

PIN: 07-03-103-025

ADDRESS:
2132 CITY GATE LANE
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 #22-1-077

ORDINANCE NO. 22- __

AN ORDINANCE GRANTING A VARIANCE
TO SECTION 6-16-4:2 (SIGNS ON RESIDENTIAL PROPERTY: PERMANENT SIGNS)
FOR SEVEN SIGNS AT 2132 CITY GATE LANE

RECITALS

1. **WHEREAS**, MQMF CityGate Owner LLC, a Delaware limited liability company, 1110 Jorie Boulevard, Ste. 300, Oak Brook, IL 60523 (“**Petitioner**” and “**Property Owner**”), owns real property located at 2132 City Gate Lane Naperville, Illinois 60563, and has petitioned the City of Naperville for approval of a variance to Section 6-16-4:2 (Signs on Residential Property: Permanent Signs) of the Naperville Municipal Code to allow for seven (7) permanent signs including a monument sign, a canopy sign, four (4) blade signs, and a directional sign at 2132 City Gate Lane, Naperville, Illinois 60563, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”); and

2. **WHEREAS**, the Subject Property is zoned OCI PUD (Office, Commercial and Institutional Planned Unit Development) and will be improved with five story apartment building with an event space; and
3. **WHEREAS**, Municipal Code Section 6-16-4:2 (Signs on Residential Property: Permanent Signs) permits two (2) ground signs per entrance, with a maximum of four (4) total ground signs, per residential subdivision with a maximum height of six (6) feet and a maximum square feet of 32 SQFT; and
4. **WHEREAS**, Petitioner seeks authorization to install a monument sign, a canopy sign, four (4) blade signs, and a directional sign, depicted in **Exhibit C**, thus requiring a variance to Section 6-16-4:2 of the Naperville Municipal Code; and
5. **WHEREAS**, on September 7, 2022, the Planning and Zoning Commission conducted a public hearing to consider PZC 22-1-077 and recommended approval of Petitioner's request as set forth herein; and
6. **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 a monument sign, a canopy sign, four (4) blade signs, and a directional sign depicted on **Exhibit C** which do not meet the number of signs, sign type, and size permitted by Section 6-16-4:2 at 2132 City Gate Lane 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 the public utility and drainage 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 unless a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started.

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 _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk