



Legislation Details (With Text)

**File #:** 17-631      **Version:** 4

**Type:** Ordinance      **Status:** Passed

**File created:** 8/11/2017      **In control:** City Council

**On agenda:** 10/17/2017      **Final action:** 10/17/2017

**Title:** Pass the Ordinance approving a variance to Section 6-16-5: 2.2.1 (Permitted Monument Signs) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code for the property located at 3027 English Rows - PZC 17-1-080.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance.pdf, 2. Exhibit A.pdf, 3. Exhibit B.pdf, 4. Exhibit C.pdf, 5. Location Map.pdf, 6. Application.pdf, 7. 8.16.17 PZC Minutes.pdf, 8. 9.20.17 PZC Minutes DRAFT.pdf

Date	Ver.	Action By	Action	Result
10/17/2017	4	City Council	passed	Pass
9/20/2017	3	Planning and Zoning Commission	approved and referred	Pass
9/6/2017	3	Planning and Zoning Commission	tabled	Pass
8/16/2017	2	Planning and Zoning Commission	continued	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the Ordinance approving a variance to Section 6-16-5: 2.2.1 (Permitted Monument Signs) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code for the property located at 3027 English Rows - PZC 17-1-080.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on September 20, 2017 and voted to recommend approval of the case (Approved 8-0). Staff concurs.

**BACKGROUND:**

The petitioner, Khaled Akkawi, has submitted a variance request for 3027 English Rows in order to install a monument sign on the property generally located west of Route 59 and south of Alice Lane. The property is currently zoned B2 PUD (Community Shopping Center District Planned Unit Development) and is approximately 1.42 acres. This request will require approval of two variances; a variance from Section 6-16-5: 2.2.1 (Permitted Monument Signs) to provide a second sign on the property that is less than 200' from the existing sign for a lot than has less than 500' of lot frontage and a variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) for the setback off of Route 59. The property is currently improved with the English Rows shopping plaza.

## **DISCUSSION:**

The petitioner is proposing to construct a monument sign located along Route 59 at the English Rows shopping plaza. Currently, one monument sign exists on the property and is located at the southern entrance. This monument sign indicates the “English Rows” plaza but does not provide any information on the current businesses that exist within the plaza. The petitioner has found that this sign does not provide enough visibility for the existing businesses. Therefore, the petitioner is proposing an additional monument sign, which requires two variances, as noted above.

### *Case History*

The original public hearing for PZC 17-1-080 was opened at the August 16, 2017 Planning and Zoning Commission meeting (PZC). Three current occupants of the English Rows shopping plaza spoke at the public hearing voicing support of the proposal and their concern for the current lack of visibility at the plaza. Staff voiced their concerns with the variance to Section 6-16-5: 2.2.5.1 (Monument Sign Setback) given that adequate space was found on site to meet code requirements and the adjacency to a major arterial road (Route 59). The PZC also expressed concern for the setback variance. A motion was made to continue PZC 17-1-080 to the September 6, 2017 PZC meeting and a recommendation was made for the petitioner to meet with staff to adjust the site plan (motion approved, vote 6-0). Per the request of the petitioner, PZC 17-1-080 was re-opened and continued at the September 6<sup>th</sup> PZC meeting to allow the petitioner additional time to work with staff (motion approved, vote 7-0). Since continuance of the case, the petitioner has worked with staff to reduce the overall sign width from the proposed 12’ to 11’ and has increased the setback from the originally proposed 3’ to 5’.

### *Lot Frontage Variance*

Section 6-16-5: 2.2.1 requires a property to have 500 linear feet of frontage in order to build two monument signs placed no closer together than 200 feet. The petitioner is requesting a variance from Section 6-16-5: 2.2.1 (Permitted Monument Signage) to allow two monument signs on a property with less than 500 feet of linear frontage placed closer together than 200 feet. The subject property has 201 feet of frontage along Route 59. Given the adjacency of the property to Route 59 and the lack of information for the plaza provided on the existing sign, staff finds that a variance for the lack of street frontage is appropriate.

### *Major Arterial Setback Variance*

The petitioner is also requesting a variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) to reduce the major arterial setback on the east property line from 10 feet to 5 feet. Upon additional meetings with the petitioner, staff reviewed three different proposed locations of the sign. It was found that option 3 worked best for the property. This option proposes the sign to be located in the middle of the parcel, 5’ away from the east boundary property line. While staff had concerns for the original 3’ setback, staff finds that the 5’ setback is an improvement given that the stormwater management easement on the property hinders the sign location and the 22’ wide parkway puts the sign at a disadvantage for visibility from the adjacent Route 59. The proposed location also causes the least amount of disruption to the landscaping on site, only requiring one tree to be removed. The petitioner has also reduced the overall sign size from the original 12’ width to 11’ in order to help with the encroachment in the required 10’ setback.

### *Findings of Fact*

The petitioner’s responses to the Standards for Granting a Zoning Variance are attached. Given the changes provided by the petitioner, staff and the Planning and Zoning Commission are in agreement

with the petitioner's Findings for the variance from Section 6-16-5: 2.2.1 (Permitted Monument Signs) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) and recommends their adoption by the City Council.

### **Key Takeaways**

- PZC 17-1-080 originally appeared before the PZC on August 16, 2017. Staff was not in support of the variance to Section 6-16-5:2.2.5.1 (Monument Sign Setback). The case was continued to allow the petitioner and staff to come to an agreement on the location of the proposed monument sign.
- The petitioner is requesting a variance from Section 6-16-5: 2.2.1 (Permitted Monument Signs) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code, in order to construct a monument sign along the eastern border of 3027 English Rows.
- Staff supports the proposed variance from Section 6-16-5: 2.2.1 (Permitted Monument Signs) because an additional sign allows for clear identification of the subject property.
- Staff supports the proposed variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) because a 1' reduction was made in the sign size and the setback from the property line was improved from a 3' setback to a 5' setback.

### ***Planning and Zoning Commission Action***

The Planning and Zoning Commission conducted the public hearing for PZC 17-1-080 at their meeting on September 20, 2017. No members of the public provided testimony. Following brief discussion regarding the proposed changes since the previous public hearing, the Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-080 (approved 8-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### **FISCAL IMPACT:**

N/A