

**PINS:
07-13-437-006
08-18-327-017**

**ADDRESS:
22 E. CHICAGO AVENUE**

**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 #20-1-004

ORDINANCE NO. 20 -

**AN ORDINANCE GRANTING SIGN VARIANCES
FROM TITLE 6 OF THE NAPERVILLE MUNICIPAL CODE FOR THE
DEVELOPMENT IDENTIFICATION MONUMENT SIGHT AT 22 E. CHICAGO AVENUE
(RIVER MAIN SHOPPING CENTER)**

Recitals

1. **WHEREAS**, Mid-America Asset Management, Inc., One Parkview Plaza, 9th Floor, Oakbrook Terrace, Il 60181 ("**Petitioner**") has petitioned the City of Naperville for approval of several variances from the Naperville Municipal Code in order to replace an existing monument sign for said property legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and
2. **WHEREAS**, the owner of the Subject Property is CR River Square, LLC, 230 Park Avenue, 12th Floor, New York, New York 10169 ("**Owner**"); and
3. **WHEREAS**, the Subject Property is currently zoned B4 (General Commercial District) and is improved with a multi-tenant shopping center and surface parking lot;
and

4. **WHEREAS**, the Petitioner requests approval of variances for signs in the B-4 district, sign orientation, and Development Identification signage from Section 6-16-3 (prohibited signs), Section 6-16-5:2.2.1 (ground signs: orientation) and 6-16-6:2.4.2 (development identification signage: area) of the Naperville Municipal Code in order to replace an existing monument sign; and
5. **WHEREAS**, Section 6-16-3 prohibits monument sign in the B4 District; and
6. **WHEREAS**, Section 6-16-5:2.2.1 requires ground signs to be installed perpendicular to an eligible frontage; and
7. **WHEREAS**, Section 6-16-6:2.4.2 requires commercial development identification signs to be a 32 square-feet in area; and
8. **WHEREAS** variances to Section 6-16-3, Section 6-16-5:2.2.1, and Section 6-16-6:2.4.2 are required to replace an existing monument sign in the B4 District, oriented to face the intersection of Washington Street and Chicago Avenue, and provide development identification for a multi-tenant shopping center unique to the Downtown; and
9. **WHEREAS**, on April 29, 2020, the Planning and Zoning Commission conducted a public hearing to consider PZC 20-1-004 and recommended approval of the request; and
10. **WHEREAS**, the requested variance meets the standards for granting a variance as provided in **Exhibit C** attached hereto; and
11. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioners' 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: Variances from Section 6-16-3 (prohibited signs), Section 6-16-5:2.2.1 (ground signs: orientation) and 6-16-6:2.4.2 (development identification signage: area) of the Naperville Municipal Code to install a 44 square-foot, 5' tall, development identification monument sign is hereby granted, as depicted on the Sign Rendering attached hereto as **Exhibit D.**

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 _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk