

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

**MINUTES**

- 1) **Call to Order** at 6:01 pm.
- 2) **Roll Call.** Members present: Mayor Sandy Decker, John Gishnock, Rick Cole, Josh Manring and Bill Hammann. Others present: Community Development Director Jason Sergeant, Ronald J. Combs of Combs & Associates, Greg Barker of 401 S. Second Street.
- 3) **Approval of Agenda.** Motion to approve the December 1, 2015 agenda by Hammann/ Cole. Approved unanimously.
- 4) **Approval of Minutes:** Motion to waive the reading of the minutes from the November 2, 2015 regular meeting and approve them as printed Hammann/ Manring. Approved unanimously.
- 5) **Civility Reminder.** Decker noted the City's commitment to civil discourse.
- 6) **Citizen appearances other than agenda items listed.** Ronald J. Combs of Combs & Associates commended Mayor Sandy Decker for her service to the City.
- 7) **New Business**
  - a. **Public Hearing concerning an application for a conditional use permit for a dwelling between 900 and 1,200 sq. ft. in a Residential (R1) district at 409 S Second Street (Parcel 6-27-436)**
    - i. **Initial staff and applicant comments.** Sergeant provided an overview of his staff report, applicant proposal, and gave a brief history of the parcel and project. Staff recommends approval subject to conditions.
    - ii. **Public hearing.** Decker opened the public hearing at 6:07pm. Greg Barker of 401 S. Second Street commented on the survey that was performed for the project. He believes that the survey that was performed did not accurately depict the property line between the property in question and his own. Ronald J. Combs of Combs & associates indicated that the difference between the Rock County Real Property Assessment Maps found online and his survey are the result of differences between plat maps and onsite surveys. Combs commented that the item in front of the commission is not related to this dispute. Decker closed the public hearing at 6:13pm.
    - iii. **Plan Commissioner questions and comments.** Commission members discussed that infill projects are positive for the city, and that there had been no property there since 1996 when it had burnt down. Gishnock discussed that the proposed use is consistent with the previous use (single-family home) and that the square footage is similar to the structure that was there previously. A question of potential resale value was brought up. Sergeant noted that there were two potential improvements to the existing home.
    - iv. **Motion regarding conditional use permit application.** *The Plan Commission approves issuance of a Conditional Use Permit for a Single-family dwelling unit with an above-grade floor area of at least 900 and less than 1,200 Sq. Ft. The Plan Commission has found 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. The Permit is approved subject to the following conditions:*
      - 1) *The occupant shall comply with all provisions in the city's zoning code, as may be amended. Including limiting the height of the detached garage to the height of the principle structure.*
      - 2) *The use shall not cause a public or private nuisance as defined by State law.*

- b. **Public hearing and review of a preliminary and final land division application for a certified survey map (CSM) to split parcel 6-27-970.9C, located on W Main Street into two parcels.**
  - i. **Initial staff and applicant comments.** Sergeant provided an overview of his staff report and provided some background to the project. He noted that the proposal was recommended to common council by the municipal services committee last week and he had incorporated their recommendations in his staff report. He pointed out that the parcel currently has an existing non-conforming accessory building on it. Sergeant also noted that the applicant had applied for a land division in both 2006 and 2007. The division was not approved in 2006, but was approved in 2007. The land division was never recorded and so no longer applied. Staff recommends approval with conditions.
  - ii. **Public hearing.** Decker opened the public hearing at 6:24 PM. No Comments. Decker closed the public hearing at 6:27 PM.
  - iii. **Plan Commissioner questions and comments.** Gishnock noted that the land division was already approved once. Sergeant mentioned that with the land division the parcel could become conform to the zoning code by building a principle structure, which is the intention. Mayor Decker noted that builders in the area are indicating a need for more buildable lots so she believed that the parcel will likely be developed quickly.
  - iv. **Motion to recommend preliminary and final land division to Common Council.** *The Common Council approves the preliminary and final certified survey map to divide parcels 6-27-970.9C into two lots, finding that the certified survey map is in the public interest and meets the objectives contained within Section 110-102(g) of City ordinances with the following conditions:*
    - 1) *A 10' utility easement is shown on the south side of both Lot 1 and Lot 2, and if required by municipal services superintendent the west side of Lot 1 and east side of Lot 2*
    - 2) *The existing garage is not expanded***Motion by Hammann/ Cole, approved unanimously.**

## 8) Old Business

- a. **Smart Growth Plan.** Sergeant noted that the plan went through public hearing and council approval November 12, 2015. He also mentioned that the final version is available online at the City of Evansville website and that hard copies would be available shortly. Sergeant also discussed his presentation of the Smart Growth Plan at a luncheon with the Evansville Chamber of Commerce and Tourism. He noted that there was limited questioning and overall approval from attendees.

## 9) Monthly Reports

- a. **Report on other permitting activity by Zoning Administrator.** None.
- b. **Report of the Evansville Historic Preservation Commission.** Decker reported that in the next couple of months there will be movement on updating the Historic Preservation Ordinance to align with findings of the Smart Growth Plan.
- c. **Report on Common Council actions relating to Plan Commission recommendations.** Decker reported that there was a special meeting to adopt the Smart Growth Plan. She also noted that the Common Council adopted the Plan Commission's recommendation to approve a preliminary and final land division to split parcel 6-20-233.01, located at 7801 5<sup>th</sup> Street into three lots. Also, the Common Council adopted the recommendation for a preliminary and final land division to the move the parcel line of parcels 6-27-970.5 and 6-27-970.9E, located on the northwest corner of S 5<sup>th</sup> Street and Porter Rd.
- a. **Report on Board of Appeals actions relating to zoning matters.** None

**b. Report on enforcement.** Sergeant recommended that commission members review the city sign ordinance between now and the next meeting. He intends to add a discussion of temporary signage to the January meeting. The group discussed the history of sandwich boards in town. Members discussed the need to address what the size requirements of the sign ordinance.

**c. Planning education/news.** Sergeant discussed an article titled: *Tree Preservation Ordinances and Green Infrastructure*

**2) Next Meeting: Monday, January 4, 2015 at 6 p.m.**

**3) Motion to Adjourn at 6:47pm. Motion by Hammann, seconded by Cole. Approved unanimously.**

Mayor Sandra J. Decker, Plan Commission Chair