

VILLAGE OF BRADLEY

ORDINANCE NO. 0-09-20-1

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(PIN: 17-09-16-200-036)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 28th DAY OF September, 2020

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 28th day of September, 2020

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**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY
WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS
(PIN: 17-09-16-200-036)**

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 described in Section 2 of this Ordinance (the "Subject Property"), *infra*, is located within the corporate boundaries of the Village; and

WHEREAS, the Subject Property is presently zoned NR-5 (Residential); and

WHEREAS, on July 27, 2020, Adventure Christian Church (the "Applicant") submitted an application to the Village requesting that the Village grant the Applicant a special use permit authorizing the operation of a park, playground, and recreational area, privately owned and operated, not for profit, on the Subject Property (the "Special Use Permit"); and

WHEREAS, the operation of a park, playground, and recreational area, privately owned and operated, not for profit, is a permissible special use for a NR-5 District pursuant to Section §60-117(2)(h) (*via* §60-120(2)(a)) of the Village of Bradley Code of Ordinances (the "Village Code"); and

WHEREAS, the Subject Property is owned by Regions Bank, Trust No.: 90-P069-00 (the "Owner"); and

WHEREAS, the Owner has authorized the Applicant to apply for 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, September 1, 2020, 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 Application and pass this Ordinance granting the Applicant's request, subject to the conditions set out in this Ordinance; and

WHEREAS, the Plan Commission has supported its recommendation by setting forth its findings of fact in accordance with the requirements of the Village Code (the Plan Commission's

written recommendation and findings of fact is attached hereto as Exhibit A 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; and

WHEREAS, the President and Board of Trustees of the Village have determined that the Special Use Permit (and the park, playground, and recreational area, privately owned and operated, not for profit, proposed to be operated thereunder) granted by this Ordinance:

- (1) Is necessary for the public convenience at the location of the Subject Property; and
- (2) Is designated, located, and proposed to be operated in a fashion that will protect the public health, safety, and welfare; and
- (3) Will not cause substantial injury to the value of other properties in the surrounding neighborhood; and
- (4) Conforms to the applicable regulations of the NR-5 District in which the Subject Property is located.

WHEREAS, the President and Board of Trustees of the Village hereby find that it is in the best interest of the citizens of the Village to grant the Applicant a special use permit authorizing the Applicant to operate a park, playground, and recreational area, privately owned and operated, not for profit, on the Subject Property, subject to the conditions set out herein.

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 the President and Board of Trustees of the Village hereby accept the recommendations of the Plan Commission and grant and approve a special use permit for the purpose of operating a park, playground, and recreational area, privately owned and operated, not for profit, pursuant to Section §60-117(2)(h) (*via* §60-120(2)(a)) of the Village Code over and upon the land legally described in this Section (hereinafter the "Subject Property"). The Subject Property is zoned NR-5 and is legally described as follows:

PART OF THE NORTHEAST QUARTER OF SECTION SIXTEEN,
TOWNSHIP THIRTY-ONE NORTH, RANGE TWELVE EAST OF THE
THIRD PRINCIPAL MERIDIAN, KANKAKEE COUNTY, ILLINOIS,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST
QUARTER; THENCE SOUTH 89 DEGREES 18 MINUTES 24 SECONDS

WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 773.78 FEET TO AN IRON ROD, SAID POINT TO BE KNOWN AS THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 18 MINUTES 24 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 1,200.00 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF PARCEL 12 OF NORTHFIELD SQUARE RESUBDIVISION; THENCE NORTH 00 DEGREES 55 MINUTES 24 SECONDS WEST ALONG THE EAST LINE OF SAID PARCEL 12 A DISTANCE OF 250.00 FEET TO AN IRON ROD; THENCE NORTH 89 DEGREES 18 MINUTES 24 SECONDS EAST A DISTANCE OF 475.00 FEET TO AN IRON ROD; THENCE NORTH 00 DEGREES 55 MINUTES 24 SECONDS WEST A DISTANCE OF 1,054.15 FEET TO AN IRON ROD ON A LINE DESCRIBED IN CIRCUIT COURT CASE NO. 66-2327 AS FILED SEPTEMBER 13, 1968, IN RECORD NO. 117-88; THENCE NORTH 89 DEGREES 06 MINUTES 12 SECONDS EAST ALONG SAID LINE A DISTANCE OF 725.00 FEET TO AN IRON ROD; THENCE SOUTH 00 DEGREES 55 MINUTES 24 SECONDS EAST A DISTANCE OF 1,308.41 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE VILLAS AT HERITAGE WOODS, BEING A PART OF THE NORTHEAST QUARTER OF SECTION SIXTEEN, TOWNSHIP THIRTY-ONE NORTH, RANGE TWELVE EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANKAKEE COUNTY, ILLINOIS, THE FINAL PLANNED UNIT DEVELOPMENT PLAT OF WHICH WAS RECORDED JANUARY 8, 2008, AS DOCUMENT NO. 2008-00323. CONTAINING 321,697 SQUARE FEET (7.385 ACRES), MORE OR LESS.

Bearing the present PIN: 17-09-16-200-036

SECTION 3. That the Special Use Permit granted by this Ordinance is and shall be subject to the following conditions and restrictions pursuant to Section 60-400 of the Village Code:

1. The Proposed Use must comply with all applicable requirements of the NR5 Residential District at all times.
2. The Special Use Permit will be limited (i) to the Applicant and (ii) to the Proposed Use. The Special Use Permit shall not be transferable to any new owner except upon reapplication, hearing, and approval in the manner provided by the Village's Zoning Ordinance. Likewise, the Special Use Permit shall not authorize any use other than the Proposed Use.
3. The proposed ball fields, including baseball, soccer or any other similar type of field, shall not be lighted to eliminate a nuisance to the neighboring residential uses.
4. The applicant shall not commence preparation work or improvements on the subject property until he has submitted all applicable plans and documentation for review and approval by the Village, including a plat of roadway dedication for future Newtowne Drive connection.

5. Should the applicant seek to enhance the use of the property with physical structure/s and/or building/s that change the use of the property from what is being presented by this requested special use permit, the installation/construction of the Newtowne Drive connection will need to be revisited.

The Applicant shall be deemed to have accepted and agreed to the conditions and restrictions aforesaid as of the date on which the Applicant first begins to use the Subject Property as a park, playground, and recreational area, privately owned and operated, not for profit, pursuant to the Special Use Permit granted by this Ordinance.

SECTION 4. In the event that the Applicant violates any of the conditions and restrictions set forth in Section 3 of this Ordinance, the Village shall have the ability, but not the obligation, to revoke the Special Use Permit granted pursuant to this Ordinance, provided that the Applicant shall be entitled to notice and a hearing prior to any revocation pursuant to this Section. Under no circumstances shall any failure to enforce any condition or restriction of this Ordinance on any particular occasion or occasions be deemed or interpreted as constituting a waiver or forfeiture of the Village's right to so enforce in the future, nor shall any such failure to enforce preclude the Village from considering any and all prior violations as part of any revocation proceeding under this Section.

SECTION 5. The Special Use Permit shall not run with the land and shall be immediately and automatically terminated and revoked if and when the Owner sells, conveys, or otherwise transfers his ownership interest in the Subject Property, provided however that the Special Use Permit shall not be so terminated and revoked if the Owner sells, conveys, or otherwise transfers his entire ownership interest in the Subject Property to the Applicant.

SECTION 6. 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 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 28th day of September 2020.

TRUSTEES:

ROBERT REDMOND	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"/>
RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input type="checkbox"/>	Nay - <input checked="" 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"/>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting -

TOTALS: Aye - 5 Nay - 1 Absent - 0

ATTEST:



JULIE TAMBLING, VILLAGE CLERK

APPROVED this 28th day of September, 2020.



MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:




JULIE TAMBLING, VILLAGE 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 09-201, "AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY WITHIN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS (PIN: 17-09-16-200-036)," which was adopted by the Village Corporate Authorities at a meeting held on the 28th day of Sept, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 28th day of Sept, 2020.



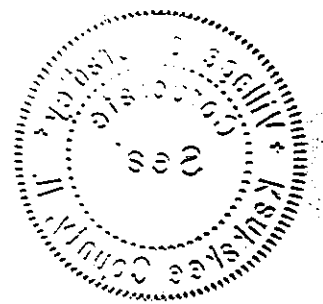
JULIE TAMBLING, VILLAGE CLERK

(SEAL)



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Agenda Cover Memorandum

Meeting Date: September 14, 2020

Fiscal Year: NA

Agenda Item:

Item Type: Ordinance Resolution Other

Action Requested: Approval First Reading For Discussion Informational

Staff Contact: Name: Pam Hirth, Assistant Community Development Director

Phone: (815) 936-5100 ext. 1169

Email: pjhirth@bradleyil.org

Internal Review
Initials <i>PH</i>
Date <i>9/14/20</i>

Brief Summary:

The applicant, Andrew Hamilton, Pastor of the Adventure Christian Church, submitted an application seeking approval of a Special Use to allow the use of the property for a park, playground, and recreational area (youth baseball fields are shown on the attached Future Site Plan). The applicant is looking to purchase the property to expand the athletic/recreational activities being offered at the existing property. The subject property is zoned NR5 Townhouse Residence and is vacant. The subject property was previously approved as Phase 2 of the Villas of Heritage Woods development, however a final development plan/plat was never approved due to the developer experiencing financial troubles and then abandoning the project. The attached Staff Memorandum provides background, details on surrounding zoning & land use, and overview of requested action as well as addresses the Newtowne Drive connection and future development plan review process.

A public hearing was held at the regular meeting of the Planning & Zoning Commission on September 1st. The applicant, his architect and the realtor representing the owner of the property were present and provided a brief overview of their respective roles/positions and then responded to any questions or comments. Staff provided an overview of the request, including suggested conditions of approval. The Commission asked questions regarding the timeline/phasing of the project (applicant stated that they are looking for open space right now and that they will have to meet with an engineer and submit plans for review); whether the property would be coming off the tax rolls (applicant responded that "yes" it would be); and whether there is a charge for use of the fields (applicant responded "yes" stating the fees are charged to help with maintenance and defer some expenses based on ministry model). There was no one from the public present to provide testimony, however prior to the meeting a representative of the neighboring property to the east talked with the Chairman and Staff regarding his concern of lighted ball fields. Staff advised that a condition of approval included prohibiting any ball fields from be lighted. The representative was satisfied and did not stay for the meeting.

Recommendation:

The Findings of Fact were considered and by a vote of 5-0, the Planning & Zoning Commission recommended approval of the special use permit to allow the use of the property for a park, playground, and recreational area, privately owned and operated, not for profit, to be located on 7+ acres of vacant land located to the east of the Adventure Christian Church, subject to certain conditions as included in the attached Ordinance.

Supporting Documents:

- Ordinance Grant Special Use Permit and Findings of Fact
- Planning and Zoning Commission Staff Memorandum, dated August 27, 2020 with attachments

Outcome:

Being presented for 1st read of Ordinance.

Nelson, Khamseo B.

From: Andrew Hamilton <ahamilton@theadventurechurch.com>
Sent: Friday, September 11, 2020 10:54 AM
To: Nelson, Khamseo B.; Watson, Michael J.
Cc: Hirth, Pamela J.; Jeff Jarvis; Cindy Purdy
Subject: Special Usage Request

Mayor Watson,

Last Tuesday evening, the zoning commission unanimously voted to recommend that our special usage request be granted. Our 1st reading for our special usage request is scheduled to happen at Monday evening's board meeting. We would like to request that the 2nd read be waived due to the deadline relating to the due diligence items within our land purchase contract.

Is this possible?

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EXHIBIT A

**FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL OF A
PROPOSED SPECIAL USE PERMIT FOR 7+ ACRES OF VACANT
PROPERTY LOCATED TO THE EAST OF ADVENTURE CHRISTIAN
CHURCH, BRADLEY, ILLINOIS**

On Tuesday, September 1, 2020, at 6:30 p.m. 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 an application for a special use permit (the "Permit") authorizing the use of certain property located within the corporate boundaries of the Village and generally located east of Adventure Christian Church, Bradley, Illinois (the "Subject Property"), for purposes of a park, playground, and recreational area, privately owned and operated not for profit, pursuant to BVC §60-117(2)(h) (*via* §60-120(2)(a)) (the "Proposed Use"). 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 as follows:

- a. The Proposed Use is compatible with surrounding land uses and the general area surrounding the Subject Property; and
- b. The Proposed Use is not inconsistent with the zoning classifications of other property within the general area of the Subject Property; and
- c. The Subject Property is suitable for the uses permitted under its existing zoning classification of NR5 (Residential); and
- d. The Proposed Use is not inconsistent with the trend of development in the general area of the Subject Property; and
- e. The Proposed Use and the Subject Property's existing zoning classification of NR5 (Residential) are not inconsistent with the official comprehensive plan of the Village; and
- f. The approval of the Permit is in the public interest and not solely for the interest of the applicant; and
- g. The Proposed Use is necessary and desirable on the Subject Property and will likely provide the Village and its residents with services that are convenient and beneficial to the public; and
- h. The Permit (and the Proposed Use to be operated thereunder) will likely contribute to the general welfare of the surrounding neighborhood or community; and
- i. The Proposed Use is not likely to be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity of the Subject Property; and
- j. The Proposed Use is not likely to be injurious to property values or improvements in the vicinity of the Subject Property; and
- k. The Proposed Use is compliant with all applicable regulations and conditions specified in the Bradley Zoning Ordinance.

