

## REQUIRED VARIANCE STANDARDS

The Naperville Municipal Code requires a petitioner who is seeking a variance to respond to a set of standards that demonstrate both the need and appropriateness of the variance request. Your response to the standards is forwarded to the Planning and Zoning Commission and City Council for consideration, along with a report prepared by staff, when reviewing your requested variance. It is important to provide thorough responses to each of the standards listed below. To assist in better understanding the intent of each standard, a more detailed explanation for each standard is provided below along with helpful information to consider when preparing your Responses.

### EXHIBIT 1: Section 6-3-6:2: Standards for Granting a Zoning Variance and/or Sign Variance

#### **1. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and**

*Explanation: The Zoning Code seeks to improve and protect the public health, safety, comfort, convenience, and general welfare of the people by establishing a uniform set of rules applicable to each zoning district. A variance is a request to deviate from the standard rules. In this response, you should provide an explanation as to how the overall intent of the zoning code (see Purpose and Intent of the Zoning Code) and the comprehensive master plan (see City's website) will still be maintained if the specific variance you are requesting is granted.*

The Skinovatio brand aligns strongly with the comprehensive master plan and the "Purpose and Intent of the Zoning Code." Our brand provides a unique experience for our clients and we pride ourselves in the atmosphere and aesthetic we create in our clinics. Our brand is well known by many people in IL with over 8 locations and growing. This would help to attract investors and even residents to the area. We already have a ton of clientele who reside in naperville! The Master Plan emphasizes that a creative approach is needed for the city and should embrace new opportunities. We are hoping to adapt the use of a space that was once an antique store and turn it into a high end medical spa and retail storefront. This should give the space a new sense of life while still maintaining the traditional look of downtown Naperville. The Zoning code also emphasizes fostering relationships with other businesses and residents. We hope to host community events and provide free information and consultations about our products and services. The hair salon "Zazu's", the cosmetic store " Bluemercury", and "Lush Cosmetics" are some examples of the businesses we hope to complement and help thrive. We have spoken with business owners directly around our space and they were all thrilled to hear about a medical spa potentially opening up next door.

We understand that retail businesses are typically located on the ground level. The neighboring business Zazu Salon also provides services to clients and they also promote their retail products to the public. Our business would follow a similar set-up which necessitates ground level visibility. We sell our own facial creams, serums, and moisturizers that we hope to prominently display to our clients. We offer a robust suite of medical spa services however, that

is not the only aspect of our business. We generate healthy amounts of walk-in traffic at our existing locations. Our retail sales have grown over 35% since the franchise has opened. The taxable retail side of our business comprises 25-35% of sales for our business and we hope to do our best to exceed these numbers with this location. Skinovatio Medical Spa offers 3 private label skin care lines with over 100 medical grade products! (Product List attached) We plan to utilize around 450 sq. ft for retail located in the front of the store and within our spa rooms. Our floor plan is also attached.

From Master Plan: • The success of thriving retail centers in Down - town should help to attract additional investment and activity to the City. This includes businesses and developers looking to locate within or near Downtown and benefit from the high volume of traffic in the area.

Outside of Downtown, the visibility of vacant spaces has a significant impact on commercial corridors. In these areas, businesses are challenged to provide readily accessible goods to battle the growth of online shopping and delivery services. Recognizing that these areas will not be what they once were, Naperville needs a creative approach to reinvent its commercial areas. The City should embrace new opportunities, such as adaptive reuse of existing properties or mixed-use development. One example is the Mall of India, which repurposed a former big box retailer as a cultural retail center, responsive to Naperville's growing Asian population. Building upon the success of entertainment and cultural uses may also help revitalize shopping areas in the City. As consumers head online to buy products, brick and mortar businesses have remained attractive by providing experiences. This includes restaurants, entertainment and culture uses, and shopping districts that are exciting and vibrant. Naperville Crossings is a great example of a district that has had success by providing a mix of uses in an attractive environment, including public gathering spaces.

**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; and**

*Explanation: Explain how your property is different from others that are zoned and used in a similar manner (i.e., other residential lots) and how these differences make it difficult to comply with the standard code requirements. For example, the location of a mature tree on your property may make it difficult to build an addition onto your home in a location that complies with required setbacks. As a result, you may be seeking a variance to locate a portion of the addition within the required setback in order to preserve the tree. In this case, the tree presents a special condition and unusual hardship for your property that makes compliance with the code difficult. Per the code, hardships should not be self-imposed (i.e., "I would simply like a bigger addition than permitted") and should not be financially based (i.e., "It will be too costly to build in compliance with the Code").*

Strict enforcement of this Title would result in practical difficulties and impose exceptional hardships due to special and unusual conditions given that there is no other available space besides the ground level to promote our retail based products and offer our med spa services to the city of Naperville. We understand there are other businesses near our space (Benefit, Blue Mercury SPA and The NOW massage) who also provide spa-based services in addition to

selling retail products on the ground level. When we signed the lease, the owner of the building and our group did not think our business would conflict with the zoning of the neighborhood. We now understand why a medical spa might not be appropriately zoned for ground floor use, but wish to emphasize that we have a huge retail component to our business that will be prominently displayed for passerby to see and be drawn too. We are a unique and well known brand within the med spa community and would draw positive attention to all current and future clientele in the Naperville area. With this in mind and the limited availability of space in the current building, we believe these circumstances would make it difficult to comply with the standard code requirements.

**3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.**

*Explanation: Provide details as to how the requested variance, if granted, will not significantly impact the surrounding properties and neighborhood. Questions to ask yourself when preparing this response may include: Will the variance result in an improvement that is out of character or inconsistent with surrounding properties? Will abutting properties be impacted by the variance I am requesting? If so, what considerations/alterations/conditions have been made to protect the adjacent properties from the proposed improvement? Are other properties in the immediate area improved in a similar manner?*

Our team will ensure the medical spa will not negatively impact the surrounding area, as we don't plan to generate high levels of traffic or excess noise. It will not interfere with the existing architecture and buildings of the neighborhood and we only wish to positively contribute to the Downtown Naperville 2030 vision. We have already built strong relationships with our neighboring businesses who also perform services similar to ours. We are eager to be a part of this wonderful community and hope to do all we can to give back the community whenever possible.