

**City of Evansville Plan Commission  
Regular Meeting  
Monday, January 4, 2016, 6:00 p.m.  
City Hall (Third Floor), 31 South Madison Street**

**MINUTES**

- 1) **Call to Order** at 6:02 pm.
- 2) **Roll Call.** Members present: Mayor Sandy Decker, Ald. Rick Cole, John Gishnock, Barbara Jackobsen, Matt Eaton  
Others present: Community Development Director Jason Sergeant, Planning Intern Brian Carranza, Bill Obmascher of 772 Brown School Rd, Scott Maclauchlin of 750A Brown School Rd.
- 3) **Approval of Agenda.** Motion to approve the January 4, 2016 agenda by Cole/ Jacobson. Approved unanimously.
- 4) **Approval of Minutes:** Motion to waive the reading of the minutes from the December 1, 2015 regular meeting and approve them as printed Cole/ Jacobson. Approved unanimously.
- 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. **Public hearing and review of preliminary and final land division applications for a Two-family twin lot certified survey map (CSM) to split parcel 6-27-294.01 located at 774-776 Brown School Road into two lots.**
    - i. **Initial staff and applicant comments.** Sergeant provided an overview of his staff report, applicant proposal, and gave a brief description of what makes a two-family twin lot unique. He indicated that the applicant had submitted the required Joint cross-maintenance agreement with the application. The city attorney had reviewed it and provided recommended changes the applicant incorporated. Staff recommends approval subject to conditions. The applicant had no comments.
    - ii. **Public hearing.** Decker opened the public hearing at 6:07pm. Bill Obmascher of 772 Brown School Rd expressed he was opposed to more construction in the area. Scott Maclauchlin of 750A Brown School Rd. asked what the city's view of developing adjacent lots similarly. Sergeant expressed that if proposals came through they would need to go through the same public process. Decker closed the public hearing at 6:08pm.
    - iii. **Plan Commissioner questions and comments.** Jacobson asked if item 5 of the joint cross-access and maintenance agreement meant blocking access to the garage or the driveway? Sergeant answered that the intention is to restrict blocking of the garage. Eaton asked if there was any process for conflict resolution? Sergeant answered that the City has no requirement; however, this was important and a good observation. Jacobson added that she was pleased that item 6 requiring an emergency access key was included.
    - iv. **Recommended Motion- Preliminary and Final Land Division.** *The Common Council approves the preliminary and final certified survey map to divide parcels 6-27-294.01 into a Two-family twin lot, 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. *Exhibit B: Joint Cross Access and Maintenance Agreement is recorded with the Rock County Register of Deeds.*

**Motion by Cole/ Jacobson, approved unanimously.**

**b. Discussion regarding Ordinance 2015-12, amending Section 110-160 Sidewalks and Section 106.**

Sergeant noted that he was seeking Plan Commission input on amending the City of Evansville Sidewalk regulations in order to match goals set in the 2015 Smart Growth Comprehensive Plan Update. He gave an overview of a draft ordinance changing Chapter 110 of the City of Evansville Municipal Code. He added that a discussion will need to be made with the City Attorney to determine where best to place the changes. Chapter 110 would regulate new construction only; however, refers to a public works document from the 1980s showing standards for construction in Chapter 106. Staff inquiry could not find the referenced standard, so this will also need to be developed with consultation of the City Engineer. Sergeant also indicated that addressing sidewalk in new construction is a first step. Decker mentioned that in discussions with City Administrator Ian Rigg, he had expressed concern over Sec. 110-160 (e) 1. His concern was that allowing blocks that have an existing width of 4' to continue as such is undesirable. Gishnock added that in some cases it makes sense for continuity, especially in the historic areas of town. He suggested using a percentage to determine if a sidewalk should be 4' or 5'. The group agreed this made sense. Decker also noted Rigg had concern over Montgomery Ct., which was too narrow to require sidewalks on both sides of the street. The group discussed several options for addressing this and agreed that grandfathering certain streets made sense.

He also seeks input from the commission on how to address infill sidewalk improvements. He presented his staff memos titled: *Recommendations for Addressing Missing Sidewalk Infrastructure*, and *ADA Curb Ramp Standards*. The first memo presented several scenarios, which could be used to trigger private investment on existing parcels. The second memo presented potential conflicts related to ADA accessibility on existing curb ramps in the city, and the need to standardize the use of perpendicular curb ramp construction to ensure public safety. Ald. Cole asked whether using the scenarios was an appropriate method for encouraging infill, or should this be done when the city redoes the streets? Sergeant stated that requiring the improvements within the code may prove to be difficult, but could be implemented as a policy. Mayor Decker recalled two instances where sidewalks needed to be put in during street construction, and this was done for public safety reasons. Ald. Cole noted that there may be instances where islands of sidewalk are put in, and that it may take several years to complete a section in certain parts of town. Decker suggested that for some sidewalk infill it is a planning policy matter. Streets with higher vehicular traffic will typically have higher pedestrian traffic. She believes that identifying specific priority projects would be appropriate. Sergeant suggested that the policy be tied to categories indicated on the newly adopted transportation plan map. For example, prioritizing Existing Arterial and Existing Major Collectors. Gishnock agreed that the scenarios are a start, but need to be complemented by city priorities. Jacobson added that accessibility should also be a priority. Sergeant asked if there were any specific thresholds of development that the commission thought were appropriate. Gishnock noted that the recommendation of development equal or greater to 50% of the assessed value of the home seemed to be founded as a standard by other communities, and seemed reasonable. Decker agreed.

**c. Discussion of temporary signage.** Sergeant gave an overview of his staff memo titled: *Sign regulation Challenges & Suggested Action*. He noted that there were two areas in the sign regulation that he wanted to seek Plan Commission input on.

The first is related to Feather/ Teardrop Advertising Flags. He mentioned that there have been enforcement issues within the city recently. The challenge originates from the fact these types of advertising flags are not explicitly covered under the current sign regulation. Staff recommends that the sign regulation be amended to include Feather/Teardrop Flags under the definition of Banners, due to the fact that they most closely resemble them in use and type. Commission Members agreed that this was appropriate.

Sergeant presented that the second area of concern is related to Sec. 130-1274 of the Evansville Zoning Code, which regulates signs not requiring a permit, or more generally temporary signage. There are three potential challenges that originate in this section.

The first challenge is that banners currently have unenforceable time limitations. For example, banners can be displayed for 28 consecutive days then must be taken down for only a day. Staff recommends an amendment to the sign regulation to adjust the time limits for banners to make enforcement easier. Gishnock noted that temporary signs are difficult to manage, but are important for businesses. He suggested that perhaps the solution is to require businesses to let the city know they were putting one up. Jacobson noted that as technology changes it is important to consider how visually distracting signage could impact public safety. She added that temporary signage does not blend well with the historic character of Evansville.

The second challenge is that the current regulation for the majority of temporary signage does not indicate maximum size. A business could potentially put several very large banners, pennants or flags up. Sergeant noted that section 130-1274 (11) regulates seasonal outdoor sales of farm produce signs, and includes maximum square footage and height of the sign. Staff recommends that this would be appropriate for other forms of temporary signage as well. Committee members agreed that indicating the maximum size of temporary signage in the sign regulation was appropriate.

The third challenge is related to sec. 130-1274 (16), which regulates flags. The current sign regulation allows businesses to put up flags with their logo on it. Sergeant noted that he was not aware of any existing examples within city limits. Mayor Decker indicated her support of disallowing businesses to put their logo on a flag, as she sees it as an advertisement. Gishnock added that he agreed, and didn't think that having a brand logo would be the same as having an American flag up.

Sergeant verified his understanding of the commission's discussion, that they were in favor of indicating time and size limits in the sign regulation.

- d. **Discussion of 2016 Plan Commission meeting dates.** Sergeant presented a table that indicated dates for the 2016 Plan Commission meeting dates. He noted that based on meetings typically falling on the first Monday of the month, the July meeting would fall on the 4<sup>th</sup>. He asked commission members if they had a preference for changing the date. The group agreed on Tuesday July 5<sup>th</sup>, 2016.

## 8) Old Business

- a. **Smart Growth Plan: Distribution to Commission members.** Commission members present were given a copy of the 2015 Smart Growth Comprehensive Plan Update. Sergeant gave a brief outline of its organization. He also noted that staff estimates the cost of providing a hard copy to the public would be between \$25 and \$50.
- b. **Ice Age Trail: Temporary and permanent trail route designations.** Sergeant gave an overview of the project to date. He discussed the process for gaining certification by the National Park Service and potential routes being considered. Mayor Decker noted that it is important to recognize the trail will not bring hundreds of people through a day, but only a few. It will be a resource for Evansville citizens. Sergeant added that it is important for Evansville to signal our willingness to put comprehensive plan goals into action. Obtaining certification will inform our regional and national partners Evansville is serious about outdoor recreation. The group also discussed what the process might be for camping, and how other trails manage this around the world.

## 9) Monthly Reports

- a. **Report on other permitting activity by Zoning Administrator.** None.
- b. **Report of the Evansville Historic Preservation Commission.** Sergeant noted that the Historic Preservation Commission will review an update to the Historic Preservation Ordinance at the next meeting. Changes include closing loopholes for enforcement, as well as allowing for staff review and approval of minor maintenance and repair work.

- a. Report on Common Council actions relating to Plan Commission recommendations.** Decker noted that the Common Council adopted the Plan Commissions recommendation for a preliminary and final land use division of parcel 6-27-970.9C, located on W. Main Street into two parcels.
- b. Report on Board of Appeals actions relating to zoning matters.** None
- c. Report on enforcement.** Sergeant noted that there has been a concern brought up about fences that have gone up, and that he and Building Inspector Ben Koch are looking into it.
- d. Planning education/news.** Sergeant gave a brief overview of an article titled: *Sign Regulation By Edward T McMahan*. Commission members discussed some of the key points of the article, including discussion about sign illumination and sandwich boards. Mayor Decker and Sergeant noted that while the city's historic downtown district holds many of the positive characteristics discussed in the article, the periphery of town, which is Evansville's first impression could use some work.

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

**3) Motion to Adjourn at 7:34pm. Motion by Cole, seconded by Jacobson. Approved unanimously.**

Mayor Sandra J. Decker, Plan Commission Chair