

LEBANON PLAN COMMISSION MEETING  
MONDAY, JUNE 18, 2007

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

Chairman Bill Stuteville called the meeting to order. Jack Bland was absent from the meeting. Minutes from the May meeting were approved.

The first item on the agenda was Wal-Mart Super Center requesting to be tabled until the July 16<sup>th</sup> Plan Commission meeting. Plans were not finalized to appear at the meeting. Requesting Development Plan approval to construct a super center located at 2454 N. Lebanon Street. This is Zoned PB. This property is located in the Overlay District.

The second item on the agenda was Lebanon 39 LLC requesting a Variance for 2 signs; sign 1= 60 foot height and 135 square foot variance, sign 2= 5 foot height and 152 square foot variance. The permitted height for a pole-mounted sign is 20 feet and the permitted square footage is 100 square feet per side with a maximum 300 square feet per site. This property is Zoned PB. Jackie Turner with Ratio Architects was present to give staff report for the application. This applicant has been through TAC meetings. Jackie stated that for a retail center the maximum square footage is 400 sq. ft. for the site and the entrance sign or multi tenant sign requires two variances for height and sq. ft. The pylon sign is for advertising the business for I-65 so they are asking for an 80-foot tall sign. The applicant Chris McCrea and a zoning consultant Steve Graham were present for the meeting. Mr. Graham stated that there are several other tall sign in the area and they are not asking for more than they have his applicant would like the same visibility. The applicant stated that the sign would only be used for Starbucks none of the other tenants will be permitted to use the sign. The multi tenant sign will be available for the other tenants. The site is permitted three signs but they will only have two on the property. Jerry Trapp stated that he agreed that the sign needed to be taller than 20-feet but didn't agree with the 80-feet. Emmadell Sturgis stated that she felt the retail center was a great addition to the City and she didn't have a problem with the multi tenant sign; but she felt like there were other ways to advertise the I-65 business without using such a large sign. The applicant stated they didn't feel that INDOT would put up signs for the business because it would be too close to other exit ramp signs in the area. Mayor Acton made a motion to give a favorable recommendation for the variance request to the BZA for the multi tenant sign. Jerry Trapp seconded the motion. Bob Waples, Emmadell Sturgis, and Jim McVey oppose. Motion carries. The second sign the pylon sign Mayor Acton made a motion to grant a favorable recommendation for the variance request. Jerry Trapp seconded the motion. Bob Waples, Emmadell Sturgis, Keith Campbell, Jim McVey, Bill Stuteville, and Jim Nelson oppose. Motion denied sent with an unfavorable recommendation.

Regency Properties requesting a 3.4-foot height and 135 sq. ft. variance for a new sign to be located at Northfield Shopping Center on State Road 39 North. This property is

Zoned PB. The height requirement for a pole sign is 20- feet and the permitted square footage is 300 sq.ft. Ryan Deeg with Regency was present for the meeting. Jackie Turner with Ratio Architects stated that the two signs that were currently on the lot would be removed and a nice new sign would be installed they have also allowed for landscaping around the base of the sign. Staff recommends sending a favorable recommendation to the BZA. Ryan Deeg stated that the sign would be installed out of the right of way and would not block the entrance for vehicle visibility. Regency bought the shopping center two years ago and are currently in the process of updating the site they wanted to start with a new sign for the property. Regency has outstanding obligations with Lo Bills on the size of signage they must accommodate; which is one of the reasons they need the variance, they also want to accommodate the other tenants and provide them with signage along State Road 39. 5-6 of the parking spaces will have to be removed to accommodate the landscaping area. Keith Campbell made a motion to send a favorable recommendation to the BZA. Emmadell Sturgis seconded the motion. Motion carries.

Dugan Realty LLC requesting Development Plan approval with waivers for acceleration and deceleration lane and installation of sidewalks. Also requesting Variances for not screening the dumpster, and a 5-foot height variance for the building. The permitted height is 35-feet. The property is located at 121 N. Enterprise Boulevard in the Lebanon Business Park Hachette Book Group to build an expansion of 308,770 square feet. This property is Zoned PB. Kent Frandsen attorney for the petitioner was present for the meeting. Jackie Turner with Ratio Architects stated that Pete Fritz had reviewed this project and had 5 additional comments for the petitioner so as long as they reply to those then Staff was satisfied. Aaron Reynolds with Duke Construction was present for the meeting as well. The project actually started over 1 year ago and Hachette just now gave the ok to proceed forward. The existing building is 500,000 sq. ft. The waivers request is based on the existing park not have any other sidewalks throughout and Duke build the road to be able to handle the traffic without adding acceleration and deceleration lanes. The actual height of the building is going to be 44.2-feet so they will need a 9.2-foot variance. The location of the dumpster is going to be behind the building and due to the fact that there is a berm with landscaping on it that will hide the view to that dumpster they didn't think it would be necessary to screen it. Notice to neighboring property owners was given and proof of publication was given. They received Storm Water Board approval before they came to this meeting. Bob Waples stated that he felt that if they weren't going to screen the dumpster then they should look into adding more landscaping to prevent any view from the road. Jerry Trapp made a motion to send a favorable recommendation to the BZA. Mayor Acton seconded the motion. Bob Waples made a motion to approve the Development Plan with waivers. Emmadell Sturgis seconded the motion. Motion carries.

The fifth item on the agenda was Michael Reynolds requesting an 8-foot front setback Variance and a 4-foot rear setback Variance to construct a new 2-unit duplex home to be located at 1538 S. East Street. The required front setback 25-feet and the required rear setback is 15-feet. This is Zoned SF-3. Michael Reynolds was present for the meeting and stated he owned the vacant lot and wanted to build a 2-unit duplex on the site. In

order to building the homes to have an 8-foot front porch he would need a variance to extend past the front setback. Mr. Reynolds stated he felt building the homes with front porches would be more attractive than without. The square footage of each unit would be 720 sq. ft.; which does not meet the requirement of the zoning of 750 sq. ft. The 45% of lot coverage is being met for the property. There is an existing hedgerow between the properties that will remain but will be cleaned up and trimmed. Shutters can be added to the outside façade for more ascetic appeal. There is an existing sidewalk along S. East Street that will remain. There is not a sidewalk along Thompson Street. Bob Waples made a motion to send a favorable recommendation to the BZA for the total sq. ft., the rear setback, and front setback. Jim McVey seconded the motion. Motion carries.

The sixth item on the agenda was Sheets Auto Sales & Service Inc. requesting a Use Variance to allow an auto sales business to be located at 507 Indianapolis Avenue. This property is located in the Overlay District. The Overlay District excludes auto sales. Jon Sheets was present for the meeting he stated that he would keep the auto repair service that the property has been used for several years but he would also like to add car sales to the site. He would have 8-10 vehicles for sale. There is a dumpster that sits on the south end of the building which is visible from Indianapolis Avenue, the City would request that the dumpster be moved and screened. Mr. Sheets stated that he would clean up the property paint the building and keep the lot clean. ID zoning classification allows auto sales but the overlay district does not. Would the intersection be blocked if cars were parked at the intersection of Elm Street and Indianapolis Avenue. Mr. Sheets stated that it would not it is a difficult intersection from both directions. Keith Campbell made a motion to table this agenda item until the July 16<sup>th</sup> meeting to see a site layout of the parking on the lot. Jim Nelson seconded the motion. Motion carries.

The seventh item on the agenda was Pikes Martial Arts Academy requesting a Use Variance to operate a martial arts school to be located at 827 W. Pearl Street. This is Zoned ID. Kathy Pike was present for the meeting. Mrs. Pike stated that she was leasing to buy 6,000 sq.ft. of the building and there were 25 parking spaces that she was sharing with the owners of the property Trison Development. Trison business hours are during the day and her classes are evening and Saturdays so they would not have to worry about interfering with each other. Mayor Acton made a motion to send a favorable recommendation to the BZA. Emmadell Sturgis seconded the motion. Motion carries.

The eighth item on the agenda was NorthPark Community Credit Union requesting Development Plan approval to construct a new credit union located at 500 S. Lebanon Street. Also requesting a waiver from the requirement of 5% parking in the front yard, 10-foot planting in the front yard, and more than .03-foot candle across non-residential lot line. This property is Zoned PB. This property is located in the Overlay District. Jackie with Ratio Architects contracted planner for the City stated that the applicant has attended TAC with approval. The sign proposed is a reader board and it is more than 40% of the area and needs to be revised or variance requested. There were 24 items that were addressed at TAC those items have been addressed and met. Public Notice and Proof of publication were given the only neighboring property owner they have not heard from is Hardees Corp office out of California. The back L-shape portion of the property

will remain the same the credit union plans to sell this lot in the future. The Storm Water Board review has not been completed at this time. The applicant will be replacing the sidewalks and curbs. They will have 8.6 feet of foundation landscaping instead of the 10-feet. The lighting is important to the bank for security issues. Any motion will be contingent upon receiving approval from the Storm Water Board and receiving the notification from Hardees Corp Office and changing the foot-candle to meet the ordinance. Mayor Acton made a motion to approve the Development Plan with the contingencies. Seconded by Jim McVey. Motion carries.

Meeting Adjourned.

Submitted By Recording Secretary  
Kristi Spencer

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Chairman, Bill Stuteville

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Secretary, Jim McVey