

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
CITY OF NAPERVILLE)

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION
SEEKING A MAJOR CHANGE TO THE MARKET MEADOWS PLANNED UNIT
DEVELOPMENT, DEVIATION FROM TITLE VI, CHAPTER IV OF THE CITY'S
ZONING ORDINANCE TO PERMIT A SELF-STORAGE FACILITY IN THE CITY'S
B-2 ZONING DISTRICT, AND DEVIATIONS TO THE CITY'S SIGN CODE, PARKING
REQUIREMENTS, LOADING BERTH REQUIREMENTS, AND THE CITY'S B-2 FAR
REQUIREMENTS.**

THE UNDERSIGNED Petitioner, Shorewood Development Group, LLC, an Illinois limited liability company (hereinafter “the Petitioner” and/or “Shorewood”), respectfully petitions the City of Naperville (the “City”) to: (i) approve a major change to the Market Meadows planned unit development; (ii) approve a deviation to Title VI, Chapter IV of the City’s zoning ordinance to permit fully-enclosed self-storage facilities in the B-2 zoning district; (iii) approve a plat of subdivision and PUD plat; and (iv) approve deviations to the City’s sign code, parking requirements and FAR requirements; and (v) approval of a deviation to eliminate the outdoor loading berth requirement allowing for redevelopment of the property legally described on **Exhibit A** (“Subject Property”) and as depicted on the plans submitted herewith pursuant to the appropriate provisions of the Naperville Municipal Code, as amended (hereinafter the “Code”)

In support of this Petition, the Petitioner represents to the City of Naperville as follows:

1. Shorewood Development Group, LLC, an Illinois limited liability company, with an address at 790 Estate Drive, Suite 200, Deerfield, Illinois 60015, is the Petitioner and contract purchaser of the Subject Property.
2. Duxler Properties, LLC, is the owner of the Subject Property (hereinafter the “Owner”).

3. The Subject Property is known as the Market Meadows Shopping Center with a common address of 1225-1309 S. Naper Blvd., and consists of approximately 18.892 acres occupied by approximately 155,859 square feet of existing commercial space (“Market Meadows Shopping Center” or “Market Meadows”).

4. Existing tenants in Market Meadows include Jewel-Osco (“Jewel”), US Bank, McDonald’s, Code Ninjas, Heartland Blood Center, Good Choice Cleaners, Colbert Framing, T-Mobile, Row House, and Eye Boutique.

5. Approximately 59,030 square feet of the Subject Property is currently vacant, which results in approximately a 37% vacancy rate.

6. The existing land uses surrounding the Subject Property are as follows:

- a. North: Bank and restaurant (Zoned B2 PUD)
- b. East: Commercial shopping center with grocery, retail, bank, and restaurant. (Zoned B2)
- c. South: Residential (Zoned R1A) Recent K. Hovnanian Subdivision
- d. West: Car wash and Hobson Oaks Subdivision (Zoned B2 PUD and R2 PUD)

7. The Subject Property is located in DuPage County, Illinois.

8. The Petitioner seeks approval of a deviation to allow a fully-enclosed storage facility in the B-2 zoning district which facility meets the following criteria:

A. that the self-storage facility is fully enclosed and all operations, including loading and unloading, must be conducted completely within building;

Response: All self-storage operations will be fully enclosed. Loading and unloading will be internal to the building.

B. that all trucks over the size of 26' shall be strictly prohibited;

Response: All trucks over 26' shall be prohibited. Note that the adjacent Jewel can accommodate and will continue to accommodate trucks larger than 26'.

C. that truck and trailer rental shall be prohibited;

Response: All truck and trailer rentals will be prohibited.

D. that there shall be no outside display or outside storage of equipment, materials, or motor vehicles used in relation to the storage facility;

Response: No outside display or storage of equipment, materials or motor vehicles shall be used in relation to the self-storage facility.

E. that all loading and unloading shall be internal to the building;

Response: The building has been designed so that all unloading shall occur interior to the building. Trucks will enter the overhead doors to the rear of the building, unload inside the building, and exit through overhead doors.

F. that all sides of the building shall contain architectural detail and materials to fit harmoniously with the character, use and zoning of the surrounding properties;

Response: The design will fit harmoniously with the character of the surrounding center including substantial improvements to the overall design of the Market Meadows Shopping Center.

G. that the proposed self-storage facility shall not exceed more than 10% of the total acreage comprising the planned unit development;

Response: Market Meadows is a planned unit development. The proposed self-storage facility footprint will not exceed 10% of the overall Market Meadows Shopping Center land.

Additionally, the frontage of the self-storage facility along front of the building shall be limited to 35’.

I. that all self-storage facilities shall be limited to a maximum of two stories in height regardless of the maximum height otherwise permitted in the applicable planned unit development or B-2 Zoning District.

Response: The proposed self-storage facility shall be limited to 2 stories above grade estimated at a height of 27’, which is consistent with the adjacent area.

MARKET MEADOWS PROJECT SUMMARY AND FINDINGS OF FACT.

The requested deviation would not undermine the intent and purpose of the underlying zoning district.

The Market Meadows Shopping Center is located at the northwest corner of Naper Blvd and 75th Street and was approved by the City and constructed in the late 1970s. Overall, Market Meadows consists of 155,859 square feet of commercial area, and its existing tenants are Jewel, US Bank, McDonald’s, Code Ninjas, Heartland Blood Center, Good Choice Cleaners, Colbert Framing, T-Mobile, Row House, and Eye Boutique. To serve its tenants, Market Meadows also consists of a surface parking lot with 797 parking stalls. In recent years, Market Meadows has suffered from high vacancy as well as deferred maintenance. Not unique to Market Meadows, today’s retail environment presents various challenges. Even prior to COVID-19, general retail above 10,000 SF has become very challenging to lease as there is an oversupply of vacant “big boxes” that are not likely to get leased by conventional retailers.

Market Meadows is even more challenging than traditional commercial properties as it is currently designed as an antiquated “courtyard” type layout with multi-levels and blocked visibility. Years of vacancy support the lack of viability of the current design. Another

significant challenge at Market Meadows is that the Owner is limited in its use of the retail space, as the adjacent Jewel has significant use restrictions on what can be located in the shopping center. As a result, the Owner engaged with the Petitioner to redevelop Market Meadows.

The Petitioner, Shorewood Development Group, LLC, is a real estate firm that specializes in ground up development and acquisitions of existing underperforming centers and utilizes industry relationships throughout the Midwest in both the real estate community and investment community to bring centers such as Market Meadows back to life. In fact, over the last 15 years Shorewood has developed over 24 projects (+/- 650,000 of building square footage) in five (5) states with overall values exceeding \$300,000,000. With respect to Market Meadows, Shorewood is proposing redevelopment of the site to include substantial enhancements to the existing retail center along with architectural upgrades on the existing retail building, which includes increasing store front visibility with removal of the existing dated building canopy and adding new modern building materials such as ACM architectural panels, metal canopies, and decorative lighting. The architectural upgrades to the existing building will be designed consistent with market trends.

The redevelopment of Market Meadows also includes new sidewalks, accessibility ramps, an enhanced parking configuration and signage that will meet current ADA compliant codes. The parking field will also be re-configured and resurfaced for safer pedestrian and vehicle movements to meet current code requirements. Moreover, there will be an increase in overall parking by 129 parking stalls, new LED parking lot lighting, and new landscaping islands. A new out lot will be included in the redevelopment near the corner of 75th Street and Naper Blvd., which will further enhance the City's real estate and sales tax base. Stormwater

management improvements will include additional stormwater detention volume within a new underground stormwater management system. The redevelopment will also provide for right-of-way dedication to the City allowing for potential future roadway improvements with increased landscape setbacks from the existing roadway.

The new building located where the existing courtyard styled building is currently located includes the self-storage component which is limited to a retail frontage and only 35'. Other than the 35' retail frontage facing Naper Blvd., the remainder of the storage area will be located to the rear of the building in what would otherwise be dead retail area and will fill this challenged retail space behind the building, allowing for the highest and best use of the Subject Property given the challenges of the site. As such, the proposed self-storage facility will be an ideal land use in this location and will provide a much-needed storage facility to an underserved market in Naperville, enhance the local property tax base, and will help support the financial foundation of this redevelopment and generate opportunities for a competitive small to medium shop space in front that currently has economic constraints in rent ability. Nationally, the demand for self-storage is 6.77 square feet per person. Within 2.5 miles of Market Meadows there are no self-storage facilities so there is an appreciable demand that will be served by the proposed state-of-the-art facility that is well lit and safe and which will compliment and help improve Market Meadows.

It is important to note, that there is currently 155,859 square feet of retail area in the existing Market Meadows Shopping Center. Upon redevelopment there will be approximately 149,325 square feet of retail area (a reduction of 6,534 square feet or 4% reduction in the retail area). Along with the new and improved 149,325 square foot retail area will be a storage component which shall not exceed 118,374 square feet located toward the rear of the retail area

and which will be limited to two (2) stories above grade to blend into the renovated Market Meadows Shopping Center. With respect to the design of the self-storage facility, gone are the days of old metal boxes and row after row of overhead doors serving each individual unit. Today, storage facility developers work diligently work to deliver architecturally significant and aesthetically pleasing properties. It is a little-known fact that sixty percent (60%) of storage facility renters are women, and as such, modern storage facility developers work tirelessly to provide clean, well-lit and secure facilities. To this end, extensive care will be taken in the design of the architecture, including incorporation of modern architectural details to compliment the anticipated updates to the Market Meadows Shopping Center. Additionally, the building containing the storage area will only have a 35' wide front elevation and will be built using high quality materials to ensure lasting value, including modern architectural use of glass, stone, ACM panels, decorative lighting and decorative features which will enhance the overall area. Unlike other storage facilities, the proposed facility will have extensive design details including enlarged landscape beds at building frontage and extensive landscaping.

As part of the Market Meadows site improvements, safe movement of pedestrian and vehicle circulation has been designed and accounted for with a loading zone located inside the building and in the rear of the building. The front entrance is designated for pedestrian traffic only, with customers anticipated to utilize the new front parking field, which will not be used for any storage or loading. To further enhance connectivity, it was important to provide ample pedestrian and bicycle access to the Subject Property and maximize connection points to the existing commercial component of Market Meadows. Therefore, multiple pedestrian access points to the commercial areas have been established, along with interior walkways and an abundance of bicycle parking areas.

With regard to self-storage circulation, the rear of the building is designed to have a loading/unloading zone inside the building to avoid traffic concerns in the exterior drive aisles, which is similar to how the existing Jewel currently operates with deliveries in the rear of its building. The proposed overhead doors into the self-storage building will account for a maximum 26' box truck and will prohibit any box truck exceeding 26'. A 26' box truck can safely make vehicle turn movements to enter and exit the interior loading zone. The expected vehicle movements in the rear will have no interference with the expected pedestrian circulation in the front. In addition, the rear drive aisle behind all the buildings is an existing two-way traffic drive aisle that accounts for safe vehicle movement. The existing Jewel currently operates with several large semi-truck deliveries in the rear of the building with no issues.

All loading and storage will be accessed by a keypad security system with security cameras to ensure a safe and inviting atmosphere. All units will be internally accessed, and all loading and unloading will be internal to the building. For loading and unloading, the customer will enter his or her access code at the overhead door, pull into the building, park, access his or her locker, and leave. In addition to safety and convenience, the interior loading and unloading eliminates any noise to the neighbors and residents. Overall, the design of the proposed self-storage facility presents an innovative and creative approach to create a state-of-the-art storage facility while providing an appropriate use that will complement the surrounding area and be synergistic with the adjacent commercial center.

With regard to the intensity of the proposed use, storage facilities, despite popular misconception, are very low impact uses. The average customer visits his or her unit less than once a month typically, and the proposed facility is expected to generate less than 20 trips per day total. In addition, the hours are generally from 6:00AM or 7:00AM – 9:00PM. The hours of

operation are at times consistent with existing uses in Market Meadows and will not impose on any intrusion on adjacent uses. Also, all semi-trucks will be prohibited from accessing the storage facility, and only trucks and cars of less than 26' will be permitted. Additionally, there will be no truck or trailer rental allowed.

As a result, the proposed entitlements will allow the Petitioner to utilize the Subject Property to an extent that is compatible with the surrounding environment and to its highest and best use. In fact, the proposed renovations will complement the surrounding area with a mixed-use development that is ideal for the area. The 35-foot of retail frontage proposed to identify the presence of the self-storage facility is critical for the self-storage facility's visibility. This gives us the scale to incorporate in non-intense retail and other commercial uses in the front of the building where the storage facility will be located, while benefitting from the daily traffic from Jewel and not taking up its parking field and causing traffic congestion. Ideally, the Petitioner anticipates potential for a pet store, a smaller gym, and other complimentary uses being attracted to this space to feed off of Jewel's new long-term lease extension.

As a result of the foregoing, we believe that the proposed entitlements will actually bring Market Meadows back to life and have a positive effect on the sustainability of shopping center. The net result will be increased viability to Market Meadows in its entirety and an enhanced property tax and sales tax base for the City. In addition, the Petitioner has designed the site in a manner which takes the concerns of the adjacent residences into consideration and enhances the overall area. The requested deviation will actually have a very positive effect on the essential character of the neighborhood and will benefit the adjacent property.

The Petitioner seeks approval of a deviation to allow a fully-enclosed storage facility in the B-2 zoning district:

A. Unique and unusual circumstances are present; and

The Market Meadows Shopping Center is part of an existing PUD and is the home to several existing commercial tenants including Jewel, US Bank, McDonald's, Code Ninjas, Heartland Blood Center, Good Choice Cleaners, Colbert Framing, T-Mobile, Row House, and Eye Boutique. Over the last several years, there has been a decline in the need for big box retail, which has resulted in an oversupply of high vacancy for most shopping centers. As a result of this, conventional retailers are not interested in leasing "big box" retail spaces, which presents additional challenges and only adds to the high level of retail vacancies in the surrounding area.

Specifically, Market Meadows has increasingly suffered from high vacancy as well as deferred maintenance over recent years and its challenging design presents the Petitioner with exceptional hardships in terms of the Subject Property's viability to create a successful retail environment. Market Meadows is currently designed as an antiquated "courtyard" layout with multi-levels and blocked visibility and the years of vacancy at this location strongly suggests a lack of viability for the current design. As a result, the Petitioner is seeking to repurpose and redevelop Market Meadows to create additional opportunities to support the long-term success of this shopping center. However, the Petitioner is limited as to the types of uses for retail spaces within Market Meadows because Jewel has significant use restrictions with respect to what type of use can be located within the shopping center so as not to compete with Jewel. This situation limits the number of uses and retail opportunities that could possibly operate within the shopping center. The use restrictions presented by Jewel, combined with the high vacancy volume and current design of Market Meadows create a unique set circumstances as it relates to this challenging property.

B. The requested use deviation will not have an adverse impact on the current uses in the PUD; and

The use deviation will not have an adverse impact on the current uses located within the PUD. On the contrary, approval of the deviation will result in redevelopment of Market Meadows, which will include new improvements to sidewalks, accessibility ramps, and an enhanced parking configuration. Specifically, the parking field will be reconfigured and resurfaced for safer pedestrian and vehicle movements throughout Market Meadows and there will be an increase in the overall parking supply by 129 parking stalls. In addition, the redevelopment will provide for improvements facilitating a new underground stormwater management system for the whole Shopping Center which will create additional stormwater detention volume, thereby improving the conditions of the whole PUD.

The use deviation will also enhance the architectural features of the PUD by improving upon the existing courtyard style building, which is outdated and undesirable to conventional retailers given its multi-levels and blocked visibility. The self-storage facility will restructure this building to allow for 35' of retail frontage facing Naper Boulevard and the remainder of the self-storage facility will be located wholly within the rear of the Subject Property. The front entrance to the facility will strictly be designated for pedestrian traffic only, and will not be used for any storage or loading. Said storage loading/unloading zone will be located internal to the building which in turn will not negatively impact traffic or parking supply throughout the PUD. The proposed self-storage facility will allow the highest and best use of the subject property and is not only an ideal land use in this location that would otherwise remain vacant, but is also a use that does not violate Jewel's significant use restrictions and is generally a less intense use than several other uses in the B-2 zoning district that would be permitted in this location by right. Therefore, the use deviation will not have an adverse impact on the surrounding uses within the

PUD and will instead allow for redevelopment and improvement of the Market Meadows Shopping Center as a whole.

C. The requested use deviation will be incidental to the principal use of the PUD as defined in Section 6-1-6 of this Title; and

The self-storage facility will make up less than 10% of the overall Market Meadows land area and which will continue to operate as a Jewel-anchored shopping center. In addition, the Petitioner's unique and creative design results in only 35' of retail frontage area utilized to identify the presence of the self-storage facility, but the majority of the operations will occur in the rear of and internal to the building. Petitioner is also proposing architectural features that will enhance the currently vacant space to seamlessly complement the features of the overall PUD.

D. One or more of the following criteria are present:

(i) The requested use deviation would achieve a land use goal identified adopted pursuant to Title 1 (Administrative), Chapter 2 (Comprehensive Plan) of this Code.

The requested use deviation encourages a coordinated, cohesive redevelopment on multiple parcels, which meets objective number 4 of the land use goals set forth in the comprehensive plan. Unfortunately, Market Meadows has suffered from high vacancy. Specifically, the building which the self-storage facility will operate out of is exceptionally challenged given its courtyard layout resulting in blocked visibility. The use deviation will allow for the redevelopment of the courtyard building and will provide future improvements to the overall Market Meadows Shopping Center as it relates to architectural enhancements, new sidewalks, accessibility ramps, and an enhanced parking configuration thereby meeting the land use goal in the Comprehensive Plan.

(ii) The requested use deviation would satisfy an unmet market need as evidenced by a market study or other similar report.

Nationally, self storage demand is 6.77 square feet per person. There are currently no self storage facilities within a 2.5 mile radius of Market Meadows. In fact, existing supply is less than 1.0 foot per capita in a 3 mile radius. As a result, the proposed use will provide a much-needed storage facility to an underserved market in Naperville. In addition, the self-storage facility presents a creative and innovative design approach to incorporate modern architectural details to complement the anticipated updates to Market Meadows.

(iii) The requested use deviation is likely to benefit existing uses in which the PUD is located.

The use deviation will allow for this challenging retail location to be occupied and once again will generate tax revenue to the City of Naperville. The self-storage facility will drive new customers to Market Meadows who can then be expected to support the other existing tenants within the Market Meadows Shopping Center, thereby improving the overall area. The self storage component will also require a minimal parking demand which will free up additional parking spaces for the retail components.

(iv) The requested use deviation is appropriate due to other circumstances or conditions specific to the PUD, including but not limited to, extended and/or high rate of vacancies or changing market conditions.

