

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

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

A. Case Number:	Docket # 22-33
B. Applicant:	Adam DeHart (Keeler-Webb) for Mann Brothers Holdings, LLC
C. Location:	The subject property is located at 1013 South Lebanon Street, Lebanon, Indiana, 46052.
D. Acreage and Zoning:	The subject property contains 0.62 acres and is presently zoned Neighborhood Business (NB) and within the Thoroughfare Overlay District.
E. Property History:	<p style="text-align:center">March 7, 2022 Board of Zoning Appeals</p> <p>Development Standards Variance Variance Request #1 – Front Building Setback – UDO Section 4.12.D Variance approved to permit relief from the front building setback to allow a setback of 20.5 feet rather than a minimum of 35 feet.</p> <p>Variance Request #2 – Front Parking Setback – UDO Section 7.5.F.2.i Variance approved to permit relief from the front parking setback to allow a setback of 20 feet rather than a minimum of 30 feet.</p> <p>Variance Request #3 – Rear Parking Setback – UDO Section 7.5.F.2.i Variance approved to permit relief from the rear parking setback to allow a setback of 10.5 feet rather than a minimum of 15 feet.</p>
F. Ordinance Process:	<p>Procedural Ordinance Process:</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> <ol style="list-style-type: none">1. All uses within the MF, MH, CB, NB, PBC, PBO, PBI, ID, and IN Districts2. All uses within the Interstate Overlay District <p>Lebanon Staff Determination: The project is located within the Neighborhood Business (NB) zoning district requiring Development Plan approval.</p>

G. Action Requested:	Development Plan Approval The applicant is requesting Development Plan approval in order to construct a new 5,000 square foot convenience store/laundry on the subject site along with associated parking.
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: <ul style="list-style-type: none">• Final plans shall be signed and stamped by a Professional Engineer or Land Surveyor registered in the state of Indiana.• Ensure the most recent set of Lebanon 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• The Lebanon Utilities contacts shown for water and wastewater on the cover sheet are incorrect. Ryan Ottinger, Water/Wastewater Operations Manager, should be listed as the contact for both water and wastewater.• Provide the sizes for the proposed water service lines.• Ensure that sanitary sewer laterals are PVC SDR-26 with a minimum slope of 1/4" per foot. Electrical Division- Comments were as follows: <ul style="list-style-type: none">• Per Lebanon Standards Sheet 2, any electric lines for street lighting that cross under roadways, parking lots, or similar surfaces, shall be encased in Rigid Conduit.• Coordinate electrical needs and proposed connections with the Lebanon Utilities Electric Department. 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: <ol style="list-style-type: none">1. 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.

2. 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
3. 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.
4. Sheet C1.0 – Cover 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

5. Sheet – Proposed Site Plan:
 - a. Provide 4” white detectable side lines for all crosswalk locations compliant with PROWAG and MUTCD requirements.
 - b. Provide 5’ Tree lawn adjacent to Noble Street pedestrian walks from adjacent public pedestrian facilities to the primary entrances.
 - c. Provide Curb Along Ash Street and Noble Street, engineer to verify proper drainage and provide curb turnouts and or drainage inlets where necessary.
6. Sheet – Proposed Utility Plan:
7. Sheet – Proposed Grading Plan:
 - a. All roof drain downspouts shall discharge at grade adjacent to the structure with proper grading to ensure drainage away from foundation.
 - b. 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.
 - c. 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.

- d. Ensure compliance with requirements with the City of Lebanon Stormwater Control Ordinance as outlined by CBBEL.
- 8. Sheet – Erosion Control Plan:
 - a. Ensure compliance with the City of Lebanon MS4 program and all Stormwater Control Ordinances and Design Standards as outlined by CBBEL.
- 9. Sheet – 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>
- 10. Provide Maintenance of Traffic plan in compliance with MUTCD for the construction of the proposed entrances and Utility Connections within existing rights-of-way.
- 11. 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 5,000 square foot convenience store/laundry on the subject site along with associated parking.

2. Development Standards-

The submitted civil drawings have demonstrated compliance with the following standards required for the Neighborhood Business (NB) Zoning District.

UDO Development Standards-Neighborhood Business District	
Required	Provided
Minimum Lot Size = 6000 SF	Subject Lot = 27,138 SF
Minimum Lot Width = 50 Feet	192 Feet
Minimum Lot Frontage= 30 Feet	192 Feet
Front Setback (Lebanon Street) = 35 Feet	21.9 Feet (per Variance)
Front Setback (Noble Street) = 35 Feet	20.5 Feet (per Variance)
Front Setback (Ash Street) = 15 Feet	118 Feet
Rear Setback= 25 Feet	25 Feet

3. Parking and Pedestrian Approval:

UDO Parking Requirement 1 space per 300 SF – 17 spaces	Provided On-Site TOTAL = 18 spaces (17 standard, 1 ADA)
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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 NB 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 NB and Thoroughfare Overlay Districts.

6. Signage Plan:

The applicant has not currently provided a 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 NB and Thoroughfare Overlay zoning districts. The building's primary materials are proposed to be concrete block, 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: