



# Agenda Cover Memorandum

Meeting Date: March 6, 2017

Meeting Type:  COW (Committee of the Whole)  City Council  Budget Workshop

Item Title: Approve the first reading of An Ordinance Granting a Special Use for a Professional Office (Ground Floor) at 110 South Prospect Avenue (17-02-SU)

Action Requested:  Approval  For discussion  
 Feedback requested  For your information

Staff Contact: Jim Brown, CP&D Director Phone: 847-318-5296  
Email: jbrown@parkridge.us

Background:

Andrew Duff / Pusheen Corporation, applicant, acting with approval of the property owner (Gillilck Zember, LLC), requests a special use to allow a professional office (ground floor) in the B-4 Uptown Business District - Uptown Core Sub-District at 110 South Prospect Avenue, in accordance with the special use provisions in Section 4.6 of the Zoning Ordinance. The proposed office would occupy approximately 3,032 square feet of the building.

The Planning & Zoning Commission conducted a public hearing on the matter at its meeting of February 14, 2017. The applicant was the only person who testified at the hearing. The P&Z voted 8-0 to approve findings of fact and to recommend approval of the special use request.

Recommendation:

Approve the first reading of An Ordinance Granting a Special Use for a Professional Office (Ground Floor) at 110 South Prospect Avenue (17-02-SU)

Budget Implications:

Does Action Require an Expenditure of Funds:  Yes  No

If Yes, Total Cost:

If Yes, is this a Budgeted Item:

Yes  No  Requires Budget Transfer

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

Attachments:

- An Ordinance Granting a Special Use for a Professional Office (Ground Floor) at 110 South Prospect Avenue (17-02-SU)
- Approved minutes of the P&Z meeting of February 14, 2017
- Staff memorandum to P&Z, dated February 14, 2017, with exhibits

CITY OF PARK RIDGE

ORDINANCE NO. 2017- \_\_\_\_\_

**AN ORDINANCE GRANTING A SPECIAL USE FOR A PROFESSIONAL OFFICE (GROUND FLOOR) AT 110 SOUTH PROSPECT AVENUE  
(17-02-SU)**

**WHEREAS**, the City of Park Ridge is an Illinois home rule municipality operating under the Constitution and Laws of the State of Illinois;

**WHEREAS**, Property located at 110 South Prospect Avenue, Park Ridge, Illinois, and legally described on **Exhibit A** ("**Subject Property**") is owned by Gillick Zember, LLC ("**the Owner**"); and

**WHEREAS** Andrew Duff / Pusheen Corporation, acting with the approval of the Owner, filed an application with the City requesting approval of a special use to allow a professional office (ground floor) on the Subject Property ("**Special Use Application**"); and

**WHEREAS**, the Planning and Zoning Commission convened a public hearing on February 14, 2017, regarding the Special Use Application, pursuant to legal notice as required by law; and

**WHEREAS**, all persons attending the hearing were provided an opportunity to be heard, and upon closing the hearing the Planning and Zoning Commission voted 8-0 to approve Findings of Fact and recommend approval of the Special Use Application to the City Council; and

**WHEREAS**, the City Council has reviewed the Findings of Fact and minutes from the Planning and Zoning Commission public hearing and the testimony and evidence submitted by the Applicant and others at the hearings, and has concluded that the Special Use Application will be beneficial to the City, will further the development of the Property, and will otherwise enhance and promote the general welfare of the City and the health, safety and welfare of the residents of the City.

**BE IT ORDAINED** by the City Council of the City of Park Ridge, Cook County, Illinois, pursuant to its home rule authority provided under Article VII of the Illinois Constitution of 1970 as follows:

**SECTION 1: Recitals.** The recitals set forth above are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2: Findings.** The City Council has duly considered the recommendations of the Planning and Zoning Commission and hereby adopts the findings proposed by the Planning and Zoning Commission at its meeting February 14, 2017, attached as **Exhibit B**, as the findings of the City Council as though fully restated in this Ordinance.

**SECTION 3: Special Use.** Pursuant to the authority granted by Section 4.6 of the Zoning Ordinance, and subject to compliance with the conditions described in Section 4, a Special Use is hereby granted to allow the a professional office on the ground floor at the Subject Property.

**SECTION 4: Conditions of Approval.** The approval granted pursuant to Section 3 of this Ordinance shall be and is hereby expressly subject to the following terms, conditions, and restrictions:

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Laws.** The Zoning Ordinance, the Subdivision Ordinance, the Building Code and all other applicable City ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of federal, state, and local governments having jurisdiction.

**SECTION 5: Superseding Effect.** The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the City to the extent of any conflicts.

**SECTION 6: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**SECTION 7: Publication.** The City Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form according to law.

Adopted by the City Council of the City of Park Ridge, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2017.

VOTE:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Acting Mayor Marty Maloney

Attest:

\_\_\_\_\_  
City Clerk

**EXHIBIT A**  
TO AN ORDINANCE GRANTING A SPECIAL USE FOR A PROFESSIONAL OFFICE (GROUND  
FLOOR)  
AT 110 SOUTH PROSPECT AVENUE

**LEGAL DESCRIPTION OF THE PROPERTY**

LOT 1 AND LOT 2 IN BLOCK 1 IN L. HODGES ADDITION TO PARK RIDGE, IN SECTION 35,  
TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK  
COUNTY, ILLINOIS.

110 South Prospect Avenue, Park Ridge, Illinois

P.I.N. 09-35-203-008-0000

**EXHIBIT B**  
TO AN ORDINANCE GRANTING A SPECIAL USE FOR A PROFESSIONAL OFFICE  
(GROUND FLOOR) AT 110 SOUTH PROSPECT AVENUE



**MINUTES**

**PLANNING AND ZONING COMMISSION**

**CITY COUNCIL CHAMBERS  
505 BUTLER PLACE  
PARK RIDGE, IL 60068**

**TUESDAY, FEBRUARY 14, 2017 AT 7:00 PM**

Chairman Baldi called the meeting to order at 7:00 pm.

**I. ROLL CALL**

Present

Jim Argionis (arrived 7:11)  
Lou Arrigoni  
Joe Baldi  
John Bennett  
Linda Coyle  
Jim Hanlon  
Rebecca Mills  
Chris Zamaites

Absent

Lou Giannetti

City Council

none

Staff

Jon Branham, Senior Planner  
Josephine Faraci, Administrative Assistant

**II. APPROVAL OF MINUTES**

On a motion by Commissioner Mills seconded by Commissioner Hanlon the Commission AGREED to approve the minutes from the January 10, 2017 meeting, as submitted. Commissioner Bennett inquired if the findings of fact had been reviewed for the case at the meeting. Chairman Baldi responded they had been reviewed but there was very little discussion.

Vote on the motion as follows

AYES	6	Commissioners Baldi, Arrigoni, Coyle, Hanlon, Mills, Zamaites
NAYS	0	None
ABSTAIN	1	Commissioner Bennett
ABSENT	2	Commissioners Argionis, Giannetti

The motion passed.

### III. PUBLIC HEARINGS

1. Case Number 17-02-SU: Special Use for a Professional Office (Ground Floor) in the B-4, Uptown Core Sub-District at 110 South Prospect Avenue

Chairman Baldi explained the public hearing process.

Mr. Branham provided an overview of the application. He stated he applicant requests a special use to allow a professional office (ground floor) in the B-4 Uptown Business District - Uptown Core Sub-District at 110 South Prospect Avenue, in accordance with the special use provisions in Section 4.6 of the Zoning Ordinance. The subject tenant space is current vacant and included within a two-story multi-tenant masonry building. The applicant has indicated the request is to operate an office use at the property, which is identified as a special use in the designated zoning district. The proposed office would occupy approximately 3,032 square feet of the building. The applicant has provided a conceptual floor plan.

Mr. Branham also provided a summary of the parking requirements. Off-street parking required for an office use is identified as four spaces per 1,000 square feet of gross floor area. 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. 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. Eight total spaces would be required for the proposed 3,032 square foot facility. There are three total off-street spaces provided for the tenant in a parking lot located behind the building to the west, and two spaces are available in front of the space along Prospect Avenue. Therefore, an exception for three spaces would then be required, and is permitted via the special use process.

Kate Duff, Pusheen Corporation, further summarized the application. She is interested in the space which would be used as office space for the licensing team of the business. She stated the business also rents three separate spaces in the direct area and they have an interest in keeping all parts of the business close to each other. She stated they have been renting in the area for over five years. The owners of the company are from Park Ridge and currently live in Park Ridge, and they have vested interest in keeping their company in their hometown. She stated they have no plans to do any significant work to the property besides new flooring and fresh paint.

Chairman Baldi inquired if this particular space will be used for office or retail. Ms. Duff confirmed office use only.

Commissioner Bennett asked for clarification regarding a page in the packet referencing "Retail Space" and another page stating the name "Pusheen". Ms. Duff indicated that the first page was provided by the owner prior to leasing for any future tenants but repeated the use will be office. She indicated the second page showed the proposed signage for the front door. "Pusheen" is the name of the business.

Commissioner Zamaites inquired about the number of employees and public walk-ins. Ms. Duff responded that there would be five total employees and no public walk-ins would occur.

On a motion by Commissioner Bennett, seconded by Commissioner Zamaites, the Commission AGREED to close the public hearing.

Commissioner Bennett mentioned that there could be concern that the City is losing commercial space in the Uptown District. He agreed the trend is moving towards more office space; however, he would like to see more retail. Chairman Baldi mentioned the alternative would be vacant space.

The Commission reviewed the suggested findings of fact. Commissioner Bennett and Chairman Baldi commented on the Findings of Fact. There was a recommendation to amend paragraph 2a, to clarify that there was less than required parking by three total spaces, but given the proposed use it would still be compatible with the adjacent properties and other properties within the immediate vicinity.

On a motion by Commissioner Arrigoni, seconded by Commissioner Bennett, the Commission AGREED to approve the application with the amended Findings of Fact for Case Number 17-02-SU: Special Use for a Professional Office (Ground Floor) in the B-4, Uptown Core Sub-District at 110 South Prospect Avenue

Vote on the motion as follows

AYES	8	Commissioners Baldi, Arrigoni, Argionis, Bennett, Coyle, Hanlon, Mills, Zamaites
NAYS	0	None
ABSTAIN	0	None
ABSENT	1	Commissioners Giannetti

The motion passed.

2. Case Number 17-04-SU: Special Use for a Medical / Dental Clinic in the B-4, Uptown Commercial Sub-District at 40 North Northwest Highway

Mr. Branham provided an overview of the application. He stated the applicant requests a special use to allow a medical / dental clinic in the B-4 Uptown Business District - Uptown Commercial Sub-District at 40 North Northwest Highway, in accordance with the special use provisions in Section 4.6 of the Zoning Ordinance. The applicant plans to operate a health services facility, including chiropractic, massage therapy, and acupuncture services in the 2,095 square foot tenant space located at 40 North Northwest Highway. The applicant has provided a statement outlining details of daily-expected operations as well as a proposed floor plan.

He stated off-street parking required for a medical / dental clinic is identified as 1.5 spaces per exam room. Additionally, 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. Therefore, nine spaces would be required for the proposed 2,095 square foot facility. The applicant intends for patrons and employees to utilize the designated parking areas associated with the Shops of Uptown (44 surface spaces and 287 underground spaces). There are also public street parking spaces in front of the building, which can count towards off-street parking requirements in the B-4 District.

Mr. Branham stated the Uptown Development Agreement specifies uses allowed within the Shops of Uptown. All other uses must be approved by the City Council and an agreement must be executed to offset the retail sales taxes.

Andrew Langley, Aligned Modern Health, stated that the business is looking to expand in Park Ridge at the Shops of Uptown. He stated AMH opened about six years ago and currently has

eight locations in the Chicago area. Mr. Langley asked the Commissioners if they had any questions.

Commissioner Bennett inquired about the number of patients and peak visit times. Mr. Langley reported, approximately 10 patients would be the maximum at one time, spread between all services, typically from 4:00 pm – 6:00 pm.

Commissioner Zamaites inquired if the hours of operations in the packet are accurate. Mr. Langley reported that it was an estimate, but fairly accurate. He stated they would cater toward customer preferences.

On a motion by Commissioner Zamaites, seconded by Commissioner Mills, the Commission AGREED to close the public hearing.

The Commissioners inquired about the total number of parking spaces at the Shops of Uptown and how each use contributes to the total. Mr. Branham stated he will look into the inquiry.

The Commission reviewed the suggested findings of fact. The Commission commented on the trend of office and medical uses locating in business areas rather than retail. Chairman Baldi felt the Findings of the Fact were satisfied.

On a motion by Commissioner Arrigoni, seconded by Commissioner Bennett, the Commission AGREED to approve the application and the Findings of Fact for Case Number Number 17-04-SU: Special Use for a Medical / Dental Clinic in the B-4,Uptown Commercial Sub-District at 40 North Northwest Highway.

Vote on the motion as follows

AYES	8	Commissioners Baldi, Arrigoni, Argionis, Bennett, Coyle, Hanlon, Mills, Zamaites
NAYS	0	None
ABSTAIN	0	None
ABSENT	1	Commissioners Giannetti

The motion passed.

3. Case Number 17-03-MA: Map Amendment from the R-2 Single Family District to the R-3 Two-Family District at 4 North Delphia Avenue

Mr. Branham provided an overview of the application. He stated the applicant requests a map amendment to change the zoning of the property from the R-2 Single Family Residential District to the R-3 Two-Family Residential District, in accordance with Section 4.8 of the Zoning Ordinance. He stated a map amendment request was previously heard by the Commission in August, 2012, and April, 2013. At that time, the applicant had requested rezoning the property to the R-4, Multi-Family Residential District, which included a proposal for a four-unit multi-family residential project. The Planning and Zoning Commission ultimately recommended denial of the proposed map amendment. The City Council upheld the denial in July, 2013.

He stated the Comprehensive Plan's Land Use Map identifies this area as multi-family (high density) residential. The Plan states that multi-family uses are to be considered west of Chester Avenue to Lincoln Avenue, along Touhy Avenue. The Plan also states the single-family character of the neighborhood is encouraged to be maintained. He also summarized the

purpose of R-3 Two-Family Residential District which is intended to create a moderate density environment of single-family homes and two-family dwellings located along major streets upon sites comparable in dimensions to the typical lot size for single-family housing within the community. Limited non-residential uses that are compatible with surrounding residential neighborhoods may be permitted.

Tim Timmons, applicant, stated that he purchased the property in 2012, which at the time contained a dilapidated older single family residence. Due to the poor condition of the home, it was demolished. His goal was to improve the property by building multi-family units, but his request was denied. Mr. Timmons recited an excerpt provided by his current realtor, Al Giannini. He stated that Mr. Giannini has been a realtor since 1978 where he has been marketing and selling property in Park Ridge, Northwest Chicago, and the nearby suburbs. The statement summarized the lack of interest from buyers in the property as designated as single family residential, and that the property was suited for a two-family or multi-family zoning designation.

Mr. Timmons stated he felt the size and location of the property lends itself to a higher-density residential property rather than single family. In addition, he has concerns with the gas station located across the street, which is considering redeveloping with a convenient store component. He feels this will further affect the sale of the property as designated as single-family. He stated he would prefer the land to be developed rather than remain vacant land. He also shares neighbor concerns about parking, traffic, and flooding.

Commissioner Mills inquired if Mr. Timmons is trying to rezone the property to develop or sell. Mr. Timmons indicated he was open to either option.

Commissioner Bennett inquired if any offers on the property had been presented. Mr. Timmons indicated that some very low offers were presented. He stated no offers were submitted after he counter-offered.

Commissioner Zamaites inquired if the intent is to sell the units or rent. Mr. Timmons indicated his intent is to sell the property to a builder. If he cannot, he will develop the property and try to sell as individual units. If he cannot sell then he will rent.

Commissioner Bennett inquired if the property was rezoned as R-3, would developers be more willing to purchase the property. Commissioner Hanlon inquired if the property was rezoned as R-3 would the realtor suggests raising the current price.

Mr. Timmons suggested the current price would remain the same. It is his belief that the property would sell more quickly to a developer if the property rezoned as R-3.

Commissioner Coyle inquired about the length of time the property has been vacant. Mr. Timmons responded that the property was for sale two years prior to his purchasing in 2012, so approximately seven years.

Commissioner Hanlon questioned what price would Mr. Timmons sell as a single family residence. Mr. Timmons stated that he would be willing to sell for reasonable amount; however, again, no one has presented a reasonable offer.

Commissioner Coyle inquired if realtors indicated builders are interested in multi-family. Mr. Timmons responded the builders he has spoken to are interested in multi-family.

Commissioner Argionis inquired if Mr. Timmons intent was to build multi-family units when he originally purchased the property. He also inquired pricing history after the denial of the previous map amendment request.

Mr. Timmons indicated that his intention was to build multi-family. He stated the vacant land was listed for \$225,000. He then dropped the price to \$199,000. Mr. Timmons decided to remove the property from the market due to no reasonable offers. Mr. Timmons and the realtors felt that price is not an issue; it is more related to the location of the property.

Commissioner Hanlon inquired if he had approached surrounding businesses about a larger development. Mr. Timmons indicated that he had reached out to surrounding business owners and there was no interest.

Joe Harner, 26 N. Delphia Avenue, stated he is concerned with a multi-family in a single family area. He also mentioned the townhomes on Elm Street and Delphia Avenue changing the dynamics of the neighborhood. He expressed concerns that other homeowners including himself could request future zoning changes.

Peggy Barry, 19 N. Lincoln Avenue, stated she is concerned with the rezoning of the property and traffic.

On a motion by Commissioner Bennett, seconded by Commissioner Arrigoni, the Commission AGREED to close the public hearing

Chairman Baldi indicated that he was in favor of change in 2013. He indicated that rezoning to R-3 rather than R-4 had less of an impact on parking and congestion. He stated he had concern with the inability of selling the property.

Commissioner Bennett referred to the Comprehensive Plan and that the higher density is suggested for properties along Touhy Avenue, not necessarily isolated properties such as this one. He stated he understood the hardship on the owner, however, he felt allowing the map amendment may not guarantee the sale of the property. He stated the change would not benefit the City.

Chairman Baldi referenced a successful transition regarding the property at Greenwood Avenue and Northwest Highway, and suggested this could be a similar situation.

Commission Argionis stated he was more open to R-3 rather than R-4, however he still had concerns and believed Park Ridge is primarily single family oriented.

Commissioner Hanlon referred to Touhy Avenue corridor as a variety of businesses as well as multi-family uses. He stated the proposed amendment would not be out of character.

Commissioner Bennett expressed that a developer could have purchased the property as an R-2 property. Commissioner Hanlon expressed the denial of the first map amendment could have deterred developers.

Chairman Baldi stated the map amendment could be a benefit to the community if developed as a two-family dwelling, rather than remain an empty lot. He believes the homeowner has made a good faith effort to sell the property.

Commissioner Mills stated she was in favor of the map amendment. She stated the two-family designation was the next best possible use other than single family.

Commissioner Arrigoni stated he would also support the R-3 designation.

Commissioner Coyle expressed that currently the property is not functioning, and that is a criteria to consider. She stated the higher zoning designation could benefit the community and a two-dwelling unit could work at this specific location with the gas station across the street.

Commissioner Zamaites referenced the large lot size and felt it was appropriate for two units.

The Commissioners discussed the Findings of the Fact. There was a recommendation to amend #8 to clarify that the Comprehensive Plan designates the area along Touhy Avenue as multi-family residential, and to amend #11, since the trend of development in the area has been mixed.

On a motion by Commissioner Arrigoni, seconded by Commissioner Bennett, the Commission AGREED to approve the application with the amended Findings of Fact for Case Number 17-03-MA: Map Amendment from the R-2 Single Family District to the R-3 Two-Family District at 4 North Delphia Avenue.

Vote on the motion as follows

AYES	6	Commissioners Baldi, Arrigoni, Coyle, Hanlon, Mills, Zamaites
NAYS	2	Commissioners Argionis, Bennett
ABSTAIN	0	None
ABSENT	1	Commissioner Giannetti

The motion passed.

#### **IV. OTHER DEVELOPMENT CASES**

Mr. Branham stated there would be a training session prior to the next meeting on February 28<sup>th</sup>, which would begin at 6:30 pm.

Commissioner Bennett inquired about illegally illuminated signs. Mr. Branham encouraged Mr. Bennett to provide specific locations and staff would follow up with property owners / businesses.

#### **V. CITY COUNCIL LIAISON REPORT - none**

#### **VI. OTHER ITEMS FOR DISCUSSION -none**

#### **VII. CITIZENS WISHING TO BE HEARD ON NON-AGENDA ITEMS -none**

#### **VII. ADJOURNMENT**

On a motion by Commissioner Zamaites, seconded by Commissioner Arrigoni, the Commission AGREED to adjourn the meeting.

The meeting was adjourned at 8:50 pm

These minutes are not a verbatim record of the meeting but a summary of the proceedings.



## CITY OF PARK RIDGE

505 BUTLER PLACE  
PARK RIDGE, IL 60068  
TEL: 847/ 318-5291  
FAX: 847/ 318-6411  
TDD:847/ 318-5252  
URL:<http://www.parkridge.us>

DEPARTMENT OF COMMUNITY  
PRESERVATION AND DEVELOPMENT

**Date:** February 14, 2017

**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  
110 South Prospect Avenue  
Zoning Case Number: 17-02-SU

### **Introduction**

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 110 South Prospect Avenue, in accordance with the special use provisions in Section 4.6 of the Zoning Ordinance.

The following chart summarizes the land use, zoning district classification and Uptown Plan designation for the subject and surrounding properties.

<b>Location</b>	<b>Current Use</b>	<b>Zoning</b>	<b>Uptown Plan</b>
Subject Property	Multi-Tenant Building (vacant space)	B-4, Core	Mixed Use
North	Multi-Tenant Building (High Society Jewelers)	B-4, Core	Mixed Use
East	Park Ridge Community Church	B-4, Public / Inst.	Mixed Use
South	Multi-Tenant Building (Uptown Girlz)	B-4, Core	Mixed Use
West	Multi-Tenant Building Space	B-4, Core	Mixed Use

### **Information Submitted by the Applicant**

The subject tenant space is current vacant and included within a two-story multi-tenant masonry building. The applicant has indicated the request is to accommodate an office use at the property, which is identified as a special use in the designated zoning district. The proposed office would occupy approximately 3,032 square feet of the building. A conceptual floor plan has been provided by the applicant.

## **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 or to the parking area.

### *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 personal service or retail use. There would be a moderate amount of pedestrian traffic in and out of the building.

### *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). Eight total spaces would be required for the proposed 3,032 square foot facility. There are three total off-street spaces provided for the tenant in a parking lot located behind the building to the west, and two spaces are available in front of the space along Prospect Avenue. Therefore, an exception for three 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, but has provided a rendering which is proposed for window signage. 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. 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
- Ingress and egress to the subject property and its proposed structures, with particular attention to automotive and pedestrian safety and convenience, traffic flow and control, including access by emergency vehicles.
- Off-street parking and loading areas proposed for the special use, with particular attention to the location and adequacy of such facilities.
- 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 and storm drainage facilities as proposed, with reference to their location, availability, adequacy and compatibility.
- Screening, landscaping and buffering, with specific reference to the type proposed, the dimensions and character and the effectiveness in shielding adjacent properties.
- 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 110 South Prospect Avenue, Zoning Case Number 17-02-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 December 16, 2016
- Statement from Applicant, undated
- Property owner acknowledgement email, dated February 9, 2017
- Applicant Disclosure Statement, dated December 16, 2016
- Conceptual Floor Plan, prepared by applicant, undated
- Plat of Survey, completed by Central Survey Co., date obscured
- Aerial Map, prepared by staff
- Zoning Map, prepared by staff

**FINDINGS OF FACT**  
**On A Special Use Application Regarding Property at 110 South Prospect Avenue**  
**Park Ridge, Illinois**

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

February 14, 2017

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 110 South Prospect Avenue.

Following due public notice as required by the City of Park Ridge Zoning Ordinance, the Planning and Zoning Commission held a public hearing on February 14, 2017, 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.

Respectfully,

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

Attachments



# Special Use Application

City of Park Ridge

Community Preservation and Development Department . 505 Butler Place . Park Ridge, IL . 60068  
Phone: (847) 318-5291 . Fax: (847) 318-6411 . www.parkridge.us

Case Number: 17-02-SU

### Subject Property Information:

Address: 110 S Prospect Ave. Zoning District: CBD-Uptown Core B-4

Legal Description (can attach separate sheet): Attached

### Applicant Information:

Name: Andrew Duff / Pusheen Corporation Phone: 847 828 1166

Address: 104 Main St E-mail: cate@pusheen.com  
Park Ridge, IL 60068

### Owner Information:

Name: Steve Schimmel/Gillick-Zember Partnership Phone: 847 455 3376

Address: 25 N. Northwest Highway  
Park Ridge, IL 60068

Summary of Proposed Special Use (refer to Section 4.6 of the Zoning Ordinance): \_\_\_\_\_

Attached

I hereby certify, as the undersigned applicant, that the above statements and attached documentation are true and correct to the best of my knowledge.

[Signature]  
Signature of Applicant

12/16/2016  
Date

### **Summary of Proposed Special Use:**

Pusheen Corporation is interested in renting the property located at 110 S. Prospect Ave, Park Ridge, IL 60068. The current zoning is CBD – Uptown Core B-4 and had been used previously as a retail space for the clothing boutique Uptown Girlz. Pusheen Corporation is requesting this property to be used instead for office space for our licensing team. We already rent three separate spaces on the same block of 110 S. Prospect Ave and we have an interest in keeping all parts of our business close to each other. (104 Main St, 19 S. Fairview, and a small storage space at 11 S. Fairview). We have been renting in the area for 5+ years and as the owners of the company are from Park Ridge and currently live in Park Ridge they have vested interest in keeping their company in their hometown. We have no plans to do any significant work to the property besides perhaps new flooring and fresh paint.

Pusheen Corporation is a two-part business. We serve as an online retailer and also license our brand Pusheen for product development across the world. Pusheen the brand is based on a cartoon cat who gained popularity through an online comic. We currently work with retailers all over the world including the U.S., Canada, Mexico, Australia, the U.K. and Europe, and Asia. We develop a multitude of products, but primarily plush toys in Pusheen's likeness, clothing and clothing accessories, and stationery. The second part of the business operates as Hey Chickadee. Hey Chickadee is an online retailer ([www.heychickadee.com](http://www.heychickadee.com)) which sells Pusheen merchandise that we develop with our U.S. licensees and also jewelry, stationery, and clothing featuring the designs of U.S. & Canadian based artists.

Granting the property located at 110 S. Prospect Ave. special use as an office space will not endanger the public health, safety, or general welfare of any part of the community. We plan to use the space to house our designers, licensing management, our abundance of product samples, and perhaps set up a small photo studio in the basement to photograph our products.

We believe the proposed special use of the property is compatible with adjacent properties and other property within the immediate vicinity of the special use. There are several office buildings in the immediate area though they are located on the second floor of the surrounding buildings.

We believe the special use in the specific location is consistent with the spirit and intent of the Zoning Ordinance and the Comprehensive Plan as stated in the Zoning Ordinance section 1.3 – Purpose.

From: "Steve Schimmel" <sgs@mclennancos.com>  
Subject: RE: 110 S Prospect Ave  
Date: Wed, February 8, 2017 10:14 pm  
To: "cate@pusheen.com" <cate@pusheen.com>,"Andrew Duff" <andrew@pusheen.com>  
Cc: "Owen Hayes" <ojh@mclennancos.com>

---

Cate,

Please use this letter as approval from the Building owner to the city. Your planned use of the leased space located at 110 S. Prospect Ave. is acceptable to building management and ownership. It is understood that your planned use of the space requires a Special Use review by the city. If there are any questions from the city, please have them contact me.

Stephen Schimmel CPM(r)  
Managing Broker, President  
McLennan Property Management  
847-825-0011

-----Original Message-----

From: cate@pusheen.com  
[mailto:cate@pusheen.com  
>]  
Sent: Wednesday, February 8, 2017 4:49 PM  
To: Steve Schimmel <sgs@mclennancos.com  
>; Andrew Duff <andrew@pusheen.com  
>  
Cc: Owen Hayes <ojh@mclennancos.com  
>  
Subject: Re: 110 S Prospect Ave

Hi Steve,

The city has requested that I get an email from you as the owner providing acknowledgement that you are "acceptable to the application" for special use that we are submitting.

A quick email back stating that you are should suffice.

Thanks so much for your help on this!

--  
Cate Duff  
Licensing Coordinator  
PUSHEEN CORPORATION

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**Applicant Disclosure Statement (Section 2-24-1)**

Name of Applicant: Andrew Duff

Subject Property Information:

Address: 110 S. Prospect Park Ridge IL 60068

P.I.N.: 09-35-203-008-0000

Name and business address of any and all current holders of legal or beneficial title to the subject property (attach additional sheets if necessary):

Gillick Zember LLC c/o McLennan Property management, Harriet Gillick Exempt Trust FBO Constance Gillick Beich, Harriet Gillick Non Exempt Trust FBO Constance Gillick Beich- Chicago Trust Company N. A. 201 S. Hough St. Barrington, IL 60010

If there is a pending contract for the sale of the subject property, list the purchasing party's name:

N/A

List any entities, other than a natural person, that hold legal or beneficial title and that have a greater than 3% interest in the entity:

See above

For each entity listed above that, list every director, officer and manager of the entity:

Constance Gillick Beich & Susan Zember- Gillick Zember LLC (officers and managers)  
Constance Gillick Beich & Chicago Trust Company-Managers of Both Trusts

For each entity listed above that is a limited partnership or limited liability company, list the name of every limited or general partner or member:

Constance Gillick Beich, Susan Zember

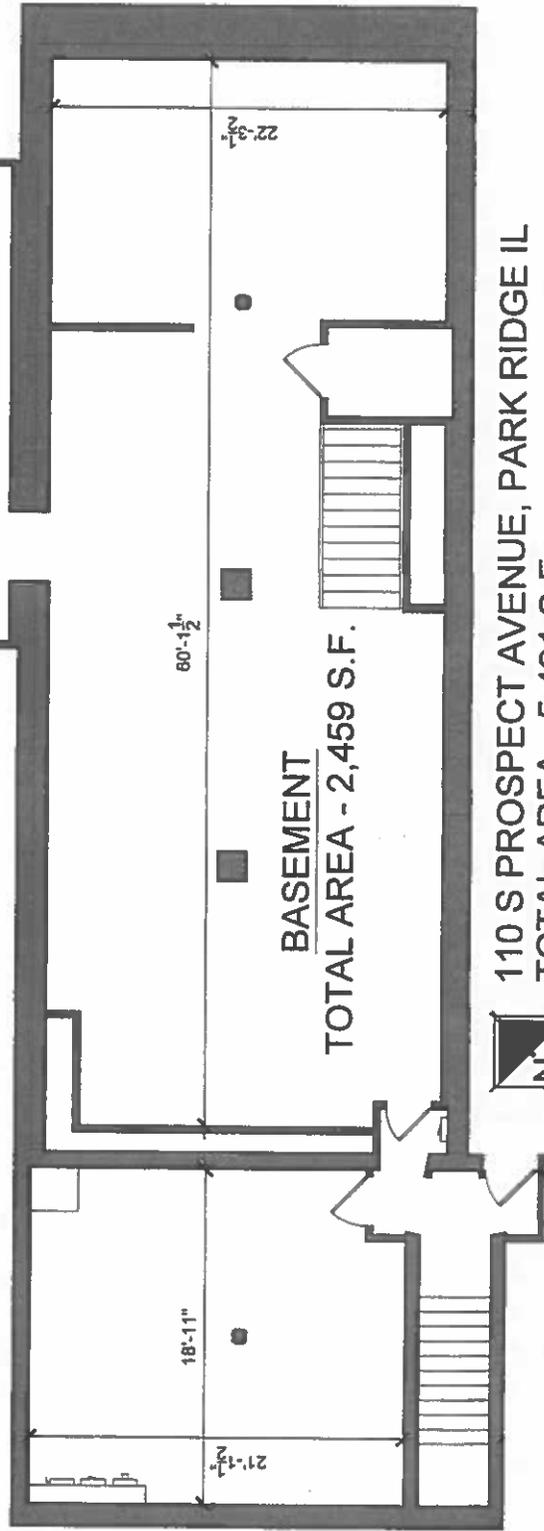
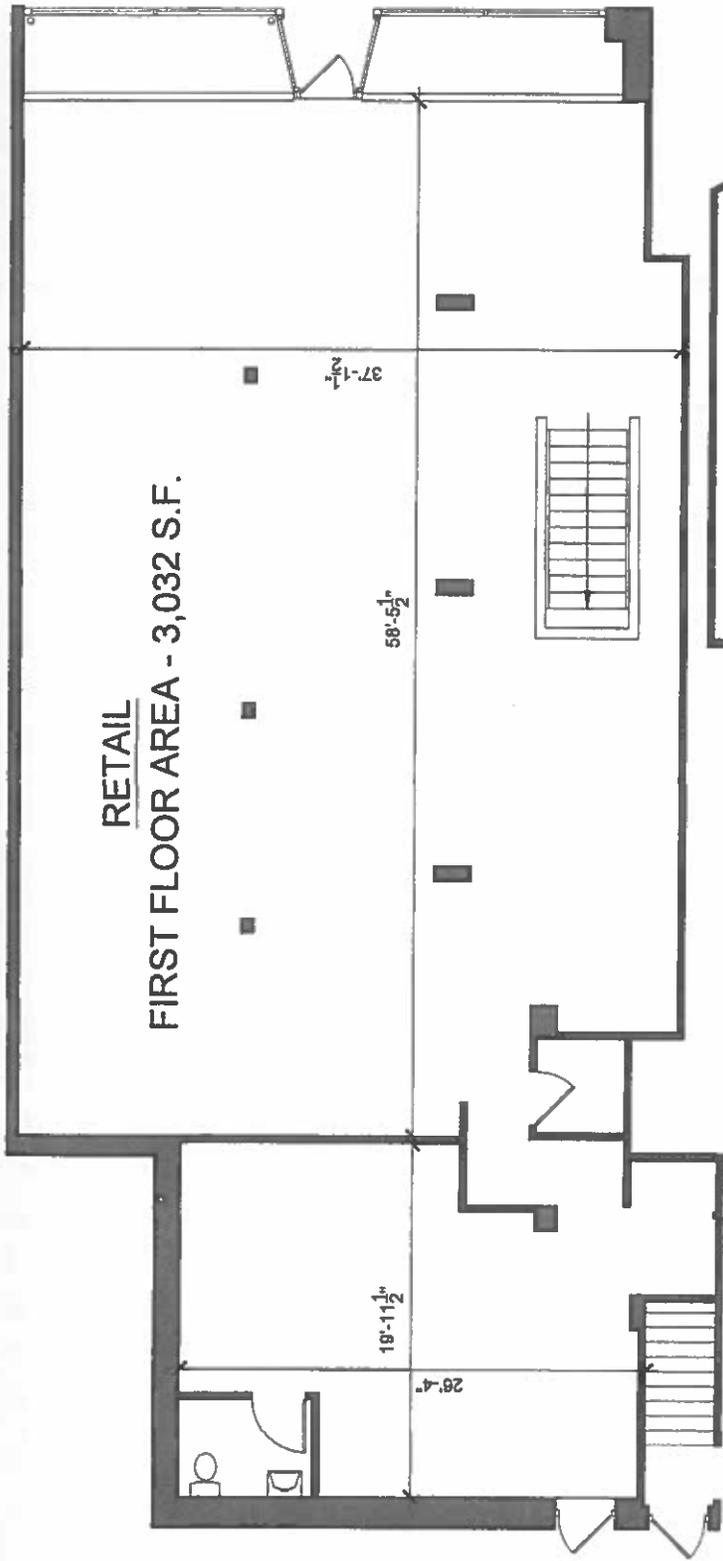
For each limited partner or general partner that is a corporate entity, list the name of every person who holds a greater than 3% interest in the corporation:

I acknowledge that I have read and understand the requirements of Article 2, Chapter 24 of the Park Ridge Municipal Code ("Code"). I understand that as the applicant, I am required to keep all of the information on this form current and updated until the City Council takes final action on my request. I also understand that if I fail to comply with this requirement, the City Council may declare the action it has taken with respect to my request null and void. In addition, the City Council may direct the initiation of legal action for a violation of the Code and may seek the penalties set forth in Section 2-24-4 of the Code, including daily monetary fines. I understand that this disclosure statement will be open for public inspection and posted on the City's website prior to any meeting when my request will be acted upon. I understand that if the subject property is assigned, transferred or if an agreement is entered into to transfer any right, interest, or permit within one year of the City Council's final action, there will be a rebuttable presumption that the assignee or transferee had constructive control of the subject property at the time of my application. The penalty discussed above will be imposed for any failure to disclose any such assignee or transferee.

I, the undersigned applicant, hereby certify that above statements are true and correct to the best of my knowledge.

Andrew Duff  
Signature of Applicant

12/16/16  
Date



**110 S PROSPECT AVENUE, PARK RIDGE IL**  
**TOTAL AREA - 5,491 S.F.**

NOTE: ALL DIMENSIONS ARE APPROXIMATE AND SHOULD BE VERIFIED BY INTERESTED PARTIES.  
 PREPARED BY SPOKE ARCHITECTURE, INC.

**CENTRAL SURVEY CO.**  
**SURVEYORS and CIVIL ENGINEERS**

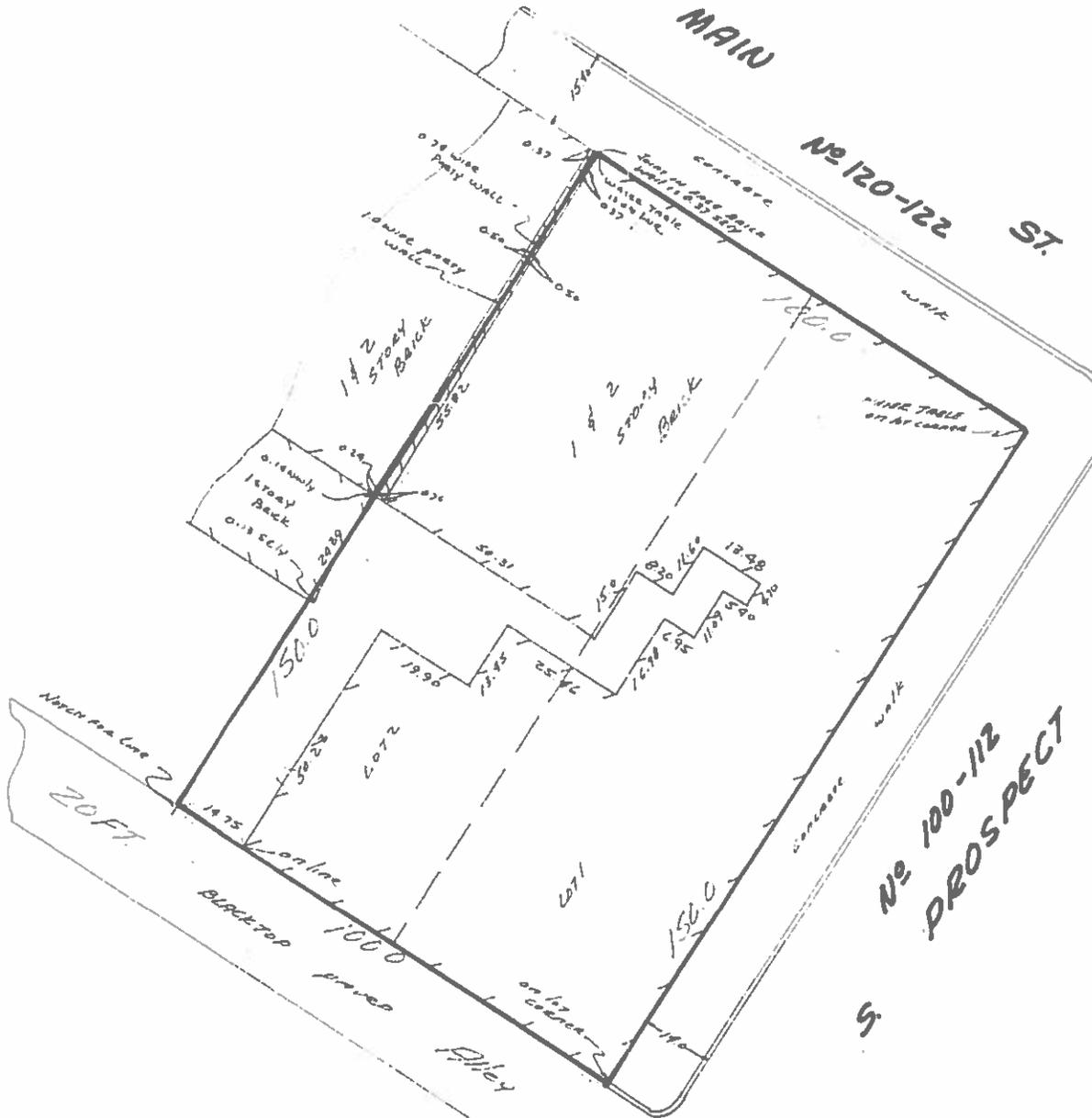
6233 NORTH NAPER AVENUE

PHONE NEWCASTLE 1-5285

**PLAT OF SURVEY**

OF

LOT 1 AND LOT 2 IN BLOCK 1 IN L. HODGE'S ADDITION TO PARK RIDGE, IN SECTION 35, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



CHECKED AND APPROVED:

*Fred I. Gillick*  
 Surveyor

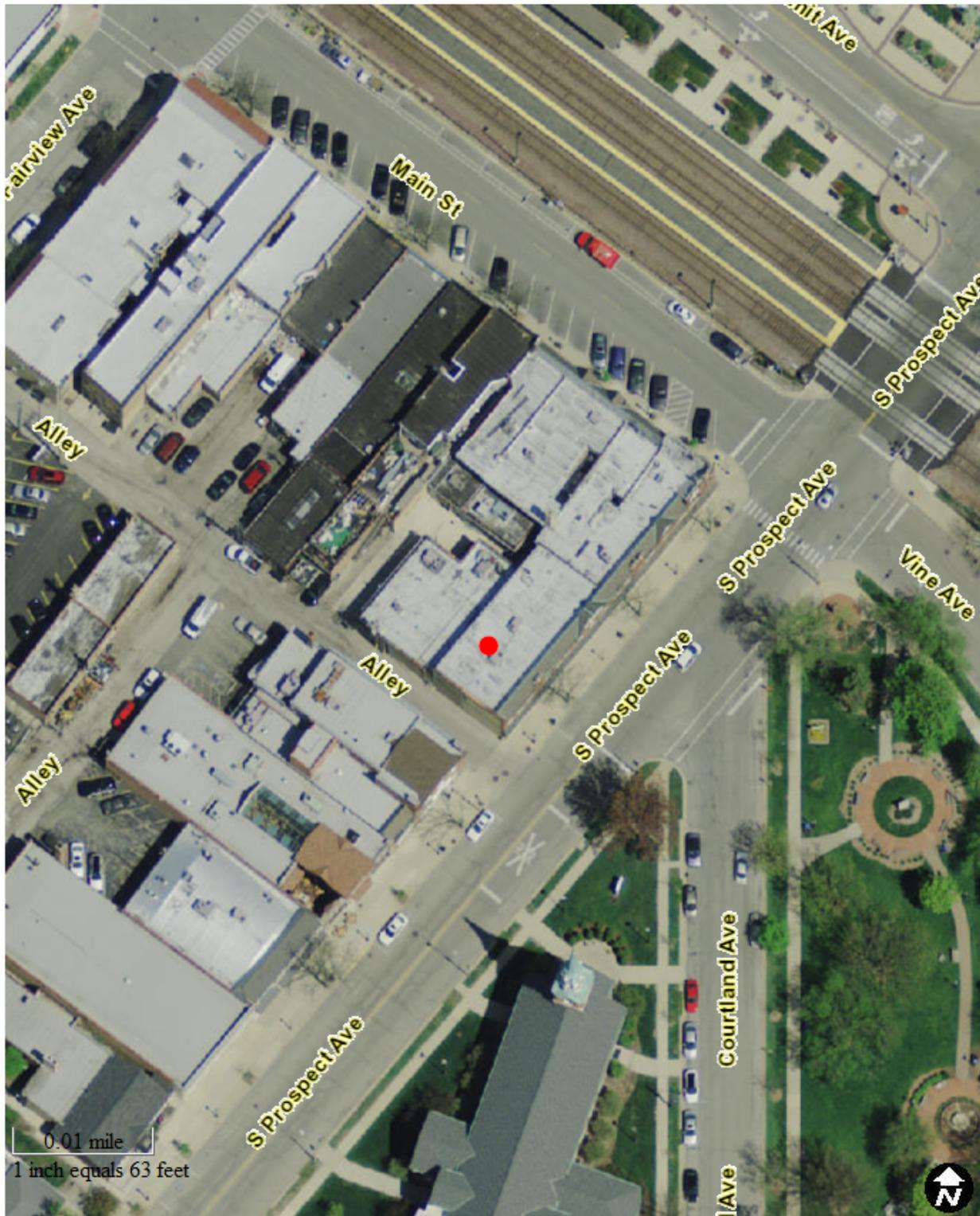
Ordered by **FRED I. GILICK**

Book 16870 Page

STATE OF ILLINOIS  
 County of Cook

CENTRAL SURVEY COMPANY hereby certifies the above described property and the plat here representation of said survey.

Chicago, OCTOBER 2

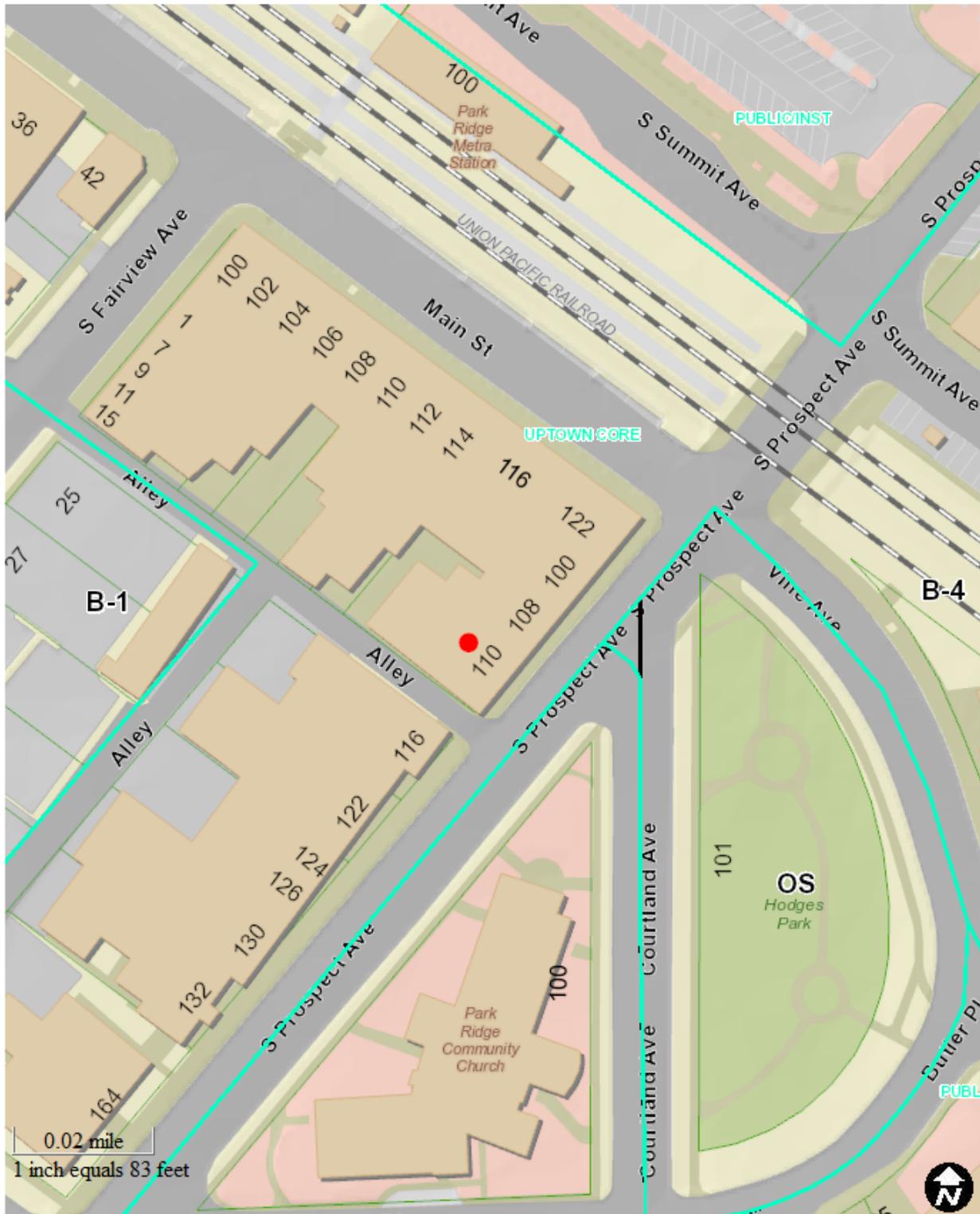


Map created on February 6, 2017.

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Map created on February 6, 2017.

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Zoning Special Purpose

Zoning Ordinances

- B-1, Retail and Office District
- B-2, General Commercial District
- B-3, General Commercial Wholesale and Service District
- B-4, Uptown Business District
- EB, Educational Boarding Purpose District
- H, Hospital Special Purpose District
- O, Office District
- OS, Open Space Special Purpose District
- P, Parking Special Purpose District
- R-1, Single Family Residential District
- R-2, Single Family Residential District
- R-3, Two Family Residential District
- R-4, Multifamily Residential District
- R-5, Multifamily Residential District