

# UNOFFICIAL COPY

BMM:SB:ss 4/20/92  
(73-10P)

92-4-2-2287

AN ORDINANCE AMENDING THE SPECIAL USE PERMIT GRANTED BY VILLAGE-ORDINANCE NUMBER 73-9-Z-732 TO ESTABLISH AND OPERATE SELF-SERVICE GASOLINE DISPENSING, A MINI-FOOD MART AND UPGRADE THE SERVICE STATION AT THE EXISTING AUTOMOBILE SERVICE STATION AT 9301 SKOKIE BOULEVARD, SKOKIE, ILLINOIS, IN A B-3 BUSINESS DISTRICT.

B

WHEREAS, on September 10, 1973, the Mayor and Board of Trustees of the Village of Skokie adopted Village Ordinance Number 73-9-Z-732 granting a Special Use Permit to allow the construction of a storage room at the existing automobile service station at the northeast corner of Skokie Boulevard and Gross Point Road in a B-3 Business District; and

WHEREAS, the owner of the property described in Exhibit "A", which is attached hereto and made a part hereof, and commonly known as 9301 Skokie Boulevard, Skokie, Illinois, requested that the aforementioned Special Use Permit be amended to establish and operate total self-service gasoline dispensing, a mini-food mart and to upgrade the service station by the construction of a canopy over new pump islands; and

WHEREAS, the Plan Commission, after public hearing duly held, failed to recommend the requested amendment to the existing Special Use Permit to the Mayor and Board of Trustees; and

WHEREAS, the Mayor and Board of Trustees, after public hearing duly held, made appropriate findings of fact as required under Section 13.4.5.5 of the Skokie Zoning Ordinance and voted to

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3 grant the Petitioner's request to amend the Special Use Permit,  
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5 subject to the Staff's recommended conditions;

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

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11 Section 1: That the requested amendment to the Special Use  
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13 Permit granted by Village Ordinance Number 73-9-Z-732 to allow the  
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15 establishment and operation of a total self-service gasoline  
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17 station, a mini-food mart and the upgrade to the existing service  
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19 station by the construction of a canopy over new pump islands, at  
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21 9301 Skokie Boulevard, Skokie, Illinois in a B-3 Business District  
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23 is hereby granted and approved subject to each of the conditions  
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25 set forth below:

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1. That the subject automobile service station, with an accessory mini-food mart, shall be operated and maintained in substantial compliance with the Petitioner's Revised Site/Landscape Plan dated 12/17/91.
  2. That the mini-food mart shall be established and operated in compliance with the Petitioner's Revised Floor Plan dated 9/23/91.
  3. That the automobile service station shall be operated and maintained in substantial compliance with the Petitioner's Revised Floor Plan dated 9/23/91.
  4. That all landscaping shall be provided and maintained as indicated on the revised Site/Landscape Plan dated 12/17/91 as modified by the Skokie Appearance Commission.
  5. That all signage shall be brought into compliance with the Village Sign Ordinance prior to the issuance of a Building Permit.
  6. That a minimum of one (1) employee shall be on duty in the mini-food mart at all times and at least one (1) additional employee shall be available whenever automobile repair work is performed.
  7. There shall be no automobile repair work performed between 10:00 p.m. and 7:00 a.m. All repair work shall be performed in an enclosed building.

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- 6 8. No accessory buildings or structures shall be allowed on the site.
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- 10 9. No vending machines shall be allowed outside of the station building.
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- 13 10. That the six (6) foot high wooden fence along the north property line of the site shall be maintained in a state of good repair at all times.
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- 16 11. That the outside storage or display of non-automotive products is specifically prohibited.
- 17
- 18 12. That the handicapped parking space shall be included in the Village Handicapped Parking Space Program.
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- 20 13. That permit approval is obtained from the Office of the State Fire Marshall.
- 21
- 22 14. That the Petitioner comply with all Federal, State, and local requirements with regard to soil contamination.
- 23
- 24
- 25 15. That the Petitioner have one (1) year from the date of receiving a Certificate of Occupancy Permit to install a leak detection system of a type approved by the Office of the State Fire Marshall.
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- 29 16. That Petitioners submit to the Village Fire Department evidence demonstrating compliance with Illinois Environmental Protection Agency and State Fire Marshall requirements for removal and replacement of underground storage tanks on the subject property.
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- 31
- 32 17. That the Petitioners and all future property owners continue to be responsible for hazardous wastes and contaminants on site and the public and alley right-of-way adjacent to the property.
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- 36 18. The dispensing of coffee, tea and soft drinks shall be prohibited, without an amendment to the Special Use Permit;
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- 39 19. That an approved garbage corral shall be provided that is properly enclosed, wash-down hose bib shall be provided and dumpster shall be placed on a concrete pad.
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- 43 20. All equipment must be NSF approved and installed to NSF specifications. Submit list of equipment giving names and model numbers.
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- 46
- 47 21. All food storage must be six (6) inches off the floor on NSF approved dunnage racks or shelving.
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- 50 22. Plans must be submitted showing the layout of all equipment
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installation, plumbing and structural finishes (floor, walls, ceiling, lighting, etc.).

23. Provide paper towels and liquid soap dispensers at hand sinks in the washrooms.
24. A mop sink shall be provided to facilitate floor cleaning.
25. That nine (9) off-street parking spaces shall be provided based on one (1) space per pump island (2 islands), two (2) spaces per service bay (3 bays) and one (1) space per 300 square feet of floor area for the proposed mini-food mart.
26. That the required 16-foot wide handicapped space shall be included in the Village's Private Property Handicapped Parking Space Maintenance Program.
27. The proposed handicapped ramp shall be constructed with a 1:12 slope.
28. All toilets must meet the State of Illinois Accessibility Requirements.
29. The stormwater detention must be provided for the entire site per Village Ordinance.
30. An attendant must be at the master control console at all times that self-service gasoline is being dispensed. The attendants primary function shall be to supervise, observe and control the dispensing of Class 1 liquids while such liquids are actually dispensed. It is the responsibility of the attendant to: 1) prevent the dispensing of Class 1 liquids into portable containers not approved by the Fire Prevention Bureau; 2) control sources of ignition; 3) immediately handle accidental spills and fire extinguishers if needed; 4) control pump island shut-off when drivers do not shut-off their motors before attempting to fuel their vehicles; and 5) enforce other State and local requirements concerning operating and safety factors. The attendant or supervisor on duty shall be mentally and physically capable of performing the functions and assuming the responsibility prescribed in this item. This attendant may operate the cash register; however, this attendant shall have no convenience store related duties, such as stocking shelves, janitorial duties, etc., while self-serve gasoline is being dispensed.
31. All food products shall be prepacked only (except for coffee/tea or dispensed soft drinks) with deli type operations specifically prohibited. The sale of liquor and other alcoholic beverages, the dispensing of lottery tickets, and the sale or rental of video cassette recorder tapes is prohibited. The consumption of food and beverages upon the premises is prohibited.

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32. Window signs, either temporary or permanent, shall not occupy more than twenty-five percent (25%) of the total window surface area, nor shall any temporary sign be affixed to any exterior window surface, wall or other exterior surface of the structure, wall or canopy, excluding bunting, flags or pennants.
33. Premises shall be kept clean and neat, free from rubbish or trash. Trash shall be stored or deposited in covered receptacles only. In addition, covered receptacles shall be conveniently located and maintained at each pump island and at convenient locations for customers using the convenience store.
34. The control station shall be equipped in such a manner that the flow of product from any or all fuel dispensing units may be stopped from such control station; also a master electrical switch shall be maintained at such control station.
35. Accurate daily inventory records shall be maintained and reconciled on all product storage tanks. The records shall be kept at the premises, available for inspection by the Skokie Fire Prevention Bureau. A description of the inventory system to be utilized must be submitted to the Fire Prevention Bureau. As required by the Office of the State Fire Marshall, all spills/overfills, any inventory discrepancy, and any suspected or actual leaks of petroleum products, shall be reported to the Skokie Fire Department immediately.
36. Listed automatic closing type hose nozzle valves with or without latch open devices shall be provided on all dispensers.
37. No delivery of any product shall be made into portable containers unless containers are approved by the Skokie Fire Prevention Bureau. Bulk sales of motor fuels is specifically prohibited, except up to five (5) gallons as permitted under the Skokie Code of Ordinances.
38. Only persons 18 years of age or older, or persons having a valid driver's license shall operate a self-serve gasoline pump.
39. Operating instructions for self-serve gasoline pumps shall be conspicuously posted in the dispensing area.
40. Warning signs shall be conspicuously posted in the dispensing area incorporating the following or equivalent wording: (A) WARNING: It is unlawful and dangerous to dispense gasoline into unapproved containers; (B) NO SMOKING; and (C) STOP MOTOR. No fuel shall be dispensed nor shall any motor vehicle be serviced until motor and ignition have been shut off.

