

**VILLAGE OF BRADLEY**

**ORDINANCE NO. O-6-16-1**

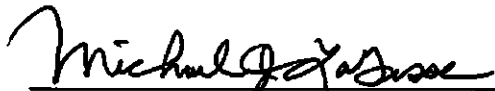
**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
FOR THE PROPERTY LOCATED AT  
2094 N. STATE ROUTE 50 IN BRADLEY, IL**

**ADOPTED BY THE  
BOARD OF TRUSTEES  
VILLAGE OF BRADLEY**

This 13 day of JUNE, 2016

Published in pamphlet form by authority of the Board of Trustees of the Village of  
Bradley, Kankakee County, Illinois, this 13 day of JUNE, 2016.

CERTIFICATE:

  
\_\_\_\_\_  
Michael J. LaGesse, Village Clerk

1

2016

2017

2018

2019

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**ORDINANCE NO. O-6-16-1**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
FOR THE PROPERTY LOCATED AT  
2094 N. STATE ROUTE 50 IN BRADLEY, IL**

**WHEREAS**, on June 7, 2016, at a meeting of the Village of Bradley Planning and Zoning Commission (hereinafter the "Plan Commission"), the Plan Commission held a public hearing on the application of the Petitioner, Bradley Commons LLC c/o DeBartolo Holdings LLC (hereinafter the "Petitioner"), for a special use permit in a B3-Commercial District to operate a service station consisting of an 8-pump fuel station and food convenience store at the property legally described as:

**BRADLEY COMMONS PH 2 LT 16 1.16AC 09-31-12E**

Commonly known as: 2094 N. State Route 50, Bourbonnais, IL 60914

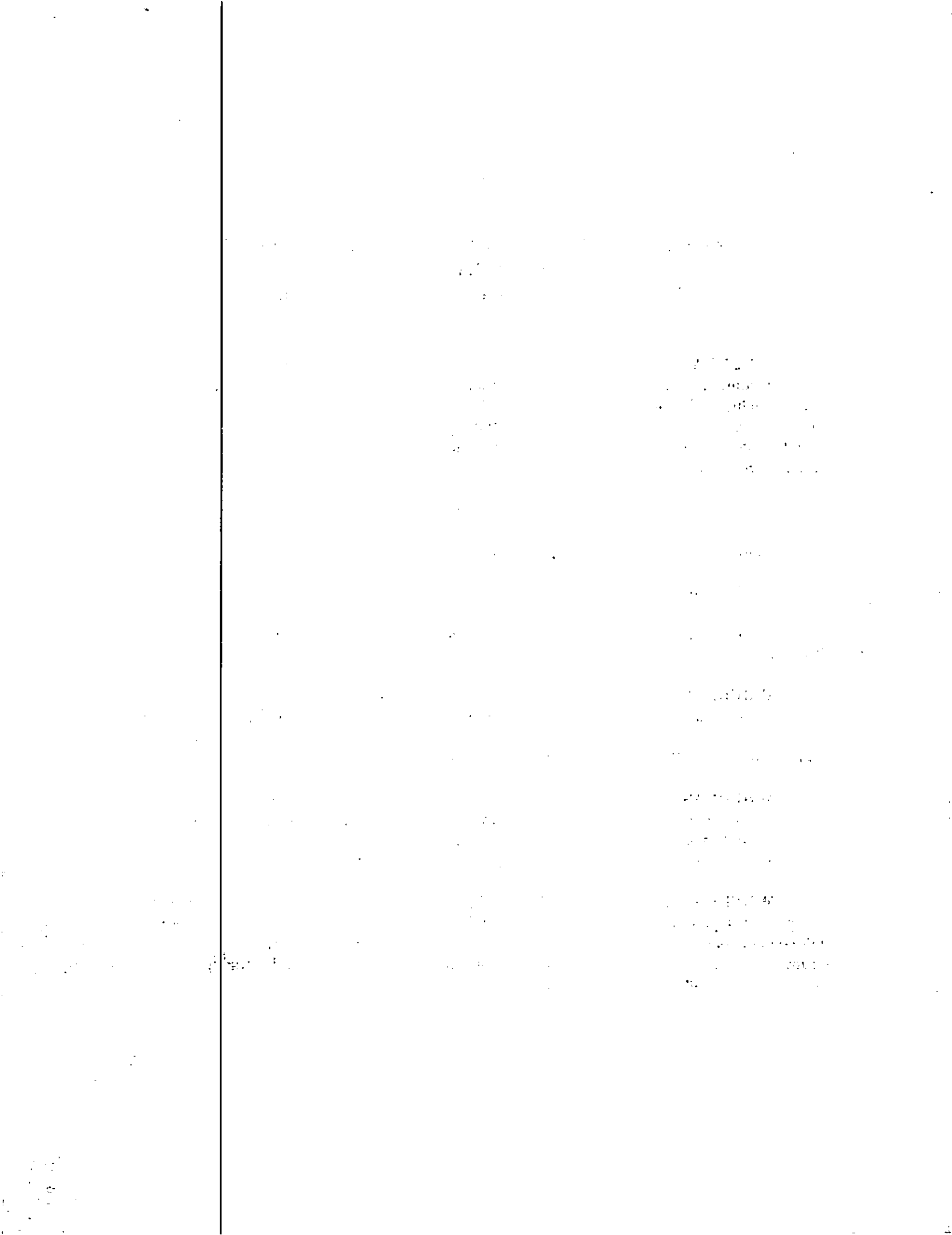
P.I.N.: 17-09-09-106-008

**WHEREAS**, notice of public hearing was published in the *Daily Journal* on May 17, 2016; and

**WHEREAS**, the Plan Commission has made its findings on the application and recommended that the special use permit be approved for the subject property by a vote of seven (7) in favor and none (0) against, with two (2) absent, as reflected in the minutes of the public hearing of June 7, 2016, incorporated herein by reference as though fully set forth; and

**WHEREAS**, the President & Board of Trustees of the Village have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to grant the special use permit as provided in this Ordinance; and

**WHEREAS**, the President and Board of Trustees have determined that the granting of the special use permit for the use set forth in Petitioner's applications serves a public purpose and will be in the best interests of the Village of Bradley upon the conditions set forth in this Ordinance pursuant to Section 60-393 *et seq.* (Division 7 - Special Uses) of the Zoning Chapter of the Village's Code of Ordinances (hereinafter "Zoning Code").



**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Bradley, Kankakee County, State of Illinois, as follows:

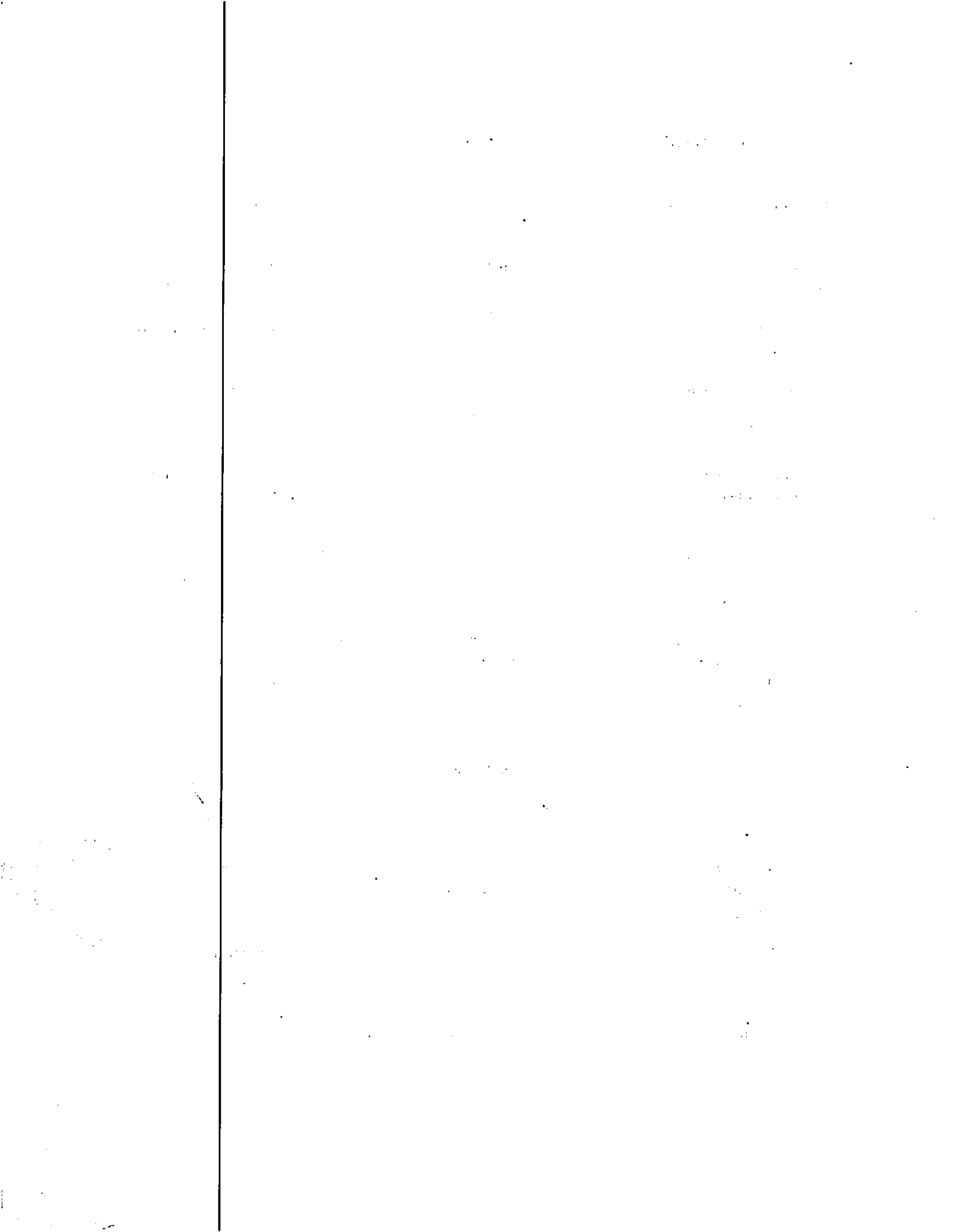
**Section 1. RECITALS.** The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

**Section 2. SPECIAL USE PERMIT GRANTED.** The application of the Petitioner for a special use permit in a B3-Commercial District to operate a service station consisting of an 8-pump fuel station and food convenience store is granted for the Subject Property, subject to the conditions set forth in §§3 and 4 of this Ordinance. The special use granted herein is authorized pursuant to §60-393 *et seq.* of the Village Code.

**Section 3. REPORTS, EXHIBITS & TESTIMONY.** The special use permit granted by this Ordinance is in strict compliance with the application on file with the Village and with the reports, exhibits, and testimony presented to the Plan Commission.

**Section 4. CONDITIONS OF SPECIAL USE PERMIT.** The special use permit granted herein is subject to the following conditions in the interest of the public health, safety and welfare as prescribed by section 60-393 *et seq.*, of the Village's Zoning Code:

1. Compliance with B3-Commercial District. The special use granted herein shall comply with all other applicable requirements of the B3-Commercial District.
2. Special Use Shall Run With The Parcel. The special use shall be transferable to a new owner or subsequent lessee provided that the use approved by this Ordinance does not change. Any change to the use by the current owner or any subsequent owner and/or lessee shall require reapplication, hearing and approval in the manner provided by the Village's Zoning Ordinance.
3. Compliance with Codes, Ordinances, and Regulations. The provisions of the Village Code of Bradley and the Village's Zoning Ordinance apply to and govern the Subject Property. All activities at the Subject Property shall comply with all Village codes, ordinances, and regulations at all times.
4. Inspection. The Petitioner shall allow Village inspectors to inspect all portions of the building located at the Subject Property upon request by the Village at a mutually convenient time.
5. Execution of Ordinance. This Ordinance shall be signed by the Petitioner to signify its agreement to the terms hereof.
6. Additional Conditions of Special Use. The special use granted herein is granted conditioned upon the following required conditions:
  - a. building shall have an all-brick facade;
  - b. 8'x10' monument sign shall have an all-brick facade; and



c. 8' trash enclosure shall be a composite fence.

**Section 5. VIOLATION OF CONDITION OR CODE.** Any violation of (i) any term or condition set forth in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals granted pursuant to this Ordinance.

**Section 6. SEVERABILITY AND REPEAL OF INCONSISTENT ORDINANCES.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7. EFFECTIVE DATE.** The Clerk of the Village of Bradley shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form and this Ordinance shall take effect upon its approval and publication in pamphlet form as so certifie

PASSED this 13 day of JUNE, 2016.

TRUSTEES:

Jerry 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"/>
Eric Cyr:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Melissa Carrico:	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"/>

Bruce Adams: Aye -  Nay -  Absent -

TOTALS: AYE - 6 NAY - 0 ABSENT - 0

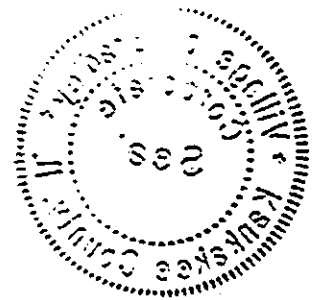
APPROVED this 13 day of JUNE, 2016



ATTEST:

Michael J. Lagesse  
Michael J. Lagesse, Village Clerk

Bruce Adams  
Bruce Adams, President of the Board of  
Trustees of the Village of Bradley





**ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER TO THE  
CONDITIONS OF THIS ORDINANCE NO. O-6-16-1**

Bradley Commons, LLC

By:   
Name ~~\_\_\_\_\_~~ James D. Palermo

Date: June 24, 2016, 2016

Title: Executive Vice President

