

STAFF REPORT

DATE: June 11, 2024
TO: Zoning Board of Appeals
FROM: Planning Staff
RE: Petition Number: 2024-27
Applicant: Emily Brzyki
Owner: Eric D. Rubenstein
Location: 118 N. Ottawa Street
Request: A Special Use Permit to allow an antique store
(Council District #5)

Purpose

The applicant is requesting a Special Use Permit to allow an antique store, located at 118 N. Ottawa Street. The City Council makes the final decision on this Special Use Permit request upon the recommendation of the Zoning Board of Appeals.

Site Specific Information

The four-story brick building sits at the southeast corner of Ottawa and Clinton Streets on a ¼ acre lot. The circa 1909 mixed use building was built for Hobbs' family who ran the Hobbs Hotel for many years after which it became known as the Hotel Plaza. The proposed business will occupy one tenant space in this building at 118 N. Ottawa Street. The tenant space has 420 square feet of leasable space.

Surrounding Zoning, Land Use and Character

This property as well as all properties in the general vicinity are zoned B-2 (Central Business District). This is a mixed-use building that is surrounded by a mix of uses that include retail, office, food and beverage service, banking and residential.

Applicable Regulations

- Section 47-12.2A Special Uses – B-2 (Central Business) District
- Section 47-5.2(C) Special Use Permit Criteria

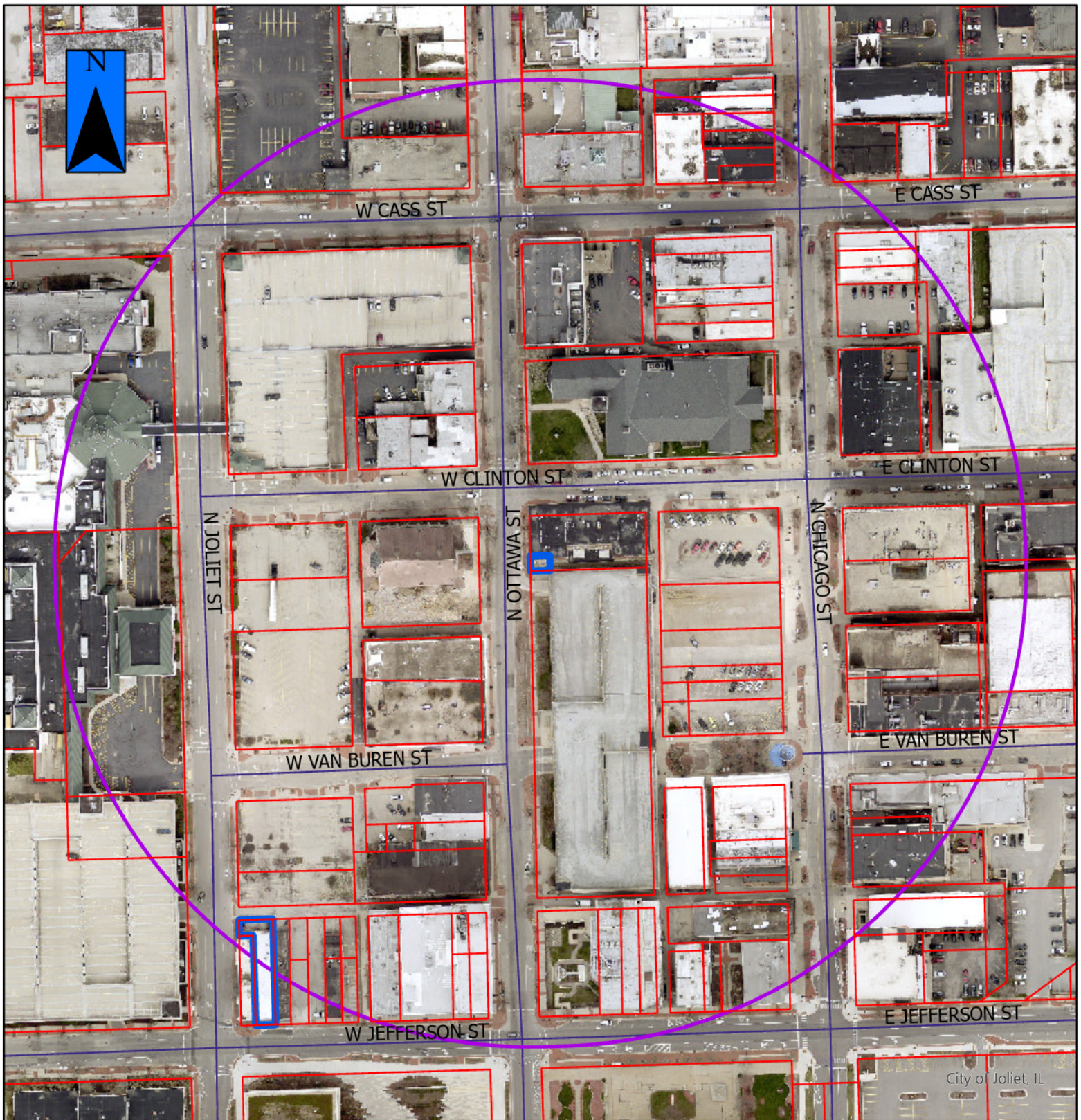
Discussion

Emily Brzyki, owner of Black Cat Curiosities, seeks to open an antique store in this tenant space. City requires a Special Use Permit for businesses where most of the merchandise is second-hand. She has been selling antiques and vintage items for the last four years through online sales and through markets and niche events. She also sells items at the Internode, which is a plant and home goods store located at 81 N. Chicago Street. She intends to be open Tuesday through Thursday from 11:00 am to 5:00 pm; Fridays from 11:00 to 8:00 pm and Saturdays from 10:00 am to 3:00 pm. She will also offer flexible hours to accommodate special events in the downtown. She initially plans to hire one additional employee.

Conditions

If the Zoning Board desires to recommend approval of this Special Use Permit request, the following conditions would be included:

1. That the Special Use granted shall herein terminate and lapse unless a building permit or certificate of occupancy is obtained not later than 180 days of the effective date of this ordinance and the erection or alteration of a building is started or the use is commenced within such period. The Board may grant an extension of this period, valid for no more than one hundred and eighty (180) additional days, upon written application and good cause shown without notice or hearing. Whether or not there is an intention to abandon the Special Use, if any special use is discontinued for a continuous period of one year, or if an intent to abandon the Special Use is evident in a shorter period of time, the Special Use for such use shall become void, and such use shall not thereafter be reestablished unless a new Special Use Permit is obtained; and
2. Should the property be declared a public nuisance, it shall be subject to a rehearing and a possible revocation of the Special Use Permit.



2024-27a



- = Property in Question / Propiedad en cuestión
- = 600' Public Notification Boundary /
Límite de notificación pública de 600 ft (180 m)



2024-27



= Property in Question



= 600' Public Notification Boundary

Legend

B-1	I-TA	R-2
B-2	I-TB	R-2A
B-3	I-TC	R-3
I-1	R-1	R-4
I-2	R-1A	R-5
I-T	R-1B	R-B

Figure 1: Tenant space at 118 N. Ottawa Street in the Hotel Plaza Building



Figure 2: Example of merchandise staging at future store



FOR OFFICE USE ONLY

Verified by Planner (please initial):

Payment received from:

Petition #: 2024-27

Emily Brzycki
Black Cat Curiosities

Common Address: 118 N. Ottawa St.

613 Buell Avenue
Joliet, IL 60435

Date filed: 5/2

Meeting date requested: 6/20

ZONING BOARD OF APPEALS
JOLIET, ILLINOIS

PETITION FOR SPECIAL USE PERMIT

City of Joliet Planning Division, 150 W. Jefferson St., First Floor, South Wing, Joliet, IL 60432
Phone (815)724-4050 Fax (815)724-4056

ADDRESS FOR WHICH SPECIAL USE IS REQUESTED: 118 N Ottawa St.

PETITIONER'S NAME: Emily Brzycki

HOME ADDRESS: 613 Buell Ave

ZIP CODE: 60435

BUSINESS ADDRESS: 118 N Ottawa St.

ZIP CODE: 60432

PHONE: (Primary) (815) 600-3582 (Secondary) N/A

EMAIL ADDRESS: blackcatcuriojoliet@gmail.com FAX: N/A

PROPERTY INTEREST OF PETITIONER: 0%

OWNER OF PROPERTY: Eric D. Rubenstein

HOME ADDRESS: 373 Western Ave, Joliet

ZIP CODE: 60435

BUSINESS ADDRESS: P.O. Box 306, Kenilworth, IL

ZIP CODE: 60043

EMAIL ADDRESS: the 373 western ave building@ yahoo.com FAX: N/A

Any use requiring a business license shall concurrently apply for a business license and submit a copy with this petition. Additionally, if this request is for operation of a business, please provide the following information:

BUSINESS REFERENCES (name, address, phone):

