

**CITY OF LEBANON  
PLANNING AND ZONING DEPARTMENT**

**CITY OF LEBANON PLAN COMMISSION  
STAFF REPORT  
JUNE 21, 2022 PUBLIC HEARING**

<b>A. Case Number:</b>	Docket # 22-32
<b>B. Applicant:</b>	Matt Murdock (TMG Construction Management) for K-Mac Enterprises, Inc.
<b>C. Location:</b>	The subject property is located at 2437 N Lebanon Street, Lebanon, Indiana, 46052.
<b>D. Acreage and Zoning:</b>	The subject property contains 1.57 acres and is presently zoned Planned Business Commercial (PBC) and within the Thoroughfare Overlay District.
<b>E. Property History:</b>	<p style="text-align:center"><b>June 6, 2022 Board of Zoning Appeals</b></p> <p><b>Development Standards Variance</b> <b>Variance Request #1 – Front Building Setback – UDO Section 4.13.D</b> Variance approved to permit relief from the front building setback to allow a setback of 40 feet rather than a minimum of 70 feet.</p> <p><b>Variance Request #2 – Front/Rear Parking Setback – UDO Section 7.5.F.2.i</b> Variance approved to permit relief from the front parking setback to allow a setback of 7 feet rather than a minimum of 30 feet and from the rear parking setback to allow a setback of 4 feet rather than a minimum of 5 feet.</p> <p><b>Variance Request #3 – Corridor Buffer Setback – UDO Section 6.1.L.3.c</b> Variance approved to permit relief from the corridor buffer setback requirement of the Thoroughfare Overlay District.</p> <p><b>Variance Request #4 – Lot Plantings – UDO Section 6.1.L.3.d</b> Variance approved to permit relief from the building base landscaping requirement for the Taco Bell building.</p> <p><b>Variance Request #5 – Overlay Prohibited Use – UDO Section 6.1.H</b> Variance approved to permit a drive through establishment in the Thoroughfare Overlay District.</p>
<b>F. Ordinance Process:</b>	<p><b>Procedural Ordinance Process:</b></p> <p>Unified Development Ordinance Process for Development Plans Development plan approval shall be required for those projects as listed below and in Chapter 4: Zoning Districts and Table 4:1: Use Matrix. Improvement Location Permits and Building Permits shall not be issued until the conditions and requirements of this ordinance have been met. Development Plans shall be provided for:</p>

1. All uses within the MF, MH, CB, NB, PBC, PBO, PBI, ID, and IN Districts
2. All uses within the Interstate Overlay District

**Lebanon Staff Determination:** The project is located within the Planned Business Commercial (PBC) zoning district requiring Development Plan approval.

**G. Action Requested:**

**Development Plan Approval**

The applicant is requesting Development Plan approval in order to construct a new 2274 square foot Taco Bell fast food restaurant with associated parking on the subject property.

**H. TAC Review:**

**TECHNICAL ADVISORY COMMITTEE (TAC) REVIEW**

Development Plan Compliance with City of Lebanon Technical Advisory Committee (TAC)

**City of Lebanon Utilities**

**Sewer and Water Division-** Comments were as follows:

- Ensure the most recent set of Lebanon City Standards are included. The most recent set is dated 01/01/2022 and can be found at the link below.  
<https://lebanon-utilities.com/wp-content/uploads/2021/12/Lebanon-City-Standards-Final-Version-010122.pdf>
- Will a sprinkler system be provided for the building? If so, there must be a Fire Department Connection (FDC) located outside of the building collapse zone that references City Standards Sheet 11.
- The 2-inch water service line shall be copper water tube, type K per City Standards Sheet 10.
- Coordinate with Lebanon Utilities staff on whether the existing water meter can be reused for this project or if a new one needs to be provided.
- With the current configuration shown, a water meter for the irrigation system would not be necessary as the water would already be metered through the main water meter. An irrigation system meter would only be needed for a separate tap from the mainline.
- Sanitary sewer laterals shall be PVC SDR-26 with a minimum slope of 1/4" per foot.
- Ensure the Grease Interceptor complies with, and specifically references, Lebanon Utilities Standard Grease Interceptor Detail on Sheet 14 of the City Standards.
- While lateral connections are typically not preferred to be connected directly to manholes, with this manhole being the most upstream point in the sewer run, the connection is acceptable.

**Electrical Division-** Comments were as follows:

- Coordinate electrical needs and proposed connections with the Lebanon Utilities Electric Department.

- All primary wiring under parking lots, streets, or similar features shall be encased in rigid conduit, furnished, and installed by developer.

**City of Lebanon Stormwater** – Submit required calculations and satisfactorily address all storm water runoff, detention, storm sewer, and storm water quality comments provided by Kerry Daily of Christopher Burke Engineering Limited (CBBEL) pursuant to the City of Lebanon Stormwater Control Ordinance.

**City of Lebanon Fire Department**-The applicant will be required to supply a Knox Box for emergency access to the site. Address numbers need to be placed on the street façade of the building and be 6-12” in size.

**City of Lebanon Engineer** – Comments were as follows:

- Satisfactorily address all comments provided by Lebanon Utilities, Police, Fire, Street, Stormwater, and Planning departments, in addition to requirements of other authorities having jurisdiction, such as: the Boone County Surveyor, the Indiana Department of Environmental Management, the Indiana Department of Natural Resources, etc.
- All Sheets:
  - a. Add a note to all appropriate sheets which states the following: All work within the right-of-way shall meet current City of Lebanon Construction Standards.
  - b. Add a note to all appropriate sheets which states the following: The contractor/developer shall protect existing right-of-way infrastructure and be responsible for restoration, as necessary.
  - c. Add a note to all appropriate sheets which states the following: Roof drain downspouts shall discharge at grade adjacent to the structure with proper grading to ensure drainage away from foundation.
  - d. Provide References to appropriate City of Lebanon Standard details.
- Sheet C0 – Title Sheet:
  - a. “APPROVED FOR CONSTRUCTION” stamp, shall be added, when appropriate, as follows:

APPROVED FOR CONSTRUCTION

Release For Construction Date: \_\_\_\_\_

Preconstruction Conference Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Kevin Krulik PE PS AICP, City Engineer

City of Lebanon, IN

- Sheet C2 - SWPPP1 Plan – Demo Plan:

- a. Ensure compliance with the City of Lebanon MS4 program and all Stormwater Control Ordinances and Design Standards as outlined by CBBEL.
- b. Adjust plan accordingly for required Site Plan changes associated with site access.
- c. Indicate removal of utility poles and INDOT traffic control devices as needed to accommodate revised entrance.
- Sheet C2.1 – SWPPP2 Plan:
  - a. Ensure compliance with the City of Lebanon MS4 program and all Stormwater Control Ordinances and Design Standards as outlined by CBBEL.
- Sheet C2.2 – SWPPP Details:
  - a. Ensure compliance with the City of Lebanon MS4 program and all Stormwater Control Ordinances and Design Standards as outlined by CBBEL.
  - b. Incorporate current Lebanon Standards details sheets. Inapplicable details and or sheets shall be “X”d out.  
<https://lebanon.in.gov/wp-content/uploads/2021/12/Lebanon-City-Standards-Final-Version-Jan-1-22.pdf>
- Sheet C3 – Site Plan:
  - a. Provide 4” white Thermoplastic side lines for all crosswalk locations, and provide 12” White Thermoplastic Stop bars where appropriate.
  - b. Provide Entrance and site circulation geometry as indicated per email correspondence on 5/11/2022 and prior to that date.
- Sheet C3.1 – Site Details:
  - a. Ensure compliance with the City of Lebanon MS4 program and all Stormwater Control Ordinances and Design Standards as outlined by CBBEL.
  - b. Incorporate current Lebanon Standards details sheets. Inapplicable details and or sheets shall be “X”d out.  
<https://lebanon.in.gov/wp-content/uploads/2021/12/Lebanon-City-Standards-Final-Version-Jan-1-22.pdf>
- Sheet C4 and C4.1 – Grading Plan and Grading Detail Grading Plan:
  - a. All Drainage appears to be directed towards curb turn outs near the northwest and northeast areas of the site or directed off site towards entrances. Verify detention requirements are met. Verify existing swales and downstream storm sewer systems have adequate capacity to received and convey proposed discharges without adversely affecting adjoining properties and or rights of way. Ensure compliance with requirements with the City of Lebanon Stormwater Control Ordinance as outlined by CBBEL.
  - b. Storm Sewer inlets and pipe appear to be missing from these sheets, contours indicate low points with not storm sewer infrastructure.
  - c. All roof drain downspouts shall discharge at grade adjacent to the structure with proper grading to ensure drainage away from foundation.
  - d. Ensure compliance with requirements with the City of Lebanon Stormwater Control Ordinance as outlined by CBBEL.

- Sheet C7 – Utility Plan:
  - a. Indicate all utility crossing elevations. Provide concrete cradles where a vertical separation of 18” between outside of pipes is not attainable (6” min. clearance required). Denote all gas, electric, and water crossings.
  - b. Notes shall be placed that indicate all structural backfill within 5’ of the right-of-way shall require material to be compacted in 6” lifts or the use of flowable fill.
- Details:
  - a. Incorporate current Lebanon Standards details sheets. Inapplicable details and or sheets shall be “X”d out.  
<https://lebanon.in.gov/wp-content/uploads/2021/12/Lebanon-City-Standards-Final-Version-Jan-1-22.pdf>
- Provide Maintenance of Traffic plan in compliance with MUTCD for the construction of the proposed entrances and Utility Connections within existing rights-of-way.
- Provide copy of Indiana Department of Natural Resources (IDNR) Municipal Stormwater General Permit to Scott Calvert, MS4 Coordinator. Weekly City inspections of Stormwater BMPs are required throughout construction. Inspection fees will be \$50 per month from permit issuance till a Notice of Termination (NOT) is filed. Fees shall be paid at the time of permitting based on the proposed anticipate construction schedule.

**City of Lebanon Planning Staff Review-**

**1. Plan of Operation:**

The applicant is requesting Development Plan approval in order to construct a new 2274 square foot Taco Bell fast food restaurant with associated parking on the subject property.

**2. Development Standards-**

The submitted civil drawings have demonstrated compliance with the following standards required for the Planned Business Commercial (PBC) Zoning District.

UDO Development Standards-Planned Business Commercial District	
Required	Provided
Minimum Lot Size = No Minimum	Subject Lot = 1 acre
Minimum Lot Width = 100 Feet	190 Feet
Minimum Lot Frontage= 100 Feet	190 Feet
Front Setback (Lebanon Street) = 50 Feet	40.71 Feet (per Variance)
Side Setback (south) = 15 Feet	120 Feet
Side Setback (north) = 15 Feet	34 Feet
Rear Setback = 10 Feet	80 Feet
Maximum Height = 35 Feet	23 Feet

**3. Parking and Pedestrian Approval:**

<p><b>UDO Parking Requirement</b> Restaurant, Fast Food = 1 space per 2.5 seats and 1 space per 2 employees on the largest shift</p>	<p><b>Provided On-Site</b> TOTAL = 25 spaces (23 regular, 2 ADA)</p>
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**4. Lighting Approval:**

In review of submitted photometric plans and cut-sheets for the lighting fixtures, Lebanon Planning and Zoning Staff has determined that the plan meets all applicable requirements within the PBC zoning district.

**5. Landscaping/Bufferyard Approval:**

In review of the submitted landscaping plan, the applicant has provided a plan that meets all applicable requirements within the PBC and Thoroughfare Overlay Districts.

**6. Signage Plan:**

The applicant has not submitted a complete/final signage plan. Once signage has been developed, the applicant will be required to submit the plan for approval, meeting all applicable sign standards.

**7. Architectural Review:**

The applicant has submitted architectural renderings that adhere to the requirements of the PBC and Thoroughfare Overlay zoning districts. The building's primary materials are proposed to be brick and EIFS.

**Staff Recommendation:**

In review of the submitted Development Plan as presented, Lebanon Planning Staff finds compliance with the Unified Development Requirements for the subject site. Staff recommends approval of the subject Development Plan contingent on the following condition:

- **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 for approval prior to installation of any site signage.

**I: Staff  
Recommendation:**