

LEBANON PLAN COMMISSION MEETING MINUTES
MONDAY, SEPTEMBER 17, 2007

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

Chairman Bill Stuteville called the meeting to order. All members were present. Minutes from the August meeting were approved.

The first item on the agenda was tabled agenda item from the August meeting. Ratio Architects to present Rules of Procedures for the Plan Commission. Jackie Turner with Ratio Architects stated that she had revised the rules and sent copies to Larry Giddings for review as well as Plan Commission members. Larry Giddings had reviewed the rules and spoke to Kristi in the Building Inspector's Office in regards to the changes that he thought should be made he is going to outline those and get the copies to Kristi and to Ratio Architects for revisions. Keith Campbell made a motion to table until the October meeting. Jim Nelson seconded the motion. Motion carries.

The second item on the agenda was tabled agenda item from the August meeting. WalMart Stores Inc. requesting Development Plan approval for a new super center to be located at 2438 N. Lebanon Street. Requesting waivers from 5% parking in the front yard, maximum light pole height to be 28' tall, requirement that the building be oriented to give a front like façade appearance, and the requirement for foundation plantings along and side the building. Requesting Variance for exceeding total sq. ft. of signage allowed. This property is Zoned PB. This property is in the Overlay District. Kent Frandsen attorney for WalMart stores was present for the meeting along with WalMart executives, A&F engineering, and Weihe Engineering. Last month there was a public meeting with the neighbors that would be affected by this property and many comments and suggestions were taken into consideration and revisions to the previous plan were made to reflect those changes. The previous plan showed a traffic signal and a uniformed boulevard entrance with Frontier Drive, also a raised median on St. Rd. 39. Both of these plans have been changes and neither will be required. The new drive into the shopping center will be about 100 feet to the north of the existing entrance and will be a boulevard entrance with a right out at this intersection only, to turn left you will have to go up to the light on Lakeshore Drive. The right out was necessary so WalMart would not be required by INDOT to install a traffic light to the entrance and an agreement was met with Regency Properties to use the drive that the light is at for access. The through driveway on WalMarts lot will not be a public street rather a private drive so many of the variances that were requested before will not be necessary now. The outside façade of the building will be upgraded from the prototypical standards. This store has added a different color scheme with reds, tans and blues. In the Overlay District the height of the light poles in 24' WalMart has a standard size of 28'. The lights meet the foot-candle requirements and there should not be any reflections to neighboring properties, a light summary was submitted with plans for to be reviewed for compliance. The standard signage package will be the same for this building it does exceed the 300 sq. ft. maximum allowed.

Along with the request for waivers the parking is essential for retail businesses to have all parking in front of the store, the businesses do not want customers to walk into the back of the buildings. Comments from the audience; Jeff Dickerson homeowners association president for Park Place subdivision asked why there needed to be a drive that connected Kroger to Wal-Mart because that still made them concerned that people would drive through their subdivision as a short cut to get to Wal-Mart, Garfield Street is not big enough for that amount of traffic, and there is not enough right-of-way to make the street wider, increase in traffic is a concern since Garfield Street leads to a elementary school and safety for kids riding bikes and walking. The owner of the shell gas station Robert Noran stated that he was glad to see WalMart make the changes he was concerned about and he just wanted to know if future traffic concerns would ever warrant a traffic light at this intersection. Debbie Ottinger resident of Park Place subdivision stated that she was pleased to see the changes WalMart had made but wondered about the drive that would connect Kroger's lot to Wal-Mart's lot. Mayor Acton stated that it is an easement not a drive that in order for it to ever become a road the city would have to purchase additional land, but he has heard from many residents throughout the years that there is a need for a drive and this easement would just give the city an option if they wanted to pursue it. Bob Clutter attorney representing Kroger grocery store stated he just wanted to thank and commend WalMart for revising the plans and working with his client to reach a common ground. Jim Wittman with Regency Properties is excited to have a neighbor like WalMart this will bring additional retail business to the community and advance the shopping for the residents, he also stated that he was happy WalMart would be tearing down the old building and building a new improved store at this location. Jackie Turner stated that staff has been working with the petitioners since December of last year; they have made a good faith effort in working towards complying with drainage and storm water boards for approval. The application must be conditional on getting Boone County Drainage Board approval, Lebanon Storm Water Board approval, and INDOT driveway permit. Jack Bland made a motion to grant the Development Plan with the conditions. Mayor Acton seconded the motion. Motion granted. Mayor Acton made a motion to send a favorable recommendation to the BZA for the sign variance request. Jack Bland seconded. Motion carries.

The third item on the agenda was tabled agenda item from the August meeting. Storage One/ Roy Gaha requesting Development Plan approval to construct additional storage units to be located at 2106 N. Lebanon Street. Requesting waivers from the building height to be 11-feet, signage, lighting, and landscaping requirements. Also requesting a side setback variance of 2.5-feet. This property is Zoned PB. This property is in the Overlay District. Jackie Turner with Ratio Architects stated that she did a staff report for the project and in the review there are still several items that are left unresolved. The petitioner submitted a three sheet development plan, there still unknowns in regards to drainage and storm water review, no landscaping shown or comments in regards to landscaping, no signage plan or summary of signage that is currently on the site, no comments on screening of the existing dumpster, no erosion control plan, no elevations showing the buildings. Will Johnson with Accu-Line Surveying presented plans for the petitioner. Mr. Johnson stated that he has been working with Bob Waples on the drainage review and since the petitioner is not adding more asphalt then what is there

now he was understanding that the drainage calculations were not required. The plans do show tearing up a portion of asphalt and putting grass in, this is shown to the west of the existing building and the property line. Petitioner discussed moving this area to the east of the future building and the property line to help with run off water onto the Formosa Gardens property. Mr. Johnson stated that he didn't think he needed to do a parking summary since they are not adding anymore pavement area for parking. Mr. Gaha stated that there is currently on the lot a storm drain that drains the entire lot. The landscaping required is for foundation plantings between the property line Mr. Gaha does not want to put in bushes he stated he would plant trees. Mayor Acton stated there is not enough information shown on plans he made a motion to table until the October 15 meeting. Keith Campbell seconded the motion. Motion carries.

The forth item on the agenda was Taco Bell Restaurant requesting Development Plan approval to reconstruct their building to be located at 435 N. Mount Zion Road. This property is Zoned PB. This property is in the Overlay District. Jackie Turner stated that the petitioners are anxious to rebuild their store after a fire destroyed the building last month. We reviewed with TAC and staff reviewed the plan there are a few outstanding issues mainly with landscaping requirements, and the Storm Water Board has not approved the calculation report at this time, the report has been submitted just waiting on Christopher Burke Engineering to review for compliance. Mike Goins with S& B Construction stated that they would be the general contractor on the project. The building is mainly going to stay where it is currently is on the site for utility purposes, but there will be more landscaping added and less asphalt on the site, as well as Taco Bell has a new architectural look that they will be bring to the building. The owners are in a rush to get the building up and running again. Mike Goins stated that they would work through any review for compliance for the site. Keith Campbell made a motion to approve the Development Plan contingent upon receiving storm water board approval. Emmadell Sturgis seconded. Motion carries.

The fifth item on the agenda was Menards Inc. requesting Rezoning application for a vacant property along the northwest corner of Sam Ralston Road. This property is currently Zoned ID, requesting rezoning to PB to allow for retail sales business. Bill Stuteville abstains from voting. Garrett Caffee with Menards presented plans for the Rezoning. Staff and TAC reviewed the project. The building will be facing to the south and the side of the building will face I-65 and Sam Ralston Road. The back of the building is where the lumber is kept with a 14-foot tall fence surrounding the outdoor area. In reviewing the comprehensive plan this use is compatible with the plan. The proposed building will be 163,240 sq. ft. The lot has enough room for about three out lots as well. Menards plans to connect the sidewalk system to the sidewalks along Sam Ralston Road to support the rails to trails project. There is also PB zoning classification to the south of this lot where the Celebration Fireworks store is located. Bob Waples made a motion the Council with a favorable recommendation. Emmadell Sturgis seconded the motion. Motion carries.

The sixth item on the agenda was Merritt Contracting/ Tom Merritt requesting Development Plan approval for Quantum Park lot 1 to construct a new building. This

property is located at the southwest corner of Enterprise Boulevard and S. State Road 39. This property is Zoned PB. This property is in the Overlay District. This item is continued until the October 15 Plan Commission meeting plans not ready at this time.

Meeting Adjourned.

Submitted by Recording Secretary
Kristi Spencer

Chairman, Bill Stuteville

Secretary, Jim McVey