

EDWARDSVILLE ZONING BOARD OF APPEALS
Meeting Minutes
6/28/21
7:00 PM

Approved: Robert Hotz 8/23/2021

I. ROLL CALL:

Present

B. Hotz, Chairman
A. Robertson, Vice Chairman
C. McCaskill
J. Krebs
T. Butts
E. Fultz, Staff
E. Sutter, Staff
T. Lewis
D. Slemmer
B. Holsapple
M. Frost
D. Highlander "Arrived late"

Absent

M. Pierceall
D. Gerber

II. PUBLIC COMMENT: None.

III. APPROVAL OF MINUTES

Minutes of the regular meeting for May 24, 2021 are hereby approved and passed.

IV. ZONING CASES

A. Case 2021-28 – Special Use Permit

Danny and Cindy Highlander have petitioned the City of Edwardsville for a special use permit to allow the first floor of the property to be used as a dwelling unit at 529 St. Louis Street. The property currently has one dwelling unit on the second floor and the use of the first floor as a dwelling unit would result in a two-family dwelling unit with no commercial component. The property is more specifically identified as PID 14-2-15-11-09-104-022. The property is currently zoned MU-1 Downtown Mixed Use District.

APPLICANT: Danny & Cindy Highlander

LOCATION: 529 St. Louis Street

PLANNING CONSIDERATIONS: The Comprehensive Plan shows his property as Commercial. The existing zoning is in agreement with the Comprehensive Plan.

REQUEST: Special Use Permit to allow for a dwelling unit on the first floor of a multi-story building. Remove commercial component of the existing structure.

ZONING BOARD OF APPEALS STANDARDS FOR SPECIAL USE PERMITS:

- 1) Existing uses and zoning of nearby property and relationship to Edwardsville's adopted comprehensive plan.

Direction	Zoning Designation	Use
North	R-1 Single-Family Residential District	Single-Family Dwelling
South	MU-1 Downtown Mixed Use District	Institutional
East	MU-1 Downtown Mixed Use District	Commercial Use
West	MU-1 Downtown Mixed Use District	Single-Family Dwelling

- 2) Extent to which property value diminishes adjacent to the zoned parcels. Value decrease to be supplied by the petitioner and made by professional appraiser.
 - No property value information provided by petitioner
- 3) Extent to which the proposed change alters or promotes the public health, safety morals or general welfare.
 - The proposed use will neither alter nor promote the public health, safety, morals, or general welfare of the community
- 4) The relative gain to the public as compared to the hardship imposed upon the property owners, and there is a need for the proposed special use.
 - The Special Use Permit would allow a dwelling unit on the first floor in addition to the existing dwelling unit on the second floor. This use is aligned with the Comprehensive Plan and allows the continued stability of the area in addition to the trend of the development in the area
- 5) The suitability of the subject property for the zoned purposes indicated by ordinance.
 - The property is suitable for a dwelling unit on the first floor and thus a multiple-family structure

STAFF DISCUSSION:

- SUP required to ensure the property is suitable for a multiple-family dwelling unit and not out of character with the neighborhood
- The property currently has one dwelling unit on the second floor and would be suitable for use as a building containing two multiple-family dwelling units with no commercial component

Tom Butts asked what the intended use for the property was. Emily Fultz stated they did want it to be an upstairs and downstairs and the first floor was used for one single family unit. They want the second floor to be one single family unit as well.

Bob Hotz asked about the ramp out front. Emily Fultz stated they can keep it in case they wanted to use the unit as commercial again, and they do not need a Special Use Permit to change it back.

STAFF RECOMMENDATION:

- Staff recommends **approval** of the Special Use Permit request.

VOICE ROLL CALL: 5 Ayes, 0 Nays, 0 Abstain.

NEXT STEPS:

- Administrative & Community Services Committee Meeting – Thursday, July 1 at 5:00 PM
- City Council Meeting – Tuesday, July 6, 2021 at 7:00 PM

B. Case 2021-30 – Special Use Permit

Dave Slemmer and Brian Holsapple have petitioned the City of Edwardsville for a special use permit to allow the property the operation of a walk up retail service establishment (Ice Vending Machine) of which more than 25% of the commercial activity will be conducted outside a completely enclosed building at 447 South Buchanan Street. The property is more specifically identified as PID 14-2-15-11-20-401-006. The property is currently zoned B-2 Commercial/Business District.

APPLICANT: Dave Slemmer & Brian Holsapple

LOCATION: 447 S. Buchanan Street

PLANNING CONSIDERATIONS: The Comprehensive Plan shows this property as Commercial.

ZONING BOARD OF APPEALS STANDARDS FOR SPECIAL USE PERMITS:

- 1) Existing uses and zoning of nearby property and relationship to Edwardsville’s adopted comprehensive plan.

Direction	Zoning Designation	Use
North	B-2 Commercial Business District	Commercial Use
South	M-1 Light Manufacturing District	Commercial Use, MCT Bike Trail
East	B-1C Downtown Transition MU-1 Downtown Mixed Use	Commercial Use MCT Bike Trail
West	M-1 Light Manufacturing District	Commercial Use

- 2) Extent to which property value diminishes adjacent to the zoned parcels. Value decrease to be supplied by the petitioner and made by professional appraiser.
 - No property value information provided by petitioner
- 3) Extent to which the proposed change alters or promotes the public health, safety morals or general welfare.
 - a. The proposed use will neither alter nor promote the public health, safety, morals, or general welfare of the community
- 4) The relative gain to the public as compared to the hardship imposed upon the property owners, and there is a need for the proposed special use.
 - a. The proposed use is a unique business type in the Edwardsville area. The SUP is triggered by the outdoor nature of the proposed use
- 5) The suitability of the subject property for the zoned purposes indicated by ordinance.
 - a. It is suitable for uses allowed under the existing ordinance

STAFF DISCUSSION:

- Staff has concerns about traffic circulation as a result of the use
- The placement of the vending machine is approximately 50 feet from the parking lot entrance
- There is approximately 20 feet from the median and the parking spaces to the north which could allow for a car to pass but does not meet the City's 24' standard for a drive aisle
- Only room for 2 vehicles to stack

Mike Frost stated that he believes there will not be a high enough volume for the machine. He stated that an ATM was there in the past, and it was a good spot for a similar machine. It will be a 4x6 machine that has door access.

Tom Butts asked if it all self-service. Mike Frost stated that it is.

Bob Hotz asked how often the machine is serviced. Mike Frost stated that is serviced weekly.

Tom Butts stated that he was surprised we did not have a machine like this in town already. He asked if they needed another Special Use Permit if they were to put another machine in a different location. Emily Fultz stated that this Special Use Permit is specific to this parcel. Tom Butts asked if they wanted to add a second machine on this location, would they need another Special Use Permit. Emily Fultz stated they would also need another Special Use Permit for another one on the same location.

Brian Holsapple stated that it will be a one sided machine facing south where the original ATM drive thru was. He stated that Market Basket was comfortable with that. Bob Hotz stated that the traffic flow will be better for both the street and the people using the machine. Brian Holsapple stated there used to be a lane painted on the ground in the past.

Emily Fultz asked that the committee includes that the machine faces south if they were to approve the Special Use Permit.

STAFF RECOMMENDATION:

- While staff is not opposed to the proposed use, there are concerns about the number of stacking spaces and the nature of the business that need to be further discussed by the Zoning Board of Appeals

VOICE ROLL CALL: 5 Ayes, 0 Nays, 0 Abstain.

NEXT STEPS:

- Administrative & Community Services Committee Meeting – Thursday, July 1 at 5:00 PM
- City Council Meeting – Tuesday, July 6, 2021 at 7:00 PM

V. OLD BUSINESS: None

VI. NEW BUSINESS: None

VII. ADJOURNMENT: Motion to adjourn (Robertson), seconded (Hotz).