

**City of Evansville Plan Commission  
Regular Meeting  
Tuesday, May 7<sup>th</sup>, 2024, 6:00 p.m.**

**MINUTES**

**1. Call to Order** at 6:00pm.

**2. Roll Call:**

Members	Present/Absent	Others Present
Mayor Dianne Duggan	P	Colette Spranger (Community Dev. Director)
Aldersperson Gene Lewis	P	Roger Berg
Aldersperson Abbey Barnes	P	Ron Mallon
Vacant		Ryan Combs
John Gishnock	P	Stephanie Beske
Mike Scarmon	A	James Crowe
Eric Klar	P	Bill Lathrop
		Julie Johnson
		Joe Geoffrion
		Anne Kolasch
		Jason Sergeant, City Administrator

**3. Motion to approve the agenda, by Klar, seconded by Barnes. Approved unanimously.**

**4. Motion to waive the reading of the minutes from the April 2, 2024 meeting and approve them as printed, by Klar, seconded by Barnes. Approved unanimously.**

**5. Civility Reminder.** Duggan noted the City's commitment to conducting meetings with civility.

**6. Citizen appearances other than agenda items listed.**

- Rustie Winger Krieg (71 Cortland Drive)

Spranger shared that she received an inquiry from a resident who wanted to know why sidewalks cut in and out within her neighborhood. Sergeant replied that residents can opt to complete sidewalks in front of their property and share 50% of the costs with the City. Sidewalks are repaired or constructed when roadwork is scheduled. Sidewalk gaps are prioritized by how busy the street is.

- Stephanie Beske (38 N Windmill Ridge)

A public hearing was originally scheduled for this evening for a subdivision plat. Ms. Beske had several concerns, including how drainage would be handled on the plat and what type of housing was going in. She also shared concerns regarding the lack of traffic signs at the end of both Wyler Drive and Windmill Ridge Road.

- James Crowe (31 N Windmill Ridge)

Mr. Crowe was concerned that his neighbor received notice for the public hearing but he did not. Spranger explained that notices are generated for properties within 250' of the property in

question for any given public hearing.

## 7. Action Items.

### A. Public Hearing, Review, and Action for Conditional Use Application 2024-01 for Indoor Commercial Entertainment on parcel 6-27-90 (33 W Main St)

i. **Review Staff Report and Applicant Comments.** Spranger summarized the report. A children's play area and party event space is requesting to open in the downtown. There are no concerns regarding conflicting uses with existing businesses in the downtown.

#### ii. Public Hearing

Opened at 6:18pm, no comments received, public hearing closed at 6:19pm

#### iii. Plan Commissioner Questions and Comments.

None made.

#### iv. Motion with Conditions

*Motion to approve a conditional use permit for indoor commercial entertainment per section 130-408 on parcel 6-27-90 located at 33 W Main Street, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in section 130-104(3)(a) through (e) of the zoning ordinance, subject to the following conditions:*

*1. Hours of operation shall be no earlier than 6am and no later than 10pm.*

*2. The business operator shall obtain and maintain all City, State, and County permits and licenses as may be required.*

*3. Any substantial changes to the business model shall require a review of the existing conditional use permit.*

*4. Any changes to signage, outdoor lighting, and/or building façade are subject to approval from the Historic Preservation Commission.*

*5. Use cannot create a public nuisance as defined by local and state law.*

*6. The Conditional Use Permit is recorded with the Rock County Register of Deeds.*

*Motion by Klar, seconded by Barnes. Motion carried unanimously.*

### B. Review and Amendment on Conditional Use Application 2022-0239 for Indoor Commercial Entertainment on parcel 6-27-108 (1 E Main St)

Spranger explained that Slice Golf's existing conditional use permit was only made for 1 E Main Street. Slice is expanding into the vacant commercial space addressed at 3 E Main Street, which is on the same tax and legal property parcel. Plan Commission is requested to amend the conditional use permit so it can be demonstrated that approval also extends to 3 E Main Street.

*Motion to approve a Conditional Use Permit for indoor commercial entertainment (golf simulator) per section 130-408 on parcel 6-27-108, located at 1 and 3 E. Main Street, finding that the benefits of the use outweigh any potential adverse impacts, and that the proposed use is consistent with the required standards and criteria for issuance of a CUP set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:*

*1) The business operator, now and in the future, shall comply with all provisions of Section 130-408 in the City's Zoning Code, as may be amended, related to indoor commercial*

entertainment uses.

2) The parking requirements for this use in this location shall be waived.

3) The business operator, now and in the future, shall comply with all provisions in Section 130-568 of the City's Zoning Code, as may be amended, related to sidewalk cafes.

a. Tables, chairs, and barriers are not to be left outside when the business is not open.

b. Applicant to provide City staff with details showing exact placement of items associated with outdoor seating area.

4) Hours of operation shall be no earlier than 8am and no later than 10pm.

5) The business operator shall obtain and maintain all City, state, and county permits and licenses as may be required.

6) Any substantial changes to the business model, such as significant differences in hours of operation or type of business, shall require a review of the existing conditional use permit and the issuance of a new conditional use permit.

7) A sign application and Certificate of Appropriateness approval, issued by the Historic Preservation Commission, is required for any planned signage related to the business.

8) Use cannot create a public nuisance as defined by local and state law.

9) The Conditional Use Permit is recorded with the Rock County Register of Deeds.

*Motion by Klar, seconded by Barnes. Motion carried unanimously.*

**C. Public Hearing, Review, and Recommended Action for Land Division Application 2024-05 to create a zero lot line CSM on parcel 6-27-553.520 (649/651 Locust Ln)**

**i. Review Staff Report and Applicant Comments.**

This is an existing duplex that is requesting to be split into separate legal parcels. This will allow each unit to be sold and occupied by separate owners.

**ii. Public Hearing**

Opened at 6:24pm, no comments received, closed at 6:26pm.

**iii. Plan Commissioner Questions and Comments.**

None.

**iv. Motion with Conditions**

*Motion to approve a certified survey map to divide parcel 6-27-533.520 into two lots for a two-family twin residence addressed at 649 and 651 Locust Lane, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the following conditions:*

*1. The final CSM is recorded with Rock County Register of Deeds.*

*2. The applicant records a joint cross access and maintenance agreement for each of the new lots made by CSM.*

*Motion by Klar, seconded by Barnes. Motion carried unanimously.*

**D. Conceptual Site Plan for Culver's Restaurant at 60 N Union St**

**i. Review Staff Memo**

Spranger summarized the memo, mentioning that a prospective franchise owner had been working with the City for months on a possible location for a Culver's restaurant. Site layout and design is at a point where Plan Commission's feedback is requested. Ron Mallon spoke on behalf of his son, Scott, who is considering the property but could not be present at that night's meeting. The Mallons have 30 years experience in managing

Culver's restaurants. He is requesting that Plan Commission consider allowing more parking than what is permitted at that site, citing preferences made by the corporation. There is a possibility that delivery will be offered at this site, similar to what is being done in Janesville. There is a wetland delineation for the site that has been submitted to the Army Corps of Engineers for review. Ryan Combs spoke in favor of the site. Roger Berg stated that Culver's came to town because of the CHS oilseed processing plant. They wish to be close to the downtown and schools. Similar operations in Milton and Janesville employ 91 and 72 employees, respectively.

**ii. Plan Commissioner Questions and Comments**

No comments made.

**E. Conceptual Site Plan for Lot 7, Historic Standpipe Point**

**i. Review Staff Memo**

Spranger discussed future land use plans for this undeveloped section of the new Historic Standpipe Point subdivision. Per future land use plans, this area should include some mixed commercial/residential uses. Spranger also stated that this location is key for expanding commercial potential further west in the City. The developer favors a proposal for two duplex units and a single family home, which does not quite meet the intention of the mixed use district. City staff requested plans for a townhouse type unit. She shared two concept plans and requested feedback from Plan Commission for the developer, who was present. Per development agreement, the sites must be zoned B-1 Local Business District. This use allows business and residential uses.

**ii. Plan Commissioner Questions and Comments**

Mayor Duggan noted the lack of small business spaces in the downtown area. Alderperson Lewis preferred the first concept and thinks the area works better as a residential district. Ryan Combs, the surveyor, stated that grading and street elevations would make it difficult to accomplish a townhouse in this location, and that duplex units with rear parking would mean the garage would be on a lower level than the first floor. When asked why this was an issue, Berg stated that floor plans with stairs between the garage and first floor don't sell. Berg also stated he did not want business uses in this area.

**8. Discussion Items.**

**A. Housing Issues**

Plan Commission reviewed the housing chapter of the comprehensive plan and discussed different ways to increase housing density and encourage a variety of housing choices in the City. Gishnock suggested re-evaluating the zoning code, performing an analysis of infrastructure and financing mechanisms for known utility gaps as well as marketing interest to other developers for opportunities in Evansville. Accessory dwelling units were also discussed.

**9. Community Development Report**

**10. Next Meeting Date:**

**A.** Tuesday, June 4, 2024 at 6:00 p.m.

**11. Adjourn. 6:51 PM.**