

Planning Commission Meeting Minutes

Monday, September 20, 2021

To: All Commission Meeting Minutes

From: Recording Secretary

Subject: Minutes to Meeting

Call to Order

Chairman Keith Campbell called the September 20th, 2021 Lebanon Planning Commission Meeting to order at 7:00pm in the Lebanon Municipal Building.

Roll Call

Noted presence of a quorum. Members present included Keith Campbell, John Lasley, Dan Bashor, Kevin Krulik, Ashley Paddock, Brian Tandy, Ali Mullen, Laurie Gross, Ben Bontrager, Planning Department, Kelly Cook, Recording Secretary. Also, present Rob Schein Kreig DeVault LLP.

Absent Members

Jeremy Lollar

Approval of Minutes

John Lasley made a motion to approve the August 16th, 2021 Plan Commission meeting minutes as presented. Ashley Paddock seconded the motion a vote of 8-0 was in favor motion approved.

Old Business

Docket #21-38: Continued agenda item from the August meeting. Bethany Hopf for Trilogy Real Estate of Lebanon. Homewood Health Campus requesting Development Plan approval to construct an addition to the property located at 2494 N Lebanon, Indiana 46052.

The subject property is zoned Planned Business Commercial (PBC) and is comprised of 6.47 acres.

Ben Bontrager gave an overview of the Unified Development Ordinance Process for Development Plans. The applicant has proposed to construct an addition to the existing Homewood Health Campus facility. The addition is larger than 10% of the gross area of the existing structure, a Development Plan application is required.

Bethany Hopf gave a brief overview of the Development Plan with the intent to construct a new addition that is approximately 5264 square foot.

Keith Campbell opened the hearing up for public speaking.

Jeff & Rene Stanley spoke of the project in hopes of correcting the current drainage issue that influences their property.

Keith Campbell closed the public portion of the hearing.

Ben Bontrager spoke of the existing tile to help drain the water from the Stanley's property as well as neighboring properties. Mr. Bontrager also, addressed the possibility of the sanitary sewer being tied into the Stanley's property.

Kevin Krulik spoke of the drainage issue and the extension of the tile to help fix the issue as the City of Lebanon is working closely with Good Will and Miss Hopf and trying to better this situation.

Keith Campbell entertained for a motion. Brian Tandy made a motion to approve Docket #21-38 contingent on the following: TAC Comments- The applicant adequately addresses any remaining City of Lebanon Technical Advisory Committee comments prior to application for any building permits or site improvements. Dan Bashor seconded the motion a vote of 8-0 was in favor motion passed.

Docket #21-41: Continued agenda item from the August meeting. United Development requesting Development Plan approval for a proposed industrial building to be constructed at 820 S State Road 39. The property is zoned PBI Planned Business Industrial (PBI) located within the Thoroughfare Overlay District and comprised of 4.3 acres.

Ben Bontrager gave an overview of the project. United Development is proposing to construct a 40,000 square foot speculative building at the said address. This property will also include employee and customer parking and truck loading docks.

The applicant Aaron Hurt spoke of the speculative building to be built. Mr. Hurt stated this construction will be starting soon, ask for questions there were none.

Keith Campbell opened and closed the public portion of the hearing.

Keith Campbell entertained for a motion. John Lasley made motion to approve Docket #21-41 contingent on the following conditions:

TAC Comments: The applicant adequately addresses any remaining City of Lebanon Technical Advisory Committee comments prior to application for any building permits or site improvements.

Signage Plan: The applicant submits a signage plan indicating location and elevations of all proposed signs and receive sign permits before any sign installation. Ashley Paddock seconded the motion a vote of 8-0 was in favor motion approved.

Docket #21-43: Lebanon Gateway Properties requesting Development Plan approval to construct a new commercial building to be located at 1511 W South Street, Lebanon Gateway Marketplace Lot 4. The property is zoned "PUD" Planned Unit Development.

Ben Bontrager gave an overview of Development Plan approval for the applicant to construct a new 8,000 square foot four-tenant building on Lot 4 in the Lebanon Gateway Marketplace.

Dillon Reynolds, Civil Engineer spoke of the request for the Development Plan approval and ask for questions from the board.

Keith Campbell opened and closed the public portion of the hearing.

Keith Campbell entertained for a motion. Laurie Gross made a motion to approve Docket #21-43 contingent on the following conditions.

TAC Comments: The applicant adequately addresses any remaining City of Lebanon Technical Advisory Committee comments prior to application for any building permits or site improvements.

Seconded by John Lasley a vote of 8-0 was in favor motion approved.

Docket #21-44: Beazer Homes LLP requesting initial zoning for a voluntary annexation of 33.74 acres into the corporate city boundaries. The parcel is located on the northwest side of State Road 39 North and County Road 300 North.

Ben Bontrager gave an overview stating the City of Lebanon Common Council will be considering an annexation request for 33.74 acres that is generally located at the northwest corner of 300 N and SR 39.

Beazer Homes Representative: Brian Tuohy spoke of the request for the annexation to build single family homes.

Keith Campbell opened the hearing up for public speaking.

Mark Michael - 815 W 300 N Lebanon, IN, 46052: Spoke of the concern for added traffic on State Road 39 and the need for infrastructure before starting this type of development.

Sandra Breedlove – 725 West 300 North Lebanon, IN 46052: Is opposed and Spoke of the development and has a concern for the drainage issue in this area.

Lorraine Cole – 765 W 300 N Lebanon, IN 46052: Is opposed and spoke of the concern for the drainage issue and lack of infrastructure in this area. Questioned why they want to be annexed into the city, when they could build homes as the property sits today.

Linda Delpha – 2980 State Road 39 Lebanon, IN 46052: Spoke of the concern for more traffic on State Road 39 and surrounding neighbors.

Chris Devol – 3230 State Road 39 Lebanon, IN 46052: Concerned with the water and drainage in this area. Has a concern for more traffic being added to State Road 39.

Keith Campbell closed the public portion of the hearing.

Ben Bontrager spoke of the comments from residents. A traffic study will be required to determine potential improvements to adjacent roadways. State Road 39 is under state control, not the City of Lebanon, so any potential improvements to State Road 39 would be initiated by the state. Mr. Bontrager addressed the water concern, stating we have plenty of water capacity in this part of the community. The drainage issue, the city has a drainage ordinance that new development must meet that ensures no adverse impacts to surrounding neighbors.

Ben Bontrager spoke of the annexation, stating the City of Lebanon cannot force residents to hook up to city water and utilities but can if they so choose to.

Attorney for Beazer Homes stated this is only an annexation request. The homes will not be built until there is adequate infrastructure with adequate water and sewer. They are here to respectfully request this annexation.

John Lasley questioned the CSX updating the railroad. Ben Bontrager stated there is no known time frame of the upgrade. There were scheduled improvements a few years ago, but issues arose with the railroad crossing closures requested from the county and the improvements did not move forward.

Keith Campbell entertained for a motion. Laurie Gross made a motion to recommend the Single-Family Residential (SF) zoning classification to the Common Council for Docket 21-44. Brian Tandy seconded the motion a vote of 8-0 was in favor motion approved.

Docket 21-45: This item was withdrawn by the Applicant. Blue Scope Properties requesting Primary Plat approval for 57 acres located at 705-1055 W. Cox Avenue. The property is zoned "PBI" Planned Business Industrial.

Docket 21-46: This item has been withdrawn by the Applicant. Blue Scope Properties requesting Development Plan approval to construct an industrial park to be located at 705-1055 W. Cox Avenue. The property is zoned "PBI" Planned Business Industrial.

Docket 21-47: IMI Lebanon requesting Development Plan approval to construct a new concrete plant to be located at 2450 S Indianapolis Road. The property is zoned "SF" Single Family Residential.

Ben Bontrager gave an overview of the proposed improvements. In addition to the construction of the facility, the applicant will be making significant drainage improvements and adding landscaping to buffer from neighboring properties.

The applicant, IMI Indiana, presented the intent to construct a new concrete production facility on the subject property. In addition, the applicant will be providing additional detention facilities to accommodate the increase in impervious surface associated with the project.

Ben Bontrager asks for questions.

John Lasley questioned the utilities in this area as they are on a well.

Willie Hall 115 North 17th Avenue, Beech Grove, IN 46107 and Adam Watts 8032 North SR 9, Greenfield, IN 46140: Mr. Hall & Mr. Watts both represent IMI and spoke of the project and will be working with the Boone County Drainage Board to improve drainage on the property.

They purchased IMI in 2016. This facility be getting a full upgrade along with the adding of trees and evergreens for more screening between properties.

Keith Campbell opens the hearing up for public comments.

Gary Hayes 3720 S. Indianapolis Road, Lebanon IN 46052. Spoke of the concerns for the development in this area. He questions the zoning still being under Single Family and feels they have no protection for zoning in this area.

Teresa Wilson 3510 S. Indianapolis Road, Lebanon IN 46052. Questions why they were not offered water and sewer when they were previously annexed into the city years ago. Also, has concerns for water usage with the IMI plant, that it will run their well dry.

Jessie Pennington 3310 Indianapolis Road, Lebanon, IN 46052. Has concern for traffic and hours of operation along with the dust the plant creates. He has concern for the property values in this area.

Property owner at this address was illegible and was not signed in for tonight's meeting: 3358 S. Indianapolis Road, Lebanon IN 46052. is opposed and would like the docket denied, stating they were not notified of this meeting, states there were no plans for this project for the public to view. Has concerns for the water usage and what this will do to the area wells.

Keith Campbell closed the public portion of the hearing.

Ben Bontrager addressed the questions from the public.

Ben Bontrager stated that on August 13th, 2021 the nine notices of neighboring properties within the 300 feet for all property owners were notified by certified letters of this meeting, this was also noticed in the Lebanon Reporter. Plan for this project have been on hand in our Planning Department Office. The Well & Septic availability is authorized through the county office.

The applicant, IMI spoke and indicated they did publish the meeting and sent letters to the homeowners. They will address the noise from the plant, by adding a buffer between properties to reduce noise. They will be using a street sweeper to clean off the road from debris from the plant. This facility will be fully updated to be one of their high-end plants.

Keith Campbell entertained for a motion. Laurie Gross made a motion to approve Docket 21-47 contingent on the applicant meeting the TAC Comments: The applicant adequately addresses any remaining City of Lebanon Technical Advisory Committee comments prior to application for any building permits or site improvements.

Seconded by Kevin Krulik. A vote of 5 not in favor to 3 in favor. The motion did not pass

The applicant, IMI, spoke to request this Docket 21-47 be continued to give them more time to address the Plan Commission's issues with the site.

Ben Bontrager stated we would still need a motion from the Plan Commission either to deny or continue and please add in the concerns for those who voted no, so the applicant can address and make improvements prior to the next meeting.

John Lasley made a motion to continue Docket 21-47 to the next meeting. Laurie Gross seconded the motion with a vote of 8-0 in favor motion passed.

Concerns from the Plan Commission were as follows:

1. Concerns for the overgrowth on the property
2. The dust on the site
3. Concerns for the well and water capacity with this project

Applicant, IMI spoke that this property has 3 current wells, he added he is a geologist indicating there are laws that they must follow in order to run this facility adequately. This facility will at most will host 15 trucks and will not be running a 24hr. of operation out of this facility.

Other Business

There was no other business conducted.

Adjourn

A motion was made and seconded to adjourn the meeting at 9:09pm

Submitted by Recording Secretary

Kelly Cook

Bruce S. Pauley

Kelly Cook