the implementation of the Project, the Westridge Owner intends to convey 43,013 square feet of the Westridge Property to the Applicant. Concurrently, Applicant intends to convey 27,766 square feet of its property to the Westridge Owner. Following these conveyances, the Heritage Property will be approximately 16.48 acres. This parcel of land will be governed by the requested planned unit development and is referred to herein as the “PUD Property.”

**THE PROJECT**

The Applicant proposes to demolish all but two of the existing buildings on the PUD Property and redevelop the site with a restaurant/entertainment/experiential development called Block 59 (generally referred to herein as the “Project”). The 8,200 square foot building which houses Lazy Dog Restaurant and the approximately 12,200 square foot building which currently houses Burn Boot Camp will remain. The balance of the PUD Property will be completely redeveloped with up to 11 new buildings, ranging in size from approximately 2,400 square feet to approximately 13,000

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<sup>1</sup> As described below, there will be a land swap between the Westridge Owner and the Heritage Owner. Following completion of the Block 59 Project, the Westridge Shopping Center will have 2,642 parking spaces.

square feet. In all, the Applicant will demolish approximately 136,000 square feet of existing improvements and construct approximately 64,000 new square feet of restaurant and entertainment space. The new buildings will range in height from 22 feet to 30 feet. The total gross building area will be a maximum of 101,000 square feet and therefor the floor area ratio will be 0.14.

A number of the buildings will be oriented around an approximately 7,200 square foot event plaza. This area, which will be programmed year round, will provide a central focus for the development where people can gather, watch concerts or movies, participate in community events or otherwise engage in recreational activities. Applicant also proposes a similar, but smaller, gathering space at the corner of Aurora Avenue and Route 59. This small space, which is approximately 1,300 square feet, will provide a gathering and outdoor space which will anchor the buildings at the corner.

In addition, while not within the new planned unit development boundaries, the redevelopment project will integrate the existing 50,000 square foot cinema and an approximately 50,000 square foot space which are part of the Westridge Shopping Center. The 50,000 square foot space will be the site of a national food/entertainment tenant which will contribute to the overall theme of the redevelopment project. These two spaces will be integrated into the Block 59 Project on the Heritage Property by newly constructed pedestrian links and reconfigured parking areas.

As noted above, the Heritage Property currently has approximately 960 parking spaces and the Westridge Shopping Center has approximately 2,585 parking spaces. As a result of the redevelopment project, the PUD Property will have 716 parking spaces and the Westridge Shopping Center will have 2,642 parking spaces, totaling 3,358 parking spaces. While technically two separate properties, part of the Applicant's goal is to integrate the Block 59 project and the Westridge Shopping Center by creating greater pedestrian and vehicular connectivity. As a result, it is anticipated there will be a sharing of parking spaces between the two properties, particularly with respect to the Westridge Shopping Center parking fields that are most proximate to the Block 59 project. That cross parking rights will be memorialized in an agreement between the two property owners.

The parking fields which are most proximate to Block 59 are located in Lot 5 of the Westridge Shopping Center. The owner of the Westridge Shopping Center performed an analysis of the available parking and parking requirements for the entire shopping center in 2019<sup>2</sup>. That analysis grouped the shopping center into two principal areas – Lots 1 to 3, or generally the Route 59 frontage and Lots 4 to 6, or generally the Aurora Avenue frontage. The analysis showed that, following parking relief granted by the City for one tenant on Lot 6, there was a surplus of 371 parking spaces in the aggregate for Lots 4 to 6. Those surplus spaces are in fact located on Lot 5. Even though the Applicant is seeking a deviation from the parking requirements for the Block 59 Project, there is more than adequate parking in the immediate area to serve Block 59 users and those persons who are shopping at Westridge Shopping Center. After the land swap, Lot 5 will have a requirement of 698 spaces while providing 1,127 spaces. Based on these figures, there is a surplus of 429 parking spaces on Lot 5. This increase is the product of adding parking fields

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<sup>2</sup> Applicant has updated this 2019 analysis to take into account uses and parking availability on the Westridge Property and the Heritage Property following the land swap. The updated parking analysis is set forth in the appendix to Applicant's parking study.

currently on the Heritage Property to the Westridge Property and a significant reduction in the square footage of Building N.

In total, assuming maximum build out of the Block 59 Project, there is a 367 parking space deficit between the combined parking availability on the Westridge Property and the Heritage Property. This deficit is, however, mitigated by taking into account the peak business hours the different uses on the Westridge Property and the Heritage Property and also actual parking utilization at Westridge Shopping Center. The adequacy of parking is detailed in the parking study prepared by KLOA, Inc.

Applicant also proposes a unique sign package for the redevelopment project. Applicant proposes three signs along the right of way – one monument sign that anchors the corner at Aurora Avenue and Route 59 (the “A1 Corner Monument”), one monument sign at the existing southernmost entrance off Route 59 (the “A2 59 Primary Monument”) and one pylon at the westernmost entrance on Aurora Avenue (the “A2 Aurora Primary Monument”). The A1 Corner Monument sign is (a) approximately 330 square feet; (b) approximately 14 feet tall; (c) set back 15 feet from the right of way; and (d) oriented in a non-perpendicular manner to the right of way. The A2 59 Primary Monument and A2 Aurora Primary Monument signs are (x) each approximately 410 square feet; (y) include a 224 square foot LED video display screen; and (z) approximately 34 feet tall. The A2 Aurora Primary Monument sign is set back five feet from the right of way while the A2 59 Primary Monument sign is set back 45 feet from the right of way. Both signs have fluid color movements on their short ends.

In addition, Applicant proposes two types of directional signage. The first, and larger, directional sign is 7.5 feet tall and approximately 23 square feet per sign face (the “B2 Direction Sign”). Applicant proposes seven B2 Direction Signs. The second, and smaller, directional sign is 6 feet tall and approximately 14 feet per sign face (the “B3 Direction Sign”). Applicant proposes 11 B2 Direction Signs. The different types of directional signage facilitates pedestrian and vehicular movements through and around the redevelopment project property.

Finally, Applicant proposes several types of amenity signage which ties the redevelopment project area together and contributes to the entertainment/experiential theme of project. Details on these different types of signage are set forth in E1 to E6 of the Signage Entitlement Package.

Applicant proposes signage design criteria to govern the project. Doing so allows for the flexibility needed when bringing together many different types of tenants while at the same time providing cohesive and integrated signage which meets the City’s signage regulatory goals.

### **PROPOSED ZONING RELIEF FOR THE PUD PROPERTY**

The Applicant seeks the following zoning relief for the PUD Property.

1. Revocation of the existing planned unit development which governs the Heritage Property;
2. Granting of a conditional use to establish a new planned unit development for PUD Property;
3. Approval of certain PUD Deviations for:
  - a. Parking;

- b. Parking design;
- c. Height of Light Poles; and
- d. Signage.

## **REVOCATION OF EXISTING HERITAGE PROPERTY PUD**

The Applicant is seeking revocation of the existing Heritage Square planned unit development. The City approved the current planned unit development, which governs the Heritage Property, in October 1991. The planned unit development contemplated a stand-alone development with a large, in line retail/commercial building and several out lot buildings. That development effectively turned its back on the Westridge Property's development and did not allow for any kind of integrated development or operations between the two properties. The entitlements associated with the 1991 planned unit development are essentially obsolete. One could either amend and restate the 1991 planned unit development or revoke it and start fresh. The Applicant has chosen the latter path as the most effective and efficient way to entitle the Block 59 Project.

## **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. The Heritage Property 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 Applicant 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 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 Heritage 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 Westridge Property 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 Heritage Property has already been developed as a retail center. Applicant is making a substantial investment to improve the condition of the PUD Property. Far from diminishing or impairing

property values, the Applicant 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 Property and Heritage Property are already developed. The Applicant is seeking to enhance the conditions on both properties by providing greater pedestrian connectivity and improved vehicular patterns. Moreover, the Applicant is seeking to provide a greater customer connection between the two properties. There are multiple points of entry onto the PUD 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 Heritage 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 Heritage 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 Heritage 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 Heritage Property will be under a single ownership at the time of filing an application for approval of the planned unit development.

All buildings, structures, and uses of land within the Heritage 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 are approved by the City.

The principal amenity for this project is an outdoor event plaza with 5,400 square feet of 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 Applicant 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 exceed City code requirements has been submitted to the City.

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 Heritage 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 Heritage 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 a several interior parking fields. One node is centered around a 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 Heritage 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 Heritage Property. Events will be programed year round at the plaza. In addition, the Applicant proposes a smaller, outdoor gather space at the corner of Aurora Avenue and Route 59.

The Heritage 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 Heritage 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 Heritage 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 Heritage 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 Heritage Property will comply with the purpose and requirements of the Urban Centers of the City's Land Use Master Plan.

### 3. PUD Deviations

The requested PUD Deviations meet the applicable standards set forth in Section 6-4-3:12.1 of the City of Naperville Municipal Code as follows:

- a. Parking Deviation (Relief from Section 6-9-3 of the Zoning Ordinance)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is "accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district" with "wider range of uses and structure sizes is permitted for both daily and occasional shopping." The requested reduction from 1,319 required parking spaces to 716 parking space will not undermine the intent and purpose of the underlying B2 zoning district. As noted above, Lot 5 on the Westridge Property has a surplus of 429 parking spaces. Lot 6 has a surplus of 96 spaces. Part of the intent of the Project is to integrate the two shopping centers so that they function a more unified manner. Sharing of parking is one element of integration of the two shopping centers. Moreover, the 1,319 parking space requirement assumes the absolute maximum build out of the Project. The actual Project square footage will likely be lower. Also, the 716 parking spaces do not account for valet parking which offers the opportunity to accommodate more vehicles than actual spaces. Finally, actual parking usage figures for the Westridge Shopping Center are far less than the number of parking spaces required by City Code. Accordingly, the Block 59 Project has been planned, from a parking perspective, to be able to accommodate parking demand from a broad consumer population.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The parking deviation will not result in a detriment to the provision of municipal services or infrastructure. A reduction in parking will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation promotes a superior level of site design and also allows the Applicant to enhance outdoor amenities. The Applicant has provided enhanced, landscape pedestrian walkways throughout the Project. It has also created an outdoor event space that is the center of the development and also a second outdoor gathering area at Aurora Avenue and Route 59. If the Applicant were to meet the parking requirement on the Heritage Property, it would necessarily have to reduce the square footage being developed, resulting in a smaller variety of dining options, and reduce the public spaces which make the Block 59 project such an attractive place to gather, meet friends and family, dine and enjoy entertainment options.

- b. Parking Design Deviation (Relief from Section 1.3.2 of the Design Manual for Public Improvements)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The Applicant is seeking to develop parking areas with parking spaces that are 18 feet deep by 9 feet wide with 24-foot drive aisles. The requested reduction in fact promotes the intent of the B2 district by allowing the Applicant to accommodate more tenants on the Heritage Property. Moreover, the Applicant is attempting to integrate the Westridge Property with the Heritage Property. The Westridge Property already has the parking configuration that the Applicant proposes.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The parking design deviation will not result in a detriment to the provision of municipal services or infrastructure. A reduction in parking will not impact the demand for City services or infrastructure. Even with the reduced drive aisles, City services can still be rendered in a safe and efficient manner.



***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation promotes a superior level of site design and also allows the Applicant to enhance outdoor amenities. The Applicant has provided enhanced, landscape pedestrian walkways throughout the Project. It has also created an outdoor event space that is the center of the development and also a second outdoor gathering area at Aurora and Route 59. If the Applicant were to configure all of the parking areas to comply with the City's design standards, it would necessarily lose many of the elements which make the Block 59 Project such an attractive place to gather, meet friends and family, dine and enjoy entertainment options.

