

NOTICE

A meeting of the City of Evansville Plan Commission will be held on the date and time stated below at City Hall, 31 South Madison Street, Evansville, Wisconsin 53536. Notice is further given that members of the City Council might be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall: (608)-882-2266 with as much advanced notice as possible. Please silence cell phones and electronic devices during the meeting.

City of Evansville **Plan Commission**

Regular Meeting

Tuesday, June 2, 2020, 6:00 p.m.

Due to State and Federal mandated social distancing in response to COVID-19, this meeting is being held virtually from the above location. To ensure the safety of commission members and members of the public all attendees will be required to participate via the virtual format. To participate via video, go to this website: <https://meet.google.com/fes-vcir-rfv>. To participate via phone, call this number: +1 608-764-9643 and enter PIN: 352 918 263# when prompted.

AGENDA

1. Call to Order
2. Roll Call
3. Motion to Approve Agenda
4. Motion to waive the reading of the minutes from the May 5, 2020 Meeting and approve them as printed.
5. Civility Reminder
6. Citizen appearances other than agenda items listed
 - A. Discussion regarding Industrial User at 155 S Union
7. New Business
 - A. Public Hearing and Review of Conditional Use Permit Application CUP-2020-02 to construct a new garage in the Historic Conservation Overlay District per Sec. 130-1123(a) on parcel 6-27-170 (Tax ID 222001173) located at 129 W Church Street.
 - i. Review Staff Report and Applicant Comments
 - ii. Public Hearing
 - iii. Plan Commissioner Questions and Comments
 - iv. Motion with Conditions
 - B. Public Hearing and Review of Conditional Use Permit Application CUP-2020-03 to operate a café with outdoor dining per Sec. 130-408 and 130-538 on parcel 6-27-983A (Tax ID 22207700801) located at 510 S Madison Street.
 - v. Review Staff Report and Applicant Comments
 - vi. Public Hearing
 - vii. Plan Commissioner Questions and Comments
 - viii. Motion with Conditions
 - C. Motion to Recommend to Common Council a Lot Line Adjustment on Parcel 6-20-206 with the condition “Parcel A” or “Parcel B” cannot be transferred as separate parcels as described on the Plat of Survey.

- D. Discuss meeting at Bluescope facility: Two possible dates, after 8pm
8. Discussion of in-person Meeting Dates: Tuesday, July 7, 2020 at 6:00pm
9. Motion to Adjourn

-Mayor Bill Hurtley, Plan Commission Chair

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

**City of Evansville Plan Commission
Regular Meeting
April 6, 2020, 6:00 p.m.
Meeting held virtually due to COVID-19 Guidelines**

MINUTES

1. **Call to Order** at 6:19 pm. Sergeant noted that some members of the public have called in on a separate virtual meeting link, and have been connected to the same audio as the primary meeting.

2. **Roll Call:**

Members	Present/Absent	Others Present
Mayor Bill Hurtley	P	Community Development Director Jason Sergeant
Aldersperson Rick Cole	P	Mike Siwek, 321 Franklin
Aldersperson Erika Stuart	P	Christina and Scott Rippl, 315 Franklin
Bill Hammann	P	Trudy Helley, 299 Franklin
John Gishnock	P	Sarah Bauer
Mike Scarmon	P	Britany Walters, 324 Franklin
Susan Becker	P	Laura Gorces, 275 Franklin
		Bev Krueger, 339 E Main
		Tammy Pomplin, 440 S First

3. **Motion to approve the agenda, by Cole, seconded by Stuart. Approved unanimously.**
4. **Motion to waive the reading of the minutes from the April 6, 2020 Meeting and approve them as printed by Cole, seconded by Stuart. Approved unanimously.**
5. **Civility Reminder.** Hurtley noted the City’s commitment to civil discourse.
6. **Citizen appearances other than agenda items listed.** None
7. **New Business**
 - A. **Public Hearing and Review of Comprehensive Plan Amendment Application CP-2020-01 to change the future land use designation to Mixed Use on parcel 6-27-683 located at 339 E franklin Street.**
 - i. **Review Staff Report and Applicant Comments.** Sergeant informed that this type of application is rare and is a request to change the Future Land Use Map in the Comprehensive Plan. He explained there are two primary mechanisms in the Municipal Code that can regulate primary land use on a parcel. One being zoning, the other being the Comprehensive Plan’s Future Land Use Map. This request is to change the future land use designation, not the zoning, of the subject parcel at 339 E Franklin. The Future Land Use Map and Comprehensive Plan was adopted in 2015 with multiple sources of public input. The subject parcel is currently zoned Agriculture and contains a dwelling unit. The future land use request is to change the property from Historic Neighborhood to Mixed Use. Mixed Use would allow R-3, B-1, or B-2 zoning. Industrial zoning

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

would not be permitted. The original request from the applicant included a request to change the future land use to industrial. This was discussed by the commission and it was suggested the applicant modify the application to mixed use. The applicant subsequently revised the application to remove industrial and add the mixed use request.

- ii. Public Hearing.** Sergeant noted a petition was submitted by neighbors and is included in the packet. Hurtley noted the limit of 3 minutes on the public hearing and suggested repetitive comments be avoided. Hurtley opened the hearing at 6:27pm and asked that all be sure to mute and unmute audio as they speak. Mike Siwek of 321 Franklin spoke noting he has been burned before by the culvert plant and is scared the rezone to industrial will devalue his parcel. Hurtley asked sergeant if light industrial was requested for the lot. Sergeant stated that light industrial zoning is not being requested and cannot be approved under mixed use. Christina Rippl of 315 Franklin expressed concern that a business at the dead end would result in increased traffic, noting a steep drive and steep drop at rear of lot. Drainage would be difficult for a large warehouse. Traffic has increased already with night owl. She noted the current owner is moving and trying to sell the subject parcel. Rippl asked where a sidewalk would go. Sergeant explained that a sidewalk is not being requested or required, just a 15' easement on the south edge of the lot to increase possible options for future pedestrian connections to Post Office on Water Street. Siwek added the easement would connect to the lot next to him. Sergeant clarified that a pedestrian connection may never happen, but it is in the best interest of citizens to always look out for possible pedestrian connections to public facilities. Rippl added that wildlife would be affected by development and the building should not be torn down and should be restored. Sergeant stated that a request has not been made to the city to redevelop the parcel. Hurtley added that wildlife is often affected by development and that future development would need to come through Plan Commission for review. Rippl said her primary concern is traffic and stated a last request would be to add a contingency to have access be only from East Main Street. Sergeant indicated this is possible, but an easement does not currently exist. The city could add a condition to the approval or the property owner could add an easement to require this. Trudy Helley of 299 Franklin agreed with Rippl and added the street is way too narrow and traffic is awful, the garbage truck has to back down the street. The recent street reconstruction project removed curb in front of her house and added a walkway taking away her ability to park in front of her house. With the Night Owl at one end of the street, adding a new business at the other end seems absurd. She said people who don't live in the neighborhood drive through like it's a race track and the property is not set up for the request. Britany Walters of 324 Franklin commented she also got screwed over with the sidewalk situation, as part of the street reconstruction project, and has children on the road. Walters agrees with everyone and doesn't think this should be put in. Rippl added that Night Owl parking sometimes goes all the way to her house. Siwek added he asked for a long time for a dead end sign and more signage needs to be added and more traffic would be problematic. Sarah Bauer shared that the City should make their City owned lot at 155 E Main into a parking lot to help with Night Owl parking and there needs to be a public parking area on the south side of Main Street. She also noted a driveway goes from the house to East Main Street, as she passes it every day. Laura Gorces of 215 Franklin stated she moved to the City because she assumed it would be better for their child in a wheel chair. Safety concerns exist with

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

people driving way to fast. Gorces stated she had not reviewed the proposal and is not sure who will benefit. Gorces then asked who the project would benefit, assuming it would be the City. Bev Krueger of 339 E Main Street joined the call and stated that the first announcement of the project described it as being industrial, but she changed the request to be mixed use based on Plan Commission feedback and anticipates a user who doesn't have any traffic and would be something like a small woodshop. The current tenant will be leaving and is an unsafe driver. Krueger noted she lived in Evansville for 30 years and paid a lot of taxes and sees this as benefiting the City and property owner. She has been active in the city and would like to see this proposal approved, noting neighbors fought to have a sidewalk added along the road and all the neighbors know each other. Tammy Pomplin of 440 S First Street commented that people don't bring up future land use plans to the city unless they plan to change zoning in the future. She feels the historic home should be preserved and the application should be declined. Siwek added he better not say anything about Krueger and thanked everyone. Hurtley closed the public hearing.

