

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)
)
CITY OF NAPERVILLE)

**PETITION TO NAPERVILLE CITY COUNCIL
AND PLANNING AND ZONING COMMISSION FOR A PARKING VARIANCE**

The undersigned petitioner, Dynacom Management, LLC, an Illinois limited liability company with offices located at 387 Shuman Boulevard, Suite #206E, Naperville, Illinois 60563 (“*Petitioner*”), petitions the City of Naperville (“*City*”) to approve a variance to allow medical offices to occupy an additional 15,100 square feet of office space in an existing medical office building located at 1331 W. 75th Street, Naperville, Illinois, legally described on Exhibit A (“*Property*”).

I. Background

In or around 2013, the City approved construction of a 4-story, 72,294 square foot office building located on the Property. The Property is bisected by Spring Brook Creek, and the building is located on the Property’s southeast half. The remainder of the Property is a vacant natural area largely encumbered by floodplain.

The Property currently contains 57,195 square feet of medical offices, 7,282 square feet of business offices, and 7,817 square feet of vacant tenant space. The Property also contains 312 parking spaces that the Property’s 10 tenants share. Of the 10 current tenants, 9 provide medical services to their customers. Only 1 tenant provides non-medical services. A list of the Property’s current tenants is attached as Exhibit B.

In late 2018, the Petitioner was approached by one of the Property’s tenants, Edward Medical Group (“*Edward*”), with a request to expand its medical offices on the Property. Edward would like to immediately occupy all vacant tenant space on the Property (7,817 square

feet) and plans to occupy any additional non-medical office space that may become available in the future (up to 7,282 square feet). In total, Edward may occupy up to 15,100 square feet of additional office space on the Property. Edward anticipates providing physical therapy, sleep study, and other related medical services in its expanded office space.

When the City approved the Petitioner's development in 2013, the building was designed to be primarily occupied by medical offices. The City's parking requirements distinguish between medical and non-medical office uses. The City requires medical offices to provide 5 parking spaces for each 1,000 square feet of office space, while non-medical offices only need to provide 3.3 parking spaces for each 1,000 square feet of office space. Due to site constraints concerning Spring Brook Creek and the floodplain, the Property's parking lot was not constructed to accommodate a structure solely occupied by medical office uses.

The Petitioner would have had to construct 361 parking spaces on the Property in 2013 to meet the City's medical office parking requirements. Only 312 parking spaces could reasonably be accommodated on the Property, and that's what the Petitioner constructed. Since opening, the Property has been occupied by a mix of medical offices (which are subject to a higher parking requirement) and non-medical offices (which require fewer parking spaces), although the vast majority of the Property's office space has been occupied by medical service providers.

In January 2019, the Petitioner hired a parking and traffic consultant, Kenig, Lindgren, O'Hara, Aboona, Inc. ("**KLOA**") to analyze the Property's parking supply, current demand, and projected demand based on Edward's proposed office expansion. KLOA's analysis, which is attached as Exhibit C, concluded that the Property has more than sufficient parking capacity to accommodate the building's exclusive use by medical office tenants. As detailed below, the Petitioner's parking variance request also satisfies the City's variance standards.

II. Parking Variance Standards

- a. *The variance is in harmony with the general purpose and intent of the Zoning Code and the City's Comprehensive Master Plan.*

The City's parking regulations are intended to ensure that there is adequate parking for businesses and residents throughout the community. (See Naperville Municipal Code ("**Code**") Sec. 6-9) KLOA's analysis demonstrates that during business hours, 35% to 82% of the parking spaces on the Property are unoccupied. At the Property's busiest time, 109 parking stalls stand empty.

The proposed parking variance seeks to allow Edward to occupy some – but not all – of the Property's many unused parking spaces. KLOA's analysis indicates that during the Property's peak demand period, 10% to 20% of the Property's parking stalls would stand empty. Stated differently, at worst, the Property is projected to have at least 34 to 61 parking spaces available **at all times** to accommodate additional patients, customers, deliveries or other vehicles after Edward expands its operations. During less busy hours of operation, the parking lot is projected to have 181-217 vacant parking spaces.

These figures demonstrate that the existing parking supply meets and exceeds the projected parking demand. The Code and the Comprehensive Plan are designed to ensure that properties have sufficient parking supply. The Petitioner's data demonstrates that the Property has more than enough parking capacity to accommodate Edward's proposed office expansion.

- b. *Strict enforcement of the Zoning Code 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.*

Strict enforcement of the Code would contradict the City's parking requirements and be inconsistent with the City's historical approach to evaluating parking for large medical facilities. First, and as discussed above, the Petitioner's analysis demonstrates that there will be a

quantifiable surplus of parking after Edward completes its expansion. Requiring the Petitioner to construct additional, unnecessary parking spaces would only result in a larger pool of vacant parking spaces. Aside from providing no apparent benefit, the Petitioner would incur significant expense constructing unneeded parking, additional stormwater management infrastructure, and measures to ensure that environmental conditions in and around Spring Brook Creek are not disrupted.

Second, floodplain currently covers most of the Property's northwest half, making this portion of the Property unsuitable for construction. To avoid the floodplain, additional parking could only be constructed in the Property's far northwest corner – approximately one quarter of a mile from the building's primary entrance. The viability of asking patients, employees, or the general public to walk a quarter of a mile to a medical appointment is questionable.

Finally, for more than a decade, City has recognized that traditional parking ratios do not accurately estimate actual parking demand generated by large medical uses. The City established the Health Services Zoning District ("**HSD**") in 2007 and, instead of imposing static parking requirements based on a medical office's square footage, the City relied on site-specific parking studies that analyze tenant composition, peak times, and actual conditions on the ground.

While the Property is not located in the HSD, the same logic applies here. The Property is home to one of the larger medical office facilities in the area, excluding the Edward Hospital Campus. The mix and scale of medical services offered is similar to the services provided in the HSD, and the Petitioner has provided a parking study – just as HSD tenants must – demonstrating that sufficient parking capacity exists to accommodate a building solely occupied by medical offices. The City has long recognized that site-specific parking studies provide a more accurate measure of parking demand for medical offices than static parking ratios.

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

The Property is located immediately west of a cluster of medical and institutional uses. Offices for gastroenterologists, urologists, and general practitioners are east of the Property on the south side of Rickert Drive. Several of these buildings are multistory, multitenant medical office structures. The College of DuPage's Naperville campus is located immediately to the east. The Property is bordered on the west and south by vacant natural areas, including the Springbrook Prairie Forest Preserve. A major arterial thoroughfare – 75th Street – is located immediately south of the Property.

The character of the area is defined by medical, institutional, and commercial uses. Edward's proposed expansion is consistent with and complimentary to the existing uses, and will not impose a detrimental impact on the area. The Petitioner's parking analysis demonstrates that the Property is capable of handling traffic generated by a building fully occupied by medical tenants, and more.

III. Conclusion

For the above reasons, the Petitioner respectfully requests that the City Council and Planning and Zoning Commission support and approve the Petitioner's parking variance request. Respectfully submitted this 25th day of January, 2019.

DYNACOM MANAGEMENT, INC.

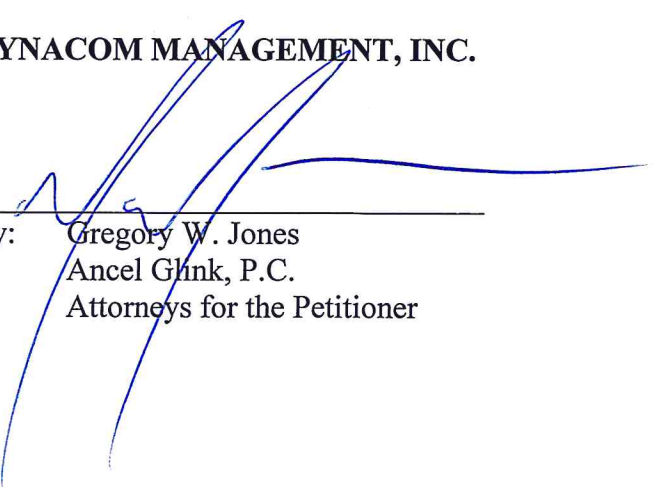
By: 
Gregory W. Jones
Ancel Glink, P.C.
Attorneys for the Petitioner

EXHIBIT A

Legal Description

THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 38, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE
SOUTH LINE OF RICKERT DRIVE AND NORTH OF THE NORTH LINE OF 75TH STREET, IN
DUPAGE COUNTY, ILLINOIS

PIN: 07-26-200-021

Commonly known as: 1331 W. 75th Street, Naperville, Illinois 60540

EXHIBIT B

Tenant Roster

**1331 W. 75th Street
Naperville, IL**

	Suite No.	Tenant Name	Building Use	Square Footage
1st Floor	100	Vacant	Vacant	3,714
	101	Vacant	Vacant	4,103
	102	Edward Hospital PT	Physical Therapy	9,420
2nd Floor	200	Phillips Eye Center	Medical Use	2,462
	201	Edward Medical Group	Medical Use	15,538
3rd Floor	300	ABC Pediatrics	Medical Use	4,843
	302	DuPage ENT	Medical Use	2,214
	303	Diane Ozog & Associates	Medical Use	5,090
	306	Center for Cosmetic and Laser Surgery	Medical Use	6,408
4th Floor	401	HistoGeneX	Office	7,282
	402	Basko Derm	Medical Use	4,683
	403	Naper Grove Vision Care	Medical Use	6,537
Total Square Footage				72,294

EXHIBIT C

Parking Analysis

[Attached]

MEMORANDUM TO: Mari Rodriguez
DynaCom

FROM: Elise Purguette
Consultant

Luay R. Aboona, PE, PTOE
Principal

DATE: January 16, 2019

SUBJECT: Parking Study
Medical Office Building
Naperville, Illinois

This memorandum presents the findings and recommendations of a parking study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the existing office building located at 1331 West 75th Street in Naperville, Illinois. The building is approximately 72,294 square feet in size and contains approximately 57,195 square feet of medical uses, approximately 7,282 square feet of office uses, and approximately 7,817 square feet of vacant space. Additionally, the site provides 312 parking spaces. A site plan is included in the Appendix.

The purpose of this study was to assess the adequacy of the parking supply in accommodating the increase in parking demand by allowing the building to be fully occupied by medical uses. In order to do that, the following tasks were undertaken:

- Parking occupancy surveys were conducted by KLOA, Inc. at the office building on a Wednesday, Thursday, and Saturday in January 2019.
- Projected parking demand was generated for the proposed medical uses to occupy the existing office uses and the vacant space within the office building.
- The adequacy of the available parking within the parking lot of the office building was evaluated to assess its ability to accommodate the increase in parking demand.

Figure 1 shows an aerial view of the site.



Aerial View of Site

Figure 1

Parking Occupancy Surveys

In order to determine the existing parking demand, parking occupancy surveys were conducted at the existing office building on Saturday, January 5, 2019; Wednesday, January 9, 2019; and Thursday, January 10, 2019. The counts were conducted in half-hour intervals from 7:00 A.M. to 6:00 P.M. and the parking fields were counted by rows. The parking occupancy surveys are summarized in **Tables 1A** and **1B**, located in the Appendix, for Wednesday, Thursday, and Saturday. The results of the parking occupancy surveys indicated the following:

- The parking lot has approximately 312 parking spaces.
- Peak occupancy on Wednesday was 199 vehicles (64 percent) occurring at 11:30 A.M., resulting in a surplus of 113 parking spaces
- Peak occupancy on Thursday was 203 vehicles (65 percent) occurring at 10:30 A.M., resulting in a surplus of 109 parking spaces.
- Peak occupancy on Saturday was 56 vehicles (18 percent) occurring at 9:00 A.M. and 9:30 A.M., resulting in a surplus of 256 parking spaces.

Projected Parking Demand of Additional Offices with Medical Uses

As previously indicated, approximately 15,099 square feet of existing office and vacant space will be repurposed to accommodate additional medical uses.

