

**PINS:**

Lot 2: 08-08-200-050  
Lot 3: 08-08-200-051  
Lot 4: 08-08-200-052  
Lot 5: 08-08-200-048  
Lot 6: 08-08-200-049

**ADDRESS:**

1504-1516 N. NAPER BOULEVARD

**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 #19-1-104

**ORDINANCE NO. 19 -**

**AN ORDINANCE GRANTING SIGN VARIANCES FROM TITLE 6  
OF THE NAPERVILLE MUNICIPAL CODE FOR THE TOWER IDENTITY SIGN,  
SOUTHEAST CORNER MONUMENT SIGN, AND DENYING VARIANCES FOR THE  
NORTHWEST CORNER MONUMENT SIGN FOR PROPERTY LOCATED AT  
1504-1516 N. NAPER BOULEVARD (TOWER CROSSING SHOPPING CENTER)**

**WHEREAS**, Napleton Investment Partnership L.P., One Oakbrook Terrace Suite 600, Oakbrook Terrace, IL 60181, owner and petitioner of real property located at 1504-1516 N. Naper Boulevard (Tower Crossing Shopping Center), Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"), has petitioned the City of Naperville for approval of several variances from the Naperville Municipal Code in order to install 2 monument signs and 1 development identification sign for said property; and

**WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is improved with a shopping center and surface parking lot; and

**WHEREAS**, the Petitioner requests approval of variances for sign orientation, size, height, location, and setback from Section 6-16-5 (Signs on Commercial and Institutional Property) and Section 6-16-3 (Prohibited Signs) of the Naperville Municipal Code in order to install 2 monument signs and 1 development identification sign; and

**WHEREAS**, the signs shall be identified as the Tower Identity Sign, the Southeast Corner Monument Sign, and the Northwest Corner Monument Sign; and

**WHEREAS**, Section 6-16-5:2.2.4 identifies the maximum height of a monument sign to be 10', with an additional 2 feet for architectural features; and

**WHEREAS**, Section 6-16-5:2.2.2 permits 45 square feet of signage for roads with a speed limit of 45 mph or less; and

**WHEREAS**, Section 6-16-5:2.2.5.3 requires grounds to be setback 40' from interior property lines; and

**WHEREAS**, Section 6-16-5:2.2.1 requires signs to be installed perpendicular to the eligible street frontage; and

**WHEREAS**, Section 6-16-3:7 prohibits off-premise displaying of commercial speech; and

**WHEREAS**, Section 6-16-5:2.4 permits development identification signage to be a maximum of 32 square feet in area and at a maximum height of 10' from grade; and

**WHEREAS**, variances to Section 6-16-5:2.4 are required in order to install a 183 square-foot development identification sign onto the building's tower feature, otherwise known as the Tower Identity Sign; and

**WHEREAS**, variances to Section 6-16-5:2.2.1, Section 6-16-5:2.2.5.3, and Section 6-16-3:7 are required in order to install an 18.7 square foot, 10' tall monument sign with an

additional 2' of architectural features, that is off-premise, oriented diagonally to Ogden Avenue and is located 12' from the interior property line, otherwise known as the Southeast Corner Monument Sign; and

**WHEREAS**, variances to Section 6-16-5:2.2.1, Section 6-16-5:2.2.2, Section 6-16-3:7, and Section 6-16-5:2.4 are required in order to install an off-premise monument sign that is 22' 7" tall, with 78.8 square feet of signage on the north and south side of the sign that exceeds the maximum allowances, and has 21.5 square feet of signage on the west side of the sign which is not oriented perpendicular to N. Naper Boulevard, otherwise known as the Northwest Corner Monument Sign; and

**WHEREAS**, staff recommends approval of the requested variances for the Tower Identity Sign and the Southeast Corner Monument Sign, but recommends denial of the requested variances for the Northwest Corner Monument Sign finding the sign does not meet the general purpose and intent of the City's Sign Regulations; and

**WHEREAS**, on December 4, 2019, the Planning and Zoning Commission considered the requested variances and recommended approval of the Petitioner's request for the Tower Identity Sign; and

**WHEREAS**, on December 4, 2019, the Planning and Zoning Commission considered the requested variances and recommended approval of the Petitioner's request for the Southeast Corner Monument Sign; and

**WHEREAS**, on December 4, 2019, the Planning and Zoning Commission made a motion to deny the requested variances for the Northwest Corner Monument Sign, this motion failed resulting in a positive recommendation for the requested variances for the Northwest Corner Monument Sign; and

**WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's requests for variances for the Tower Identity Sign and the Southeast Corner Monument Sign meet the Standards for Variances as provided in **Exhibit C** attached hereto and should be granted as provided herein.

**WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's requests for variances for the Northwest Corner Monument Sign do not meet the Standards for Variances and should be denied 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** Variances to the Naperville Municipal Code are hereby approved as set forth below and as depicted on **Exhibit D** attached:

1. Variances to Section 6-16-5:2.4 in order to install a 183-square foot development identification sign onto the existing tower feature; and
2. Variances to Section 6-16-5:2.2.1, Section 6-16-5:2.2.5.3, and Section 6-16-3:7 are required in order to install an 18.7 square foot, 10' tall monument sign with an additional 2' of architectural features, that is off-premise, oriented diagonally to Ogden Avenue and is located 12' from the interior property line.

**SECTION 3:** Variances to the Naperville Municipal Code are hereby denied as set forth below:

1. Variances to Section 6-16-5:2.2.1, Section 6-16-5:2.2.2, Section 6-16- 3:7, and Section 6-16-5:2.4 are required in order to install an off-premise monument sign that is 22' 7" tall, with 78.8 square feet of signage on the north and south side of the sign that exceeds the maximum allowances, and has 21.5 square feet of signage on the west side of the sign which is not oriented perpendicular to N. Naper Boulevard.

**SECTION 4:** The variances approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**SECTION 5:** These variances shall be subject to revocation 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 6:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 7:** 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 8:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk