

Ordinance No. 17-26

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS,
GRANTING VARIANCES FROM THE SIGN CHAPTER AND GRANTING
WAIVERS FOR LANDSCAPING REQUIREMENTS FOR THE PROPERTY
LOCATED AT CHRISTINA DRIVE AND ROUTE 72
FOR A SPEEDWAY FUELING CENTER**

WHEREAS, the Village of East Dundee, Kane and Cook Counties, Illinois (the “Village”) is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, Speedway LLC (“the Applicant”) is seeking to acquire certain property located at Christina Drive and Route 72 described in Section 2 herein (the “Subject Property”) and desires to develop the Subject Property as a Speedway fueling center; and,

WHEREAS, in order to develop the Subject Property, the applicant requested that the Village grant certain sign variances and landscaping waivers for the project; and,

WHEREAS, pursuant to Section 156.05(B)(3) of the Village Code, the President and Board of Trustees of the Village (the “Corporate Authorities”) may allow variances to provide relief from the requirements of the East Dundee Sign Chapter (the “Sign Code”) where there are practical difficulties or a particular hardship in the way of carrying out the strict letter of the regulations of the Sign Code; and,

WHEREAS, the Applicant filed an application, requesting variances from the Sign Code, for 3 wall signs (2 permitted), 2 gas pricing signs (1 permitted), gas price sign maximum of 80 square feet and 36 square feet (10 square feet permitted), gas sign lettering of 30 inches and 24 inches (14 inches permitted), gas price sign height of 17 feet (15 feet

permitted), combined pricing sign are per side of 209 square foot and 72 square feet (45 feet per side permitted), approximately 340 square feet of canopy and wall sign (canopy to be counted towards 100 square feet wall sign), a freestanding sign 24' feet high – 9.5 feet wide (20 feet height, 15 feet width and 3 feet in thickness permitted), and freestanding sign to be 209 square feet per side (140 square feet per side permitted), for the Subject Property; and,

WHEREAS, notice of the public hearing on said application was given as required by the Section 157.207(B) of the Village's Zoning Chapter; and,

WHEREAS, pursuant to said notice, the President and Board of Trustees of the Village (the "Corporate Authorities") conducted a public hearing on May 15, 2017, on said application in accordance with the ordinances of the Village; and,

WHEREAS, the Corporate Authorities found that the variations did meet the standards in Section 157.207(C) of the Zoning Chapter; and,

WHEREAS, the Applicant has requested the waiver of certain landscape requirements by not requiring a 5 foot landscaped area around the building, requiring a landscape island for each 40 parking stalls and decreasing the size of landscape islands from 400 square feet and not requiring 1 tree every 30 foot of frontage; and,

WHEREAS, the Corporate Authorities of the Village of East Dundee have received and considered the waiver of these landscaping requirements.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of East Dundee, Kane and Cook Counties, Illinois, as follows:

Section 1: The above recitals are incorporated herein and made a part of this Ordinance.

Section 2: That this Ordinance shall apply to the Subject Property legally described on Exhibit A attached hereto and made a part hereof.

Section 3: That variations from Subsection 156.04(C) of the Sign Code are hereby granted for the Subject Property:

| Code Section 156.04(C) | Requirement | Approved |
|------------------------|--|--|
| (1)(a) | Maximum 2 wall signs | 3 wall signs |
| (5)(b) | Maximum 1 gas pricing sign | 2 gas pricing signs |
| (5)(b)(1) | Gas price sign maximum 10 Square feet | Gas price sign maximum 80 square feet and 36 square feet |
| (5)(b)(2) | Gas price 14 inch maximum letter height | Gas price 30 inch and 24 inch maximum letter height |
| (5)(b)(3) | Maximum height gas sign 15 feet | Maximum height gas sign 17 feet |
| (5)(b)(5) | Pricing combined with freestanding sign not to exceed 45 square feet per side | Combined pricing sign area per side 209 square feet and 72 square feet |
| (7)(b) | Canopy sign area is to count towards the permitted wall sign area of 100 square feet | 340 square feet of canopy and wall sign |
| (2)(c) | Freestanding signs are not to exceed 20 feet in height, 15 feet in width and 3 feet in thickness | The tallest sign is 24 feet height, 9.5 feet wide |
| (2)(d)(2) | Freestanding signs are to have a maximum 140 square feet per side | The largest sign 209 square feet (with pricing) |

Section 4: That a waiver is hereby granted to the Subject Property from the following landscape requirements:

| Code Section | Requirement | Approved |
|-----------------------|---|---------------------------------------|
| 158.04(D)(2)(c) | 5 foot wide landscaped area around building | As shown on site plan attached hereto |
| Developer's Agreement | 1 landscape island for 40 parking stalls with island to be a minimum of 400 square feet | No parking islands are shown |
| 158.04(D)(2)(a)(2a) | 1 tree for 30 feet of street frontage | As shown on site plan |

Section 5: That the variation shall be constructed, operated and maintained in accordance with the following plans, diagrams and conditions:

- A. The signage plan prepared by Corporate Design and Development Group, LLC dated May 12, 2017 attached hereto and made a part hereof as Exhibit B.
- B. The landscape plan prepared by Corporate Design and Development Group, LLC dated April 3, 2017 attached hereto and made a part hereof as Exhibit C.

Section 6: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed this 15th day of May, 2017.

AYES: Trustees Lynam, Selep, Wood, Hall, Mahony and Andresen

NAYS: Ø

ABSENT: Ø

Approved this 15th day of May, 2017.

[Signature]
Village President

Attest: [Signature]
Village Clerk

Published in pamphlet form:

May 16, 2017

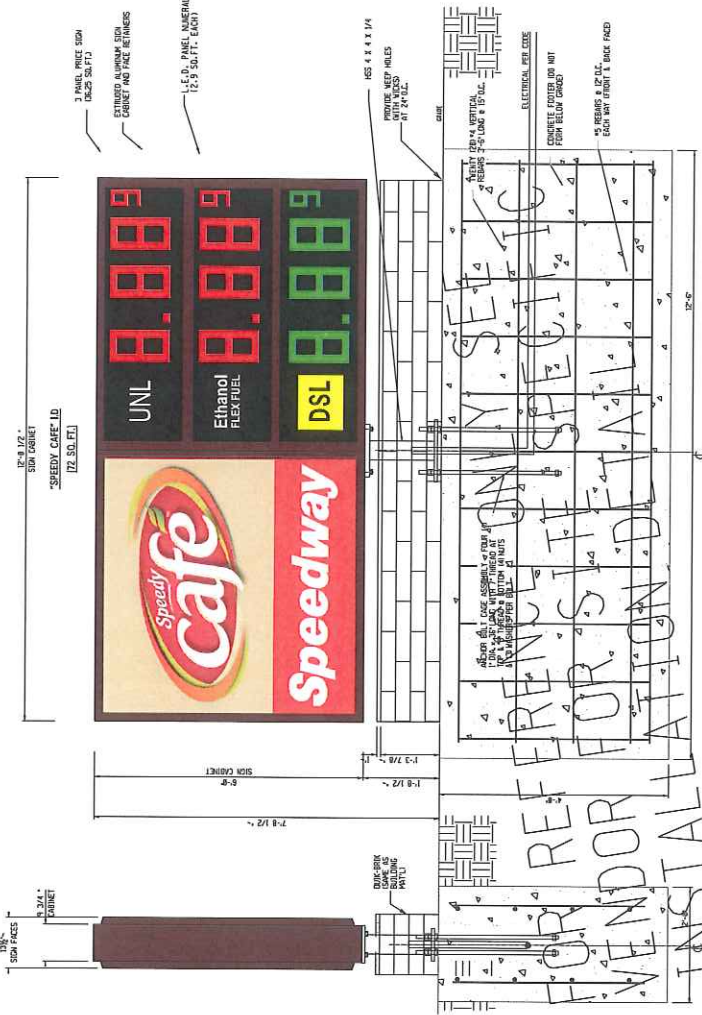
EXHIBIT A

Property Legal Description:

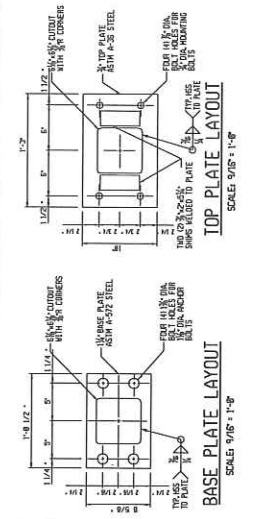
THAT PART OF LOT 5 IN TERRA BUSINESS PARK SUBDIVISION BEING A SUBDIVISION OF PART OF SECTION 24 AND 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 26th, 2007 AS DOCUMENT NUMBER 2007K124883, DESCRIBED AS FOLLOWS: BEGINNING AT A SOUTHEAST CORNER OF SAID LOT 5 BEING A POINT ON THE NORTHERLY LINE OF ILLINOIS ROUTE 72; THENCE NORTH 61 DEGREES 46 MINUTES 06 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 5 ALSO BEING THE NORTHERLY LINE OF ILLINOIS ROUTE 72, A DISTANCE OF 357.00 FEET; THENCE NORTH 28 DEGREES 13 MINUTES 54 SECONDS EAST, 449.15 FEET; THENCE SOUTH 61 DEGREES 46 MINUTES 06 SECONDS EAST, 363.93 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 5 ALSO BEING THE WESTERLY LINE OF CHRISTINA DRIVE; THENCE SOUTHWESTERLY 10.73 FEET ALONG SAID LINE ALSO BEING A CURVE TO THE LEFT HAVING A RADIUS OF 537.50 FEET (CHORD BEARS SOUTH 13 DEGREES 56 MINUTES 03 SECONDS WEST, 10.73 FEET); THENCE SOUTH 13 DEGREES 22 MINUTES 02 SECONDS WEST ALONG SAID LINE, 111.81 FEET; THENCE SOUTHWESTERLY 98.51 FEET ALONG SAID LINE ALSO BEING A CURVE TO THE RIGHT HAVING A RADIUS OF 379.50 FEET (CHORD BEARS SOUTH 20 DEGREES 48 MINUTES 12 SECONDS WEST, 98.23 FEET); THENCE SOUTH 28 DEGREES 14 MINUTES 21 SECONDS WEST ALONG SAID LINE, 180.37 FEET; THENCE SOUTH 72 DEGREES 08 MINUTES 23 SECONDS WEST ALONG SAID LINE, 73.45 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

CONTAINING 4.089 ACRES (178,112 SQUARE FEET)

GROUND MOUNT SIGN ELEVATION VIEWS



NOTES & DETAILS



NOTE II
SIGN CABINETS TO BE INSTALLED SUCH THAT PRICE PANELS ARE ORIENTED CLOSEST TO STREET

GENERAL NOTES

1. PRICE SIGN TO BE INTERNALLY ILLUMINATED, FINISHED BY OWNER AND INSTALLED BY CONTRACTOR.
2. ALL SIGN FACE COMPONENTS TO BE SCREENED BY PER CAMERA READY ART PROVIDED BY OWNER.
3. SIGN MESSAGE BOARD TO BE IDENTICAL TO SIGN MESSAGE BOARD IN PLACE. MESSAGE BOARD TO BE IDENTICAL TO MESSAGE BOARD IN PLACE. MESSAGE BOARD TO BE IDENTICAL TO MESSAGE BOARD IN PLACE. MESSAGE BOARD TO BE IDENTICAL TO MESSAGE BOARD IN PLACE.
4. COLORS TO MATCH.
5. BASE MATERIAL TO MATCH BUILDING.
6. OWNER TO OBTAIN FINAL APPROVAL OF PROTECTIVE SIGN PRIOR TO PRODUCTION.
7. REFER TO VENDOR FOR TOTAL ELECTRICAL REQUIREMENTS.

