

City of Evansville Plan Commission
Regular Meeting
Tuesday, February 3rd, 2026, 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 Development Director
Aldersperson Bill Lathrop	P	Sue White
Aldersperson Abbey Barnes	P	Dan White
Susan Becker	P	Jeff Lahey
John Gishnock	P	Scott Mallon
Mike Scarmon	P	Daryl Fox
Eric Klar	A	Roger Berg

- 3. Motion to approve the agenda, by Barnes, second by Becker. Approved unanimously.
- 4. Motion to waive the reading of the minutes from the January 6th, 2026 meeting approve them as printed by Barnes, seconded by Lathrop. Lathrop notes that names are missing from 7B on those who made the motions. Spranger replies that she will add these back in. Approved unanimously.
- 5. **Civility Reminder.** Duggan affirmed the City’s commitment to conducting meetings with civility.
- 6. **Citizen appearances other than agenda items listed.** None.

7. Action Items

A. Public Hearing, Review, and Motion for Site Plan Application SP-2026-01 and Conditional Use Permit Application CUP-2026-02 for a financial institution with a drive-through window on parcel 6-27-125 (50 Union Street)

1. Review Staff Report and Applicant Comments

Spranger reviewed the plan and need for a conditional use permit. The Board of Zoning Appeals granted a variance for the project the night before, which allows the site to have a drive through less than what is required by the zoning code, and for a variance from pavement setback standards for the B-3 Community Business zoning district. The site plan calls for a banking institution with a drive-through with two lanes. The site is subject to two access easements, which were included in that evening’s packet. This allows the owner and users of this parcel to use the parcels to the south and north for site access and parking.

Spranger notes this is the latest addition to the area within the Allen Creek and North Union Street Corridor Plan, and is a credit to the Plan Commission sticking to that plan and insisting on quality, consistent design. This site is an excellent example of redevelopment of that corridor.

The outstanding issues for the site plan are outlined in the conditions she is suggesting for approval, and all are relatively minor.

The applicant clarifies that the northern egress/ingress doors are for staff use and will not be blocked by landscaping. The site will utilize the same landscaping services as the Culver's site to the north.

2. Public Hearing

Duggan opened the public hearing at 6:17pm. There were no comments. Public hearing closed at 6:19pm.

3. Plan Commissioner Questions and Comments

Lathrop wondered about the ownership of the parcel and its relation to the usage. Scott Mallon, one of the land owners, clarified that the bank is leasing the site and building from him. Lathrop also shared concerns that the City ordinance requires more landscaping than what is physically possible on the property and suggests that such a provision is unfair. Spranger affirms that it is not possible for the site to contain all the required landscaping even though the remainder of the site is fully compliant with the bulk regulations of the zoning district, including allowable hardscape/impermeable surface, which in turn dictates how much landscaping is required on site.

Gishnock notes that the landscape code was re-written to simplify requirements and maintain expectations for all zoning districts, and is content with the code's current requirement to donate excess landscape points to public spaces. He suggests better screening of the garbage enclosure with evergreen trees.

Becker would like an additional requirement that any lighting on site to be dark sky compliant. Spranger noted that a lighting plan was not submitted as part of the plan.

Barnes asked for clarification on pedestrian access from the north bank of parking stalls to the entrance. Architect Jeff Lahey clarified that the doors on the north façade of the building are for staff use, and that there would be a sidewalk/crosswalk striped for their use. With regard to landscaping needs throughout the City, she notes that old oak trees at Maple Grove Cemetery are dying and it would be a good idea to replace them soon.

Gishnock asked for clarification that the driveway to the north with Culver's is shared. Confirmed by applicants.

4. Motion with Conditions

Motion to approve site plan application SP-2026-01 and conditional use permit application CUP-2026-02 for a new building with a drive through on parcel 6-27-860 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:

1. **Applicant observes any conditions set as part of approval of variance application VAR-2026-01.**
2. **Prior to recording at Rock County and prior to building permit issuance, applicant will make the following adjustments and submit to staff for approval:**
 - a. **On site plan:**

- i. Remove parking space closest to Union Street, adjust curbing and grass area as needed.
 - ii. Remove expanded 30' driveway proposed in shared easement area with Culver's.
 - iii. Show pedestrian connection from northern bank of parking spaces to building's main entrance.
- b. On landscape plan:
 - i. Include schedule of proposed plants including common and botanical plant name and plant size at time of planting. Label areas that are to be seeded for grass.
 - ii. Show location of 2 required street trees in terrace.
 - iii. Relocate two low deciduous trees blocking emergency exits
 - iv. Remove expanded 30' driveway proposed in shared easement area with Culver's.
- 3. Work with City to donate remaining 440 landscape points, which will be planted off site for landscaping in public areas or towards the City's terrace tree program, either through donation of plants or fees paid equivalent to the value of landscape points.
- 4. The business operator shall obtain and maintain all federal, city, state, and county permits and licenses as may be required.

Motion to approve by Lathrop, second by Barnes. Discussion ensued.

Motion by Lathrop to approve application with adjustment of condition 4 of proposed motion to read as "Maximize plantings on the site and waive remaining landscape point." No second. Motion failed.

Motion approved unanimously with no changes to conditions.

B. Review and Motion for Land Division Application LD-2026-01 for a Final Certified Survey Map on parcels 6-27-896, 6-27-904, and 6-27-905.

1. Review Staff Report and Applicant Comments

Spranger explained that the items sought for at last month meeting have been procured and she is satisfied to recommend the final map submitted tonight.

Roger Berg asks what use the City gets from an easement within the floodway. Spranger replies that getting additional land within the floodplain zoned out of developable zoning districts helps the City when FEMA re-certifies our Community Rating System (CRS) status. The City's participation in CRS offers a discount to homeowners in the City who purchase flood insurance.

2. Plan Commissioner Questions and Comments

None.

3. Motion to recommend Common Council approve a final certified survey map adjust parcels 6-27-904 and 6-27-905 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. Prior to signing the final certified survey map, applicant to work with City to execute an easement for conservation and recreational use within the floodway, with the City initiating a change of zoning for that area from R-2 to C-1 Lowland Conservation.
2. The final Certified Survey Map is recorded with the Rock County Register of Deeds.

Motion by Barnes, seconded by Gishnock. Approved unanimously.

C. Public Hearing, Review, and Motion for Site Plan Application SP-2026-02 and Conditional Use Permit Application CUP-2026-03 for a community-based residential facility on parcel 6-27-559.5170 (to be addressed at 725 Porter Road)

1. Review Staff Report and Applicant Comments

Spranger explained that this exactly application was originally approved in 2023. Conditional use permits in the City expire 365 after approval if not underway, either through construction or operation of the business. Per the zoning code, site plans do not have a sunset date.

Technically, the site plan as approved in 2023 is still valid but the actual use on site – community-based residential facilities – needs re-approval. Spranger explains that since the initial approval, the City engineer realized that dedicated stormwater ponds were not needed for the site, as the anticipated uses (business, higher density residential) were factored into the calculations for runoff when the plat for Westfield Meadows was designed in 2006/2007. Therefore, dedicated ponds will not be necessary as part of this site or the site to the south, which is in ownership by the same applicant.

Spranger notes that while the plans show multi-story multiple family units on the parcel to the south, these have not been approved and are merely on the plan as concept.

Since drafting the initial conditions for her report, Spranger is suggesting an additional condition, given that Porter Road has been expanded and improved since this site plan was last reviewed and approved. The condition is that final driveway construction should be coordinated between City and applicant engineer prior to building permit submittal in order to accommodate existing street widths and to avoid conflicts with existing stormwater inlets and pedestrian bump-outs.

2. Public Hearing

Duggan opened the public hearing at 6:50pm. Eric and Theresa Dillie, ask if the original plans for a berm between this and neighboring properties will be kept. S. White replies in the affirmative. Public hearing closed at 6:54pm.

3. Plan Commissioner Questions and Comments

4. Motion to approve Conditional Use Permit CUP-2026-03 and Site Plan SP-2026-02 for an Institutional Residential Use to operate an assisted living facility per section 130-376 on parcel 6-27-559.5170 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 Conditional Use Permit set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:

1. The business operator shall obtain and maintain all City, state, and county permits and licenses as may be required.
2. Any substantial changes to the business model shall require a review of the existing conditional use permit.
3. Use cannot create a public nuisance as defined by local and state law.
4. Prior to building permit issuance, applicant to submit a modified drainage and erosion control plan that depicts the removal of the stormwater pond.

5. Any variations from the approved site plan are approved by Plan Commission.
6. Any exterior lighting should be dark sky friendly and not cause glare or light-wash on neighboring parcels.
7. The Conditional Use Permit and Site Plan is recorded with the Rock County Register of Deeds.

Motion by Lathrop, second by Barnes. Discussion.

Motion to add an eighth condition, that final driveway construction be coordinated between City and applicant engineer prior to building permit submittal in order to accommodate existing street widths and to avoid conflicts with existing stormwater inlets and pedestrian bump-out by Duggan, seconded by Barnes. Amendment passed unanimously.

Full motion with amendment passed unanimously.

D. Public Hearing, Review, and Discussion on Ordinance 2026-01

1. Review Staff Report

There are minor changes in Ordinance 2026-01 between this document and the one that was viewed by Plan Commission in January. The ultimate goal remains for the R-3 district to be adjusted to allow for flexibility for redevelopment and encourage creativity in backfilling housing stock.

2. Plan Commissioner Questions and Comments

Lathrop suggests lessening side yard setbacks to a uniform 8 feet per side. He also would like to strike floor area requirements per unit of any kind, preferring to let the free market dictate unit sizes. Spranger thinks there may be building code requirements for minimum square footage, and Lathrop replies that he would prefer that to be the only restriction developers face with regards to square footage. Lathrop will also be sponsoring the ordinance at Common Council.

Gishnock would like to see recommendations backed by research before committing to changing these requirements. He would like to see some restrictions kept so things do not get taken beyond the control of the City.

3. Motion to recommend Common Council approve Ordinance 2026-01 by Duggan, second by Scarmon. Discussion.

Motion to adjust sideyard setbacks to 8 feet and strike line 12 pertaining to minimum floor areas in its entirety, by Lathrop, seconded by Barnes. Motion passed 5-1, Gishnock in opposition.

Full motion passed 5-1, Gishnock in opposition.

E. Discussion and Motion to Recommend Common Council Sign Contract with Municipal Code Enforcement LLC

Spranger explained that code enforcement services were being outsourced to this company, as efforts to find a person to fill the joint building inspection/code enforcement position have not resulted in success.

Motion to recommend Common Council approve the contract as presented by Barnes, seconded

by Lathrop. Motion passed unanimously.

8. Discussion

A. Types of Small Businesses to Promote on Main Street

Gishnock desired conversation about what kind of businesses Evansville should encourage, particularly along Main Street. Barnes believes the more retail business, the better for foot traffic and overall desirability of the downtown and Evansville on a whole. Gishnock recalls the outcome of the 2008 Business Summit was the Inventors and Entrepreneurs Club, which has since disbanded. Spranger notes that the Economic Development Committee regularly discusses these matters, and includes the comprehensive plan chapter as reference.

9. Community Development Report

10. Next Meeting Date: Tuesday, March 3rd, 2026 at 6:00 p.m.

11. Adjourn at 7:55 pm.