

**PINs: 07-13-419-027
07-13-419-028
07-13-419-024
07-13-419-025
07-19-419-026
07-13-418-007
07-13-418-013
07-13-418-004
07-13-418-005
07-13-418-006
07-13-418-017**

**ADDRESSES:
55 S. Main Street
Naperville, IL 60540**

**50 S. Main Street
Naperville, IL 60540**

**PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

**RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

P.C. Case #12-1-119

ORDINANCE NO. 12 - _____

**AN ORDINANCE GRANTING SIGN VARIANCES
FROM SECTIONS 4-9 (SPECIAL AREAS OF CONTROL; DOWNTOWN CENTRAL
BUSINESS DISTRICT) AND 4-3:5 (PROHIBITED SIGNS; OFF PREMISES SIGNS) OF
TITLE 5 (BUILDING REGULATIONS)
OF THE NAPERVILLE MUNICIPAL CODE FOR THE PROPERTIES
LOCATED AT 55 and 50 SOUTH MAIN STREET COMMONLY KNOWN AS
MAIN STREET PROMENADE, MAIN STREET PROMENADE EAST, AND MAIN
STREET PROMENADE WEST**

**WHEREAS, Block 418, LLC; Yackley Holding Company, LLC; and LFP Holdings, LLC
("Petitioner") have petitioned the City of Naperville for approval of several signage variances for**

the properties located at 55 S. Main Street and 50 S. Main Street, Naperville, IL (“Subject Property”), which are legally described in **Exhibit A**, and depicted on **Exhibit B** (site plan); and

WHEREAS, the Subject Properties are currently zoned B4 Planned Unit Development (PUD) and B4 (Central Business District) and are improved with commercial buildings; and

WHEREAS, the Petitioner requests approval of the following variances:

1. A variance to Section 9.1, entitled “Special Areas of Control: Downtown Central Business District”, of Chapter 4, entitled “Street Graphics Control”, of Title 5, entitled “Building Regulations” (Section 5-4-9:1.4) to allow wall signage for tenants above the first floor to not be restricted to the portion of the building the business occupies;
2. A variance to Section 9.1, entitled “Special Areas of Control: Downtown Central Business District”, of Chapter 4, entitled “Street Graphics Control”, of Title 5, entitled “Building Regulations” (Section 5-4-9:1.2) to allow first floor projecting signs to be as large as eight (8) square feet in area, to project up to six (6) feet from the vertical plane of the façade and exceed the six (6) inch distance from the building façade requirement;
3. A variance to Section 9.1, entitled “Special Areas of Control: Downtown Central Business District”, of Chapter 4, entitled “Street Graphics Control”, of Title 5, entitled “Building Regulations” (Section 5-4-9:1.1) to install a 266 square foot multi-tenant wall sign on the east façade of 50 S. Main Street, in excess of the maximum allowable sign area for the frontage, subject to the condition that the combined wall sign square footage for Main Street Promenade West and Main Street Promenade East, including the multi-tenant sign as proposed, cannot exceed the maximum wall sign square footage allowed by Code between the two buildings; and

4. A variance to Section 3.5, entitled “Prohibited Signs: Off Premises Signs”, of Chapter 4, entitled “Street Graphics Control”, of Title 5, entitled “Building Regulations” (Section 5-4-3:5) to allow retail tenants from the Main Street Promenade and Main Street Promenade West developments to advertise on the 266 square foot multi-tenant wall sign located on the east façade of 50 S. Main Street; and

WHEREAS, on September 5, 2012, the Planning and Zoning Commission considered the Petitioner’s request and recommended approval of each of the variances listed above, subject to the conditions that the wall signage for tenants located above the first floor be evenly distributed over the building façade, located in the general proximity of the tenant spaces, and not be clustered on one portion of the building facade; and that the combined wall sign square footage for Main Street Promenade West and Main Street Promenade East, including the multi-tenant sign as proposed, cannot exceed the maximum wall sign square footage allowed by Code between the two buildings; and

WHEREAS, the City Council of the City of Naperville has determined that the variances should be granted to the extent set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing recitals are incorporated herein as though fully set forth.

SECTION 2: A variance from Section 5-4-9:1.4 (Special Areas of Control: Downtown Central Business District) to allow wall signage for tenants above the first floor which are not located directly over the leased area, subject to the condition that said wall be evenly distributed over the building façade, located in the general proximity of the tenant spaces, and not be clustered on one portion of the building façade; a variance from Section 5-4-9:1.2 (Special Areas of Control;

Downtown Central Business District) to permit first floor projecting signs in excess of the size allowed per code and placed in a manner not in compliance with the code as depicted on **Exhibit C** (projecting sign renderings); a variance from Section 5-4-9:1.1 (Special Areas of Control; Downtown Central Business District) to allow a 266 square foot multi-tenant wall sign to be installed on the east façade of 50 S. Main Street in excess of the 1.5 square feet per lineal foot of wall signage permitted by code subject to the condition that the combined wall sign square footage for Main Street Promenade West and Main Street Promenade East, including the multi-tenant sign as proposed, cannot exceed the maximum wall sign square footage allowed by Code between the two buildings; and a variance to Section 5-4-3:5 (Prohibited Signs: Off Premises Signs) to permit wall signage for tenants of Main Street Promenade and Main Street Promenade West to be located on a sign to be erected on Main Street Promenade East as depicted on **Exhibit D** (multi-tenant sign renderings) are hereby granted.

SECTION 3: The variances approved by this Ordinance shall expire two years from the effective date of this Ordinance if a building permit has not been obtained for the Main Street Promenade East development within that two-year period. The variance shall be subject to revocation for the failure to comply with all other applicable conditions set forth in the city's zoning regulations and all other applicable laws and ordinances.

SECTION 4: The City Clerk is directed to record this Ordinance and its exhibits with the DuPage County Recorder.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2012.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2012.

A. George Pradel
Mayor

ATTEST:

Pam LaFeber, Ph. D.
City Clerk