

ADHERENCE TO ZONING VARIANCE STANDARDS FOR WEST SIGN AND EAST SIGN

1. Increase in Maximum Sign Area

The requested variance for the West Sign and East Sign meets the applicable standards set forth in Section 6-3-6:2 of the City of Naperville Municipal Code as follows:

The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and

The proposed variance is in harmony with the general purposes and intent of the City of Naperville Zoning Ordinance. Section 6-2-1 provides that this section of the City's Municipal Code was adopted with the purpose and intent of "improving and protecting the public health, safety, comfort, convenience and general welfare of the people" of the City of Naperville. The larger, taller signs promote the safety and convenience of the citizens of Naperville. By clearly identifying the tenants in the shopping center, it is easier for drivers to locate certain retailers without the hazard of slowing down considerably or making last minute lane changes which also put other drivers at risk. The larger, more visible signs along Aurora Avenue afford greater convenience for drivers as they seek out individual retailers set farther back in a very crowded and fast moving environment. Finally, the larger signage promotes the general welfare of the City's residents by creating a greater opportunity for shoppers to patronize tenants in the City, thus increasing sales tax revenue, rather than driving to other destinations outside of the City.

In addition, the proposed variance is in harmony with the City's Comprehensive Master Plan for the Northwest Sector (the "Plan"). At the time that the Plan was adopted in 1996, the Westridge Court shopping center (which extends from Route 59 to Aurora Avenue) had been developed on the property. The Plan sought to further solidify commercial and mixed-use development along Illinois Route 59. By allowing signage which permits easy identification of businesses in the shopping center and thus ensuring their long-term and sustained viability, the City promotes this core purpose of the Plan – solidifying commercial developments along Illinois Route 59.

Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and

The Applicant faces a significant hardship if the City strictly enforces the Zoning Ordinance. It is well known that owners of large shopping centers, such as the Applicant, face an increasingly competitive market. Many shopping center owners face increasing vacancies

as tenants consolidate locations, go out of business or reduce their footprint. In general, there is a lot of retail space that is competing for a shrinking pool of tenants. There is also a lot of competition from online shopping options. In short, the Applicant faces the hardship of attracting and retaining tenants in a rapidly shifting and highly competitive retail environment.

When deciding to sign a new lease or renew an existing lease, tenants carefully scrutinize which locations best position their businesses to be successful. A significant factor in success is the ability to draw customers to their stores. Signage which allows for easy identification is critical to drawing those customers. If the applicant is unable to meet these tenant demands for strong business identification opportunities, it risks losing those tenants, particularly to the City of Aurora, directly across the street where signage standards are much less restrictive.

Moreover, these hardships are unique to the Property and not generally applicable to other properties with the same zoning classification. While the retail market's difficult conditions are widespread, they are acute for owners of large shopping centers, particularly one that is almost 50 acres in size and has almost 475,000 square feet of retail space. The City certainly has other properties with the B2 Community Shopping District zoning classification, but the challenges facing the Applicant are exponentially magnified. An additional consideration is that the Applicant is attempting to site signs in an already built environment as compared to a new development. Numerous existing site conditions constrain the Applicant's options as to the location of the signs. Thus, the hardships faced by the Applicant are not generally applicable to similarly zoned properties.

The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

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2. Increase in Maximum Sign Height

The requested variance for the West Sign and East Sign meets the applicable standards set forth in Section 6-3-6:2 of the City of Naperville Municipal Code as follows:

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3. Decrease in Minimum Setback from Interior Property Lines

The requested variance for the West Sign and East Sign meets the applicable standards set forth in Section 6-3-6:2 of the City of Naperville Municipal Code as follows:

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4. Operation as Off-Premises Signage

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