

**CITY OF LEBANON  
PLANNING AND ZONING DEPARTMENT**

**BOARD OF ZONING APPEALS  
STAFF REPORT  
NOVEMBER 6, 2023 PUBLIC HEARING**

<b>Case Number:</b>	<b>Docket #23-81</b>
<b>Applicant:</b>	<b>Gary Murray (Cripe) on behalf of Prologis</b>
<b>Location:</b>	The subject property is located at 500 S Enterprise Boulevard, Lebanon, Indiana 46052.
<b>Acres and Zoning</b>	The subject property is zoned Planned Business Industrial (PBI) and comprised of approximately 45 acres.
<b>Property History:</b>	<p><b>History of Property:</b> This is the first time the requested Development Standard Variances have appeared before the City of Lebanon Board of Zoning Appeals. The subject property currently contains an approximately 700,000 square foot warehouse building with associated employee and truck/trailer parking.</p> <p><b>Lebanon Planning Staff Determination:</b> The applicant, Cripe Engineering, presented the intent to construct additional trailer and employee parking areas on the subject property. Because of various site limitations, the applicant is requesting variances to accommodate the proposed parking expansions.</p>
<b>Variance Request(s):</b>	<p style="background-color: #e0e0e0;"><b>Applicant Request: Development Standard Variance Request</b></p> <p><b>Variance Request #1 – Parking Curb</b> <b>UDO Section 7.5.C.3</b> The UDO requires all parking and drive areas for non-residential uses to be completely curbed. The applicant is requesting relief from the curb requirement to allow the proposed site improvements to sheet drain similar to existing conditions.</p> <p><b>Variance Request #2 – Parking Lot Perimeter Landscaping</b> <b>UDO Section 7.8.J.3</b> The UDO requires all parking areas to include parking lot perimeter landscaping. The applicant is requesting relief from this requirement for the proposed parking additions, consistent with existing parking area improvements.</p> <p><b>Variance Request #3 – Parking Space Dimensions</b> <b>UDO Section 7.5.C.12</b> The UDO requires all parking spaces to be 9 feet wide by 20 feet in length. The applicant is proposing parking spaces that are 18 feet in length, matching the length of existing parking spaces on the subject site.</p>

<p><b>Variance Evaluation:</b></p>	<p><b>Evaluation of Variance(s)</b></p> <p>Statutory Authority of BZA for Reviewing Variances.          Pursuant to state statute and the Lebanon Unified Development Ordinance, the Board of Zoning Appeals must find that each of the following conditions is satisfied in order to grant a variance from the development standards in the Ordinance. Per Indiana Code (IC) 36-7-4-918.5; No variance in the application of the provisions of the ordinance shall be made by the Board relating to buildings, land or premises now existing or to be constructed, unless after a public hearing, the Board shall find, in writing that each of development standard variances listed above has been reviewed based on the following (3) statutory criteria:</p> <p style="text-align: center;"><b>Statutory Criteria</b></p> <p><b><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></b></p> <p><b><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</i></b></p> <p><b><i>Criteria-3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></b></p>
<p><b>Variance #1:</b></p>	<p><b>Variance Request #1 – Parking Curb</b>  <b>UDO Section 7.5.C.3</b></p> <p>The UDO requires all parking and drive areas for non-residential uses to be completely curbed. The applicant is requesting relief from the curb requirement to allow the proposed site improvements to sheet drain similar to existing conditions.</p> <p style="text-align: center;"><b>Staff Evaluation of Development Standard Variances</b></p> <p><b><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></b></p> <p><b><i>Staff Analysis</i></b>          The relief from the parking area curb requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The applicant is proposing to sheet drain from this area to proposed adjacent swales, so there will be no drainage issues that would impact neighboring properties.</p> <p><b><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.</i></b></p> <p><b><i>Staff Analysis</i></b>          The requested variance for relief from the parking area curb requirement will not affect the use and value of the area adjacent to the property in an adverse manner. The site will be engineered to accommodate all stormwater runoff into onsite detention basins and then released into appropriate swales and ditches. The</p>

	<p>drainage improvements will have no negative impact on surrounding neighbors. In addition, the proposed improvements are similar to those of adjacent properties.</p> <p><b><i>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></b></p> <p><b><i>Staff Analysis</i></b> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. The existing parking lot improvements, which do not include curbing, were designed to sheet drain into adjacent swales. Requiring new parking areas to include curbing would additionally require significant changes to the site design to accommodate modifications to the drainage plan.</p>
<b>Staff Recommendation:</b>	<p><b>Staff Recommendation:</b> The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the parking curb requirements of the Unified Development Ordinance.</p>
<b>Variance #2:</b>	<p><b>Variance Request #2 – Parking Lot Perimeter Landscaping</b> <b>UDO Section 7.8.J.3</b> The UDO requires all parking areas to include parking lot perimeter landscaping. The applicant is requesting relief from this requirement for the proposed parking additions, consistent with existing parking area improvements.</p> <p><b>Staff Evaluation of Development Standard Variances</b></p> <p><b>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</b></p> <p><b>Staff Analysis</b> The relief from the perimeter landscaping requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community.</p> <p><b>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</b></p> <p><b>Staff Analysis</b> The requested variance for relief from the perimeter landscaping requirement will not affect the use and value of the area adjacent to the property in an adverse manner. The proposed improvements match existing conditions and are similar to landscaping improvements on adjacent properties.</p>

<p><b>Staff Recommendation:</b></p> <p><b>Variance #3:</b></p>	<p><b>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</b></p> <p><b>Staff Analysis</b> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. The proposed parking area improvements are primarily along the perimeter of the site where adjacent to drainage swales, some of which are county regulated legal drains. There are significant restrictions on placement of landscaping within legal drains due to impacting flow of water and the ability to properly maintain the ditches.</p> <p><b>Staff Recommendation:</b> The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the parking lot perimeter landscaping requirement of the Unified Development Ordinance.</p> <p><b>Variance Request #3 – Parking Space Dimensions</b> <b>UDO Section 7.5.C.12</b> The UDO requires all parking spaces to be 9 feet wide by 20 feet in length. The applicant is proposing parking spaces that are 18 feet in length, matching the length of existing parking spaces on the subject site.</p> <p><b>Staff Evaluation of Development Standard Variances</b></p> <p><b>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</b></p> <p><b>Staff Analysis</b> The relief from the parking space dimension requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community.</p> <p><b>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</b></p> <p><b>Staff Analysis</b> The requested variance for relief from the parking space dimension requirement will not affect the use and value of the area adjacent to the property in an adverse manner. The proposed parking space dimensions match the dimensions of existing parking spaces on the subject property.</p> <p><b>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</b></p> <p><b>Staff Analysis</b> The strict application of the terms of the UDO will result in practical difficulties in</p>
--	--

the use of the property. The proposed parking spaces are primarily an extension of the existing parking lot thus the proposed parking space size matches the size of the existing parking spaces. It would not be feasible to modify the proposed parking space size given their location on the site.

**Staff Recommendation:**

**Staff Recommendation:**

The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the parking space dimension requirement of the Unified Development Ordinance.