- iii. Plan Commissioner Questions and Comments.** Stuart asked if anyone can explain why the Plan Commission would do this. Hurtley said an application was submitted and needs to be reviewed. Sergeant added that a property owner has the right to request any change to a property. City staff then talks with the applicant and may suggest the applicant change direction if it the proposal is not in line with city goals and standards. Regarding this application, city staff discussed in advance with the plan commission to guide the applicant the initial industrial request to the current mixed used request. Land uses nearby are a mix of residential and industrial, so a request to buffer the two uses with a mixed use is typically seen as a reasonable request per city standards. Scarmon asked if the decision tonight can add conditions to any approval. Sergeant stated the Plan Commission is making a recommendation to council but can add conditions to the ordinance. However, some conditions can be hard to add though to a future land use request, the future rezoning request would be an easier place to add conditions that can be monitored for compliance. Gishnock asked what kind of condition could be added to address traffic issues. Sergeant thought a condition could be added requiring access only from East Main Street. Gishnock asked if retail is acceptable for the lot. Sergeant said yes under B-1 or B-2, not under current zoning; B-1 is similar to Maple Grove dental. B-1 regulated the appearance of the building. Rippl asked if she could add something, Hurtley allowed. Rippl said the lot on paper should also look at the elevation changes. Hurtley noted Church Street and Franklin Street are the same width and there is one streetlight on the end. Gishnock noted the recently improved and added sidewalks made the street safer for pedestrians but complicated some parking and access. Becker said Franklin Street has always needed attention, and not trucks delivering materials. Adding the petition has over a hundred people showing support to not allow the request. Sergeant read the petition aloud and noted the petition has the incorrect address of E Main and not Franklin Street. He also clarified the request is not to change zoning. Scarmon added that the same concerns will come up with a rezone is requested, so he doesn't see any of these being solved. Sergeant agreed with the observation. Scarmon asked if language could be included to allow access only from E Main. Sergeant said that Section three of the ordinance would need to be revised requesting access. However, the condition could be problematic if a future rezone request is made or the lots have different owners. Scarmon would like to see a condition

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

added. Gishnock added that the property could stay residential and be divided up into new lots, if that doesn't work, it could then be changed to mixed use. He asked if the application can be revisited if needed. Sergeant said yes, the applicant could re-apply. He clarified the property is currently zoned Agriculture and would need to be re-zoned for anything to be redeveloped. Cole commented on future land use designations don't allow Agriculture at this time. Sergeant clarified if the commission wants to see the property first marketed as residential, the application would need to be tabled or denied by the commission. Scarmon asked if the property owner could sell the lot as residential without a future land use changed. Sergeant said yes they could, but the zoning of Agriculture might need to be changed to Residential. Hammann commented this is good buffer land use between industrial and residential. He feels the concerns about traffic, and water would all be addressed when a future applicant comes forward with a proposal. A possible outcome might be a home and business on one lot. Sergeant added the shared ownership of a parcel next to the subject parcel complicates the matter, because a different property owner could buy the adjacent parcel and reduce access options. Hurtley asked if Krueger was still on the meeting. She did not respond. Hurtley asked if there was a motion.

- iv. ***Motion to Approve Ordinance 2020-07 by Hamman, seconded by Cole. Motion failed*** with Hurtley, Cole, Hammann voting Yes; and Stuart, Gishnock, Scarmon, and Becker voting No. Motion failed with 4 No and 3 Yes. Sergeant asked if another motion will be made. Hurtley said no other motion is on the table. Sergeant asked if any feedback can be shared with applicant, but the application may still go to Common Council, he will have to review the steps.

8. Old Business

- A. Possible Discussion of Chapter 130 Ordinance Revisions April 20th Meeting.** Sergeant noted revisions are still being drafted. Limiting garage widths and setbacks are being researched with recommendations coming to commission. Gishnock is glad to see this moving forward.

8. Next Meeting Date of Tuesday, June 2, 2020 at 6:00pm

- 9. Community Development Director Updates.** Sergeant shared on-site and in person meetings are not occurring for the department.

10. Motion to Adjourn by Gishnock, seconded by Becker. Approved Unanimously.

CONDITIONAL USE APPLICATION

Evansville, Wisconsin

Version: December 2017

General instructions. Complete this application as it applies to your project. Submit one copy of the application form, **20 copies of any maps**, and the required application fee to the Community Development Director. Before you formally submit your application and fee, you may submit one copy to the Community Development Director, who will ensure it is complete. If you have any questions, contact the Interim Community Development Director at 608.882.2285 or jason.sergeant@ci.evansville.wi.gov. You may download this file off of the City's website at: www.ci.evansville.wi.gov.

PLEASE COMPLETE ALL SECTIONS OF THIS APPLICATION AND INCLUDE ALL REQUESTED MAPS. THE APPLICATION WILL NOT BE REVIEWED UNTIL THE ENTIRE APPLICATION IS COMPLETED.

- Office Use Only -

Initial application fee	\$300
Receipt number	_____
Date of pre-application meeting	_____
Date of determination of completeness	_____
Name of zoning administrator	_____
Date of Plan Commission review	_____
Application number	_____

1. Applicant information

Applicant name Pleasy R. Berg Trust
 Street address 102 E. Main St.
 City EVANSVILLE
 State and zip code WI 53536
 Daytime telephone number 608-882-0897
 Fax number, if any 608-882-0951
 E-mail, if any bergental@att.net

2. Agent contact information. Include the names of agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	Agent 1	Agent 2	Agent 3
Name	<u>ROGER M. Berg</u>		
Company	<u>Pleasy R. Berg Trust</u>		
Street address	<u>102 E. Main St.</u>		
City	<u>EVANSVILLE</u>		
State and zip code	<u>WI 53536</u>		
Daytime telephone number	<u>608-882-0897</u>		
Fax number, if any	<u>608-882-0951</u>		
E-mail, if any	<u>bergental@att.net</u>		

3. Subject property information

Street address	<u>155 S. Union St EVANSVILLE, WI</u>	
Parcel number	<u>6-27-343</u>	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)	Agricultural District A Residential Districts RR LL-R12 LL-R15 R-1 R-2 R-3 Business Districts B-1 B-2 B-3 B-4 B-5 Planned Office District O-1 Industrial Districts <u>(1-1)</u> I-2 I-3 now change to 1-3	

CONDITIONAL USE APPLICATION

Evansville, Wisconsin

Version: December 2017

Describe the current use	warehouse
Full legal description *You can request this information from Real Property Division of Rock County *This may be attached as a separate file	PT SE 1/4 Evans & Spencer's Add Lots 12-17 & SLY 10' Lot 11

4. Proposed use. Describe the proposed use.

1. Build E-bike 2. Manufacture Knife Sheaths 3. Manufacture gun components 4. Manufacture Ammunition 5. Headquarters for Outdoor Trade Shows Network TV 6. Headquarters for Red Legion Defense	7. Manufacture tactical equipment & apparel 8. Operations for Outdoor Trade Shows
---	--

5. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Hours: 7AM to 5PM Monday-Friday Conditions that may affect surrounding properties - NONE

6. Potential nuisances. Describe any potential nuisances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

NONE

7. Review criteria. Describe the reasons why you believe the proposed use is in keeping with the City's master plan. Refer to Section 130-104(3)a-f of the Municipal Code for the review criteria.

Existing warehouse in an industrial area
--

CONDITIONAL USE APPLICATION

Evansville, Wisconsin

Version: December 2017

8. **Other information.** Provide any other information relating to the intended project and its relation to nearby properties.

no effects on nearby properties

9. **Site plan.** Include **20 copies** of a site plan (11" x 17") with the application. In addition, the Community Development Director may require one copy that is 24" x 36". A checklist of items that must be shown on the site plan is included at the end of this application.

10. **Location map.** Include a map (8 1/2" x 11") that shows the subject property and all parcels lying within 250 feet of the subject property. This map shall be reproducible with a photocopier, at a scale which is not less than one inch equals 600 feet. It shall include a graphic scale and a north arrow.

11. Applicant certification

- ◆ I certify that the application is true as of the date it was submitted to the City for review.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the Municipal Code.

Robert Berg

Applicant Signature *PLEASEY R. BERG Trust*

Date *5/20/2020*

ROBERT U. BERG, CoTrustee

12. Landlord certification (if applicable)

**If you do not own the building that houses your business, you must have your landlord sign this application*

- ◆ I certify that the application is true as of the date it was submitted to the City for review.
- ◆ The applicant has discussed their plans with me, and I support their application for this conditional use permit in my building.

Landlord Signature

Date

Governing Regulations The procedures and standards governing this application process are found in Chapter 130, Article 2, Division 8, of the Municipal Code.



155 S Union

Jason Sergeant <jason.sergeant@ci.evansville.wi.gov>

Tue, May 19, 2020 at 11:36 AM

To: bergental@att.net, Daniel Butcher <Dan@outdoortradeshownetwork.com>

Roger and Dan,

This has presented a true challenge, but I think Da's business ideas now and as he expands are extremely positive for Evansville. I want to make sure this location can work for him into the future and there is no "fine print" that will cause problems with feds or the general public.

I've dug deep into the ordinances and have a (cumbersome) solution. It will require 4 primary actions:

- 1.) Submit a Rezone application to change to I-3
- 2.) Submit a Conditional Use Application to operate "Heavy Industrial"
- 3.) Request variance for setbacks in I-3 district, this will protect ROger's ability to rebuild the building as is, regardless of cause, should this be needed
- 4.) Meet the landscape provisions of the ordinance (~ 1,550 SF of green space and 220 landscape points.) I think this can be achieved by removing some pavement on either side of the building and planting a few trees and bushes, specifically 4 trees and 2 large bushes.

I can send you forms needed if you want to proceed. I would need everything submitted and complete (meaning legal descriptions, landscaping plans, etc, etc) by June 5. These items can all go to the July Plan and Council meeting, concluding with final approval by mid-July.

Thanks - Jason

--

Jason Sergeant

Community Development Director

City of Evansville

31 S. Madison Street

PO Box 529

Evansville, WI 53536

Office: (608)-882-2285

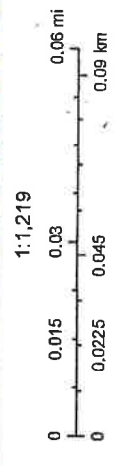
Fax: (608)-882-2282

Jason.sergeant@ci.evansville.wi.gov

"Best City for young families in Wisconsin" – nerdwallet.com



July 29, 2019
 Addresses
 Parcels



Rock County Real Property Lister



ONLY GRASS area
ON PROPERTY - NO AREA
FOR LANDSCAPING

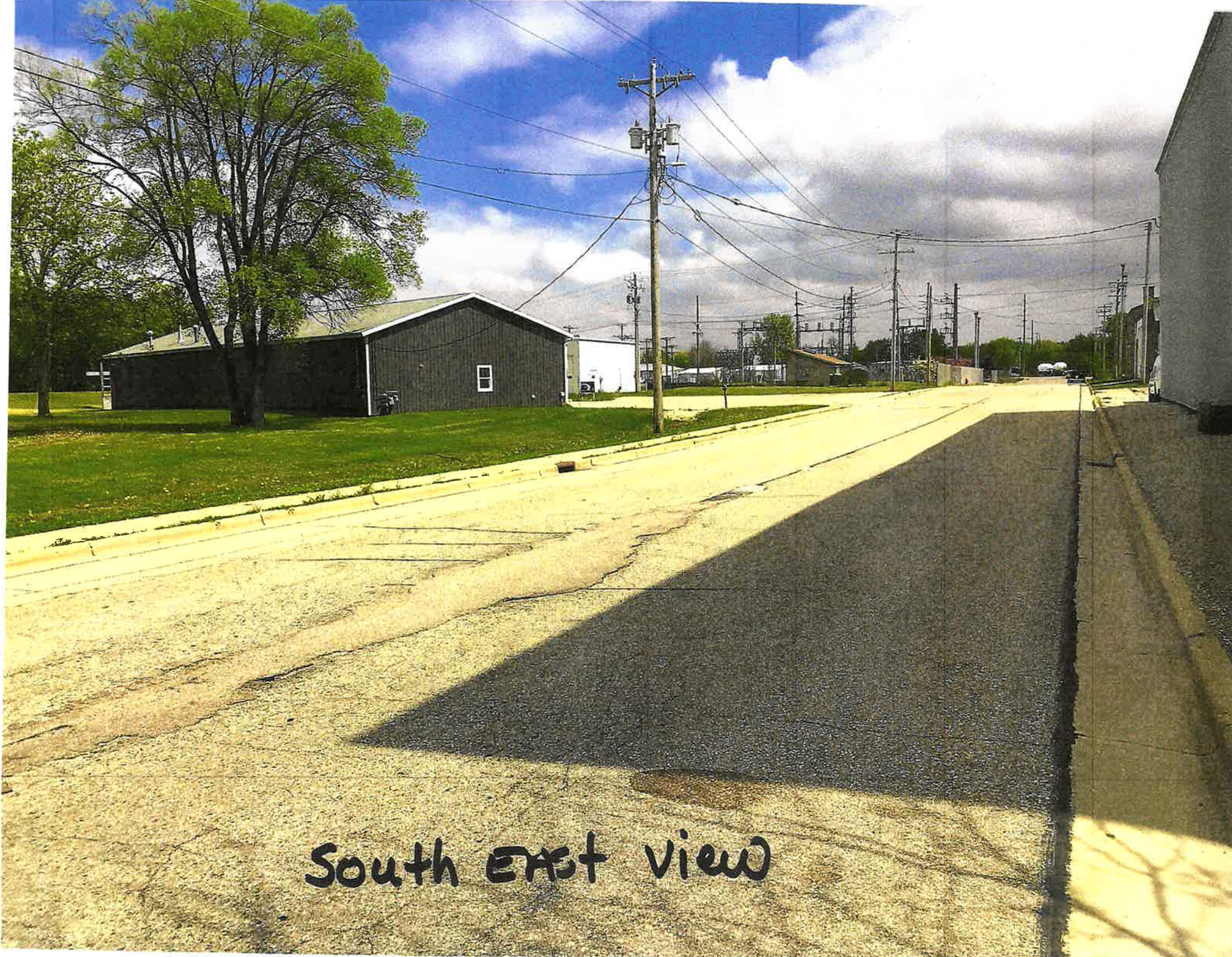
South view



South view / west side




NORTH - FRONT



South East view



WEST view

	STAFF REPORT – CONDITIONAL USE PERMIT APPLICATION	
	App. No.: CUP-2020-02	Applicant/Property Owner: Doug Tessman
	Address: 129 W Church St.	Parcel No.: 6-27-170 Tax ID: 222001173
	June 2, 2020	

Prepared by: Jason Sergeant, Community Development Director
 Prepared for: City of Evansville Plan Commission

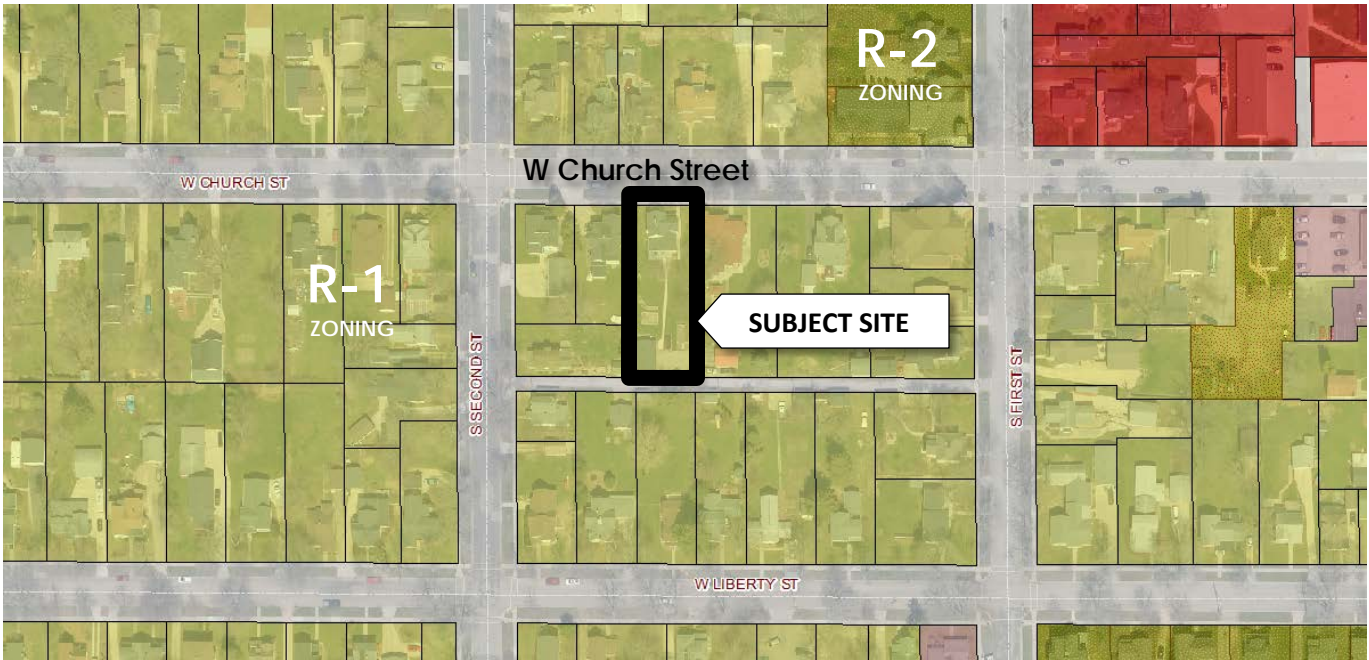


Figure 1 Location Map

Description of request: An application for a conditional use permit on parcel 6-27-170 (Tax ID 222001173) located at 129 W Church Street has been submitted for consideration by the Plan Commission. The request is to construct a new garage in the Historic Conservation Overlay District. The Parcel is zoned R-1 Residential One, as per section 130-1123 (a) of the Evansville Zoning Ordinance a CUP is required for all new construction or expansions of existing uses.

Staff Analysis of Request: The proposal is believed to meet the minimum standards of the Historic Conservation (HC) overlay district. HPC has reviewed the proposal and recommended approval. This proposal is following the demolition of the previous garage as a result of fire.

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 good stewardship of the Historic Districts.
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: An attached garage to a residential one family home is an appropriate use in the R1 district.
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 connected to public utilities.

Additional Findings: Section 130-1123(b) of the Municipal Code requires the Plan Commission to determine whether the proposal meets general design criteria. Specifically, the section reads, "In general, the following items shall be considered in making decisions about conditional use requests within this district." Staff comments are found below regarding the design criteria to be reviewed:

- (1) *Height. All new structures should be constructed to a height visually compatible with the buildings and environment with which they are visually related. **Staff Comment: The height of the addition is visually compatible to adjacent buildings.***
- (2) *Scale. The gross volume of any new structure should be visually compatible with the buildings and environment with which it is visually related. **Staff***

Comment: Overall addition volume matches that of buildings in the vicinity. Slightly larger total volume would also be acceptable.

- (3) Proportion of front facades. In the street elevation of a building, the proportion between the width and height in the facade should be visually compatible with the buildings and environment with which it is visually related. **Staff Comment: the front façade is proportional to itself and neighboring buildings**
- (4) Proportion of openings. The proportions and relationships between doors and windows in the street facades should be visually compatible with the buildings and environment with which they are visually related. **Staff Comment: Window and door openings on front façade are compatible with neighboring buildings.**
- (5) Rhythm of solids to voids. The rhythm of solids to voids created by openings in the facade should be visually compatible with the buildings and environment with which it is visually related. **Staff Comment: solids and voids of the proposed addition is well balanced.**
- (6) Rhythm of spacing. The existing rhythm created by existing building masses and spaces between them should be preserved. **Staff Comment: Addition is properly spaced from neighboring structures.**
- (7) Relationship of materials. The materials used in the final facades should be visually compatible with the buildings and environment with which they are visually related. **Staff Comment: Neighboring buildings use a variety of materials including wood and aluminum. The proposed building will use vinyl siding. The previous garage was also covered with vinyl siding until the fire. Per code, the structure can be rebuilt with the same type of siding within 18 months. (Typically Historic Review would require a cement based siding or something similar.) While not similar in type, it will be similar in visual qualities.**
- (8) Relationship of textures. The texture inherent in the facade should be visually compatible with the buildings and environment with which it is visually related. **Staff Comment: Neighboring buildings consist of horizontal siding elements and asphalt roofing. The proposed addition will have these same elements.**
- (9) Relationship of roofs. The design of the roof should be visually compatible with the buildings and environment with which it is visually related. **Staff Comment: Neighboring buildings consist of gabled style shingled roofs. The proposed addition will have these same elements.**
- (10) Landscaping. The landscape plan should be sensitive to the individual building, its occupants and their needs. Further, the landscape treatment should be visually compatible with the buildings and environment with which it is visually related. **Staff Comment: No landscaping is shown on site plans. The neighboring buildings along the alley also have no landscaping.**

- (11) *Directional expression of front elevation. All street facades should blend with other buildings via directional expression. When adjacent buildings have a dominant horizontal or vertical expression, this expression should be carried over and reflected. **Staff Comment: Proposed addition maintains a horizontal direct expression, similar to the primary residence.***
- (12) *Relationship of architectural details. Architectural details should be incorporated as necessary to relate the new with the old and to preserve and enhance the inherent characteristics of the area. **Staff comment: Architectural details on the proposed building are minimal. Historic preservation discussed and approved the building with minimal details, similar to other alley buildings.***

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. The recommended motion includes a condition.

Staff recommended motion for CUP: *The Plan Commission approves issuance of a Conditional Use Permit for construction of an addition to a historic structure on parcel 6-27-170, 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 condition:*

1. *Any variation from Historic Preservation Commission approved plans including exterior materials. Building openings or general building form will require a new CUP approval.*

SECTION	REQUIRED ATTACHMENTS
---------	----------------------

5

Please attach the following required items using the space as necessary. **Each attachment should be marked with a**

1. Clear photo(s) of every portion of the property affected
2. Historic photograph (if available)
3. Site plan (if applicable)
4. Exterior elevations or sketches of existing conditions and proposed work
5. Samples or specifications of proposed materials
6. Additional attachments that may assist in understanding the proposed work

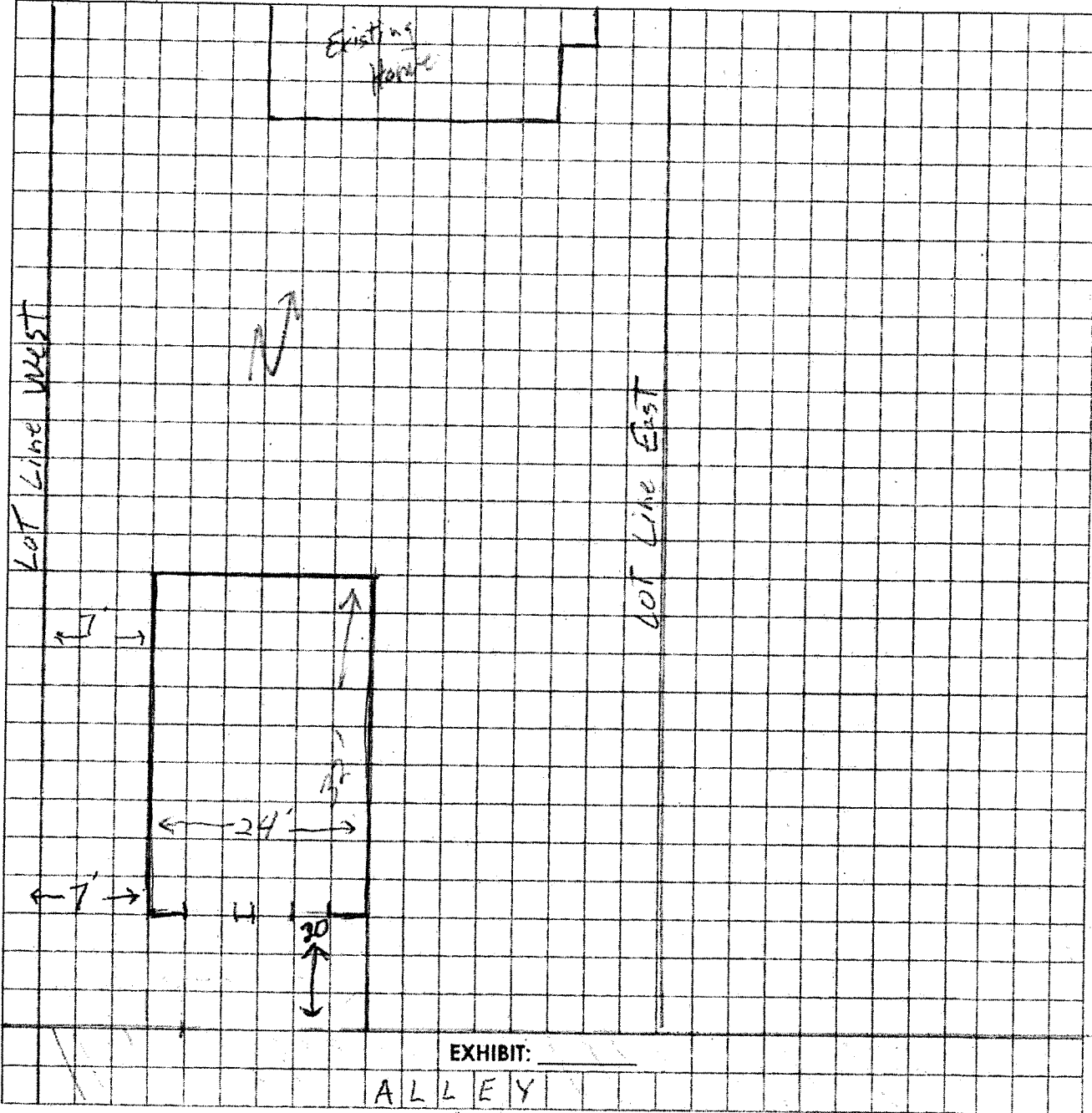


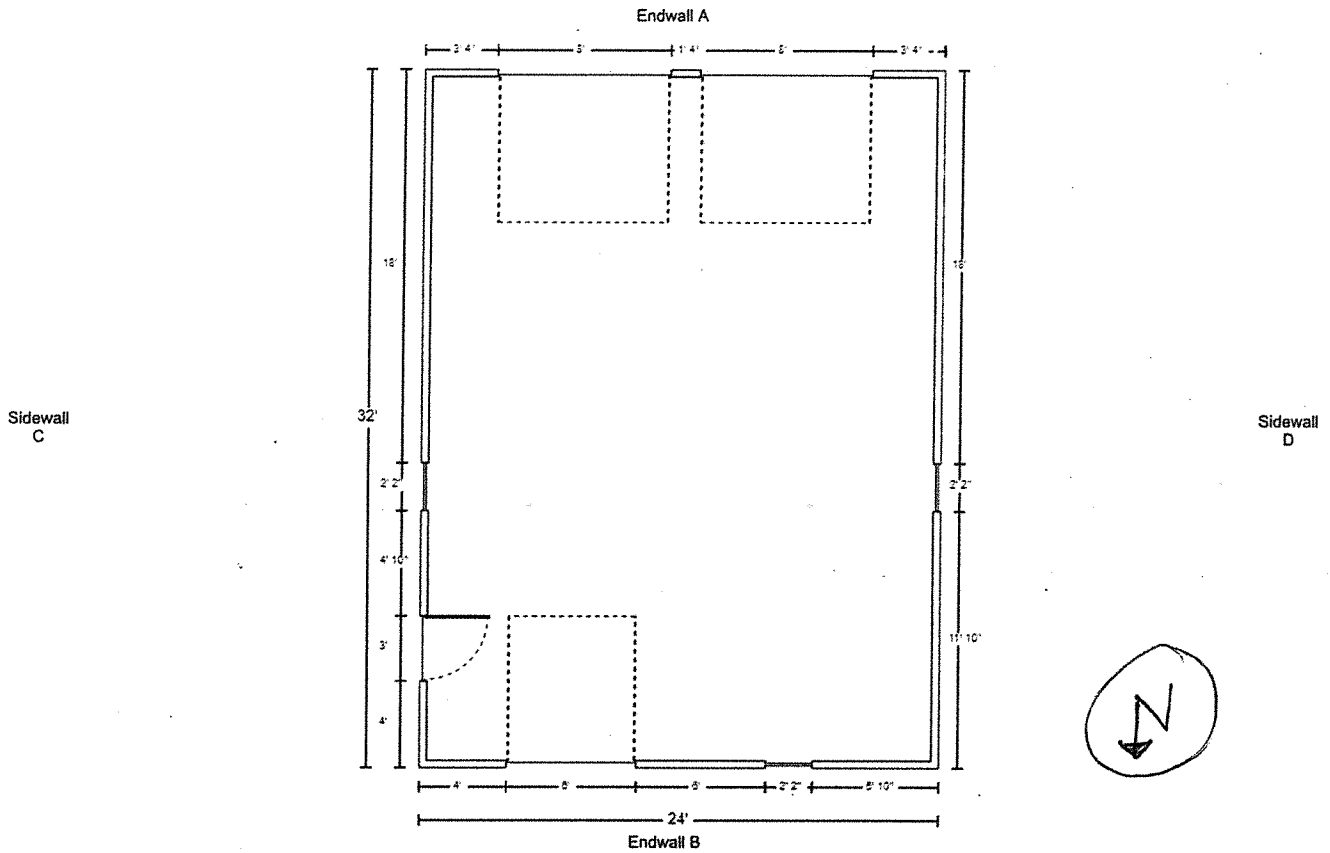
EXHIBIT: _____

ALLEY

Projected
Cost \$29,200

Garage Floor Plan

**Illustration may not depict all selections.



Design Name: 129 W Church
 Design ID: 325252512244
 Date: 04/27/2020
 Estimate ID: 69767

Estimated Total Price: \$9976.12*

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included. Price does not reflect mail-in rebates.

How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into the Garage Estimator Search Saved Designs page.
3. Apply the design to System V to create the material list.
4. Take the purchase documents to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Select the Garage Estimator from the Project Center.
3. Select Search Saved Designs.
4. Log into your account.
5. Select the saved design to load back into the estimator.
6. Add your garage to the cart and purchase.

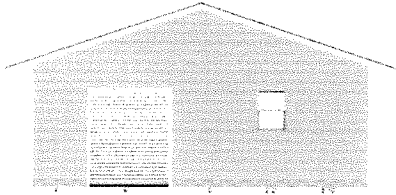
Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

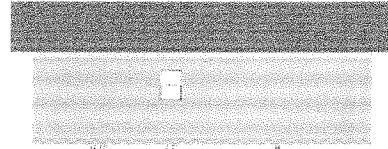
Wall Configurations

*Illustration may not depict all options selected.



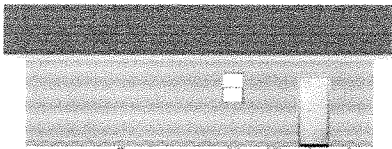
ENDWALL B (NORTH)

- (1) - JELD-WEN® 26"W x 36"H Good Series Vinyl Double Hung Windo...
- (1) - Ideal Door® 6' x 7' Ribbed Model 200M Roll-Up Door



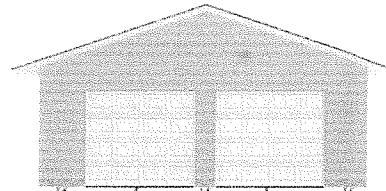
SIDEWALL D (WEST)

- (1) - JELD-WEN® 26"W x 36"H Good Series Vinyl Double Hung Windo...



SIDEWALL C (EAST)

- (1) - JELD-WEN® 26"W x 36"H Good Series Vinyl Double Hung Windo...
- (1) - Mastercraft® Primed Steel 6-Panel Prehung Exterior Door



ENDWALL A (SOUTH)

- (2) - Ideal Door® 3-Star 8' x 7' White Standard Value Non-insulated Ga...

*Some items like wainscot, gutter, gable accents, are not displayed if selected.



STAFF REPORT – CONDITIONAL USE PERMIT APPLICATION

App. No.: CUP-2020-03

Applicant/Property Owner: Raquel Michel

Address: 510 S Madison St.

Parcel No.: 6-27-938A

Tax ID: 22207700801

June 2, 2020

Prepared by: Jason Sergeant, Community Development Director
 Prepared for: City of Evansville Plan Commission

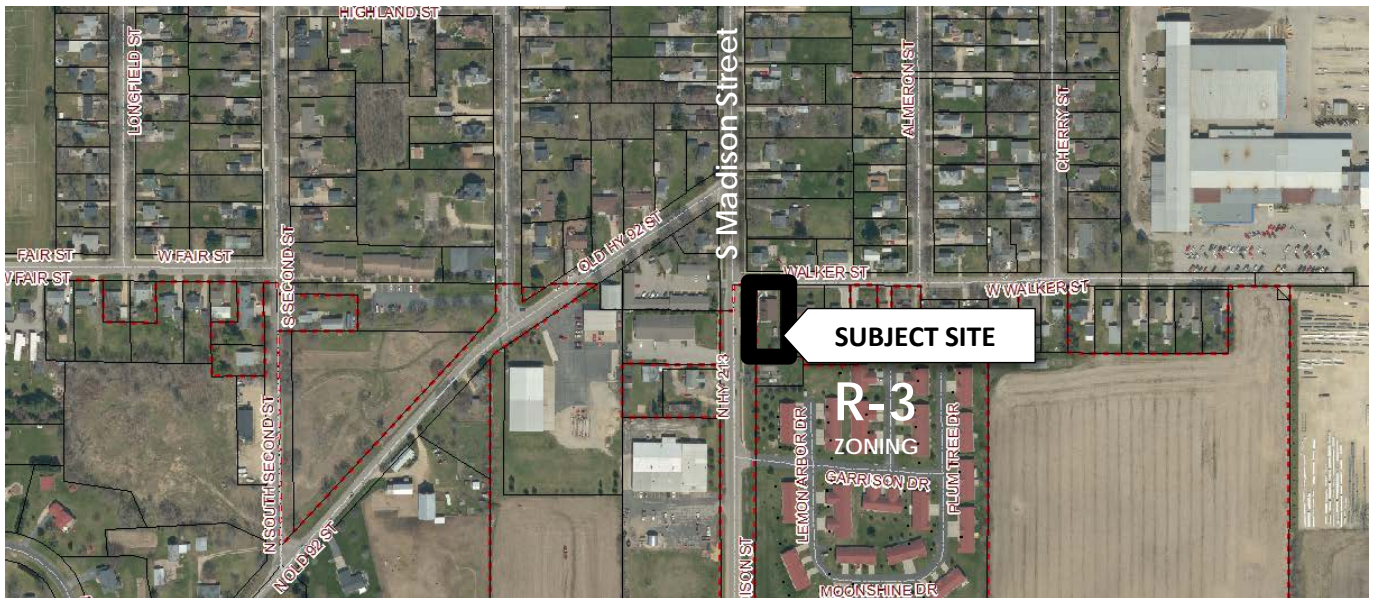


Figure 1 Location Map

Description of request: an application for a conditional use permit on parcel 6-27-983A (Tax ID 22207700801) located at 510 S Madison Street has been submitted for consideration by the Plan Commission. **The request is to operate an indoor commercial entertainment use per section 130-408 and an outdoor commercial food and beverage service per section 130-538 that includes coffee shop, café, and outdoor seating.** The Parcel is zoned B-1 Community Business, as per the Evansville Zoning Ordinance a CUP is required for all café uses.

Staff Analysis of Request: The proposal is believed to meet the minimum standards of the zoning district.

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 good stewardship of the Historic Districts.

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: 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: A café is an appropriate use in the B1 district.

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 connected to 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. The recommended motion includes a condition.

Staff recommended motion for CUP: *The Plan Commission approves the issuance of a Conditional Use Permit for a café per Sec. 130-408 with Outdoor Food and Beverage Service per Sec. 130-538 on parcel 6-27-983A, 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. *CUP is recorded with the Rock County Register of Deeds.*
2. *Applicable State of WI certifications, approvals and licensing for all facilities are maintained*
3. *Operating hours no earlier than 6am and no later than 10pm daily.*
4. *3 trees planted and 7 individual parking spaces delineated by June 30, 2020*

CONDITIONAL USE APPLICATION

CUP-2020-03

Evansville, Wisconsin

Version: 2015

- Office Use Only -

Initial application fee	\$300
Receipt number	1.141051
Date of pre-application meeting	N/A -
Date of determination of completeness	6/20/2020
Name of zoning administrator	J. Sergeant
Date of Plan Commission review	6/2/2020
Application number	CUP-2020-03

CITY OF EVANSVILLE
31 SOUTH MADISON STREET
PO BOX 529
EVANSVILLE WI 53536 608-882-2266

Receipt No: 1.141051 May 19, 2020

MICHEL RAQUEL

General instructions. Complete this application as it applies to your project. Submit one copy of the application form, **20 copies of any maps**, and the required application fee to the Community Development Director. Before you formally submit your application and fee, you may submit one copy to the Community Development Director, who will ensure it is complete. If you have any questions, contact the Interim Community Development Director at 608.882.2285 or jason.sergeant@ci.evansville.wi.gov. You may download this file as a Microsoft Word file off of the City's website at: www.ci.evansville.wi.gov.

PLEASE COMPLETE ALL SECTIONS OF THIS APPLICATION AND INCLUDE ALL REQUESTED MAPS. THE APPLICATION WILL NOT BE REVIEWED UNTIL THE ENTIRE APPLICATION IS COMPLETED.

Previous Balance: .00
PLANNING/DEVELOPMENT REVENUE
CON USE PERMIT- WILLOW 300.00
BAY COFFEE SHOP 205 N
SIXTH ST CUP-2020-03
6-27-983A
10-44400-560
ZONING PERMITS & FEES

Total: 300.00

CHECK
Check No: 1152 300.00
Payor:
MICHEL RAQUEL

Total Applied: 300.00

Change Tendered: .00

05/19/2020 03:17PM

1. Applicant information

Applicant name Raquel Michel - Willow Bay Coffee Shop

Street address 205 North Sixth Street

City Evansville

State and zip code WI 53536

Daytime telephone number 608-882-4039

Fax number, if any _____

E-mail, if any beyondwillow@gmail.com

2. Agent contact information. Include the names of agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	Agent 1	Agent 2	Agent 3
Name			
Company			
Street address			
City			Paid To:
State and zip code			City of Evansville
Daytime telephone number			
Fax number, if any			Receipt: 1.141051 300.00
E-mail, if any			MICHEL RAQUEL May 19, 2020 03:17PM

CONDITIONAL USE APPLICATION

CUP-2020-03

Evansville, Wisconsin

Version: 2015

3. Subject property information

Street address	510 South Madison St.		
Parcel number	6 - 27 983A _____	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.	
Current zoning classification(s)	Agricultural District A Residential Districts RR LL-R12 LL-R15 R-1 R-2 R-3 Business Districts B-1 B-2 B-3 B-4 B-5 Planned Office District O-1 Industrial Districts I-1 I-2 I-3		
Describe the current use	The building at 510 South Madison Street has been remodeled and updated with new electrical and roof. The one side of the building is being used as a home decor and vintage shop. We have been open approximately 1 year. The garage side of the building has just been updated and was used for storage space. It is now going to house a coffee shop called Willow Bay Coffee.		
Full legal description *You can request this information from Real Property *This may be attached as a separate file	PT NW1/4 NE1/4 COM NW COR SEC 34, E 60', S 165', W 60', N 165' TO POB & N 165' OF PT NE1/4 NW1/4 LYING E OF STH 213		

4. Proposed use. Describe the proposed use.

We would love to have a sister shop to Just Beyond the Willow called Willow Bay Coffee Shop in the now completed and updated garage area. We will provide a welcoming environment for all to gather. We will offer coffee and other beverages along with partnering with a local food place to provide baked goods and food that will be prepared at their shop and brought to ours. We will provide outdoor seating on a deck and grassy area during the warmer season along with indoor seating during inclement weather.

5. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

Our hours of operation will most likely be from 6:00 a.m. until 10:00 p.m. for the coffee shop. The hours of the retail shop will run until 5:00 p.m. These hours are tentative depending on the amount of business and if changes may need to be made. We will most likely be open Monday-Friday for the coffee shop and include Saturdays for retail.

6. Potential nuisances. Describe any potential nuisances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

The building is on a fairly busy road (213) so the traffic is heavy at times and people do not always drive at the designated speed. We may have some traffic issues when people are slowing down to enter the parking lot and others are speeding up to go out of town. There will also hopefully be noise from customers and people frequenting the shop.
We may also have smaller get togethers with local bands and or flea/farmer markets in the future

7. Review criteria. Describe the reasons why you believe the proposed use is in keeping with the City's master plan. Refer to Section 130-104(3)a-f of the Municipal Code for the review criteria.

CONDITIONAL USE APPLICATION

CUP-2020-03

Evansville, Wisconsin

Version: 2015

I believe that the proposed use of a quaint coffee shop on this side of town will benefit the city of Evansville by providing a beautiful place for people to gather. We have worked very hard to fix up this building and have gotten a lot of positive comments from neighbors and Evansville residents. We will always work with the city and surrounding houses to ensure that all are happy.

8. Other information. Provide any other information relating to the intended project and its relation to nearby properties.

We are very conscious of our neighbors and will do our very best to be respectful to them.

9. Site plan. Include 20 copies of a site plan (11" x 17") with the application. In addition, the Community Development Director may require one copy that is 24" x 36". A checklist of items that must be shown on the site plan is included at the end of this application.

10. Location map. Include a map (8 1/2" x 11") that shows the subject property and all parcels lying within 250 feet of the subject property. This map shall be reproducible with a photocopier, at a scale which is not less than one inch equals 600 feet. It shall include a graphic scale and a north arrow.

Governing Regulations The procedures and standards governing this application process are found in Chapter 130, Article 2, Division 8, of the Municipal Code.

11. Applicant certification

- I certify that the application is true as of the date it was submitted to the City for review.
I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the Municipal Code.

Raquel Rae Michel

May 13, 2020

Applicant Signature

Date

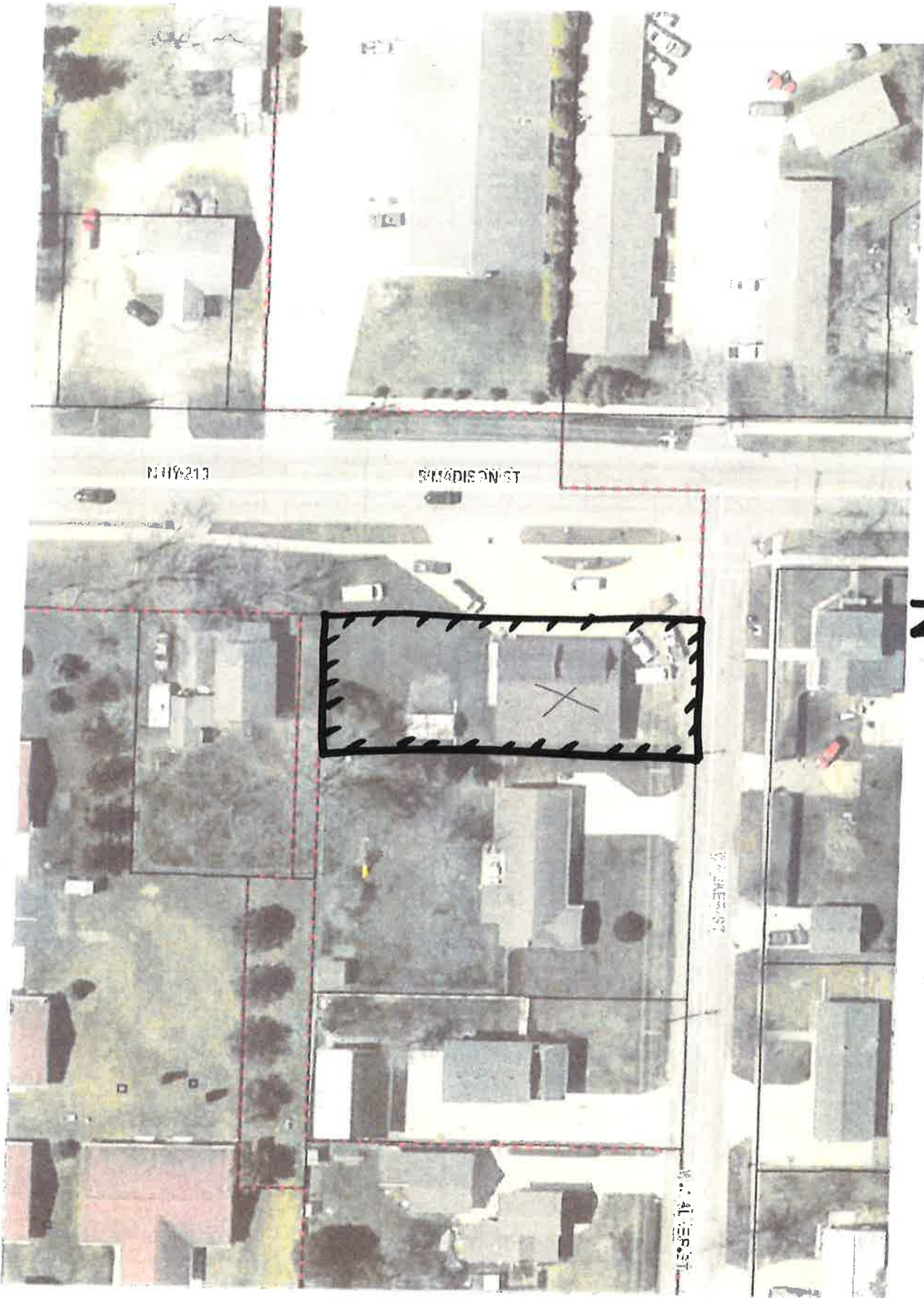
12. Landlord certification (if applicable)

*If you do not own the building that houses your business, you must have your landlord sign this application

- I certify that the application is true as of the date it was submitted to the City for review.
The applicant has discussed their plans with me, and I support their application for this conditional use permit in my building.

Landlord Signature

Date



Madison St

W 2nd St

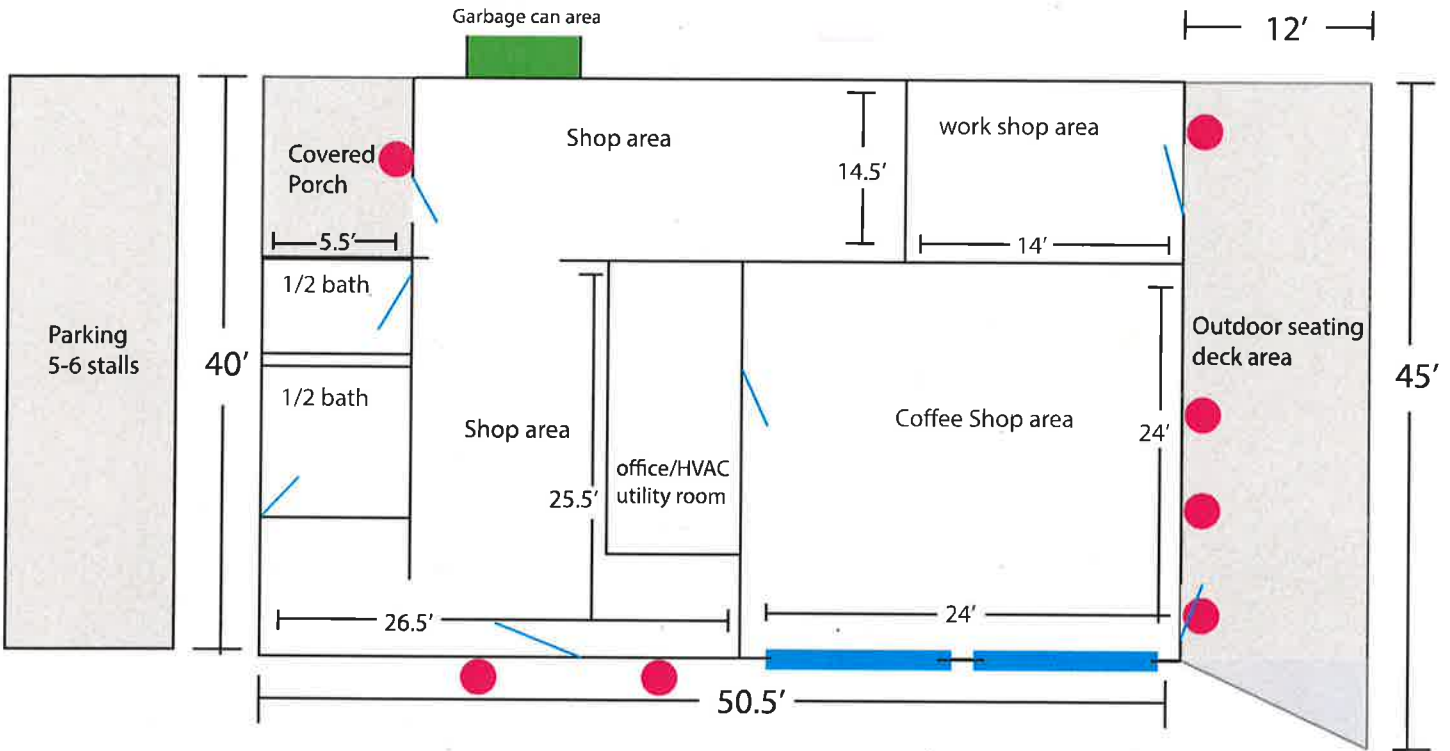
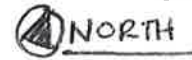
W 3rd St


W 4th St



S

E



 = Doors and garage doors

 = Outdoor lighting

parking 2 stalls near green space by deck

parking 2-3 stalls in front of building near green space



Building Sketch

Raquel & Keith Michel
 510 S Madison St.
 Evansville WI, 53536
 Willow Bay Coffee Shop

6-27-983A

2,000 SF BLDG = 7 PARKING SPACES \$ 200 LANDSCAPE POINTS



510 South Madison

Evansville, WI

Just Beyond the Willow - Willow Bay Coffee Shop



Front of building - Shop on left - Willow Bay Coffee on Right



Opposite side of Willow Bay Coffee with seating - door to enter and go outside for deck dining on that wall



Garage doors can open in good weather for additional outdoor seating feel



Outdoor dining for Willow Bay Coffee Shop - Red door enters into Coffee Shop



Counter inside the coffee shop - door into utility room

PLAT OF SURVEY

7C

PARCEL A:
PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 23, T.4N., R.10E., OF THE 4TH P.M., TOWN OF UNION, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at cut stone monument at the SE Corner of said Section; thence N89°56'43"W 624.04 feet to an iron pipe at the SE Corner of Lot 1 of a Certified Survey Map recorded in Volume 5, Page 2; thence N0°03'35"E 180.0 feet to an iron pipe at the NE Corner of said Lot; thence N89°56'28"W along the North Line of said Lot, 175.99 feet to an iron pin at the place of beginning for the land to be herein described; thence N89°56'28"W continuing along said North Line, 133.76 feet to an iron pipe at the NW Corner of said Lot; thence N30°38'57"E along the SE Line of C.T.H. "M", 50.0 feet to an iron pin; thence S68°16'11"E 116.56 feet to the place of beginning.

NOTE: The above description is for the transfer of land between owners of adjoining property and cannot be transferred as a separate parcel.

PARCEL B:
PART OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 5, PAGE 2 OF CERTIFIED SURVEY MAPS, AS DOCUMENT NO. 830542 AND LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 23, T.4N., R.10E., OF THE 4TH P.M., TOWN OF UNION, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at cut stone monument at the SE Corner of said Section; thence N89°56'43"W 624.04 feet to an iron pipe at the SE Corner of said Lot; thence N0°03'35"E along the East of said Lot, 152.65 feet to an iron pin at the place of beginning for the land to be herein described; thence N83°37'18"W 149.48 feet to an iron pin; thence N68°16'11"W 29.51 feet to an iron pin on the North Line of said Lot; thence S89°56'28"E along said North Line, 175.99 feet to an iron pipe at the NE Corner of said Lot; thence S0°03'35"W along said East Line, 27.35 feet to the place of beginning.

NOTE: The above description is for the transfer of land between owners of adjoining property and cannot be transferred as a separate parcel.

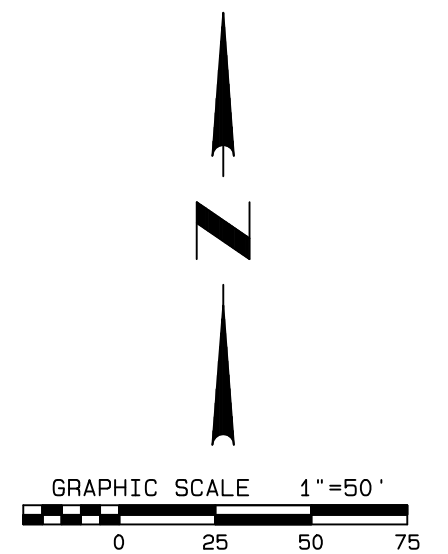
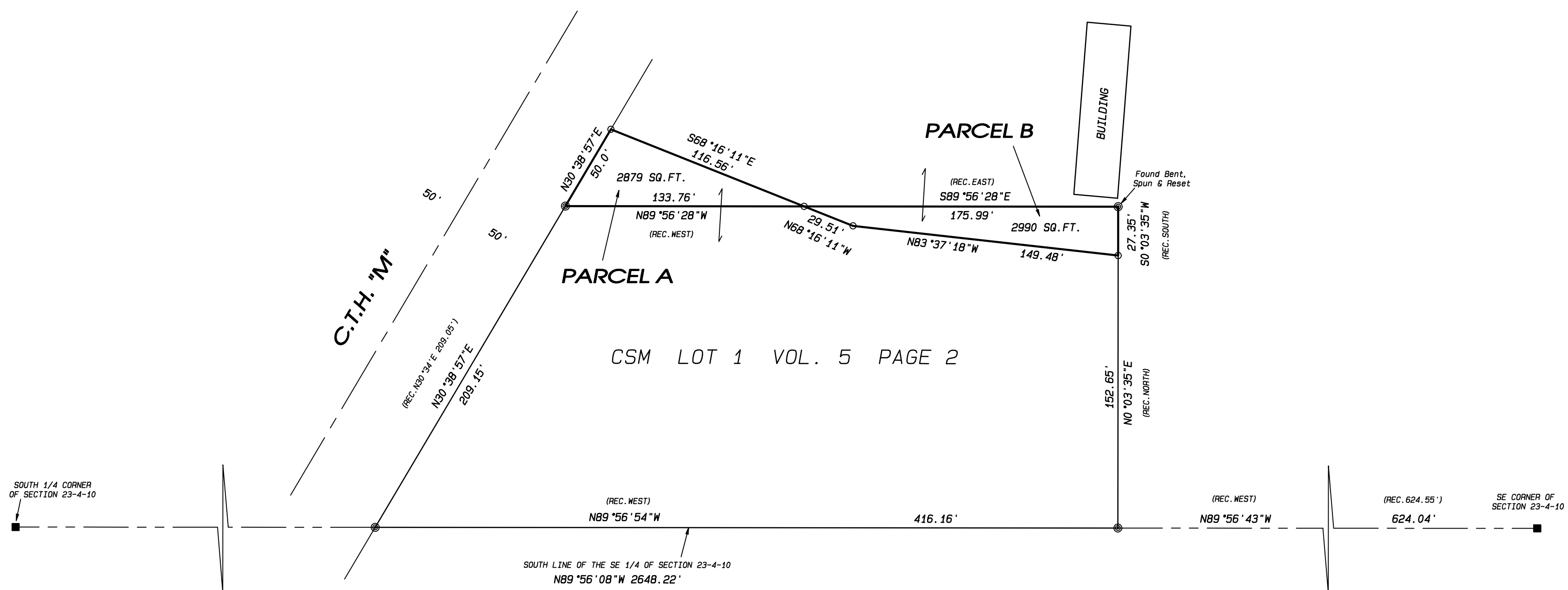
STATE OF WISCONSIN
COUNTY OF ROCK SS.

I HEREBY CERTIFY THAT I HAVE SUPERVISED THE SURVEY OF THE PROPERTY DESCRIBED HEREON FOR THE EXCLUSIVE USE OF WILLIAM NORBY AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE PLAT HEREON DRAWN CORRECTLY REPRESENTS SAID SURVEY AND ITS LOCATION AND COMPLIES WITH CHAPTER A-E7.

GIVEN UNDER MY HAND AND SEAL THIS 14th DAY OF MAY, 2020, AT JANESVILLE, WISCONSIN.

Ronald J. Combs
P.L.S. Number 1330

If the surveyor's signature is not red in color, the map is a copy and may contain unauthorized alterations. The certification contained hereon shall not apply to any copies.



- LEGEND:**
- SET IRON PIN, 3/4"x 24", 1.5 LBS./LIN.FT.
 - FOUND 1" IRON PIPE
 - FOUND CUT STONE MONUMENT

NOTES:
FIELD WORK COMPLETED MAY 13, 2020.
THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
ASSUMED N89°56'08"W ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 23-4-10.

<p>109 W. Milwaukee St. Janesville, WI 53548 www.combsurvey.com</p>	<p>• LAND SURVEYING</p>	<p>DATE 05/14/2020</p>
	<p>• LAND PLANNING</p>	<p>BY sll</p>
	<p>• CIVIL ENGINEERING</p>	<p>PROJECT NO. 120-059</p>
	<p>tel: 608 752-0575 fax: 608 752-0534</p>	<p>CLIENT NORBY</p>