
THE VILLAGE OF COAL CITY
GRUNDY & WILL COUNTIES, ILLINOIS

ORDINANCE
NO. 26-25

**AN ORDINANCE GRANTING A CONDITIONAL USE TO THE ZONING CODE
ALLOWING FOR THE PLACEMENT OF THREE ADDITIONAL INDUSTRIAL
TANKS AT 2860 S. BROADWAY NOT TO EXCEED 50 FEET IN TOTAL HEIGHT**

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Coal City
on August 25, 2026

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WHEREAS, an application for conditional uses provided in Section 156-230 of the Village of Coal City Zoning Code (“Zoning Code”) was filed by an agent of the property owner, Airgas USA, LLC (“Applicant”), on July 17, 2026 to expand upon the total number of liquid argon tanks to include three additional tanks; and

WHEREAS, the total height of the fencing to secure the perimeter shall exceed 6’ and to be made of a rolled material to contain storage tanks that shall not exceed 50’ in total height; and

WHEREAS, Section 156-112 sets forth Conditional Uses for Industrially-zoned property within Table 9 of the Village Code; and

WHEREAS, the subject property has previously been developed in a manner consistent with the tank storage utilization presented by the Applicant, utilizing a gravel parking lot to accommodate truck traffic with 10 tanks present on the property currently; and

WHEREAS, a public hearing was properly noticed and duly held on August 17, 2026; and

WHEREAS, subsequent to the public hearing, the Zoning Board of Appeals made certain findings of fact, set forth herein, and positively recommended to the Board of Trustees the approval of conditional uses permitting the addition of three tanks, subject to compliance with certain conditions set forth herein; and

WHEREAS, Article XI of Chapter 156 and Section 156-27 permits the Village Board to approve Conditional Uses in accordance with the Village Code; and

WHEREAS, the Village Board of Trustees and the President of the Village of Coal City have reviewed the petition, the Zoning Board of Appeals’ written findings of fact and recommendation, the applicable legal standards and Village Zoning Code criteria governing conditional uses, and hereby concur with said findings and recommendation of the Zoning Board of Appeals, finding and determining that it is in the best interests of the Village to grant the requested conditional uses, subject to and contingent upon compliance with the conditions set forth in this ordinance.

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.* Furthermore, the Board of Trustees finds the following regarding the petitioner's conditional use at 2860 S. Broadway:

- A. **Traffic.** This area has been zoned and planned for industrial railroad trackage along with its possible uses. The user has previously utilized this property in the same manner since its improvement in 2021.
- B. **Environmental Nuisance.** The intended use of the property shall remain compliant with the Village's Performance Standards provided within Section 156-205. The purpose of the station shall minimize the overall environmental impact due to larger batches being brought to the region via train and available for transloading within the immediate area.
- C. **Neighborhood Character.** The utilization of the conditional use shall not result in a deleterious effect upon the neighboring properties; this is one of the competitively advantageous utilizations of industrial land provided rail service by the Union Pacific. Expansion of the existing facility is evidence of its success.
- D. **Public Services and Facilities.** Expansion upon the previous conditional use shall not result in the need for additional public services to the property.
- E. **Public Safety and Health.** The newly installed tanks shall involve the storage of an inert gas. Despite the safety precautions to be put in place should a leak occur, the dissipation of this material within the atmosphere shall not cause a nuisance to the public safety and health of the community.
- F. **Other Factors.** Expanding the existing conditional use demonstrates the successful utilization of the land in a manner for which it was planned and included within the comprehensive plan.

Section 3. *Findings of Fact.* Furthermore, the Board of Trustees finds the following regarding the petitioner's request for certain variances:

- A. **Special Circumstances Not Found Elsewhere.** This property is set back and is located in an industrial development area unlike land that has been previously developed.

- B. **Unnecessary Hardship.** Storage and processing of the inert gas content, Argon, is completed by utilizing tanks that exceed the maximum height of the district.
- C. **Necessary for Use of the Property.** The newly added tanks meet the purpose of the facility that has operated without issues for the past four years.
- D. **Consistency with the Local Area and Comprehensive Plan.** This industrial development is to occur within the area prescribed by the Village Board and is consistent with the adopted comprehensive plan.
- E. **Minimum Variance Recommended.** The petitioner has elaborated that three tanks at this time should be sufficient and plans upon returning to the Board should any additional need to be added at a future date.

Section 4. Description of the Property. The property is located at the property commonly referred to as 2860 S. Broadway in the Village of Coal City (the “Property”) within an I-1 District. The Property bears tax identification number 09-14-300.

Section 5. Public Hearing. Following due and timely notice via an advertisement on July 22, 2026 in the *Coal City Courier*, the certified mailing of notice to abutting property owners, and the posting of a sign on the Property in accordance with Section 156-30 of the Village Code, a public hearing was held by the Zoning Board of Appeals on August 17, 2026, at which time the Board unanimously recommended the petition for approval by the Board of Trustees.

Section 6. Conditional Uses. The petitioner shall be allowed to expand upon the existing conditional use by increasing the placement of three additional tanks for Argon storage and processing on the property.

Section 7. Variances. A variance to the industrial design guidelines shall be provided to allow the new tanks to exceed the maximum height for industrial zoning to match the existing ten tanks on the property.

Section 8. Conditions. The conditional use approvals granted herein are contingent upon the property continuing to be operated according to the standards and design as presented within the Applicant’s petition and public hearing of August 17, 2026 and continuing those standards required within previously adopted Ordinance 21-27.

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 25 day of August, 2026, at Coal City, Grundy and Will Counties, Illinois.

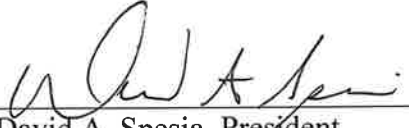
AYES: 5

NAYS: 0

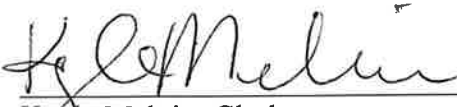
ABSENT: 1

ABSTAIN: 0

VILLAGE OF COAL CITY


David A. Spesia, President

Attest:


Kayla Melvin, Clerk