

City Council

Agenda Cover Memorandum

Meeting Date: February 6, 2012

Item Title: Final approval of an ordinance for a map amendment to change the zoning from R-2 Single Family Residential to B-2 General Commercial at 1905 South Cumberland Avenue, Zoning Case Number MA-11-02.

Final approval of an ordinance for a special use to allow a motor vehicle service station at 814 Higgins Road and 1905 South Cumberland Avenue in the B-2 General Commercial District, Zoning Case Number SU-11-05.

Action Requested:

- Approval
- For discussion
- Feedback requested
- For your information

Staff Contact: Cathy Doczekalski, CP&D Manager
Phone Number: 847/318-5296
Email Address: cdoczeka@parkridge.us

Background:

The applicant requests a special use and a zoning map amendment for a motor vehicle service station at 1905 South Cumberland Avenue and 814 Higgins Road. The current site is approximately 17,385 square feet. A motor vehicle service station with four service pumps and a small convenience store currently exists on the site. The applicant proposes to expand the site to include the 6,892 square foot residential property to the north. A map amendment is required to change the existing zoning of the north property from R-2 Single Family Residential to B-2, General Commercial. Both sites would be combined through an administrative subdivision, which the applicant has filed separately. The site would then be completely redeveloped. The total proposed site would be approximately 24,277 square feet. A special use is required for motor vehicle service stations located in the B-2 General Commercial District. The applicant is proposing to add ten parking spaces for the convenience store component of the operation. Two additional service pumps would be added to have a total of six service pumps located at the site.

Special Uses had previously been established at the 814 Higgins Road property in 1971 for a gasoline service station and again in 1987 and 1995 for redevelopment and expansion projects. Since the overall site is expanding and being completely redeveloped, a new special use is being requested at this time.

The Planning and Zoning Commission held a public hearing on the case at its December 13, 2011 meeting and recommended City Council approval. The Commission approved the map amendment 7 to 1, with 1 member being absent and the special use 6 to 2, with 1 member being absent.

At the January 16, 2012 City Council meeting, the City Council modified the special use ordinance, at the request of the applicant, in Section 3, Item 1 to allow the building to encroach 10 feet into the required 15 foot setback. The attached ordinance is redlined to show the modification.

Recommendation: (Note the items are listed separately on the agenda.)

Move final approval of an ordinance for a map amendment to change the zoning from R-2 Single Family Residential to B-2 General Commercial at 1905 South Cumberland Avenue, Zoning Case Number MA-11-02.

Move final approval of an ordinance for a special use to allow a motor vehicle service station at 814 Higgins Road and 1905 South Cumberland Avenue in the B-2 General Commercial District, Zoning Case Number SU-11-05.

Budget Implications:

Does Action Require an Expenditure of Funds: Yes No

If Yes, Total Cost:

If Yes, is this a Budgeted Item: Yes No

If Budgeted, Budget Code (Fund, Dept, Object)

Attachments:

- Draft ordinances

The approved minutes from the December 13, 2011 Planning and Zoning Commission meeting are included behind both agenda items.

ORDINANCE
OF THE CITY COUNCIL OF THE CITY OF PARK RIDGE
REGARDING REZONING

WHEREAS, the Planning and Zoning Commission of the City of Park Ridge received an application for an amendment to the Zoning Map of the City of Park Ridge on property hereinafter described as 1905 South Cumberland Avenue, Zoning Case No. MA-11-02; and

WHEREAS, in accordance with the Zoning Ordinance of the City of Park Ridge, the Planning and Zoning Commission held a public hearing regarding the proposed map amendment on December 13, 2011; and

WHEREAS, the Planning and Zoning Commission made findings of fact in support of granting the map amendment, which are incorporated herein and has recommended to the City Council that the map amendment be granted;

NOW THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Park Ridge in accordance with the Zoning Ordinance of the City of Park Ridge, the findings of fact and recommendation of the Planning and Zoning Commission are hereby approved and adopted and the official Zoning Map of the City of Park Ridge is hereby amended to designate the following described property as the B-2 General Commercial District:

PARCEL 1: LOT 23 AND LOT 24 (EXCEPT THE NORTH 11 FEET 3 INCHES THEREOF) IN BLOCK 18 IN KINSEY'S PARK RIDGE SUBDIVISION OF PART OF SECTION 1 AND SECTION 2, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING FROM SAID PREMISES THAT PART LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT IN LOT 21 OF BLOCK 18 IN AFORESAID SUBDIVISION, SAID POINT BEING 78.60 FEET NORTHERLY OF THE CENTER LINE OF HIGGINS ROAD (MEASURED ON THE WEST LINE OF THE EAST ½ OF SAID SECTION 2 AND 27.96 FEET EASTERLY OF SAID WEST LINE MEASURED AT RIGHT ANGLES THERETO); THENCE NORTHERLY ON A STRAIGHT LINE TO A POINT IN THE NORTH LINE OF THE SOUTH 15.0 FEET OF LOT 29 IN BLOCK 18 IN AFORESAID SUBDIVISION, SAID POINT BEING 10.68 FEET EASTERLY OF SAID WEST LINE (MEASURED AT RIGHT ANGLES THERETO) IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE WEST ONE-HALF (1/2) OF THE VACATED ALLEY LYING EAST OF AND ADJOINING THE PROPERTY DESCRIBED IN PARCEL 1.

The property is commonly known as: 1905 South Cumberland Avenue
Property Tax Index Number: 12-02-400-049-0000

BE IT FURTHER ORDAINED that the Community Preservation and Development Manager is hereby directed to amend the Zoning Map in accordance with this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

BE IT FURTHER ORDAINED that the City Clerk is hereby authorized and directed to publish said Ordinance in pamphlet form according to law.

Adopted by the City Council of the City of Park Ridge, Illinois, this ____ day of _____, A.D. 2012

VOTE: AYES _____
 NAYS _____

 ABSENT _____

Approved by me this _____ day of _____,
A.D. 2012

Attest:

City Clerk

Mayor

ORDINANCE
OF THE CITY COUNCIL OF THE CITY OF PARK RIDGE
GRANTING A SPECIAL USE
For 1905 South Cumberland and 814 Higgins Road

WHEREAS, a duly noticed public hearing was held by the Planning and Zoning Commission of the City of Park Ridge on December 13, 2011, on the application of 7-11, for a Special Use to allow the operation of a motor vehicle service station in the B-2 General Commercial District, at 1905 South Cumberland and 814 Higgins Road, Zoning Case Number SU-11-05, pursuant to the provisions of the Zoning Ordinance of the City of Park Ridge, Section 4.6, on the following legally described property:

PARCEL 1: LOT 23 AND LOT 24 (EXCEPT THE NORTH 11 FEET 3 INCHES THEREOF) IN BLOCK 18 IN KINSEY'S PARK RIDGE SUBDIVISION OF PART OF SECTION 1 AND SECTION 2, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING FROM SAID PREMISES THAT PART LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT IN LOT 21 OF BLOCK 18 IN AFORESAID SUBDIVISION, SAID POINT BEING 78.60 FEET NORTHERLY OF THE CENTER LINE OF HIGGINS ROAD (MEASURED ON THE WEST LINE OF THE EAST ½ OF SAID SECTION 2 AND 27.96 FEET EASTERLY OF SAID WEST LINE MEASURED AT RIGHT ANGLES THERETO); THENCE NORTHERLY ON A STRAIGHT LINE TO A POINT IN THE NORTH LINE OF THE SOUTH 15.0 FEET OF LOT 29 IN BLOCK 18 IN AFORESAID SUBDIVISION, SAID POINT BEING 10.68 FEET EASTERLY OF SAID WEST LINE (MEASURED AT RIGHT ANGLES THERETO) IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE WEST ONE-HALF (1/2) OF THE VACATED ALLEY LYING EAST OF AND ADJOINING THE PROPERTY DESCRIBED IN PARCEL 1.

