



Legislation Details (With Text)

File #: 19-1254B **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/19/2019 **In control:** City Council

On agenda: 1/21/2020 **Final action:** 1/21/2020

Title: Option A: Concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving variances for Monument Sign 1 / South Sign, Monument Sign 2 / North Sign, and two ground signs along Aurora Avenue for the subject property located at 204 S. Route 59 (Westridge Court Shopping Center) - PZC 19-1-099; or

Option B: Concur with staff and pass the ordinance approving variances for Monument Sign 1 / South Sign and two ground signs along Aurora Avenue and denying the variances for Monument Sign 2 / North Sign for the subject property located at 204 S. Route 59 (Westridge Court Shopping Center) - PZC 19-1-099

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance - Option A, 2. Exhibit A - Legal (Opt A), 3. Exhibit B - Plat (Opt A), 4. Exhibit C - North & South Signs (Opt A), 5. Exhibit D - Aurora Signs (Opt A), 6. Exhibit E - Standards (Opt A), 7. Ordinance - Option B, 8. Exhibit A - Legal (Opt B), 9. Exhibit B - Plat (Opt B), 10. Exhibit C - North & South Signs (Opt B), 11. Exhibit D - Aurora Signs (Opt B), 12. Exhibit E - Standards (Opt B), 13. Application, 14. Former Ground Sign, 15. 12/18/19 PZC Minutes, 16. Location Map

Date	Ver.	Action By	Action	Result
1/21/2020	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Option A: Concur with the petitioner and the Planning and Zoning Commission and pass the ordinance approving variances for Monument Sign 1 / South Sign, Monument Sign 2 / North Sign, and two ground signs along Aurora Avenue for the subject property located at 204 S. Route 59 (Westridge Court Shopping Center) - PZC 19-1-099; or

Option B: Concur with staff and pass the ordinance approving variances for Monument Sign 1 / South Sign and two ground signs along Aurora Avenue and denying the variances for Monument Sign 2 / North Sign for the subject property located at 204 S. Route 59 (Westridge Court Shopping Center) - PZC 19-1-099

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Sara Kopinski, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on December 18, 2019 and voted to recommend approval of each variance requested for four ground signs (Approved 7-0). Staff

disagrees and recommends approval of the variances requested for three of the four signs proposed (Monument Sign 1 / South Sign and two ground signs along Aurora Avenue) for the reasons outlined below.

BACKGROUND:

The subject property is located at 204 Route 59, and consists of an approximately 49.65 acre, L-shaped shopping center with frontage along IL Route 59, Aurora Road, and Jefferson Avenue. The property is zoned B2 Community Shopping District and includes approximately 473,398 square feet of commercial space.

On November 19, 2019, City Council passed Ordinance 19-149 approving a preliminary/final plat of subdivision for Glacier Park Resubdivision No. 10 (Westridge Court Shopping Center), which subdivided the subject property into six lots to further redevelopment and re-tenanting efforts on the site. At this time, the petitioner returns with multiple sign variance requests from Sections 6-16-3 and 6-16-5 of the Naperville Municipal Code to allow two signs on Route 59 and two signs along Aurora Avenue to exceed permissible signage allowances.

DISCUSSION:

The petitioner requests approval of variances for four ground signs advertising the Westridge Court Shopping Center. Additional details regarding each sign proposed are outlined below:

Monument Sign 1 / South Sign Variance

Along IL Route 59, there is an existing ground sign located at the southern entrance to the Westridge Court shopping center. The existing sign is currently a non-conforming sign in terms of height, area, changeable copy area and setbacks. The petitioner proposes refurbishing the sign while maintaining its current location. Planned sign improvements include: covering the existing brick base with stone; enlarging and upgrading the tenant cabinet to identify more tenants; the addition of energy efficient, LED backlighting; the addition of new, channel letter, back lit center identification; and, additional landscaping at the base.

To complete these improvements, the petitioner is seeking approval of the following variances for the south sign:

- A variance to [Section 6-16-5:2.2 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2) to allow an increase in the maximum sign area from 90 sq. ft. to 347.5 square feet;
- A variance to [Section 6-16-5:2.2 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2) to allow an increase in the maximum sign height from 10 ft. to 32 ft.
- A variance to [Section 6-16-5:2.2 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2) to allow an increase in the maximum percentage that a changeable sign may occupy from 50% of the maximum sign area (45 sq. ft.) to 100% (90 sq. ft.); and,
- A variance to [Section 6-16-3 \(Prohibited Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-3) to allow the South Sign to function as an off-premises sign to identify uses on proposed interior lots.

A table comparing Code allowances to the existing non-conforming sign and proposed sign is as follows:

	Code Allowances	Existing Sign	Proposed South Sign
Height	10 ft.	33 ft. 6 in.	32 ft.
Width	N/A	13.7 ft.	16 ft.
Overall Sign Area	90 sq. ft.	184.5 sq. ft.	347.5 sq. ft.
<i>Non-changeable Copy Area</i>	<i>N/A</i>	<i>67.5 sq. ft.</i>	<i>257.5 sq. ft.</i>
<i>Changeable Copy Area</i>	<i>50% of allowable sign area / 45 sq. ft.</i>	<i>117 sq. ft.</i>	<i>90 sq. ft.</i>
Additional Notes	Off premises signage is not permissible	Off premises signage exists	Off premises signage is proposed

Staff is supportive of each variance requested due to the aesthetic enhancements proposed for the sign, including improvements to the existing sign cabinet and frame, as well as comparableness with existing conditions. The refurbished sign is found to efficiently utilize the existing ground sign’s potential sign area, and staff finds the square footage of the changeable copy signage appropriate since it is a reduction when compared to the existing sign. Furthermore, the off-premises nature of the sign is reflective of existing conditions and a result of the way the shopping center was subdivided in November 2019.

Findings of Fact

The petitioner’s responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, the Planning and Zoning Commission and staff agree with the petitioner’s south sign variance findings and recommend their adoption by City Council.

Monument Sign 2 / North Sign Variance

The Applicant proposes a new, second ground sign (North Sign) at the northwest corner of the Property to include many of the same design elements as the South Sign. The petitioner notes that there had been a ground sign near this location previously, which was similar in appearance and size to the South Sign. This sign was removed when the Illinois Department of Transportation condemned a portion of the Applicant’s property as part of an effort to widen Route 59.

The following variances are requested for a new North Sign:

- A variance to [Section 6-16-5:2.2 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2) to allow an increase in the maximum sign area from 90 sq. ft. to 256 square feet;
- A variance to [Section 6-16-5:2.2 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2) to allow an increase in the maximum sign height from 10 ft. to 32 ft.;
- A variance to [Section 6-16-5:2.2.5 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2.5) to allow a ground sign along a major arterial roadway to be located less than 10 ft. from the front property line;
 - *Staff does not have concern with this specific variance request.*
- A variance to [Section 6-16-5:2.2.5 \(Ground Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5:2.2.5)

https://library.municode.com/il/naperville/codes/code_of_ordinances?

to allow a ground sign to be located less than 40 ft. from an interior property line; and,

- *Staff does not have concern with this specific variance request.*
- A variance to [Section 6-16-3 \(Prohibited Signs\)](#)
https://library.municode.com/il/naperville/codes/code_of_ordinances?
to allow the North Sign to function as an off-premises sign to identify uses on proposed interior lots.
 - *Staff does not have concern with this specific variance request.*

Overall, staff is not supportive of the North Sign and its associated variances. While staff finds the setback and off-premises nature of the sign to be acceptable, staff does not believe the sign area or height variances are appropriate due to the availability of signage elsewhere on the property. The petitioner has also requested, and staff is supportive of, significant height and square footage variances for an existing, refurbished South Sign on the subject property. With this in mind, staff does not find the shopping center to be lacking in signage availability.

One of staff's main concerns regarding the North Sign is that the sign is situated near the north end of the site and Jefferson Avenue; however, businesses that are fronting Aurora Avenue on the south end of the site are advertised on the sign. Staff does not find this to be effective communication to passersby, nor do they believe this supports a request for a substantial increase in sign area or height.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance for the North Sign can be found in the attachments. Upon review, the Planning and Zoning Commission agrees with the petitioner's north sign variance findings and recommend their adoption by City Council. Staff does not concur with the responses submitted by the petitioner. Staff's comments with respect to the proposed findings for the requested variances are as follows:

Variance Standard #1: The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan.

