

PIN:
08-08-101-010

ADDRESS:
1351 and 1355 E. OGDEN AVENUE, 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 #20-1-051

ORDINANCE NO. 21- ____

AN ORDINANCE APPROVING A VARIANCE TO ALLOW THREE GROUND SIGNS TO DISPLAY OFF-PREMISES SIGNAGE AT 1351 AND 1355 E. OGDEN AVENUE

RECITALS

1. **WHEREAS**, Ogden Avenue Naperville IL, LLC, 901 Wabash Avenue, Suite 300, Terre Haute, IN 47807 (herein after "**Owner**" and "**Petitioner**"), has petitioned the City of Naperville for approval of a variance to Section 6-16-3:7 to allow three ground signs to display off-premises signage for real property located at 1351 and 1355 E. Ogden Avenue, Naperville, Illinois, 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
3. **WHEREAS**, the Petitioner proposes redeveloping the site with two buildings – one multi-tenant commercial building facing Naper Boulevard, and a grocery store facing Ogden Avenue; and

4. **WHEREAS**, the development as a whole has been identified as Shops on Naper and will include three ground signs to identify the development's tenants; and
5. **WHEREAS**, due to the proposed lot configurations, two of the signs (Ogden Avenue and Naperville-Wheaton Road) will be located on the grocery store property; and, one sign (Naper Boulevard) will be located on the multi-tenant commercial building's property; and
6. **WHEREAS**, the petitioner requests approval of a variance to Section 6-16-3:7 to allow the three ground signs to display off-premises signage so each sign could advertise any of the tenants within the Shops on Naper development; and
7. **WHEREAS**, the requested variance meets the standards for granting a zoning variance as provided in **Exhibit C** attached hereto; and
8. **WHEREAS**, on January 6, 2021, the Planning and Zoning Commission conducted a public hearing to consider PZC 20-1-051 and recommended approval of the Petitioner's request (approved 6-0); and
9. **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 6-16-3:7 to allow three ground signs to display off-premises signage, as depicted on **Exhibit D**, is hereby granted.

SECTION 3: The Sign Elevations, attached to this Ordinance as **Exhibit E**, are hereby approved.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

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 _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk