

**City of Evansville Plan Commission  
Regular Meeting  
Tuesday, January 3, 2023, 6:00 p.m.**

**MINUTES**

**1. Call to Order** at 6:00pm.

**2. Roll Call:**

<b>Members</b>	<b>Present/Absent</b>	<b>Others Present</b>
Mayor Dianne Duggan	P	Colette Spranger, Community Dev. Director
Aldersperson Cory Neeley	P	Joe Geoffrion (applicant)
Aldersperson Susan Becker	P	Josh Copeland (applicant)
Abbey Barnes	P	Mary Leeder (applicant)
John Gishnock	P	Molly Leeder (applicant)
Mike Scarmon	P	Bill Lathrop (Evansville Today)
Eric Klar	A	

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

**4. Motion to waive the reading of the minutes from the November 1, 2022 meetings and approve them as printed, by Becker, seconded by Scarmon. Approved unanimously.**

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

**6. Citizen appearances other than agenda items listed.**

**7. Action Items**

**A.** Review and Action on Rezoning Application 2022-0293 on parcel 6-27-559.5051 (Lot 51, Westfield Meadows)

**1. Review Staff Report and Applicant Comments.**

Spranger summarized the report. The lot is being rezoned to accommodate the applicant's request to build a duplex where both sides can be sold to homeowners. In order to do this, the lot must be split. Two-family twin homes are not allowed in the R-1 zoning district, so to do this the property must be rezoned to the R-2.

**2. Public Hearing.**

Public hearing opened at 6:03p.m. No public comments. Public hearing closed at 6:04p.m.

**3. Plan Commissioner Questions and Comments**

None.

**4. Motion with Conditions**

**Motion recommend Common Council approve Ordinance 2023-1, Rezoning Territory to Residential District Two (R-2).**

*Motion by Neeley, by Becker. Approved unanimously*

**B. Public Hearing and Review of Zoning Map Amendment Application 2022-0283 to rezone parcel 6-27-589 (469-471 E Main St)**

**1. Review Staff Report and Applicant Comments.**

The applicants, Mary Leeder and Molly Leeder, were present. The application to rezone is in order to allow a restaurant featuring drive-up service. The Leeders operate a Subway franchise and are looking to move their operation to East Main Street and replicate their drive-up window. Spranger mentioned that initial review of the site suggested that it would be difficult for them to have the 100 feet of car stacking length in the drive-through area as required by the Zoning Code. To remedy this, the Board of Zoning Appeals will be meeting to address this issue. Spranger also mentioned that she heard from a D.J. Redders on behalf of his father Dwight, who is a neighboring property owner, concerning the existing easement between the two properties and wanted to ensure that the access to his driveway would not be impacted. Spranger confirmed that this would be a consideration when the site plan is reviewed and the rezoning would have no effect the easement. The easement was included as part of the staff report.

**2. Public Hearing**

Public hearing opened at 6:09p.m. No public comments. Public hearing closed at 6:10 p.m.

**3. Plan Commissioner Questions and Comments**

Spranger clarified that any questions about the site layout would be covered at the site plan application review, not this zoning amendment review.

**4. Motion with Conditions**

**Motion recommend Common Council approve Ordinance 2023-2, Rezoning Territory to Residential District Two (R-2).**

*Motion by Becker, seconded by Neeley. Approved unanimously*

**C. Review of Site Plan Application 2022-0184 for TDS Vertiv Cabinet on parcel 6-27-959.A3 (715 Brown School Road)**

**1. Review Staff Memo**

The applicant, TDS Telecom, was not present. Spranger explained that various City departments met with TDS to discuss their expansion into Evansville.

**2. Applicant Comments**

None.

**3. Plan Commissioner Questions and Comments**

**4. Motion with Conditions**

*Motion to approve the site for a Vertiv box as presented for 715 Brown School Road on parcel 6-27-959.A3, 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: TDS Telecom to install three (3) evergreen trees on box's left, right, and rear sides within the utility easement.*

*Motion by Neeley, seconded by Becker. Approved unanimously*

**D. Review of Site Plan Application 2022-0185 for AP24 on parcel 6-27-5882B (City Yard Waste Site - Water Street)**

**1. Review Staff Memo**

Spranger summarized the report, stating that the application was extremely similar to the one that came before it.

**2. Applicant Comments**

Applicant not in attendance.

**3. Plan Commissioner Questions and Comments**

Several commissioners questioned the ability of the City to dictate where such boxes go, recalling up that they had approved a collocation for wireless equipment as recently as November. Spranger replied that in this case, the City's existing zoning code allowed the City to push back on TDS's request to put the AP24 box in the front yard of a property on Water Street, but overall the City is extremely limited in its ability to dictate where a telecommunication utility can put its equipment. She replied that she would look into the matter.

**4. Motion with Conditions**

*Motion to approve the site for a AP24 box as presented for the yard waste site on parcel 6-27-588.2B, 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.*

*Motion by Neeley, seconded by Becker. Approved unanimously*

**8. Discussion Items**

**9. Community Development Report**

**A. 2023 Meeting Schedule.**

Brief discussion regarding whether or not Plan Commission meeting would be rescheduled if they coincided with voting dates. Mayor Duggan decided against moving the dates, as the City has held public meetings on voting dates in the past.

**10. Next Meeting Date:**

- A. January 3, 2023 at 6:00 p.m.

**11. Motion to Adjourn at 6:48p.m. by Neeley, seconded by Scarmon. Approved unanimously.**