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properties, subject to the approval of the Skokie Traffic Engineer.

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6 52. All landscaping shall be maintained to a height of thirty (30)  
7 inches for a distance of fifteen (15) feet from any vehicular  
8 access point into or out of the station in order to provide  
9 for adequate sight distance.  
10  
11 53. All sidewalks shall be depressed at alleys and street corners  
12 to provide for access by the handicapped.  
13  
14 54. Ramps shall be provided to the main building and to public  
15 toilet rooms, with the public toilet rooms designed to meet  
16 the standards for handicapped. The entire structure must  
17 comply with State of Illinois, Accessibility Standards.  
18  
19 55. All signs shall conform with the Skokie Sign Ordinance,  
20 and any sign on the site which is in violation of the  
21 Ordinance, including free standing signs, must be removed or  
22 made to conform to the regulations of the Sign Ordinance.  
23  
24 56. All applicable Village codes and ordinances shall be met.  
25  
26 57. Coin operated amusement devices are specifically prohibited.  
27  
28 58. Coin operated, customer operated and mechanical car washes are  
29 specifically prohibited.  
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31 59. Outside storage of tires, supplies, etc., as well as the  
32 outside storage or display of non-automotive products, are  
33 specifically prohibited.  
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35 60. The storage of boats, trailers, trucks and recreational  
36 vehicles, and other vehicles not related to the operation of  
37 an automobile service station is specifically prohibited.  
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39 61. The overnight parking in open areas of trucks in excess of "B"  
40 classification is specifically prohibited.  
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42 62. No vehicles may be sold on the premises, nor shall any vehicle  
43 display a "For Sale" sign.  
44  
45 63. No wrecked, junked or stripped vehicles, or vehicles without  
46 current license plates shall be maintained on the premises.  
47  
48 64. The rental of cars, trucks, trailers, recreational vehicles  
49 (RV's) or other vehicles is prohibited without an additional  
50 application for a Special Use Permit.  
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52 65. Prior to the closing of any automobile service station, the  
53 service station operator shall call the Village Building  
Department and provide the following information:

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- a) Proposed date of closing.
  - b) Permanent or temporary closing.
  - c) Change of operator or use.
66. The following action shall be taken prior to the closing of any facility:
- a) All flammable materials shall be removed from the site.
  - b) All vehicles shall be removed from the site.
  - c) All equipment and utilities shall be turned off.
  - d) Maintenance of the site shall continue to be in compliance with previously listed conditions.
67. Within thirty (30) days of the closing of an automobile service station, the owner shall file for an Occupancy Permit or Building Permit with the Village for a successor use of the site. Upon the failure to submit such documents, the following action shall be taken by the owner:
- a) All signage and support structures must be removed from the site.
  - b) All windows and doors shall be safety boarded. The boarding shall be painted a neutral color such as white, cream, gray, etc., to blend with the station.
  - c) Ingress and egress to the site shall be prohibited by wheel stops or other barriers approved by the Traffic Engineer.
  - d) All pumps, lighting fixtures and accessory fixtures and structures shall be removed from the site.
  - e) Within 90 days of the closing or temporary closing of a service station, the owner shall determine if the tanks are to be removed or reused in the future. If the tanks are to be reused or the owner is still unsure, they may be placed temporarily out of service in accordance with Illinois State Fire Marshall Regulations. The pump islands and tanks shall be removed if the tanks are not reused within 180 days of the closing or temporary closing of a service stations.
  - f) Maintenance of the site shall continue to be in compliance with the conditions enumerated in this Section of the Skokie Zoning Ordinance.
68. Failure to abide by any and all terms of the Special Use



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3 Permit shall be cause for the Village to initiate hearings to  
4 determine whether the subject Special Use Permit should be  
5 revoked, as well as any applicable business license.

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7 69. Every owner or manager of the facility for which the Special  
8 Use Permit was granted shall post in a conspicuous location,  
9 the specific conditions i.e., the Ordinance itself, under  
10 which the Special Use Permit was granted.

11  
12 70. That the Special Use Permit Ordinance shall be recorded at the  
13 Petitioner's expense with the Cook County Recorder of Deeds'  
14 Office.

15 Section 2: That a notice of the enactment of this Ordinance  
16 incorporating the conditions herein be approved by the owner of the  
17 property in writing and duly recorded in the office of the Recorder  
18 of Deeds for Cook County at the owner's expense.

19 Section 3: That this Ordinance shall be in full force and  
20 effect from and after its passage, approval and recordation as  
21 provided by law.

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24 ADOPTED this 20th day of April, 1992.

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34 \_\_\_\_\_  
35 Village Clerk

35 Ayes: 7  
36 Nays: 0  
37 Absent: 0

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39 Approved by me this \_\_\_\_\_ day of  
40 \_\_\_\_\_, 1992.

41  
42  
43  
44 \_\_\_\_\_  
45 Mayor, Village of Skokie

46 Attested and filed in my  
47 office this \_\_\_\_\_ day of  
48 \_\_\_\_\_, 1992.

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51 \_\_\_\_\_  
52 Village Clerk  
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## PARCEL 1:

THAT PART LYING EAST OF THE LINE OF SKOKIE BOULEVARD OF THAT PART OF THE WEST 1/2 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SECTION 15 AFORESAID WITH THE CENTER LINE OF GROSS POINT ROAD RUNNING THENCE NORTHEASTERLY

ALONG THE CENTER LINE OF SAID ROAD 246.2 FEET; THENCE NORTHWESTERLY 116.1 FEET MORE OR LESS TO A POINT IN THE WEST LINE OF SECTION 15 AFORESAID, 252.5 FEET (MEASURED ON THE WEST LINE) NORTH OF THE CENTER LINE OF SAID GROSS POINT ROAD; THENCE SOUTH TO THE PLACE OF BEGINNING

(EXCEPT THAT PORTION TAKEN FOR HIGHWAY PURPOSES BY THE STATE OF ILLINOIS IN CONDEMNATION CASE NO. 81126856 AND BEING THAT PART LYING EAST OF THE EAST LINE OF SKOKIE BOULEVARD OF THAT PART OF THE WEST 1/2 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION 15 WITH THE CENTERLINE OF GROSS POINT ROAD; THENCE NORTH 44 DEGREES, 14 MINUTES, 41 SECONDS EAST ALONG SAID CENTERLINE 71.77 FEET TO THE EAST LINE OF SKOKIE BOULEVARD BEING PARALLEL WITH AND 50.0 FEET NORMALLY DISTANT EASTERLY OF SAID WEST LINE OF SECTION 15, ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 44 DEGREES, 14 MINUTES, 41 SECONDS EAST ALONG THE CENTERLINE OF GROSS POINT ROAD FOR A DISTANCE OF 175.43 FEET; THENCE NORTH 66 DEGREES, 20 MINUTES, 11 SECONDS WEST FOR A DISTANCE OF 31.27 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GROSS POINT ROAD; THENCE SOUTH 44 DEGREES, 14 MINUTES, 41 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 55.09 FEET TO A POINT; THENCE WESTERLY ALONG THE ARC OF A TANGENTIAL CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 30 FEET AND A CENTRAL ANGLE OF 135 DEGREES, 50 MINUTES, 32 SECONDS FOR A DISTANCE OF 71.13 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SKOKIE BOULEVARD; THENCE SOUTH 0 DEGREE, 06 MINUTES, 13 SECONDS WEST ALONG SAID LINE FOR A DISTANCE OF 121.23 FEET TO THE POINT OF BEGINNING)

## PARCEL 2:

THAT PART LYING EAST OF THE EAST LINE OF SKOKIE BOULEVARD OF THAT PART OF LOT 3 LYING WESTERLY OF GROSS POINT ROAD IN THE PARTITION BETWEEN THE HEIRS OF MICHAEL DIEDERICH OF PART OF THE SOUTH WEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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STATE OF ILLINOIS)  
COUNTY OF C O O K)

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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 20th day of April, A.D. 1992, by a vote of 7 AYES 0 NAYS 0 ABSENT; that said ORDINANCE, adopted as aforesaid was deposited and filed in the Office of the Village of Skokie on the 21st day of April, A.D. 1992, and was approved by the Mayor and the Village of Skokie on the 20th day of April, 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 WHEREOFF I have hereunto set my hand and affixed the corporate seal of the Village of Skokie this 21st day of April A.D. 1992.

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

(SEAL)

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## NOTICE OF APPROVAL

An ordinance amending the Use Permit granted by Village Ordinance Number 73-9-2-732 to establish and operate self-service gasoline dispensing, a mini-food mart and upgrade the service station all at the existing automobile service station at 9301 Skokie Boulevard, Skokie, Illinois was approved by the Mayor and Board of Trustees of the Village of Skokie on the 22<sup>nd</sup> day of April, 1992.

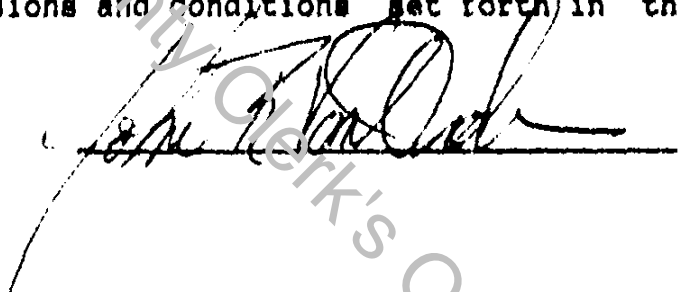
The approval granted is shown on the attached document marked Exhibit "A".

**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.

. DEPT-09 MISC. \$3.00  
. T#7777 TRAN 5702 06/01/92 17:03:00  
. #4846 # \*-92-378438  
. COOK COUNTY RECORDER

## 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.

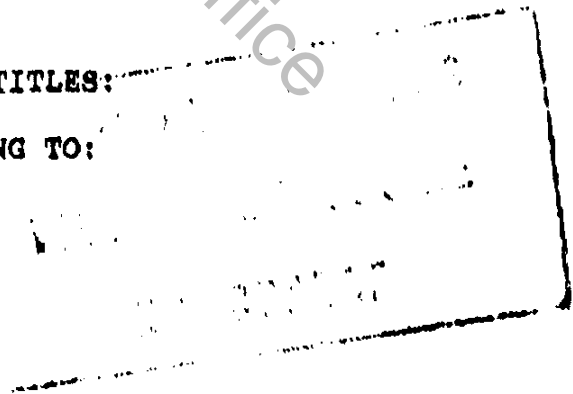


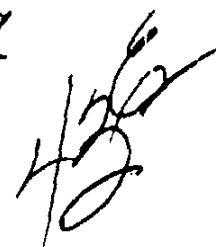
TO: RECORDER OF DEEDS or REGISTRAR OF TITLES:

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

Plan Commission Case #73-10P

Village Ordinance No. 92-4-2-2289





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