
THE VILLAGE OF COAL CITY

GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 16-19

**AN ORDINANCE GRANTING A REZONING OF PROPERTY COMMONLY
REFERRED TO AS 1630 SOUTH BROADWAY
FROM RS-1 TO I-1 ALONG WITH A VARAIANCE AND CONDITIONAL USE IN THE
VILLAGE OF COAL CITY**

TERRY HALLIDAY, President
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Village Trustees

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WHEREAS, an application for rezoning according to Section 156.270 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by Frank Cortina, acting on behalf of RMR Investments, LLC (“applicant”) on July 13, 2016 to request the rezoning of the property from RS-1 upon annexation to I-1; and

WHEREAS, the applicant requested a conditional use to allow, “Outdoor storage associated with any permitted or conditional use in the district,” as required with Table 9 of the village’s zoning code; and

WHEREAS, the applicant requested a variance from Section 156.139 to allow the continuance of the existing gravel parking surfaces rather than being required to improve the parking surfaces with concrete or asphalt; and

WHEREAS, a public hearing regarding consideration of the rezoning petition along with a variance and conditional use was held on August 1, 2016; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on August 1, 2016 to consider passage of the rezoning request to the Board of Trustees; and

WHEREAS, Section 156.270 permits the Village Board to approve amendments to the zoning of property; 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 concerning the map amendment:

- A. The industrial utilization for this property is compatible with those areas immediately adjacent to the property.
- B. Industrial zoning is supported by the trend of development within this area; the adjacent facilities contain trucking firms and have been zoned industrial.

- C. Amending the zoning to industrial is Consistent with the Comprehensive Plan which called for South Broadway within this area and farther south to be industrially zoned.
- D. Changing the zoning upon annexation Further the Public Interest by allowing the property to be utilized for industrial utilization bringing along with it value for taxation by the Village of Coal City from its annexation forward.

Section 3. Findings of Fact. The Board of Trustees find as follows concerning the requested conditional use:

- A. The traffic uses are consistent with the principle I-1 zoning to be utilized on the property upon which the building lies and no increased traffic flow is created by granting a conditional use allowing outdoor storage on the property.
- B. No adverse environmental effects, such as elevated noise, odor, or dust production shall occur due to the outdoor storage conditional use proposed for the property.
- C. The outdoor storage fits harmoniously with the neighborhood and shall be similar in nature to the adjacent properties.
- D. The provision of the considered uses shall not result in additional public services or facilities for the property.
- E. The utilization of outside storage shall not be detrimental to public health and safety.
- F. There are no other factors to be considered for which the conditional uses requested should be withheld.
- G. The proposed outdoor storage is compatible in all respects with the site and the surrounding area.

Section 4. Findings of Fact. The Board of Trustees find as follows concerning the requested variance:

- A. The variance to be considered takes into account Special Circumstances Not Found Elsewhere to include the annexation of an existing business that is allowed certain operational capabilities if it were not annexed within Coal City under its current county industrial zoning.
- B. To be required compliance with the village's parking area surfacing requirements would provide an unnecessary hardship for the owner of the property who can utilize the property without resurfacing off-street parking areas currently as an unincorporated property.

- C. The variance authorizing a gravel off-street parking area is necessary to enable the operation of the trucking firm on the property, consistently with the industrial zoning designation.
- D. To allow the gravel parking surfaces on the property to remain provides consistency with the Comprehensive Plan, which calls for light-industrial use on the property and is expected to be adjacent to rail-served freight services.
- E. The requested relief from parking surfacing requirements is the minimum departure necessary to enable the contemplated use of the property.

Section 5. Description of the Property. The property is commonly referred to as 1630 S. Broadway as provided in Exhibit A and legally described as:

PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 32 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 11; THENCE NORTH 1775.00 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 350.00 FEET ALONG SAID WEST LINE; THENCE EAST 622.29 FEET; THEN SOUTH 350.00 FEET; THENCE WEST 622.29 FEET TO THE POINT OF BEGINNING; SITUATED IN BRACEVILLE TOWNSHIP, GRUNDY COUNTY, ILLINOIS.

Parcel Identification Number 09-11-300-007

Section 6. Public Hearings. A public hearing concerning the consideration of rezoning was advertised on July 13, 2016 in the Coal City Courant and held by the Planning and Zoning Board on August 1, 2016 at which time a majority of the Planning and Zoning Board members recommended passage of the applicant's request to the Board of Trustees.

Section 7. Zoning Amendment with additional Conditional Use and Variance. The applicant's request for map amendment with additional relief is granted as follows:

- A. A zoning amendment altering the zoning of the property from RS-1 to I-1 is hereby granted.
- B. The property shall be provided a conditional use to allow Outdoor storage associated with any permitted use in the district.
- C. A variance shall be allowed to allow the property owner to maintain the existing gravel surfaces for parking, outdoor storage, and interior traffic flow.

Section 8. Conditions. The zoning amendment with additional relief granted herein is contingent and subject to the following conditions:

- A. The property shall be utilized in a manner consistent with the presentation of the applicant before the Planning & Zoning Board and the Board of Trustees.

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.

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 August, 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