

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, December 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 November 5th, 2024 meeting and approve them as printed.
5. Civility Reminder
6. Citizen appearances other than agenda items listed.
7. Discussion Items
 - A. Review and Discussion for Conditional Use Permit Application CUP-2024-05 for a duplex in the R-1 Residential District One on parcel 6-27-358 (16 Jackson Street)
 1. Review Staff Report and Applicant Comments
 2. Plan Commissioner Questions and Comments
 3. Motion with Conditions
 - B. Update – Pre-3/Maas Farm Property
 - C. Update – Kwik Trip
8. Community Development Report
 - A. 2025 Meeting Dates
9. Upcoming Meeting: January 7th, 2025 at 6:00pm
10. Adjourn

-Mayor Dianne Duggan, Plan Commission Chair

**City of Evansville Plan Commission
Regular Meeting
Tuesday, November 5th, 2024, 6:00 p.m.**

MINUTES

1. Call to Order at 6:01pm.

2. Roll Call:

Members	Present/Ab sent	Others Present
Mayor Dianne Duggan	P	Colette Spranger (Community Dev. Director)
Aldersperson Gene Lewis	P	Theresa Wetherwax, Sheb Heissner, Mark Heissner
Aldersperson Abbey Barnes	P	Derek Blume, John Theilenhouse, Andy Phillips,
Bill Lathrop	A	Seth Schulz, Joe Geofrrion, Candice Kasprzak
John Gishnock	P	Jeff Meyers, Mary Fiske, Nick Haefs, Seth Waddell
Mike Scarmon	P	Jonathan Hollingsworth
Eric Klar	P	

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

4. Motion to waive the reading of the minutes from the October 1st, 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.

7. Discussion Items.

A. Review and Discussion on Site Plan Application SP-2024-04, Conditional Use Permit Application CUP-2024-06, and Rezoning Application RZ-2024-05 for a Kwik Trip Gas Station/Convenience Store on parcel 6-20-228.1

1. Review Staff Memo and Applicant Comments

Spranger began by explaining that no action would be taken at tonight's meeting because an annexation petition had still not been submitted to the State Department of Administration. Thus, the City should not taken action regarding land uses in land still within the Town of Union. She then reviewed the staff report, noted deficiencies of the site plan against the zoning code. Most notably the building placement does not conform to the requirements set forward for gas stations, where the convenience store building must front the street it sits on. For a corner lot, this means the building should front the corner where streets intersect. To date the City has not received a site plan that meets this standard. Spranger noted the landscape plan submitted includes a number of woody evergreens in an area that is subject to an easement by the American Transmission Company (ATC). ATC has the right to remove trees and woody material without notice. The bulk of the site's landscape points are in that easement, which would otherwise be a benefit providing screening to neighboring residences. Another issue the site faces is

traffic, both internal and off site. The current site plan depicts a 30' wide driveway that is 600' long with no traffic control and multiple points of entry from the diesel canopy, a staff parking area, and the gasoline canopy. As a point of reference, Main Street in front of this property is 35' wide from curb to curb. Spranger is concerned this will become an unofficial thoroughfare for motorists wishing to avoid the intersection of County M and US Highway 14. A similar unofficial through street exists between Brown School Road and the shared driveway of Piggly Wiggly and Family Dollar. Finally, staff across City departments are concerned about the decreased level of service that additional traffic would bring to this intersection and the nearby driveways. As a matter of reference, the wait time for an average turn going southbound on County M from Piggly Wiggly increases almost 6 seconds per the traffic study that was provided. Similar delays occur at the westbound turn lane for County M and all directions of traffic for northbound County M.

Nick Haefs, a Kwik Trip representative, noted that one of the parking areas was meant to be dedicated for workers. He had no other questions at that time.

2. Public Hearing

Mayor Duggan opened the public hearing at 6:35pm.

- John Thielenhouse, 637 Windsor Lane, wondered about traffic impacts on County M/Highway 14, noted that a bufferyard was required between this use at the neighboring residences, and requested an 8' fence. Later he asked if fences were required around the retention ponds.
- Derek Blume, Town of Union, noted that the site plan doesn't utilize the whole lot. Were other uses considered? And would the applicant consider splitting off that underused area? Kwik Trip representatives replied that the west side of the property sits slightly higher than the street corners, and that stormwater needs for the proposed uses would prevent other uses.
- Candice Kasprzak, 635 Windsor Lane, requested the CAD files from Kwik Trip.
- John Holingsworth, 631 Windsor Lane, asked if a fence/trees would be required.

Mayor Duggan closed the public hearing at 6:53pm.

3. Plan Commissioner Questions and Comments

- Mayor Duggan inquired about the process for annexation.
- Gishnock asked about eastbound left turns into the site on Highway 14. Kwik Trip representatives responded that DOT was requiring a dedicated turn lane of 100'. Spranger apologized for not including it in that night's packet; off site improvements had just been submitted to the City the day before. Gishnock requested that the fence be extended further west to the end of property and that the applicant utilize the western triangular corner for additional trees and/or a picnic area, as a way to personalize the Kwik Trip experience in Evansville. Gishnock agreed that the 30' wide drive would be a cut through and that some sort of traffic calming would be necessary to address it. He also suggested eliminating and relocating the parking stalls on the far eastern edge of the site plan, noting that they were far from the store's entrance. The building could then be brought closer to the street. He noted that landscape islands could be a method of calming traffic in the 30' wide driveway area.
- Barnes asked for clarification regarding the location of underground refueling tanks. Notes there is no dedicated truck parking. Agrees with Gishnock that the fence should be extended.
- Scarmon asked if sidewalk would be extended along County M to the north edge

of the property. Staff confirmed this would be required, along with curb and gutter along County M. Echoed Barnes's comment regarding truck parking, noting that the 30' wide driveway area might trigger unauthorized parking and idling diesel vehicles. Asked if there would be directional signage for trucks entering and leaving property, and if diesel traffic would be one way. Current set up has two way diesel traffic.

- Lewis appreciated the consideration to attempt to lessen the impact on neighboring properties regarding noises, lights, and other potential nuisances.

B. Review and Discussion for Conditional Use Permit Application CUP-2024-05 for a duplex in the R-1 Residential District One on parcel 6-27-358 (16 Jackson Street)

1. Review Staff Report and Applicant Comments

Spranger's comments on the application were that normally a duplex is not a complicated issue for the R-1 district, but this particular parcel does not have sewer service in front of the property along Jackson Street. An alternative connection will need to be identified for getting each unit of the duplex its own lateral. A previous suggested connection by the City Engineer was to run a "long lateral" in the City terrace adjacent to the public sidewalk. However, that plan only considered a single family residence and not a duplex. Each unit needs its own lateral. Municipal Services needs to make a decision regarding the City's preference for dealing with this situation, which would set precedent for future similar situations.

2. Public Hearing

Mayor Duggan opened the public hearing at 6:53 pm. Spranger read a comment from Betty Kober, 303 E Main Street, who expressed that she would prefer not to see a duplex be built on that property. Public hearing was closed at 6:54pm.

3. Plan Commissioner Questions and Comments

- Gishnock wondered if more lots could be created for new infill development on Jackson Street, and if setting a precedent like this is necessary to promote infill development.
- Barnes asked if more lots could even be created on Jackson Street. Spranger replied that it was possible but would require neighbor cooperation for land divisions and likely another conditional use process, which meant such a situation was possible but not guaranteed.

C. Concept Plan Discussion – Capstone Ridge

Spranger summarized a submitted plan for a Planned Unit Development and replatting the Capstone Ridge subdivision plat. The prospective developers are interested in building multifamily units similar to Prairie Crossing. Staff was initially intrigued by the idea but after looking into City requirements for PUD and knowing that the developers wish to get started building in 2025, that perhaps another way of authorizing multifamily development without vacating City rights-of-way or months worth of work on PUD documents. The main issue of the plat is that the City's standard for stormwater is for infiltration ponds to hold two back-to-back 100 year rain events and the City Engineer is in doubt whether the existing ponds could handle more development. City staff is suggesting combining and deeding over lots for stormwater, keeping the roads laid out as is, and rezoning the bulk of the lots to R-2 zoning, which would allow duplexes by right. This would yield a similar number of units. The developers would still have to enter an agreement with the City and provide a letter of credit for improvements, but the

project would be more or less shovel ready with the approval of a rezoning and land divider's agreement.

8. Community Development Report

9. Next Meeting Date:

Tuesday, December 3rd., 2024 at 6:00 p.m.

10. Adjourn. 7:38 pm



CONDITIONAL USE PERMIT APPLICATION – STAFF REPORT

Applicant: Tim Porter

Parcel: 6-27-358

Location: 16 Jackson Street

December 3, 2024

Prepared by: Colette Spranger, Community Development Director
 Prepared for: **City of Evansville Plan Commission**



Description of request: The applicant has submitted an application for a conditional use permit to allow a duplex in the R-1 zoning district per section 130-324 of the Evansville Zoning Ordinance.

Staff Analysis of Request:

The existing lot is 8,712 square feet and meets the requirements of the R-1 zoning district that a two-family dwelling should have at least 8,000 square feet. The lot has an existing garage but is otherwise vacant.

Any duplex that is built will need to conform to the standard setbacks that apply to every newly built house in the City's R-1 zoning district. A driveway could be shared between the two units to allow for the building to utilize the length of the lot.

The current owner is not planning to build the duplex but is aiming to sell the lot and wants to assure any potential buyer with the approval to build a duplex. As with all conditional use permits in Evansville, if the permit is not used within 365 days of being issued, it will expire.

Unique to this lot, is that sanitary sewer mains do not run underneath Jackson Street. In order to serve this property, an alternative connection must be made. After some consideration, Municipal Services staff

have requested that any sewer connection to this property be made via easement with the adjoining property at the northeast corner of Jackson and Franklin Streets. This would circumvent having to rip up and rebuild parts of Jackson Street, which was reconstructed in 2018. Consistent with City policy and State of Wisconsin building codes, each new unit must have its own lateral.

A public hearing was held for this application on November 5, 2024. One neighbor expressed their dislike of a duplex in that location. No substantial comments were received.

Required Plan Commission findings for Conditional Use Permit request: Section 130-104 (3) of the Municipal Code, includes criteria that should be considered in making this decision:

1. **Consistency of the use with the comprehensive plan.** The proposed use in general and in this specific location is consistent with the city's comprehensive plan of September 2022.
Staff Comment: The Comprehensive plan indicates a desire to promote infill development where City services are available and to provide a variety of housing types.
2. **Consistency with the City's zoning code, or any other plan, program, or ordinance.** The proposed use in general and in this specific location is consistent with City's zoning code, or any other plan, program, or ordinance, whether adopted or under consideration pursuant to official notice of the city.
Staff comment: The proposed construction is consistent with the City's zoning code and other plans, programs, and ordinances.
3. **Effect on nearby property.** The use will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the City's zoning code, the comprehensive plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the city.
Staff Comment: No adverse effect is anticipated on nearby property.
4. **Appropriateness of use.** The use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
Staff Comment: Two family twin dwellings are an appropriate use in the R-1 district.
5. **Utilities and public services.** The use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by the City or any other public agency serving the subject property.
Staff Comment: Water is available to this location under Jackson Street and a condition of approval for this application will be to service the site with sanitary sewer via easement through a neighboring private property, via either Main Street or Franklin Street.

Required Plan Commission conclusion: Section 130-104(3)(f) of the Municipal Code requires the Plan Commission to determine whether the potential public benefits of the conditional use do or do not outweigh any and all potential adverse impacts.

Staff recommended motion:

Motion to approve a Conditional Use Permit for a duplex in the R-1 zoning district per section 130-983 on parcel 6-27-358 located at 16 Jackson 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) ***Sewer laterals are to access the public main via recorded easement with an adjoining private landowner prior to issuance of a building permit.***

- 2) *Use cannot create a public nuisance as defined by local and state law.*
- 3) *The Conditional Use Permit is recorded with the Rock County Register of Deeds.*



City of Evansville

Community Development Department

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31 S Madison St
PO Box 529
Evansville, WI 53536
(608) 882-2266

November 27, 2024

To: Plan Commission
From: Colette Spranger, Community Development Director
Subject: Concept Plan for Pre-3/Maas Farm Development

Staff has continued discussions with Pre-3 regarding a potential multifamily development in the northwest of the City along County Highway C. Part of the approval process will require subdivision of 40+ acre parcel and conceptual plans for future development. This has resulted in two concept plans for potential subdivision of that land are presented to Plan Commission this evening.

Pre-3 Development Details

Staff would like to share that the developer is not seeking assistance through TIF or other direct contributions from the City. The plan is for 72-84 units that are 2 bedrooms each. Each unit will also have a dedicate garage, and rents will be market rate and unsubsidized. The developer would also have to pay for the cost of curb, gutter, and sidewalk improvements along County Road C, which is now in the City. As far as utilities go, water pressure is the key issue to address. The City is obligated by state regulation to provide 20 pounds per square inch (psi) of water pressure at the property line; maintaining that pressure would be the responsibility of the developer and may require private water boosters in each building. This would be at cost to the developer, not the City. The eventual plan is for there to be a booster station or well nearby that would service the entire 40+ acres and beyond to City and state standards. Pre-3 would eventually have to connect to and pay their share of booster station use. However, water is regulated utility and adding infrastructure to service the City's system requires approval from the Public Service Commission. That entitlement could add a year of lag time before such a system is even installed; Pre-3 would like to break ground within the year and the City is keen to add to its housing stock in the meantime. As with other recent approved projects, the City is willing to take some risk in order to grow. The gamble with this property is that allowing a temporary solution for one project might jump start further development.

Concept Plans for Future Development

Both concept plans show adjacent single family development that Pre-3 intends to sell to other developers. City staff are currently of the opinion that any development agreement struck for this land involve would such a developer at the onset. This would ensure that future street and right-of-way connections are secured during this next land division, as well as a site for a City booster or well. Consideration has also been made for a connecting multiuse path, which could act as a buffer between this acreage and existing residential development directly to its south. Finally, because TIF is not being considered for this project, the City has

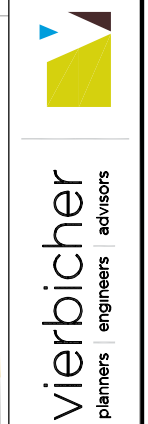
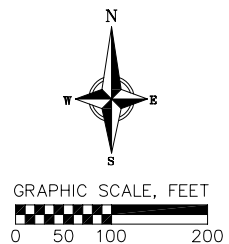
Agenda Item 7B

more leeway to allow more residential uses. The future land use category for this land is Mixed Use. The remaining acreage along County Road C would be reserved for commercial or office type uses, and could be considered for a future TID.

Plan Commission is asked tonight to comment on its appetite for allowing private boosters for each building of the Pre-3 development, and to comment on its reaction to either of the concept plans presented.

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- - - FUTURE PROPERTY LINE
- PROPOSED ON SITE PAVEMENT
- - - PROPOSED TID BOUNDARY
- PROPOSED MULTI-FAMILY BUILDING



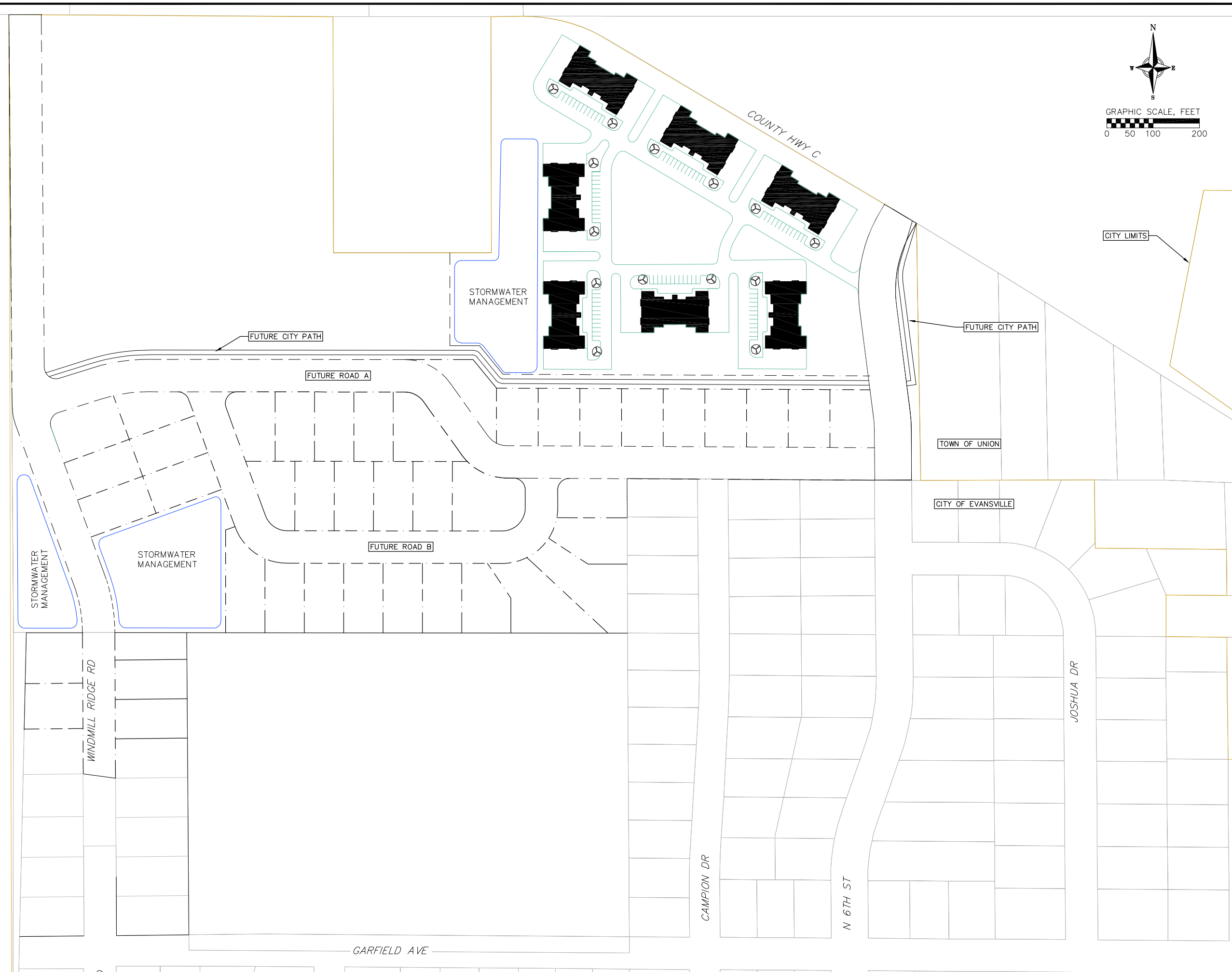
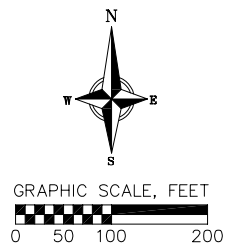
CONCEPT PLAN - OPTION D
 EVANSVILLE DEVELOPMENT
 CITY OF EVANSVILLE
 ROCK COUNTY, WI

REVISIONS		REVISIONS	
NO.	DATE	NO.	DATE

DATE: 10/29/2024
 DRAFTER: CSHE
 CHECKED: SPAR
 PROJECT NO.: 240493

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- - - FUTURE PROPERTY LINE
- PROPOSED ON SITE PAVEMENT
- PROPOSED MULTIFAMILY BUILDING



CONCEPT PLAN - OPTION E
EVANSVILLE DEVELOPMENT
CITY OF EVANSVILLE
ROCK COUNTY, WI

NO.	DATE	REVISIONS	REMARKS

DATE: 11/1/2024
DRAFTER: CSHE
CHECKED: SPAR
PROJECT NO.: 240493





City of Evansville

Community Development Department

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Tuesday, November 26, 2024

Seth Waddell
Sent via e-mail: swaddell@kwiktrip.com

Re: Site Plan Comments following Public Hearing and 11/13 Phone Call

Dear Seth,

Thank you for continued conversation regarding the proposed site plan for a Kwik Trip convenience store located at the northwest corner of Highway 14 and County Road M here in Evansville.

The following is a summary of changes needed to address zoning compliance for the site plan (as documented on the staff report presented at Plan Commission) and address additional comments made at the public hearing on November 5th. We covered many of these issues on our call on November 13th, but they are listed here for your convenience.

On the civic plan set:

- Include marked pedestrian crosswalks from gas pump areas and any parking areas that cross uncontrolled thru traffic
- Show extension of sidewalk and curb/gutter along County Road M
 - Actual implementation of sidewalk extension will include collaboration with City Engineer and Municipal Services Director. Should also be shown on drawings for off-site improvements.
- Show fence extending to the western edge of the property on civic plan set and submit materials/specifics for proposed fence. Fence is not to exceed 6' in height.
- Finalize location of monument sign.
- Include landscaped bump-outs along northern driveway to lessen potential traffic issues on site and pedestrian/vehicle conflicts.
- Maximum driveway widths at the sidewalk cannot exceed 25'

One of the zoning requirements for the B-3 zoning district is to lessen the amount of parking lot space along street frontage. Gas station standards for the city also require the building and not the parking lot to be the focal point of the site. To date a site plan that shows the building in the approvable location has not been submitted. The current site plan layout is the preferred layout of the applicant, explained as a way to optimize traffic circulation and accommodate stormwater ponds. Staff is requesting an alternate site plan that shows the convenience store building in the corner and the main gas canopy in a more interior location on the parcel. Staff would like Plan Commission to see a zoning compliant site layout before exploring alternative solutions, such as landscaped berms and retaining walls.

Other Considerations

Agenda Item 7C

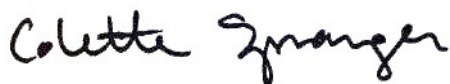
- Verify building and canopy heights. Building cannot exceed 40' in height; canopies cannot exceed 20'.
- Plans should show marked pedestrian sidewalks that are raised slightly at driveways to convey that vehicle traffic is crossing the sidewalk.
- Submit lighting plan
- Re-submit landscape plan with plants appropriate for American Transmission Company (ATC) easement or provide documentation from ATC that would allow woody plants in this location.
 - The City is supportive of dense vegetation in the easement area in order to lessen the impact of noises generated by this new use on the existing residential neighborhood to its north.
 - Plan Commission members seemed interested in utilizing the far western tip of the property for more vegetation.
- Address traffic concerns associated with decreased level of service along southbound County Road M and southbound traffic exiting the Piggly Wiggly driveway. A decreased level of service at and near the adjacent intersection would present an adverse impact on neighboring business and residences. The City is seeking to avoid such an impact. Please identify site, entry, or intersection improvements that can avoid a decrease in level of service.

A note that site plan review will not continue until an annexation petition is made to the State Department of Administration and the City receives indication that the petition is found to be in the public interest. The City can then finalize the annexation application and proceed with land use review, planning, and decision making.

Finally, Kwik Trip representatives indicated that they would seek variances for driveway widths increasing to 35' and potentially for fence height of 8' along the residential area. The reasoning behind driveway widths was to accommodate diesel truck traffic turning on to the site. Accommodating traffic to the diesel areas was also a reason given for the wide driveway area along the property's northern boundary and a reason why traffic volumes were projected to be so high for this specific site. A variance is granted when an applicant proves and demonstrates that the site has an unnecessary hardship due to conditions unique to the property and has no harm to public interests. If removing the diesel canopy at this site (which is arguably a secondary/accessory use for this site, as it is not a feature present at all Kwik Trip locations) eliminates traffic issues both off and on site as well and the need for a wider driveway, it would be hard to argue that a variance is strictly necessary for the entire site.

The City of Evansville would welcome a Kwik Trip to the community but is committed to ensuring new uses and sites function well, holding all development application to the same standards.

Sincerely,



Colette Spranger
Community Development Director

CC: *Jason Sergeant, City Administrator*
Nick Haefs, Kwik Trip

Evansville Plan Commission

2025 Meeting Dates

Meetings held at City Hall, 31 S. Madison Street, at 6:00 PM

Tuesday, January 7, 2025

Applications must be completed for January Meeting by Friday, December 6, 2024

Tuesday, February 4, 2025

Applications must be completed for February Meeting by Friday, January 10, 2025

Tuesday, March 4, 2025

Applications must be completed for March Meeting by Friday, February 7, 2025

Tuesday, April 1, 2025

Applications must be completed for April Meeting by Friday, March 7, 2025

Tuesday, May 6, 2025

Applications must be completed for May Meeting by Friday, April 11, 2025

Tuesday, June 3, 2025

Applications must be completed for June Meeting by Friday, May 9, 2025

Tuesday, July 1, 2025

Applications must be completed for Meeting by Friday, June 6, 2025

Tuesday, August 5, 2025

Applications must be completed for August Meeting by Friday, July 11, 2025

Tuesday, September 2, 2025

Applications must be completed for September Meeting by Friday, August 8, 2025

Tuesday, October 7, 2025

Applications must be completed for October Meeting by Friday, September 12, 2025

Tuesday, November 4, 2025

Applications must be completed for November Meeting by Friday, October 10, 2025

Tuesday, December 2, 2025

Applications must be completed for December Meeting by Friday, November 7, 2025

Last Updated 11/27/2024

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