



Legislation Details (With Text)

File #: 22-1051B **Version:** 1

Type: Ordinance **Status:** Agenda Ready

File created: 9/8/2022 **In control:** City Council

On agenda: 9/20/2022 **Final action:**

Title: Pass the ordinance granting a variance to permit the installation of seven signs at 2132 City Gate Lane - PZC 22-1-077

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2132 City Gate Ln Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat of Survey, 4. Exhibit C - Site Plan and Sign Elevations, 5. Exhibit D - Response to Standards, 6. Application, 7. Location Map, 8. Plat of Vacation, 9. Calamos Letter, 10. PZC Meeting Minutes 9-7-22 DRAFT

Date	Ver.	Action By	Action	Result
9/20/2022	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting a variance to permit the installation of seven signs at 2132 City Gate Lane - PZC 22-1-077

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, AICP, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered this matter on September 7, 2022, and voted to recommend approval of the request (approved 6-0). Staff concurs.

BACKGROUND:

The subject property is generally located in the northeast corner of the intersection of City Gate Lane and Westings Avenue and is zoned OCI PUD (Office, Commercial and Institutional District Planned Unit Development). The property is approximately 5.1 acres and will be improved with five story, 285-unit apartment building with an event space, which was approved through the entitlement process in 2019 and 2020.

DISCUSSION:

The Petitioner, MQMF CityGate Owner LLC, a Delaware limited liability company, seeks to install a monument sign, directional sign, canopy sign, and four (4) blade signs as shown on the site plan. The Petitioner is requesting approval of a variance from Section 6-16-4:2 of the Naperville Municipal Code to allow the proposed signs to be installed on a residential property. Naperville's Municipal Code regulations for signs are based on the use of the property rather than the zoning classification of the property unless the property is located in a special area of control. The subject property is not

located in one of the special areas of control. Although the subject property is zoned OCI PUD, the residential use of the property dictates that the signs must align with the residential section of the sign code.

The residential section of the sign code was primarily written with subdivisions in mind. The subject property is an apartment residential use, so the residential sign code allowances for the number, type, and size of signs are not aligned with the property's use. The subject property is surrounded by commercial uses and the subject property itself will appear as a commercial use on the ground floor as the lobby and amenity spaces will be located on the first floor. Thus, the signs proposed will not be out of character with the surrounding uses.

The proposed internally illuminated monument sign will be 65.75 SQFT in area, 6ft 9in in height, and will be located perpendicular to Westings Avenue at the intersection of City Gate Lane and Westings Avenue. If approved, the proposed monument sign will require an easement encroachment agreement. City utilities and engineering do not have concerns with the proposed encroachment.

The Petitioner is proposing four non-illuminated blade signs on the property with two located on the north façade and two located on the west façade. The signs will be 8.07 SQFT and will be located 8ft from the ground. In addition to the blade signs, an internally illuminated canopy sign is also requested on the west façade. The canopy sign will be located above an entrance door and will be 11.42 SQFT.

Lastly, the proposed non-illuminated directional sign will be 21 SQFT and 6ft tall. The sign will be located at the south side of the property and will direct people to the resident parking off Westings Avenue.

One of the goals of the sign code is to advance the economy of the City by recognizing the need for adequate site identification through promoting the reasonable and objective display of signage, and to encourage effective communication between signs and the public. Staff has reviewed the Petitioner's sign plan, and believes it achieves this goal with the varying sign types proposed. Staff believes the signs along the three street fronting facades reinforce the commercial appearance of the property and is consistent with surrounding businesses. Staff is supportive of the requested variance due to the property's commercial surroundings and appearance as a commercial use.

Findings of Fact

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

Planning and Zoning Commission

The PZC considered the variance request on September 7, 2022. Eric Prechtel, Rosanova & Whitaker, Ltd., presented the case. No members of the public spoke on the request. Commissioner Athanikar asked if there was a threshold or percent that is used to determine the use of the property when there are multiple uses. Kathleen Russell, Community Planner, responded that there is not a threshold in the code to determine the use of the property. The Commission moved to adopt the findings of fact as presented by the Petitioner and approve PZC 22-1-077 (approved 6-0). Staff concurs.

Key Takeaways

- The Petitioner requests a variance to install seven signs at 2132 City Gate Lane.
- The PZC supported the requested variance (vote: 6 in favor; 0 opposed). Staff recommends approval.

FISCAL IMPACT:

N/A