

PIN: 07-13-440-009

**ADDRESS:
123 WATER STREET
NAPERVILLE, IL 60540**

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

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

ORDINANCE NO. 17 - _____

**AN ORDINANCE GRANTING A
TEMPORARY USE TO ALLOW A TEMPORARY BANNER TO BE DISPLAYED AT
123 WATER STREET**

WHEREAS, Water Street Property Owner, LLC, 401 South Main Street, Suite 300, Naperville, Illinois ("Petitioner"), has petitioned the City of Naperville for approval of a temporary use to allow for a temporary banner to be displayed on the east wall of the Loggia Building located at 123 Water Street, Naperville, Illinois ("Subject Property"), legally described on **Exhibit A**; and

WHEREAS, the Subject Property is currently zoned B4 (Downtown Core); and

WHEREAS, per Section 6-15-5:3 (Signs on Commercial and Institutional Property: Temporary Signs), temporary signs up to a maximum of 32 square feet in size may be displayed on a commercial property for up to 4 weeks per calendar year; and

WHEREAS, the Petitioner is proposing to install a 20' x 33' temporary banner (660 square feet) on the east wall of the Loggia Building, as depicted on **Exhibit B**, on the Subject Property until such time that the proposed building at 315 S. Main Street is constructed; and

WHEREAS, the Petitioner is requesting approval of a temporary use pursuant to Section 6-2-11 of the Naperville Municipal Code to permit the installation of a temporary banner which exceeds the maximum size and maximum time of display permitted by Section 6-15-5:3 of the Naperville Municipal Code; and

WHEREAS, Section 6-2-11 (Temporary Buildings, Structures and Uses of Land) permits the City Council to authorize the temporary use in any zoning district for a building, structure or use of land that does not conform to the regulations prescribed elsewhere in Title 6 provided that such use will not have a potential adverse impact on surrounding properties or public health, safety and general welfare; and

WHEREAS, the City Council has determined that the temporary use should be granted in accordance with the terms provided below.

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 here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A temporary use to permit the installation of a 20' x 33' temporary banner on the east wall of the Loggia Building located at the Subject Property, as depicted on **Exhibit B**, is hereby granted subject to the following conditions:

1. The banner shall be removed from the Loggia Building located at the Subject Property upon erection of the west wall of the structure located at 315 S. Main Street or by June 20, 2018, whichever comes first.
2. If, during the term of the temporary use, the banner becomes deteriorated, faded, or torn, it shall be removed; in such instances, said banner may be

replaced and reinstalled, if so desired, provided that the term of the temporary use has not yet expired.

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 direct to record this Ordinance with the DuPage County Recorder.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk