

LEBANON PLAN COMMISSION MEETING MINUTES
MONDAY, JULY 21, 2008

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

Chairman Bob Waples called the meeting to order. Matt Jackson was absent from the meeting. Minutes from the June meeting were approved.

The first item on the agenda was continued agenda item from the June meeting. Gabriel Metals requesting Development Plan approval to operate a scrap metal processing and recycling business to be located at 616 Ransdell Road. This property is Zoned ID- Industrial District. This property is located in the Interstate Overlay District. The Applicant received BZA approval on May 5, 2008 for a Use Variance to operate a scrap metal processing and recycling operation, and a Variance to permit outdoor storage of material to be stored in proper metal containers with no materials to be left or piled on the ground. No motor vehicles are to be accepted for storage or transfer. Kent Frandsen attorney representing Matt McKinney was present for the meeting. The applicant was at the June meeting and staff reporter several outstanding issues for the property since then the plans have been revised. This is a 2 ½ acre parcel there will be a 3-foot tall berm with an 8-foot tall fence on top of the berm for screening and security. Drainage approval has not been granted at this time. Pete Fritz stated that the plans have been reviewed and comply with the ordinance. Staff would recommend approval of the Development Plan. Jack Band made a motion to approve the Development Plan contingent upon receiving Storm Water Board approval before work can start at the site. Lyle Hunter seconded the motion. Motion carries.

The second item on the agenda was continued agenda item from the June meeting. Kensington Crossing with Primary Plat application for a 21.17+- acre 70-lot single-family development to be located to the north of the proposed super Wal-Mart site, to the east of the railroad, and to the south of County Road 250 North. This property is Zoned MF-1. Mike Andreoli attorney for Triton Development was present for the meeting along with Jim Van Ness with Triton Development and Bill Bryant with Stoeppelwerth. The property was originally started as being a 60-acre parcel that extended Garfield Street to County Road 250 North. Since that time WalMart has purchased 20 acres in the middle of the property. The current plat consists of 20-acre parcel to the north with 70-lots. Since the original application was filed under our old zoning ordinance and that ordinance does not give an expiration time limit on application submittals the applicant can still develop under the old ordinances. The developer has provided a list of commitments that they are willing to comply. This list came from staff and TAC review to help implement some of the new ordinance requirements. Pete Fritz with Ratio Architects stated that the applicant has been through TAC several times and they are willing to implement the commitments stated that they have submitted. The site will have one detention pond and another source for drainage will be to send water to the proposed WalMart pond to the south. The developer has dedicated 40-feet to the east of the property for an additional access from Wal-Mart to 250 North. There is a public access between lot 1 and 2 for access to the open space to the pond. There will a berm along County Road 250 N. And the homes will have additional architectural features. The developer stated that after discussions with the city they did not want a street connecting their property with the proposed Garfield Street extension to the south. That is where the 40-foot easement to the east comes into place. The city would have to require additional property and easements from the property owners to the north and to the east of the site for the easement to ever become an access road. The easement line up with the easement on Wal-Mart's property that they have already dedicated for additional access. Comments from the Audience: Robert Akers 550 W. County Road 250 North stated that he is abutting the proposed project and when they first came for the plat process there were going to be larger lots to the north of the subdivision that would abutting the Akers property now it looks like the smaller lots are abutting the property line. Mr. Akers stated that the developer has not been in contact in regards to the proposed easement if extended to 250 North would be about 25-feet from his house. There is a tree line at the property line but no real separation Mr. Akers would like a berg extended or additional screening. The easement is a long term project that would require the City getting additional easement from other property owners. Nancy Little representing the Meadow Wing subdivision homeowners asked if the homes along 250 North would be 1-story homes if they would consider that. Jim VanNess stated

that the Mayor wished to put a mix of one and two story at the front he would discuss this with the Mayor and see what could be done. From the edge of pavement there would be a 25-30 foot easement for landscaping. Bob Lieberman asked what the lot standards would be for the side setback; it would be a 5-foot setback. Will there be brick feature required. It will not be required but the developer is sure that there will be some brick homes. Lyle Hunter asked when a traffic study would be required. At this point the City could require one. Mr. Andreoli stated that a study has not been done; they did not see the need. Jack Bland made a motion to approve the primary plat. Keith Campbell seconded the motion. Emmadell Sturgis, Steve Large and Kevin Krulik opposed the motion. Motion carries.

The third item on the agenda was Storage One/ Roy Gaha requesting Development Plan approval for construction of two new storage buildings to be located at 2106 N. Lebanon Street. This property is Zoned PBC- Planned Business Commercial. This property is in the Thoroughfare Overlay District. The applicant has received several Variances and plat approval for the site; on August 6, 2007 a variance was obtained to permit the self-storage use which was previously not permitted. On May 5, 2008 variances for not meeting the minimum required 1.5-acres lot size (lot 1 0.44-acres, and lot 2 is 0.67-acres), and lot 2 not having immediate access to the street frontage, and setback requirement to be reduced from 10-feet to 7 ½ feet. On May 27, 2008 Plat approval was granted for splitting 1 lot into 2 lots. Will Johnson surveyor for the applicant and Roy Gaha were present for the meeting. Mr. Gaha is proposing to construct two additional storage buildings on lot 2 of the property and an addition to the existing building. Steve Large stated that since the property has been split there is a possibility that you will not own both lots so an easement should be shown on the plat where the sanitary lateral is located. This will require the exact location of the lateral on the site. Roy stated that the lateral has been located and it will be shown on the plat. Staff recommends installing a retaining wall in front of the two buildings and backfilling topsoil on top of the asphalt about 12-16" or more than plant the required bushes. Mr. Gaha is proposing to place pots and install bushes inside the pots. Staff noted that the bushes would require continuous maintenance and should be kept alive at all times. Jack Bland made a motion to approve the Development Plan contingent upon recording an easement for the sanitary lateral and maintaining the pots and the bushes must be kept alive at all times. Steve Large seconded the motion. Kevin Krulik opposes motion. Motion carries.

The fourth item on the agenda was United States Cold Storage Facility requesting Development Plan approval for an office and refrigerated warehouse to be located at 415 S. Mt. Zion Road, in the Lebanon Business Park at the extension of Purity Drive and on the south side of Mt. Zion Road, on 38.010-acre parcel. This property is Zoned PBI- Planned Business Industrial. The applicant received several Variances and a Conditional Use from the Board of Zoning Appeals on June 26. Conditional Use to permit exterior trailer staging at designated locations on the property; Variances for: permission to allow truck parking between the hours of 10:00 p.m. and 7:00 a.m., increase the maximum building height for the phase three structure up to 80-feet, eliminate the need for pedestrian sidewalks along Mt. Zion Road and/or Purity Drive, allow required plantings for street and loading buffers along Mt. Zion Road and Purity Drive to be combined into one 20-foot buffer yard and within the setback, allow perimeter parking buffer along Mt. Zion Road to be within the setback, allow a type D landscape buffer without inclusion of an opaque fence or berm, permit loading areas between the building and the new Purity Drive, permit the security fence to be of consistent height with a black coated vinyl chain link fence with barbed wire along the top, and permit a monument sign of up to 120 square feet in size. Kent Frandsen stated that the proper 10 day requirement for notice and publication was not met the notices did go out but did not get there 10 days prior, the project has had so many meetings that he mistakenly did not get this meeting date in. Mr. Frandsen would request that the Plan Commission go ahead and hear the application since they have US Cold Storage representatives and general builder for the building are at the meeting tonight and have traveled a long way. The applicant can go ahead with presentation but no voting will take place. The facility is about a 600,000 sq. ft. total facility at build out. Phase 1 is 210,000 sq. ft. phase 2 is 182,000 sq. ft. and phase three is 182,000 sq. ft. There would likely be a 12 month time between the phases of construction. The project has received state release for the foundation work. The Storm Water Board approved the project contingent upon some

minor changes which they are working on fixing. Purity Drive will be extended past Mt. Zion Road to the site. The rail spur will be extended to the west of the park to the site. Duke is working with CSX on the final set of plans. Duke is also waiting on IDEM permit for the construction of Purity Drive. Duke has held public meetings with the property owners to the south of the park in regards to the proposed annexation. Comments from the audience: David Sines stated that the rail spur extension is not completely in the city limits at this time so was the county going to review those plans. The applicant will be back at the August 18 meeting.

Meeting Adjourned.

Submitted by Recording Secretary
Kristi Spencer

Chairman, Robert Waples

Secretary, Jim McVey