

**CITY OF LEBANON  
PLANNING AND ZONING DEPARTMENT**

**CITY OF LEBANON PLAN COMMISSION  
STAFF REPORT  
AUGUST 21, 2023 PUBLIC HEARING**

<b>A. Case Number</b>	<b>Docket #23-53</b>
<b>B. Applicant</b>	<b>Paul Carroll on behalf of Davis Building Group, LLC</b>
<b>C. Location</b>	<b>The subject property is located at 102 Birchwood Drive, Lebanon, Indiana 46052.</b>
<b>D. Acreage and Zoning</b>	<b>The subject property contains 1.1 acres and is presently zoned Planned Business Commercial (PBC).</b>
<b>E. Parcel(s)</b>	<b>Parcel 1 – 015-23500-00</b>
<b>F. Existing Land Use</b>	<b>Vacant with Detention Pond</b>
<b>G. Petition Request</b>	<p>Planning Staff has been approached by the petitioner about the potential to rezone the subject property to Single-Family Residential (SF2) in order to construct a home for Davis Building Group to be used for the foreseeable future as a sales office and model home. Davis Homes, in addition to developing a variety of specific Davis neighborhoods, also has options to build on a customer’s lot and would like to have a location to meet with those clients and show a model home. While the petitioner anticipates the home will be used for the foreseeable future as a sales office and model home, they also want the flexibility to sell the property as a home when it is no longer needed for their business. For this reason, they have requested the rezone to a residential zoning district to permit this future sales option.</p>
<b>H. Ordinance Process</b>	<p><b>Procedural Ordinance Process:</b></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 “commercial” uses on the Future Land Use Map, but is also in an area where the comprehensive plan indicates a transition from commercial to residential uses to the east. In addition, while the parcel is approximately one acre in size, due to the existing detention on the front of the property, there is limited potential for commercial development, thus supporting the rezone to residential.

Staff Finding: The subject rezoning to Single-Family Residential (SF2) 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)	Residential
South of Subject Property	Interstate 65	Interstate 65
West of Subject Property	Planned Business Commercial (PBC)	Real Estate Office
East of Subject Property	Single-Family Residential (SF3)	Residential

Staff Finding: The subject rezoning to Single-Family Residential (SF2) is compatible with existing uses and zoning on adjacent properties.

**Criteria 3 – Desirability of Land Use**

The rezone to Single-Family Residential (SF2) would allow for the construction of a single-family home that will be used for a period of time as a sales office and model home and eventually sold as a residence. The subject property is in an area that transitions from commercial uses to the west to residential uses to the east. 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 Single-Family Residential (SF2) is a desirable land use within the proposed area.

**Criteria 4 – Impact on Property Values**

The proposed residential structure is consistent with others in the vicinity to the north and east of the subject property and the proposed use of the structure as a sales office

and model home is low intensity and will not have a negative impact on surrounding neighbors, either commercial or residential.

Staff Finding: The subject rezoning to Single-Family Residential (SF2) 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 commercial and residential uses. Given the size of the subject site restricts any significant potential for commercial uses, it would be most responsible to rezone the site for residential purposes.

Staff Finding: The subject rezoning to Single-Family Residential (SF2) represents responsible growth and development.

#### **Staff Recommendation**

In review of the rezoning request to Single-Family Residential (SF2), Lebanon Planning Staff recommends this petition be forwarded by the Plan Commission to the Common Council with a favorable recommendation.

### **I. Staff Recommendation**