

**City of Evansville Plan Commission
Regular Meeting
Monday, May 1, 2017, 6:00 p.m.
City Hall (Third Floor), 31 South Madison Street**

MINUTES

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

2. **Roll Call:**

<u>Members</u>	<u>Present</u>	<u>Absent</u>	<u>Others Present</u>
Mayor Bill Hurlley	P		Community Development Dir. Jason Sergeant
Aldersperson Rick Cole	P		
Aldersperson Erika Stuart	P		
Bill Hammann	P		
John Gishnock	P		
Matt Eaton		A	
Susan Becker	P		

3. **Approval of Agenda:** *Motion to approve the agenda by Hammann, seconded by Stuart. Approved unanimously.*

4. **Approval of Minutes:** *Motion to waive the reading of the minutes from the April 3, 2017 regular meeting and approve them as printed by Hammann, seconded by Cole. Approved unanimously.*

5. **Civility Reminder.** Hurlley 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 Ordinance 2017-04, an Ordinance Rezoning Territory from Residential District Two (R-2) to Residential District Three (R-3) of parcel 6-27-958.091B (756 Brown School Rd.) and all 22 condo units contained within.**

i. **Initial staff comments** – Sergeant summarized his staff report noting this would have no change in the maximum density the site is developed at. This request would allow the condo development to complete as planned. An original PUD on the site expired, so zoning reverted back to R2. Sergeant emphasized the lot should have likely been zoned R3 at the time of the development, skipping the PUD process altogether.

ii. **Public hearing** – Hurlley opened the public hearing at 6:11pm and closed it at 6:13pm. Stuart inquired as to type of housing that would be built. The applicant indicated the development would fit in with the existing condos.

iii. **Plan Commissioner questions and comments** – Commission discussed and clarified the reason for the PUD expiration.

iv. **Motion to recommend Ordinance 2017-04 to Common Council - *The Plan Commission recommends the City Council approve Ordinance 2017-04, Rezoning both parts of Parcel 6-27-958.091B and all 22 condo units contained within at 756***

Brown School Rd. from Residential District Two (R-2) to Residential District Three (R-3) Zoning, finding that the public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning, as identified in Section 130-174(3)a-c of City ordinances. Motion by Hammann, Seconded by Cole. Passed unanimously.

- b. Public Hearing concerning a Conditional Use Permit request for a group development to construct additional dwelling units on parcel 6-27-958.091B (756 Brown School Rd.)**
- i. Initial staff and applicant comments** – Sergeant summarized his staff report
 - ii. Public Hearing** – Hurlley opened the public hearing at 6:20pm, closed it at 6:21pm with no comments received.
 - iii. Plan Commissioner questions and comments** – None
 - iv. Motion with conditions regarding amendment to conditional use permit - The Plan Commission approves issuance of a Conditional Use Permit for a Group Development on parcel 6-27-958.091B, subject to the following conditions:**
 - 1. The applicant records the CUP with the Rock County Register of Deeds Motion by Hammann, second by Stuart. Passed unanimously.**
- c. Public hearing and review of Ordinance 2017-05, an Ordinance Rezoning Territory from Residential District One (R-1) to Residential District Two (R-2) including parcels 6-27-559.5031, 6-27-559.5032 and a portion of 6-27-559.500D (Lots 13 and 14 of Stonewood Grove Subdivision)**
- i. Initial staff comments** – Sergeant summarized the staff report clarifying this was a measure to clarify a previous ordinance
 - ii. Public hearing** - Hurlley opened the public hearing at 6:29pm, no comments received, hearing was closed at 6:31pm.
 - iii. Plan Commissioner questions and comments** – Commission discussed if this would create too many two-unit housing parcels in the City. Sergeant indicated all data points demonstrate Evansville is short on the demand for this style of housing.
 - iv. Motion to recommend Ordinance 2017-05 to Common Council - The Plan Commission recommends the City Council approve Ordinance 2017-05, Rezoning proposed Lots 13 and 14 of Stonewood Grove Subdivision that includes parcels 6-27-559.5031, 6-27-559.5032 and a portion of 6-27-559.500D) from Residential District One (R-1) to Residential District Two (R-2) Zoning, finding that the public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning, as identified in Section 130-174(3)a-c of City ordinances, with the following conditions:**
 - 1.) Final Land Division Application is submitted, approved and recorded with the Rock County Register of Deeds.****Motion by Hammann, Second by Cole. Passed unanimously.**
- d. Site plan review for 15 and 19 E Main Street (Parcels 6-27-112.1 and 6-27-113)**
- i. Initial Staff and Applicant Comments** – Sergeant presented his staff report and highlighted the bay window overhand as needing a special condition and agreement.
 - ii. Plan Commissioner Questions and Comments** – Commission discussed the positive addition to the downtown.
 - iii. Motion - The Plan Commission approves the site plan for Parcel 6-27-112.1 and 6-27-113, finding the proposal is consistent with Section 130-131 of the zoning ordinance, subject to the following conditions:**

1. Agreement is signed with City for use of right of way as a result of bay window overhang.
 2. Parking requirements are waived.
 3. Conditional use permits are requested for outdoor food and beverage and restaurant uses.
 4. Residential uses on Parcel 6-27-112.1 are maintained.
 5. No change is made to the facades of 6-27-112.1.
- Motion by Hammann second by Cole, passed unanimously.

e. **Public Hearing concerning a conditional use permit to allow construction of a new structure in the Historic Conservation Overlay District located at 15 and 19 E Main Street on parcels of land (6-27-112.1 and 6-27-113) zoned Central Business District (B2).**

- i. **Initial staff and applicant comments** – Sergeant presented his staff report
- ii. **Public Hearing** - Hurtley opened the public hearing at 7:12pm, no comments received, hearing was closed at 7:13pm.
- iii. **Plan Commissioner questions and comments** – Commission expressed support for the design and was glad to see a proposal come forward.
- iv. **Motion with conditions regarding amendment to conditional use permit - The Plan Commission approves issuance of a Conditional Use Permit for construction of a new structure at 15 and 19 E Main Street, subject to the following conditions:**
 1. Window placement is adjusted on the Maple St. Facade
 2. Oval windows in Maple St. service doors are removed
 3. Wide trim board added above lower windows on Maple Street Facade
 4. Cement board based siding and trim used as exterior material
 5. Exposed foundation is to remain concrete
 6. Historic Preservation Commission approves the final building plans.

Motion by Hammann second by Cole, passed unanimously.

f. **Discussion regarding possible revisions and additions to existing conditional uses at 15 and 19 E Main St.** – Sergeant informed committee the indoor commercial entertainment CUP for the property would be revised and a new CUP would be requested for outdoor dining.

g. **Discussion and possible motion regarding Site Plan for USPS Facility at 410 Water Street** – Commission discussed proposed site plan and would like to see minor modifications made as outlined in Staff’s comment letter.

8. Old Business

- a. **Update on Building Inspector/Code Enforcement Position hiring process** – Sergeant informed a inspector has been hired.
- b. **Update on upcoming Municipal and Zoning Code updates, background materials for:**
 - i. **Sewer service area** – Sergeant informed commission this would likely not require an ordinance rewrite and could be handled by staff interpretation and research.
 - ii. **Amusement Licensing** – Commission discussed need for such lighting
 - iii. **Swimming Pools** – Commission discussed fencing and pool type regulations.
 - iv. **Lighting** – Commission discussed the draft ordinance and would like to see moderate approach to the regulation and agree it is important to avoid large scale lighting nuisances.

9. Monthly Reports

- a. **Report from the Community Development Director.**

- i. **Report on permitting activity by Zoning Administrator.** None
- ii. **Report on enforcement.** None
- iii. **Other-** Sergeant noted a communication tower application was submitted but is on hold while the applicant finds a suitable location.
- b. **Report of the Evansville Historic Preservation Commission.** None
- c. **Report on Common Council actions relating to Plan Commission recommendations.** None
- d. **Report on Board of Appeals actions relating to zoning matters.** None
- e. **Planning education/news:** Sergeant summarized the article regarding Zoning Practice: Group Housing

10. Next Meeting Dates: Monday, June 5th, 2017 at 6pm

11. Motion to Adjourn by Hammann, seconded by Stuart, passed unanimously.