



## Legislation Text

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File #: 18-471B, Version: 1

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### PLANNING AND ZONING COMMISSION AGENDA ITEM

#### **ACTION REQUESTED:**

Conduct the public hearing to consider variances to 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 for 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 July 15, 2018.

#### **BACKGROUND:**

The petitioner, Eric Nuebling, on behalf of Speedway LLC, proposes to install a monument 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 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 height. The monument sign was never constructed and the variance has since expired.

#### **DISCUSSION:**

##### *Case History*

The original public hearing for PZC 18-1-010 was opened at the June 6, 2018 Planning and Zoning Commission meeting (PZC). At that time, the petitioner was requesting three variances from the Municipal Code for sign style, height and setback. Staff was not in support of the proposal, finding it did not meet the standards for granting a variance. No members of the public spoke on behalf of the case and the public hearing was closed. The PZC found the petitioner faced a hardship in regards to the setback variance. However, the PZC requested the petitioner continue working with staff regarding the style and height of the sign. The majority of the PZC was not in favor of a pole style sign and preferred the height of the sign was reduced from 20'. No vote on the sign proposal was taken.

##### *New Public Hearing on Revised Request*

It should be noted that because the PZC closed the public hearing on June 6<sup>th</sup> but directed the petitioner to work on further revisions, required notice had to be re-issued for the August 1<sup>st</sup> PZC public hearing on this item. Accordingly, the petitioner was required to send written notice of the variance to property owners within 300' and update the sign posted on the property to reflect the August 1<sup>st</sup> PZC meeting date. Staff additionally published notice of the new public hearing in the newspaper, as required by ordinance.

Since the June 6, 2018 PZC meeting, the petitioner has submitted revised plans based upon feedback from the PZC and staff. A summary of the plan revisions are as follows:

- A decrease in sign height from 20' to 16'.
- An increase in sign setback from 1.51' to 2' from Route 59.
- A revision in the sign style from a pole sign to a monument sign.

The revised request requires two variances from the Municipal Code in order to install a sign on the subject property that is 16' 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 16' tall monument sign. The maximum permitted height is 10', plus 2' for architectural features. The proposed sign is 6' 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 2' from Route 59. A monument sign is required to be setback 10' from a major arterial road by Code.

#### *Setback Variance*

Upon review of the revised sign setback (from 1.51' setback to 2' setback), staff concurs with the petitioner that, given the recent IDOT taking, there is not adequate room on the property for the sign to comply with the setback requirements. Accordingly, staff supports the proposed variance to reduce the sign setback to 2'.

#### *Height Variance*

The petitioner's responses to the standards for granting a variance for sign height 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.

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. 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'. The subject property is not unique from other properties in the same zoning district and staff finds strict enforcement of the code requirements would not 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: 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 6' taller than what is permitted by Code. Given that the majority of the surrounding signs comply with the maximum sign height, 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 monument sign for the Speedway located at 631 N. Route 59. The sign is approximately 16' in height and is setback 2' from the property line. Variances are required for the sign height and location.
- Staff is in support of the proposed setback variance. Given the recent IDOT taking, staff finds there is not adequate room on the property for the sign to comply with the setback requirements.
- Staff does not support the proposed height variance as it does not meet the standards for granting a variance.