

ORDINANCE 2020-03

BE IT ORDAINED by the Mayor and City Council of the City of Monticello, Piatt County, Illinois, THAT:

**AN ORDINANCE APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT AND
VARIANCE REQUESTS FOR
MVAH Partners LLC (Prospective Owner)
1412 N. Market Street, Monticello**

Shall be, and is hereby, adopted as follows:

Section 1. BACKGROUND.

MVAH Partners LLC, (“*Prospective Owner*”) is the Prospective Owner has proposed a multi-family dwelling development located at 1412 N. Market Street in the City of Monticello, zoned Business (B), which is 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.

On January 28, 2019, the Prospective Owner received a Conditional Use Permit to allow for operation of a 46-unit 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.

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.

Section 2. PUBLIC HEARING AND PUBLIC MEETING.

Notice of a public hearing on the Owner’s request was published in the *Piatt County Journal Republican* on December 25, 2019. A public hearing at the public meeting was convened by the Planning and Zoning Board (“*PZB*”) on January 21, 2020, on which date the PZB solicited public comment, and closed the public hearing. At its regular meeting, the PZB, pursuant to the findings of fact included as supporting documents to this Ordinance, recommended approval (4-1-2) of the requested amendments to the received conditional use permit and variation.

Section 3. APPROVALS.

A. Conditional Use Permit for a Multi-Family Dwelling Use. Pursuant to and in accordance with §153.017 of the City of Monticello Zoning Ordinance, a conditional use permit is required to allow a Multi-Family Dwelling as a principal use within a Business (B) zoned parcel..

B. Variance to Off-Street Parking Requirements. Pursuant to and in accordance with §153.033 (B)(2) of the City of Monticello Zoning Ordinance, the following variances from the off-street parking requirements for the proposed development.

- a. Reduce the parking requirements from 2 spaces per lot, or a total of 92 spaces, to a total of the 58 spaces.

Section 4. CONDITIONS.

The approvals set forth in Section 3.A of this Ordinance for the Property will be and are hereby expressly subject to and contingent upon each of the following terms, conditions, and restrictions:

A. Compliance with Laws. The development, maintenance and operation of the Property must comply with all applicable State, County and City statutes, ordinances, codes, rules, and regulations.

- C. The approvals set forth in Section 3.A of this Ordinance for the Property will be reflective upon and generally in accordance with the plans submitted with the applications for zoning considerations.

Section 8. EFFECTIVE DATE.

- A. This Ordinance will be effective upon the occurrence of the following events:
 - 1. passage by the City of Monticello by a majority vote in the manner required by law;
 - 2. publication in pamphlet form in the manner required by law;

Adopted this 27th day of January, 2020, by the following roll-call vote:

AYES:

NAYS:

ABSENT:

Clerk of the City of Monticello
Piatt County, Illinois

Approved by the Mayor of the City of Monticello, Piatt County, Illinois this 28th day of January, 2020.

Mayor of the City of Monticello
Piatt County, Illinois

ATTEST:

Clerk of the City of Monticello,
Piatt County, Illinois