

VILLAGE OF BRADLEY

ORDINANCE NO. O-10-23-02

AN ORDINANCE EXTENDING A SPECIAL USE PERMIT
GRANTED BY ORDINANCE O-9-21-3 FOR CERTAIN PROPERTY
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(1660 IL-50, Bourbonnais, Illinois 60914)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 9 DAY OF October, 2023

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 9 day of Oct., 2023

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GRANTED BY ORDINANCE O-9-21-3 FOR CERTAIN PROPERTY
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(1660 IL-50, Bourbonnais, IL 60914)**

WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the health, safety, and welfare of its citizens; and

WHEREAS, the land commonly known as 1660 IL-50, Bourbonnais, IL 60914 (the “Subject Property”), is located within the corporate boundaries of the Village; and

WHEREAS, the Subject Property is presently zoned B-3 (Village Center Shopping); and

WHEREAS, the Subject Property is presently owned by TGP Investments Co. (the “Owner”); and

WHEREAS, the Owner and GRD Illinois, LLC, (collectively the “Applicant”), previously filed an application seeking a special use permit to allow for the operation of an Adult-Use Cannabis Dispensing Organization on the Subject Property (the “Special Use Permit”); and

WHEREAS, on September 13, 2021, the President and Board of Trustees of the Village of Bradley granted the Applicant the Special Use Permit, enacting Ordinance No. O-9-21-3, entitled “An Ordinance Granting a Special Use Permit for an Adult-Use Cannabis Dispensing Organization Within the Village of Bradley, Kankakee County, Illinois (1660 IL-50, Bourbonnais, IL 60194) (the “Original Ordinance”) (a copy of the Original Ordinance is attached hereto as Exhibit 1 and fully incorporated herein); and

WHEREAS, the Special Use Permit, as granted by the Original Ordinance, was subject to certain conditions and restrictions, as set out in Section 3 thereof; and

WHEREAS, Condition #6 of the Original Ordinance stated:

If the proposed cannabis dispensary is not established and fully operational within two (2) years of the effective date of the ordinance granting the special use permit for such establishment, the special use permit shall lapse and shall be null and void without the need for any further action on the part of the Village, provided that the Village Board may, upon a showing of good cause, extend the period in which the proposed cannabis dispensary must be established and operational by not more than twelve (12) additional months.;

and

WHEREAS, the Applicant has filed a new application with the Village, seeking to extend the Special Use Permit as allowed by condition #6 of the Original Ordinance; and

WHEREAS, the Applicant's application, along with all necessary documentation and supporting data (collectively the "Application"), has been submitted to the President and Board of Trustees of the Village by the Village of Bradley Planning and Zoning Commission (the "Plan Commission"); and

WHEREAS, the Plan Commission held a public hearing to consider the Application on Friday October 6, 2023, with notice having been properly given for the same, and at that time made all findings of fact required by and pursuant to the Village Code; and

WHEREAS, the Plan Commission has recommended that the President and Board of Trustees approve the Applicant's request and amend the Original Ordinance, as set forth in the Plan Commission's findings of fact and recommendation, attached hereto as Exhibit 2 and fully incorporated herein; and

WHEREAS, the President and Board of Trustees of the Village hereby approve and adopt the Plan Commission's findings of fact as set forth in Exhibit 2; and

WHEREAS, the President and Board of Trustees of the Village have determined that amending and restating the Original Ordinance to amend the conditions on the Special Use Permit, as requested by the Applicant, is in the best interest of the Village and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. The President and Board of Trustees hereby extend the Special Use Permit granted by the Original Ordinance (Exhibit 1) for a period of twelve (12) months. All other terms, conditions, and restrictions set out in the Original Ordinance are and shall continue unmodified and in full force and effect.

SECTION 3. That the Village Clerk is hereby instructed to record a certified copy of this ordinance with the office of the Kankakee County Recorder of Deeds.

SECTION 4. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 5. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 6. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 7. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

[Intentionally left blank]

PASSED by the Board of Trustees on a roll call vote on the 9 day of October, 2023.

TRUSTEES:

RYAN LEBRAN	Aye - <u> </u>	Nay - <u> </u>	Absent - <u>X</u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN TIERI	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
GRANT D. VANDENHOUT	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
GENE JORDAN	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 5 Nay - 0 Absent - 1

ATTEST:


JULIE TAMBLING, VILLAGE CLERK

APPROVED this 9 day of October, 2023.


MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:


JULIE TAMBLING, VILLAGE CLERK
CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 0-102302 "An Ordinance Extending a Special Use Permit Granted by Ordinance No. O-9-21-3 for Certain Property Within the Village of Bradley, Kankakee County, Illinois (1660 IL-50, Bourbonnais, IL 60914)," which was adopted by the Village Corporate Authorities at a meeting held on the 9 day of Oct, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 9 day of Oct, 2023.

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

(SEAL)



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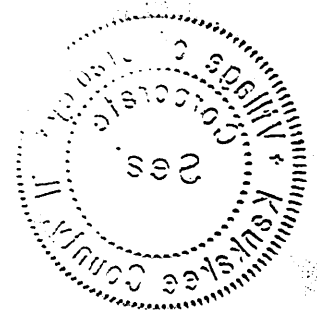


EXHIBIT 1
The Original Ordinance

EXHIBIT 2

**Plan Commission Findings of Fact and
Recommendation of Approval**