

**City of Evansville Plan Commission
Regular Meeting
Monday, September 1, 2015, 6:00 p.m.
City Hall (Third Floor), 31 South Madison Street**

MINUTES

- 1) **Call to Order** at 6:00pm.
- 2) **Roll Call.** Members present: Mayor Sandy Decker, John Gishnock, Rick Cole, Matt Eaton and Bill Hammann. Members Absent: Josh Manring and Barbara Jacobson. Others present: Community Development Director Jason Sergeant, City Administrator Ian Rigg, Dan Emery, Alan Pitus, John Decker, Roger Berg, Greg Helgesen, scot and Joan Smith.
- 3) **Approval of Agenda.** Motion to approve the September 1, 2015 agenda by Hammann/Eaton, approved unanimously.
- 4) **Defer Approval of Minutes:** Motion to wave the reading of the minutes from August 3, 2015 regular meeting and August 24, 2015 special meeting and approve them as printed by Hammann/Gishnock, approved unanimously. Hammann noted his name was spelled incorrectly in August 3, 2015 minutes.
- 5) **Civility Reminder.** Decker noted the City's commitment to civil discourse.
- 6) **Citizen appearances other than agenda items listed.** None.
- 7) **New Business**
 - a. **Continuation of August 3, 2015 Public Hearing concerning an application for a conditional use permit to allow construction of a new home in the Historic Conservation Overlay District located at 268 W Liberty Street on parcel of land (6-27-207) zoned residential (R1).**
 - i) **Initial staff and applicant comments.** Sergeant provided a brief overview of staff report including the history of the application thus far. The application is to construct a two story, two unit dwelling. Staff recommends approval with the addition of several conditions. However, the applicant submitted revised plans that reflect a majority of conditions being met, staff recommends not including conditions that have been met. Sergeant pointed out the application is consistent with the future land use goals of density near downtown. Decker distributed the HC Overlay district section of the zoning ordinance.
 - ii) **Continuation of August 3, 2015 Public Hearing.** Decker opened the public hearing at 6:13pm. Greg Helgesen of 16928 W Porter Road spoke as the applicant. Helgesen indicated the proposal passed HPC review and he worked closely with staff to meet the conditions of the code. Helgesen noted this was a four square style home, of which 16 already exist in the Alan Pitus of 120 W Church St. asked what the dimensions of the structure are. Sergeant clarified the size to be 35' by 36' not including the front porch. Pitus asked what would happen if the home is not built to the specifications of the plans. Karen McCallister of 328 W Main Street commented that a lack of garages would result in street parking. Dan Emery of 432 Longfield Street asked if context is being considered and if any other two unit townhouse is anywhere in the historic district. Emery noted the parcel has a CUP for two units but doesn't think it was truly a two unit building. Emery noted cars will park on the street and in the front lawn due to a lack of garages. Pitus expressed additional concern over this being an example of permission being given for small changes, like two units and then later pushing the limits of the approval to make a larger change, like building a large two unit home. Pitus expressed dissatisfaction with previous actions in the historic district such as burning down a house to create a parking lot. Helgesen spoke and mentioned that he has spent a lot of time on the proposal and wished others would have expressed concern earlier in the process. Decker closed the public hearing at 6:44pm.

iii) **Plan Commissioner questions and comments.** . Hammann reviewed the findings of the HPC and verified the concerns expressed by HPC are addressed through the applicant’s updated proposal and staff conditions of approvals. Sergeant clarified that any lack of compliance would result in enforcement action. Eaton mentioned the construction would likely include a frost wall as part of the foundation resulting in the home being about 1 foot above finish grade. Several audience members and commissioners discussed the foundation type and how it will appear to the street with a slab foundation. Eaton also noted the proposal was very similar to a neighboring home and suggested using “hardy board” type siding would help. Decker read a letter from Nancy Kress regarding the proposal. Decker reviewed staff findings as part of the zoning ordinance. Hammann recommended leaving all conditions of approval in place so they are part of the approval.

iv) **Motion regarding conditional use permit application.** *Finding that the proposal is consistent with Section 130-104(3) and Section 130-123 and has no adverse impact on neighboring properties. The Plan Commission approves issuance of a Conditional Use Permit for construction of a two family dwelling subject to the following conditions (including adding of a wide trim board with brackets under soffit):*

1. *All windows are double hung 4 over 4 panes*
2. *Wide vertical trim of 6” around doors, windows, corners and horizontal lap siding with a 4” exposure used on exterior.*
3. *The height of the front porch is increased by approximately 1 foot and decorative detail is added under porch soffit.*
4. *Roof structures are added over back doors.*
5. *Applicant works with staff in adjusting window placement on side facades.*
6. *Applicant submits a site plan and landscaping plan for staff approval.*
7. *Historic Preservation Commission approves the final building plans.*

Motion by Hammann/Gishnock, approved unanimously.

b. **170 S Union Final Land Division Application: Motion to recommend approval to council.** Sergeant explained this was finalizing an existing preliminary land division already approved. Motion by Hammann/Cole, approved unanimously.

c. **Public Hearing for Ordinance 2015-04, An Ordinance Amending Chapter 54 of the Municipal Code Relative to Floodplain Zoning By Adopting New Flood Insurance Rate Maps and Corresponding Flood Insurance Study Report. (sponsors Brooks and Cole)**

- i) **Initial staff comments.** Sergeant indicated this was part of adopting the FIRM to continue to be eligible for the NFIP.
- ii) **Public Hearing.** Decker opened the public hearing at 6:59pm. No comments were received, Decker closed the public hearing at 7:00pm.
- iii) **Plan Commissioner questions and comments.** None
- iv) **Motion to recommend to Common Council the adoption of Ordinance 2015-04 as drafted.** Hammann/Cole, approved unanimously.

8) **Old Business, Smart Growth Plan update, review and discussion.** Decker noted Chapters 6 and 7 had the most revisions. Sergeant provided an overview of the changes. No comments were received on Chapters 1 through 4. Hammann mentioned making Brown School Rd into a primary local road. Sergeant clarified the linetypes on the transportation map include regional trail connections. Cole suggested removing the word morals from page 3. Sergeant overviewed the changes in chapters 6 and 7. Committee members noted a number of changes needed to the Community Facilities Map. The Future Land Use map was reviewed by staff. Decker highlighted some major themes of the plans including: future land use map showing growth north, traditional neighborhood activity centers, historic preservation ordinance importance, bike and recreation trails, walkability, sidewalks on both sides of all streets, quality of life focus, increasing density and town of union concerns over growth. Commission members agreed there was a consensus staff can present the plan for preliminary review at the next Common Council meeting. Sergeant provided a brief update on the ice age trail.

9) Monthly Reports

- a. Report on other permitting activity by Zoning Administrator.** None
- b. Report of the Evansville Historic Preservation Commission.** Brief discussion on an upcoming ordinance updates.
- 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. Report on enforcement.** Sergeant noted he is looking to complaints about the newly remodeled car wash and signage concerns.
- f. Planning education/news.** None

10) Next Meeting: Monday, October 5, 2015 at 6 p.m.

11) Motion to Adjourn. Motion by Hammann/Cole at 9:08pm