

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, October 4, 2022, 6:00 p.m.

AGENDA

1. Call to Order
2. Roll Call
3. Motion to Approve Agenda
4. Motion to waive the reading of the minutes from the September 6, 2022 meeting and approve them as printed.
5. Civility Reminder
6. Citizen appearances other than agenda items listed
7. Action Items
 - A. Public Hearing and Review of Site Plan Application 2022-0239 and Conditional Use Permit Application 2022-0240 for Indoor Commercial Entertainment use on parcel 6-27-108, located at 1 E. Main Street.
 1. Review Staff Report and Applicant Comments
 2. Public Hearing
 3. Plan Commissioner Questions and Comments
 4. Motion with Conditions
 - B. Public Hearing and Review of Conditional Use Permit Application 2022-0218 to approve an existing two-family dwelling in the B-1 zoning district on parcel 6-27-595.1, located at 511 E. Main Street.
 1. Review Staff Report and Applicant Comments
 2. Public Hearing
 3. Plan Commissioner Questions and Comments
 4. Motion with Conditions
 - C. Review of Site Plan Application 2022-0264 for Collocation of Wireless Antennas on City Water Tower on parcel 6-27-577, located at 40 Cemetery Road.
 1. Review Staff Report
 2. Plan Commissioner Questions and Comments
 3. Motion with Conditions

-Mayor Dianne Duggan, Plan Commission Chair

D. Public Hearing and Review of Conditional Use Permit Application 2022-0250 to renew an expired conditional use permit for Mixed Commercial/Residential use on parcel 6-27-958.091A1, located at 781-785 Brown School Road.

1. Review Staff Report and Applicant Comments
2. Public Hearing
3. Plan Commissioner Questions and Comments
4. Motion with Conditions

E. Public Hearing and Review of Conditional Use Permit Application 2022-0251 to renew an expired conditional use permit for Light Industrial Incidental to Sales use on parcel 6-27-958.091A1, located at 781-785 Brown School Road.

1. Review Staff Report and Applicant Comments
2. Public Hearing
3. Plan Commissioner Questions and Comments
4. Motion with Conditions

8. Discussion Items

A. Review and Discussion of Site Plan Application 2022-0252 on parcel 6-27-958.091A1, located at 781-785 Brown School Road.

1. Review Staff Memo
2. Applicant Comments
3. Plan Commissioner Questions and Comments

9. Community Development Report

10. Next Meeting Date:

A. November 1, 2022 at 6:00pm

11. Motion to Adjourn

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

**City of Evansville Plan Commission
Regular Meeting
Tuesday, September 6, 2022, 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 Dev. Director
Aldersperson Cory Neeley	P	Jason Sergeant, City Administrator
Aldersperson Susan Becker	P	Joe Morning
Vacant	N/A	Paulette Morning
John Gishnock	P	Andy Phillips
Mike Scarmon	P	Nicholas and Nicole Rice, Applicants
Eric Klar	P	Susan Miller, Applicant
		Gabe Schrader, Applicant
		Roger Berg, Applicant
		Alvin Francis
		Bill Lathrop, Evansville Today

3. Motion to approve the agenda, by Becker, seconded by Scarmon. Approved unanimously

4. Motion to waive the reading of the minutes from the August 2, 2022 meetings and approve them as printed, by Neeley, seconded by Becker. Approved unanimously.

5. Civility Reminder. Duggan noted the City's commitment to conducting meetings with cordiality.

6. Citizen appearances other than agenda items listed.

A. Bill Lathrop asked if the City planned to take any action on a dilapidated property located at 465 W. Main, noting that the building's roof was caved in and there were no barriers present to prevent entry. Spranger replied that the City is aware of the property and that there is a prescribed course of action the City must follow in order to force remediation on private property.

B. Morning Phillips Progress Update on Brown School Place

Spranger noted that the applicants had submitted an updated site plan on Thursday the week prior and she did not have time to review in advance of tonight's meeting. She did not expect Plan Commission to comment on the plans as presented, but noted that the applicants are making progress on the development. A summer meeting between the City and applicants was fruitful, but there was some confusion on expectations and the next course of action. Spranger was waiting on notes from those present in order to proceed.

7. Action Items

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

A. Public Hearing and Review of Land Division Application 2022-0198 to divide parcel 6-27-533.524 into two lots located at 555 and 557 Stonewood Court.

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:15 p.m. No public comments. Public hearing closed at 6:15 p.m.

iii. Plan Commissioner Questions and Comments

iv. Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.524 into two lots for a two-family twin residence, located at 555 and 557 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with following conditions:

1) The 8-foot access easement is added to the west border on Lot 1 of this CSM

2) The final CSM, joint cross access and maintenance agreement, and access easement agreement is recorded for both lots with Rock County Register of Deeds.

Motion by Becker, seconded by Neeley. Approved unanimously

B. Public Hearing and Review of Land Division Application 2022-0199 to divide parcel 6-27-533.525 into two lots located at 562 and 564 Stonewood Court.

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:20p.m. No public comments. Public hearing closed at 6:20 p.m.

iii. Plan Commissioner Questions and Comments

iv. Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.525 into two lots for a two-family twin residence, located at 562 and 564 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, under the condition that the final CSM and joint cross access and maintenance agreement is recorded for both lots with Rock County Register of Deeds.

Motion by Becker, seconded by Neeley. Approved unanimously

C. Public Hearing and Review of Land Division Application 2022-0200 to divide parcel 6-27-533.523 into two lots located at 563 and 565 Stonewood Court.

i. Review Staff Report and Applicant Comments

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

ii. Public Hearing

Public hearing opened at 6:22p.m. No public comments. Public hearing closed at 6:22 p.m.

iii. Plan Commissioner Questions and Comments

- iv. Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.523 into two lots for a two-family twin residence, located at 563 and 565 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, under the condition that the final CSM and joint cross access and maintenance agreement is recorded for both lots with Rock County Register of Deeds.**

Motion by Neeley, seconded by Scarmon. Approved unanimously

D. Public Hearing and Review of Land Division Application 2022-0201 to divide parcel 6-27-533.522 into two lots located at 571 and 573 Stonewood Court.

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:24p.m. No public comments. Public hearing closed at 6:24 p.m.

iii. Plan Commissioner Questions and Comments

- iv. Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.522 into two lots for a two-family twin residence, located at 571 and 573 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, under the condition that the final CSM and joint cross access and maintenance agreement is recorded for both lots with Rock County Register of Deeds.**

Motion by Neeley, seconded by Becker. Approved unanimously.

E. Public Hearing and Review of Land Division Application 2022-0202 to divide parcel 6-27-533.528 into two lots located at 586 and 588 Stonewood Court.

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:25p.m. No public comments. Public hearing closed at 6:25 p.m.

iii. Plan Commissioner Questions and Comments

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- iv. *Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.528 into two lots for a two-family twin residence, located at 586 and 588 Stonewood Court, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, under the condition that the final CSM and joint cross access and maintenance agreement is recorded for both lots with Rock County Register of Deeds.*

Motion by Neeley, seconded by Klar. Approved unanimously.

F. Public Hearing and Review of Land Division Application 2022-0203 to divide parcel 6-27-533.526 into two lots located at 570 and 572 Stonewood Court.

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:28p.m. No public comments. Public hearing closed at 6:28 p.m.

iii. Plan Commissioner Questions and Comments

- iv. *Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.526 into two lots for a two-family twin residence, located at 570 and 572 Stonewood Court, 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) The 8-foot access easement is added to the west border on Lot 1 of this CSM

2) The final CSM, joint cross access and maintenance agreement, and access easement agreement is recorded for both lots with Rock County Register of Deeds.

Motion by Neeley, seconded by Klar. Approved unanimously.

G. Public Hearing and Review of Land Division Application 2022-0204 to divide parcel 6-27-533.527 into two lots located at 578 and 580 Stonewood Court.

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:30p.m. No public comments. Public hearing closed at 6:30 p.m.

iii. Plan Commissioner Questions and Comments

- iv. *Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.527 into two lots for a two-family twin residence, located at 578 and 580 Stonewood Court, 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:*

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- 1) The 8-foot access easement is added to the west border on Lot 1 of this CSM**
- 2) The final CSM, joint cross access and maintenance agreement, and access easement agreement is recorded for both lots with Rock County Register of Deeds.**

Motion by Neeley, seconded by Klar. Approved unanimously.

H. Public Hearing and Review of Land Division Application 2022-0206 to divide parcel 6-27-533.519 into two lots located at 643 and 645 Locust Lane

i. Review Staff Report and Applicant Comments

ii. Public Hearing

Public hearing opened at 6:34p.m. No public comments. Public hearing closed at 6:34p.m.

iii. Plan Commissioner Questions and Comments

- iv. Motion to recommend that Common Council approve a certified survey map to divide parcel 6-27-533.519 into two lots for a two-family twin residence, located at 643 and 645 Locust Lane finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, under the condition that the final CSM and joint cross access and maintenance agreement is recorded for both lots with Rock County Register of Deeds.**

Motion by Neeley, seconded by Becker. Approved unanimously.

I. Public Hearing and Review of Conditional Use Permit Application 2022-0207 for Commercial Animal Boarding (Section 130-410) on parcel 6-27-860 (153 Union Street)

i. Review Staff Report and Applicant Comments.

ii. Public Hearing

Public hearing opened at 6:44p.m. Alvin Francis, Town of Union, spoke in favor of the business, noting that there have been similar operations running in the town with less-than-favorable results for neighbors. No other public comments. Public hearing closed at 6:45p.m.

iii. Plan Commissioner Questions and Comments

Plan commissioners had several questions regarding the applicant's policy for non-barking dogs. The policy is not tied to breed, but to dogs that they deem to be excessively noisy. Applicants mentioned there would be 15-20 dogs max at any one time, there would be 1-2 staff working the daycare, and the chances of dogs breaking loose would be low due to the multiple barriers between the day care area and the store. There was some discussion regarding the landscape requirement as part of the approval. The applicants submitted a sample of the turf that will be used in the outside play area, noting that it and the aggregate material underneath are more porous/permeable than the existing driveway. City Administrator Sergeant explained that in this case landscaping elsewhere on the site is more of a benefit for the Union Street corridor, in terms of image and aesthetic.

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

- iv. **Motion to Approve Conditional Use Permit 2022-0207 for Commercial Animal Boarding (Section 130-410) on parcel 6-27-860 (155 Union 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:**
- a. **The Conditional Use Permit is recorded with the Rock County Register of Deeds.**
 - b. **Applicant to work with landlord to install 122 points worth of landscaping on parcel to offset new impervious surface. Installation to occur no later than September 1, 2023.**
 - c. **Applicant obtains sign permit prior to installation.**
 - d. **Applicant obtains building permit prior to installation of outdoor exercise area and fencing.**
 - e. **Operating hours are no earlier than 5:00am or later than 9:00pm daily.**
 - f. **Any exterior lighting is dark sky compliant.**
 - g. **Use cannot create a public nuisance as defined by local and state law.**

Motion by Neeley, seconded by Scarmon. Approved unanimously.

- J. **Public Hearing and Review for Zoning Map Amendment Application 2022-0208, to rezone parcel 6-27-344 (195 S Union) from Special Use Business District (B-5) to Central Business District (B-2).**
- i. **Review Staff Report and Applicant Comments**
 - ii. **Public Hearing**
Public hearing opened at 7:01p.m. No public comments. Public hearing closed at 7:00p.m.
 - iii. **Plan Commissioner Questions and Comments**
 - iv. **Motion to recommend to Common Council approval of Ordinance 2022-11 Rezoning Territory from Special Use Business District (B-5) to Central Business District (B-2) (On Parcel 6-27-344)**

Motion by Becker, seconded by Klar. Approved unanimously.

- K. **Motion to approve Resolution 2022-25: A Resolution Recommending Common Council Adoption of Ordinance 2022-12.**

Motion by Duggan, seconded by Klar. Approved unanimously.

- L. **Motion to approve Resolution 2022-26: A Resolution Authorizing the Relief from Public Dedication and the Transfer of Real Estate.**

Motion by Duggan, seconded by Neeley. Approved unanimously.

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8. Discussion Items

None.

9. Community Development Report

Community Development Director Colette Spranger is back full time from her maternity leave.

10. Next Meeting Date:

A. October 4, 2022 at 6:00 p.m.

11. Motion to Adjourn at 7:15p.m. by Neeley, seconded by Scarmon. Approved unanimously.



APPLICATION FOR CONDITIONAL USE AND SITE PLAN – STAFF REPORT

Application: 2022-0239, 2022-0240 **Applicant:** Slice Golf (Sarah Kilps)

Parcel 6-27-108

October 2, 2022

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



Figure 1 Approximate Location Map

Location: 1 E. Main Street

Description of request: The applicant plans to open a golf simulator entertainment business. The applicant is seeking approval of a site plan along with a conditional use permit to allow Indoor Commercial Entertainment on parcel 6-27-108 within the B-2* zoning district.

***Note regarding parcel zoning:** The application received and public hearing notices sent out indicated that parcel 6-27-108 was zoned B-1 Local Business. The City’s own zoning map (available publicly online) was likely the source of that information and itself indicates the parcel is zoned B-1. However, when evaluating this application against the standards of the B-1 zoning, suspicions were raised and it seemed improbable that this is the correct zoning for parcel 6-27-108. The B-2 Central Business District is the zoning district that was made to accommodate Evansville’s Historic Downtown. It seems improbable that this or prior Plan Commissions would have approved a change from the B-2 to any other business district. Physical copies of the zoning map from 2009 and 2016 indicate the parcel is zoned B-2. Going back to 2008, I can find no ordinances in support of a rezone for this property and I have no

records that an application for a rezone has ever been made for this property. After some sleuthing, I noticed on the GIS map zoning layer that the zoning for this parcel was amended to B-1 on 6/6/22. My best guess is that was done in error.

Therefore, unless someone find and provide records that prove otherwise, I am determining that the correct zoning for parcel 6-27-108 has always been zoned B-2 Central Business District and that the zoning map change made on 6/6/22 was made in error.

Existing/Prior Uses: The site is currently vacant. Previous uses have been for office space.

Consistency with the City of Evansville Comprehensive Plan and Municipal Code:

Staff Analysis of Request:

The City is keen to encourage business in the downtown that generates foot traffic and encourages customers to visit multiple businesses within the same trip. This entertainment use is in a focal location at the corner of Main and Madison Streets.

The applicant indicates outdoor seating will be provided. From what I understand, the applicant may offer packaged or pre-prepared food for purchase but does not intend to make any food on site. Sidewalk cafes are permitted temporary uses in the B-2 district, though the language in the Zoning Code assumes such a use will be associated with a restaurant. However, such use is meant to “enhance the pedestrian ambiance of the city [...] and increase economic activity in the area.” In this case, I believe the nuance is to allow businesses to utilize the space in front of the building. I’ve provided the language for sidewalk cafes at the end of this report. It is on the applicant to adhere to those standards.

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 November 2015.
Staff Comment: Policies in the Comprehensive Plan provide support for variety and diversification of uses in its historic downtown, particularly those that enhance walkability.
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 use, indoor commercial entertainment, 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: The applicant indicates sound proofing will be added to dampen the effect of noise on upstairs apartment dwellers.

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: This location is an appropriate use for an entertainment business. The business has applied for an alcohol license. If desired, outdoor serving of alcohol will need to be evaluated at a later date with another application.

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: the property is currently served by public utilities

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. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

Staff recommended motion for Plan Commission: *Motion to approve a Site Plan and issuance of Conditional Use Permit for indoor commercial entertainment (golf simulator) per section 130-408 on parcel 6-27-108, located at 1 E. 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 (e) of the Zoning Ordinance, subject to the following conditions:*

- 1) *The business operator, now and in the future, shall comply with all provisions in the City's Zoning Code, as may be amended, related to indoor commercial entertainment uses (Section 130-408).*
- 2) *The parking requirements for this use in this location shall be waived.*
- 3) *The business operator, now and in the future, shall comply with all provisions in the City's Zoning Code, as may be amended, related to sidewalk cafes. (Section 130-568).*
 - a. *Tables, chairs, and barriers are not to be left outside when the business is not open.*
 - b. *Applicant to provide City staff with details showing exact placement of items associated with outdoor seating area.*
- 4) *Hours of operation shall be no earlier than 8am and no later than 10pm.*
- 5) *The business operator shall obtain and maintain all City, state, and county permits and licenses as may be required.*
- 6) *Any substantial changes to the business model, such as significant differences in hours of operation or type of business, shall require a review of the existing conditional use permit and the issuance of a new conditional use permit.*
- 7) *A sign application and Certificate of Appropriateness approval, issued by the Historic Preservation Commission, is required for any planned signage related to the business.*
- 8) *Outdoor commercial food and beverage service is not approved as part of this permit. A separate conditional use permit application and review is required.*
- 9) *Use cannot create a public nuisance as defined by local and state law.*
- 10) *The Conditional Use Permit is recorded with the Rock County Register of Deeds.*

Sec. 130-568. Sidewalk cafés.

Sidewalk cafés include an area on a sidewalk or similar area within the public right-of-way where food is served and which is associated with a restaurant. The provisions of this section are intended to accomplish the following purposes: enhance the pedestrian ambiance of the city by promoting additional activity on city sidewalks and visual interest, enhance the appropriate use of existing public spaces; and increase economic activity in the area. This use is a permitted use in the B-2 district. Temporary use regulations are as follows:

- (1) *Location.* A sidewalk café shall be located directly in front of the restaurant with which it is associated and it shall be operated solely in conjunction with such restaurant.
- (2) *Obstructions.* A sidewalk café may not interfere with any public service facilities located within the street right-of-way, including public telephones, mailboxes, public signs, public benches, public art, public fountains, and bus stops. In addition, a sidewalk café may not interfere with fire escapes, drop ladders, building access points, and other points of normal or emergency access.
- (3) *Pedestrian movement.* No portion of the sidewalk café may impede pedestrian movement. Generally, a 4-foot wide unobstructed walkway allows adequate pedestrian movement.
- (4) *Planters.* Planters may be used as a visual amenity and to frame off the space allocated for the sidewalk café. The size of plant materials shall be compatible in scale with the immediate area. Hanging planters are not permitted.
- (5) *Lighting.* Lighting shall be limited to tabletop lamps of low intensity. The city administrator may allow additional lighting to provide appropriate levels for safety.
- (6) *Furnishings.* All furnishings shall fit the character of a public streetscape. Umbrellas over each table may be permitted if it does not create an obstruction.
- (7) *Floor covering.* A floor covering may not be used in the sidewalk café.
- (8) *Tables.* Round tables may not exceed 36 inches in diameter and square tables may not exceed 36 inches in width.
- (9) *Food preparation.* All food shall be prepared within the restaurant.
- (10) *Alcoholic beverages.* No alcoholic beverages may be served or consumed in the sidewalk café unless the proper licenses have been issued under Sec. 6-2, Sec. 6-43, and or Sec. 106-163.
- (11) *Off-street parking requirements:* One space per every three patron seats, calculated on the sum of the indoor and outdoor patron seats. This requirement may be waived by the plan commission, following a request from the applicant.



SLICE GOLF FLOOR PLAN

NOT TO SCALE



SLICE GOLF FLOOR PLAN

1 E. MAIN ST. EVANSVILLE WI, 53536

OWNERS: ANDREW TOMLIN AND SARAH KILPS

AUGUST 26, 2022

608.728.4653

262.745.6451



APPLICATION FOR CONDITIONAL USE – STAFF REPORT

Application: CUP-2022-0218 **Applicant:** Jeff Porter

Parcel 6-27-595.1

October 1, 2022

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



Figure 1 Approximate Location Map

Location: 511 E. Main Street

Description of request: The Plan Commission approved a Certified Survey Map that created this parcel in May this past year, knowing that there was an existing duplex on the newly created lot. **The applicant is seeking approval of a conditional use permit to allow a two family residential dwelling on parcel 6-27-595.1 within the B-1 zoning district.** The existing units have a joint cross maintenance and access agreement with the adjoining property.

Existing/Prior Uses: The applicant indicates the duplex has been on the property since 1991.

Consistency with the City of Evansville Comprehensive Plan and Municipal Code:

Staff Analysis of Request: The City’s zoning code exists in part to hold all developments, proposed and existing, to the same standard. When non-conforming structures within a zoning district come before the Plan Commission, it is common practice to try and bring the non-conforming issue into compliance. In this case, the existing duplex was built before a conditional use permit was required for a duplex in the B-1 district. Issuing the conditional use permit now acknowledges that this use is held to the same standards as others in its position. Generally, conditional use permits are a way for the City to allow and monitor land uses that

are considered intensive for that particular zoning district. In this case, residential use in a business district requires extra scrutiny.

As was discussed at the May Plan Commission meeting, the new lot that the duplex sits on does not meet the dimensional standards for building setbacks that are outlined by the Zoning Code. In order to address this, the applicant has also submitted a variance application for parcel 6-27-595.1. The Board of Zoning Appeals will meet and decide whether to grant the variance for the building. For example, should the duplex catch fire and burn to the ground, a variance approval would allow the applicant to rebuild using the same building footprint. Without it, any new structure would have to conform to the Zoning Code. A denial of the variance application would not invalidate this Conditional Use Permit, if approved. The variance deals with abnormalities with the lot dimensions; the conditional use permit addresses the land use.

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 November 2015.
Staff Comment: The Comprehensive plan indicates a desire to promote mixed uses where appropriate.
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 use 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: The duplex has been in use for over 30 years and has not caused a nuisance to neighboring properties.
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: This location is an appropriate use for a duplex.
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: the property is currently served by public utilities

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. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

Staff recommended motion for Plan Commission: *Motion to approve issuance of a Conditional Use Permit for a Two-Family Dwelling per section 130-324 on parcel 6-27-595.1, located at 511 E 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 (e) of the Zoning Ordinance, subject to the following conditions:*

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


SITE PLAN APPLICATION – STAFF REPORT
Applicant: Verizon Wireless (via Chris Barton)

Parcel 6-27-577

October 2, 2022

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

Location: City Water Tower at 40 Cemetery Road

Description of request: The applicant is seeking approval of site modifications to install Verizon Wireless collocation of antennas at the 80' elevation on the water tank stem along with a shroud to conceal antennas proposed at the City's request. No structure is proposed but Verizon will install ancillary base cabinets inside its contiguous 18' x 24' lease area inside the current fenced water tank compound. The purpose of the installation is to improve Verizon customer experience to residents and travelers to the City of Evansville and the surrounding area.

Staff Analysis of Request: This use falls somewhere between that of a communication tower and that of public service and utility use. At any rate, the City's main concern involves screening the devices from neighboring residential land uses. This is accomplished through the shroud. The City is also asking for minimal landscaping to screen fencing at the ground level. The City Attorney has prepared a lease agreement that needs will ultimately need to be approved by Common Council.

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 November 2015.
Staff Comment: The Comprehensive plan indicates this area be used for long-term institutional uses. This proposal, with conditions, achieves all of the applicable goals
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: The proposed use is consistent with other telecommunications devices already installed on the water tower.

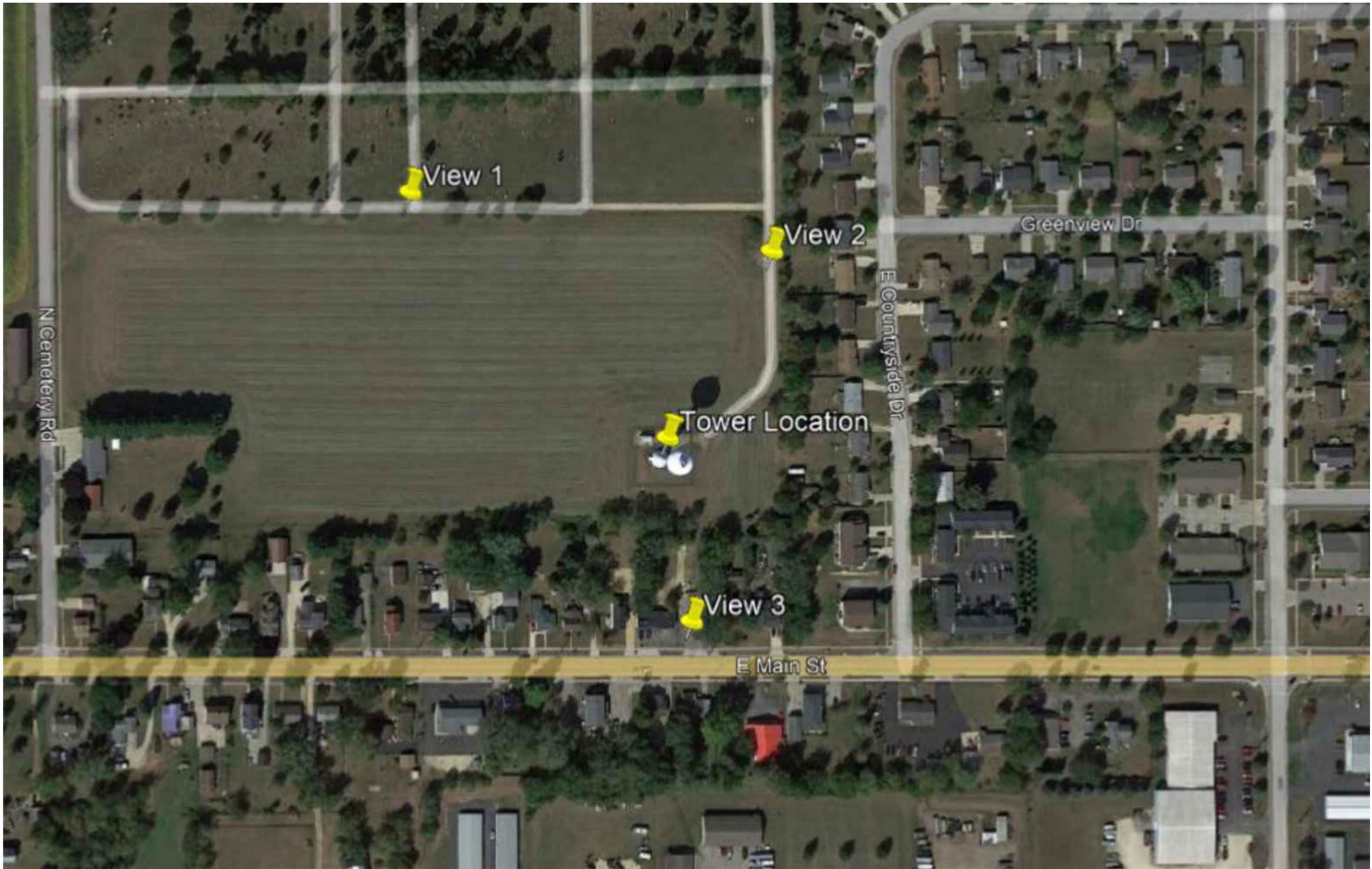
5. **Utilities and public services.** The use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by the City or any other public agency serving the subject property.

Staff Comment: the property is currently served by public utilities

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 site plan do or do not outweigh any and all potential adverse impacts. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts. The commission can also choose to delay final approval subject to a public hearing.

Staff recommended motion: *The Plan Commission approves the site for collocation of wireless antennas as presented for 40 Cemetery Road on parcel 6-27-577, 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 as set forth in Section 130-104(3)(a) through (e) of the Zoning Ordinance, subject to the following conditions:*

1. *Verizon Wireless to install three (3) evergreen trees to the east and south of utility box at base of water tower.*
2. *A lease agreement between the City and Verizon wireless is approved by Common Council.*



NOTE: THIS PHOTO SIMULATION IS A VISUAL INTERPRETATION OF THE PROPOSED DESIGN. FINAL CONSTRUCTION MAY DIFFER FROM WHAT IS PRESENTED HERE.

Evansville RSW

AERIAL VIEW



VIEW 1



EVANSVILLE RSW

View from Northwest
looking Southeast

NOTE: THIS PHOTO SIMULATION IS
A VISUAL INTERPRETATION OF
THE PROPOSED DESIGN. FINAL
CONSTRUCTION MAY DIFFER
FROM WHAT IS PRESENTED HERE.

BEFORE

AFTER



VIEW 2



EVANSVILLE RSW

View from Northeast
looking Southwest

NOTE: THIS PHOTO SIMULATION IS
A VISUAL INTERPRETATION OF
THE PROPOSED DESIGN. FINAL
CONSTRUCTION MAY DIFFER
FROM WHAT IS PRESENTED HERE.

BEFORE

AFTER



VIEW 3



BEFORE



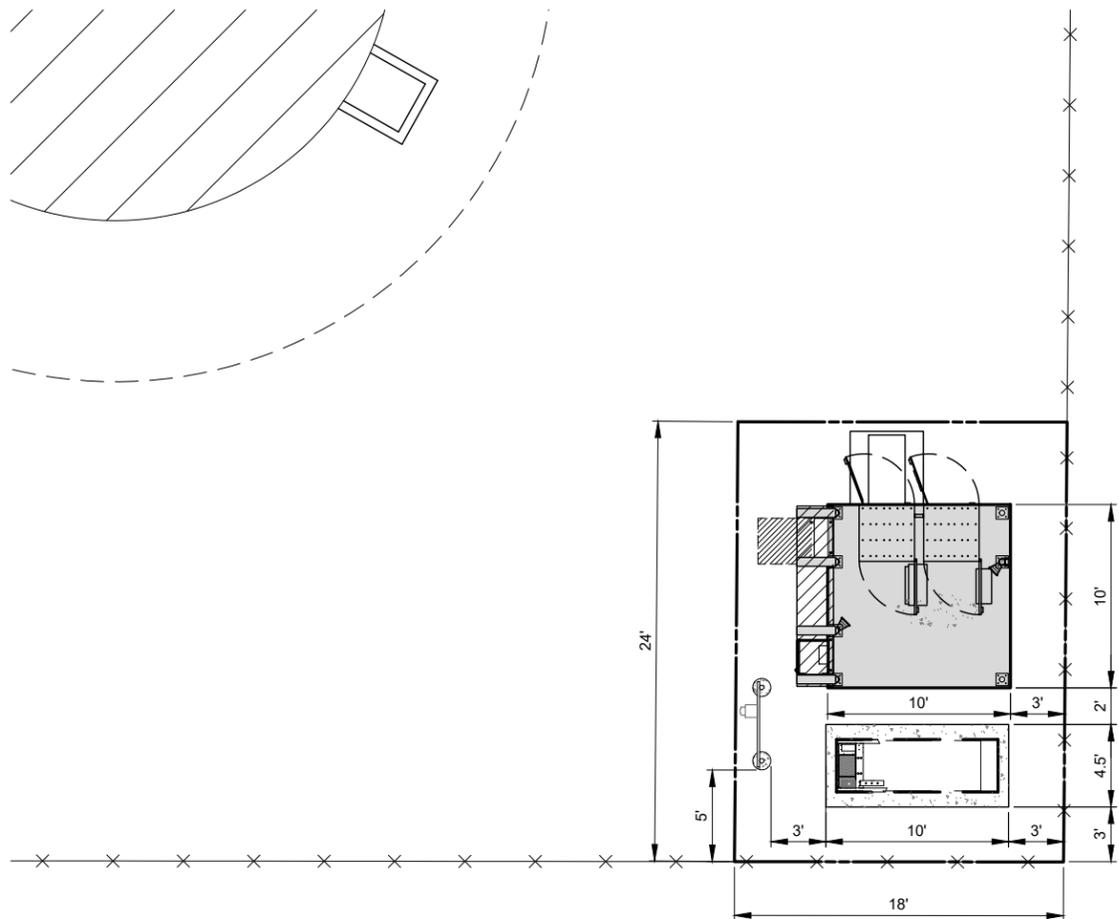
AFTER

EVANSVILLE RSW

View from South looking North

NOTE: THIS PHOTO SIMULATION IS A VISUAL INTERPRETATION OF THE PROPOSED DESIGN. FINAL CONSTRUCTION MAY DIFFER FROM WHAT IS PRESENTED HERE.





2 SITE DIMENSION PLAN
SCALE: 1" = 5'

PLATFORM TYPE: CONCRETE SKID

PAVEMENT MATERIAL

LEASE SITE

- 48 S.Y.
- 8" COMPACTED AGGREGATE BASE COURSE, WITH 3/4" CRUSHED AGGREGATE, NO FINES, OR APPROVED EQUAL, MIRAFI 500X SUBGRADE GEOTEXTILE FABRIC OR APPROVED EQUAL
- 84 L.F. OF FENCING

THE CONTRACTOR SHALL INCLUDE AS PART OF THE BID, THE COST OF REMOVAL OF ANY SURFACE VEGETATION AND ORGANIC SOILS OR OTHER DELETERIOUS MATERIALS AND THE REPLACEMENT WITH ENGINEERED BACKFILL FOR THE AGGREGATE ACCESS DRIVE AND LEASE SITE, IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT.

SURVEY PERFORMED BY:



N8774 Firelane 1 Office: 920-993-0881
Menasha, WI 54952 Fax: 920-273-6037

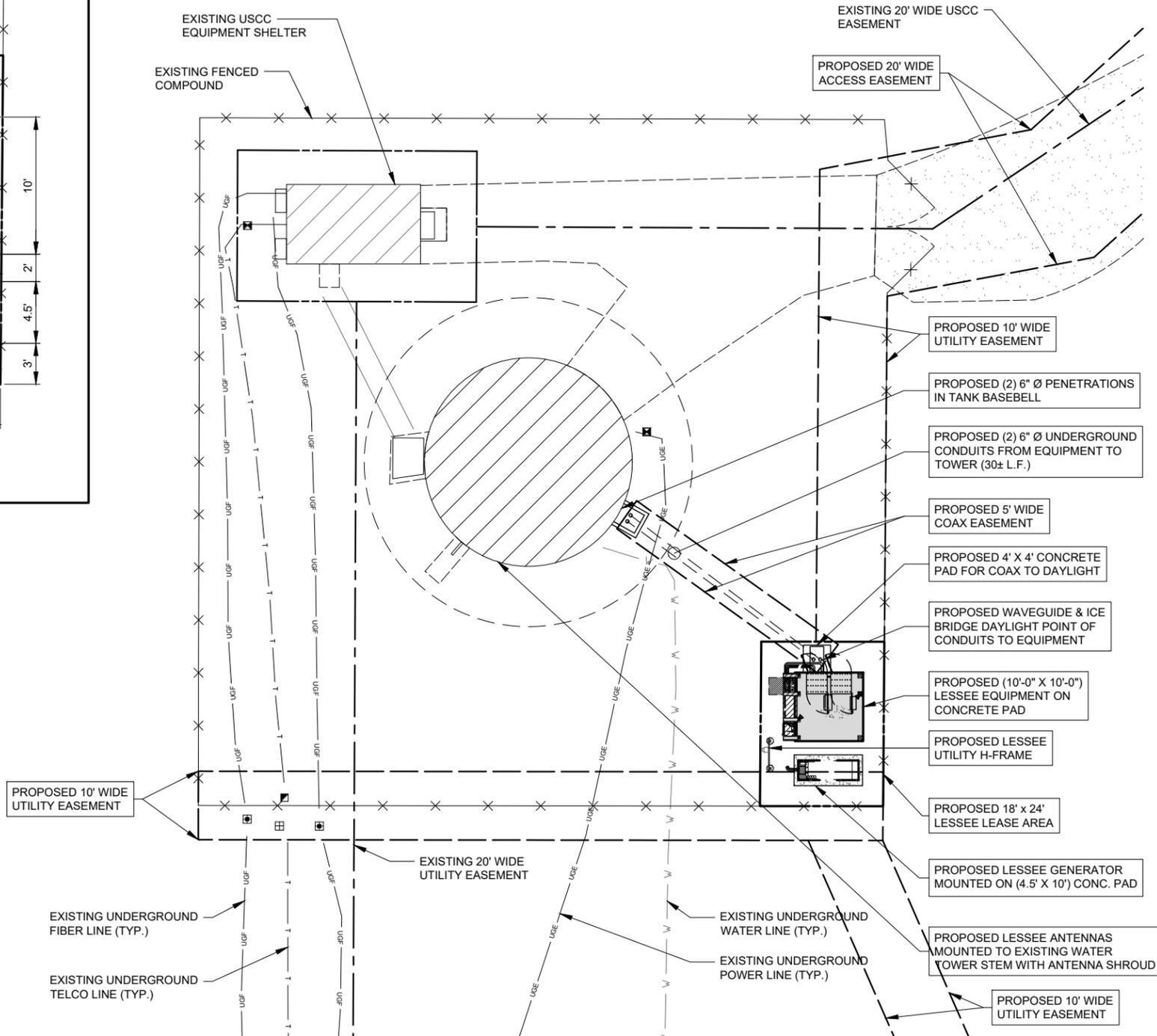
BM #A) TOP OF OPEN ARROW ON HYDRANT
ELEV.) 928.56'

DATUM. INFO IF ON SURVEY

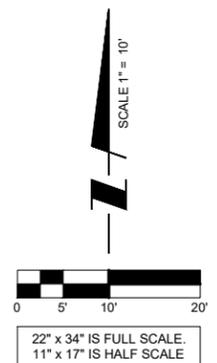


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MILW. AREA (414) 259-1181
TDD 1-800-542-2289

OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED



1 SITE PLAN



verizon
1701 GOLF ROAD,
TOWER 2, SUITE 400
ROLLING MEADOWS, IL 60008
PHONE: (847) 619-5397
FAX: (847) 706-7415

TERRA
CONSULTING GROUP, LTD.
600 BUSSE HIGHWAY
PARK RIDGE, IL 60068
PH: 847-698-6400
FAX: 847-698-6401

REVISIONS	
NO.	DESCRIPTION
BY	JJR
DATE	08/19/22
ISSUED FOR REVIEW	

LOC. # 713277

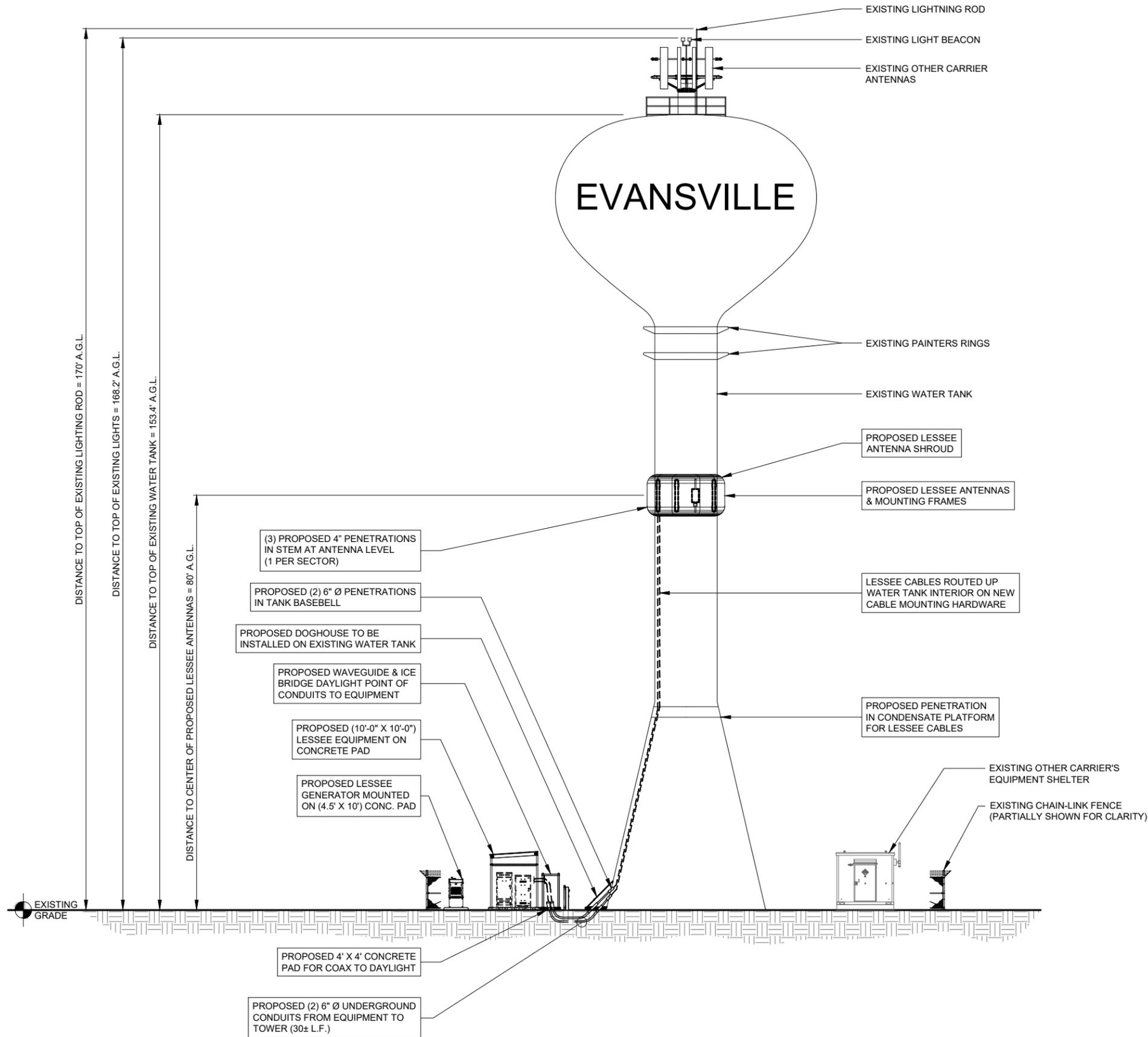
EVANSVILLE
WT

N. CEMETARY ROAD
EVANSVILLE, WI 53536

DRAWN BY:	JJR
CHECKED BY:	DS
DATE:	08/16/22
PROJECT #:	33-3531

SHEET TITLE
**ENLARGED
SITE PLAN**

SHEET NUMBER
C-1



1 EAST ELEVATION
SCALE: 3/32" = 1'-0"

verizon
1701 GOLF ROAD,
TOWER 2, SUITE 400
ROLLING MEADOWS, IL 60008
PHONE: (847) 619-5397
FAX: (847) 706-7415

TERRA
CONSULTING GROUP, LTD.
600 BUSSE HIGHWAY
PARK RIDGE, IL 60068
PH: 847-698-6400
FAX: 847-698-6401

REVISIONS	
NO.	DESCRIPTION
BY	DATE
JJR	08/19/22
ISSUED FOR REVIEW	

LOC. # 713277
EVANSVILLE
WT

N. CEMETARY ROAD
EVANSVILLE, WI 53536

DRAWN BY:	JJR
CHECKED BY:	DS
DATE:	08/16/22
PROJECT #:	33-3531

SHEET TITLE
SITE ELEVATION

SHEET NUMBER
ANT-1



APPLICATION FOR CONDITIONAL USE – STAFF REPORT

Application: CUP-2022-0250 **Applicant:** Morning-Phillips Investment Group

Parcel 6-27-958.091A1

October 1, 2022

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



Figure 1 Approximate Location Map

Location: 781, 783, 785 Brown School Road

Description of request: A conditional use permit application previously approved at this location in 2018. That permit has since expired. The applicants are looking to bring the site back under full compliance with the Zoning Code. **The applicant is seeking re-approval of a conditional use permit to allow Mixed Commercial/Residential use on parcel 6-27-958.091A1 within the B-3 zoning district.**

Existing/Prior Uses: The apartments in the building are occupied; the commercial space in the building is still vacant. The applicant is working to repair the ramp and grade on the east elevation of the building in order to provide an accessible entrance. A user for the commercial space has not yet been identified.

Consistency with the City of Evansville Comprehensive Plan and Municipal Code:

Staff Analysis of Request: This application is related to a site plan application that will also be reviewed by the Plan Commission. In order to bring this development back on track with regards to conditional uses and zoning standards, four things need to occur:

- 1) Approval of this conditional use permit application.
- 2) Approval of the conditional use permit application for the Industrial building (777 Brown School Road).
- 3) Approval of the site plan for the existing buildings on parcel 6-27-958.091A1.
- 4) Negotiation of a development agreement between the applicant and the City.

The Plan Commission is being advised to approve the two conditional use permits tonight with the expectation that the site plan and development agreement will be approved in November.

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 November 2015.

Staff Comment: The Comprehensive Plan indicates a desire to promote highly dense, mixed uses where appropriate.

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 site plan for this use is being discussed separately at this October 4, 2022 meeting. As discussed in the Staff Memo for application 2022-0252, there is insufficient parking to accommodate the residential/commercial building. Trash and recycling dumpsters are not enclosed or screened from view. Parking stalls need to be striped and parking areas need to be screened from Highway 14 by landscaping. These issues should be rectified through approval of the site plan. Site plan approval will be a condition of continuing this use.

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: To our knowledge, the apartments have not resulted in a nuisance to neighboring properties.

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: Once the issues regarding parking, landscaping, and screening are addressed, the issues of intensity should be ameliorated.

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: the property is currently served by public utilities

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. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

Staff recommended motion for Plan Commission: *Motion to approve issuance of a Conditional Use Permit for a Commercial/Residential use in the B-3 Community Business district per section 130-421 on parcel 6-27-958.091A1, located at 781, 783, and 785 Brown School Road, 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) *The Conditional Use Permit is recorded with the Rock County Register of Deeds.*
- 2) *Any variation from plans approved by staff or Plan Commission if necessary.*
- 3) *Plan Commission approval of Site Plan Application 2022-0252.*
- 4) *Conditions of Site Plan Application 2022-0252 are met.*
- 5) *Use cannot create a public nuisance as defined by local and state law.*



APPLICATION FOR CONDITIONAL USE – STAFF REPORT

Application: CUP-2022-0251 **Applicant:** Morning-Phillips Investment Group

Parcel 6-27-958.091A1

October 1, 2022

Prepared by: Colette Spranger, Community Development Director

Direct questions and comments to: colette.spranger@ci.evansville.wi.gov or 608-882-2263



Figure 1 Approximate Location Map

Location: 777 Brown School Road

Description of request: A conditional use permit application previously approved at this location in 2018. That permit has since expired. The applicants are looking to bring the site back under full compliance with the Zoning Code. **The applicant is seeking re-approval of a conditional use permit to allow Light Industrial Use Incidental to Indoor Sales or Service land use on parcel 6-27-958.091A1 within the B-3 zoning district.**

Existing/Prior Uses: The industrial building is currently vacant. A user has not yet been found. Once an appropriate user is identified, the inside of the building will be completed and occupied.

Consistency with the City of Evansville Comprehensive Plan and Municipal Code:

Staff Analysis of Request: This application is related to a site plan application that will also be reviewed by the Plan Commission. In order to bring this development back on track with regards to conditional uses and zoning standards, four things need to occur:

- 1) Approval of this conditional use permit application.
- 2) Approval of the conditional use permit application for the Commercial/Residential Building (781-785 Brown School Road).
- 3) Approval of the site plan for the existing buildings on parcel 6-27-958.091A1.
- 4) Negotiation of a development agreement between the applicant and the City.

The Plan Commission is being advised to approve the two conditional use permits tonight with the expectation that the site plan and development agreement will be approved in November.

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 November 2015.

Staff Comment: The Comprehensive Plan indicates a desire to promote highly dense, mixed uses where appropriate.

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: As discussed in the Staff Memo for application 2022-0252, there is insufficient parking to accommodate both this industrial building and the residential/commercial building. The rear of this building needs to be screened from Highway 14 by landscaping. These issues should be rectified through approval of the site plan. Site plan approval is a condition of continuing this use.

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: Once the issues regarding parking, landscaping, and screening are addressed, the issues of intensity should be ameliorated.

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: Once the issues regarding parking, landscaping, and screening are addressed, the issues of intensity should be ameliorated.

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: the property is currently served by public utilities

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. The proposed motion below states that benefits do in fact outweigh any and all potential adverse impacts.

Staff recommended motion for Plan Commission: *Motion to approve issuance of a Conditional Use Permit for Light Industrial Activities Incidental to Indoor Sales or Service Land Use in the B-3 Community Business Zoning District per section 130-530 on parcel 6-27-958.091A1, located at 777 Brown School Road, 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) *The Conditional Use Permit is recorded with the Rock County Register of Deeds.*
- 2) *Any variation from plans approved by staff or Plan Commission if necessary.*
- 3) *All product storage and customization operations are contained entirely within the building.*
- 4) *Plan Commission approval of Site Plan Application 2022-0252.*
- 5) *Conditions of Site Plan Application 2022-0252 are met.*
- 6) *Use cannot create a public nuisance as defined by local and state law.*



SITE PLAN REVIEW – STAFF MEMO

Applicant: Morning-Phillips Investment Group

Parcel 6-27-958.091A1

777 Brown School Road; 781,783,785 Brown School Road

September 28, 2022

Prepared by: Colette Spranger, Community Development Director

Description of request: The applicant is seeking approval of a Site Plan for two existing buildings and improvement requirements on parcel 6-27-958.091A1. City Staff recommend that no action be taken on the site plan at this meeting.

Staff Analysis of Request: This resubmittal of the site plan is the result of a shared desire by the City and applicant to move forward with and enable future development at this location. At a meeting with the applicants, City staff, Mayor Duggan, and attorneys this past August, it was acknowledged that progress of this particular development suffered from extraordinary circumstances, namely the passing of one of the partners coinciding with the COVID-19 pandemic. As a result, the site was not built according to the plans as originally submitted in 2018. At that meeting, it was agreed that the best course of action was to clean the slate and review the site as-is for compliance with the City's zoning code and TIF preferences.

Staff Comments on City Expectations

1. Once the City deems that the site meets basic zoning code compliance, the applicant and City can work together to renegotiate a development agreement with regards to TID funding.
2. With this project and others (e.g. Centennial Building, Evansville Manor), the City issued monetary assistance through TIF. When this is done, the City expects such development to perform above and beyond basic zoning compliance and standards.
3. The 2018 site plan included details for a third building. While a third building is still anticipated on the south half of this site, any details with this current site plan application should focus on the uses, status, and planned build out of the first two buildings and their surroundings.

Staff Comments on Submitted Materials, Dated 8/12/22

The request includes parking, driveway and sidewalk repaving elements, site grading, and existing building elevations.

- This site plan needs to prove that the conditions for the two existing buildings meet City standards on their own, given there is no firm timeline for completion of the third building.
- The submitted site plans still include many details and assumptions for the third building. The future plans for the third building will be finalized with a separate site plan

application. Details, including an amended site layout if desired, should be discussed at that time.

- No area calculations for the site, buildings, or impervious surfaces were provided or calculated on the submitted site plan. These should be fairly easy to obtain through your surveyor.
- Sheets 1 and 2 contain references to future curbing and striping throughout the site and repaving of the eastern parking lot in order to correct the ADA entrance for the commercial site. In a meeting with the Community Development Director on September 1st, 2022, the applicants referred to this as “Phase II”. No further timeline or details for Phase II have been submitted. City staff expected such a timeline as part of this submittal.
- Parking continues to be an issue on site.
 - Per Article XI of the City Zoning Code, 34 parking stalls are required. This excludes the number of accessible parking stalls needed.
 - The site plan submitted depicts 24 parking stalls and 4 ADA compliant parking stalls between the two buildings.

Next Steps

In advance of the November Plan Commission meeting, City Staff request the following from the applicant in order to complete the site plan application so it can be reviewed for full compliance against the zoning ordinance.

1. Provide figures for total lot area, impervious surface, and landscaped area so City Staff can check the existing site for basic zoning compliance in the B-3 Community Business zoning district.
2. Clarify and provide a defined timeline for the items marked as “future” or “proposed” on the submitted site plan.
3. A landscape plan is required.
 - a. Such a plan should include the locations of existing trees and other landscaping.
 - b. Screening parking lot areas and trash enclosures with landscaping is prescribed in the City’s Zoning Code, even if the site’s existing landscaping points adequately offset the amount of hardscape/impervious surfaces on site.
 - c. The applicant should also make a plan for screening the south elevation of both buildings from Highway 14. As was expected in the 2018 approvals, these plantings will not count toward the required landscape points. Please see the example that was submitted in 2018 when the residential/commercial building was anticipated to be built last.
 - d. Upon construction of the third building, the plants discussed above will likely be removed. Since no timeline has been provided for the third building, the current priority should be to screen the current buildings from the highway, as this is a highly visible entrance to the City with a significant volume of vehicle traffic.
 - e. Landscaping is also expected surrounding parking spaces on the access easement with neighboring parcel 6-27-958.091A2, as was approved in 2018.
4. A lighting plan should be submitted. This lighting plan should cover the lighting needs for the two existing buildings. All lighting is to be dark-sky compliant.
5. Materials and plans for a trash enclosure

- a. The trash enclosure should be easily accessible to the tenants of the residential/commercial building. The relocated location indicated on Sheet 1 is out-of-the-way for those users and block access to the proposed expansion to the industrial building.
 - b. Upon construction of the third building, it is likely this enclosure will be torn down and replaced. Since no timeline has been provided for the third building, the current priority should be to screen the existing trash and recycling dumpsters.
6. In order to bring the site in compliance with parking standards, the applicant should show and plan for increased pavement to accommodate another row of angled parking at the southern edge of the site, understanding that such an area may be removed upon construction of the third building and the assumption of more available parking.
7. Any grading expected on the southern part of the site does not need to reflect grades needed for the third building. Grading plans for that building can be submitted with a separate site plan application.
8. Per previous discussion, a new development agreement will need to be negotiated. Ideally, the site plan application and development agreement will be approved at the same meeting.