

## EXHIBIT B

As required by the Naperville Municipal Code, Brad Williams is submitting this petition on behalf of Paul Thrift, owner, for a Zoning Variance for Variance of five (5) parking spaces above the 68 spaces provided by Title 6-9-3 of the Naperville, IL Code of Ordinances. The previously approved original site development City Project No. 20-1000051 approved on 8/19/20 is included with this petition to assist in illustrating the need and appropriateness of this request.

In keeping with three standards outlined in Section 6-3-6:2: Standards for Granting a Zoning Variance, the following responses are being presented:

1. The parking variance is in harmony with the general purpose and intent of this Title and the adopted Comprehensive Master Plan. Protection of the public health, safety, comfort, convenience, and general welfare of the public will remain unaffected by granting of the variance reducing the required parking by five (5) parking spaces for the three tenants occupying the 10,093sf multitenant development. The countercyclical nature of each tenant's peak parking times as outlined in the Parking Study will allow the development to function in accordance with the intent of the zoning and the comprehensive master plan. The Restaurant user is a breakfast concept that operates from 7a-2:30p daily, with peak hours between 10a-1p. The first medical user (American Family Care) operates daily from 8a-8p Monday through Friday, and 8a-5p Saturday and Sunday. Their peak hours are 10a-noon and 4p-7p during the weekdays. The second medical user (Pediatric Dentist) will be open by appointment only and initially open for 3 days per week during their first year of operation. Following that first year, they will operate from 8a-5p on weekdays by appointment only, with their busiest times from 11a-4p to accommodate children in half-day daycare and after school appointments. There will be no walk-in business which will align their operation more closely to a typical general office user. This creates an overlap of approximately 3 hours per day, which coincides with the Grocer's least busy hours.

We anticipate that the parking lot servicing this 10,093sf building will fill to approximately 90% during its peak overlap hours, primarily driven by the breakfast restaurant use but alleviated by the general office nature of the pediatric dentist (appointment only). During the multitenant building peak times the grocery lot will be "off-peak" and is anticipated to have up to 30-35% open spaces. During these off-peak hours for the grocery a majority of the traffic will be pick-up and delivery which will primarily utilize the western parking lot that is dedicated for such uses.

If the Grocery spaces are 70% occupied (during a busy off-peak), while the multitenant building spaces are 95% occupied (during peak) you would find the overall parking lot to have 51 open spaces based on the current parking provided. If the grocery spaces are 95% occupied (during peak), while the multitenant building spaces are 70% occupied (during off-peak) you would find the overall parking lot to have 28 open spaces. Even if both operate at a cross over peak time with the Grocery at 95% and the multitenant building at 90%, there will be 15 spaces open. Additionally, it should be noted that the busiest cross-over times for the Grocery and the restaurant will be on weekends when the Pediatric Dentist will be closed. If you remove the Dentist from the weekend calculation of the multitenant building, the parking provided would satisfy code and provide an extra 7 spaces (68 provided vs 61 required).

## EXHIBIT E

2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district. The parking lot is fully constructed and is an existing condition that cannot be changed. The site geometry and frontage is unique for property in this zoning district as it is bounded by roads on three sides and in that every right of way has required reconfiguration of each of the four existing access drives to satisfy three separate jurisdictional authorities' requirements and setbacks. The west frontage along Naperville Wheaton Road is under City of Naperville jurisdiction and has been moved north to align with the access to the property on the west side of Naperville Wheaton Road. The east frontage along North Naper Boulevard is under DuPage County jurisdiction and the entrance has been moved north to provide greater separation from the signal at East Ogden Avenue and required a lengthening of the existing southbound right turn lane. The south frontage along East Ogden Avenue is under The State of Illinois jurisdiction and required the closure of two existing full access drives in exchange for a single, more restrictive right-in right-out access and a dedicated right turn lane on west bound East Ogden Avenue. The overall site geometry and existing condition of the fully constructed lot have put a burden on the available area for parking.

The redevelopment of this site has introduced more business variety to the property vs the former single user and provided greater options for retail uses in the Ogden Avenue Corridor. The changes to the retail landscape brought by the Pandemic, have also redefined tenant mixes in this type of development. The previous tenant mix we anticipated has changed greatly, which has been exacerbated by the existing condition of the constructed lot. Relief from these hardships is mitigated by providing a strategic mix of countercyclical uses, including the Pediatric Dentist that will be closed on weekends, and a variance for five (5) parking spaces.

3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent properties. The parcel seeking the variance has a fully self-contained and dedicated parking field to the east and sits adjacent to the Grocery Tenant parcel and parking. There is no access to any additional parking facilities serving any neighboring properties. The granting of this variance will add essential services and uses to the neighborhood and be a benefit to the residents. Diligent research and effort in the pursuit of tenants for the development will preserve and benefit the essential character of the neighborhood. The Restaurant and two Medical users were carefully selected for their synergy with the grocery and appeal to the neighborhood, as well as the countercyclical nature of their peak business hours and parking demands. The Pediatric Dentist was specifically selected from a group of similar users because they intend to operate as a more traditional office user (appointment only) with no weekend hours and will only be open for three days per week for their first year of operation.