

CITY OF RED BUD, RANDOLPH COUNTY, ILLINOIS

ORDINANCE NO. 1532

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**AN ORDINANCE GRANTING A SPECIAL USE PERMIT UNDER  
TITLE XVII, CHAPTER 173 OF THE CITY OF RED BUD  
CODE OF ORDINANCES 2021**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF RED BUD, ILLINOIS,  
THIS 18<sup>th</sup> DAY OF DECEMBER, 2023

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*Published in pamphlet form by authority of the City Council of the City of Red Bud,  
Randolph County, Illinois, this 18<sup>th</sup> day of December, 2023.*

Posted: December 19, 2023  
Removed:

By: KAC  
By:

STATE OF ILLINOIS        )  
                                      ) SS.  
COUNTY OF RANDOLPH )

### **CERTIFICATION**

I, Joanne Cowell, certify that I am the duly appointed municipal clerk of the City of Red Bud, Randolph County, Illinois.

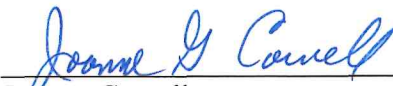
I further certify that on December 18, 2023, the Corporate Authorities of the above municipality passed and approved Ordinance No. 1532 entitled:

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT UNDER TITLE XVII,  
CHAPTER 173 OF THE CITY OF RED BUD CODE OF ORDINANCES 2021**

Which, provided by its terms, that it should be published in pamphlet form.

The Pamphlet form of Ordinance No. 1532 including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance posted at the Red Bud City Hall commencing on December 18, 2023, where it will remain for at least ten (10) days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Red Bud, Illinois this 18<sup>th</sup> day of December, 2023.

  
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Joanne Cowell  
City Clerk

**ORDINANCE NO. 1532**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
UNDER TITLE XVII, CHAPTER 173 OF THE  
CITY OF RED BUD CODE OF ORDINANCES 2021**

WHEREAS, Chapter 173 of the City of Red Bud Code of Ordinance 2021 pertains to zoning; and

WHEREAS, Section 173-29(B) includes a use table which shows special uses that require a special use permit within the City; and

WHEREAS, Jose Mata (Mata) submitted an application for a Special Use Permit to allow a service window on the South side of the building located at 1030 South Main Street, Red Bud, Illinois 62278; and

WHEREAS, the Planning Commission held a Public Hearing following due Notice on November 21, 2023, at 7:00 p.m. in the City Hall, 200 E. Market Street, Red Bud, Illinois to consider Mata's application for a Special Use Permit; and

WHEREAS, the Planning Commission thereafter prepared and submitted its findings of fact and recommendations regarding the Special Use Permit application to the City Council, a copy of which is attached hereto as "Exhibit A" and incorporated herein by reference; and

WHEREAS, the City of Red Bud has deemed it in the best interests of the City to allow the Special Use permit.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RED BUD, ILLINOIS:

**SECTION 1:** That the above recitals are hereby made a part of this Ordinance as though written herein verbatim.

**SECTION 2:** That the application for a Special Use Permit filed by Jose Mata to allow a service window on the South side of the building located at 1030 South Main Street, Red Bud, Illinois 62278, shall be granted.

**SECTION 3:** All Ordinances, and part thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

**SECTION 4:** This Ordinance shall be in full force and effect from and after its passage, approval, and signature by the Mayor.

PASSED BY THE CITY COUNCIL this 18<sup>th</sup> day of December, 2023.

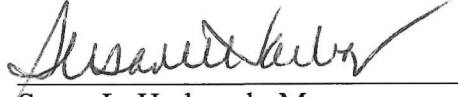
YEAS: R. Nevois, J. DeMond, B. Hanebutt, M. Rheinecker, C. Guebert,  
B. Schwartzkopf

NAYS: N/A

ABSTAINED: N/A

ABSENT: A. Piel, K. Donjon

APPROVED BY THE MAYOR this 18<sup>th</sup> day of December, 2023.

  
\_\_\_\_\_  
Susan L. Harbaugh, Mayor

ATTEST:

  
\_\_\_\_\_  
Joanne Cowell, City Clerk

**City of Red Bud  
Planning Commission  
November 21, 2023**

**Advisory Report**

Re: Said application for a Special Use Permit has been filed by Jose Mata to allow a service window to be installed at 1030 S. Main Street.

A motion to recommend the application for approval as presented was first given by Jeff Hicks and second by Robbe Aubuchon. Motion passed 4-1.

**Factors Considered:**

In making their decision, the Planning Commission shall consider the following factors:

1. Whether the proposed design, location, and manner of operation of the proposed special use is protective of the public health, safety, and welfare of all interested parties:
  - a. No concern.
2. The effect the proposal would have on the value of the neighboring property.
  - a. No concern.
3. The effect the proposal would have on this municipality's overall tax base:
  - a. No change.
4. The effect the proposal would have on public utilities and on traffic circulation on nearby streets.
  - a. There would be an increase in traffic on Hartman Drive due to the pick up traffic being diverted to the back of the building onto Hartman.
5. Whether there are any facilities nearby that require special protection.
  - a. No concern.

The Planning Commission shall submit their advisory report/finding of fact in writing to the City Council no later than ten (10) days after the public hearing. The Planning Commission may include conditions on the Special Use and shall determine that it meets the following conditions:

1. Protective of the public health, safety, and welfare:
  - a. Yes
2. In keeping with the general purposes of the Ordinance and the Red Bud Comprehensive Plan;
  - a. Yes
3. Consistent with the characteristics of the general nature of the area in which the special use is to be located.
  - a. Yes

The recommendation does meet the above conditions.

**Decision by City Council:**

The City Council shall act on every proposed amendment at their next regularly scheduled meeting (or at a special meeting if one is held before the regular meeting) following submission of the Planning Commission's advisory report.