

PIN:
08-07-309-005
08-07-309-006
Pt. 08-07-308-018

ADDRESS:
215 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 #18-1-049

ORDINANCE NO. 18 - ____

**AN ORDINANCE GRANTING A VARIANCE FROM
SECTION 6-16-5 OF TITLE 6 OF THE NAPERVILLE MUNICIPAL CODE FOR THE
PROPERTY LOCATED AT 215 E OGDEN AVENUE (STARBUCKS)**

WHEREAS, Hilton Displays ("Petitioner"), on behalf of Starbucks, has petitioned the City of Naperville for approval of a sign variance to allow for the installation of wall signage on the west façade of the building located on the property commonly known as 215 E Ogden Avenue, Naperville, IL, which is legally described in **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the owner of the Subject Property is Vequity, 400 N State Street, Suite 400, Chicago IL 60654 ("Owner"); and

WHEREAS, the Petitioner has requested approval of variances from Municipal Code Section 6-16-5:2.1 to allow for the installation of 48.33 square feet of wall signage on the west façade of the building on the Subject Property for Starbucks; and

WHEREAS, on June 6, 2018, the Planning and Zoning Commission conducted a public hearing concerning PZC 18-1-049 and recommended approval of the Petitioner's request, subject to the condition that the signage not exceed 43.5 square feet in area; and

WHEREAS, the requested variance meets the standards for variances as provided in **Exhibit C** attached hereto; and

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 here in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance from Naperville Municipal Code Section 6-16-5:2.1 to install wall signage on the west façade of the building on the Subject Property is hereby granted as depicted on **Exhibit D** ("Sign Elevation"), subject to the condition that the signage not exceed 43.5 square feet in area.

SECTION 3: The variance approved by this Ordinance shall expire unless a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started within two (2) years from the effective date of this Ordinance.

SECTION 4: 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 5: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk