

# PETITION FOR DEVELOPMENT APPROVAL

## Response to Standards Exhibit

**Applicant: CHP-HSG Naperville, LLC**

**Property: Freedom Commons PUD  
1836 Freedom Drive, Naperville, Illinois**

### **Major Change to PUD:**

A major change to the Freedom Commons PUD is required due to the change in the designation of land use identified in the approved planned unit development (fitness), to a use which is not included with the Statement of Intent and Concept approved for the planned unit development (medical office). CHP-HSG Naperville, LLC (“CHP”) is requesting a major change to the Freedom Commons PUD to allow the change in designation of land use to medical office.

### **Section 6-4-7:1: Standards for Amending a Planned Unit Development:**

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

As it exists today, Freedom Commons PUD provides an attractive development comprised of an extensive mix of uses including restaurants, and various retail uses. Since its adoption, the Freedom Commons PUD continues to evolve and be amended to allow for new and exciting uses within the community. Currently, the property includes a vacant fitness facility, providing no benefit to the Freedom Commons PUD, the City or the community. CHP’s proposal creates an innovative approach to enhancing the PUD. The requested major change will allow not only the revitalization and improvement of the vacant building and parking area on the Property but will allow a healthcare provider to locate within the PUD and the City.

As clearly demonstrated on the renderings of the proposed building included with this proposal, the building will be renovated using high-end materials and innovative design, creating a Class A medical outpatient facility. The parking areas and landscaping will also be improved. The proposed development of the Property and requested major change will allow Freedom Commons PUD to continue to be a destination within the community that attracts visitors, businesses and promotes commerce within the City.

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

The Naperville planned development design standards and criteria are set forth in Section 6-4-3 of the City Zoning Ordinance. The City Council of the City of Naperville previously approved the Final Planned Unit Development Plat and the Final Subdivision Plat for Freedom Commons PUD in 2006, by Ordinance No. 06-263. The Freedom Commons PUD is zoned B2 with a conditional use for a Planned Unit Development. Ordinance No. 06-263 allowed for the

development of 12 buildings comprising approximately 147,000 square feet (later increased to 158,300 square feet) containing retail and restaurant uses. The Freedom Commons PUD has been amended multiple times since its original approval in 2006. For example, in 2007, the City adopted Ordinance No. 07-247, which approved a major change to the Planned Unit Development in order to allow for the permitted land uses on Lots 1, 2, 3, 4, and 9 to include service uses permitted in the B2 District and up to 15,000 square feet of medical or professional office spaces with a retail component. Currently, there are several medical uses operating within the Freedom Commons PUD as shown on the Tenant Matrix included with this proposal.

Nothing about the requested major change to permit medical office uses on Lot 13 of the Freedom Commons PUD will change the fact that the Freedom Commons PUD continues to satisfy the design standards and criteria for planned unit developments and results in a product which fulfills the objectives of the comprehensive plan and planning policies of the City. CHP's proposed development and use fits perfectly within the overall development scheme of providing exceptional amenities, landscape features, architectural and site design.

Section 6-4-2 of the City Zoning Ordinance recognizes that planned unit developments often do not fit perfectly within the otherwise applicable regulations of the underlying zoning district. The City has previously approved medical office uses within the Freedom Commons PUD which indicates that the City has determined, correctly, that this use meets the requirements and standards of the planned unit development regulations and is appropriate to be included in the PUD at this location.

**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.**

The existing building and site will not be substantially altered and, as set forth in the Parking Study, adequate parking will be provided on the site and there will be no impact on the parking for the other tenants and users located within the Freedom Commons PUD. Although the majority of the renovations will be specific to the interior of the building, CHP will also include site specific improvements (e.g. asphalt milling and overlay of parking lot, adding new drop-off lane, refurbishment of sidewalks and landscaping, curbs and gutters, striping of parking lot).

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

The City Council of the City of Naperville previously approved the Final Planned Unit Development Plat and the Final Subdivision Plat for Freedom Commons PUD in 2006, by Ordinance No. 06-263. This requested major change will only impact Lot 13 within the PUD. The requested major change will result in a 1,017 square foot net increase in open space to the existing Freedom Commons PUD as demonstrated by the Open Space exhibit included with this proposal. The development of the Property will maintain adequate parking on the site, as set forth in the Parking Study. Further, as depicted on the site plan and other submittal documents, sufficient open space and substantial landscaping are being provided for the Property, including the addition of a seating area with outdoor benches.

