

VILLAGE OF BRADLEY

RESOLUTION NO. R-12-20-2

A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN
THE VILLAGE OF BRADLEY FOR THE PURPOSES OF A PET GROOMING BUSINESS
(371 W. BROADWAY STREET/BUBBLES & BARKS)

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 28th DAY OF December, 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 December, 2020

RESOLUTION NO. B-12-202

**A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED
WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF A PET GROOMING
BUSINESS
(371 W. BROADWAY STREET/BUBBLES & BARKS)**

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, requested that the Village authorize her to operate a pet grooming business (the "Proposed Use") upon certain property commonly known as 371 W. Broadway Street, Bradley, Illinois 60915 and located within 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 Tuesday, December 1, 2020, 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 Proposed Use is and shall be limited to the Applicant only and the authority to establish and maintain the Proposed Use on the Subject Property, as granted by this Resolution, shall not be transferrable to any other person or entity except upon reconsideration and reapproval by the Plan Commission and the Corporate Authorities of the Village.
3. The Applicant shall post and maintain notices on the Subject Property, which notices shall notify customers that the sidewalk, parkway, and/or parking areas in the vicinity of the Subject Property shall be kept free and clear of pet waste. The Applicant shall further provide waste bags and an appropriate receptacle for the disposal of pet waste for public use on the Subject Property.
4. Nothing in this Resolution is intended or shall be construed as permitting the overnight boarding of any animal on the Subject Property. For the avoidance of doubt, overnight boarding of animals is prohibited on the Subject Property.
5. Nothing in this Resolution is intended or shall be construed as permitting the use of the Subject Property as a doggie day care or similar facility. For the avoidance of doubt, use of the Subject Property as a day care facility for animals is prohibited.
6. The Applicant may not store or keep any commercial vehicle(s) used in conjunction with the Proposed Use on the Subject Property overnight.
7. No animals shall be permitted to go or remain outside of the existing structure located on the Subject Property, whether or not accompanied by the Applicant or their staff, at any time that they are under the Applicant's care or otherwise within the Applicant's supervision or control.
8. Nothing in this Resolution is intended or shall be construed as permitting any therapeutic services, veterinary services, and/or any other form of animal therapy on the Subject Property. The Applicant shall not be permitted to expand the Proposed Use to include any therapeutic services, veterinary services, and/or any other form of animal therapy except as approved in the manner set forth in the Village's zoning ordinances.

9. The Applicant shall not make any interior modifications (including structural, plumbing, and electrical changes, or as otherwise determined by the Village's building inspector(s)) to the existing structure on the Subject Property except and unless the Applicant applies for and receives a building permit from the Community Development Department, the application for which must include all applicable plans.
10. Business identification signage for the Proposed Use shall be limited to window signage and/or building/wall signs. No existing sign may be modified, nor any new signs installed on the Subject Property unless and until said signage is review and approved by the Community Development Department.
11. The Applicant may not begin operating the Proposed Use unless and until the Applicant receives (i) an occupancy permit for the Subject Property and (ii) a business license from the Village.

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 28th day of Dec., 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 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"/>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting -

TOTALS: Aye - 6 Nay - 0 Absent - 0

ATTEST:


JULIE TAMBLING, VILLAGE CLERK

APPROVED this 28th day of December, 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 Resolution number B-12-2022, "A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF A PET GROOMING BUSINESS (371 W. BROADWAY STREET/BUBBLES & BARKS)," which was adopted by the Village Corporate Authorities at a meeting held on the 28th day of Dec, 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 Dec, 2020.



JULIE TAMBLING, VILLAGE CLERK



