

**PIN: 07-22-200-027**

**ADDRESS:  
1575 W OGDEN AVENUE  
NAPERVILLE, IL 60540**

**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 #24-1-025**

**ORDINANCE NO. 24 -**

**AN ORDINANCE GRANTING A SIGNAGE VARIANCE  
FROM SECTION 6-16-5:2.2 (GROUND SIGNS)  
OF THE NAPERVILLE MUNICIPAL CODE FOR THE PROPERTY  
LOCATED AT 1575 W OGDEN AVENUE (GERALD NISSAN)**

1. **WHEREAS**, Gerald Realty Holdings, LLC, a Delaware limited liability company, 213 Hansen Boulevard, North Aurora, IL, 60542 is the owner (“Owner”) of real property located at 1575 Ogden Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”); and
2. **WHEREAS**, Gerald Realty Holdings, LLC, a Delaware limited liability company, 213 Hansen Boulevard, North Aurora, IL 60542 (“Petitioner”) has petitioned the City of Naperville for approval of variances from the Naperville Municipal Code in order to install a ground sign that exceeds permissible height and square footage allowances; and
3. **WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is improved with an automobile dealership and surface parking lot; and

4. **WHEREAS**, in accordance with Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code, ground signs are permitted a maximum sign area of forty-five (45) square feet and a maximum height of ten (10) feet for this property; and
5. **WHEREAS**, the Petitioner has requested approval of variances from Sections 6-16-5:2.2 of the Naperville Municipal Code in order to allow a ground sign that is twenty-five (25) feet in height and approximately 68.93 square feet in size as depicted on **Exhibit C** (“Sign Elevation”); and
6. **WHEREAS**, the Petitioner has indicated that updated signage is needed to comply with the updated NISSAN Dealer Identity Program; and
7. **WHEREAS**, the Petitioner will install a landscaped area located around the base of the ground sign equal to one square foot for each one square foot of monument sign area as required by Section 6-16-5:2.2.6 of the Naperville Municipal Code; and
8. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit D** attached hereto; and
9. **WHEREAS**, on May 15, 2024, the Planning and Zoning Commission conducted a public hearing concerning PZC 24-1-025 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A variance from Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code to allow a ground sign to measure approximately 68.93 square feet in size, as depicted on the Sign Elevation attached to this ordinance as **Exhibit C**, is hereby granted.

**SECTION 3:** A variance from Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code to allow a ground sign to measure twenty-five (25) feet in height, as depicted on the Sign Elevation attached to this ordinance as **Exhibit C**, is hereby granted.

**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. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_  
Dawn C. Portner  
City Clerk