

VILLAGE OF BRADLEY

RESOLUTION NO. R-9-21-9

A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN
THE VILLAGE OF BRADLEY FOR THE PURPOSES OF A PET GROOMING BUSINESS
(741 W. Broadway Street)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 13 DAY OF September, 2021

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 13 day of Sept, 2021

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**A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED
WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF A PET GROOMING
BUSINESS
(741 W. Broadway Street)**

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, Ms. Lindsay Green (the “Applicant”) has, along with the property owner, has requested that the Village authorize her to operate a pet grooming business (the “Proposed Use”) upon certain property commonly known as 741 W. Broadway Street, Bradley, Illinois 60915 and located with the corporate limits of the Village of Bradley (the “Subject Property”); and

WHEREAS, the Subject Property is presently zoned B2 (Commercial); and

WHEREAS, there is not presently any permitted or special use classification in the B2 zoning district that explicitly permits the Proposed Use within said district; and

WHEREAS, Section 60-21 of the Village’s Zoning Code provides that “[w]hen a use is not specifically listed in the sections devoted to permitted uses, it shall be assumed that such uses are hereby expressly prohibited, unless by a written recommendation of the planning and zoning commission and approved by the village board it is determined that said use is similar to and not more objectionable than uses listed. Such uses may then be permitted”; and

WHEREAS, on Thursday, September 9, 2021, the Village of Bradley Planning and Zoning Commission (“Plan Commission”) held a meeting, and considered the Applicant’s request as relates to the Subject Property; and

WHEREAS, the Plan Commission has determined that the Proposed Use is similar to and not more objectionable than other uses permitted in the B2 district; and

WHEREAS, the Plan Commission has recommended that the Corporate Authorities of the Village grant the Applicant’s request and authorize the Proposed Use on the Subject Property, subject to the conditions and restrictions set forth herein; and

WHEREAS, the Corporate Authorities of the Village hereby accept the Plan Commission’s recommendation; and

WHEREAS, the Corporate Authorities of the Village have determined that approving the Proposed Use of the Subject Property, subject to the conditions and restrictions set forth herein, is in the best interests of the Village and its citizens.

NOW THEREFORE, BE IT RESOLVED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

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

SECTION 2. The Applicant is hereby authorized and approved to use the Subject Property for the purposes of operating a pet grooming business, subject to the conditions and restrictions set forth in Section 3 of this Resolution, *infra*.

SECTION 3. The Applicant's use of the Subject Property, as approved by this Resolution, is subject to the following conditions and restrictions:

1. The Proposed Use must comply with all applicable requirements of the B2 Commercial District at all times.
2. The permitted use will be limited to the business owner making the request and the applied for use and will not be transferable to a new business owner except upon reconsideration and approval in the manner provided by the Village's Zoning Ordinance.
3. The business owner shall post notice to customers that the sidewalk, parkway and/or parking areas around the property shall be kept free and clear of pet waste. Waste bags and a place for proper disposal shall be provided.
4. Boarding of pets, including overnight stays on the premises shall be prohibited.
5. Use of the building/property for a doggie day care facility shall be prohibited.
6. Any commercial vehicle used in conjunction with the business shall not be stored or parked on the street.
7. While pets are under the care of the business, the pets shall only be allowed outside in the rear grassy area to go to the bathroom, accompanied by staff.
8. Any expansion of business operations involving therapeutic services, veterinarian services and/or other forms of therapy shall not be allowed unless approved in the manner provided by the Village's Zoning Ordinance.
9. Interior modifications of the tenant space related to structural changes, plumbing, electrical, or as determined by the building inspector will require the submission of a building permit application with applicable plans and documentation for review and approval by the Community Development Department prior to commencing work.
10. Business identification signage will be limited to window signage and/or building/wall signs. Any new wall signage will need to be reviewed and approved by the Community Development Department prior to installation.
11. The business owner will need to receive an occupancy permit and a business license prior to opening and commencing operations.

SECTION 4. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution 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 Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

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

SECTION 6. The Village Clerk is hereby directed to publish this Resolution in pamphlet form.

SECTION 7. This Resolution 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 13 day of Sept., 2021.

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 13 day of September, 2021.


MICHAEL WATSON, VILLAGE PRESIDENT

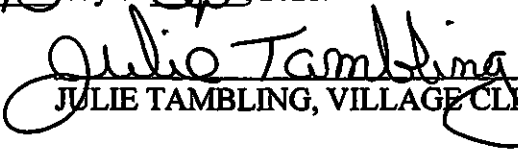
ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

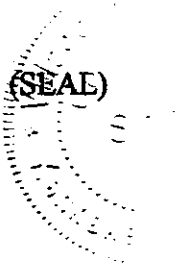
STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

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 Resolution number B-9-219, "A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF A PET GROOMING BUSINESS (741 W. Broadway Street)," which was adopted by the Village Corporate Authorities at a meeting held on the 13 day of Sept. 2021.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 13 day of Sept. 2021.

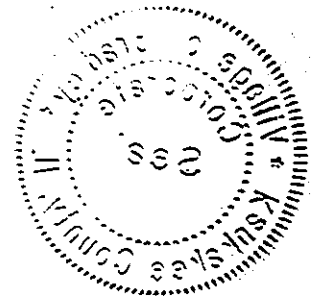


JULIE TAMBLING, VILLAGE CLERK



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Agenda Cover Memorandum

Meeting Date: September 13th, 2021

Fiscal Year: 2021

Agenda Item: Resolution approving the use of certain property located within the Village of Bradley for the purposes of a Pet Grooming business 741 w. Broadway st

Item Type: Ordinance Resolution Other

Action Requested: Approval First Reading For Discussion Informational

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

Internal Review
Initials
Date

Brief Summary:

A public hearing was held for the applicant Bubbles and Barks, owner Lindsey Green to operate a dog grooming business in a B-2 business district. Per Sec 60-21 of the BVC zoning ordinance, "when a use is not specifically listed in the sections devoted to permitted uses, it shall be assumed that such uses are hereby expressly prohibited, unless by written recommendation of the planning and zoning commission and approved by the village board and it is determined that said use is similar to and not more objectionable than uses listed." The application before the PNZ for a recommendation to move to the Village board passed by a 7-0 vote.

Approval of Ordinance

Supporting Documents: Ord #

Financial (if applicable)

Is this a budgeted item? Yes No Requires Budget Amendment

Line Item: _____ Title: _____

Amount Budgeted: _____