

VILLAGE OF BRADLEY

ORDINANCE NO. 0-11-24-02

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(444 S. Schuyler Ave. Bradley, IL 60915)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 12th DAY OF November, 2024

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 12th day of November, 2024

ORDINANCE NO. 0-11-24-02

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(444 S. Schuyler Ave. Bradley, IL 60915)**

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 444 S. Schuyler Ave. Bradley, IL 60915 (the “Subject Property”), is located within the corporate boundaries of the Village; and

WHEREAS, the Subject Property is presently zoned B-2 (Commercial); and

WHEREAS, MX-Tech Inc., (the “Applicant”), filed an application seeking a special use permit to allow for the operation of Minor Auto on the Subject Property (the “Special Use Permit”); 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 Tuesday, November 5, 2024, 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 for a Special Use Permit, the findings of fact and recommendation attached hereto as Exhibit 1 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 1; 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 approve and adopt the applicant's request for a Special Use Permit for Minor Auto Repair, subject to the following conditions and restrictions:

1. The subject property will need to comply with all other applicable requirements of the B-2 District.
2. Any interior or exterior building and development plans will need to be submitted for Staff to review in order to be considered for the development to proceed and will require the submission of a building permit application.
3. Prior to commencing any exterior site improvements, final engineering and construction plans will need to be approved by the Village Engineer and any required/approved financial guarantee for all public and private site improvements (including landscaping) will need to be submitted to the Village.
4. The special use granted only applies to the business and can not be transferrable to change or ownership, or any other unit at the common address.

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 12th day of November, 2024.

TRUSTEES:

RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GRANT D. VANDENHOUT	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GENE JORDAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 6 Nay - 0 Absent - 0

ATTEST:



KELLI BRZA, VILLAGE CLERK

APPROVED this 12th day of November, 2024.



MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:



KELLI BRZA, VILLAGE CLERK
CLERK



10/10/2011

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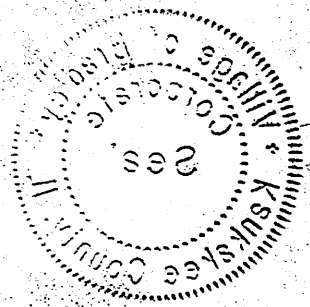
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STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

I, Kelli Brza, 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 0-11-24-02, "An Ordinance Approving a Special Use Permit for Certain Property Within the Village of Bradley, Kankakee County, Illinois (444 S. Schuyler Ave. Bradley, IL 60915)," which was adopted by the Village Corporate Authorities at a meeting held on the 12th day of November, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 12th day of November, 2024.

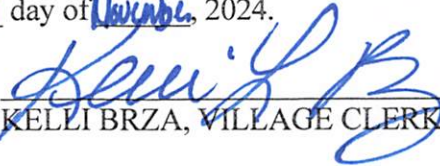

KELLI BRZA, VILLAGE CLERK



EXHIBIT 1

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

**PZC FINDINGS OF FACT AND RECOMMENDATION OF
APPROVAL FOR AMENDING A SPECIAL USE PERMIT
(MINOR AUTO REPAIR)**

On Tuesday November 5, 2024, at 6:30 p.m., at the Bradley Public Works Building, 210 East Broadway Street, Bradley, Illinois 60915, the Village of Bradley Planning and Zoning Commission conducted a public hearing, with public notice having been duly given for the same. At that hearing, the Planning and Zoning Commission considered whether to recommend approval or denial of a special use permit to allow for Minor Auto Repair (the “Proposed Use”) at the business located at 444 S. Schuyler Ave. Bradley, IL 60915.

Having heard and considered all of the evidence presented at the hearing and being fully advised in the premises, the Planning and Zoning Commission hereby finds that the request is appropriate, consistent with the Village’s comprehensive plan, and in the best interests of the Village. Based on the foregoing findings, the Planning and Zoning Commission hereby recommends that the Corporate Authorities of the Village approve and adopt the applicant’s request and adopt an ordinance granting the applicant a special use permit to allow for Minor Auto Repair, subject to the following conditions and restrictions:

1. The subject property will need to comply with all other applicable requirements of the B-2 District.
2. Any interior or exterior building and development plans will need to be submitted for Staff to review in order to be considered for the development to proceed and will require the submission of a building permit application.
3. Prior to commencing any exterior site improvements, final engineering and construction plans will need to be approved by the Village Engineer and any required/approved financial guarantee for all public and private site improvements (including landscaping) will need to be submitted to the Village.
4. The special use granted only applies to the business and can not be transferrable to change or ownership, or any other unit at the common address.

PASSED this 5th day of November, 2024, by roll call vote.

	Aye	Nay	Absent
Ryland Gagnon (Chairman)	<u>X</u>	_____	_____
Charlene Eads (Secretary)	<u>X</u>	_____	_____
James Guiss	<u>X</u>	_____	_____
Rick White	<u>X</u>	_____	_____
Bill Bodemer	<u>X</u>	_____	_____
Michael Williams	<u>X</u>	_____	_____
Robert Redmond	<u>X</u>	_____	_____



Agenda Cover Memorandum

Meeting Date: November 12, 2024

Fiscal Year: 2024-2025

Agenda Item: Special use permit under BVC 60-153 (2)(d):
minor auto repair, on certain property located
within the corporate boundaries of the Village
of Bradley, Kankakee County, Illinois. (444 S.
Schuyler)

Internal Review
Initials
Date

Item Type: Ordinance Resolution Other

Action Requested: Approval First Reading For Discussion Informational

Staff Contact: Name: Bruce Page - Community Development Director
Phone: 815-936-5100 ext. 1111
Email: bepage@bradleyil.org

Summary; : Applicant Jeremy Wilkey owner of MX_Tech Inc. is requesting a special use permit to operate and expand his business into this location which is adjacent to his current business location at 450 S. Schuyler. His current business does have a special use permit to operate by Ord. 0-12-13-3. He has been in operation since 2015.

The Planning and Zoning Commission held a public hearing on November 5th, 2024 and voted 7-0 for a recommendation of approval to the Village Board.

Is this a budgeted item? Yes No Requires Budget Amendment

Line Item: Title: MFT

Amount Budgeted: