

CITY OF LEBANON  
PLANNING AND ZONING DEPARTMENT

CITY OF LEBANON PLAN COMMISSION  
STAFF REPORT  
AUGUST 15, 2022 PUBLIC HEARING

Project Overview:

**Docket #22-50 – Auburn Meadows Primary Plat Extension Request**

*At the July Plan Commission meeting, the applicant presented their request to extend the Primary Plat approval for Auburn Meadows. Auburn Meadows originally received Primary Plat approval in 2004 and recorded the first three sections in 2005, 2016, and 2020 with the gap from 2005 to 2016 primarily caused by the 2008 recession. They previously received an extension that expires in 2022 and are returning to request an additional extension to allow them to finish out the development over the next several years. During the Plan Commission meeting, an adjoining development, Forestar, indicated they have been attempting to negotiate with the applicant to secure an easement through Auburn Meadows that would allow Forestar to install sanitary sewer to the existing lift station at the east end of Auburn Meadows. The two parties, at that time, had not been able to come to an agreement about how to accomplish this task. At the July Plan Commission meeting, it was decided to continue the extension request to the August meeting to allow the two parties to continue their negotiations and come to some direction on the easement before the Plan Commission would consider the extension request. After recent contact with both parties, Staff has been informed that an agreement has been reached in principal and the easement documents are currently being drafted and should be on their way to execution around the time of the August meeting.*

Staff was recently contacted by the developer (Jim Tully) of the Auburn Meadows subdivision requesting a five-year extension of their primary plat approval to allow for the recording and completion of the remaining sections of the development over the next several years. In review of the UDO requirements for Primary Plat approvals, the approval shall be effective for a 12-month period. The following is the relevant section of the UDO:

**UDO 9.19.B.4.k**

**An approval of the Overall Primary Plat shall be effective for a period of twelve (12) months unless, upon request of the applicant, the Commission grants an extension of time. The application for a Secondary Plat shall be submitted to the Commission, and if it is not received within the specified period, all previous actions by the Commission with respect to the plat shall be deemed to be null and void.**

In this UDO language, there is not any indication of how the approval of the Primary Plat is impacted when there is a residential development with multiple sections. There is no differentiation between a single-phase development and a multiple phase development. A development involving only one phase may be able

to submit and record the secondary plat within 12 months, but a multiple phase development may only record the first phase in that time period. This does not specify how subsequent phases should be handled if they are not approved and recorded within the 12-month time period.

Auburn Meadows Timeline

Primary Plat approval	2004	272 lots overall
Section 1 Secondary Plat	2005	60 lots
Section 2 Secondary Plat	2016	51 lots
Section 3 Secondary Plat	2020	47 lots

Because the language in the UDO is not clear about how a multiple phase development should be addressed, Staff has determined the extension request should come to the full Plan Commission for review and approval. It is also important to note the extension of the Primary Plat approval and the review and approval of the Secondary Plat (and recording) and construction plans for future phases are two distinct and separate processes. All construction plans for subsequent phases are required to meet the current approved City Standards.

Plan Commission Action:

Planning Staff recommends that the **Plan Commission approve a five-year extension of the Primary Plat approval for Auburn Meadows.**