

**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