

VILLAGE OF BRADLEY

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ORDINANCE NO. O-8-18-5

AN ORDINANCE AMENDING ORDINANCE NO. O-8-17-3, PASSED BY THE CORPORATE  
AUTHORITIES OF THE VILLAGE OF BRADLEY ON AUGUST 21, 2017.

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 24 DAY OF SEPTEMBER, 2018

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,  
Kankakee County, Illinois this 24 day of SEPTEMBER, 2018

**ORDINANCE NO. O-8-18-5**

**AN ORDINANCE AMENDING ORDINANCE NO. O-8-17-3, PASSED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY ON AUGUST 21, 2017.**

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

**WHEREAS**, on August 21, 2017, the President and Board of Trustees of the Village passed Ordinance No. O-8-17-3, approving a special use for the purposes of a preliminary planned development plan for and upon certain land located within the corporate boundaries of the Village (the “Subject Property”) (the Subject Property is legally described in Section 2 of Ordinance No. O-8-17-3); and

**WHEREAS**, Ordinance O-8-17-3 was passed following the completion of all necessary hearings before the Village of Bradley Planning and Zoning Commission and in line with said Commission’s recommendation; and

**WHEREAS**, a significant change in economic circumstances has caused PIRHL Developers, LLC (the “Developer”), to request an amendment to the preliminary plan previously approved by the President and Board of Trustees of the Village in Ordinance No. O-8-17-3; and

**WHEREAS**, the President and Board of Trustees of the Village have considered the Developer’s request and determined that the amended plan proposed by the Developer will impose less of a burden on the Village than the previously-approved preliminary plan because the amended plan will result in a lower-density development; and

**WHEREAS**, the President and Board of Trustees of the Village have determined that granting the Developer’s request is in the best interests of the citizens of the Village.

**WHEREAS**, the President and Board of Trustees have determined that the most convenient way to grant the Developer’s request is to amend the provisions of Ordinance No. O-8-17-3, which was previously passed on August 21, 2017.

**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.** That “Exhibit A” to Ordinance No. O-8-17-3 (referred to therein as the “Preliminary Plan”) is hereby replaced with the Amended Preliminary Plan attached hereto as Exhibit A and fully incorporated herein.

**SECTION 3.** That Section 4(I) of Ordinance No. O-8-17-3 is hereby amended to read as follows:

"I. Each residential building permitted by this Ordinance shall be in substantial compliance with the building elevations and color schemes set forth in the Amended Preliminary Plan (attached to Ordinance No. O-8-18-5 as "Exhibit A"). The Development shall consist of forty-five (48) one-bedroom units and fifteen (12) two-bedroom units.

**SECTION 4.** That nothing in this Ordinance shall be interpreted as altering the deadline for final plan submission set forth in Section 6 of Ordinance No. O-8-17-3.

**SECTION 5.** That the Village Clerk is hereby directed to append a copy of this Ordinance to Ordinance No. O-8-17-3 in the Village's records, and to further annotate Ordinance No. O-8-17-3 as necessary to clearly show that it has been amended by operation of this Ordinance.

**SECTION 6.** That the Village Clerk is hereby directed to notify both the Developer and the Plan Commission and inform them that the Board has, through the passage of this Ordinance, amended the special use previously granted on and over the Subject Property in Ordinance No. O-8-17-3.

**SECTION 7.** 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 8.** 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 9.** That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

**SECTION 10.** 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.

**PASSED** by the Board of Trustees on a roll call vote on the 24 day of Sept, 2018.

**TRUSTEES:**

|                  |   |                                |                                   |
|------------------|---|--------------------------------|-----------------------------------|
| GERALD BALTHAZOR | Aye - <input checked="" type="checkbox"/> | Nay - <input type="checkbox"/> | Absent - <input type="checkbox"/> |
| ROBERT REDMOND   | Aye - <input checked="" type="checkbox"/> | Nay - <input type="checkbox"/> | Absent - <input type="checkbox"/> |
| LORI GADBOIS     | Aye - <input checked="" type="checkbox"/> | Nay - <input type="checkbox"/> | Absent - <input type="checkbox"/> |
| MICHAEL WATSON   | Aye - <input checked="" type="checkbox"/> | Nay - <input type="checkbox"/> | Absent - <input type="checkbox"/> |
| NICK ALLEN       | Aye - <input checked="" type="checkbox"/> | Nay - <input type="checkbox"/> | Absent - <input type="checkbox"/> |
| DONALD BARBER    | Aye - <input checked="" type="checkbox"/> | Nay - <input type="checkbox"/> | Absent - <input type="checkbox"/> |

**VILLAGE PRESIDENT:**

BRUCE ADAMS                      Aye – \_\_\_\_      Nay – \_\_\_\_      Absent – \_\_\_\_

**TOTALS:**                      Aye – 6      Nay – 0      Absent – 0



MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 24 day of SEPTEMBER, 2018.





BRUCE ADAMS, VILLAGE PRESIDENT

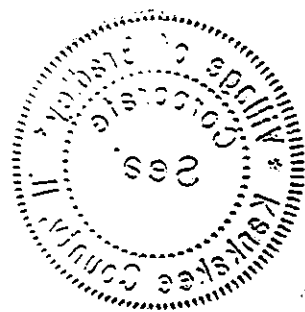
**ATTEST:**



MICHAEL J. LAGESSE, VILLAGE CLERK

10/10/10

*Handwritten signature*



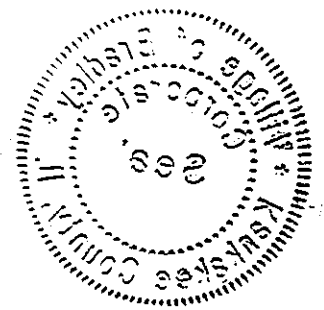
STATE OF ILLINOIS            )  
  )        §§  
COUNTY OF KANKAKEE    )

I, Michael J. LaGessee, 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 O-8-18-5, "AN ORDINANCE AMENDING ORDINANCE NO. O-8-17-3, PASSED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY ON AUGUST 21, 2017," which was adopted by the Village President and Board of Trustees at a meeting held on the 24 day of SEPT, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 24 day of SEPT, 2018.

  
\_\_\_\_\_  
MICHAEL J. LAGESSEE, VILLAGE CLERK





# EXHIBIT “A”