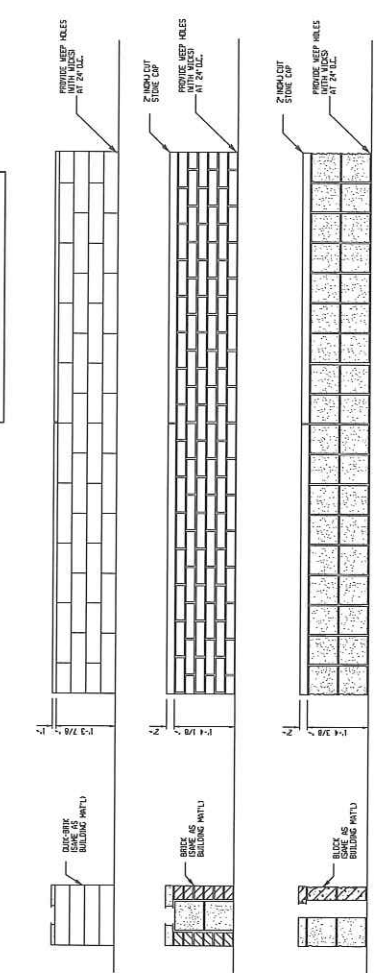
TOTAL AREA OF SIGN MODULES 72.8 SQ. FT.

24" HIGH CABINETS:
PRINT SIGN OPTIONS,
PRIORITIZED



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

SITE SPECIFIC BASE OPTIONS TO MATCH BUILDING



2. PRICER LED PANEL:
PLACARD OPTION



MANUAL PLACARD PRICER
NUMERAL OPTION



NOTE
THIS DRAWING IS FOR REFERENCE ONLY AND NOT TO BE USED FOR INSTALLATION

72 SQ. FT. "SPEEDWAY"
(MONUMENT SIGN DETAILS)
CAFE OPTION

Speedway
Engineering and Construction Dept.
P.O. Box 1111
Franklin, OH 43003

| | |
|----------|------------|
| SCALE | AS SHOWN |
| DESIGNER | AS SHOWN |
| DRAWN | E. WICKERS |
| CHECKED | J. FRYE |
| APPROVED | R. BAIRD |

STC-A72M-C

9'-6"

22'

2'

