



## CITY OF PARK RIDGE

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DEPARTMENT OF COMMUNITY  
PRESERVATION AND DEVELOPMENT

**Date:** April 24, 2018

**To:** Planning and Zoning Commission

**From:** Jon Branham, Senior Planner

**Thru:** Jim Brown, Director of Community Preservation & Development

**Subject:** Special Use to Allow the Operation of a Professional Office (Ground Floor) in the B-4 Uptown Business District – Uptown Core Sub-District  
104 Main Street  
Zoning Case Number: 18-04-SU

### Introduction / Background

Andrew Duff / Pusheen Corporation, applicant, requests a special use to allow a professional office (ground floor) in the B-4 Uptown Business District - Uptown Core Sub-District at 104 Main Street, in accordance with the special use provisions in Section 4.6 of the Zoning Ordinance.

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### **Proposal Information**

Case No.: 18-04-SU  
Requested Action: Approve special use for a personal services establishment on the ground floor  
Address: 104 Main Street

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### **Owner/Applicant Information**

Owner Name: 104 Main, LLC  
Applicant Name: Andrew Duff, Pusheen Corporation

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### **Subject Property Information**

Existing Zoning: B-4 Uptown Business District – Uptown Core Sub-District  
Existing Land Use: Tenant space is vacant; most recently a financial institution. Shared office space on second floor

#### Adjacent Zoning / Land Use:

To the north: Metra and Library Parking Lot / B-4, Pub-Inst. Sub-District  
To the south: Parking Lot / B-1, Retail & Office District  
To the east: Multi-tenant commercial / B-4, U-Core Sub-District  
To the west: Multi-tenant commercial / B-4, U-Core Sub-District

*OUR MISSION:* THE CITY OF PARK RIDGE IS COMMITTED TO PROVIDING EXCELLENCE IN CITY SERVICES IN ORDER TO UPHOLD A HIGH QUALITY OF LIFE, SO OUR COMMUNITY REMAINS A WONDERFUL PLACE TO LIVE AND WORK.

|                           |   |
|---------------------------|---|
| Size of Subject Property: | 3,500 square feet of tenant space   |
| Physical Characteristics: | N/A   |
| Comprehensive Plan:       | Mixed Use   |
| Zoning History:           | A special use for a ground floor professional office use was granted in 2017 for Pusheen Corporation at 110 South Prospect Avenue |

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The subject tenant space is currently vacant and included within a two-story multi-tenant masonry building. The space was previously occupied by Wells Fargo Home Mortgage. The applicant has indicated the request is to rent the space at the property. The property owner has provided consent. The proposed office would occupy approximately 3,500 square feet on the first floor of the building. A conceptual floor plan has been provided by the applicant. The applicant currently occupies space on the second floor of the building, as well as on the first floor of 110 South Prospect Avenue, which was approved as a special use in April, 2017. The applicant does pay sales tax on retail internet sales in Park Ridge as the point of origin, which was clarified with the previously approved special use Ordinance. The City Council also made a condition that the special use was for benefit of Pusheen Corporation only, terminating upon Pusheen Corporation's departure from the location.

**Zoning Requirements and Application**

Section 4.6 of the City of Park Ridge Zoning Ordinance describes the purpose of special uses:

The development and execution of a Zoning Ordinance is based upon the division of a City into districts. Within each district the use of land and buildings, and the bulk and location of buildings and structures are substantially uniform. It is recognized, however, that there are specific uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location.

Section 8 of the Zoning Ordinance provides regulations for the City's commercial zoning districts. This section includes Table 4, which lists the permitted and special uses in the commercial districts. (The table is attached.)

For the U-Core sub-district in the Uptown Business District, personal service establishments are a permitted use when located above the ground floor, but require special use approval if located on the ground floor.

**Staff Analysis**

Staff reviewed the proposal in accordance with the Uptown Plan and Zoning Ordinance.

*Uptown Plan*

The Uptown Plan provides recommendations for the area known as the Uptown Core where the property is located. In summary, the recommendations for this area indicate that retail, restaurant, entertainment uses should be located on the ground floors of buildings throughout this district, particularly in the blocks along Prospect Avenue north of the railroad. Pedestrian-oriented commercial service and office uses should also be permitted on the ground floors of buildings in the blocks along

Prospect and Main Street, south of the railroad. Office, service, institutional, and residential uses should be permitted on the upper floors of buildings throughout the Uptown Core.

*B-4, Uptown Business District, Uptown Core Sub-District*

The proposed special use would satisfy all the bulk requirements of the B-4 District – Uptown Core Sub-District.

*Site Design*

The applicant plans to occupy the interior of the tenant space for the proposed use. Any exterior modifications would need to be reviewed and approved by the Appearance Commission, although none are proposed.

*Landscaping and Screening*

No landscaping or screening (Section 13) is required for the property. The applicant does not plan on making changes to the exterior of the building.

*Traffic Circulation*

Traffic circulation is not expected to be impacted by the proposed use. The use would generate both vehicular and pedestrian traffic. The intensity of the proposed office use would be similar or less intensive than a financial institution, personal service use, or retail use.

*Off-Street Parking*

Off-street parking required for an office use is identified as four spaces per 1,000 square feet of gross floor area (Section 12.13, Table 9). Businesses of 1,000 square feet or more within the B-4 District are permitted to account for that area over 1,000 square feet (§12.13.B). Also, in the B-4 District, on-street parking spaces that are adjacent to the front or side property line may be counted toward required off-street parking spaces (§12.13.C). Ten total spaces would be required for the proposed 3,500 square foot facility. There are zero off-street spaces provided for the tenant at the site, and two spaces are available in front of the space along Main Street. Therefore, an exception for six spaces would then be required, and is permitted via the special use process (§4.6.D.3.b).

*Signs*

The applicant has not submitted specific sign plans with the application. All signs must comply with Section 14 of the Zoning Ordinance.

*Other Department Reviews*

There is no expected increased impact on utilities, stormwater, traffic or parking from this use, as it is similar to other existing uses in the direct area and the previous use. Further review will be required as part of the building permit process.

**Review Standards for Special Use Recommendation and Approval**

Per §4.6.E. of the Zoning Ordinance the Planning and Zoning Commission shall not recommend a special use for approval unless it has made findings of fact—based upon evidence presented at the public hearing—to support each of the following conclusions:

1. The establishment, maintenance and operation of the special use in the specific location proposed will not endanger the public health, safety or general welfare of any portion of the community.

2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use.
3. The special use in the specific location proposed is consistent with the spirit and intent of the Zoning Ordinance and the Comprehensive Plan.

In making its findings of fact, the Planning and Zoning Commission" may inquire into the following evidentiary issues, as well as any others it determines to be appropriate:"

- Whether property values in the immediate vicinity of the special use will be diminished or impaired
- Access to the office with particular attention to automotive and pedestrian safety and convenience, traffic flow and control, including access by emergency vehicles.
- The operational characteristics of the proposed special use and their effects on adjacent properties. Particular attention shall be given to hours of operation, noise, glare, odor, refuse storage and other relevant environmental factors.
- Utilities with reference to their location, availability, adequacy and compatibility.
- Signs and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties.
- The quantity and degree of deviation from the applicable requirements of the district in which the subject property is located, as balanced against the desirability of the special use.

#### **Commission Review and Action**

The Commission may decide to recommend approval, approval with conditions, or recommend denial to the City Council to allow a special use for a professional office on the ground floor of the B-4 Uptown Business District - Uptown Core Sub-District at 104 Main Street, Zoning Case Number 18-04-SU. The City Council is the final approving authority for the special use.

Prior to determining a recommendation for the proposed special use, the Planning and Zoning Commission should formulate and approve findings of fact based on the three criteria identified previously in this memo (and enumerated in §4.6.E.1 of the Zoning Ordinance). Staff has prepared potential findings of fact that the Commission may wish to consider, adopt or alter as the Commissioners deem appropriate. The suggested findings of fact are attached.

#### **Other**

Notification requirements for this application have been satisfied. A legal notice for the public hearing was published in the *Park Ridge Herald Advocate*. A sign was posted on the property. Neighboring properties were notified by mail.

## Attachments

- Suggested Findings of Fact
- Special Use Application, dated March 15, 2018
- Statement from Applicant, undated
- Property owner acknowledgement email, dated April 13, 2018
- Ownership information (affidavit of title covenant and warranty) and legal description
- McLennan Property Information Sheet
- Applicant Disclosure Statement, dated March 15, 2018
- Conceptual Floor Plan, prepared by Jaeger, Nicoka & Associates, Ltd., undated
- Plat of Survey, completed by Edward J. Molloy & Associates, Ltd., dated November 12, 2007
- Aerial Map, prepared by staff
- Zoning Map, prepared by staff

**FINDINGS OF FACT**  
**On A Special Use Application Regarding Property at 104 Main Street**  
**Park Ridge, Illinois**

The Honorable Acting Mayor and City Council  
City of Park Ridge  
505 Butler Place  
Park Ridge, IL 60068-4182

April 24, 2018

Gentlemen:

We transmit for your consideration a recommendation for **approval/denial** adopted by the Planning and Zoning Commission of the City of Park Ridge on the special use application of Andrew Duff / Pusheen Corporation for a professional office (ground floor) in the B-4 Uptown Business District – Uptown Core Sub-District, at 104 Main Street.

Following due public notice as required by the City of Park Ridge Zoning Ordinance, the Planning and Zoning Commission held a public hearing on April 24, 2018, in the City Hall Council Chambers. Upon having reviewed materials submitted by the applicants and a staff memorandum with attachments prepared by the City's Community Preservation and Development Department, and having heard City staff comments and sworn testimony at the public hearing, the Planning and Zoning Commission deliberated and reached the following Findings of Fact:

1. That the establishment, maintenance and operation of the special use in the specific location proposed will not endanger the public health, safety or general welfare of any portion of the community, because:
  - a. Traffic generated by the proposed use is anticipated to have minimal effect on the operations of the area roadway network; and
  - b. The building has been occupied by other professional office uses for an extended time, and the nature of the proposed professional office use will have no negative impact on the public health, safety or welfare of the community.
2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use, because:
  - a. An adequate number of off-street and on-street parking spaces are provided; and
  - b. The operational characteristics of the proposed special use and their effects on adjacent properties will be minimal and should increase the economic vitality of the area; and
3. As a pedestrian-oriented business the special use in the specific location proposed is consistent with the spirit and intent of the Zoning Ordinance and the Uptown Plan.
4. An exception for eight parking spaces is noted as part of the special use approval, and is acceptable due to the negligible parking impact of the proposed use.

Respectfully,

Joseph A. Baldi  
Chairman, Planning and Zoning Commission  
City of Park Ridge

Attachments