

**PIN:**  
**08-08-101-012**

**ADDRESS:**  
**1515 N. NAPER BLVD., NAPERVILLE, ILLINOIS 60563**

**PREPARED BY:**  
**CITY OF NAPERVILLE**  
**LEGAL DEPARTMENT**  
**630/420-4170**

**RETURN TO:**  
**CITY OF NAPERVILLE**  
**CITY CLERK'S OFFICE**  
**400 SOUTH EAGLE STREET**  
**NAPERVILLE, IL 60540**

**PZC Case #21-1-035**

**ORDINANCE NO. 21- \_\_\_\_**

**AN ORDINANCE APPROVING VARIANCE TO SECTION 6-16-5:2 OF THE NAPERVILLE MUNICIPAL CODE TO PERMIT A WALL SIGN TO BE INSTALLED ON A TRASH ENCLOSURE FOR THE PROPERTY LOCATED AT 1515 N. NAPER BLVD.**

**RECITALS**

1. **WHEREAS**, Route 34 Holdings, LLC, 2781 Route 34, Oswego, IL 60543 ("**Owner**" and "**Petitioner**"), has petitioned the City of Naperville for approval of a variance to Section 6-16-5:2 of the Municipal Code to permit a wall sign to be located on an accessory structure for the property at 1515 N. Naper Blvd., Naperville, Illinois 60563, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is developed with a Culvers restaurant; and
3. **WHEREAS**, Section 6-16-5.2 (Signs on Commercial and Institutional Property) of the Naperville Municipal Code requires a wall sign to be installed on a building facade; and

4. **WHEREAS**, the Petitioner proposes a wall sign to be installed on a trash enclosure to provide adequate site identification for passersby along Ogden Avenue; and
5. **WHEREAS**, since development of the Culvers site was completed, the property to the south has begun construction of a grocery store and multi-tenant building, blocking views of Culvers from Ogden Avenue and portions of Naperville/Wheaton Road; and
6. **WHEREAS**, the Petitioner has worked with the adjacent property owner to the south to provide the drive aisle reconfigurations and easements necessary to maintain cross access between the two properties, which requires Culvers to demolish their existing trash enclosure and construct a new one with a different orientation; and
7. **WHEREAS**, Section 6-16-5:2 of the Naperville Municipal Code permits Culvers to install approximately 75 square feet of wall signage on the Naperville/Wheaton Road frontage. The existing wall sign on the restaurant's west façade is approximately 30 square feet in size and the wall sign proposed on the trash enclosure is approximately 30 square feet in size; therefore, the combined total of wall sign square footage is 60 square feet and complies with code requirements, as illustrated on **Exhibit C**; and
8. **WHEREAS**, the requested variance meets the standards for granting a variance as provided in **Exhibit D** attached hereto; and
9. **WHEREAS**, on April 21, 2021, the Planning and Zoning Commission conducted a public hearing to consider PZC 21-1-035 and recommended approval of the Petitioner's request; and

10. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's request should be granted as provided herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:**

**SECTION 1:** The foregoing recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A variance to Section 6-16-5:2 (Signs on Commercial and Institutional Property) of the Naperville Municipal Code to permit a wall sign to be installed on an accessory structure for the property located at 1515 N. Naper Boulevard, as depicted on **Exhibit C** (Sign Rendering), is hereby granted.

**SECTION 3:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 4:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 5:** If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

**SECTION 6:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk