

City of Evansville **Plan Commission**  
**Regular Meeting**  
**Tuesday, November 7, 2017, 6:00 p.m.**  
**City Hall (Third Floor), 31 South Madison Street**

**MINUTES**

1. **Call to Order** at 6:01 pm.

2. **Roll Call:**

<u>Members</u>	<u>Present/Absent</u>	<u>Others Present</u>
Mayor Bill Hurtley	P	Community Development Director Jason Sergeant
Aldersperson Rick Cole	P	Roger Berg of 102 E Main Street
Aldersperson Erika Stuart	P	Erika Stoker of 20 N First Street
Bill Hammann	P	Dave Olsen of 14241 W Golf Air
John Gishnock	P	Applicant Signe Whalen of 18 W Main Street
Matt Eaton	P	
Susan Becker	P	

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

4. **Approval of Minutes:** *Motion to waive the reading of the minutes from the October 2, 2017 regular meeting and approve them as printed by Cole, seconded by Becker. 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 concerning a Conditional Use Permit and Site Plan Application to allow Indoor Commercial Entertainment on parcel 6-27-22 (18 W Main Street)**

- i. Initial staff and applicant comments.** Sergeant presented his staff report summarizing the request and noting the city's child care conditional use would not be needed as the applicant will have less than 9 children participating in the child care.
- ii. Public Hearing.** Hurtley opened the public hearing at 6:05pm and closed it at 6:07pm with no comments from the public.
- iii. Plan Commissioner questions and comments.** Commission members discussed the impact on local traffic and possibility of a drop off designation.
- iv. Motion with conditions.** *Hammann Made a motion, seconded by Cole that was passed unanimously to approve the issuance of a Conditional Use Permit for Indoor Commercial Entertainment for a children's activity and learning center on parcel 6-27-22. 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 business operator shall comply with all provisions in the city's zoning code, as may be amended, including conditional use regulations as per sections 130-408.
2. The business operator shall obtain and maintain all city, state, and county permits and licenses as may be required now and in the future.
3. Any substantial changes to the business model, such as significant differences in hours of operation, or change in type of business, shall require a review of the existing conditional use permit and may require the application, fee, review and issuance of a new conditional use permit.
4. The use shall not cause a public or private nuisance as defined by State law.
5. Hours of operation shall be no earlier than 6am Monday through Sunday and no later than 9pm Monday through Sunday.
6. Parking Requirements Waived per Section 130-798

**B. Review of Site Plan Application for an addition to an existing structure on parcel 6-27-558.1 located at 130 S Fifth Street (Ward Hurlley Funeral Home)** Hurlley abstained from discussion and stepped down to take a seat in the general audience.

- iv. **Initial staff and applicant comments.** Sergeant summarized his staff report, noting the addition of non-required sidewalks.
- v. **Plan Commissioner questions and comments.** Commission discussed the proposal.
- vi. **Motion with conditions.** *Hamman made a motion, seconded by Cole that was approved unanimously to approve the Site Plan for a building expansion at 130 S Fifth Street. 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 Site Plan Approval set forth in Section 130-104 of the Zoning Ordinance. The Site Plan is approved subject to the following conditions:*
  1. The business operator shall comply with all provisions in the city's zoning code, as may be amended, including conditional use regulations as per sections 130-408.
  2. Any substantial changes to the site plan or expected uses shall require a review of the existing conditional use permits and may require the application, fee, review and issuance of a new conditional use permit.
  3. The use shall not cause a public or private nuisance as defined by State law.
  4. Landscaping planted that screens addition and adds 50 landscaping points per Section 130-236

**C. Discussion of Concept Site Plan for parcel 6-27-113 (19 E Main Street).** Sergeant summarized the proposal to include a retail unit, commercial unit and apartments. Berg shared the project would be an asset to the downtown. Commission discussed the good integration of downtown historic design guidelines. Sergeant noted the project would be back for full review next month.

**D. Discussion of revisions to Chapter 130 of the Municipal Code to the R-1, R-2 and R-3 Zoning Districts.** Sergeant summarized his staff memo and hopes to bring ordinances forward soon.

**E. Motion to approve final land division to divide parcel 6-27-585.001 (405 Water Street) into two lots by Hammann, seconded by Cole. Passed unanimously.**

**8. Old Business**

**9. Monthly Reports**

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

**i. Report on permitting activity by Zoning Administrator.** None

**ii. Report on enforcement.** Sergeant shared that property maintenance enforcement is beginning with communications with Police Dept.

**iii. Other-** 155 E Main will have plans created for site fill.

**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:** Thumbs up from the Gazette for good planning decisions by Evansville.

**10. Next Meeting Dates: Monday, December 4, 2017 at 6pm**

**11. Motion to Adjourn by Hammann, seconded by Cole, passed unanimously.**