

Legislation Details (With Text)

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File created:	5/30/2018	In control:	Planning and Zoning Commission	
On agenda:	6/6/2018	Final action:		
Title:	Conduct the public hearing to consider variances to Section 6-16-3:10, Section 6-16-5:2.2.4, and Section 6-16-5:2.2.5.1 of the Naperville Municipal Code in order to install a monument sign at the Speedway gas station located at 631 N. Route 59, Naperville - PZC 18-1-010			
Sponsors:				
Indexes:				
Code sections:				
Attachments:	1. Application, 2. Standards, 3. Legal Description, 4. Location Map, 5. Ordinance 14-167 from 11-05-2014, 18 regarding SPEEDWAY, LLC, 6. Plat of Survey, 7. Proposed Sign, 8. Site Plan			
Date	Ver.	Action By	Action	Result

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider variances to Section 6-16-3:10, Section 6-16-5:2.2.4, and Section 6-16-5:2.2.5.1 of the Naperville Municipal Code in order to install a monument sign at the Speedway gas station located at 631 N. Route 59, Naperville - PZC 18-1-010

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 18-1-010 was published in the Naperville Sun on May 20, 2018.

BACKGROUND:

The petitioner, Eric Nuebling, on behalf of Speedway LLC, proposes to install a pole sign on the subject property located at the northwest corner of Route 59 and North Aurora Road for the Speedway gas station. The proposed sign will require variances from the Municipal Code for sign style, height and setback. The subject property has a common address of 631 N. Route 59 and is zoned B3 (General Commercial District).

On November 5, 2014, a variance was approved by City Council for the installation of a monument sign on the subject property (Ordinance 14-167 can be found in the attachments). The variance approved a reduction in the required 10' setback from Route 59 to 8'. The proposed sign was code compliant with the sign code regulations in terms of style and height. The monument sign was never constructed and the variance has since expired.

DISCUSSION:

The petitioner requests three variances from the Municipal Code in order to install a pole sign on the subject property that is 20' in height and approximately 72 sq. ft in size. The variances are as follows:

- A variance to Section 6-16-5:2.2.4 in order to construct a 20' tall pole sign. The maximum permitted height is 10', plus 2' for architectural features. The proposed sign is 10' taller than permitted by Code.
- A variance to Section 6-16-5:2.2.5.1 in order to construct a sign that is setback 1.51' from Route 59. A monument sign is required to be setback 10' from a major arterial road by Code.
- A variance to Section 6-16-3:10 in order to construct a pole sign. The Naperville Sign Code defines pole sign as "A type of *Ground Sign* which is supported by a pole structure extended from the ground." A pole sign is prohibited by Code.

The petitioner's responses to the standards for granting a variance for sign height, style, and setback are attached; staff does not concur with the responses to the standards submitted by the petitioner. Staff's comments with respect to the proposed findings for the requested variance, based upon a review of the subject property, applicable Code provisions, and standards for variance requests are as follows:

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

Staff Comments: The purpose of the City's sign code includes advancing the economy of the City by recognizing the need for adequate site identification through promoting the reasonable and objective display of signage. Permitted sign height is the same in all commercial and industrial districts (10', plus 2' for architectural features). Staff finds that a code compliant sign in terms of height and style would provide adequate signage to promote visibility of the business. Citywide, a concerted effort has been made to replace existing non-conforming pole signs with monument signs; accordingly, staff does not support the installation of a new pole sign in conflict with these goals.

In addition, the petitioner is requesting a reduction in the 10' setback requirement from a major arterial road to 1.51'; the requested reduction significantly exceeds the reduction previously approved through the variance granted in 2014. Staff finds the overall sign proposal is not in harmony with the general purpose and intent of the Sign Code based on the proposed style, height, and setback.

Variance Standard #2: Strict enforcement of the Zoning Regulations would result in practical difficulties or impose exceptional hardships due to special or unusual conditions which are not generally found on other properties in the same zoning district.

Staff Comments: The subject property is zoned B3 (General Commercial District), as are the other properties in the area along Route 59. The subject property is not unique from other properties in the same zoning district and strict enforcement of the sign regulations does not result in a hardship. Per Code, the petitioner is permitted a 10' tall monument sign, plus a bonus of 2' for architectural features, for a total of height of 12'. Staff finds strict enforcement of the code requirements would not result in a hardship.

Additionally, staff finds the approved ordinance in 2014 further proves a sign that is compliant with the Code in terms of style and height would provide adequate signage to sufficiently identify the subject business.

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: One of the stated purposes of the Sign Code is to enhance the physical appearance of site identification that is in harmony with the visual character of the associated street corridor. The proposed sign height is approximately 10' taller than what is permitted by Code and is of different style than surrounding signs. The proposed sign request is for a major reduction is the minimum requirement for setback. Therefore, the proposed sign is not in harmony with the visual character of the Route 59 street corridor.

Key Takeaways

- The petitioner is requesting to install pole sign for the Speedway located at 631 N. Route 59. The sign is approximately 20' in height and is setback 1.51' from the property line. Variances are required for the sign style, height, and location.

Staff does not support the proposed variances as they do not meet the standards for granting a variance.