

ZONING VARIANCE FORM



ADDRESS OF SUBJECT PROPERTY: 50 S. Main Street Suite 112

Naperville, IL 60540

PARCEL IDENTIFICATION NUMBER (PIN): 07-13-419-030

I. PETITIONER: Kristy Gagovski, Owner Pure Barre Naperville

PETITIONER'S ADDRESS: 81 Green Valley Drive

CITY: Naperville STATE: Illinois ZIP CODE: 60540

PHONE: 630-336-0577 EMAIL ADDRESS: kgagovski@purebarre.com

II. OWNER(S): RPAI Naperville Main, L.L.C.

OWNER'S ADDRESS: 55 S Main Street

CITY: Naperville STATE: Illinois ZIP CODE: 60540

PHONE: 630-634-4285 (Attention Stacy Short)

III. PRIMARY CONTACT: Stacy Short

RELATIONSHIP TO PETITIONER: Broker for RPAI Naperville Main, L.L.C.

IV. OTHER STAFF

NAME: Daniel Gagovski

RELATIONSHIP TO PETITIONER: Co-Owner Pure Barre Naperville

PHONE: 312-343-4066 _EMAIL ADDRESS: dgagovski@gmail.com



V. SUBJECT PROPERTY INFORMATION

ZONING OF PROPERTY: Zoning B4 Central Business District

AREA OF PROPERTY (Acres or sq ft): 1734 sq ft

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

Pure Barre is a fitness franchise under the Xponential Fitness umbrella with nearly 600 Pure Barre studios globally. When Pure Barre Naperville opened in 2014 a variance was provided due to Pure Barre's retail business. Pure Barre Naperville was originally located at 143 W Jefferson Ave on the corner of Jefferson and Webster.

When I purchased the business in 2017, the Pure Barre owner had been discussing a move to the second floor with landlord Steve Rubin. Shortly after I closed on the business in June 2017, we transitioned to a new space at 130 W Jefferson Ave Ste 212.

One year into the move we quickly grew and completed a second round of construction. With the closing of both Dailey Method and Bar Method, our closest barre competitors, and with my upcoming lease expiration, I have been exploring new spaces that will allow us to continue to grow.

I'm most interested in first floor spaces due to our growing retail business. During Covid, when fitness studios closed for nearly 4 months and we experienced significant client attrition, we relied on our retail business heavily. We used social media and a private Facebook page to sell athleisure wear to our clients and our social media followers. We are excited to continue to grow this piece of our business - especially since we carry products that are not carried anywhere else in downtown Naperville.

Through Pure Barre, we have exclusive rights to many styles that other businesses (like Dick's Sporting Goods) do not have access to. Our top selling brands include Strut This, Onzie, Spiritual Gangster, Free People, Varley, Emily Hsu - to name a few. We believe that our products will compliment the needs of those who currently shop at Evereve, Anthropologie and Lululemon. Our clients shop at all of these stores today and being located conveniently near them will draw more business to these stores that I personally also enjoy. In our current location we partner with several nearby business in downtown Naperville and my hope is that we can continue to support these business while forging new relationships.

The thought of having a true, first floor retail business is so exciting for me and my staff. Just before Covid we grew our member base by 400% and things are picking back up for us. We need a larger studio space to continue to grow and a first floor space to take our retail goals to the next level.

ZONING VARIANCE FORM



Exhibit

VI. PETITIONER'S SIGNATURE

I, Kristy Gagorski, Owner (Petitioner's Printed Name and Title), being duly sworn, declare that I am (duly authorized to make this Petition, and the above information, to the best of my knowledge, is true and accurate.

Kristy Gagorski
(Signature of Petitioner or authorized agent)

8/30/2021
(Date)

SUBSCRIBED AND SWORN TO before me this 30th day of August, 2021

M. Ventimilla
(Notary Public and Seal)



CITY OF NAPERVILLE
ZONING VARIANCE FORM



Exhibit

VII. OWNER'S AUTHORIZATION LETTER

I/we hereby certify that I/we am/are the owner(s) of the above described Subject Property. I/we am/are respectfully requesting processing and approval of the request(s) referenced in this Petition. I/we hereby authorize the Petitioner listed on this Petition to act on my/our behalf during the processing and presentation of this request(s).

Ann M. Hult, VP and Corp. Secretary for Retail Properties of America, Inc., sole member of RPAI Naperville Main, L.L.C., a DE LLC

Ann M. Hult

(Signature of 1st Owner or authorized agent)

(Signature of 2nd Owner or authorized agent)

October 7, 2021

(Date)

(Date)

Ann M. Hult, Vice President and Corporate Secretary

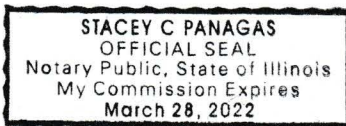
1st Owner's Printed Name and Title

2nd Owner's Printed Name and Title

SUBSCRIBED AND SWORN TO before me this 8th day of October, 2021.

Stacey C. Panagas

(Notary Public and Seal)



CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES

In compliance with Title 1 (Administrative), Chapter 12 (Disclosure of Beneficiaries) of the Naperville Municipal Code ("Code"), as amended, the following disclosures are required when any person or entity applies for permits, licenses, approvals, or benefits from the City of Naperville unless they are exempt under 1-12-5:2 of the Code. Failure to provide full and complete disclosure will render any permits, licenses, approvals or benefits voidable by the City.

1. Petitioner: Kristy Gagovski, Owner Pure Barre Naperville
Address: 81 Green Valley Drive Naperville, IL 60540

 2. Nature of Benefit sought: First Floor Fitness Studio Variance due to Retail business

 3. Nature of Petitioner (select one):
 - a. Individual
 - b. Corporation
 - c. Land Trust/Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture
 - g. Limited Liability Corporation (LLC)
 - h. Sole Proprietorship

 4. If Petitioner is an entity other than described in Section 3, briefly state the nature and characteristics of Petitioner: N/A

 5. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 11 (or on a separate sheet):
 - **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
 - **Corporation:** The name and address of all corporate officers; the name and address of every person who owns five percent (5%) or more of any class of stock in the corporation; the State of incorporation; the address of the corporation's principal place of business. If the State of incorporation is other than Illinois, confirm that the corporation is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
 - **Trust or Land Trust:** The name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such trust.
 - **Partnerships:** The type of partnership; the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnership's principal office; and, in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number.
 - **Joint Ventures:** The name and address of every member of the joint venture and the nature of the legal vehicle used to create the joint venture.
 - **Sole Proprietorship:** The name and address of the sole proprietor and any assumed name.
 - **Other Entities:** The name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture not listed above.
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6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:

Kristy Gagovski, Owner Pure Barre Naperville
81 Green Valley Drive
Naperville, IL 60540

Current Business Address:
Pure Barre Naperville
130 W Jefferson Ste 212
Naperville, IL 60540

VERIFICATION

I, Kristy Gagovski (print name), being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the Petitioner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: Kristy Gagovski

Subscribed and Sworn to before me this 30th day of August, 2021.

M Ventimilla
Notary Public and seal



7. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 11 (or on a separate sheet):

- **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.

Naper Barre Studio, LLC (formed in the State of Illinois)
dba Pure Barre Naperville
Kristy Gagovski - Owner Operator
Daniel Gagovski - Owner

81 Green Valley Drive
Naperville, IL 60540

Business Address:
130 W Jefferson Set 212
Naperville, IL 60540

CITY OF NAPERVILLE
PROPERTY OWNER - DISCLOSURE OF BENEFICIARIES

In compliance with Title 1 (Administrative), Chapter 12 (Disclosure of Beneficiaries) of the Naperville Municipal Code ("Code"), as amended, the following disclosures are required when any person or entity applies for permits, licenses, approvals, or benefits from the City of Naperville unless they are exempt under 1-12-5:2 of the Code. Failure to provide full and complete disclosure will render any permits, licenses, approvals or benefits voidable by the City.

1. Petitioner: RPAI Naperville Main, L.L.C.
Address: 2021 Spring Road, Suite 200, Oak Brook, IL 60523

2. Nature of Benefit Sought: Zoning Variance

3. Nature of Petitioner (select one):
 - a. Individual
 - b. Corporation
 - c. Land Trust/Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture
 - g. **Limited Liability Corporation (LLC)**
 - h. Sole Proprietorship

4. If Petitioner is an entity other than described in Section 3, briefly state the nature and characteristics of Petitioner:

5. If your answer to Section 3 was anything other than "Individual", please provide the following information in the space provided on page 11 (or on a separate sheet):
 - **Limited Liability Corporation (LLC):** The name and address of all members and managing members, as applicable. If the LLC was formed in a State other than Illinois, confirm that it is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
 - **Corporation:** The name and address of all corporate officers; the name and address of every person who owns five percent (5%) or more of any class of stock in the corporation; the State of incorporation; the address of the corporation's principal place of business. If the State of incorporation is other than Illinois, confirm that the corporation is registered with the Illinois Secretary of State's Office to transact business in the State of Illinois.
 - **Trust or Land Trust:** The name, address and interest of all persons, firms, corporations or other entities who are the beneficiaries of such trust.
 - **Partnerships:** The type of partnership; the name and address of all general and limited partners, identifying those persons who are limited partners and those who are general partners; the address of the partnership's principal office; and, in the case of a limited partnership, the county where the certificate of limited partnership is filed and the filing number.
 - **Joint Ventures:** The name and address of every member of the joint venture and the nature of the legal vehicle used to create the joint venture.
 - **Sole Proprietorship:** The name and address of the sole proprietor and any assumed name.
 - **Other Entities:** The name and address of every person having a proprietary interest, an interest in profits and losses or the right to control any entity or venture not listed above.

6. Name, address and capacity of person making this disclosure on behalf of the Petitioner:

Ann M. Sharp Hult – Vice President and Corporate Secretary for Retail Properties of America, Inc, a MD corp., sole member of RPAI Naperville Main, L.L.C. a DE LLC.

2021 Spring Road, Suite 200, Oak Brook, IL 60523

VERIFICATION

I, Ann. M. Hult, VP and Corp. Secretary of Retail Properties of America, Inc., a MD corp., sole member of RPAI Naperville Main, L.L.C., a DE LLC, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the Petitioner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: Ann M. Hult

Subscribed and Sworn to before me this 13th day of October, 2021.

Stacey Panagas
Notary Public and seal