In order to determine the total projected parking demand of the office building fully occupied by medical uses, the parking demand was estimated based on City of Naperville Zoning Code and the rates published in the Institute of Transportation Engineers' (ITE) *Parking Generation Manual*, 4th Edition for Land-Use Code 720 (Medical-Dental Office Building). Based on the two methodologies, the parking demand for the additional 15,099 square feet of medical uses will be as follows:

- City of Naperville Zoning Code:
 - 75 parking spaces (five spaces per 1,000 square feet for office/clinic, medical or dental uses)
- ITE *Trip Generation Manual*:
 - Weekday: 48 spaces (ratio of 3.2 spaces per 1,000 square feet)
 - Saturday: 39 spaces (ratio of 2.6 spaces per 1,000 square feet)

Parking Evaluation

In order to determine the adequacy of the parking supply, the projected peak parking demand for the additional medical uses was added to the observed peak parking demand. As previously indicated, the parking lot contains 312 parking spaces. The projected peak parking demand based on the two methodologies is as follows:

City of Naperville Zoning Code

- Peak occupancy on Wednesday will be 274 vehicles (88 percent) occurring at 11:30 A.M., resulting in a surplus of 38 parking spaces.
- Peak occupancy on Thursday will be 278 vehicles (89 percent) occurring at 10:30 A.M. and 11:00 A.M., resulting in a surplus of 34 parking spaces.
- Peak occupancy on Saturday will be 131 vehicles (42 percent) occurring at 9:00 A.M. and 9:30 A.M., resulting in a surplus of 181 parking spaces.

ITE *Parking Generation Manual*

- Peak occupancy on Wednesday will be 247 vehicles (79 percent) occurring at 11:30 A.M., resulting in a surplus of 65 parking spaces.
- Peak occupancy on Thursday will be 251 vehicles (80 percent) occurring at 10:30 A.M., resulting in a surplus of 61 parking spaces.
- Peak occupancy on Saturday will be 95 vehicles (30 percent) occurring at 9:00 A.M. and 9:30 A.M., resulting in a surplus of 217 parking spaces.

It should be noted that the above calculations are conservative since they include the parking demand currently generated by the approximately 7,282 square feet of office uses that will be converted to medical uses.

Conclusion

The proposed parking supply of 312 parking spaces will continue to be adequate in accommodating the projected peak parking demand of the medical office building. This was based on the City of Naperville parking requirements, which show a maximum occupancy of 89 percent, and the parking rates published in the *ITE Parking Generation Manual*, which show a maximum occupancy of 80 percent. These peak demands included the parking demand of the office uses that will be converted to medical uses.

Appendix

Table 1A

PARKING OCCUPANCY SURVEYS – NUMBER OF PARKING SPACES OCCUPIED

Time	Wednesday	Thursday	Saturday
7:00 AM	48	32	4
7:30 AM	80	66	18
8:00 AM	106	103	37
8:30 AM	144	134	49
9:00 AM	170	163	56
9:30 AM	186	189	56
10:00 AM	189	198	55
10:30 AM	194	203	54
11:00 AM	196	197	48
11:30 AM	199	182	52
12:00 AM	197	164	47
12:30 AM	176	167	30
1:00 PM	182	166	25
1:30 PM	176	165	14
2:00 PM	178	174	13
2:30 PM	180	172	11
3:00 PM	182	167	6
3:30 PM	181	167	--
4:00 PM	161	153	--
4:30 PM	131	150	--
5:00 PM	104	114	--
5:30 PM	87	92	--
6:00 PM	73	64	--
Inventory	312	312	312

Table 1B

PARKING OCCUPANCY SURVEYS - PERCENTAGE OF PARKING SPACES OCCUPIED

Time	Wednesday	Thursday	Saturday
7:00 AM	15%	10%	1%
7:30 AM	26%	21%	6%
8:00 AM	34%	33%	12%
8:30 AM	46%	43%	16%
9:00 AM	54%	52%	18%
9:30 AM	60%	61%	18%
10:00 AM	61%	63%	18%
10:30 AM	62%	65%	17%
11:00 AM	63%	63%	15%
11:30 AM	64%	58%	17%
12:00 AM	63%	53%	15%
12:30 AM	56%	54%	10%
1:00 PM	58%	53%	8%
1:30 PM	56%	53%	4%
2:00 PM	57%	56%	4%
2:30 PM	58%	55%	4%
3:00 PM	58%	54%	2%
3:30 PM	58%	54%	--
4:00 PM	52%	49%	--
4:30 PM	42%	48%	--
5:00 PM	33%	37%	--
5:30 PM	28%	29%	--
6:00 PM	23%	21%	--
Inventory	312	312	312