Staff Comments: The purpose of the Sign Code is to establish balanced regulations for signage.

[Section 6-16-5 \(Ground Signs\)](#)

https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-5SICOINPR

of the Naperville Municipal Code establishes clear signage parameters for commercial properties along roadways with a posted speed limit of 45 to 50 mph. While staff recognizes that signage that exceeds Code requirements may be warranted for a 50-acre commercial development with three roadway frontages, it is believed that this signage should be strategically placed and divided within the development to ensure specific tenants are advertised in appropriate locations. Several of the tenants shown on the proposed North Sign are in tenant spaces at the south end of the development, and signage in this location is not found to be useful in helping passersby navigate to these destinations. The proposed North Sign is 166 sq. ft. (284%) larger in size than what is permissible; and, 22 ft. (320%) taller; therefore, it is not consistent with the City's signage goals, nor is it found to be in harmony with the general purpose and intent of the City's sign regulations.

Variance Standard #2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other

properties in the same zoning district.

Staff Comments: The subject property is zoned B2 (Community Shopping Center District), as are several other properties along the Route 59 corridor. While the size and configuration of the Westridge Court Shopping Center may generate the need for additional signage allowances, they are not found to be a direct influence on the North Sign's proposed sign size, height or location. Furthermore, the Westridge Court Shopping Center has been in operation without a ground sign in this location. Based on the information provided, strict enforcement of the sign regulations is not found to result in a hardship.

Variance Standard #3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

Staff Comments: The subject property is improved with a multi-tenant commercial development that is highly visible to passersby on Route 59, Jefferson Avenue, and Aurora Avenue. While other nearby properties may have ground signs that exceed Code requirements in place, staff is unaware of any shopping center's that have received approval of multiple variances for multiple ground signs along any one roadway frontage. One of the stated purposes of the Sign Code is to enhance the physical appearance of site identification to be in harmony with the visual character of the associated street corridor. The proposed North Sign advertises businesses on the south end of the Westridge Court Shopping Center, which is not found to be effective communication. The North Sign, as proposed, is not in harmony with the essential character of the City's intended signage goals along Route 59.

Aurora Avenue Sign Variances

Currently, the subject property has two signs that exist along Aurora Avenue. No changes are proposed to either of the signs at this time; however, as a result of the resubdivision that occurred in November 2019, these signs are now considered off-premises signs since they advertise businesses on different lots within the development. [Section 6-16-3 \(Prohibited Signs\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-3PRSI) https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH16SI_6-16-3PRSI of the Municipal Code prohibits off-premise signs displaying commercial speech. The variances proposed are reflective of the property in its current condition and staff is not aware of any issues or concerns associated with the existing signs; therefore, staff supports the requested variances.

East Aurora Sign - Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, the Planning and Zoning Commission and staff agree with the petitioner's Findings and recommends their adoption by City Council.

West Aurora Sign - Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Upon review, the Planning and Zoning Commission and staff agree with the petitioner's Findings and recommends their adoption by City Council.

Planning & Zoning Commission Action

The Planning and Zoning Commission considered this matter at their meeting on December 18, 2019. No members of the public spoke on the requests. Following limited comments, the Planning and Zoning Commission closed the public hearing, and moved to adopt the findings of fact as

presented by the petitioner and approve all of the variances requested for PZC 19-1-099 (approved 7-0). Staff is supportive of the variances requested for both Aurora Avenue signs and the south sign along Route 59; however, is not supportive of the variances requested for the north sign along Route 59.

Key Takeaways

- The petitioner requests approval of multiple variances from Sections 6-16-3 and 6-16-5 of the Naperville Municipal Code to permit four ground signs on the subject property to exceed permissible signage allowances.
- **Monument Sign 1 / South Sign:** Staff supports all variances associated with this sign due to the aesthetic enhancements proposed for the sign, including improvements to the existing sign cabinet and frame, as well as comparableness with existing conditions.
- **Monument Sign 2 / North Sign:** Staff is not supportive of the North Sign overall due to the extent of the variances requested and availability of signage throughout the subject property.
- **Aurora Avenue Ground Signs:** Staff supports these variance requests since they are reflective of the property in its current condition and staff is not aware of any issues or concerns associated with the existing signs.