

*These minutes are not official until approved by the City of Evansville Plan Commission.*

**City of Evansville Plan Commission  
Regular Meeting  
November 2, 2021, 6:00 p.m.**

**MINUTES**

**1. Call to Order** at 6:01pm.

**2. Roll Call:**

<b>Members</b>	<b>Present/Absent</b>	<b>Others Present</b>
Mayor Bill Hurtley	P	City Administrator Jason Sergeant
Aldersperson Rick Cole	A	Community Development Director Colette Spranger
Aldersperson Susan Becker	P	Bill Lathrop, Evansville Today
Bill Hammann	P	Ray LeGris
John Gishnock	P	And other members of the Evansville Soccer Club
Mike Scarmon	P	
Eric Klar	P	

- 3. Motion to approve the agenda by Klar, seconded by Becker. Approved unanimously**
- 4. Motion to waive the reading of the minutes from the October 5,2021 Meeting and approve them as printed.** Motion to approve by Hammann. Sergeant explained that no minutes had yet been printed for last month's meeting. Motion rescinded. Will be added to next month's agenda for approval.
- 5. Civility Reminder.** Hurtley noted the City's commitment to conducting meetings with happiness.
- 6. Citizen appearances other than agenda items listed.**
- A. Ray LeGris, 12933 W. Woodworth Drive, Town of Union,** appeared on behalf of the local ATV club. He is requesting that the Commission consider allowing a singular ATV route to the gas station on Brown School Road, via Forest Hollow Lane in the Town of Union. Hurtley replied that this is a matter for the Public Safety Committee, which is on the agenda for the next Public Safety meeting.
- B. Soccer Club.** A group of concerned members from the Evansville Soccer Club, who were wanting to comment on the proposed Westside Park concept plans presented on 10/28 at Creekside Place. Hurtley explained that the Plan Commission was just now reviewing those same concepts, and hadn't done so before tonight. Club members expressed a concern that their voice was not heard during preliminary concept plans. Hurtley explained that there was a soccer representative during that stage of planning, and that the best way for them to comment on the concept plans was to fill out a form provided by MSA Professional Services, so their comments could be recorded and considered as final park plans are arranged. Club members were most concerned about the lack of full-size fields (210' x 330') depicted on the plan. They currently have four, two which are graded and two unofficial. There was also discussion on options where the soccer teams could practice while the new park is under construction.

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## **7. New Business**

### **A. Park Improvements Concepts**

Sergeant formally presented conceptual layouts for Westside and Leonard-Leota Parks, prepared by MSA Professional Services. Once a final layout is decided, plans for Westside Park will go to the Plan Commission for site plan approval. A parking analysis is still needed for the Westside Park site. A site plan for Leonard-Leota Park will have to go to Historic Preservation for site plan approval. No action taken.

### **B. Outstanding Zoning Permit Compliance**

Sergeant presented the Commission with outstanding zoning issues at three recent developments as documented by the City engineer, asking for feedback on each.

#### **i. Windmill Ridge**

Issues include an improperly placed sidewalk that encroaches onto private property, sidewalk and curb & gutter that were damaged during construction, an incomplete extension of roadway and utilities along Windmill Ridge Road, as is depicted on the approval plans, plus a final layer of asphalt that's needed in areas on the south end of the plat. The current letter of credit closes at the end of December 2021. City will send a formal letter to the developer, with the engineer's comments, so the developer knows what needs to be done. No action taken.

#### **ii. Landmark**

The main issue is that Landmark has not installed the landscaping it requires and proposed on its approved site plan. First step would be sending a letter requesting compliance with the site plan as approved. Sergeant adds that the required number of trees is significant, due to the amount of impervious surface on the site and the City's current points system in the landscape code. In the past the City has allowed for the required street trees to be placed by the applicant in other areas of the City. Planting is unlikely to happen before winter. Hammann suggests a completion date of July 1, 2022, and is open to hearing about alternatives. Gishnock agrees and is open to communication, noting that landscaping on this site had been discussed at length by the Plan Commission. Becker asks Gishnock if landscaping could be used to collect runoff from stormwater. Gishnock replies that stormwater would already be conveyed per the stormwater management plan on site. Hurlley reiterates that the initial communication from the City be a formal letter requesting compliance.

#### **iii. Brown School Place**

This development was originally proposed by the Commission in 2017 as three buildings, with two non-residential buildings to be built right away and a third, residential building being built later. The three sites would share parking. In 2018, the developer came back to change the order, building the residential building first, then the planned commercial/industrial building. Those buildings are now built. The third, a retail building along Highway 14, was never built. The engineer's report of conditions on the site are that there are many details on the site that do not match the approved plans. There are no curbs along the majority of paved spaces. Sergeant reports that the developer has no intentions of finishing the third building. This presents a challenge with parking requirements on site, which relied on the parking built along with the third building to

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serve the whole site. The site plan as approved includes building the final building. Sergeant is asking for feedback on what the City should ask for: the original site plan, sans building, being built out to code, or the developer coming back to the Plan Commission with a revised site plan to address differences? Opens the floor to discussion:

Hammann asks if there is any agreement or leverage the City can hold the developer to. Sergeant replies that this development has been receiving TIF funding. In the agreement, there is no clause specifically saying the site plan needs to be built by City code standards, but that TIF is typically awarded to projects that go above and beyond City standards. Becker asks if the developer has any intention to sell the vacant land where the retail building was supposed to be built. Sergeant replies the project is on a single lot. Hammann asks what the recourse is for the developer for not meeting TIF requirements. Would like to see the TIF agreement reviewed by the City attorney. Agreement from several members. Hurtley asks if the City has a letter of credit against the developer; Sergeant replies that it does not. Plan Commission members would like to hear directly from the developer why development hasn't happened on the third building. Next steps include City staff having the attorney look over the TIF agreement, then sending the developer a detailed letter indicating what's missing, and ask them when they intend to comply with the approved site plan.

**8. Community Development Report**

Colette Spranger, the new Community Development Director, started on November 1. Among her first tasks are setting up the customer-facing side of the new electronic permitting system, then tackling minor zoning ordinance updates. The Comprehensive Plan update will likely begin in the new year.

**8. Next Meeting Date: December 7, 2021 at 6:00pm**

**9. Motion to Adjourn by Hammann, seconded by Klar, Approved Unanimously.**