Based on the foregoing findings, the Planning and Zoning Commission hereby recommends that the Corporate Authorities of the Village approve and adopt an ordinance granting the Permit to the Applicant, subject to the following conditions and restrictions:

1. The Proposed Use must comply with all applicable requirements of the NR5 Residential District at all times.
2. The Special Use Permit will be limited (i) to the Applicant and (ii) to the Proposed Use. The Special Use Permit shall not be transferable to any new owner except upon reapplication, hearing, and approval in the manner provided by the Village's Zoning Ordinance. Likewise, the Special Use Permit shall not authorize any use other than the Proposed Use.
3. The proposed ball fields, including baseball, soccer or any other similar type of field, shall not be lighted to eliminate a nuisance to the neighboring residential uses.
4. The applicant shall not commence preparation work or improvements on the subject property until he has submitted all applicable plans and documentation for review and approval by the Village, including a plat of roadway dedication for future Newtowne Drive connection.
5. Should the applicant seek to enhance the use of the property with physical structure/s and/or building/s that change the use of the property from what is being presented by this requested special use permit, the installation/construction of the Newtowne Drive connection will need to be revisited.

PASSED this 1st day of September, 2020, by roll call vote.

	Aye	Nay	Absent
Bobbi Wheeler	<u> </u>	<u> </u>	<u> X </u>
Clark Gregoire	<u> X </u>	<u> </u>	<u> </u>
Gene Jordan (Secretary)	<u> </u>	<u> </u>	<u> X </u>
James Guiss	<u> X </u>	<u> </u>	<u> </u>
Joan McGinnis	<u> X </u>	<u> </u>	<u> </u>
Mike Dauphin (Secretary)	<u> X </u>	<u> </u>	<u> </u>
Ryland Gagnon (Chairman)	<u> X </u>	<u> </u>	<u> </u>



AGENDA

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION SEPTEMBER 1, 2020 6:30 P.M.

Meetings are held at the Village Hall in the Boardroom located at 147 S. Michigan Avenue

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES: Meeting Minutes – August 4, 2020
5. PUBLIC HEARING/S
 - a. Special Use Permit for a Park, Playground, and Recreational Area, Privately Owned and Operated, Not for Profit
7.385 Acre Vacant Parcel to the East of Church Property
Applicant: Adventure Christian Church (contact: Andrew Hamilton)
6. NEW BUSINESS
7. UNFINISHED/OLD BUSINESS
8. PUBLIC COMMENT
9. ANNOUCEMENTS
 - Chairman
 - Commission Members
 - Staff
10. ADJOURNMENT

**Village of Bradley Planning and Zoning Commission Meeting
147 S Michigan Ave, Bradley, IL, 60915**

**Date: August 4, 2020
Meeting Type: Regular**

Members	Directors
Ryland Gagnon (Chairman) Gene Jordan (Secretary) James Guiss Barbara Wheeler Michael Dauphin Clark Gregoire Joanne McGinnis	Bruce Page, Community Development Director Pamela Hirth, Assistant Community Development Director

The Chairman called the meeting to order at 6:30pm and led the Pledge of Allegiance. Roll was taken and all members were present.

A motion was made by Gregoire and seconded by Guiss to accept the minutes of June 16, 2020. Aye-7, Nay-0

A motion was made by Dauphin and seconded by Wheeler to accept the minutes of July 7, 2020. Aye-7, Nay-0

A motion was made by Guiss and seconded by Gregoire to open public hearing. Aye-7, Nay-0

The chairman stated that the reason for the public hearing was to give guidance on allowing the operation of an electrical contractor's office at the address of 1259 E Broadway ST. He asked that the owner Jeff Keast come forward and speak.

Jeff Keast was sworn in and gave testimony about his business. He mentioned that his father started it in 1991 and that he took it over in 2008. He said that he would like to move his business from Aroma Park to Bradley into the building that he purchased from the bank after the passing of its previous owner.

The information packet was presented by Pam Hirth. It was also mentioned that a Staff Report had been given to the applicant.

The Chairman spoke to the pro and said it was a good idea to get it occupied before time adds to its deterioration. There were mutual acknowledgments between the applicant and Commission about the things necessary prior to occupancy and those to be ongoing including a parking lot/parkway change. The applicant stated that renting a portion of the property may in his future plans.

Wheeler questioned the Special Use Permit and legal counsel stated that normally the flow with the land, but can be owner specific per The Village.

Pam Hirth stated that the property is commercial, yet in a residential area and that the special use

limitation will allow for parameter checks should the property change hands.

Counsel stated that there were specific conditions proposed in the Ordinance applicable to the Special Use.

Wheeler stated that the Trustees should check the verbiage.

The Findings of Fact and Recommendation was read by Pam Hirth.

A motion to approve the Findings of Facts and Recommendation was made by Guiss and seconded by Gregoire. Aye-7, Nay-0.

The Chairman stated that there will be a Village Board Meeting August 10, 2020.

A motion was made by Dauphin and seconded by McGinnis to close the Public Hearing. Aye-7, Nay-0.

There was no New or Unfinished Business

No Public was in attendance.

Pam Hirth spoke to a new format for dispersing copies of information and documents used by staff. Also, there will be a meeting next month for a Special Use permit for the Adventure Church.

A motion was made by Gregoire and seconded by Wheeler to close the meeting. Aye-7, Nay-0.

Meeting Adjourned at 7:02 pm.

Respectfully Submitted,

Gene Jordan, Planning and Zoning Secretary



Village of Bradley
Community Development Department

111 N Michigan • Bradley, IL 60915 • 815-936-5100 • Fax 815-933-5068
www.bradleyil.org • E-mail: communitydevelopment@bradleyil.org

**PLANNING AND ZONING COMMISSION
STAFF MEMORANDUM**

TO: Planning and Zoning Commission

FROM: Pam Hirth, Assistant Community Development Director

DATE: August 27, 2020

SUBJECT: **Special Use Permit to allow the use of the property for a park, playground, and recreational area, privately owned and operated, not for profit, to be located on 7+ acres of vacant land located to the east of Adventure Christian Church**

BACKGROUND

The applicant, Andrew Hamilton of the Adventure Christian Church, has submitted an application seeking approval of a Special Use Permit to allow the use of the property for a park, playground, and recreational area, privately owned and operated, not for profit, to be located on 7+ acres of vacant land located to the east of the existing Church property. The Adventure Commons/Christian Church was approved by a Special Use Permit on July 10, 2017 (Ordinance No.: O-7-17-2) and a portion of the property rezoned from B3 to B2 Commercial (Ordinance O-7-17-1) to match the overall zoning of the property. The property was formally known as Hidden Cove Family Fun Park. To-date, the applicant has maintained a go-cart track, batting cages, driving range, mini-golf course and provides a sportsplex for indoor soccer, basketball and volleyball (refer to attached Existing Site Plan).

The subject property is zoned NR5 Townhouse Residence and is currently vacant. The property was previously approved as Phase 2 of the Villas of Heritage Woods development. The Preliminary Development Plan/Plat illustrated the property to be developed with nine (9) townhome buildings having 27 total units. The overall development has not been completed (only 2 – 4-unit buildings in Phase 1 were constructed prior to the developer experiencing financial troubles and abandoning the project). A Final Development Plan/Plat was never approved for Phase 2 and the property has remained vacant.

The applicant is looking to purchase the subject property to expand athletic/recreational activities being offered at the existing property. Based on the attached Future Site Plan, the anticipated use of the property would be for two youth baseball fields. In the NR5 district, “a park, playground and recreational area, privately owned and operated, not for profit” is listed under Special Uses.

Surrounding Zoning & Land Use of adjacent property includes:

- North: R6 General Residence (multi-family housing)
- South: NR5 Townhouse Residence (incomplete townhome development)

- East: R6 General Residence (multi-family housing)
- West: B2 Commercial (Adventure Christian Church & Ancillary Uses)

Public Hearing

A Special Use Permit requires a public hearing. A newspaper notice and written notification to all property owners within 250 feet were prepared in accordance with Village requirements. The Certificate of Publication (from newspaper) and Affidavit of Notice Compliance (with certificate of mailing and listing of property owners notified – from applicant) have been received and placed in the project file.

REQUESTED ACTION & PROPOSAL OVERVIEW

The applicant has submitted a written narrative that includes site location aerials of the property and a 4-page plan set that includes additional aerials, an existing site plan and future site plan. In addition, staff prepared a plan review letter and then incorporated the applicant's responses to these comments (also attached).

Newtowne Drive Connection

The Newtowne Drive connection was illustrated on the approved Preliminary Plan/Plat for the Villas at Heritage Woods subdivision, however because Phase 2 was never final platted, there was no dedication of right-of-way, no letter of credit provided and therefore no obligation to construct. At this time, the Village has no leverage to require the construction of this section of the roadway. Since the applicant is proposing ball fields which is essentially a form of open space, the construction of the roadway connection is not immediate. However, should the applicant choose to enhance the use of the property with physical structure/s and/or building/s that change the nature use of the property from what is being presented by this requested special use, the installation/construction of the roadway connection will need to be revisited.

At this time, to ensure the preservation of the future right-of-way, the applicant will need to submit a Plat of Dedication to the Village for review and approval.

Development Plan Review

The attached Future Site Plan, not only identifies the anticipated use of the subject property, but also anticipated use changes to the existing property. The applicant has confirmed that it is likely that the overall project will be constructed in phases, however no definitive phasing plan has been provided. The applicant has indicated (email response) that perhaps he might clear the property this Fall or early next Spring. Prior to commencing any preparation work or improvements on the subject property, the applicant will need to submit all applicable plans and documentation for review and approval by the Village.

Though not a part of this request, Staff would like to note that prior to beginning any work on the existing Adventure Commons/Christian Church property in accordance with the attached Future Site Plan, the applicant will need to submit for an Amendment to the Special Use Permit and formal development plan review (which will require review by the Planning & Zoning Commission and final decision by the Village Board).

Based on the information provided by the applicant, the proposed use can be compatible with the established neighborhood so long as the conditions as noted below are agreed to and implemented.

RECOMMENDATION

Should the Planning and Zoning Commission find the requested Special Use Permit to allow the use of the property for a park, playground, and recreational area, privately owned and operated,

not for profit, to be located on 7+ acres of vacant land located to the east of Adventure Christian Church favorable, the following conditions should be considered:

1. The Proposed Use must comply with all applicable requirements of the NR5 Residential District at all times.
2. The Special Use Permit will be limited (i) to the Applicant and (ii) to the Proposed Use. The Special Use Permit shall not be transferable to any new owner except upon reapplication, hearing, and approval in the manner provided by the Village's Zoning Ordinance. Likewise, the Special Use Permit shall not authorize any use other than the Proposed Use.
3. The proposed ball fields, including baseball, soccer or any other similar type of field, shall not be lighted to eliminate a nuisance to the neighboring residential uses.
4. The applicant shall not commence preparation work or improvements on the subject property until he has submitted all applicable plans and documentation for review and approval by the Village, including a plat of roadway dedication for future Newtowne Drive connection.
5. Should the applicant seek to enhance the use of the property with physical structure/s and/or building/s that change the use of the property from what is being presented by this requested special use permit, the installation/construction of the Newtowne Drive connection will need to be revisited.

ATTACHMENTS

1. Written Narrative & Aerials of Subject Property
2. Site Plan Review Letter with Applicant Responses
3. Plan Set including Site Reference Aerials (Sheets A-2.1 & A-2.2); Existing Site Plan (Sheet A-2.3); and Future Site Plan (Sheet A-2.4)

Special Use Request Narrative – Adventure Christian Church

Adventure Christian Church is currently under contract to acquire the 7.4 acre vacant land parcel adjacent to our existing property. Once we acquire this property, we intend to engage a local land planner/architect to pursue the various possibilities regarding its future development.

Pending the outcome of our special usage request, a boundary survey will be completed at the seller's expense. We will be happy to forward a copy of this survey on to the Village of Bradley Community Development Department when this is completed.

To date, the majority of our development has been focused primarily on the renovation of the inside of our existing facility. The Community Development Department staff have been very instrumental in assisting us with bringing our facility up to recent building codes, and I hope that we have proven our desire to have a positive influence in our community through the development that we've already accomplished.

Now that the inside of our facility has been renovated and remodeled, we are turning our attention to the exterior development.

As Adventure Christian Church grows, this land offers additional avenues for the expansion of our physical facility in future development.

We realize how significant of an investment this is, and what we hope to accomplish with this acquisition is additional outdoor green space that will allow us future program expansion related to church ministry programming such as our summer day camp, student ministry, and athletics. This land will allow us to expand our offerings to the community from Winter/Spring months to year round!

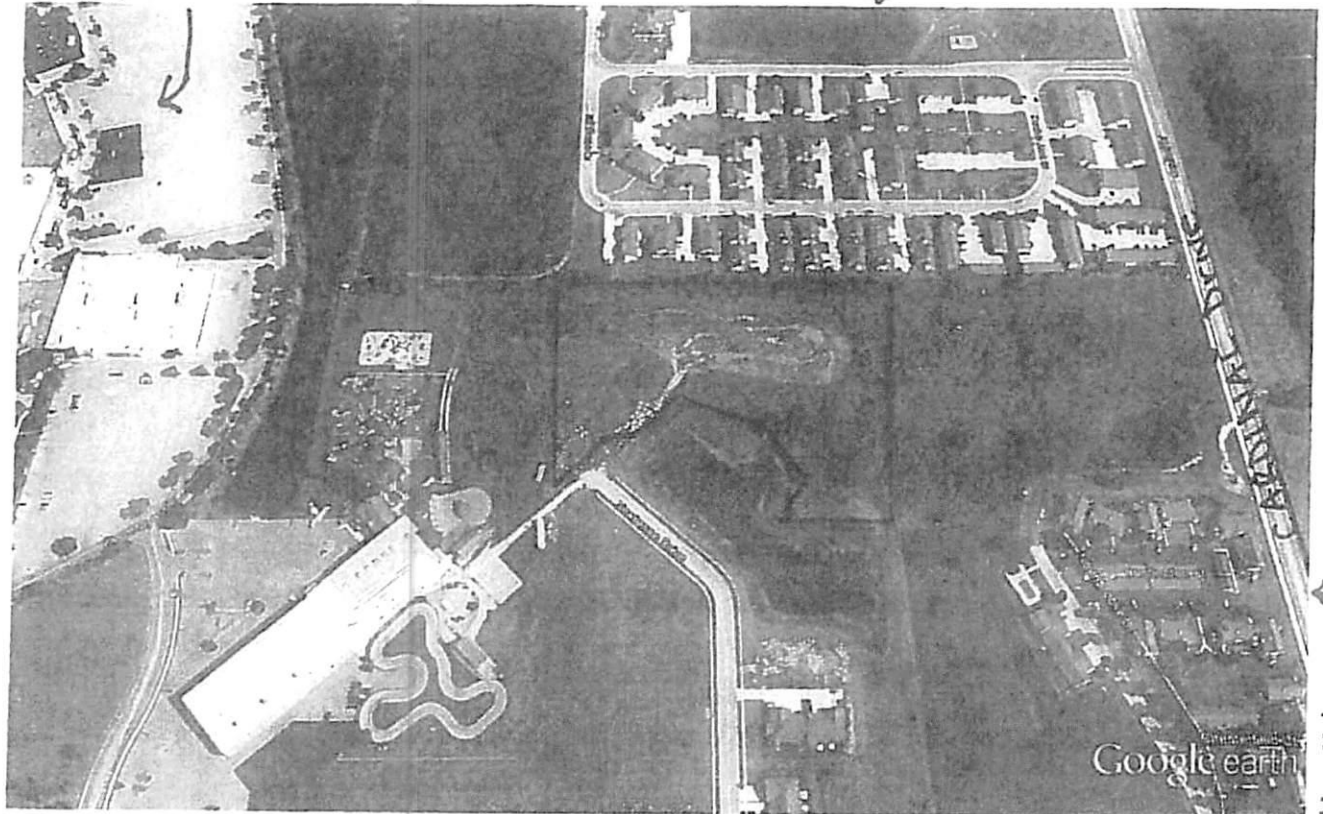
With the Covid-19 pandemic affecting all of our community, our team is currently dreaming of expanding our ministry opportunities by offering FREE movie events, outdoor Christian Concerts, and after school youth mentoring programs.

With this land, we feel that we will be able to better accomplish our mission: to create environments that help people find their way back to God.



MALL

Apartments



Freedom Dr.

Northbroke ↑
Condos



Village of Bradley

Community Development Department

111 N Michigan • Bradley, IL 60915 • 815-933-5008 • Fax 815-933-5068
www.bradleyil.org • E-mail: communitydevelopment@bradleyil.org

August 24, 2020

Pastor Andy Hamilton
70 Ken Hayes Drive
Bourbonnais, IL 60914

Re: Site Plan – Special Use Request

Dear Pastor Andy,

I have reviewed the plans you submitted on Friday August 21st and have the following comments:

1. The property you are looking to purchase is actually zoned NR-5 and not R-6 (the rezoning by MVAH was not approved by the Village).

Response: Plan note has been revised by architect.

2. What is the anticipated timeline for the Future Site Plan, including the changes proposed on the existing property? Will this occur in Phases?

Response: Most likely it will be developed in phases. It would be our intent to clear the land either sometime this Fall or early next Spring, but at this stage, there are really too many unknowns. I hope these architectural plans at least provide the village with a site sketch or vision of what could be.

3. Will the proposed ball fields be lighted fields? Given the location of the property between existing residential, lighted ball fields will not be allowed. This will become a condition of approval for the Special Use.

Response: We don't really have much desire to light the fields, but we were hoping to consider the possibility for potential future use if allowed. From your review, it states that "lighted ball fields will not be allowed" so I guess the decisions already been made?

4. The current property is zoned B2 Commercial and a Special Use Permit for a church and accessory uses required for its operation was approved in July 2017.

Response: No response needed.

5. The changes proposed on the current property will require an Amendment to the existing Special Use and the overall future site plan proposal will require a formal development plan review. These two requests can be handled concurrently with review by both the

Planning & Zoning Commission and Village Board (it will be very similar to the review process we are going through now, except that you will need to prepare all the needed plans, including engineering and landscaping, elevation plans for all new buildings/structures (not construction drawings at that time only elevations). We can discuss in greater detail when you are ready to proceed.

Response: Surveying, engineering, landscaping, & elevations would definitely be our next step. We've worked with MG2A on a few other projects over the years, and would look to bid the engineering on this project out after we close on the purchase of the land.

6. The Future Site Plan illustrates the future connection of Newtowne Drive; is this something you are now considering to install as part of your overall future plans? If so, please provide a timeline.

Response: The Newtowne Dr. connection was added to show what could be if the connection were there, which is something I believe that the village and the mayor would prefer see. The elephant in the room is who's going to pay for it? Quite frankly, we are very open to working with the village and it's comprehensive plan for this land parcel, but the road seems to be a gray area.

Again, without knowing the project costs and what all is involved with the engineering, there's really no way I can speak to the exact timeline and quite frankly if the costs to develop this property are too great, and if we don't have anyone else with "skin in the game", we do have the concession to just walk away from our contract.

Either way, our church desires to be a blessing to this community and we welcome your additional insights. We do feel that acquiring this land will better position both Adventure and the Village with its future development.

Please let me know if you have any questions.

Sincerely,

Pam Hirth, Assistant Community Development Director



RECEIVED
 AUG 25 2020
 Bradley Building Dept.

SITE REFERENCE AERIAL
 1" = 200'-0"



JEFF JARVIS
 Architect
 2003 Reyer Road
 Kankakee, Illinois

ADVENTURE COMMONS
 FUTURE SITE STUDY
 70 Ken Hayes Drive
 Bourbonnais, Illinois

DATE	BY

REFERENCE AERIAL





JEFF JARVIS
Architect
70 Ken Hayes Drive
Bourbonnais, Illinois

ADVENTURE COMMONS
FUTURE SITE STUDY
70 Ken Hayes Drive
Bourbonnais, Illinois

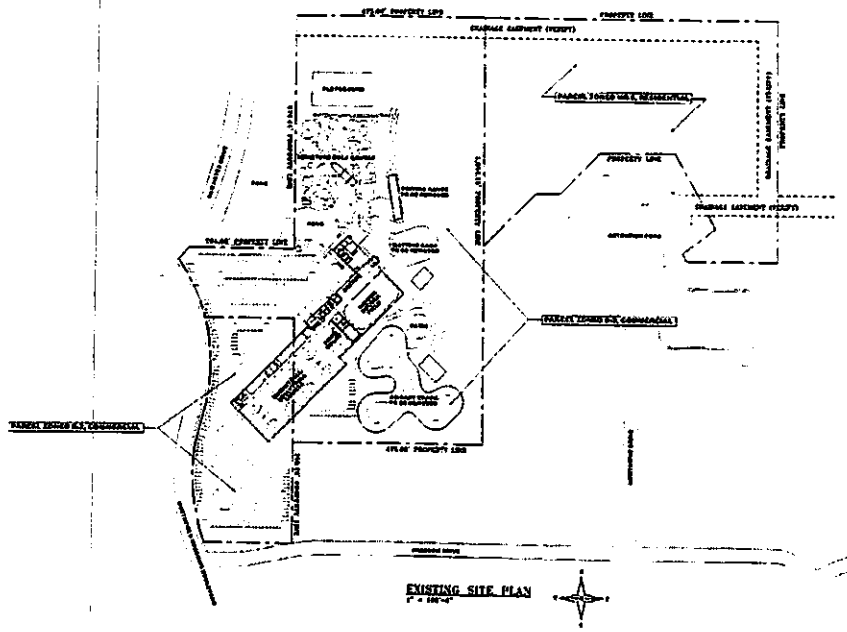
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AUG 25 2020
Bradley Building Dept.

SITE REFERENCE AERIAL
1" = 100'



REFERENCE AERIAL

A-2.2



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 AUG 25 2020
 Bradley Building Dept.

JEFF JARVIS
 Architect
 70 Ken Hayes Drive
 Bourbonnais, Illinois

ADVENTURE COMMONS
 FUTURE SITE STUDY
 70 Ken Hayes Drive
 Bourbonnais, Illinois

EXISTING
 SITE PLAN

A-2.3

