

**PINS: 07-24-400-013  
07-24-400-014  
07-24-400-015  
07-24-400-016**

**ADDRESS:  
801 S. Washington Street  
NAPERVILLE, IL 60540**

**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 #19-1-081**

**ORDINANCE NO. 19 -**

**AN ORDINANCE GRANTING SIGN VARIANCES  
FROM SECTION 6-16-3:7 AND GROUND SIGN VARIANCES FROM SECTION 6-16-  
5:2.2 OF TITLE 6 OF THE NAPERVILLE MUNICIPAL CODE FOR  
EDWARD HOSPITAL LOCATED AT 801 S. WASHINGTON STREET**

**WHEREAS**, South Water Signs on behalf of Edward Elmhurst Hospital, owner of real property located at 801 S. Washington, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"), has petitioned the City of Naperville for approval of 38 variances from the Naperville Municipal Code in order to install 13 monument signs for said property; and

**WHEREAS**, the owner of the Subject Property is Edward Elmhurst Hospital, 801 S. Washington Street, Naperville, IL 60540; and

**WHEREAS**, the Subject Property is currently zoned HS (Health Services District) and is improved with a hospital and associated uses; and

**WHEREAS**, the Petitioner requests approval of setback, alignment, number of, eligible frontage, and distance separation variances from Section 6-16-5:2.2 (Signs on

Commercial and Institutional Property: Ground Signs) and off-premise variances from Section 6-16-3:7 (Prohibited Signs: Off-premise Signs) of the Naperville Municipal Code in order to install 11 monument signs on the hospital campus, 1 monument sign at the adjacent Our Saviour's Lutheran Church ("church property"), and 1 monument sign on the Martin Avenue Right-of-Way at the intersection of Martin Avenue and Brom Drive ("Martin Avenue"); and

**WHEREAS**, Section 6-16-3:7 prohibits off-premise displaying of commercial speech; and

**WHEREAS**, Section 6-16-5:2.2.1 states that each property with a minimum of one hundred (100) feet of lot frontage is allowed one monument sign, oriented perpendicular to the eligible frontage and each property with 500' of frontage may have 2 monument signs placed no closer together than 200'; and

**WHEREAS**, Section 6-16-5:2.2.5.1 requires ground signs to be setback 10' from the property line when fronting a major arterial road; and

**WHEREAS**, Section 6-16-5:2.2.5.2 requires ground signs to be setback 5' from the property line when fronting all other road classifications; and

**WHEREAS**, Section 6-16-5:2.2.5.3 requires grounds to be setback 40' from interior property lines; and

**WHEREAS**, on September 4, 2019, the Planning and Zoning Commission considered the requested variances and recommended approval of the Petitioner's request for the aforementioned variances; and

**WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's requests for the ground sign variances meet the Standards for Variances as provided in **Exhibit C** attached hereto and 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** Variances to the Naperville Municipal Code are hereby approved as set forth below and as depicted on **Exhibit D** and as summarized in **Exhibit E** attached:

- i. Section 6-16-3 (Prohibited Signs) to permit off-site monument signage for signs #1,2,2A,3,4,6,7,9,10,11, & 49 on the church property, Martin Avenue, and, Lots 7-10; and,
- ii. Section 6-16-5:2.2.1 (Ground Signs: Number) to permit monument sign #4 on a frontage under a 100' of lot frontage on Lot 10; and
- iii. Section 6-16-5:2.2.1 (Ground Signs: Number) to permit monument signs #2 and 3 to not be oriented perpendicular to the eligible frontage and for sign #3 to have more than 2 faces each not to exceed the maximum allowable area of 45 square feet on Lot 9; and
- iv. Section 6-16-5:2.2.1 (Ground Signs: Number) to permit signs #11, 49, & 50 to collectively exceed the number of allowable monument signs on an eligible frontage on Lot 7; and

- v. Section 6-16-5:2.2.1 (Ground Signs: Number) to permit monument signs to be located closer together than 200' for signs #4 and 5 on Lot 10 and signs #49 and 50 on Lot 7; and
- vi. Section 6-16-5:2.2.5.1 (Ground Signs: Setback) to permit offsite monument signage within 10' from the property line when fronting a major arterial road for sign #10 on the church property; and
- vii. Section 6-16-6:2.2.5.2 (Ground Signs: Setback) to permit monument signage within 5' from the property line when fronting all other road classifications for sign #1 on Martin Avenue and sign #4 on Lot 10; and
- viii. Section 6-16-5:2.2.5.3 (Ground Signs: Setback) to permit monument signage within 40' of interior setback lines for signs #2,3,4,6,7,9,10,11 on the church property and, Lots 7-10.

**SECTION 3:** The variances approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**SECTION 4:** These variances shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

**SECTION 5:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 6:** 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 7:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph. D.  
City Clerk