Market Meadows has suffered from high vacancy. Today's retail environment presents various challenges as it relates to the viability of big box retailers and the difficulty that comes with attempting to lease retail property in today's market. Specifically, Market Meadows features an antiquated "courtyard" type layout with multiple levels and blocked visibility creates

an undesirable design deemed not viable as traditional retail space to potential lessees. The use deviation will allow Petitioner to redevelop and repurpose the Subject Property for a use that has great potential to succeed in this challenging location that has otherwise been vacant and unoccupied for years.

(v) The requested use deviation will not have an adverse impact on adjacent properties that would be significantly different than the permitted or conditional uses allowed in the underlying zoning district.

Self-storage is actually one of the lowest intensity uses and certainly less intensive than many permitted and conditional B-2 zoning district uses and as a result will have a significantly lesser impact on adjacent properties than other uses permitted in the B-2 zoning district. The requested use deviation will allow for a use that is much less intense than other permitted and conditional uses in the B-2 district. In fact, Petitioner could operate uses such as a Costco, Binny's Beverage Depot, Portillo's, or an automobile service/gas station in this location by right under the B-2 zoning designation. Said examples all generate considerably more traffic, require more parking, and require more frequent truck deliveries. In fact, many of the permitted and conditional uses in the B-2 District would generate more noise and an increase in traffic to the area than would a self-storage facility. Additionally, all loading/unloading has been designed to be wholly located internal to the building which is not the case with other B-2 uses such as the adjacent Jewel which has multiple outdoor loading docks. In addition, the loading bay door to the self-storage facility will be no louder than a typical residential garage door and therefore, will not be louder than a typical B-2 zoned use with a loading door such as the adjacent Jewel. Additionally, the hours of the self-storage facility are consistent with B-2 uses and shorter than other uses such as a restaurant and bar which could be open until 2:00AM. Other uses permitted

by right in this location include a dog daycare/kennel, cannabis dispensing organizations, and restaurants such as Portillo's with a history of high volume of drive-thru traffic. Accordingly, the proposed self-storage facility will not have an adverse impact on adjacent properties and there are several other more intense uses permitted in the B-2 district Petitioner could operate in this location by right.

The requested deviations will be a detriment to the provision of municipal services and infrastructure.

As stated above, the proposed deviation to allow a self-storage facility will provide for significant improvements to the Market Meadows Shopping Center and greatly enhance the existing shopping center and allow for the continued viability of the Market Meadows Shopping Center. Repurposing the challenged portion of the retail area will not impede the orderly development and improvement of the adjacent property, but will enhance development of adjacent properties as well as the Market Meadows Shopping Center. Redevelopment of Market Meadows will also allow for enhancement of municipal infrastructure through the dedication of right-of-way to the city for future roadway improvements and will not be a detriment to municipal services.

The requested deviation will contribute to a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit, or would enhance the community vitality through the inclusion of attainable or barrier fee housing.

The adopted comprehensive master plan shows this property as commercial. The Subject Property is identified as B-2 PUD commercial which allows for a variety of commercial uses. The proposed deviation is in harmony with the commercial designation, as it provides for a commercial use which will be complimentary to the existing shopping center. Further, the area proposed for self-storage is challenged for retail development, which is borne out by the lack of

big box users in the area and lack of visibility. Additionally, there are several properties in the vicinity with superior frontage and access to support retail and commercial uses. Finally, the Subject Property has had high vacancy and has been underperforming, which is why Petitioner is seeking a deviation to allow self-storage in the B2 District. The establishment of the self-storage facility will help provide a mix of uses in the Market Meadows Shopping Center. The self-storage deviation is consistent with the commercial uses that surround the Subject Property. Additionally, the self-storage facility has been designed in a way so that it will not endanger public health, safety or general welfare. In fact, it will promote the viability and longevity of Market Meadows. Additionally, all access and circulation will be improved to promote safety and general welfare as previously specified herein. The self-storage facility access and circulation has been designed to eliminate any impact to the Market Meadows Shopping Center and adjacent residential area. The addition of the self-storage facility will improve the tax base and lead to additional improvements in Market Meadows. In addition, the deviation to allow for the self-storage facility will provide a much-needed storage opportunity to the neighborhood and surrounding residential areas.

**MAJOR CHANGE TO THE MARKET MEADOWS PLANNED UNIT DEVELOPMENT
AND ASSOCIATED DEVIATIONS UNDER THE PUD**

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

As specifically described herein, the proposed development is an innovative solution to this underperforming Property, which will allow the Petitioner to repurpose the challenged portion of retail area within the Market Meadows Shopping Center to provide a suitable use that will enhance the existing shopping center and allow for the continued viability of Market Meadows. The Subject Property's current design proves to be more challenging than traditional

commercial properties as it is currently designed as an old antiquated “courtyard” type layout with multi-levels and blocked visibility. Years of vacancy here support the lack of viability of the current design. Petitioner is proposing a creative plan that will be compatible with the surrounding environment by removing obsolete and vacant buildings in favor of more marketable retail frontage along with the proposed fully-enclosed self-storage facility.

The planned unit development meets the requirements and standards of the planned unit development regulations.

The proposed major change to the PUD will allow the Petitioner to utilize the Subject Property to an extent that is compatible with the surrounding environment and the planned unit development meets the requirements and standards of the planned unit development regulations.

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

Open space and common areas within Market Meadows will be improved and updated as illustrated on the plans submitted herewith.

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.

The Petitioner is requesting certain deviations from the zoning regulations and said deviations fulfill the intent of those regulations.

Deviations from the sign code, parking requirements, loading berth requirements, and FAR requirements in the B2 Zoning District meet the requirements and standards for granting a Deviation under a PUD as follows:

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

FAR Requirements in the B-2 District

Overall, Petitioner is proposing a Floor Area Ratio (FAR) of 0.325, which is compliant in the B-2 zoning district. As it relates specifically to Lot 3, Petitioner is requesting a deviation to permit a floor area ratio of 1.93. Considering all lots that comprise Market Meadows, the overall FAR for Market Meadows is compliant with the City's zoning FAR requirements. If the Petitioner elected not to subdivide the individual lots, an FAR variance would not be required.

Sign Code Deviations

Petitioner is requesting deviations from the City's sign code. First, the Petitioner requires a deviation from section 6-16-3 to permit off-premises signage. The purpose of this restriction under the Code is to ensure signage is located on the Subject Property that it advertises. In this case the shopping center is comprised of several different lots with several different tenants. All proposed signage serves tenants of Market Meadows, but is located on common signs designed to serve multiple tenants on the various lots comprising Market Meadows. Therefore, Petitioner requests the ability to include two monument signs to properly identify the businesses within the Shopping Center which is common for similar shopping centers and retail corridors.

Petitioner also requests a deviation from section 6-16-5:2.2.4 to increase the monument sign heights from 10' to 13'. The first sign will be located on the corner of 75th street and Naper Boulevard and the second sign will be located on the corner of Market Avenue and Naper Boulevard. 75th Street and Naper Boulevard is a high-traffic commercial intersection and the corner of Market Avenue and Naper Boulevard has historically been identified as a challenging intersection for visibility. Therefore, Petitioner requires an increase in the height restrictions in order to provide for an appealing sign that allows for proper visibility.

The last deviation from the sign code relates to Section 6-16-5:2.2.2 to increase the maximum area of monument signs. Petitioner requests the maximum square footage of the

monument sign located at 75th Street and Naper Boulevard be increased from 90 square feet to 180 square feet. The intent of the sign code is to provide adequate site identification and encourage effective communication between signs and the public. Under the Code, two monument signs are permitted in this area and each sign is limited to a maximum area of 90 square feet.

The Petitioner is proposing a single monument sign that will be double-sided, with each side being 180 square feet. Therefore, the Petitioner is proposing to combine the rights for two (2) 90 square foot monument signs into one monument sign. Petitioner requests a deviation on a second monument sign located at Naper Boulevard and Market Avenue to increase the maximum area from 45 square feet to 100 square feet. The additional 55 square feet is to improve the tenants' street visibility which has been challenging at this location and therefore, meets the intent of the Code, which seeks to provide adequate site identification and encourage effective communication between signs and the public.

Parking Requirements

Petitioner is requesting a deviation relating to the City's parking requirements. Under Section 6-9-3:4 of the Code, the Subject Property requires a minimum of 4.5 parking spaces per 1,000 square feet, which is equivalent to 1,098 parking spaces for the Market Meadows Shopping Center. The Subject Property currently has 797 parking spaces and Petitioner's proposed major change to the PUD will result in an increase in parking yielding 926 parking spaces. Additionally, with the exception of McDonalds, the Market Meadows Shopping Center tenants will be subject to cross parking/access easements via a future operating easement

agreement. This will provide flexibility in terms of overflow parking between the lots and maximize the parking supply.

Elimination of Loading Berth Requirements

Lastly, Petitioner requests a deviation from Section 6-9-5 to eliminate the loading berth requirement. The fully-enclosed self-storage facility will include a loading zone that will be located wholly inside the building. Therefore, the intent of the Code will be met in terms of providing adequate loading capacity consistent with the proposed use, but will avoid outside loading which could be a distraction to adjacent property owners.

2. Whether the requested deviations would be a detriment to the provision of municipal services and infrastructure.

All necessary improvements will be designed and installed in accordance with the City's design standards and the requested deviations will have no impact on municipal services and infrastructure.

3. Whether the requested deviations 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.

A planned unit development is intended to provide flexibility in the stringent design metrics of the zoning code in exchange for the development or redevelopment of land by way of invoking innovation, imagination, and creative architectural design. As a result of the major change to the Market Meadows PUD and associated deviations, the Petitioner intends to undertake substantial improvements to the shopping center that has been otherwise underperforming for years. Each of the referenced deviations as it relates to FAR requirements, the sign code, parking requirements, and loading berth fully meet the intent of the City's zoning Code. Petitioner's proposal will not only offer a superior level of design and creativity, but will

also generate a significant tax base increase when compared to what is generated at Market Meadows in its current condition. Therefore, the major change to the PUD and the requested deviations will ensure the future viability and marketability of the Market Meadows Shopping Center, while simultaneously enhancing the community at large.

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

Market Meadows is compatible with the nearby commercial corridors, residential areas and retail uses along Naper Boulevard and 75th Street. In addition, the proposed improvements will actually improve the area and better compliment the surrounding uses including through significant improvements to the shopping center and incorporating a low intensity self-storage use that will serve the surrounding area.

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

The adopted comprehensive master plan designates this property for commercial uses. The Subject Property is identified as B-2 PUD commercial which allows for a variety of commercial uses and the major change to the PUD provides the Petitioner with the opportunity to repurpose and restructure the existing shopping center to ensure its future viability and marketability, while simultaneously enhancing the overall area.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary steps to: (i) approve a major change to the Market Meadows planned unit development; (ii) approve a plat of subdivision and PUD Plat; (iii) approve a deviation from Title VI, Chapter IV of the City's zoning ordinance to permit fully-enclosed self-storage facilities in the B-2 zoning district; (iv) approve deviations allowing

for increased monument signage, parking and floor area ratio; (v) approve a deviation from Section 6-9-5 of the Code to eliminate the outdoor loading berth requirement; and (vi) approve the development of the Subject Property as depicted on the plans submitted herewith.

RESPECTFULLY RESUBMITTED this 13th day of January, 2021.

PETITIONER:

Shorewood Development, LLC
an Illinois limited liability company

Vincent M. Rosanova _____

Vincent M. Rosanova
Rosanova & Whitaker, Ltd.
Attorney for the Petitioner