
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NUMBER 22-07

**AN ORDINANCE GRANTING A CONDITIONAL USE TO OPERATE A
RESTAURANT WITHOUT LIVE ENTERTAINMENT OR DANCING AT 301 S.
BROADWAY IN THE VILLAGE OF COAL CITY**

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on May 10, 2022

ORDINANCE NO. 22-07

AN ORDINANCE GRANTING A CONDITIONAL USE TO OPERATE A RESTAURANT WITHOUT LIVE ENTERTAINMENT OR DANCING AT 301 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 Blue Taco represented by Kamleshkymala and Ketankymay Patel (“applicant”) on March 7, 2022 for the operation of a restaurant without live entertainment of dancing within a C-4 zoned property; and

WHEREAS, a public hearing regarding the conditional use consideration was held on April 4, 2022 and continued until April 18, 2022; and

WHEREAS, the Village of Coal City Planning and Zoning Board met on April 22, 2022 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 concerning the Conditional Use for 301 S. Broadway:

- A. **Traffic.** The traffic expected for the uses at this address are consistent with the type of vehicles and flow of vehicles expected within this downtown retail location and shall not cause an adverse impact upon the surrounding neighborhood.
- B. **Environmental Nuisance.** The proposed utilization of the property shall not cause adverse effects within the commercially zoned district; the petitioners’ attention to waste disposal will create an improvement upon the property due to the proper installation of a dumpster pen and the maintenance of grease associated with restaurant cooking interior to the structure.

- C. **Neighborhood Character.** The proposed use shall fit harmoniously within the commercial district and shall not have undue deleterious effect on the environmental quality, property values, or neighborhood character already existing in the area.
- D. **Public Services and Facilities.** No additional public services or facilities shall be required in order to accommodate the multiple retail uses to occur at this retail location.
- E. **Public Safety and Health.** The provision of a restaurant liquor license within this retail location has not been determined as detrimental to the safety or health of the employees, patrons, or visitors associated with the use nor of the general public in the vicinity.
- F. **Other Factors.** The improvements associated with including an additional restaurant utilization on S. Broadway is consistent with the comprehensive plan of the village and shall result in a substantial value being added to this existing structure.

Section 3. Description of the Property. The property is located at 301 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 March 16, 2022 in the Coal City Courant and held by the Planning and Zoning Board on April 4, 2022 at which time the hearing was continued until April 18, 2022. At that 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 March 7, 2022 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 restaurant without live entertainment or dancing 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 Hearings of April 4, 2022 and April 18, 2022.
- B. Occupancy of the retail space shall comply with the health and safety standards of the Village and the Coal City Fire District.

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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.

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 10th day of May, 2022, at Coal City, Grundy & Will Counties, Illinois.

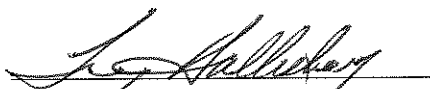
AYES: 3

NAYS: 1

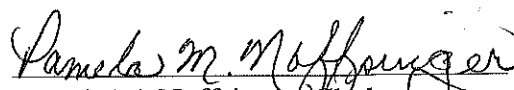
ABSENT: 2

ABSTAIN: 0

VILLAGE OF COAL CITY


Terry Halliday, President

Attest:


Pamela M. Noffsinger, Clerk