NOTICE

A meeting of the City of Evansville Plan Commission will be held on the date and time stated below. Notice is further given that members of the City Council and Historic Preservation Commission may be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall at (608)-882-2266 with as much notice as possible.

City of Evansville **Plan Commission**Regular Meeting City Hall, 31 S Madison St., Evansville, WI 53536 Tuesday, September 3rd, 2024, 6:00 pm

AGENDA

- 1. Call to Order
- 2. Roll Call
- 3. Motion to Approve Agenda
- 4. Motion to waive the reading of the minutes from the August 6th, 2024 meeting and approve them as printed.
- 5. Civility Reminder
- 6. Citizen appearances other than agenda items listed.
- 7. Discussion Items
 - A. Settler's Grove Preliminary Plat and Concept Plan
 - B. Update on Culver's Wetland Delineation and Adjusted Site Plan
- 8. Community Development Report
- 9. Upcoming Meeting: October 1st, 2024 at 6:00pm
- 10. Adjourn

City of Evansville Plan Commission Regular Meeting Tuesday, August 6th, 2024, 6:00 p.m.

MINUTES

- 1. Call to Order at 6:00pm.
- 2. Roll Call:

Members	Present/Ab sent	Others Present
Mayor Dianne Duggan	P	Colette Spranger (Community Dev. Director)
Alderperson Gene Lewis	P	Jason Sergeant, City Administrator
Alderperson Abbey Barnes	A	Joe Geoffrion
Bill Lathrop	P	Roger Berg
John Gishnock	A	
Mike Scarmon	P	
Eric Klar	P	

- 3. Motion to approve the agenda, by Lathrop, seconded by Klar. Approved unanimously.
- 4. <u>Motion to waive the reading of the minutes from the July 2, 2024 meeting and approve them as printed,</u> by Lathrop, seconded by Klar. Approved unanimously.
- **5.** Civility Reminder. Duggan noted the City's commitment to conducting meetings with civility.
- 6. Citizen appearances other than agenda items listed.
- 7. Action Items.
 - A. Public Hearing, Review and Action for Land Division Application LD-2024-09 a preliminary and final plat on parcels 6-27-842 and 6-27-844 (332 E Main St and 15 Cemetery Rd)
 - i. Review Staff Report and Applicant Comments.
 Spranger summarized the report.
 - ii. Public Hearing

Opened at 6:06pm, Geoffrion expressed that he likes the addition of a new lot. Public Hearing closed at 6:08pm.

- iii. Plan Commissioner Questions and Comments. None.
- iv. Motion with Conditions

Motion to recommend Common Council approve a certified survey map to divide and adjust acreages between parcels 6-27-842 and 6-27-844 into three lots, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the condition that the final CSM is recorded with Rock County Register of Deeds.

Motion by Klar, seconded by Lathrop. Motion carried unanimously.

- B. Public Hearing, Review and Action for Land Division Application LD-2024-10 a preliminary and final plat on parcel 6-27-553.521 for a Zero Lot Line CSM (655/657 Locust Lane, or Lot 21, Stonewood Grove)
 - i. Review Staff Report and Applicant Comments.
 Spranger summarized the report.
 - ii. Public Hearing for Land Division and Ordinance 2024-06
 Public hearing opened at 6:13pm, no comments received. Public hearing closed at 6:14pm.
 - iii. Plan Commissioner Questions and Comments.
 - iv. Motions with Conditions

Motion to recommend Common Council approve a certified survey map to divide parcel 6-521 into two lots for a two-family twin residence addressed as 655 and 657 Locust Lane, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, subject to the following conditions:

- 1. The final CSM is recorded with the Rock County Register of Deeds.
- 2. <u>Applicant records a joint cross access and maintenance agreement for each of the new lots made by CSM.</u>

Motion by Klar, seconded by Scarmon. Motion carried unanimously.

- C. Review and Action on Landscape Plan Changes from Site Plan Application SP-2017-02
 - i. Review Staff Report and Applicant Comments. Spranger summarized the report.
 - ii. Plan Commissioner Questions and Comments. None.
 - iii. Motions with Conditions

Motion to accept alternate landscape plan for parcel 6-27-958.091A3 with the condition that the applicant submits fees in lieu-of-landscaping totaling \$9,790 by December 31, 2024, and installs remaining landscaping as shown in approved plan or install 1,175 pts on another site in the city by September.

8. Discussion Items.

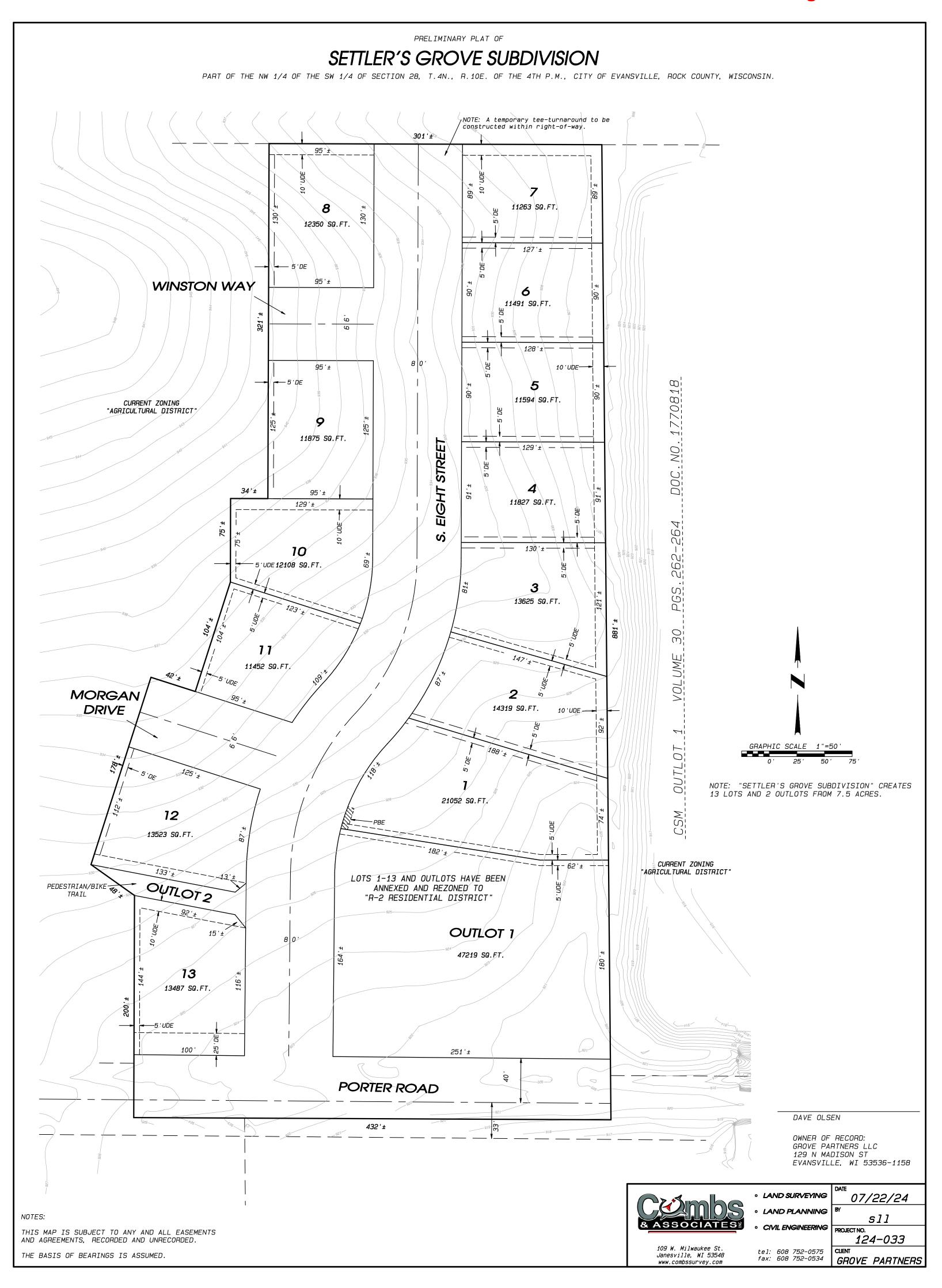
- **A.** Tim Magee closing business.
- **B.** Notices for public hearings are required for properties within 250 feet of the property. Notice not required for asbestos abatement but notices were sent on W Main St property owned by city. Notice sign-up on city website not functional at this time.
- 9. Community Development Report

None.

10. Next Meeting Date:

Tuesday, September 3, 2024 at 6:00 p.m.

11. Adjourn. 6:39 p.m.





City of Evansville

Community Development Department

www.ci.evansville.wi.gov 31 S Madison St PO Box 529 Evansville, WI 53536 (608) 882-2266

Tuesday, August 20, 2024

Grove Partners LLC 129 N Madison Street Evansville, WI 53536 Delivered via e-mail

Re: Settler's Grove Preliminary Plat Comments

Dear Grove Partners,

Thank you for your submission for a new subdivision. Below are comments on how the plat meets up against Chapter 110 (Subdivision) of the City's Municipal Code.

Recognizing that the submission is based largely on a previous version of the plat that was reviewed and partially approved by Common Council, staff would like to remind the developer that any prior approvals made will not apply to this new application/plat. Per the mutual release and settlement agreement brokered between the City and developer, staff also acknowledges the developer possesses a credit for parkland dedication totaling \$39,100. This will be factored into the final approvals and land divider's agreement for this plat.

The submitted preliminary plat is incomplete. This plat subdivides only part of 6-27-970C.2. No outlots are shown with the remaining 10.42 acres. A plat must be substantially compliant with the code in order for staff to make a favorable recommendation to Plan Commission and Common Council. Please see comments below regarding a concept plan for the entire 17.92 acres, road right-of-way dedication, and other concerns.

Future Land Use Guidance

Future Land Use for this area is Planned Neighborhood. Per the City's Smart Growth Comprehensive Plan, this calls for "predominately medium to high density single family homes (e.g. 4,500 to 12,000 square foot lots) with some attached townhomes and rowhouses, two-family homes, multifamily housing..." with suggested housing unit densities ranging between 3 to 25 units per acre. The city-wide average for housing density is 3.66 units per acre and it is a policy that new developments should meet or exceed that average. The proposed plat is just at 3 units per acre. The City's Smart Growth Comprehensive Plan also advocates for holistic planning of new neighborhoods, meaning that development should not occur in a piecemeal fashion and some attempt at understanding future traffic, housing density, utility usage and capacity, and other concerns, need to be discussed when new development occurs.

Concept Plan

Per Section 110-105 of the subdivision code, a concept plan for platting the remainder of the land being divided from this parcel is required. This concept plan should show how the development will meet or exceed the citywide average of 3.66 dwelling units per acre. Given that the remaining land of parcel 6-27-970C.2 needs to be divided in

some way and that road right-of-ways are required to the end of the tract of land being subdivided (per Section 110-159 of the subdivision ordinance), staff suggests that the applicant submit the entirety of parcel 6-27-970C.2 fully platted and planned out. Phasing plans can be tailored to trigger when the developer is responsible for completing the transportation network and utility extensions. Platting the entire 17.92 acres of parcel 6-27-970C.2 will also save the developer time and money, as each separate plat will require its own application, fees, review, letter of credit, and land divider's agreement. Furthermore, the layout of this parcel from prior plans for Settler's Grove address staff's concerns for density and overall compliance with the City's subdivision code.

Design Objectives for Land Divisions

On Sheet 6 (Outlot Pond) of Construction Plans for this plat, staff noticed that while future areas for a multiuse path were included, it included a note suggesting that actual construction would be "by others." This will not be the case for this development. The City has long had design standards within its subdivision ordinance for promoting a walkable and bicycle-friendly community. These standards have been maintained and repeated each time the City updates its Smart Growth Comprehensive Plan, Park and Outdoor Recreation Plan, and Capital Improvement Plan. The subdivision ordinance also gives Common Council to require an applicant to pay for the construction of appropriate infrastructure (on and off-site) to support the development. Multiuse paths in Evansville serve the same purpose as streets and sidewalks: to provide a safe method of transportation for residents.

Notes on Preliminary Plat

- Remove the proposed median and sign on South Eighth Street at its intersection with Porter Road.
- An 80' right-of-way is not strictly necessary for South Eighth Street. 66' feet would be allowed for this road, which is shown as a local road on the Future Land Use map. Shortening the road may help the profit margin of this project by reducing the amount of pavement needed.
- Text in Outlot 1 reads that the land has already been rezoned to the R-2 zoning district. This is not true; a separate rezoning application will be required for the entire parcel. (This is another reason staff recommend platting the entirety of the parcel now; rezoning new lots will ensure that future density goals can be met.
- The recreational trail runs very close to grade of the proposed stormwater pond. Staff would like to see at least five feet of at-grade separation between the trail and the pond. Outlot 1 should be enlarged to the north to shift the path in order to minimize potential conflict.
- Another outlot, or a northern extension of Outlot 1 that is at least 20' wide, should be added to the eastern boundary of the plat behind Lots 1 through 7. This area will be dedicated to the public for a multiuse path.
 The City does not intend to adjust the grading of the stormwater basin, so an outlot on this parcel is necessary.
- Lot 1 exceeds the maximum area and lot width allowed for the R-2 zoning district. Options to rectify this include adjusting lot areas along that side of Eighth Street or zoning the lot for townhouse/multifamily use.
- Lot 2 also exceeds the maximum lot area allowed for the R-2 zoning district, but this should be fixed with the suggested changes to Outlot 1.
- Developer suggests a duplex on Lot 13. Driveways for both units would be close together due to utility/drainage easements and have the potential to conflict with the recreational trail. Staff suggest either a single family unit or a making Lot 13 part of a larger multifamily lot.

Typographic errors:

- Correct spelling of street name "S. Eighth Street" versus "S. Eight Street"
- Lot 10 is listed as having a front lot line of 69'. It should be 96'.

To summarize, the following items are needed for a complete application:

- Concept plan that shows how the entire parcel will yield at least 3.66 housing units per acres at build out.
- Complete preliminary plat, showing extension of road rights-of-way to the edge of the tract and adjustments to Outlot 1 for multiuse paths.

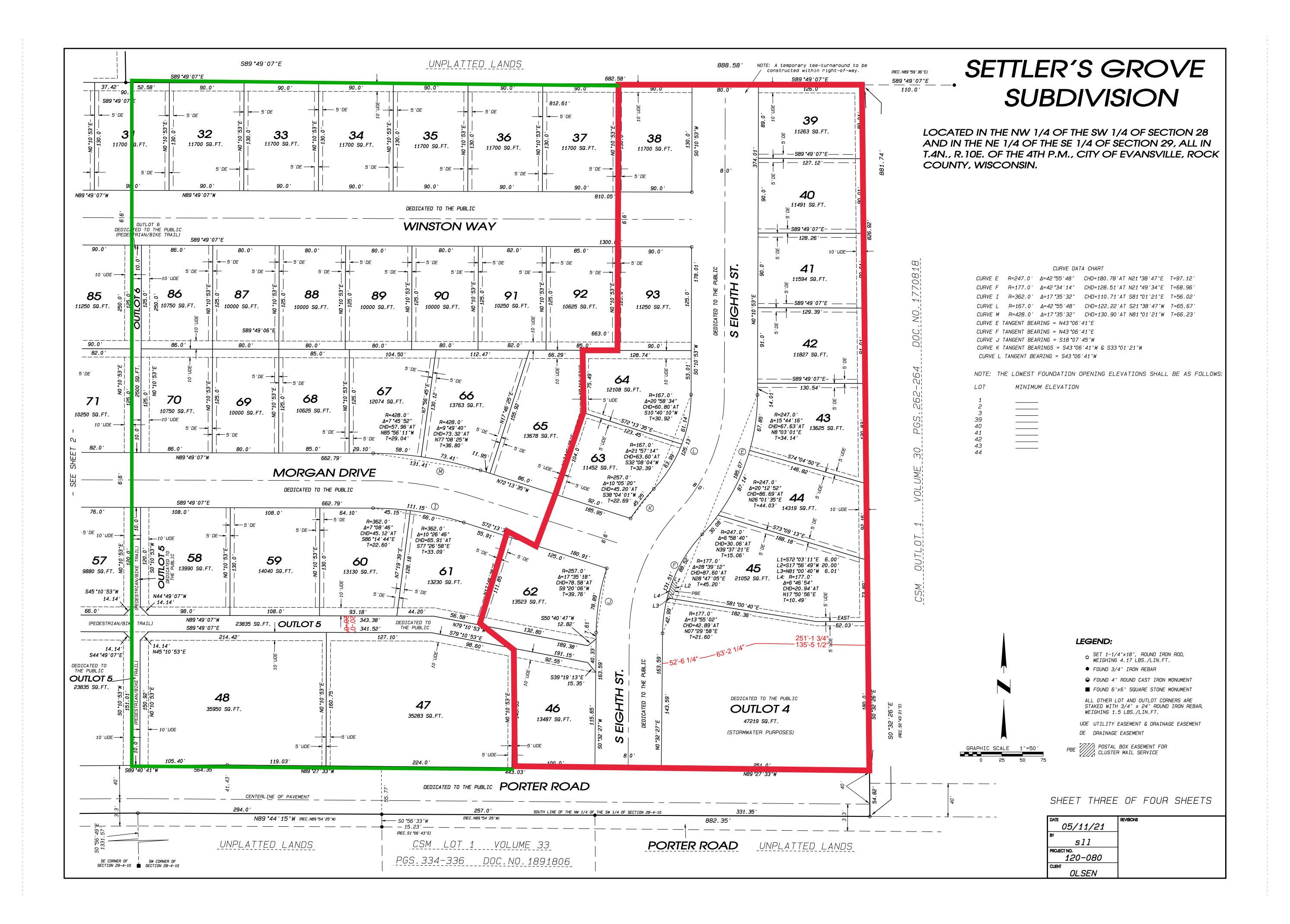
Rezoning application with intended zoning districts (and compliant lots).

Sincerely,

Colette Spranger

Community Development Director

Colette Zmanger





MEMO

Date:

August 22, 2024

To.

Colette Spranger, City of Evansville

From

Mark Gonzalez and Andy Jegerlehner, Merjent, Inc.

Subject

Wetland Susceptibility Supplement to Assured Wetland Delineation

INTRODUCTION

Merjent, Inc. (Merjent) performed a wetland delineation within the approximately 5.99-acre survey area provided by Culver's of Janesville's for its Evansville Culver's Project located in Section 27, Township 004N, Range 010E, in the city of Evansville, Rock County, Wisconsin. The applicant will use this assured wetland delineation report to support future planning and permitting for this site.

An additional site visit was requested to determine wetland susceptibility based on Wisconsin Department of Natural Resources NR 151.245 protective performance standards¹. The applicant will use this information for stormwater planning and associated permitting. This memo serves as a supplement to the original Assured Wetland Delineation.

FIELD SURVEY METHODS

On January 8, 2024, an initial site visit was performed to determine the approximate locations of wetlands within the survey area. On April 26, 2024, Merjent assured wetland delineator Mark Gonzalez and field assistant Andy Jegerlehner conducted a general reconnaissance of the entire survey area to evaluate site conditions and determine boundaries of wetlands and other surface water features.

Land use within the survey area include a concrete driveway and parking area, mowed lawn and undisturbed fresh wet meadow, shallow marsh, and shrub-carr areas. An unnamed stream flows through the northwest portion of the survey area.

Weather conditions at the time of the April survey were favorable and did not impair observations. All portions of the survey area were accessible during the field survey. Leaf burst was present on ash-leaf maple (*Acer negundo*) trees during the April survey visit indicating the beginning of the growing season.

On August 22, 2024, Merjent biologist Andy Jegerlehner returned to the site to gather additional wetland vegetation information on the previously delineated wetlands to determine protective area susceptibility according to NR 151.425 standards. Dominant vegetation species for each wetland community were documented and additional photo points were taken.

¹Available online at https://docs.legis.wisconsin.gov/code/admin code/nr/100/151/iv/245

RESULTS

Wetland w01 (0.72 acres)

Wetland w01 (0.72 acre) is a wetland complex composed of fresh (wet) meadow (0.21 acre) and shallow marsh (0.51 acre) communities. The wetland is located in the southeastern part of the survey area and is contained within a man made basin. The hydrology of wetland w01 is fed by precipitation and groundwater.

Data point dp04 was recorded to document representative conditions within the shallow marsh community. The shallow marsh occupies an old man made gravel pit/pond. The herbaceous stratum is sparse with hybrid cattail (*Typha X glauca*) and reed canary grass. The soil profile meets the criteria for a naturally problematic hydric soil. No soil profile was distinguishable below 10 inches due to inundation. Gravel was mixed in with silt in this area. The basin is routinely seasonally inundated and during normal climactic conditions. Indicators of wetland hydrology include Surface Water (A1), High Water Table (A2), Saturation (A3), Saturation Visible on Aerial Imagery (C9) Geomorphic Position (D2), and FAC-neutral Test (D5).

Data point dp05 was recorded to document representative conditions within the fresh (wet) meadow community which is found around the fringe of the shallow marsh community. The herbaceous stratum is dense with reed canary grass and scattered hybrid cattail. The soil profile meets the criteria for a Redox Dark Surface (F6). The area is routinely seasonally inundated and during normal climactic conditions. Indicators of wetland hydrology include Surface Water (A1), High Water Table (A2), Saturation (A3), Saturation Visible on Aerial Imagery (C9) Geomorphic Position (D2), and FAC-neutral Test (D5).

A meander survey was completed during the August 22, 2024, visit to determine dominant species in each wetland community. Species documented in the fresh (wet) meadow community of the wetland complex include reed canary grass, hybrid cattail, Canada thistle (*Cirsium arvense*), sandbar willow (*Salix interior*), Kentucky Bluegrass (*Poa pratensis*), and Siberian elm (*Ulmus pumila*). Reed canary grass is the dominant species in this community and makes up over 70% of the herbaceous stratum. Hybrid cattail makes up approximately 10% of the herbaceous stratum. The other species listed make up less than 10% of the stratum.

Dominant species documented in the shallow community of the wetland complex include reed canary grass, and hybrid cattail. Hybrid cattail is the dominant species in this community and makes up over 65% of the herbaceous stratum. Reed canary grass makes up approximately 30% of the herbaceous stratum. No other species were documented in this community.

Wetland w02 (1.90 acre)

Wetland w02 (1.90 acres) is a complex composed of fresh (wet) meadow (1.05 acres) and shrub-carr (0.85 acre) communities located in the northern and eastern portions of the survey area. The wetland extends north and east outside of the survey area. The hydrology of wetland w02 is fed by precipitation, surface runoff, stream flow and ground water.

Data points dp03 and dp07 were recorded to document representative conditions within the fresh (wet) meadow community in wetland w02. The herbaceous stratum is dense with reed canary grass, common reed (*Phragmites australis*), hybrid cattail and Kentucky bluegrass along the northern and eastern portion of the fresh (wet) meadow wetland. Eastern cottonwood (*Populus*)

deltoides) and ash-leaf maple (*Acer negundo*) are present in the tree stratum. Red osier dogwood (*Cornus alba*) and gray dogwood (*Cornus racemosa*) are present in the sapling/shrub stratum. The soil profile meets the hydric soil criterion for Redox Dark Surface (F6). Indicators of wetland hydrology observed include Surface Water (A1), High Water Table (A2), Saturation (A3), Geomorphic Position (D2), and FAC-neutral Test (D5).

A meander survey was completed in the fresh (wet) meadow community during the August 22, 2024, visit. Species documented include reed canary grass, hybrid cattail, giant reed grass (*Phragmites australis*), sandbar willow, Kentucky bluegrass, dark green bulrush (*Scirpus atrovirens*), fox sedge (*Scirpus vulpinoidea*), softstem bulrush (*Schoenoplectus tabernaemontani*), and Canada bluejoint grass (*Calamagrostis canadensis*). Reed canary grass is the dominant species in this community and makes up over 50% of the herbaceous stratum. Hybrid cattail, fox sedge, giant reed grass each makes up approximately 10% of the herbaceous stratum respectively. The other species listed make up less than 10% of the stratum.

SUMMARY

Merjent performed a delineation of wetlands and other surface water features for the Evansville Culver's Project in Rock County, Wisconsin. Based on the field survey and review of desktop resources, it is our professional opinion that two wetlands totaling 2.62 acres exist within the 5.99-acre survey area.

An additional wetland vegetation survey was completed to determine wetland susceptibility based on Wisconsin Department of Natural Resources NR 151.245 protective performance standards.

Wetland w01

The fresh (wet) meadow community Wetland w01 meets the definition of a Ruderal Wet Meadow according to the Wisconsin Department of Natural Resources Key to Wetland Natural Communities (WDNR 2022)². Ruderal wetlands are wetland communities dominated by > 75% non-native cover or cover of non-native species is less but native species are indicative of disturbance. The definition of a Ruderal Wet Meadow is a wetland dominated by non-native grasses such as reed canary grass and redtop (*Agrostis gigantea*), or by weedy native forbs such as giant ragweed (*Ambrosia trifida*), stinging nettle (*Urtica dioica*), Canada goldenrod (*Solidago canadensis*), blunt spike-rush (*Eleocharis obtusa*), etc. The dominant species present in fresh wet meadow community of Wetland w01 is reed canary grass.

The shallow marsh community in Wetland w01 meets the definition of a Ruderal Marsh according to the key. The definition of a Ruderal Marsh is a wetland dominated by non-native reeds and cattails such as common reed (Phragmites australis ssp. australis), invasive or hybrid cattail species (e.g. Typha angustifolia, T. X glauca), or reed manna grass (Glyceria maxima). Non-native forbs may also be dominant, such as purple loosestrife (Lythrum salicaria). The dominant plants in the shallow marsh in Wetland w01 are hybrid cattail and reed canary grass.

The entire Wetland w01 complex meets the definition of a ruderal wetland. This also meets the definition of a less susceptible wetland defined in NR151.245. Less susceptible wetlands include

²https://dnr.wisconsin.gov/sites/default/files/topic/Wetlands/Key To Wetland Communities 202 2.pdf degraded wetlands dominated by invasive species such as reed canary grass; cultivated hydric soils; and any gravel pits, or dredged material or fill material disposal sites that take on the attributes of a wetland. Wetland w01 is dominated by invasive species, has disturbed soils, and was constructed in 2006 or 2007 in an area that was not previously delineated as a wetland. This wetland complex would be covered under NR 151.245 (1)(f) and would require a buffer of 10 percent of the average wetland width, but no less than 10 feet nor more than 30 feet. This buffer width needs to be confirmed by the Wisconsin Department of Natural Resources Water Resources Management specialist for any stormwater permit conditions.

Wetland w02

The fresh (wet) meadow community Wetland w02 does not meet the definition of a Ruderal Wet Meadow according to the Wisconsin Department of Natural Resources Key to Wetland Natural Communities (WDNR 2022). Invasive species are present, but not at or above the 75% threshold. This wetland does not meet the definition of a highly susceptible wetland according to NR 151.245. Highly susceptible wetlands include the following types: calcareous fens, sedge meadows, open and coniferous bogs, low prairies, coniferous swamps, lowland hardwood swamps, and ephemeral ponds. This wetland community is a fresh wet meadow and would be covered under NR 151.245 (1)(d) and would require a buffer of 50 feet. This buffer width needs to be confirmed by the Wisconsin Department of Natural Resources Water Resources Management specialist for any stormwater permit conditions.

Please let us know if you have any questions.

Attachments
Wetland Delineation Map
Additional Photo Log

