

UNOFFICIAL COPY

92937034

NOTICE OF APPROVAL

An ordinance granting a Special Use Permit to establish and operate an automobile service station with the self-service dispensing of gasoline and a mini-food mart at 3750 Touhy Avenue, Skokie, Illinois in an M-3 Industry District was approved by the Mayor and Board of Trustees of the Village of Skokie on the 14th day of October, 1992.

The approval granted is shown on the attached document marked Exhibit "A".

IMPORTANT: THE ABOVE PROVISION IS CONDITIONED UPON THE OWNERS' CERTIFICATION AND THE PAYMENT OF \$50.00 FOR SERVICES AND EXPENSES IN CONNECTION WITH THE RECORDING OF THIS NOTICE. ALL DEPARTMENTS HAVE BEEN INSTRUCTED TO TAKE NO ACTION ON THE GRANT UNTIL THIS HAS BEEN DONE.

OWNERS' CERTIFICATION

The undersigned, being the owners of the real estate described in this Notice or the duly authorized representative of the owners, certify that such Notice is true and correct and accepts and approves all of the provisions and conditions set forth in the Exhibit referred to herein.

Michael D. Smith

COOK COUNTY RECORDER

#3163 # 92-937034

1#0000 TRAM 5398 12/11/92 14-40-00

00 25

DEPT-09 H150

92937034

TO: RECORDER OF DEEDS or REGISTRAR OF TITLES:

PLEASE MAIL DOCUMENT AFTER RECORDING TO
CORPORATION COUNSEL
VILLAGE OF SKOKIE
5127 OAKTON STREET
SKOKIE, IL 60077

OFFICIAL BUSINESS
VILLAGE OF SKOKIE
NO CHARGE

Plan Commission Case #91-25P

Village Ordinance No. 92-10-2-2325

\$ 45.00 E

UNOFFICIAL COPY

PROPERTY OF COOK COUNTY CLERK'S OFFICE

UNOFFICIAL COPY

9 2 0 7 1 0 4

1
2
3
4 BBM:SB:SS 9/21/92
5 (91-25P)
6

7 THIS ORDINANCE MAY
8 BE CITED AS
9

10 V.O.# 92-10-2-2325

A

11 AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO
12 ESTABLISH AND OPERATE AN AUTOMOBILE SERVICE
13 STATION WITH THE SELF-SERVICE DISPENSING OF
14 GASOLINE AND A MINI-FOOD MART AT 3750 TOUHY AVENUE,
15 SKOKIE, ILLINOIS IN AN M-3 INDUSTRY DISTRICT

16
17 WHEREAS, the owner of the subject property, legally described
18 as follows:
19

20
21 Lot 1 in Graham Subdivision being a subdivision in the
22 Southeast Quarter of the Southwest Quarter of Section 26,
23 Township 41 North, Range 13, East of the Third Principal
24 Meridian, Cook County, Illinois,
25

26 commonly known as 3750 Touhy Avenue, Skokie, Illinois, petitioned
27 the Skokie Plan Commission for a Special Use Permit to establish
28 and operate an automobile service station with the self-service
29 dispensing of gasoline and a mini-food mart in an M-3 Industry
30 District; and
31
32
33
34
35

36 WHEREAS, the motion before the Plan Commission, at a public
37 hearing duly held, to grant the Special Use Permit requested by the
38 petitioner failed; and
39
40
41

42 WHEREAS, the Mayor and Board of Trustees, after public hearing
43 duly held, made the following appropriate findings of fact as
44 required under Section 13.4.5.5 of the Skokie Zoning Ordinance:
45
46
47

48 STANDARD: The establishment, maintenance or operation of the
49 Special Use will not be detrimental to or endanger
50 the public health, safety, morals or general
51 welfare; and the proposed building(s) or use at the
52 particular location is necessary or desirable to
53 provide a service or a facility which is in the
54

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

public interest and will contribute to the general welfare of the neighborhood or community.

FINDINGS: The establishment of a service station/mini-food mart will not endanger the public health, safety, morals or general welfare; and the proposed use will upgrade the existing station and improve the property. The proposed mini-food mart will add to the convenience of the area and will provide a facility which will contribute to the general welfare of the area.

STANDARD: The proposed building or use will not substantially change the character of the neighborhood, will not have an undue adverse effect upon adjacent property or property values in the neighborhood, will not unduly aggravate traffic conditions, and will not unduly burden essential public services such as drainage facilities, public utilities and those services pertaining to public health, public safety and public welfare in general.

FINDINGS: The proposed automobile service station is a less intense Use than most industrial uses permitted in the M-3 Industry District, thus the proposed building and use will not change the character of the area or have an undue adverse effect upon adjacent property or property values. And whereas the subject station will serve customers already in the area and the site will be upgraded to current code standards, including water detention and off-street parking, the subject use will not unduly burden traffic conditions or essential public service such as drainage facilities, public utilities and those services pertaining to public health, public safety and public welfare in general.

STANDARD: The proposed building(s) or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

FINDINGS: When arranged and operated in compliance with its approved Special Use Ordinance and Site Plan, the subject automobile service station and mini-food mart will not adversely effect the development and use of neighboring property in accordance with the applicable district regulations.

02967034

UNOFFICIAL COPY

7 2 9 2 7 0 3 4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

STANDARD: The proposed use will not alter or be contrary to the primary purpose of the Zoning District or area in which it is proposed, when its effect is considered in conjunction with the cumulative effect of the number of various Special Uses of all types already in the adjacent area and in the Village as a whole.

FINDINGS: Whereas automobile service stations with mini-food marts are allowable Special Uses in the M-3 Industry District, the proposed Use will not alter or be contrary to the primary purpose of the Zoning District or area in which it is proposed, when its effect is considered in conjunction with the cumulative effect of the number of various Special Uses of all types already in the adjacent area and in the Village as a whole.

STANDARD: The proposed use and its plan conforms with the general intent of the Official Comprehensive Plan.

FINDINGS: The subject site is designated for Commercial Use in the Comprehensive Plan. As automobile service stations, with accessory mini-marts, are allowable Special Uses, in the M-3 Industry District, the use conforms with the intent of the Comprehensive Plan.

WHEREAS, the Mayor and Board of Trustees, in accordance with the aforesaid positive findings of fact, voted to grant the Petitioner's request for a Special Use Permit subject to the conditions recommended by staff;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That the Special Use Permit requested by the petitioner to establish and operate an automobile service station with the self-service dispensing of gasoline and a mini-food mart at 3750 Touhy Avenue, Skokie, Illinois in an M-3 Industry District is hereby granted and approved subject to each of the conditions set forth below:

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1. That the subject self-service automobile service station, with a mini-food mart, shall be constructed, maintained and operated in substantial compliance with the Revised Site/Landscape Plan, dated August 24, 1992.
2. That all landscaping shall be planted and maintained in live and healthy state in compliance with the Revised Site/Landscape Plan, dated August 24, 1992.
3. That the station shall be constructed and maintained in substantial compliance with the Floor Plan, dated June 26, 1991 and Building Elevations, dated December 24, 1991.
4. That all equipment must be NSF approved and installed to NSF specifications.
5. That the three (3) compartment sink shall have two (2) integral drain boards.
6. That open site drains shall be provided at the three (3) compartment sink and ice water unit.
7. That open site drains shall be provided at other refrigeration and food dispensing equipment (eg., walk-in cooler, ice dispenser, beverage bar, etc.).
8. That dispensed soap and towels shall be provided at all sinks.
9. That shelving for the storage of food shall be six (6) inches off the floor at walk-in units and dry storage.
10. That the garbage corral shall be properly enclosed, wash-down hose bib shall be provided and have a concrete pad. All trash dumpsters shall be stored in the enclosure at all times.
11. That the floor must be covered with a minimum vinyl composition tile with 3/8" base coving.
12. That walls must be smooth and easily cleanable throughout.
13. That a minimum of two (2) employees shall be on duty in the mini-food mart at all times that lottery tickets are sold.
14. That no accessory buildings or structures shall be allowed on the site.
15. No vending machines shall be allowed outside of the station building.
16. That the outside storage or display of non-automotive products is specifically prohibited.

32937034

UNOFFICIAL COPY

- 1
2
3 17. That the building and toilets must meet the State of Illinois
4 Accessibility Standards.
- 5
6 18. That the handicapped parking space shall be included in the
7 Village Handicapped Parking Space Program.
- 8
9 19. That the Petitioners have one (1) year from the date of
10 receiving a Certificate of Occupancy to install a leak
11 detection system of a type approved by the Office of the State
12 Fire Marshall.
- 13
14 20. That Petitioners submit to the Village Fire Department
15 evidence demonstrating compliance with Illinois Environmental
16 Protection Agency and State Fire Marshall requirements for
17 removal and replacement of underground storage tanks on the
18 subject property.
- 19
20 21. That the Petitioners and all future property owners continue
21 to be responsible for hazardous wastes and contaminants on
22 site and the public right-of-way adjacent to the property.
- 23
24 22. That the Petitioners submit to the Fire Department copies of
25 all periodic reports Petitioners file with the Illinois
26 Environmental Protection Agency regarding corrective action
27 taken with respect to the subject property.
- 28
29 23. That Permit approval is obtained from the office of the State
30 Fire Marshall.
- 31
32 24. That stormwater detention shall be provided for the entire
33 site.
- 34
35 25. That nine (9) parking spaces are required based on one (1) per
36 pump island (3 islands) and one (1) space per 300 square feet
37 for the mini-food mart (1,794 square feet = 6 spaces).
- 38
39 26. That the handicapped parking space shall be included in the
40 Village of Skokie Handicapped Parking Space Maintenance
41 Program.
- 42
43 27. The required handicapped ramp must be constructed at a maximum
44 slope of one (1) inch per foot. The ramp must be located
45 adjacent to the handicapped space.
- 46
47 28. That construction permits and approval shall be obtained from
48 IDOT for the new driveway openings on Touhy Avenue.
- 49
50 29. That five (5) foot wide public sidewalks shall be provided
51 fronting Hamlin Avenue and Touhy Avenue, for the entire length
52 of the property.
53
54

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

- 1
2
3 20. That the existing driveways shall be removed and be restored
4 with curb, gutter and sod in the parkway.
5
- 6 31. An attendant must be at the master control console at all
7 times that self-service gasoline is being dispensed. The
8 attendants primary function shall be to supervise, observe and
9 control the dispensing of Class 1 liquids while such liquids
10 are actually dispensed. It is the responsibility of the
11 attendant to: 1) prevent the dispensing of Class 1 liquids
12 into portable containers not approved by the Fire Prevention
13 Bureau; 2) control sources of ignition; 3) immediately
14 handle accidental spills and fire extinguishers if needed; 4)
15 control pump island shut-off when drivers do not shut-off
16 their motors before attempting to fuel their vehicles; and 5)
17 enforce other State and local requirements concerning
18 operating and safety factors. The attendant or supervisor on
19 duty shall be mentally and physically capable of performing
20 the functions and assuming the responsibility prescribed in
21 this item. This attendant may operate the cash register;
22 however, this attendant shall have no convenience store
23 related duties, such as stocking shelves, janitorial duties,
24 etc., while self-serve gasoline is being dispensed.
25
- 26 32. All food products shall be prepacked only (except for
27 coffee/tea or dispensed soft drinks) with deli type operations
28 specifically prohibited. The sale of liquor and other
29 alcoholic beverages and the sale or rental of video cassette
30 recorder tapes is prohibited. The consumption of food and
31 beverages upon the premises is prohibited.
32
- 33 33. Window signs, either temporary or permanent, shall not occupy
34 more than twenty-five percent (25%) of the total window
35 surface area, nor shall any temporary sign be affixed to any
36 exterior window surface, wall or other exterior surface of the
37 structure, wall or canopy, excluding bunting, flags or
38 pennants.
39
- 40 34. Premises shall be kept clean and neat, free from rubbish or
41 trash. Trash shall be stored or deposited in covered
42 receptacles only. In addition, covered receptacles shall be
43 conveniently located and maintained at each pump island and at
44 convenient locations for customers using the convenience
45 store.
46
- 47 35. The control station shall be equipped in such a manner that
48 the flow of product from any or all fuel dispensing units may
49 be stopped from such control station; also a master electrical
50 switch shall be maintained at such control station.
51
- 52 36. Accurate daily inventory records shall be maintained and
53 reconciled on all product storage tanks. The records shall be
54 kept at the premises, available for inspection by the Skokie

UNOFFICIAL COPY

- 1
2
3 Fire Prevention Bureau. A description of the inventory system
4 to be utilized must be submitted to the Fire Prevention
5 Bureau. As required by the Office of the State Fire Marshall,
6 all spills/overfills, any inventory discrepancy, and any
7 suspected or actual leaks of petroleum products, shall be
8 reported to the Skokie Fire Department immediately.
9
- 10 37. Listed automatic closing type hose nozzle valves with or
11 without latch open devices shall be provided on all
12 dispensers.
13
- 14 38. No delivery of any product shall be made into portable
15 containers unless containers are approved by the Skokie Fire
16 Prevention Bureau. Bulk sales of motor fuels is specifically
17 prohibited, except up to five (5) gallons as permitted under
18 the Skokie Code of Ordinances.
19
- 20 39. Only persons 16 years of age or older, or persons having a
21 valid driver's license shall operate a self-serve gasoline
22 pump.
23
- 24 40. Operating instructions for self-serve gasoline pumps shall be
25 conspicuously posted in the dispensing area.
26
- 27 41. Warning signs shall be conspicuously posted in the dispensing
28 area incorporating the following or equivalent wording: (A)
29 WARNING: It is unlawful and dangerous to dispense gasoline
30 into unapproved containers; (B) NO SMOKING; and (C) STOP
31 MOTOR. No fuel shall be dispensed nor shall any motor vehicle
32 be serviced until motor and ignition have been shut off.
33
- 34 42. An approved ABC fire extinguisher with a capacity of a minimum
35 of ten (10) pounds shall be provided on each dispensing
36 island.
37
- 38 43. Coin operated, card operated and remote control types of
39 dispensers are prohibited.
40
- 41 44. A separate self-serve permit shall be obtained from the Skokie
42 Fire Prevention Bureau and shall be posted in a conspicuous
43 location.
44
- 45 45. A State permit to operate a self-serve and full-serve station
46 must be obtained and submitted to the Skokie Fire Prevention
47 Bureau.
48
- 49 46. The combined capacity of product tank storage shall not exceed
50 48,000 gallons, with maximum capacity of any one (1) tank not
51 to exceed 12,000 gallons.
52
53
54

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

- 1
2
3 47. Complete detailed drawings shall be submitted to the Skokie
4 Fire Prevention Bureau relative to the location and relocation
5 of gasoline storage tanks.
- 6
7 48. The dispensing area shall be at all times in clear view of the
8 attendant and the placing or allowing of any obstacle to come
9 between the dispensing area and the attendant control area is
10 prohibited. No signs shall be on the windows in front of or
11 to the sides of the master console, nor shall merchandise,
12 material, or other objects be located in the area between
13 thirty-six (36) inches and six (6) feet above the floor level
14 in front or to the sides of the master console, in order to
15 assure unobstructed visibility of the self-serve islands. The
16 attendant shall at all times be able to communicate with
17 persons in the dispensing area. A communication system
18 between the control station and each dispensing island shall
19 be provided.
- 20
21 49. During the hours of operation, the following amenities shall
22 be provided and made available to all customers free of
23 charge: Air hoses, tire pressure gauge, water for radiators,
24 containers for water, and two (2) handicapped accessible
25 facilities. No persons shall be denied use of the public
26 restrooms. (For purposes of this section, a refundable
27 deposit fee shall not be considered as a charge for services).
- 28
29 50. All off-street parking spaces shall be legibly striped and so
30 maintained.
- 31
32 51. All interceptors, sewers, catch basins, triple basins, etc.,
33 shall be adequately cleaned and maintained and be free of
34 grease, oil, sand, debris, odors, etc..
- 35
36 52. All parking lot and exterior lighting on the site shall be
37 full cut-off design and be directed away from adjacent
38 properties, subject to the approval of the Skokie Traffic
39 Engineer.
- 40
41 53. All landscaping shall be maintained to a height of thirty (30)
42 inches for a distance of fifteen (15) feet from any vehicular
43 access point into or out of the station in order to provide
44 for adequate sight distance.
- 45
46 54. All sidewalks shall be depressed at alleys and street corners
47 to provide for access by the handicapped.
- 48
49 55. Ramps shall be provided to the main building and to public
50 toilet rooms, with the public toilet rooms designed to meet
51 the standards for handicapped. The entire structure must
52 comply with State of Illinois, Accessibility Standards.
- 53
54 56. All signs shall conform with the Skokie Sign Ordinance.

UNOFFICIAL COPY

- 1
- 2
- 3 57. All other applicable Village codes and ordinances shall be
- 4 met.
- 5
- 6 58. Coin operated amusement devices are specifically prohibited.
- 7
- 8 59. Coin operated, customer operated and mechanical car washes are
- 9 specifically prohibited.
- 10
- 11 60. Outside storage of tires, supplies, etc., as well as the
- 12 outside storage or display of non-automotive products, are
- 13 specifically prohibited.
- 14
- 15 61. The storage of boats, trailers, trucks and recreational
- 16 vehicles, and other vehicles not related to the operation of
- 17 an automobile service station is specifically prohibited.
- 18
- 19 62. The overnight parking in open areas of trucks in excess of "B"
- 20 classification is specifically prohibited.
- 21
- 22 63. No vehicles may be sold on the premises, nor shall any vehicle
- 23 display a "For Sale" sign.
- 24
- 25 64. No wrecked, junked or stripped vehicles, or vehicles without
- 26 current license plates shall be maintained on the premises.
- 27
- 28 65. The rental of cars, trucks, trailers, recreational vehicles
- 29 (RV's) or other vehicles is prohibited without an additional
- 30 application for a Special Use Permit.
- 31
- 32 66. Prior to the closing of any automobile service station, the
- 33 service station operator shall call the Village Building
- 34 Department and provide the following information:
- 35
- 36 a) Proposed date of closing.
- 37
- 38 b) Permanent or temporary closing.
- 39
- 40 c) Change of operator or use.
- 41
- 42 67. The following action shall be taken prior to the closing of
- 43 any facility:
- 44
- 45 a) All flammable materials shall be removed from the site.
- 46
- 47 b) All vehicles shall be removed from the site.
- 48
- 49 c) All equipment and utilities shall be turned off.
- 50
- 51 d) Maintenance of the site shall continue to be in
- 52 compliance with previously listed conditions.
- 53
- 54

UNOFFICIAL COPY

2025 07 03 4

1
2
3 68. Within thirty (30) days of the closing of an automobile
4 service station, the owner shall file for an Occupancy Permit
5 or Building Permit with the Village for a successor use of the
6 site. Upon the failure to submit such documents, the
7 following action shall be taken by the owner:
8

9 a) All signage and support structures must be removed from
10 the site.

11
12 b) All windows and doors shall be safety boarded. The
13 boarding shall be painted a neutral color such as white,
14 cream, gray, etc., to blend with the station.

15
16 c) Access and egress to the site shall be prohibited by
17 wheel stops or other barriers approved by the Traffic
18 Engineer.

19
20 d) All pumps, lighting fixtures and accessory fixtures and
21 structures shall be removed from the site.

22
23 e) Within 90 days of the closing or temporary closing of a
24 service station, the owner shall determine if the tanks
25 are to be removed or reused in the future. If the tanks
26 are to be reused or the owner is still unsure, they may
27 be placed temporarily out of service in accordance with
28 Illinois State Fire Marshall Regulations. The pump
29 islands and tanks shall be removed if the tanks are not
30 reused within 180 days of the closing or temporary
31 closing of a service stations.

32
33 f) Maintenance of the site shall continue to be in
34 compliance with the conditions enumerated in this Section
35 of the Skokie Zoning Ordinance.
36

37 69. Failure to abide by any and all terms of the Special Use
38 Permit shall be cause for the Village to initiate hearings to
39 determine whether the subject Special Use Permit should be
40 revoked, as well as any applicable business licence.
41

42 70. Every owner or manager of any use which has been granted a
43 Special Use Permit shall post in a conspicuous location, the
44 specific conditions, i.e., the Ordinance itself, under which
45 the Special Use Permit was granted, and any Special Use Permit
46 which is granted shall be recorded at the Petitioner's expense
47 with the Cook County Recorder of Deeds' Office.
48

49 Section 2: That a notice of the enactment of this Ordinance
50
51 incorporating the conditions herein be approved by the owner of the
52
53
54

02077034

UNOFFICIAL COPY

1
4 property in writing and duly recorded in the office of the Recorder
5 of Deeds for Cook County at the owner's expense.

6
7 Section 3: That this Ordinance shall be in full force and
8 effect from and after its passage, approval and recordation as
9 provided by law.
10

11
12 ADOPTED this 19th day of October, 1992.

13
14
15 Marlene Williams
16 Village Clerk
17

18 Ayes: 6
19 Nays: 0
20 Absent: 1
21

22 Approved by me this 19th day of
23 October, 1992.

24
25 Jacqueline B Gorell
26 Mayor, Village of Skokie
27

28
29 Attested and filed in my
30 office this 20th day of
31 Oct, 1992.
32

33
34 Marlene Williams
35 Village Clerk
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

02927034

I, MARLENE WILLIAMS, DO HEREBY CERTIFY that I am the regularly elected and acting Clerk of the Village of Skokie, County of Cook and State of Illinois.

I DO FURTHER CERTIFY that the annexed and foregoing ORDINANCE is a true and correct copy of an ORDINANCE adopted by the Mayor and Board of Trustees of the Village of Skokie on the 19th day of October, A.D. 1992, by a vote of 6 AYES 0 NAYS 1 ABSENT; that said ORDINANCE, adopted as aforesaid was deposited and filed in the Office of the Village of Skokie on the 20th day of October, A.D. 1992, and was approved by the Mayor and the Village of Skokie on the 19th day of October, A.D. 1992.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy is entrusted to my care and safekeeping and I am the Keeper of the same.

I DO FURTHER CERTIFY that I am the Keeper of the records journal, entries and ordinances of the said Village of Skokie.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the corporate seal of the Village of Skokie this 20th day of October A.D. 1992.

Marlene Williams
Village Clerk of the Village of Skokie,
Cook County, Illinois

(SEAL)

52937034

UNOFFICIAL COPY

Property of Cook County Clerk's Office