

PIN: 07-16-204-009

ADDRESS:  
704 GREENWOOD CIRCLE  
NAPERVILLE, IL 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 #20-1-098

ORDINANCE NO. 21- \_\_

AN ORDINANCE GRANTING A VARIANCE  
TO SECTION 6-16-4:2.1.1 (GROUND SIGNS) FOR A FIFTH GROUND SIGN AT  
704 GREENWOOD CIRCLE

RECITALS

1. **WHEREAS**, Bristol Station Apartments (RMK Management, agent) ("Petitioner") has petitioned the City of Naperville for approval of a variance to Section 6-16-4:2.1.1 (Ground Signs) of the Naperville Municipal Code to allow for a fifth ground sign at 704 Greenwood Circle, Naperville, Illinois legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Moran Canyon Owner LLC, Rossi Canyon Owner LLC, Kearney Canyon Owner LLC and King Canyon Owner LLC, One North Franklin Street, Suite 700, Chicago, Illinois 60606, own real property located at 704 Greenwood Circle Naperville, Illinois; and
3. **WHEREAS**, the Subject Property is zoned R4 PUD (Medium Density Multiple-Family Residence District Planned Unit Development) and is improved with 348 multiple family dwellings; and

4. **WHEREAS**, Municipal Code Section 6-16-4:2.1.1 (Ground Signs) permits four (4) ground signs at this location; and
5. **WHEREAS**, Petitioner seeks authorization to allow a fifth ground sign, depicted in **Exhibit C**, thus requiring a variance from Section 6-16-4:2.1.1 of the Naperville Municipal Code; and
6. **WHEREAS**, on December 2, 2020, the Planning and Zoning Commission conducted a public hearing to consider PZC 20-1-098 and recommended approval of Petitioner's request as set forth herein; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that Petitioner's request meets the variance standards as provided in **Exhibit D** attached hereto and should be granted subject to the conditions set forth 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 permit the fifth ground sign and location depicted on **Exhibit C** which exceeds the number of signs permitted by Municipal Code Section 6-16-4:2.1.1 (Ground Signs) at 704 Greenwood Circle is hereby approved and granted to Petitioner, subject to the condition that Petitioner submit an easement encroachment agreement to the City to permit the proposed location of the sign in a stormwater

management easement. Said agreement shall be reviewed and approved by the City prior to issuance of a permit for said sign.

**SECTION 3:** The variance granted herein shall expire unless within two (2) years from the effective date of this Ordinance: (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:** The variance granted to Petitioner herein shall be subject to revocation by the City for failure of Petitioner to comply with the conditions set forth herein or 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:** 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:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 7:** 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