

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

**CITY OF LEBANON PLAN COMMISSION
STAFF REPORT
JANUARY 18, 2022 PUBLIC HEARING**

A. Case Number	Docket #21-65
B. Applicant	Kent Mueller for M/E Rental Properties LLC
C. Location	The subject property is located at 702, 710, 714, and 719 W Pearl Street, Lebanon, Indiana 46052.
D. Acreage and Zoning	The subject property contains 0.76 acres and is presently zoned General Industrial (ID).
E. Parcel(s)	Parcel 1 – 015-10160-00 Parcel 2 – 015-34570-00 Parcel 3 – 015-34570-01 Parcel 4 – 015-34560-00
F. Existing Land Use	The subject property is currently vacant/unimproved.
G. Petition Request	Planning Staff has been approached by the new property owner who is exploring residential investment options on the subject property. The current zoning of the property does not support residential land uses so Staff worked with the owner to determine the most appropriate zoning district based on the current lot configuration and the types of uses being considered. It was determined that the Traditional Residential zoning classification would most closely align the development standards with the surrounding developed area and would allow for the most appropriate range of land uses.
H. Ordinance Process	Procedural Ordinance Process: The Official Zoning Map incorporated by reference in the Unified Development Ordinance may be amended as necessary upon receipt of a petition for rezone signed by the owner of the subject property. The Zoning Map Amendment may be adopted by the Common Council after review by the Plan Commission according to the following procedures. The City of Lebanon Unified Development Ordinance provides review criteria established in Indiana Code 36-7-4-603 to guide the Plan Commission when deliberating a recommendation regarding a proposed rezoning. Criteria 1 – Consistency with the goals, objectives, and policies of the Comprehensive Plan Criteria 2 – Compatibility with adjacent uses and improvements

- Criteria 3 – Desirability of the proposed land use
- Criteria 4 – Impact on property values
- Criteria 5 – Responsible growth and development

Criteria 1 – Consistency with Comprehensive Plan

The Future Land Use Map from the Lebanon Comprehensive Plan is used as a guide and represents the desired land use throughout the community. Zoning typically conforms with the land use designation, although it is not required to, and is the legal implementation of the land use. The subject property is designated for “mixed-density residential” uses on the Future Land Use Map and allows for a variety of single and multi-family development options.

Staff Finding: The subject rezoning to Traditional Residential (TR) is consistent with the goals, objectives, and policies of the Lebanon Comprehensive Plan.

Criteria 2 – Compatibility with Adjacent Uses

Location	Current Zoning	Existing Land Use
North of Subject Property	General Industrial (ID)	Single-Family Residential
South of Subject Property	General Industrial (ID)	Industrial and Single-Family Residential
West of Subject Property	General Industrial (ID)	Industrial
East of Subject Property	General Industrial (ID)	Single-Family Residential

Staff Finding: The subject rezoning to Traditional Residential (TR) is compatible with existing uses and zoning on adjacent properties.

Criteria 3 – Desirability of Land Use

The rezone to Traditional Residential (TR) is being proposed in order to allow the existing lots that were originally platted for residential uses to be used for the most appropriate use. The proposed zoning district and use would not only be compatible with surrounding land uses but would be a desirable land use given the existing pattern of development. ***Based on the current lot size and configuration, the proposed rezone would allow the potential for five single-family residential lots or in the case of attached residential products (duplex, triplex, etc.) or multi-family products up to five total units. Staff is also investigating the potential to vacate the portion of right-of-way adjacent to Superior Street associated with the old interurban rail line as it is not needed for future improvements to Superior Street. If this right-of-way is vacated, the potential number of attached residential or multi-family units increases to six.***

Staff Finding: The subject rezoning to Traditional Residential (TR) is a desirable land use within the proposed area.

Criteria 4 – Impact on Property Values

The immediate area contains a variety of residential and non-residential land uses. However, the current zoning allowing for industrial land uses would have a much more significant impact on adjacent residential property values than those uses permitted in the Traditional Residential (TR) zoning district. The proposed rezone would more closely align with the adjacent residential uses.

Staff Finding: The subject rezoning to Traditional Residential (TR) would have no negative impact on property values in the area.

Criteria 5 – Responsible Growth

The rezone to Traditional Residential (TR) would allow for the development of a desirable land use on the subject residential lots. The area is served by existing water, sanitary, and storm sewer utilities and any impacts to adjacent roadways would be addressed at the time of development.

Staff Finding: The subject rezoning to Traditional Residential (TR) represents responsible growth and development.

Staff Recommendation

In review of the rezoning request to Traditional Residential (TR), Lebanon Planning Staff recommends this petition be forwarded by the Plan Commission to the Common Council with a favorable recommendation.

I. Staff Recommendation