



## Legislation Text

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**File #:** 19-890, **Version:** 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Consider a request for a temporary use to permit Shakou to utilize search lights on one occasion (date to be determined) at the property located at 22 E. Chicago Avenue.

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Allison Laff, AICP, Deputy Director

#### **BOARD/COMMISSION REVIEW:**

Not required.

#### **BACKGROUND:**

Edward Hartigan, owner of Shakou Restaurant located at 22 E. Chicago Avenue, Suite 111, submitted a letter seeking approval to utilize search lights at the subject property on one occasion (date to be determined) in order to increase community awareness of the business being open (see attached).

#### **DISCUSSION:**

Per Section 6-16-3 (Prohibited Signs) of the Naperville Municipal Code, no person or entity shall display "any signs or attention getting devices that rotate, revolve or have any visible moving parts or that give the appearance of movement, including, but are not limited to, searchlights, spinners, streamers, balloons, and other similar devices, or ornamentation designed for purposes of attracting attending, promotion or advertising".

Section 6-2-11 (Temporary Buildings, Structures and Uses of Land) permits the City Council to authorize the temporary use of land which does not conform to the Zoning Code regulations provided that such use will not have a potential adverse impact on surrounding properties or public health, safety and general welfare.

Accordingly, the petitioner is seeking City Council approval of a temporary use to permit Shakou to utilize the requested search lights, which are prohibited by Code, on the subject property on one occasion. If approved, the search light will be placed on the sidewalk near the current valet stand located between Shakou and Bar Louie in a manner that will not obstruct egress.

As background, in 2008, the City Council approved a variance to permit the installation of four search lights on the roof of the Hollywood Palms Theatre. In 2017, Black Rock restaurant submitted a request for approval of a temporary use to permit the use of searchlights for their grand opening but had to withdraw based on conflicts with the Aero Estates flight path. Staff is not aware of any other requests for City Council consideration of searchlights.

#### **FISCAL IMPACT:**

None