**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.**

The footprint of the existing building will not be altered and no additional modifications in design standards from the subdivision control regulations or waivers in bulk regulations from those previously approved for the Freedom Commons PUD are being requested. CHP merely intends to renovate and improve the existing building and parking lot on the site to accommodate the medical office use and related outpatient healthcare services.

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

The development of the Property is compatible with the adjacent properties and nearby land uses. Medical office has become an attractive and common use within highly desirable mixed-use destinations nationally as it provides substantial community benefit. The surrounding retail and hotel businesses will benefit from the physicians, staff, patients and patients' family members who will occupy the proposed development. The existing building will not be substantially altered and, as set forth in the Parking Study, adequate parking will be provided on the site and there will be no impact on the parking for the other tenants and users located within the Freedom Commons PUD. The City has previously approved medical office uses within the Freedom Commons PUD which demonstrates the City's determination that this use is appropriate to be included in the PUD at this location.

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

The development of the Property is consistent with Naperville's Land Use Master Plan. The Property's future land use designation is "Regional Center." This designation is described as a large multi-purpose activity center which should feature a diverse mix of uses, including office uses, drawing customers and visitors from throughout the City and surrounding region.

The development of the Property and the use of the Property as a medical office building will provide financial and commercial benefits to the City by generating tax revenue and bringing visitors and business to the area. This facility will certainly prove to be an asset to the City not only financially but by providing residents with convenient access to healthcare.

The Land Use Master Plan identifies several key considerations for Regional Centers, all of which are clearly met by this proposed development of the Property, including: encouraging adaptive reuse for repurposing commercial buildings and spaces; encouraging adjacent developments to utilize shared parking where possible to decrease the overall footprint of parking while helping create additional development opportunities; emphasizing Regional Centers as vibrant destinations by attracting entertainment uses, restaurants, and other businesses that contribute to activity; managing traffic flow and circulation to provide balanced and efficient access between specific uses and regional highways; and promoting beautification, landscaping, and other improvements to elevate the community.

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### **Loading Deviation:**

The City's Zoning Ordinance requires 1 loading berth for buildings or structures containing 10,000 to 100,000 square feet of gross floor area plus 1 loading berth for each additional 100,000 square feet of gross floor area or fraction thereof. The proposed development on the Property does not contain a loading dock/berth. Therefore, a deviation is requested.

### **Section 6-4-3:12.1: Standards for Approving a PUD Deviation:**

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

The overall intent of the zoning code and the comprehensive master plan will still be maintained if the deviation is granted. Specifically, this deviation allows for continued reasonable standards to which buildings and structures shall conform as a loading dock is not necessary for this medical outpatient facility, which has been confirmed and supported by the end-user. Allowing this deviation has no impact of underlying zoning district as the use and development of the Property and surrounding areas will not be impacted.

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

The requested deviation has no impact on and would not be a detriment in any way to the provision of municipal services and infrastructure. A loading dock is not necessary for this medical outpatient facility and requiring one to be provided would not only be unnecessary, but would result in necessary parking and patient loading areas being eliminated. As depicted on the site plan and other submittals, there is adequate delivery access via three points of access (south, east & west), including the front drop-off lane. All three points of access will have ramps (no stairs). Deliveries to this facility will be small and limited to UPS/FedEx and medical supply vans which are typically no larger than a SUV. Furthermore, there will be a single occupant of the facility and the interior work will be completed prior to the provider seeing patients, eliminating the need for large deliveries of material or equipment. It is vital to the end-user to keep the proposed site configuration, including the necessary patient loading areas, as opposed to accommodating an unnecessary loading dock which would rarely, if ever, be utilized. There will be no negative impact on any municipal service or infrastructure.

**3. Whether the requested deviation would contribute to 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.**

As it exists today, Freedom Commons PUD provides an attractive development comprised of an extensive mix of uses including restaurants, professional services and various retail uses. Since its adoption, the Freedom Commons PUD continues to evolve and be amended to allow for new and exciting uses within the community. The addition of a medical office building would only enhance the PUD, not only by revitalizing and improving a vacant building and parking area but by allowing a healthcare provider to locate within the PUD and the City. The requested loading deviation does not detract from the Freedom Commons PUD. As stated above, deliveries to this facility will be small and limited to UPS/FedEx and medical supply vans which are typically no larger than a SUV. Therefore, adjacent and surrounding properties will not be impacted by deliveries to the facility or the lack of a specific loading area. Further, the elimination of the loading berth allows the entire building to be architecturally uniform and aesthetically pleasing. The inclusion of patient loading areas and parking where a loading area would be located allows for better access to the Property and vehicular circulation which benefits not only the building's patients, but the entire Freedom Commons PUD.