VILLAGE OF BRADLEY

RESOLUTION NO. R-10-20-1

A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF AN ILLINOIS SECRETARY OF STATE DRIVER'S FACILITY.

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 12th DAY OF November, 2020

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 12th day of November, 2020

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A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF AN ILLINOIS SECRETARY OF STATE DRIVER'S FACILITY.

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, the owners ("Owners") of certain property commonly known as 111 Village Square, Bradley, Illinois 60914 and located with the corporate limits of the Village of Bradley (the "Subject Property") and the Illinois Secretary of State's Director of Property Management, Mr. Douglass Wiggs (collectively the "Applicants"), have requested that the Corporate Authorities authorize said Applicants to operate an Illinois Secretary of State Driver's Facility (the "Proposed Use") on the Subject Property; and

WHEREAS, the Subject Property is presently zoned B3 (Village Shopping Center); and

WHEREAS, there is not presently any permitted or special use classification in the B3 zoning district that explicitly permits the Proposed Use within said district; and

WHEREAS, Section 60-154(1)(a) allows for "municipal buildings and uses" as a permitted use in the B3 zoning district; and

WHEREAS, Section 60-154(1)(ay) allows for "post office[s]" as a permitted use in the B3 zoning district; and

WHEREAS, Section 60-154(1)(bq) allows for "other uses which are of the same general character as the permitted uses in [the B3 zoning district], as recommended by the planning and zoning commission and approved by the village board of trustees"; and

WHEREAS, on Tuesday, October 6, 2020, the Village of Bradley Planning and Zoning Commission ("Plan Commission") held a meeting, with all required notices having been given in compliance with applicable law, and considered the Applicant's requests as relates to the Subject Property; and

WHEREAS, the Plan Commission has determined that the Proposed Use is of the same general character as other uses permitted in the B-3 district, including but not limited to "municipal buildings and uses" and "post offices"; and

WHEREAS, the Plan Commission has recommended that the Corporate Authorities of the Village grant the Applicants' 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 and adopt the Plan Commission's findings and 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 Applicants are hereby authorized and approved to use the Subject Property for the purposes of operating an Illinois Secretary of State Driver's Facility, subject to the conditions and restrictions set forth in Section 3 of this Resolution, *infra*.

SECTION 3. The Applicants' 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 B3 Village Center Shopping District at all times; and

2. The Applicants may not make any interior modifications of the existing building on the Subject property (including but not limited to structural, plumbing, or electrical changes, or as otherwise determined by the building inspector) without first applying for (including the submission of all required plans and documentation) and receiving a building permit from the Village; and

3. Business identification signage will be limited to building/wall signs only. The Applicants may not modify any existing signage or install any new signage unless and until said signage has been reviewed and approved by the Community Development Department; and

4. The Applicants must correct and abate any and all deficiencies and/or violations identified during the inspections conducted by the Building Standards Division of the Community Development Department on October 2, 2020, in coordination with any anticipated interior improvements to the Subject Property prior to the issuance of an occupancy permit for the Subject Property; and

5. The Applicants must stripe and improve the parking lot serving the Subject Property in substantial compliance with the preliminary parking lot striping and improvement plan, attached as Exhibit A and fully incorporate herein (the "Preliminary Parking Plan"), prior to the issuance of any occupancy permit for the Subject Property; and

6. The Applicants must coordinate any and all parking lot improvements required by the Preliminary Parking Plan (Exhibit A) with the Village's Commercial Building Inspector,

who is directed to advise them as to whether said improvements require the issuance of a building permit. If it is determined that a building permit is needed, it will need to be obtained prior to commencement of the work. All parking lot improvements required by the Preliminary Parking Plan must be completed prior to the issuance of an occupancy permit for the Subject Property.

7. The Applicant shall install any and all temporary concrete barriers required by the Preliminary Parking Plan (Exhibit A) prior to issuance of any occupancy permit for the Subject Property. Said temporary barriers must be designed and affixed in a manner approved by the Village's Community Development Department, provided that said barriers must, at a minimum, control the flow of traffic through said parking lot and further identify and divide any area which will be used for the purposes of CDL (truck) testing from the rest of said parking lot.

8. On or before June 21, 2021, the Applicants shall submit a final parking lot striping and improvement plan (the "Final Parking Plan") to the Community Development Director of the Village for his/her review and approval. The Final Parking Plan shall be consistent with the Preliminary Parking Plan (Exhibit A) and include, at a minimum, the following:

   i. A plan for the final restriping of the parking lot serving the Subject Property, which restriping shall be required if and to the extent that Community Development Director determines that restriping is reasonably necessary to serve public safety and convenience; and

   ii. A plan for the complete replacement of all temporary barriers installed pursuant to the Preliminary Parking Plan (Exhibit A) with a permanent concrete curb surrounding the truck testing area (the "Permanent Barrier"). The Permanent Barrier shall be made of such material and constructed and affixed in such manner as the Village's Community Development Director deems necessary to serve public safety and convenience; and

   iii. A landscaping improvement plan, which shall provide for any and all landscaping improvements that the Community Development Director deems necessary and appropriate.

   In the event that the Applicants submit a Final Parking Plan to the Community Development Director but said Director determines that such plan is insufficient and refuses to approve it, the Applicants may appeal the Director's decision to the Village Board and the Board's decision shall be final as to the sufficiency of the plan. All improvements required by the approved final parking lot safety plan shall be installed to the Village's satisfaction within six (6) months after approval of said plan or twelve (12) months after the issuance of the occupancy permit for the Subject Property, whichever is later. The Village agrees that it shall not require the Final Parking Plan to include the installation and/or construction of additional permanent traffic barriers beyond what is necessary to replace the temporary traffic barriers installed pursuant to the Preliminary Parking Plan (*i.e.* the Permanent Barrier), except as follows: in the event that the Community Development Director determines, within 6 months of the issuance of an occupancy permit for the Subject Property, that the configuration of temporary traffic barriers under the Preliminary Parking

Plan (Exhibit A) is insufficient to adequately protect public safety within the parking lot serving the Subject Property, the Community Development Director shall notify the Applicants of said insufficiency. Thereafter, the Applicants will address the identified insufficiency in their proposed Final Parking Plan and shall install any and all permanent traffic barriers as necessary to remedy the inadequacy, as approved in the Final Parking Plan.

9. The Owners shall provide the Village with an irrevocable letter of credit, a bond, or some other sufficient surety in an amount, to be determined by the Community Development Director, that is sufficient to ensure the installation of all parking lot improvements required by this Ordinance, including but not limited to:

   i. All parking lot striping (under the Preliminary Parking Plan (Exhibit A)) and re-striping (if required by the Final Parking Plan); and

   ii. The installation of all temporary concrete barriers required by the Preliminary Parking Plan (Exhibit A); and

   iii. The replacement of all temporary concrete barriers with the Permanent Barrier under the Final Parking Plan; and

   iv. The installation of additional permanent concrete barriers if required by the Community Development Director pursuant to Paragraph 8, *supra*; and

   v. The designation of tenant-specific parking (including signage and re-striping) if required pursuant to Paragraph 10, *infra*.

   Said irrevocable letter of credit, bond, or other sufficient surety shall be tendered to and accepted by the Village prior to the issuance of any occupancy permit for the Subject Property, and shall further be accompanied by a written authorization, signed by the Owners and any other necessary party in interest, that shall grant the Village sufficient authority to permit the Village to perform any and all work necessary to bring the Subject Property into compliance with the Preliminary Parking Plan (Exhibit A) or the Final Parking Plan, as the case may be, if the Village determines, in its sole discretion, that the Applicants have defaulted on their obligations hereunder.

10. In the event that the Village receives written complaints from other current or future tenants and businesses served by the same parking lot as the Subject Property on account of a lack of convenient parking to serve their uses, the Owners have agreed that the Village may order them to designate such parking for each such other tenant and/or business as the Village deems reasonable, necessary, and convenient for such uses, provided however, that any such written complaints must be received, if at all, within six (6) months after the issuance of an occupancy permit for the Subject Property. Upon receiving such an order from the Village, the Owners shall make the necessary parking designations within twenty-one (21) days, and shall further make any improvements necessary to effectuate said designations (including but not limited to parking designation signs and additional parking lot striping) within that same period of time.

11. The Applicants may not begin to use the Subject Property for the purposes of an Illinois Secretary of State Driver's Facility unless and until said Applicants apply for and receive an occupancy permit and 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 12th day of November 2020.

TRUSTEES:

ROBERT REDMOND	Aye – ____	Nay – ____	Absent – ✓
MICHAEL WATSON	Aye – ✓	Nay – ____	Absent – ____
RYAN LEBRAN	Aye – ✓	Nay – ____	Absent – ____
BRIAN BILLINGSLEY	Aye – ✓	Nay – ____	Absent – ____
DARREN WESTPHAL	Aye – ✓	Nay – ____	Absent – ____
BRIAN TIERI	Aye – ✓	Nay – ____	Absent – ____

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON	Non-Voting – X		
TOTALS:	Aye – 5	Nay – Ø	Absent – 1

ATTEST:

Khamsao Nelson

~~JULIE TAMBLIN~~G, VILLAGE CLERK (Deputy)
Khamsao Nelson

APPROVED this 12 day of November, 2020.

Michael Watson

MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:

~~JULIE TAMBLING~~, VILLAGE CLERK (Deputy)
Khamseo Nelson

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 R-10-20-1, "A RESOLUTION APPROVING THE USE OF CERTAIN PROPERTY LOCATED WITHIN THE VILLAGE OF BRADLEY FOR THE PURPOSES OF AN ILLINOIS SECRETARY OF STATE DRIVER'S FACILITY," which was adopted by the Village Corporate Authorities at a meeting held on the 12th day of November 2020.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 12th day of Nov., 2020.

Khamsee Nelson

~~JULIE TAMBLING~~, VILLAGE CLERK (Deputy)
Khamsee Nelson

(SEAL)

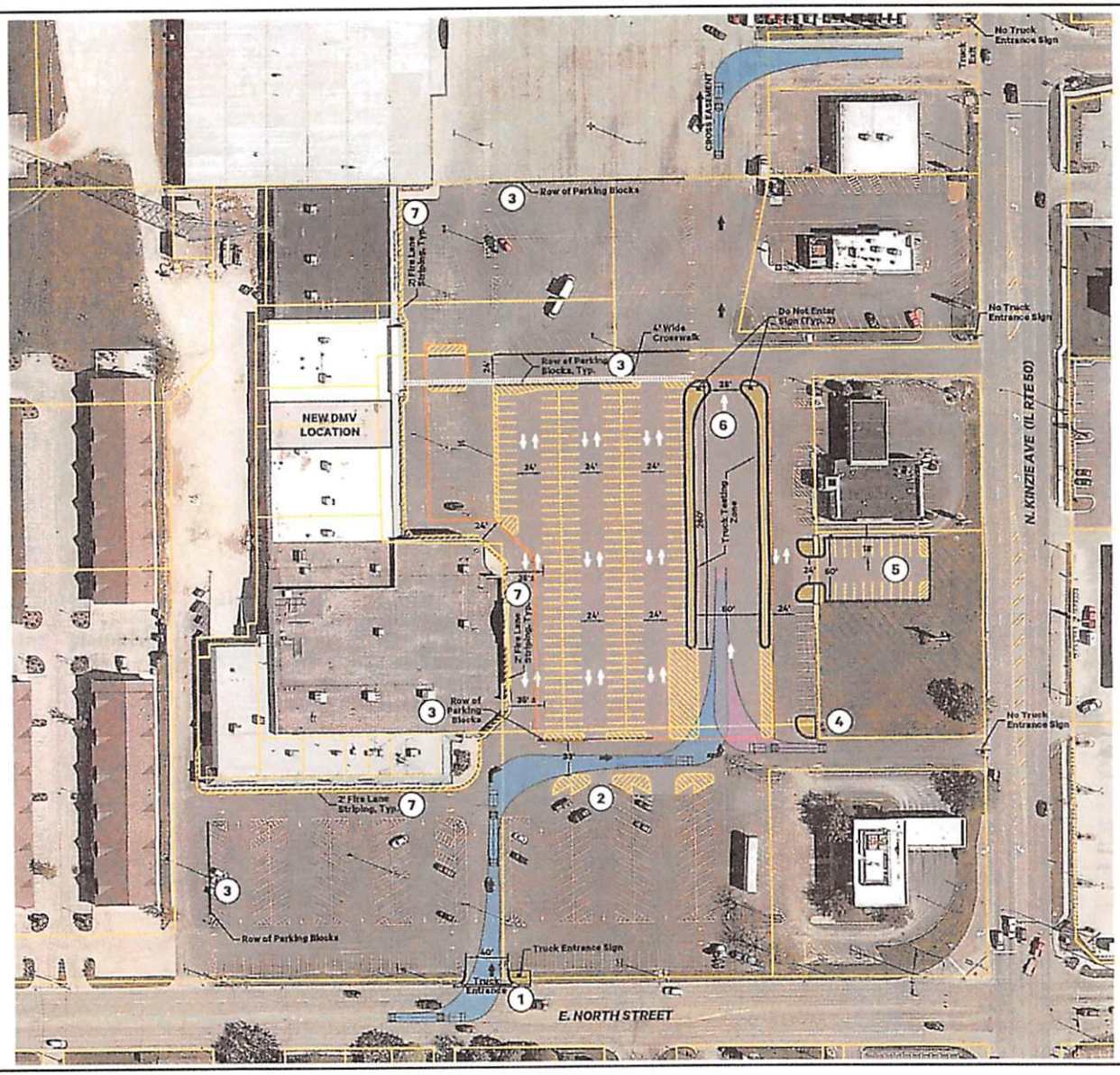

EXHIBIT A
PRELIMINARY PARKING PLAN

DEVELOPMENT SUMMARY NOTES:

1. Widen existing entrance to accommodate semi traffic turning movements into the property.
2. Restripe islands to widen out driving lane.
3. Parking blocks to be set back 2 feet from edge of driving lane to accommodate vehicle overhang
4. Added curbed island
5. 20 Stall parking facility for Credit Union
6. Curbed islands at truck driving area exit.
7. Fire Lane Striping to be yellow.

Limits of Parking Count

Existing: 325 Stalls
Proposed: 215 Stalls
Net Loss: 110 Stalls

N

Scale: 1"=100'
0 50 100 200

PIGGUSH ENGINEERING
586 William Latham Drive, Suite 8
Bourbonnais, IL 60914
PiggushEng.com
O 815.614.3447
F 815.614.3735

Project:	New DMV Location		
Client:	Greg Leutloff	Checked By:	NAP
Survey No.:	20190.0102	Drawn By:	MRG