

PLAN COMMISSION MEETING  
TUESDAY, FEBRUARY 19, 2008

TO: ALL COMMISSION MEMBERS  
FROM: RECORDING SECRETARY  
SUBJECT: MINUTES TO MEETING

Vice-Chairman Keith Campbell called the meeting to order. Lyle Hunter was absent from the meeting. Minutes from the December meeting were approved.

The first item on the agenda was election of officers. Steve Large nominated Bob Waples as Chairman. Jack Bland 2<sup>nd</sup>. Nominations closed. Motion to elect Bob Waples as Chairman. Motion carries. Jack Bland made a nomination to elect Keith Campbell as Vice-Chairman. Steve Large 2<sup>nd</sup>. Nominations closed. Motion to elect Keith Campbell as Vice-Chairman. Motion carries. Steve Large nominated Jim McVey as Secretary. Matt Jackson 2<sup>nd</sup>. Nomination closed. Motion to elect Jim McVey as Secretary. Motion carries.

The second item on the agenda was Charles Foley requesting a Use Variance application to permit relocating his tool & dye business to be located at 222 W. South Street. This property is Zoned CB-Central Business. This property is located in the Integrated Residential/ Commercial Overlay District. Mr. Foley and John Bradley his realtor were present for the meeting. Mr. Foley stated that he currently operates his business in Westfield and is looking for a larger building. The proposed location already has office space available and is being leased out to companies. Mr. Foley stated that as long as he had enough space for his business he would continue to lease out the space. The parking garage would remain the same. There are currently storage units in the building that will be removed and in this area there would be about 4 machines for the grinding of bearings. The bearings are for X-treme machines. Mr. Foley has a contract with the company. This is a very specific use of bearings and is very costly. Mr. Foley would not be expanding his business. Charlie Campbell visited the current work site in Westfield and there is not much noise what would be comparable to a blender sound. No fumes produced. It seemed to be a small clean business. There is not waste. The water solution they use in grinding is reused over and over. There are no chemicals used in this process. There will be 3 full time employees and 2 part-time employees. The employees will park in the garage. There are 21 parking spaces in the garage. The dumpster is located in the garage. Mr. Foley stated he know there were some cosmetic improvements that needed to be made to the site such as broken windows, painting the building, and so on. The vertical parking on West Street would be done away with and this would be the area where deliveries are made. They expect deliveries on average once a week mostly Fed Ex trucks occasionally a semi to unload and load. The Fire Department has not inspected the property yet. Keith Campbell stated that this property is located on one of the main thoroughfares in Lebanon and wants to make sure the improvements will be made to the building and that those improvements will enhance the appearance of the property. Mr. Foley stated that he was aware and that was his intention. Keith Campbell made a motion to send a favorable recommendation to the Board of Zoning Appeals. Steve Large seconded. Motion carries.

The third item on the agenda was Chuck Hunt Auction Services requesting a Use Variance to permit small commercial enclosed trailers to be stored outside on the site. This property is located at 845 Indianapolis Avenue. This property is Zoned ID- Industrial District. This property is located in the

Thoroughfare Overlay District. Mr. Hunt was present for the meeting. Mr. Hunt stated that he has owned the property since 1986 and has had many different businesses at this location. Mr. Hunt currently lives in the county but has purchased a property in town and will be using the building for his auction business. Along with the business there are trailers that are used for storing customer's belongings until they can sell them at auction. There will be 3 enclosed trailers and two open flat bed trailers that will be parked on the lot. Mr. Hunt stated that the trailers are insured and used by the business on a regular basis. Mr. Hunt stated that his neighbors in this area have outside storage so he didn't think what he was asking would be out of the character of the neighborhood. Mr. Hunt stated that it is a big lot and he would be able to park the trailers in the back of the lot. Keith Campbell asked if Mr. Hunt had a schematic of the property and where the trailers were going to be parked. Did Mr. Hunt intend to put up a fence to screen the trailers? Mr. Hunt asked what the commission wanted him to do and he would. Keith Campbell made a motion to table this agenda item until the March 17 meeting so Mr. Hunt could work with Charlie Campbell on the layout of the site and where he intends to park the trailers. Matt Jackson seconded the motion. Motion carries.

The fourth item on the agenda was Menards requesting Variances for outside storage of merchandise, outside sales, setback encroachments along I-65, greenbelt encroachments along I-65, parking, signage, and landscaping requirements. Also requesting Development Plan approval and Primary Plat approval for a 34.4-acre commercial retail development to be constructed on the west side of Sam Ralston Road and on the east side of I-65. This property is Zoned PBC- Planned Business Commercial. This property is in the Interstate Overlay District. Garrett Caffey with Menards was present for the meeting. Pete Fritz with Ratio Architects stated that the applicant had been before TAC review four times for this project. Out of the last meeting several items were still unresolved which is why they are here tonight requesting variances from these requirements. The parcel will be divided into three parcels one parcel will be occupied by the Menards site, and the other two lots will be sold to future developers. There will be two entrances off of Sam Ralston Road for access. There are three items to consider first the Development Plan application, second the preliminary plat, and third the variances. Pete stated that he would recommend putting limitations on the variance request such as the amount of area that would be allowed for outside sales and outside displays of merchandise. The variances to consider are the encroachments into the I-65 setback. The required setback along I-65 is 60-feet. The yard canopy that accesses the gated lumber yard is in the setback, the driveway to the yard canopy is in the setback, and the 14-foot tall privacy fence for the screening of the lumber yard is in the setback. The lumber area is open to the sky and the accessory building to house the lumber exceeds the height and area permitted. The permitted accessory structure is permitted to be 18-foot tall and 1,000 sq. ft. Menards has proposed 26-foot tall and 26,400 sq. ft. Other variances requested are the parking, 476 spaces are required Menards has provided 430 spaces. There are several landscape variances requested one is for the interior landscaping the second is for the perimeter landscaping around the parking lot, the third is for the greenbelt landscaping along I-65 and the fourth along Sam Ralston Road. The signage variances are for a monument sign to be placed on Sam Ralston Road, a pole sign to be placed along I-65, and the wall mounted signage on the building. The total permitted signage for the entire site is 300 sq. ft. Menards is providing 789 sq. ft. of signage. The pole sign exceeds the maximum allowed for a pole sign. 100 sq. ft. is allowed the proposed sign is 161 sq. ft. This application is only for the Menards site and not for the out parcels once they are sold the developer for those lots will have to appear before the Plan Commission with their plans. Garrett Caffee with Menards stated that this site has some difficulties since the site has mitigating wetlands that are reviewed by the Army Corp of Engineers. The placement of the building was determined by the relocation of the ponds to accommodate the wetlands and the area needed for vehicular traffic in the lumber yard area. Mr. Caffee stated that the landscape requirements are stricter than any other community he has worked in. He feels that Menards has met

the intent of the requirements of the ordinance, and there will be a sufficient amount of landscaping to provide screening from the parking lot and to beautify the site. The accessory building is the same building they have at all of their other stores. It provides shelter for the lumber they store outside for the customers. The outside sales area is for the lumber yard they do not have cash registers outside the customer's only pick up the merchandise outside all sales happen in the store. The only outside display outside of the fenced area will be propane tanks that will be in the front of the store. Mr. Caffee stated he felt like the project as a whole would be beneficial to the community and this would create 175 jobs. Pete Fritz stated that the plat still had some outstanding issues that need to be corrected. The legal drain to the north should be shown on the plat, any easement dedications should be shown on the plat, the applicant should appear before the Board of Public Works for bond dedication for the project, access easements, and cross access easements should be shown on the plat. Jack Bland made a motion to approve the plat with any additions and corrections that need to be made. Jim McVey seconded the motion. Motion carries. The secondary plat must be approved and recorded 120 days after the preliminary plat is approved. Keith Campbell made a motion to approve the Development Plan waivers. Matt Jackson seconded the motion. Motion carries. Keith Campbell made a motion to approve the Development Plan application with the conditions that the applicant receive Boone County Drainage Board approval, Lebanon Storm Water Board approval, and permit approval from the Army Corp. of Engineers. Steve Large seconded the motion. Motion carries. Variance applications: Parking requirements Keith Campbell made a favorable recommendation to the BZA. Jack Bland seconded the motion. Motion carries. Outside sales requirement Steve Large made a motion to send a favorable recommendation to the BZA with the stipulation that only the propane tanks can be sold in front of the building. Jim McVey seconded the motion. Motion carries. Encroachments on I-65 Jack Bland made a favorable recommendation to the BZA. Steve Large seconded the motion. Motion carries. The greenbelt requirement Jack Bland made a motion to send a favorable recommendation to the BZA. Steve Large seconded the motion. Motion carries. Landscape requirements Steve Large made a motion to send a favorable recommendation to the BZA. Jim McVey seconded the motion. Emmadell Sturgis opposes. Motion carries. Signage requirements exceeding the total permitted sq. ft. and exceeding the total pole size Jack Bland made a motion to send a favorable recommendation to the BZA. Oppose Emmadell Sturgis, Steve Large, and Kevin Krulik. Motion carries. Exceeding the total height and sq. ft. of accessory building Steve Large made a motion to send a favorable recommendation to the BZA. Jim McVey seconded the motion. Motion carries.

Meeting Adjourned.

Submitted by Recording Secretary  
Kristi Spencer

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Chairman, Robert Waples

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Secretary, Jim McVey