Property Index Numbers: 12-02-400-049-0000

The property is commonly known as:
1905 South Cumberland Avenue, Park Ridge, IL 60068

LOT ONE (1) IN CITGO'S RESUBDIVISION OF LOTS 18 TO 22, BOTH INCLUSIVE, IN BLOCK 18 IN KINSEY'S PARK RIDGE SUBDIVISION OF PART OF SECTIONS 1 AND 2, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO THE NORTHERLY HALF OF THE VACATED ALLEY LYING SOUTHERLY OF AND ADJOINING SAID LOT 22, AND THE WEST HALF OF THE VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOT 22, AND THE SOUTHERLY HALF OF THE VACATED ALLEY LYING NORTHERLY OF AND ADJOINING SAID LOTS 18, 19, 20 AND 21 (EXCEPTING FROM SAID PREMISES THAT PART THEREOF TAKEN FOR HIGHWAY PURPOSES), IN COOK COUNTY, ILLINOIS.

Property Index Numbers: 12-02-400-058-0000

The property is commonly known as:
814 Higgins Road, Park Ridge, IL 60068

WHEREAS, all applicable provisions of the Zoning Ordinance of the City of Park Ridge having been complied with, the Mayor and City Council of the City of Park Ridge have determined that the special use requested be granted subject to the conditions hereinafter set forth;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Park Ridge, Cook County, Illinois.

SECTION 1: The Planning and Zoning Commission has made its findings of fact and has recommended approval of the special use, subject to the conditions set forth in Section 2, and such are hereby adopted by reference as findings of the Mayor and the City Council as fully as if completely set forth herein. All of the exhibits submitted at the public hearing are also incorporated by reference.

SECTION 2: A special use is hereby granted to the applicant pursuant to Section 4.6 of the Zoning Ordinance of the City of Park Ridge to allow the operation of a motor vehicle service station in the B-2 General Commercial District, at 1905 South Cumberland and 814 Higgins Road, Zoning Case Number SU-11-05, subject to the following conditions:

1. Any changes to the building operations or use shall require an amendment to the Special Use.
2. An approval pursuant to any review by a City consultant, City staff member, City Commission or City Council Committee shall be an approval only of those items specified in any motion, resolution, ordinance or written report granting such approval. Such approval shall not be deemed to be an approval of any matter which is within the jurisdiction of any other City consultant, City staff member, City Council Committee or City Commission that has not issued a report or given its approval. Neither shall such approval be deemed the approval of any County, State or Federal Agency. Under no circumstances shall the approval be deemed to be an approval of any matter not included in this ordinance by virtue of the fact that such a matter appeared on a supporting document, which is not attached as an exhibit to this ordinance (or incorporated as an exhibit as part of this ordinance).
3. Modification or any element of an existing special use that is material to its nature including, but not limited to, structural change, relocation or change in use, shall only be authorized in accordance with the same procedures followed for the Special Use granted by this Ordinance.

SECTION 3: The following exceptions to the Zoning Ordinance are hereby granted as part of the special use, which is consistent with the Planning and Zoning Commission's findings of fact:

1. Granting an exception to allow the building to encroach **five ten** feet into the required 15-foot setback as required by Section 8.4, Table 5 of the Zoning Ordinance.
2. The applicant shall be required to satisfy all requirements for landscaping and screening in Section 13.

3. Allowing light fixtures of 20 feet in height, per Section 11.3.D.1.
4. The applicant shall be required to meet all light trespass level requirements in Section 10.3.J. and Section 11.3.
5. The applicant shall be required to meet all environmental performance standards per Section 11.6.
6. The applicant shall receive approval from the Public Arts Commission regarding the gateway signage feature.
7. The applicant must satisfy the comments generated by the Appearance Commission regarding the parkway trees.
8. The applicant must satisfy all comments provided by the City Engineer, as well as any comments generated by the City Forester.
9. The applicant must obtain an administrative subdivision, and meet all the requirements of the Subdivision Requirements in Article 6, Chapter 2 of the Municipal Code.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

Adopted by the City Council of the City of Park Ridge, Illinois, this ____ day of _____, A.D. 2012.

VOTE: AYES _____

NAYS _____

ABSENT _____

Approved by me this ____ day of _____, A.D. 2012.

Attest:

Mayor

City Clerk