Michelle Arana, 81 N. Chicago St. Joliet, (815) 603-9463

Shayne Kelly, 72 N Chicago St. Joliet, (708) 712-9096

yuliya Patlata, 1026 E Jefferson St. Wheaton, (630) 501-9427

OTHER PROJECTS AND/OR DEVELOPMENTS:

N/A

PERMANENT INDEX NUMBER (TAX NO. OR P. I. N.): 30-07-09-439-001-0000

_____; _____; _____.

Property Index Number/P.I.N. can be found on tax bill or Will County Supervisor of Assessments website

LEGAL DESCRIPTION OF PROPERTY (attached copy preferred):

A portion of the 1st floor of the building, known as 118 N Ottawa
St. consisting of approximately 420 sq feet of leasable space.

LOT SIZE: WIDTH: _____ DEPTH: _____ AREA: 420 SQ. Feet

PRESENT USE(S) OF PROPERTY: currently empty

PRESENT ZONING OF PROPERTY: commercial

SPECIAL USE REQUESTED: antique store

The Zoning Board of Appeals is authorized to grant a special use permit provided the applicant establishes by clear and convincing evidence:

- (1) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; and
- (2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and
- (3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and
- (4) That adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided; and
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- (6) That the special use shall in all other respects conform to the applicable land use regulations of the district in which it is located and shall not be in violation of any other applicable law, ordinance or regulation; and
- (7) At least one (1) year has elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites, unless conditions in the area have substantially changed.

Please describe how this request meets the criteria by responding to the following questions in your own words.

1. How will the establishment, maintenance, or operation of the special use affect the public health, safety, morals, comfort, or general welfare?

It will provide an atmospheric, comfortable place to shop for antiques.

2. How will the special use impact properties in the immediate area? Hopefully bring more business to the downtown area.

3. Will the use impede the normal/orderly development/improvement of surrounding property?

No it will not.

4. Are adequate utilities, access roads, drainage, and/or other necessary facilities provided?

yes they are.

5. Have adequate measures been taken to provide ingress/egress design to minimize traffic congestion in public streets?

yes.

6. Does the use conform to the applicable land use regulations of the district in which it is located and does it violate any other applicable law, ordinance or regulation?

yes it does, and no it does not.

7. Has at least one (1) year elapsed since any denial of any prior application for a special use permit that would have authorized substantially the same as all or part of the sites (unless conditions in the area have changed substantially)?

yes.

REQUIRED SUPPORTING ATTACHMENTS

- ☒ Site plan / concept plan / floor plan / building elevation plan
- ☒ Joliet Ownership Disclosure form
- ☒ Business license application (if applicable)

NOTARIZATION OF PETITION

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, Emily Brzycki, depose and say that the above statements are true and correct to the best of my knowledge and belief. I agree to be present in person or by representation when this petition is heard before the Zoning Board of Appeals.

Emily Brzycki
Petitioner's Signature

Owner's Signature
(If other than petitioner)

Subscribed and sworn to before me

this 20th day of April, 2024

Carson Patrick Thompson



CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

I. INFORMATION ABOUT THE APPLICATION

This form is submitted as part of an application for the following (check all that apply):

- ☒ Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)
- ☐ Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)
- ☐ Building Permit (Complete Sections II and III)
- ☒ Business License (Complete All Sections)

II. INFORMATION ABOUT THE PROPERTY

The address and PIN(s) of the real property associated with this application are:

118 N Ottawa St, Joliet, IL 60432
PIN(s): 30-07-09-439-001-0000

III. PROPERTY OWNERSHIP

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

- ☐ **Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- ☐ **Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- ☒ **Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- ☐ **Land Trust:** State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries
- ☐ **Partnership:** State the names, addresses, and phone #'s of all partners
- ☐ **Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

26 W Clinton St. Building, LLC
Eric D. Rubenstein, 100%
P.O. Box 306
Kenilworth, IL 60043

E-MAIL: the 313 western ave building@ yahoo.com FAX: N/A

IV. BUSINESS OWNERSHIP

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

Select the type of business owner associated with this application and fill in the contact information below:

- ☐ **Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- ☐ **Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- ☒ **Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- ☐ **Partnership:** State the names, addresses, and phone #'s of all partners
- ☐ **Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

Emily Brzycki, 100% ownership

613 Buell Ave, Joliet, IL 60435

(815) 600-3582

E-MAIL: blackcatcuriojoliet@gmail.com FAX: N/A

NOTE:

If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

SIGNED: Emily Brzycki

DATE: 04/20/24

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:

Emily Brzycki, owner, (815) 600-3582

PRINT