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**THE VILLAGE OF COAL CITY**  
GRUNDY & WILL COUNTIES, ILLINOIS

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ORDINANCE  
NUMBER 17-24

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**AN ORDINANCE GRANTING A CONDITIONAL USE TO OPERATE A DRIVE-IN  
ESTABLISHMENT AT 85 S. BROADWAY IN THE VILLAGE OF COAL CITY**

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Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City  
on July 13, 2017

ORDINANCE NO. 17-24

**AN ORDINANCE GRANTING A CONDITIONAL USE TO OPERATE A DRIVE-IN ESTABLISHMENT AT 85 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 Bank of Pontiac represented by Robert Russo (“applicant”) on June 5, 2017 for the operation of a drive-in establishment, which is a bank with drive-up facilities within a C-4 zoned property; and

**WHEREAS**, a public hearing regarding the conditional use consideration was held on July 3, 2017; and

**WHEREAS**, the Village of Coal City Planning and Zoning Board met on July 3, 2017 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**. The impact of traffic expected to utilize this petitioner’s property has been mitigated to the petitioner’s best ability through the land use plan anticipating entry to the property utilizing a side street and allowing for the stacking of exit traffic on their property.
- B. **Environmental Nuisance**. The utilization of this property is indicative of similar retail uses allowed within the district are not expected to exceed any of the performance standards required within the village Code.
- C. **Neighborhood Character**. The property’s use fits harmoniously with the other surrounding uses and improves an existing property that has remained underdeveloped within the commercial district for a long period of time.
- D. **Public Services and Facilities**. The request of necessary public facilities includes a change in the directional utilization of the alley, which can be accommodated; no other improvements or public services are required at this time.

- E. **Public Safety and Health.** The proposed improvement and conditional use shall not cause harm to the patrons of the facility or the general public.
- F. **Other Factors.** The improvement of a vacant parcel of land shall add additional assessed valuation to the Village which shall result in additional property tax revenue due to the planned improvement at the property.

**Section 3.** Description of the Property. The property is located at 85 South Broadway in the Village of Coal City within a C-4 District.

**Section 4.** Public Hearings. A public hearing concerning the consideration of a conditional use was advertised on June 14, 2017 in the Coal City Courant and held by the Planning and Zoning Board on July 3, 2017 at which time a majority of the Planning and Zoning Board members recommended passage of the Conditional Use to the Board of Trustees.

**Section 5.** Conditional Use. The conditional use requested in the June 5, 2017 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 drive-in establishment within a C-4 commercially-zoned district.

**Section 6.** 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 July 3, 2017.
- B. The final land use plan must be reviewed by the staff including its engineers due to the traffic concerns caused by having a mid-block mean of egress from the business.
- C. The alley shall be utilized as a means of accessing the drive-thru operation lanes and shall be appropriately improved and shall allow for northbound traffic flow.

**Section 7.** 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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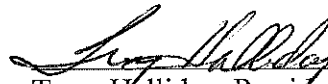
**Section 8.** Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Coal City prior to the effective date of this ordinance.

**Section 9.** Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

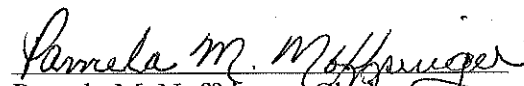
SO ORDAINED this 12 day of July, 2017, at Coal City, Grundy & Will Counties, Illinois.

AYES: 4  
NAYS: 2  
ABSENT: 0  
ABSTAIN: 0

**VILLAGE OF COAL CITY**

  
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Terry Halliday, President

Attest:

  
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Pamela M. Noffsinger, Clerk