

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

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

A. Case Number	Docket #22-53
B. Applicant	SL Enterprise, LLC
C. Location	The subject property is located at 1121 N Lebanon Street, Lebanon, Indiana 46052.
D. Acreage and Zoning	The subject property contains 0.25 acres and is presently zoned Single-Family Residential (SF2).
E. Parcel(s)	Parcel 1 – 015-29030-00
F. Existing Land Use	Residential
G. Petition Request	<p>Planning Staff has been approached by the property owner about the possibility of transitioning the subject property into a non-residential use, similar to the site to the north being used primarily as a dentist office. While there are certainly technical details to be finalized, such as providing adequate parking, the first step to potentially transition this site would be to pursue a rezone to a commercial oriented zoning district. In 2021, the adjacent property to the north (129 W Camp), which had been used as a dentist office for a period of time, sought a rezone to Planned Business Commercial to allow flexibility for other users to share available space. The applicant is now requesting to rezone the subject property in a similar manner to Planned Business Commercial to allow the site to potentially be used for other low-intensity commercial uses.</p>
H. Ordinance Process	<p>Procedural Ordinance Process:</p> <p>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.</p> <p>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.</p> <p>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</p>

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 “residential” uses on the Future Land Use Map, but in this case, the proposal would be to align the zoning of the subject property with the property to the north in order to allow low-intensity commercial uses on the site.

Staff Finding: The subject rezoning to Planned Business Commercial (PBC) 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	Planned Business Commercial (PBC)	Dentist office
South of Subject Property	Single-Family Residential (SF2)	Residential Use
West of Subject Property	Planned Business Commercial (PBC)	Commercial Use
East of Subject Property	Single-Family Residential (SF2)	Residential Use

Staff Finding: The subject rezoning to Planned Business Commercial (PBC) is compatible with existing uses and zoning on adjacent properties.

Criteria 3 – Desirability of Land Use

The rezone to Planned Business Commercial (PBC) is being proposed in order to provide additional commercial use of the property with a conforming zoning district. 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.

Staff Finding: The subject rezoning to Planned Business Commercial (PBC) is a desirable land use within the proposed area.

Criteria 4 – Impact on Property Values

The continuation of the commercial land use is consistent with others in the vicinity. If approved, the rezoning would allow for lower-intensity commercial uses similar to those on the adjacent property to the north.

Staff Finding: The subject rezoning to Planned Business Commercial (PBC) would have no negative impact on property values in the area.

Criteria 5 – Responsible Growth

The area surrounding the subject property is a mix of both residential and non-residential land uses and is an area of transition from primarily residential land uses further south and primary commercial land uses to the north. The land use is consistent with the surrounding land uses and is served by existing utilities and infrastructure.

Staff Finding: The subject rezoning to Planned Business Commercial (PBC) represents responsible growth and development.

I. Staff Recommendation

Staff Recommendation

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