

MOTION FOR MONTICELLO PLANNING & ZONING BOARD
MVAH Partners LLC (Prospective Owner) - 1412 N. Market Street

WHEREAS, the City of Monticello, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures for zoning and the use of land within the Corporate Limits of the City of Monticello; and

WHEREAS, the MVAH Partners LLC, prospective owner of property legally described as:

N 110' S 140' of Lot 5 SD & N 60' of Lot 6 & S 70' of Lot 5 SD W ½ SW SW Foster's Bowl & Lounge Inc 52 4 70. Said property commonly known as 1412 N, Market Street, Monticello, Illinois.

Has requested two zoning action items as they relate to proposed plans to construct a 46-unit senior housing development; and

WHEREAS, the prospective owner received a Conditional Use Permit to allow operation of a multi-family dwelling on a Business (B) zoned parcel, and a variance to reduce the off-street parking requirement of 2 spaces per unit, or a total of 92 spaces, providing a total of 58 off-street parking spaces, approved by the City of Monticello City Council through the adoption of ordinance 2019-08, for a senior housing project; and

WHEREAS, the prospective owner is requesting an amendment to the zoning actions approved through Ordinance 2019-08, removing the exclusivity of the project to senior housing; and

WHEREAS, the City of Monticello Zoning Administrator has reviewed the petitioner's requests for Conditional Use permit and Variance, and has submitted the petition and supporting documents to the Planning & Zoning Board; and

WHEREAS, the Planning & Zoning Board has held a public hearing on January 21, 2020 concerning these matters and comment from the public was solicited and received; and

WHEREAS, the Planning & Zoning Board has reviewed the evidence submitted, including a report from the City of Monticello Zoning Administrator, and the supporting documents, and has considered all the available testimony and facts regarding the subject request.

BE IT THEREFORE RESOLVED this 21st day of January, 2020, that the City of Monticello Planning & Zoning Board makes the following recommendation to the City Council of the City of Monticello:

The Planning & Zoning Board has determined whether the applicant meets the following criteria regarding the requested Conditional Use Permit;

1. The establishment, maintenance, or operation of the Conditional Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;
2. The Conditional Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and will not substantially diminish or impair property values within the neighborhood;
3. The establishment of the Conditional Use Permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;

4. Adequate utilities, access, drainage, parking, right-of-way easements and/or other necessary facilities are available;
5. Adequate measures do existing to provide ingress and egress, so designed as to minimize traffic congestion in the public streets; and
6. The Conditional Use permit will in all other respects conform to the applicable regulations of the district in which it is located.

And, the Planning & Zoning Board does further set forth the following findings of facts concerning the requested variance:

1. All procedural matters have been properly complied with.
2. The City of Monticello Zoning Administrator has prepared and submitted background information relevant to this case.
3. That special circumstances or conditions apply to the land for which a variation is sought, and that those conditions do not apply generally in a B (Business) zone.
4. Any special circumstances have not resulted from an act of the applicant subsequent to the adoption of the Zoning Ordinance.
5. Special circumstances do exist such that a strict application of the provisions of the Zoning Ordinance would deprive the applicant of reasonable use of his or her land.
6. The variation requested is necessary for a reasonable use of the land for the desired purpose.
7. The variation requested is in general harmony with the general purposes of intent of the Zoning Ordinance.
8. The variation granted will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City ordinances or codes.

The Planning & Zoning Board hereby recommends (*circle one*) *Approval* *Denial* of the Conditional Use Permit and Variance requests amendment for 1412 N. Market Street, to allow for construction of a multi-family dwelling development, and to reduce the requirement for off-street parking spaces from 2 spaces per unit to a total of 58 spaces.

Chairman, Planning & Zoning Board
City of Monticello