

VILLAGE OF BRADLEY

ORDINANCE NO. O-1-16-3

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT ON THE
APPLICATION OF RIVER NORTH ASSISTED LIVING, LLC
FOR FOUR PARCELS LOCATED IN THE VILLAGE OF BRADLEY**

ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF BRADLEY

This _____ day of _____, 2016

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

CERTIFICATE:

Michael J. LaGesse, Village Clerk

ORDINANCE NO. O-1-16-3

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT ON THE
APPLICATION OF RIVER NORTH ASSISTED LIVING, LLC
FOR FOUR PARCELS LOCATED IN THE VILLAGE OF BRADLEY**

WHEREAS, on January 5, 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, River North Assisted Living, LLC (hereinafter the "Petitioner"), for a special use permit in a B-2 Commercial District to operate a health center, i.e., an assisted living, memory care and future independent living facility, at the properties (hereinafter "Subject Properties") legally described as:

Property #1:

TRACT IN EH SWQ 1.77AC

Commonly known as: parcel between 730 N. Kinzie and Christine Drive Lot, Bradley, IL 60915

P.I.N.: 17-09-21-300-103

Property #2:

TRACT IN EH SWQ 2.23AC

Commonly known as: Christine Drive lot, Bradley, IL

P.I.N.: 17-09-21-300-104

Property #3:

TRACT IN WH SWQ BAL 2.69AC 21-31-12E

Commonly known as: parcel between 650 N. Kinzie and Christine Drive, Bradley, IL 60915

P.I.N.: 17-09-21-300-054

Property #4

TRACT IN EH SWQ EX ROW BAL 4.53AC 21-31-12E

Commonly known as: 650 N. Kinzie, Bradley, IL 60915

P.I.N.: 17-09-21-300-004

WHEREAS, notice of public hearing was published in the *Daily Journal* on December 16, 2015; and

WHEREAS, the Plan Commission has made its findings on the application and recommended that the special use permit be approved for the subject properties by a vote of eight (8) in favor and zero (0) against, with one (1) absent, as reflected in the minutes of the public hearing of January 5, 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 B-2 Commercial District to operate a health center, i.e., an assisted living, memory care and future independent living facility, is granted for the Subject Properties, subject to the conditions set forth in §§3, 4 and 5 of this Ordinance.

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 Chapter 60, Article VIII, Division 7, *et seq.*, of the Village's Zoning Code:

1. Compliance with B-2 Commercial District. The special use granted herein shall comply with all other applicable requirements of the B-2 Commercial District.
2. Special Use Shall Run With The Parcels. 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 buildings and/or property located at the Subject Properties 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.

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 ____ day of _____, 2016.

TRUSTEES:

Jerry Balthazor:	AYE - ____	NAY - ____	ABSENT - ____
Robert Redmond:	AYE - ____	NAY - ____	ABSENT - ____
Lori Gadbois:	AYE - ____	NAY - ____	ABSENT - ____
Eric Cyr:	AYE - ____	NAY - ____	ABSENT - ____
Melissa Carrico:	AYE - ____	NAY - ____	ABSENT - ____
Michael Watson:	AYE - ____	NAY - ____	ABSENT - ____

Bruce Adams:	AYE - ____	NAY - ____	ABSENT - ____
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TOTALS:	AYE - ____	NAY - ____	ABSENT - ____
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APPROVED this ____ day of _____, 2016

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

ATTEST:

Michael J. Lagesse, Village Clerk

ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER TO THE CONDITIONS OF THIS ORDINANCE NO. O-1-16-3

By: _____ Date: _____, 2016

Title:

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that on **January 5, 2016**, at a meeting of the Planning and Zoning Commission of the Village of Bradley, Illinois, at 147 South Michigan Ave., in Bradley, Illinois at 6:30 p.m., the Commission will consider the applications of **River North Assisted Living, LLC**, for a special use permit to operate a health center, i.e., an assisted living, memory care and future independent living facility at the properties legally described as follows:

Property #1:

TRACT IN EH SWQ 1.77AC

Commonly known as: parcel between 730 N. Kinzie and Christine Drive Lot, Bradley, IL 60915

P.I.N.: 17-09-21-300-103

Property #2:

TRACT IN EH SWQ 2.23AC

Commonly known as: Christine Drive lot, Bradley, IL

P.I.N.: 17-09-21-300-104

Property #3:

TRACT IN WH SWQ BAL 2.69AC 21-31-12E

Commonly known as: parcel between 650 N. Kinzie and Christine Drive, Bradley, IL 60915

P.I.N.: 17-09-21-300-054

Property #4

TRACT IN EH SWQ EX ROW BAL 4.53AC 21-31-12E

Commonly known as: 650 N. Kinzie, Bradley, IL 60915

P.I.N.: 17-09-21-300-004

All interested persons will be given an opportunity to be heard. The hearing may be adjourned by the Planning and Zoning Commission to another date without further notice other than a motion to be entered upon the minutes of the meeting and hearing fixing the time and place of its adjournment.

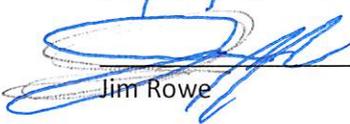
s/ MIKE SMITH, Chairperson
Planning & Zoning Commission

Description of land use:

Currently the lots that we are looking to build on are vacant land that we are proposing to build an assisted living, memory care and future independent living facility. We are proposing to build a 2 story 74,000 sf building that will house memory care and assisted living as a phase 1. As phase 2, future plans, we are planning to build an independent living building. The size of that building is yet to be determined.

CERTIFICATE OF MAILING

I, Jim Rowe, General Counsel to the Village of Bradley, hereby certify and affirm that I have mailed 17 *Notices of Public Hearing of January 5, 2016*, regarding the application for a special use permit of River North Assisted Living LLC, to all owners of property located within 250' of the subject property by certified mail, return receipt requested, in compliance with all statutory guidelines and Sec. 60-398 of the Code of Ordinances of the Village of Bradley. A list of the individuals provided with such notice is attached hereto. Said notices were mailed on 12/21/15.



Jim Rowe

12/21/15
Date

TA Operating LLC
Travel Centers of America LLC
24601 Center Ridge Rd.
Cleveland, OH 44145-5634

Bunge Edible Oil Corp
P.O. Box 192
Kankakee, IL 60901-0192

Ronald & Christine Benoit
355 Villabrook Dr.
Bourbonnais, IL 60914-1858

Homestar Bank Trust #1663
222 N. Industrial Dr.
Bourbonnais, IL 60915-1279

Kankakee Moose Lodge #802
730 N. Kinzie Ave.
Bradley, IL 60915

River North Building LLC
3359 Main St.
Skokie, IL 60076-2432

Ruben E. Smith
422 N. Kennedy Dr.
Bradley, IL 60915-1536

Municipal Bank Trust #1768
P.O. Box 146
Bourbonnais, IL 60914-0146

Monical Pizza Corporation
530 N. Kinzie Ave.
Bradley, IL 60915

Gary & Carol Flowers
1035 Mulligan Dr.
Bradley, IL 60915

Kankakee Valley Family Church Inc.
1085 Mulligan Dr.
Bradley, IL 60915-1242

Harry Les
9010 Kingston Lane
Orland Park, IL 60462-6769

Four T S LLC
1818 W. Jefferson St., 2nd Floor
Joliet, IL 60435-8124

Village of Bradley
147 S. Michigan Ave.
Bradley, IL 60915-2243

Bunge Edible Oil Corp.
P.O. Box 765
Kankakee, IL 60901-0765

Mazales Properties
800 N. Kinzie Ave.
Bradley, IL 60915-1231

DVOMJ Rentals LLC
P.O. Box 444
Bourbonnais, IL 60914-0444

PUBLISHER'S CERTIFICATE

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that on January 5, 2016, at a meeting of the Planning and Zoning Commission of the Village of Bradley, Illinois, at 147 South Michigan Ave., in Bradley, Illinois at 6:30p.m., the Commission will consider the applications of River North Assisted Living, LLC, for a special use permit to operate a health center, i.e., an assisted living, memory care and future independent living facility at the properties legally described as follows:

Property #1:
TRACT IN EH SWQ 1.77AC
Commonly known as: parcel
between 730 N. Kinzie and
Christine Drive Lot,
Bradley, IL 60915
P.I.N.: 17-09-21-300-103

Property #2:
TRACT IN EH SWQ 2.23AC
Commonly known as: Christine
Drive lot, Bradley, IL
P.I.N.: 17-09-21-300-104

Property #3:
TRACT IN WH SWQ BAL
2.69AC 21-31-12E
Commonly known as: parcel
between 650 N. Kinzie and
Christine Drive,
Bradley, IL 60915
P.I.N.: 17-09-21-300-054

Property #4
TRACT IN EH SWQ EX ROW
BAL 4.53AC 21-31-12E
Commonly known as: 650 N.
Kinzie, Bradley, IL 60915
P.I.N.: 17-09-21-300-004

All interested persons will be given an opportunity to be heard. The hearing may be adjourned by the Planning and Zoning Commission to another date without further notice other than a motion to be entered upon the minutes of the meeting and hearing fixing the time and place of its adjournment.

s/ MIKE SMITH, Chairperson
Planning & Zoning Commission

I, the undersigned, do hereby certify that I am an agent of the Kankakee Daily Journal Company, L.L.C., duly authorized to make this certificate on its behalf and I do further certify that the Kankakee Daily Journal Company, L.L.C. is a limited liability company organized under the laws of the State of Delaware and that said limited liability company has its offices and place of business in the City of Kankakee, Kankakee County, Illinois, and that it is the owner and publisher of The Daily Journal, printed, published, and distributed in and from the City of Kankakee in the State of Illinois, that the Daily Journal is a newspaper as hereinafter defined: which consists of not less than 4 pages of printed matter and contains at least 130 square inches of printed matter per page; and which is printed through the use of one of the conventional and generally recognized printing processes such as offset; and which annually averages at least 25 percent news content per issue; and which publishes miscellaneous reading matter, legal or other notices and announcements, and news and information concerning current happenings and passing events of political, social, religious, commercial, financial or legal nature, and advertisements or bulletins; and which has been continuously published at regular intervals of at least once each week with a minimum of 50 issues per years, for at least one year prior to the first publication of the notice certified to herein.

I do further certify that as such authorized agent of the said Kankakee Daily Journal Company, L.L.C. that the matter or notice, a true copy of which is hereto attached, relating to the matter of:

Public Notice

was published in said paper, during One (1) days, to-wit:

Once on December 16, 2015

Once on

Once on

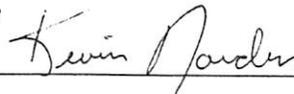
Once on

Once on

GIVEN under my hand and the corporate seal of said Kankakee Daily Journal Company, L.L.C. this 16th day of December, A.D. 2015.

KANKAKEE DAILY JOURNAL COMPANY, L.L.C.
Publishers of The Daily Journal

By



(SEAL)

Agent of the
KANKAKEE DAILY JOURNAL COMPANY, L.L.C.

Printer's Fees: \$151.28

Paid _____, 20 ____

By _____