

model of a land use meeting the intent of the underlying zoning district. However, the City's sign code does not provide guidance as to allowable signage on a transitional mixed-use development and instead has strict (separate) standards for residential and commercial uses. As such, wall signage is not technically permitted on a residential building. In viewing the project holistically, Petitioner seeks to install an approximately 20 square foot sign to be installed over the entry on the residential building. The proposed signage will keep harmony with the design and intent of the overall project to identify each element of the development, while still keeping the harmonious appearance of a single development intended to operate cohesively.

b. The requested deviation will not be a detriment to the provision of municipal services and infrastructure.

The requested deviation to install a 20 square foot wall sign on residential property will have no impact on municipal services and infrastructure.

c. 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 free housing.

The deviation will help pave the way for a mixed-use development that efficiently utilizes a transitional property, located at the confluence of retail, restaurant, office and residential uses. The proposed residential signage is intended to complement the proposed signage on the commercial buildings to create a cohesive appearance for the identification of this unique mixed-use development.

DEVIATION FROM SECTION 7-4-3:6.1 TO NOT REQUIRE A PUBLIC UTILITY AND DRAINAGE EASEMENT AROUND EACH SUBDIVIDED LOT

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

The requested deviation will not undermine the intent of the OCI Zoning district. OCI zoning is put in place to provide a transitional zoning between commercial, office, and

residential uses. The proposed development is designed in harmony with those goals and objectives of the OCI zoning district. The City's subdivision regulations require public utility and drainage easements ("PU&DE") be granted in the side yard and rear yard of each newly subdivided lot. This requirement does not take into account instances where a planned unit development such as the proposed plan represents one mixed-use development comprised of commercial and residential uses. Petitioner is subdividing the Property as proposed to account for ownership structure and maintenance. In actual reality, the subdivision lines will not be apparent from the naked eye and the entire PUD will function jointly. Had Petitioner sought PUD approvals under the Property's current parameters, Petitioner would only be required to maintain a PU&DE around the perimeter of the site and in doing so, no deviation would be required. By virtue of resubdividing the Property, the functional use of the site does not change and the PUD is still intended to be viewed and operated as one single mixed-use development. Accordingly, granting the PU&DE as proposed on the Plat of Subdivision is appropriate and will grant the City the requisite access to manage and maintain public utilities to serve the Development.

b. The requested deviation will not be a detriment to the provision of municipal services and infrastructure.

The proposed deviation will not be detrimental to the provision of municipal services and infrastructure. The requested deviation is only required due to the way in which Petitioner is subdividing the Property. Functionally, the development will operate as one single mixed-use development and accordingly, granting the PU&DE as proposed will have no impact on municipal services as a result of the subdivision.

c. 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 free housing.

Granting the relief will allow the Petitioner to subdivide the Property as proposed to account for future ownership and maintenance purposes. The proposed subdivision is necessary and required for the long-term success and operation of the proposed development. Had the subdivision not be requested, the current PU&DE would be appropriate to serve the whole development site. Accordingly, the proposed PU&DE grant will ensure the development is appropriately serviced by the necessary utilities and in turn will allow the internal function of the development to thrive from an operational standpoint.

CONDITIONAL USE TO ALLOW MULTIFAMILY, GENERAL RETAIL AND EATING

ESTABLISHMENTS IN THE OCI ZONING DISTRICT

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

The proposed conditional uses will not be detrimental to or endanger public health, safety or the general welfare. The City's I-88 corridor is saturated with vacant office buildings. The supply of office space has caused vacancy to rise above 30% while rents have fallen to levels far below those necessary to support new construction. To create a healthy market, Naperville needs to reduce the supply of office space and diversify land use within the corridor to create a more attractive "live, work, play" type of environment. Petitioner's proposed unique mixed-use development is consistent with the direction of the Comprehensive Plan. The mixed-use development will build-upon the trend of adding commercial uses in the corridor, uses which provide an amenity that helps to attract employers to the market. The multi-family component of the mixed-use project will provide new and unique housing product which incorporates a more urban form at a transitional location between existing office, institutional, commercial, and residential uses. This type of housing product will attract young professionals and empty nesters seeking both a high-end living environment and