



2012K023327  
SANDY WEGMAN  
RECORDER - KANE COUNTY, IL

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**VILLAGE OF CAMPTON HILLS**  
**CERTIFICATE OF VILLAGE CLERK**  
**ORDINANCE**

I, CAROLYN HIGGINS, DO CERTIFY that I am the duly elected Village Clerk of the Village of Campton Hills, Kane County, Illinois; and

I FURTHER CERTIFY that the attached copy of Ordinance No. O-12-05 is a true and correct copy of the Ordinance as duly adopted by the President and Board of Trustees of the Village of Campton Hills on the 3rd day of April, 2012 and that the Ordinance has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Official Seal of the Village of Campton Hills, Kane County, Illinois this 10th day of April, 2012.

  
Carolyn Higgins

Village Clerk

(SEAL)

Prepared by: Carolyn Higgins  
Return to: Village of Campton Hills  
40W115 Campton Crossing Dr., Unit B  
Campton Hills, IL 60175

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**ORDINANCE NO. O-12-05**

**VILLAGE OF CAMPTON HILLS  
SPECIAL USE ORDINANCE  
TO ALLOW FOR A GASOLINE STATION AND  
THE SALE OF PACKAGED BEER AND WINE FOR CONSUMPTION  
OFF THE PREMISES**

**WHEREAS**, Western Trail Outpost, LLC, Owner of the property commonly known as 40W299 Route 64, Campton Hills, Kane County, Illinois (the "Subject Property"), which is zoned B-1 (as a result of a rezoning ordinance passed on this date) has applied for a special use permit to allow for the construction and operation of a gasoline station and for a Special Use Permit for retail sale of packaged beer and wine but not for consumption on the premises; and

**WHEREAS**, the Subject Property, consisting of approximately 0.62 acres, is legally described as follows:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23; THENCE SOUTH ALONG THE EAST SECTION LINE 1391.7 FEET TO THE CENTER LINE OF ILLINOIS STATE HIGHWAY ROUTE NO. 64; THENCE NORTHWESTERLY ALONG THE SAID CENTER LINE WHICH FORMS AN ANGLE OF 111 DEGREES 15 MINUTES 00 SECONDS TO THE RIGHT WITH A PROLONGATION OF THE LAST DESCRIBED COURSE (EAST SECTION LINE) 1261.6 FEET; THENCE WESTERLY ALONG A CURVE IN THE SAID CENTER LINE WHOSE RADIUS IS 2046.5 FEET, AND TANGENT TO THE LAST DESCRIBED COURSE, 158.1 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY ALONG THE EAST PROPERTY LINE OF JOHNSON BROTHERS, WHICH FORMS AN ANGLE TO THE LEFT OF 16 DEGREES 27 MINUTES WITH A RADIAL LINE THROUGH SAID LAST DESCRIBED POINT (POINT OF BEGINNING) 207.3 FEET; THENCE WESTERLY ALONG A CURVE PARALLEL TO THE CENTER LINE OF SAID ROUTE 64 AND HAVING A RADIUS OF 1848.5 FEET, 185.1 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO PETER J. DENNY AND WIFE BY DEED DATED FEBRUARY 21, 1952, AND RECORDED FEBRUARY 25, 1952, IN BOOK 1570, PAGE 309 AS DOCUMENT 692640; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID DENNY TRACT 198.5 FEET TO A POINT ON THE CENTER LINE OF SAID STATE ROUTE 64, 158.3 FEET WESTERLY OF THE POINT OF BEGINNING; THENCE EASTERLY ALONG SAID CENTER LINE OF STATE ROUTE 64, 158.3 FEET TO THE POINT OF BEGINNING; (EXCEPTING THEREFROM THAT PORTION OF SAID PREMISES CONVEYED TO SIDNEY WANZER AND OTHERS BY WARRANTY DEED DATED OCTOBER 24, 1901, AND RECORDED IN BOOK 414, PAGE 409 AS DOCUMENT 53424), IN THE TOWNSHIP OF CAMPTON, KANE COUNTY, ILLINOIS; and

Commonly known as: 40W299 Route 64, Wasco, Village of Campton Hills, Illinois

PIN: 08-23-205-004

**WHEREAS**, the Plan Commission, pursuant to notice published and given in accordance with the law, held public hearings on said request on February 26, 2012 and March 21, 2012, and at said public hearing heard the testimony of the petitioner and the testimony of other persons; and

**WHEREAS**, the Plan Commission has made findings and has recommended the approval of two special uses, one to permit the sale of packaged beer and wine not for consumption on the premises and one to allow a gasoline station:

**NOW THEREFORE**, Be It Ordained by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois that:

**Section 1.** A special use permit is hereby granted to allow the Subject Property to be used for the retail sale of packaged beer and wine for consumption off the premises in conjunction with a retain convenience store and subject to all requirements and limitations of the Village Code.

**Section 2.** A special use permit is hereby granted to allow the Subject Property to be utilized as a gasoline station, subject to the following conditions and restrictions:

a) The Subject Property shall be developed as a gasoline station and convenience store substantially in accordance with:

(i) The Geometric and Utility Plan prepared by Haeger Engineering, last revised on March 14, 2012, on file with the Village; and

(ii) The Grading and Drainage Plan prepared by Haeger Engineering, last revised March 14, 2012, on file with the Village; and

(iii) The Landscape Plan prepared by Haeger Engineering, last revised March 14, 2012, on file with the Village; and

(iv) The Elevation and Floor Plan prepared by David L. Jenkins and Associates, L.P., dated February 2, 2012, on file with the Village; and

(v) Compliance with Federal and Illinois Law and all rules and regulations of the Illinois Environmental Protection Agency and the Illinois State Fire Marshall; and

(vi) The fuel tanks shall have automatic monitoring devices described in the power point presentation dated April 3, 2012 on file with the Village; and

(vii) Stormwater retention and drainage shall be installed pursuant to plans prepared by Haeger Engineering, last revised on March 14, 2012, on file with the Village.

b) The fuel tanks to be installed shall be double walled fiberglass tanks with spill protection and alarm devices as specified in the power point presentation dated April 3, 2012 on file with the Village;

c) The fuel tanks shall be drained within thirty (30) days if the gas station closes for business; and

d) In the event of a fuel release which extends beyond the limits of the Subject Property, the owner of the Subject Property, and the operator of the gas station, shall be responsible for and shall conduct remediation to potable water standards within one thousand (1000) feet in all directions, per Illinois Environmental Protection Agency Guidelines; and

e) Anything to the contrary in the Rule of the Illinois Pollution Control Board to the contrary notwithstanding if a fuel release occurs, the owner agrees to use the "Tier 1 Residential Clean-up Objectives" found under Title 35: Environmental Protection, Subchapter G. Waste Disposal, Chapter I: Pollution Control Board, Subchapter f: Risk Based Cleanup Objectives, Part 742 Tiered Approach To Corrective Action Objectives, Section 742.Appendix B Tier 1 Illustrations and Tables and 742.Table E Tier 1 Groundwater Remediation Objectives for the Groundwater Component of the Groundwater Ingestion Route, and shall not avail itself of the exceptions thereto contained in such rules.

f) Directional signs and pavement markings for pedestrian, vehicular and bicycle traffic shall be provided and continuously maintained as approved by the Village Building and Zoning Officer; and

g) External lighting shall be pursuant to "Dark Sky" principles with fixtures substantially compatible to nine (9) pages filed by the Owner with the Village entitled "Dark Sky Fixtures"; and

h) The Owner of the Subject Property, prior to securing a building permit, shall provide to the Building and Zoning officer evidence of easements and/or access agreements deemed by the Building and Zoning Officer in the exercise of such officer's reasonable discretion, to be adequate to provide ingress and egress for the Subject Property, and adjacent property which have been recorded in the Office of the Kane County Recorder.

**Section 3.** A free standing sign may be installed which is no larger than 34 square feet per side at a location not less than 6 feet from the property line. Said sign shall be designed substantially as depicted in an Exhibit on file with the Village and shall include a peaked roof and be reasonably acceptable to the Building and Zoning Officer.

**Section 4.** This Ordinance shall be in full force and effect from and after the date of its passage, approval and publication as required by law. This Ordinance shall be published in pamphlet form.

Passed this 3th day of April, 2012 by roll call vote:

	AYES	NAYES	ABSENT	ABSTAIN
Trustee Laura Andersen	X			
Trustee Susan George		X		
Trustee Jim Kopec	X			
Trustee Al Lenkaitis, Jr.	X			
Trustee Mike Millette	X			
Trustee John Strauss	X			
President Patsy Smith				

APPROVED THIS 5th DAY OF APRIL, 2012.

  
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 Patsy J. Smith, Village President

(SEAL)

ATTEST:

  
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 Carolyn Higgins, Village Clerk

Published in pamphlet form on April 5, 2012.