- c. Height of Light Poles (Relief from Section 6-14-4:3.2.5 of the Zoning Ordinance)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is "accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district" with "wider range of uses and structure sizes is permitted for both daily and occasional shopping." The Applicant seeks to install light poles which are 30 feet in height in limited areas of the Heritage Property. Those limited areas include the public gathering space surrounding by Buildings A through D and the parking fields immediately to the northeast of these building. Increasing the height in these limited areas would in fact promote the intent of the B2 district by providing enhanced lighting for public gathering spaces. By improving these gathering spaces, the Applicant enhances the atmosphere of the entire Project.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The increased height of light poles in limited areas will not impact the provision of City services and infrastructure in any way.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation promotes a superior level of site design and also allows the Applicant to enhance outdoor amenities. The Applicant has created an outdoor event and gathering space that is intended to anchor the Project. The taller lighting poles offer an opportunity to more efficiently and effectively light the outdoor event area which contributes to the quality and attractiveness of the space.

- d. Signage Deviation (A1 Corner Monument) Relief from Section 6-16-5:2.2.1 (Orientation)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The Applicant proposes to orient the A1 Corner Monument sign at approximately 45 degree angles to Route 59 and Aurora Avenue instead of perpendicular to either right of way. This relief promotes the intent of the B2 District by establishing the brand and identity of the Block 59 Project. It also promotes greater visibility for consumers which is important given the speed of the traffic patterns on the two rights of way.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The sign orientation deviation will not result in a detriment to the provision of municipal services or infrastructure. An angled monument sign will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The A1 Corner Monument sign provides branding for the Block 59 Project. Its design is consistent with the other signage for the Block 59 Project thus provides for a uniform and planned appearance.

- e. Signage Deviation (A1 Corner Monument) Relief from Section 6-16-5:2.4.2 (Area)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The A1 Corner Monument sign is approximately 330 square feet instead of the maximum 32 square feet. This relief promotes the branding and identity of the Block 59 Project which is intended to draw patrons from all over the region.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The sign area deviation for the A1 Corner Monument sign will not result in a detriment to the provision of municipal services or infrastructure. In fact, it may make the property more readily

identifiable for City service providers. Similarly, it will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The size of the sign is important because it provides an anchor and brand identity for the Block 59 Project. Its design is consistent with the remaining sign package offers a superior level of design and provides for consistency among the different types of signage.

- f. Signage Deviation (A1 Corner Monument) Relief from Section 6-16-5:2.4.4 (Height)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The proposed A1 Corner Monument sign is approximately 14 feet tall instead of the permitted 10 foot height limit. The additional height provides greater visibility to the public on two very busy public streets. The great visibility in turn furthers the purpose of attracting a broader consumer population to the Block 59 Project.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The sign height deviation will not result in a detriment to the provision of municipal services or infrastructure. In fact, it will help City service providers find the property with greater ease. The proposed signage weight will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The A1 Corner Monument sign is important for the branding and identification of the Block 59 Project. By enhancing visibility and drawing more customers to the shopping center, the sign affords applicant the ability to invest greater resources into the design and amenities of the Block 59 Project.

- g. Signage Deviation (A2 59 Primary Monument) Relief from Section 6-16-5:2.2.2 (Area)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The proposed A2 59 Primary Monument sign is 410 square feet instead of the maximum permitted 90 square feet. This requested relief promotes the intent of the B2 District by providing clear information on the dining and entertainment tenant available at the Block 59 Project. In addition, the LED portion of the sign provides information about activities at the event space, specials at other activities of individual tenants and other activities on the Westridge Court Property. All of these elements further the goal of drawing a large consumer population to the area and meeting their needs in terms of retail, restaurant and service options.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The sign area deviation will not result in a detriment to the provision of municipal services or infrastructure. In fact, it may assist the provision of municipal services since the shopping center and its tenants are more easily identified. Moreover, the proposed sign deviation will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The signage package includes the branding for the Block 59 Project and thus provides for a uniform and planned appearance. The additional development identification signage also provides public information as to events occurring at the gathering spaces special events at tenants’ restaurants and other activities at Block 59 and/or Westridge Court.

- h. Signage Deviation (A2 59 Primary Monument) Relief from Section 6-16-5:2.2.3 (Changeable Signage)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The Applicant proposes that the A2 59 Primary Monument sign have fluid color movement on the non-sign face portion of the sign instead of images that change no more than once every 10 seconds and only include static images. This relief promotes the intent of the B2 District by highlighting the dynamic nature of the Block 59 Project in an appeal to a broad consumer base.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The proposed deviation will not result in a detriment to the provision of municipal services or infrastructure. Similarly, it will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The changing color images conveys the dynamic nature of the Block 59 Project. It is also consistent with the elevated signage package within the Block 59 Project thus resulting in a uniform and planned appearance.

