
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 16-04

**AN ORDINANCE GRANTING A CONDITIONAL USE TO OPERATE A BAR
WITHOUT LIVE ENTERTAINMENT OR DANCING AT 67 S. BROADWAY IN THE
VILLAGE OF COAL CITY**

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Village Trustees

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on March 10, 2016

ORDINANCE NO. 16-04

AN ORDINANCE GRANTING A CONDITIONAL USE TO OPERATE A BAR WITHOUT LIVE ENTERTAINMENT OR DANCING AT 67 S. BROADWAY IN THE VILLAGE OF COAL CITY

WHEREAS, an application for a conditional use according to Section 156.93 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Emmy’s Café represented by Kristin Kotara (“applicant”) on February 11, 2016 for the operation of a bar without live entertainment or dancing within a C-4 zoned property; and

WHEREAS, a public hearing regarding the conditional use consideration was held on March 7, 2016; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on March 7, 2016 to consider passage of the conditional use request to the Board of Trustees; and

WHEREAS, Section 156.230 permits the Village Board to approve certain uses on a conditional basis from the Zoning Code; and

WHEREAS, the Village Board of Trustees and the President of the Village of Coal City believe it is in the best interests of the Village to grant conditional uses.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Coal City, Grundy and Will Counties, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Findings of Fact. The Board of Trustees find as follows:

- A. **Traffic**. Expected traffic flow from the Emmy’s Café is consistent with other types of uses within the C-4 zoned Core Area of the Village and will not have an adverse effect on surrounding properties.
- B. **Environmental Nuisance**. There shall not be any environmental nuisances that emanate from the conditional use. The utilization of the property for the proposed use shall not cause glare, noise, or odor that affects the neighboring properties.
- C. **Neighborhood Character**. The utilization of the property as a bar without live entertainment or dancing will not result in undue deleterious effect upon the neighborhood. The use of the property in this manner was configured to accommodate the property and shall be harmonious to its adjacent neighbors.
- D. **Public Services and Facilities**. The property shall not require any additional installation or greater utilization of public services to serve the proposed conditional use.

- E. **Public Safety and Health.** Granting this conditional use shall allow the new property owner to restore the building to comply with the Core Area Design Guidelines, which shall improve the public health and safety of the community bringing the property up to current building codes and improving the existing structure.
- F. **Other Factors.** The property shall provide many of the same retail services for which the property had been utilized in the past to include the provision of alcohol to its clients and access to legal gaming.

Section 4. Description of the Property. The property is located at 67 South Broadway in the Village of Coal City within a C-4 District.

Section 5. Public Hearings. A public hearing concerning the consideration of a conditional use was advertised on February 17, 2016 in the Coal City Courant and held by the Planning and Zoning Board on March 7, 2016 at which time a majority of the Planning and Zoning Board members recommended passage of the Conditional Use to the Board of Trustees.

Section 6. Conditional Use. The conditional use requested in the February 11, 2016 Conditional Use Application is granted as follows:

- A. A conditional use in conjunction with Section 156.93 is hereby granted to allow the operation of a bar without live entertainment or dancing within a C-4 commercially-zoned district.

Section 8. Conditions. The conditional use granted herein is contingent and subject to the following conditions:

- A. The facility shall be built according to the standards and design as presented within the Applicant's petition and consistent with the Public Hearing of March 7, 2016.
- B. Building improvements must include access to the retail suite at 67 S. Broadway along the east side of the building to ensure the ability of deliveries and employees' parking to be provided without the need to access adjacent properties.
- C. Improvements including the exterior of the building shall be made according to current village codes including the Core Area Design Guidelines.

Section 9. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

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Section 10. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date of this ordinance.

Section 11. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 10 day of March, 2016, at Coal City, Grundy & Will Counties, Illinois.

AYES: 5

NAYS: 0

ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY



Terry Halliday, President

Attest:



Pamela M. Noffsinger, Clerk