

Date: October 25, 2022

## RESPONSE TO STANDARDS

PROJECT ADDRESS: 776, Rt 59, Naperville, IL- Suite 141.; PIN: 07-22-300-036

### EXHIBIT 2:

#### SECTION 6-4-7:1, STANDARDS FOR GRANTING OR AMENDING A PLANNED UNIT DEVELOPMENT

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

Response: Amending the planned unit development, to accommodate/ house proposed "Sri Veda Dharmashal (SVD)" - A Not for Profit, Hindu Religious Organization", shall not result in altering the existing land and the living environments. Proposed SVD Facility shall be contained within the existing portion of an unoccupied space (former Wal-Mart Garden center) and adjoining existing "Mall of India" building. No new added building footprint is suggested. Introduction of SVD shall bring in more cohesive development and will benefit the surrounding Mall of India building along with other nearby businesses/ residences.

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

Response: The proposed SVD shall generally meet all the requirements and standards of the existing PUD in place. Any additional requests/ requirements as suggested by the city's planning/ building department shall also be incorporated into the design

3. ***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.***

Response: The proposed SVD shall be remain open to public daily from 9:00 AM to 12:00 PM and 4:00PM to 9:00 PM. And from 9:00 AM to 11:00 PM on Special occasion days. No change is suggested to the existing onsite parking count, traffic circulation pattern, ingress/ egress to the property, and the R.O.W. Additionally, no change is suggested to the existing storm water/ detention. SVD shall utilize existing dumpster that is provided for the mall tenants on the northeast corner of the mall.

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

Response: Existing chain link fence, that is currently in front/ west of building, surrounding the concrete patio shall be completely removed. Furthermore, this patio shall be thoroughly cleaned and prepared to be utilized as an outdoor seating space for the devotees prior or after the religious service taking place. The beautification of patio shall enhance the entrance point and shall look more inviting to the devotees. Additionally, the existing outdoor open space, to the rear of the building also consists of a chain link fenced concrete area with a gate, which is to remain. No new work is proposed to this space, and it shall continue to serve as delivery area by small box trucks or vans.

5. ***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.***

Response: No modifications to the existing design standards are suggested, except to let the "Religious Facilities/ Community Centers" be an allowable use within the existing PUD in place.

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

Response: Introduction of SVD, a Hindu Religious Institution is compatible with the adjacent properties and nearby land uses, it

being proposed very next to the existing "Mall of India", which shares similar demographic needs and shall eventually complement each other. Thus, ultimately bringing in more cohesive overall development and added customers.

**7. *The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.***

Response: Given the overall poor condition of the existing vacant space, the the adjoining Mall of India building, the proposed use, along with the fact that no new building footprint, parking is being requested, the proposed use generally fulfills the objectives of the comprehensive plan and planning policies of the city.

**EXHIBIT 2:**

**SECTION 6-4-3:12.2, STANDARDS FOR APPROVING A PUD FOR A USE DEVIATION (12.2)**

***12.2.1. Unique and unusual circumstances are present:***

Response: The current vacant building in its detrimental condition is no longer in use or seems viable for its original use as a garden center for a big box retail, as the adjacent building is no longer in use as a big box retail, but rather have been converted into a mall mainly focusing to a certain demographic. In this unique and unusual circumstance, the proposed uses make the maximum utilization of the existing space by repurposing it to uses that are desired by the adjacent community. This repurpose will have longevity due to the business around it.

***12.2.2. The requested use deviation will not have an adverse impact on current uses in the PUD:***

Response: The proposed use meets the requirements and standards of the planned unit development regulations. The proposed building is currently under the same ownership as the adjacent building, with a single use. No new building footprint is being added, no request is made to the change in site plan (parking, sidewalks, delivery area, building ingress/ egress, etc.). The requested use deviation will thus have no adverse impact on current uses in the PUD.

***12.2.3. The requested use deviation will be incidental to the principal use of the PUD as principal use is defined in Section 6-1-6 of this Title***

Response: We strongly believe and ensure that the requested use deviation will be incidental to the principal use of the PUD, as principal use is defined in Section 6-1-6, that is aimed for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people. Proposed use deviation in its complete package as proposed will:

- Lessen congestion on the public streets.
- Avoid undue concentration of population.
- Prevent the overcrowding of land, thereby ensuring proper living and working conditions and preventing the development of blight and slums.
- Establish adequate standards for the provision of light, air, and open spaces.
- Facilitate the provision of adequate public services such as transportation, water, sewerage, open space, and parks.
- Zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.
- Protect all areas alike from harmful encroachment by incompatible uses and to ensure that land allocated to a class of uses shall not be usurped by inappropriate uses within the parameters of the standards and requirements of this Title.
- Avoid the inappropriate development of lands and provide for adequate drainage, curbing or erosion, and reduction of flood damage.
- Fix reasonable standards to which buildings and structures shall conform.
- Prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed herein.
- Foster a more rational pattern of relationship between residential, business, and industrial uses for the mutual benefit of all.
- Isolate or control the location of unavoidable nuisance-producing uses.
- Define the powers and duties of the administrative and enforcement officers and bodies.
- Prescribe penalties for any violation of the provisions of this Title, or of any subsequent amendments hereto.

**12.2.4. 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.**

Response: The proposed use 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, as the proposed use complements adjacent properties – the Mall of India & Matrix Club, both mainly serving same demographic. The improvements are also mainly contained within existing vacant building. The exterior work is limited to the improving the physical condition of the building. This improvement should also positively enhance the adjacent properties.

**12.2.5. One or more of the following criteria are present:**

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

**12.2.5.2. The requested use deviation would satisfy an unmet market need as evidenced by a market study or other similar report, and**

**12.2.5.3. The requested use deviation is likely to benefit existing uses in which the PUD is located, and**

**12.2.5.4. 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.**

Response: The requested use deviation is likely to benefit existing uses in which the PUD is located, as it will complement the normal and orderly development of the adjacent properties by creating a vibrant and active destination for all users in the area and the City as a whole.

Please contact us should you have any questions or concerns regarding this matter. Thank you.

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Prepared & submitted on behalf of the Ownership  
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