



Legislation Details (With Text)

**File #:** 17-728      **Version:** 2

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 9/12/2017      **In control:** Planning and Zoning Commission

**On agenda:** 10/18/2017      **Final action:**

**Title:** Resume the public hearing to consider a variance to Section 6-16-3:7 (Prohibited Signs), Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code to grant sign variances for the property located at 1356 N. Route 59 (Design Pointe) - PZC 17-1-084.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application.pdf, 2. Legal Description.pdf, 3. Location Map.pdf, 4. Public Comment.pdf, 5. Plat Of Survey.pdf, 6. Proposed Sign.pdf

Date	Ver.	Action By	Action	Result
10/18/2017	2	Planning and Zoning Commission	accept	Pass
9/20/2017	1	Planning and Zoning Commission	tabled	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Resume the public hearing to consider a variance to Section 6-16-3:7 (Prohibited Signs), Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code to grant sign variances for the property located at 1356 N. Route 59 (Design Pointe) - PZC 17-1-084.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 17-1-084 was published in the Naperville Sun on September 3, 2017.

**BACKGROUND:**

The petitioner, John Doyle, has submitted a variance request for the Design Pointe development in order add additional signage to an existing development sign located at 1356 N. Route 59 (zoned B2 PUD). This request is for Studio 41, which is a tenant located at 1320 N. Route 59 within the Design Pointe development, and will require approval of three variances: a variance from Section 6-16-3:7 (Prohibited Signs) to locate the sign as an off premise sign, a variance from Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) to locate the additional signage within 40' of an interior property line and a variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) to reduce the major arterial setback on the west property line from 10 feet to 5 feet. Currently, there are two signs within the Design Pointe development indicating the location of Studio 41: a wall sign and a

sign on the existing monument sign located at 1316 N. Route 59. The petitioner has found that this signage does not provide enough visibility for the Studio 41 business and is therefore proposing additional signage.

In 2007, a resolution was granted to permit nine ground mounted signs within the Design Pointe development; 6 have been installed to date, 1 has since been removed and the remaining 3 were never constructed. The unbuilt ground mounted signs can no longer be installed at the subject property as the variance has since expired (Section 6-3-6:4.1 of the Naperville Municipal Code states that no variance shall be valid for a period longer than two years from the date of the ordinance granting the variances unless the erection or alteration of a building or structure is started within such a period). In conjunction with the current request, staff will revoke the underlying variance resolution and create a new approval ordinance; this action will have no adverse effect on the existing signs built under the 2007 resolution, as they will be permitted to remain in place as constructed.

## **DISCUSSION:**

### *Case History*

The original public hearing for PZC 17-1-084 was opened at the September 20, 2017 Planning and Zoning Commission meeting (PZC). At this meeting, the petitioner proposed to increase signage for Studio 41 through the following changes:

- Reface two sides of an existing monument sign located at 1316 N. Route 59. This included 58 sq. ft. of signage on each side of the sign with a 35' sq. ft. EMB.
- Addition of a double faced sign to an existing monument sign located at 1356 N. Route 59. This included 87 sq. ft. of signage with a 40 sq. ft. EMB. The sign was located 10' from the property line adjacent to Route 59 and 4' from the interior property line.

This request required approval of two variances: a variance from Section 6-16-3:7 (Prohibited Signs) to locate both signs as off premise signs and a variance from Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) to locate the additional signage within 40' of an interior property line. Based on the request, staff voiced their concern for the overall intensity of the proposal given the size, number and proximity of the proposed signs. The PZC also expressed concern for the proposal stating that one sign located at the center entrance would be more appropriate for the site. A motion was made to continue PZC 17-1-084 to the October 18, 2017 PZC meeting in order for the petitioner to meet with staff to discuss sign options that may be more acceptable for the site (motion approved, vote 8-0).

### *Current Request*

Since continuance of the case, the petitioner has worked with staff to reduce the overall sign proposal from two proposed signs to one. The proposal now calls for the addition of a double faced sign to the existing monument sign located 1356 N. Route 59 with an EMB (Electronic Message Board). The proposed sign is 82 sq. ft. (which includes a 21 sq. ft. EMB) and the overall height is 10'. This is a reduction in square footage of the sign size and EMB. The location of the proposed sign has also changed since the original proposal. The proposed sign now serves as an addition to the existing curved sign at 1356 N. Route 59 and will be located 5' from the property line adjacent to Route 59 and 17' from the interior property line. The proposed sign requires approval of the following variances from the Naperville Municipal Code:

- A variance from Section 6-16-3:7 (Prohibited Signs) to locate the sign as an off premise sign

- A variance from Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) to locate the additional signage within 40' of an interior property line
- A variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) to reduce the major arterial setback from 10 feet to 5 feet.

#### *Major Arterial Setback Variance*

Given that the proposed double faced sign is attached to the existing sign, extending farther west towards Route 59, the location of the sign will not comply with the required 10' major arterial setback. The proposed sign will be located 5' from the property line adjacent to the major arterial road, Route 59, requiring a variance Section 6-16-5: 2.2.5.1 (Monument Sign Setback).

#### *Prohibited Signs Variance*

The proposed sign is located on the property at 1356 N. Route 59. Since the property owner of Studio 41 is located at 1320 N. Route 59, a variance from Section 6-16-3:7 (Prohibited Signs) for an off-premise sign displaying commercial speech is required.

#### *Interior Setback Variance*

Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) requires a monument sign to be setback 40' from an interior property line. Given that the proposed sign will be located approximately 17' from an interior property line, a variance is required.

Staff supports the variances, as proposed, based upon the reduction in the number of signs, sign square footage, and EMB square footage. The overall proposal now calls for a sign that is more cohesive with the associated street corridor given that the sign incorporates the aesthetic character of the Design Pointe development by extending the stone wall of the existing monument sign. The proposed sign is also perpendicular to Route 59 creating better visibility.

#### *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 is in agreement with the petitioner's Findings for the variances from Section 6-16-3:7 (Prohibited Signs), Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) and recommends their adoption by the Planning and Zoning Commission.

#### **Key Takeaways**

- PZC 17-1-084 originally appeared before the PZC on September 20, 2017. Staff was not in support given the size, number and proximity of the proposed signs. Staff did not find the overall intensity of the EMB's to be cohesive with the associated street corridor. The case was continued to allow the petitioner and staff to come to an agreement on the proposal.
- Since the September 20<sup>th</sup> meeting, the petitioner revised their request to reduce the number of the proposed signs from two to one, reduced the square footage of the EMB, and reduced the sign square footage.
- The proposed sign requires a variance from Section 6-16-3:7 (Prohibited Signs), Section 6-16-5:2.2.5.3 (Signs on Commercial and Institutional Property: Setbacks) and Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code.
- Staff supports the proposed variances because a reduction in the number of signs as well as a reduction in the overall proposed intensity was given for the site. It provides reasonable signage for Studio 41 in a manner that is consistent with the sign code given that the proposal

extends the existing stone wall creating a sign that incorporates the aesthetic character of the design pointe development.