Speedy
Cafe

Speedway

UNL 8.88⁹

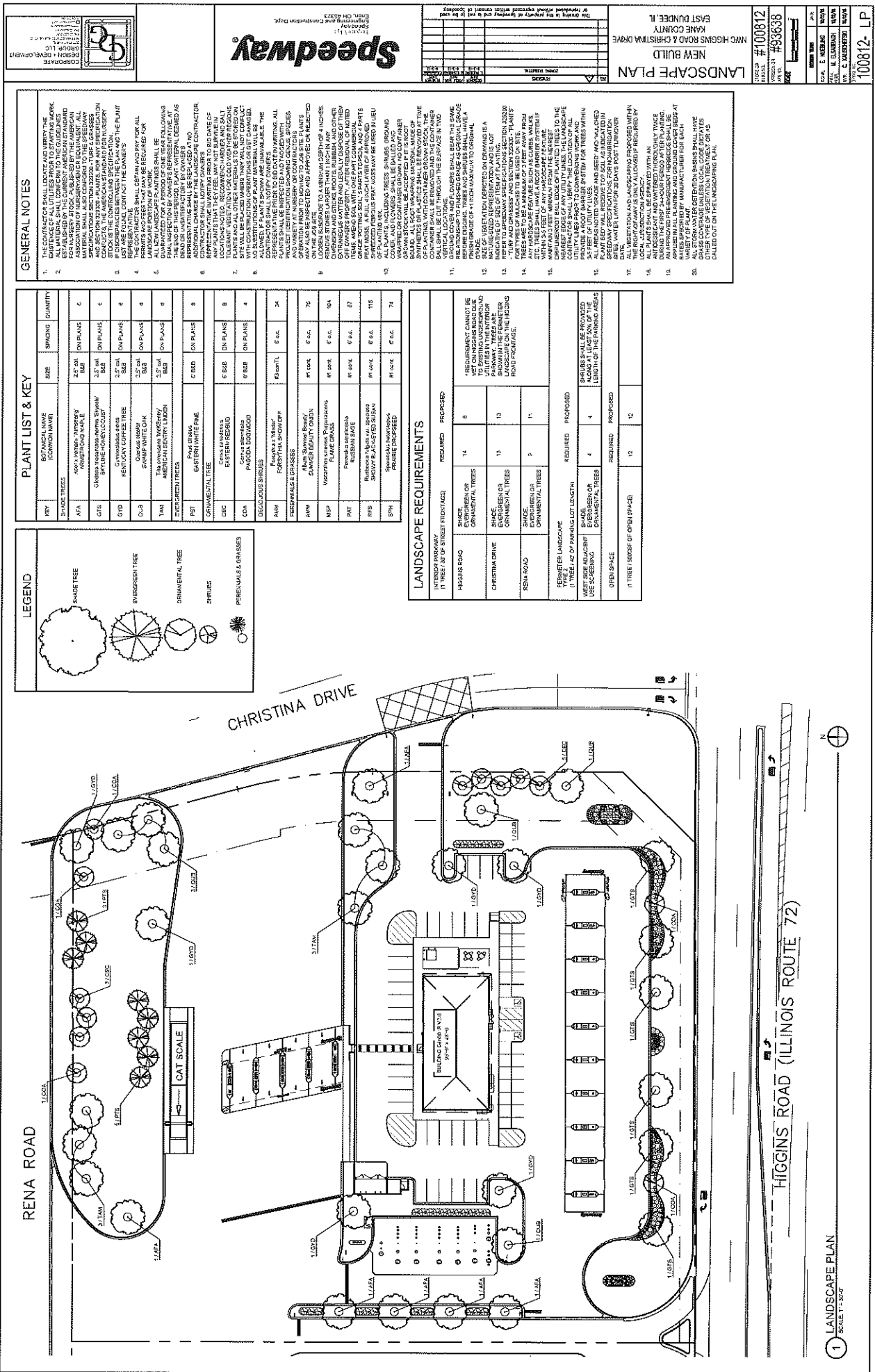
Ethanol
FLEX FUEL 8.88⁹

DSL 8.88⁹

Beer Cave

99¢ COKE
2 LITER

EXHIBIT C



LEGEND

| | |
|--|----------------------|
| | SHADE TREE |
| | EVERGREEN TREE |
| | ORNAMENTAL TREE |
| | SHRUBS |
| | PERENNIALS & GRASSES |

PLANT LIST & KEY

| KEY | COMMON NAME | SIZE | SPACING | QUANTITY |
|-------|-------------|------|---------|----------|
| ST1 | SHADE TREE | | | |
| ST2 | SHADE TREE | | | |
| ST3 | SHADE TREE | | | |
| ST4 | SHADE TREE | | | |
| ST5 | SHADE TREE | | | |
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| ST98 | SHADE TREE | | | |
| ST99 | SHADE TREE | | | |
| ST100 | SHADE TREE | | | |

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT. ALL MATERIALS SHALL BE DELIVERED TO THE SITE WITH PROPER DOCUMENTATION AND STORAGE.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK, AS APPLICABLE TO THE SPECIFICATIONS SECTION 02200 - PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
4. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
5. ALL LANDSCAPING MATERIALS SHALL BE DELIVERED TO THE SITE WITH PROPER DOCUMENTATION AND STORAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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LANDSCAPE REQUIREMENTS

| LOCATION | REQUIREMENT | REQUIRED | PROPOSED |
|----------------------------------|--------------------------------------|----------|----------|
| INTERIOR PARKWAY | 1 TREE / 30' OF STREET FRONTAGE | | |
| HIGGINS ROAD | SHADE, EVERGREEN OR ORNAMENTAL TREES | 14 | 8 |
| CHRISTINA DRIVE | SHADE, EVERGREEN OR ORNAMENTAL TREES | 13 | 13 |
| RENA ROAD | SHADE, EVERGREEN OR ORNAMENTAL TREES | 9 | 11 |
| PERIMETER LANDSCAPE | 1 TREE / 50' OF PARKING LOT LENGTH | | |
| WEST SIDE ADJACENT USE SCREENING | SHADE, EVERGREEN OR ORNAMENTAL TREES | 4 | 4 |
| OPEN SPACE | 1 TREE / 1000' OF OPEN SPACE | | |

LANDSCAPE PLAN
SCALE: 1/8" = 1' - 0"

#100812-LP