- i. Signage Deviation (A2 59 Primary Monument) Relief from Section 6-16-5:2.2.4 (Height)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The proposed A2 59 Primary Monument sign is approximately 34 feet tall instead of the permitted 10 foot height limit. This relief promotes the intent of the B2 District by providing clear information on the dining and entertainment tenants available at the Block 59 Project. In addition, the increased height promotes visibility for the LED sign which will have extensive information about activities and events. All of these elements fit the goal of drawing a large consumer population to the area.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The parking deviation will not result in a detriment to the provision of municipal services or infrastructure. In fact, it may assist the provision of municipal services because the shopping center and its tenants are more easily identified. A reduction in parking will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The signage package includes the branding for the Block 59 Project and thus provides for a uniform and planned appearance. The additional development identification signage also provides public information as to events occurring at the gathering spaces.

- j. Signage Deviation (A2 Aurora Primary Monument) Relief from Section 6-16-5:2.2.2 (Area)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The proposed A2 Aurora Primary Monument sign is approximately 410 square feet instead of the maximum permitted 45 square feet. This requested relief promotes the intent of the B2 District by providing clear information on the dining and entertainment tenant available at the Block 59 Project. In addition, the LED portion of the sign provides information about the activities at the event space, specials at other activities of individual tenants and other activities on the Westridge Court Property. All of these elements promote the goal of drawing a large consumer population to the area.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

The sign area deviation will not result in a detriment to the provision of municipal services or infrastructure. In fact, it may assist the provision of municipal services since the shopping center and its tenants are more easily identified. Moreover, the proposed sign deviation will not have any impact on the demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The signage package includes the branding for the Block 59 Project and thus provides for a uniform and planned appearance. The additional development identification signage also provides public information as to events occurring at the gathering spaces special events at tenants’ restaurants and other activities at Block 59 and/or Westridge Court.

- k. Signage Deviation (A2 Aurora Primary Monument) Relief from Section 6-16-5:2.2.3 (Changeable Signage)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The Applicant proposes that the A2 Aurora Primary Monument sign have fluid color movement on the non-sign face portion of the sign instead of images that change no more than once every 10 seconds and only include static images. This relief promotes the intent of the B2 District by highlighting the dynamic nature of the Block 59 Project in an appeal to a broad consumer base.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

This proposed signage deviation will not result in a detriment to the provision of municipal services or infrastructure. Similarly, a changing image sign will not impact demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The signage package includes the branding for the Block 59 Project and thus provides for a uniform and planned appearance. The additional development identification signage also provides public information as to events occurring at the gathering spaces.

1. Signage Deviation (A2 Aurora Primary Monument) Relief from Section 6-16-5:2.2.4 (Height)

***Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and***

Section 6-7B-1 of the Zoning Ordinance provides that the intent of the B2 community shopping center district is “accommodate the needs of a much larger consumer population than is served by the neighborhood convenience shopping center district” with “wider range of uses and structure sizes is permitted for both daily and occasional shopping.” The proposed A2 Aurora Primary Monument sign is approximately 34 feet tall instead of the permitted 10 foot height limit. This relief promotes the intent of the B2 District by providing clear information on the dining and entertainment tenants available at the Block 59 Project. In addition, the increased height promotes visibility for the LED sign which will have extensive information about activities and events. All of these elements fit the goal of drawing a large consumer population to the area.

***Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and***

This signage deviation will not result in a detriment to the provision of municipal services or infrastructure. In fact, it may assist the provision of municipal services because the shopping center and its tenants are more easily identified. Moreover, increased sign height will not impact demand for City services and infrastructure.

***Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing.***

The requested deviation contributes to a superior level of design and amenity enhancement. The signage package includes the branding for the Block 59 Project and thus provides for a uniform and planned appearance. The additional development identification signage also provides public information as to events occurring at the gathering spaces.