

**City of Evansville Plan Commission
Regular Meeting
Tuesday, October 1st, 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)
Aldersperson Gene Lewis	P	Jason Sergeant, City Administrator
Aldersperson Abbey Barnes	P	Joe Geoffrion, Roger Berg, Ben Corridon,
Bill Lathrop	P	John& Sharon Thielenhouse, Joy Morrison,
John Gishnock	P	Kathleen&Troy Worrall, Steven Keller, Jeff Meyers,
Mike Scarmon	A	Candice Kasprezak, Makenzie Schonenberger,
Eric Klar	A	Will&Leslie Casey, Ron Mallon, Bill Hurtley, Jonathan Hollingsworth, Alvin Francis, Nick Haefs

3. Motion to approve the agenda, by Lathrop, seconded by Gishnock. Suggestion to review item 7H first, in order to accommodate audience. Accepted. Approved unanimously.

4. Motion to waive the reading of the minutes from the September 3, 2024 meeting and approve them as printed, by Lathrop, 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.

7. Discussion Items.

- A.** Public Hearing for Land Division Application LD-2024-11 for a preliminary subdivision plat (Settler’s Grove) on parcel 6-27-970C.2
 - i. Review Staff Report and Applicant Comments**
Spranger advised that this application will be reviewed at the next meeting but an initial public hearing will be held today.
 - ii. Public Hearing**
Opened at 6:31 pm. Paul Liesse asked about the paths shown on the plan and expressed that if we are going to have paths they should lead somewhere. Public hearing closed at 6:32 pm.

- B.** Review and Action for Land Division Application LD-2024-12 for a preliminary and final plat on parcels 6-27-862 (60 N Union), and Rezoning Application RZ-2024-04 to zone the entirety of Lot 1 of that plat to B-3 and Outlot 1 to C-1.
 - i. Review Staff Report and Applicant Comments**
Spranger described the purpose of the application to delineate between the buildable and unbuildable areas of the lot.

ii. Public Hearing

Opened at 6:35 pm. Ben Corridon asked what guidelines there would be for the wetlands to be preserved. Spranger expressed that stormwater would not be put into the wetland and that it would be left wild, and that the wetland would still be on private property and Culver's would be responsible for it. Public hearing closed at 6:37 pm.

iii. Plan Commissioner Questions and Comments

None.

iv. Motion with Conditions

Motion to recommend Common Council approve a certified survey map to divide parcel 6-27-862 into Lot 1 and Outlot 1, 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 the Rock County Register of Deeds. Motion by Lathrop, seconded by Barnes. Motion carried unanimously.

Motion to recommend Common Council approve Ordinance 2024-12, Rezoning territory at 60 N Union St. Motion by Lathrop, seconded by Gishnock. Motion carried unanimously.

C. Review and Action for Land Division Application LD-2024-13 for a preliminary and final Certified Survey Map to combine parcels 6-27-661 and 6-27-541 (421 Almeron St)

i. Review Staff Report and Applicant Comments

Spranger discussed the application to combine parcels under the same ownership. Spranger discussed that there was a gap in the parcels that appeared it may have originally been a public right of way but no evidence of any right of way ever being platted has been found.

ii. Public Hearing

Opened at 6:43 pm. Joy Morrison gave a brief history of the property and advised she has no objection to the merger. Public hearing closed at 6:45 pm.

iii. Plan Commissioner Questions and Comments

None.

iv. Motion with Conditions

Motion to recommend Common Council approve a certified survey map to combine parcels 6-27-661 and 6-27-541 into one lot, finding that the application is in the public interest and meets the objectives contained within Section 110-4(5) of city ordinances, with the condition that the final CSM is recorded with the Rock County Register of Deeds. Motion by Lathrop, seconded by Gishnock. Motion carried unanimously.

D. Review and Action for Land Division Application LD-2024-14 for a preliminary and final Certified Survey Map on parcel 6-27-316.368 (649/651 Windsor Ln)

i. Review Staff Report and Applicant Comments

Spranger stated that D and E are closely related. The applications had been previously approved but were never recorded with the Rock County Register of Deeds. The application is to split a duplex lot down the shared wall of an existing duplex.

ii. Public Hearing

Opened at 6:47 pm, no comments received, closed at 6:48 pm.

iii. Plan Commissioner Questions and Comments

Gishnock commented that he would like to know how to keep duplexes rentable for future developments. Barnes asked about renters being able to purchase the properties they reside in.

iv. Motion with Conditions

Motion to recommend Common Council to approve a certified survey map to divide parcel 6-27-316.368 into two lots for a two-family twin residence, located at 621 and 623 Windsor 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:

a. The final certified survey map is recorded with the Rock County Register of deeds.

b. A joint maintenance and cross access agreement is then made and recorded against both properties.

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

E. Review and Action for Land Division Application LD-2024-15 for a preliminary and final Certified Survey Map on parcel 6-27-559.5067 (601 Porter Rd/305 S Sixth St)

i. Review Staff Report and Applicant Comments

Spranger advised this application was the same as D but on a different property.

ii. Public Hearing

Opened at 6:54 pm, no comments received, closed at 6:55 pm.

iii. Plan Commissioner Questions and Comments

None.

iv. Motion with Conditions

Motion to recommend Common Council to approve a certified survey map to divide parcel 6-27-559.5067 into two lots for a two-family twin residence, located at 601 Porter Road and 305 S Sixth Street, 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:

a. The final certified survey map is recorded with the Rock County Register of deeds.

b. A joint maintenance and cross access agreement is then made and recorded against both properties.

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

F. Review and Action for Conditional Use Application CUP-2024-04 for an Indoor Commercial Entertainment Use on parcel 6-27-20.2 (26 W Main St)

i. Review Staff Report and Applicant Comments

This application is for a business for an indoor kid's play place which had previously been approved at a different location across the street. The business now wishes to move to a new location and therefore needs a new conditional use permit.

ii. Public Hearing

Opened at 6:58 pm, no comments received, closed at 6:59 pm.

iii. Plan Commissioner Questions and Comments

None.

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 € of the Zoning Ordinance, subject to the following conditions:

- a. **Hours of operation shall be no earlier than 6am and no later than 10pm.**
- b. **The business operator shall obtain and maintain all City, State, and County permits and licenses as may be required.**
- c. **Any substantial changes to the business model shall require a review of the existing conditional use permit.**
- d. **Any changes to signage, outdoor lighting, and/or building façade are subject to approval from the Historic Preservation Commission.**
- e. **Use cannot create a public nuisance as defined by local and state law.**
- f. **The Conditional Use Permit is recorded with the Rock County Register of Deeds.**

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

G. Review and Action for Site Plan Application SP-2024-03 for an office expansion on parcel 6-27-866 (340 Union St)**i. Review Staff Report and Applicant Comments**

Spranger advised that the parcel shares land with multiple uses, including the Mobil station and farmland. The application is to add office space onto a rear building on the property.

ii. Plan Commissioner Questions and Comments

Gishnock commented on the direction of the lighting. Spranger suggested adding a condition regarding dark sky compliant lighting.

iii. Motion with Conditions

Motion to approve site plan application 2024-03 for improvements and building expansion on parcel 6-27-866, addressed at 340 N Union Street, finding that the proposed changes meet the required standards and criteria set forth in Section 130-131 of the City of Evansville Zoning Ordinance, and are in the public interest, subject to the following conditions:

- a. **Applicant complies with any and all other local, state, or federal regulations pertaining to the site.**
- b. **Any major deviations from approved plans will require a resubmittal of application and any possible fees or enforcement action.**
- c. **Addition must connect to City sewer and water services.**
- d. **Applicant records the site plan with the Rock County Register of Deeds.**
- e. **All lighting shall be dark sky compliant.**

Motion by Lathrop, second by Gishnock. Motion carried unanimously.

H. Review and Possible Action for Annexation Application A-2024-01 to annex parcel 6-20-326.506 from the Town of Union to the City of Evansville

i. Review Staff Report and Applicant Comments

Spranger described the purpose for the application. Spranger discussed that this application would be consistent with the Comprehensive Plan. The site is adjacent to a stormwater pond, there will be stormwater management available on site. No known man-made constraints exist. The application will also need to be approved by the state Department of Administration.

ii. Public Hearing

Opened at 6:16 pm. John Thielenhouse who neighbors the property expressed that he would prefer that the property be residential and would not like to see a gas station there. Candice Kasprezak asked if a survey will be done, Spranger replied that one has been completed. Will Casey expressed that he is in favor of the annexation and would like to see a KwikTrip. Spranger had received written comments, one in favor and one with environmental concerns. Public hearing closed at 6:23 pm.

iii. Plan Commissioner Questions and Comments

Lathrop asked if there would be issues with high-capacity ATC lines going over a gas station. Haefs responded that they have been in contact with them. Gishnock asked about the current zoning of the property, which is Agricultural. Barnes asked about what contingencies are in the purchase agreement. Haefs advised that as long as the annexation and the site plan are approved, the purchase would go through.

iv. Motion with Conditions

Finding that the annexation is consistent with the Comprehensive Plan, the Plan Commission recommends Common Council approval of Ordinance 2024-13 and the annexation agreement with the following conditions:

a. DOA deems annexation to be in the public interest.

b. The applicant signs and accepts the Annexation Agreement.

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

I. Review and Possible Action for Annexation Application A-2024-02 to annex parcels 6-20-305, 6-20-305.01, and 6-20-219B from the Town of Union to the City of Evansville

i. Review Staff Report and Applicant Comments

This application is to annex parts of the right-of-way which were not included in the previous annexation for the CHS property.

ii. Public Hearing

Opened at 7:11 pm, no comments received, closed at 7:12 pm.

iii. Plan Commissioner Questions and Comments

None.

iv. Motion with Conditions

Finding the annexation is consistent with the Comprehensive Plan, the Plan Commission recommends Common Council approve Ordinance 2024-09.

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

8. Community Development Report

- i. Spranger is still working on putting together an informative flyer regarding underutilized store fronts.
- ii. Lathrop brought up Settler's Grove and reiterated the desire to increase density in new developments. Gishnock added that he does not want to see increased density be pushed down the road for the future.

9. Next Meeting Date:

Tuesday, November 5, 2024 at 6:00 p.m.

10. Adjourn. 6:53 p.m.