

PIN:
08-08-106-043

ADDRESS:
1350 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 #21-1-016

ORDINANCE NO. 21- ____

**AN ORDINANCE APPROVING VARIANCE TO SECTION 6-16-4:2 OF THE
NAPERVILLE MUNICIPAL CODE TO PERMIT A WALL SIGN TO BE INSTALLED ON
A RESIDENTIAL PROPERTY LOCATED AT 1350 E. OGDEN AVENUE**

RECITALS

1. **WHEREAS**, The Aubrey Sign Company, 1847 Suncast Lane, Batavia, IL 60510 (“**Petitioner**”), has petitioned the City of Naperville for approval of a variance to Section 6-16-4:2 of the Naperville Municipal Code to permit a wall sign to be installed on a residential property located at 1350 E. Ogden Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”); and
2. **WHEREAS**, MZ Capital Naperville, LLC, 400 Skokie Blvd. Suite 580, Northbrook, IL 60062 (“**Owner**”) is the owner of the Subject Property and has authorized the Petitioner to submit the subject petition; and

3. **WHEREAS**, the Subject Property is currently zoned OCI (Office, Commercial and Institutional District) and is being developed with a 112-unit micro-apartment community; and
4. **WHEREAS**, Section 6-16-4:2 (Signs on Residential Property) of the Naperville Municipal Code prohibits a wall sign from being installed on the building due to the residential nature of the property; and
5. **WHEREAS**, the Petitioner proposes a wall sign on the building's north façade to provide adequate site identification for passersby along Ogden Avenue; and
6. **WHEREAS**, the wall sign reinforces a commercial appearance on the property when viewed from Ogden, and is consistent with surrounding businesses; and
7. **WHEREAS**, the wall sign is not oriented towards any residences, and complies with all other signage requirements regarding size and placement on the building; and
8. **WHEREAS**, the requested variance meets the standards for granting a variance as provided in **Exhibit C** attached hereto; and
9. **WHEREAS**, on March 17, 2021, the Planning and Zoning Commission conducted a public hearing to consider PZC 21-1-016 and recommended approval of the Petitioner's request; and
10. **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 6-16-4:2 (Signs on Residential Property) of the Naperville Municipal Code to permit a wall sign to be installed on a residential property located at 1350 E. Ogden Avenue, as depicted on **Exhibit D** (Sign Rendering), is hereby granted.

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 directed to record this Ordinance with the DuPage County Recorder.

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: 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