

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

**CITY OF LEBANON PLAN COMMISSION
STAFF REPORT
APRIL 15, 2024 PUBLIC HEARING**

A. Case Number:	Docket # 24-11
B. Applicant:	Aaron Hurt (Civil & Environmental Consultants) representing Browning Investments
C. Location:	The subject property is located at the approximate address of 705-1055 W Cox Avenue, Lebanon, Indiana, 46052.
D. Acreage and Zoning:	The subject property contains 57 acres and is presently zoned Light Industrial (LI).
E. Property History:	<p style="text-align:center">September 7, 2021 Board of Zoning Appeals Approval</p> <p>Development Standards Variance Variance Request #1 – Interstate Corridor Buffer – UDO Section 6.2.E Variance approved to permit relief from the interstate corridor buffer width and planting requirements.</p> <p>Variance Request #2 – Parking Lot Perimeter Landscaping – UDO Section 7.8.J.3 Variance approved to permit relief from the parking lot perimeter landscaping requirements where adjacent to detention ponds, railroad right-of-way, or adjacent industrial users.</p> <p>Variance Request #3 – Dumpster Screening – UDO Section 7.8.O.5 Variance approved to permit relief from the dumpster screening requirement to allow one dumpster within the park to face toward the internal street.</p> <p>Variance Request #4 – Dumpster Location – UDO Section 7.10.B.10.a Variance approved to permit relief from the dumpster location requirement to allow dumpsters to be located between the buildings and the internal street.</p> <p>Variance Request #5 – Off-Street Loading Berths – UDO Section 7.6.A.3 Variance approved to permit relief from the off-street loading berth requirements to allow loading berths to be located on the sides of the buildings facing the internal street.</p> <p style="text-align:center">May 16, 2022 Plan Commission Approval</p> <p>The proposed development by the applicant, Lebanon Park 65 LLC, received Primary Plat and Development Plan approval from the Plan Commission at their May 2022 meeting. However, these approvals have since expired and the revisions</p>

based on the current proposed use will require new Primary Plat and Development Plan approvals.

March 4, 2024 Board of Zoning Appeals Approval

Conditional Use

The applicant received conditional use approval to allow MacAllister Rentals to construct an equipment rental facility on the subject property. This type of use is considered a contractor’s warehouse/storage facility (unenclosed), which is a conditional use in the LI zoning district.

F. Ordinance Process:

Unified Development Ordinance Process for Primary Plats

All major subdivisions require primary plat approval by the Plan Commission. Major subdivisions include those that result in the creation of more than four lots and/or any subdivisions requiring new streets or extensions or creations of public improvements. The Plan Commission shall review the application and overall primary plat to determine if it conforms with the minimum standards and requirements as outlined in the UDO.

Lebanon Staff Determination: The proposed subdivision and primary plat proposes to create four lots, but also includes new public streets and the creation of public improvements. The plat qualifies as a major subdivision requiring Plan Commission review and approval.

G. Action Requested:

Primary Plat Approval

The applicant is requesting Primary Plat approval in order to establish four lots within Park 65, a proposed industrial development along the west side of State Road 39, just south of Interstate 65 and behind the Flying J gas station.

H. TAC Review:

TECHNICAL ADVISORY COMMITTEE (TAC) REVIEW

City of Lebanon Utilities

Sewer and Water Division- Comments were as follows:

- While Lebanon Utilities’ Water System has a strong supply of water for current users and previously approved and allocated projects, the amount of allocatable water capacity is extremely limited. This situation is anticipated to be temporary. Lebanon Utilities, in conjunction with the City of Lebanon, is working diligently to secure additional secondary water supply sourcing in order to continue to provide the level of service its current users have grown to expect. Presently, there is no exact timeframe for when or if an additional water supply can be made available. Accordingly, we encourage that you stay in contact with us as we continue to partner with the City and its stakeholders in its continued growth.
- All water or wastewater infrastructure that is to be considered public that is not located within the Right-of-Way shall be located within a suitable easement.
- Ensure valve clusters are provided at all tees and crosses per City Standards.

- Granular backfill shall be provided for water main within 3 feet of a proposed street per the City Standards.
- The water main appears to be shown as PVC C900 on Sheet C503, but as ductile iron in the profile views on Sheets 508 and 509. Confirm the water main material. Note that the City Standards do not currently have details and specifications for PVC C900. If the project is to include PVC C900 for water mains a variance must be requested.
- Private hydrants shall be painted red.
- The angle of the sanitary sewer entering the existing structure labeled E500 from Structure 501 is not ideal and the sanitary sewer alignment shall be reconfigured to provide a more suitable outlet.

Electrical Division-

- Coordinate electrical needs and proposed connections with the Lebanon Utilities Electric Department.
- All primary wiring under parking lots, streets, or similar features shall be encased in rigid conduit, furnished, and installed by developer.

City of Lebanon Stormwater – Satisfactorily address all storm water runoff, detention, storm sewer, and storm water quality comments provided by Kerry Daily of Christopher Burke Engineering 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 at all proposed buildings. Address numbers need to be placed on the street façade of the building and be 6-12” in size.

City of Lebanon Engineer – Comments/questions are as follows:

1. General Comments:
 - a. All sheets must be certified by a registered professional engineer licensed to practice in the State of Indiana.
 - b. 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, the Indiana Department of Transportation, etc.
 - c. Ensure compliance with requirements set forth by Lebanon Utilities and their reviewing consultants.
 - d. 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. Ensure compliance with the requirements of the City of Lebanon Stormwater Control Ordinance and Design Standards. Ensure compliance with the requirements of the City of Lebanon MS4 Department.

- e. Add Note stating the following: ALL WORK ASSOCIATED WITH LEGAL DRAINS, EITHER OPEN DITCHES OR CLOSED DRAINAGE TILES ARE TO BE APPROVED AND COORDINATED WITH THE BOONE COUNTY SURVEYOR'S OFFICE. Please consult with the Boone County Surveyor regarding any reconstruction and or improvement requirements.
- f. Provide Traffic Impact Study to determine appropriate intersection and entrance improvements, including any necessary modifications to the adjacent SR 39 intersection geometry and traffic signal operations.
- g. Provide Documentation of right-of-way dedication associated with the existing private entry Drive to SR 39.

2. 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. Provide Reference to City of Lebanon Standards, where applicable.
- d. Ensure compliance with the requirements of the City of Lebanon Stormwater Control Ordinance and Design Standards as outlined by CBBEL.
- e. Ensure compliance with requirements set forth by Lebanon Utilities and their reviewing consultants.
- f. Ensure compliance with the requirements of the City of Lebanon MS4 Department.

3. All plan and profiles

- a. Indicate Structural backfill for all trenches located within 5' of all rights-of-way.
- b. Notes shall be placed that indicate all structural material to be compacted in 6" lifts.
- c. Indicate conduit and utility crossing locations, size, depth, and material.
- d. Provide structural backfill between all conduit, storm sewer, water main, and sanitary sewer crossings.

4. C001 – Title Sheet:

- a. "APPROVED FOR CONSTRUCTION" stamp, shall be revised, 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

APPROVED City of LEBANON UTILITIES

By: _____ Date: _____

Ryan C. Ottinger, Water & Wastewater Operations Manager

By: _____ Date: _____

Jeffrey L. Greeno, Electric Operations Manager

REVISIONS

DATE	COMMENTS

a. Add or revise the following contact information:

Kevin Krulik PE PS AICP - City Engineer 765-482-8845
City of Lebanon - Engineering
401 S. Meridian Street
Lebanon, IN 46052

Jason Lawson – Director of Public Works 765-482-8870
City of Lebanon - Department of Public Works
324 North Mt. Zion Road
Lebanon, IN 46052

Scott Calvert – MS4 Coordinator 765-482-8870
City of Lebanon - Department of Public Works
324 North Mt. Zion Road
Lebanon, IN 46052

1. Primary Plat (3 sheets) – Subdivision Plat:


- a. Label "ROADWAY" as right-of-way (R/W) with proposed dedicated street names, to be approved by the City of Lebanon Planning Department.
- b. Secondary Plats shall comply with Boone County recording sheet size requirements.
2. ALTA (2 sheets) – ALTA/NSPS Land Title Survey – Boundary Retracement Survey:
 - a. No comments at this time.
3. SV-3 – SV-8 – Topographic Survey:
 - a. Correct Drawing Number references on Title Sheet.
4. Sheet C101 – Demolition Plan:
 - a. The edge of all existing pavements to receive full depth cut to ensure proper jointing where widening is proposed.
 - b. Concrete shall be cut at existing joints. Add appropriate notes as needed.
 - c. Provide reference to maintenance of traffic plan associated with construction along Cox Avenue and SR 39.
 - d. Provide for a 2" asphalt milling and widening of the existing R/W pavement along the entire project frontage of Cox Avenue.
5. Sheet C200-C205 – Site Plan (Including Overall Plan):
 - a. Provide "NO TRUCKS" signage at all tie-ins at Cox Avenue to ensure Truck Traffic is prohibited from exiting the site at the Cox Avenue locations.
 - b. Provide necessary "NO TRUCKS" signage or other barricade/control systems to ensure truck traffic does not leave truck court areas.
 - c. Provide Heavy Duty Pavement for drive aisles through passenger car parking areas of all buildings.
 - d. Provide 4" white thermoplastic side lines for all crosswalk locations (entry/exit drives, intersections, and mid-block crossing) compliant with PROWAG and MUTCD requirements, at all curb ramp locations.
 - e. Provide 24" white thermoplastic stop bars compliant with PROWAG and MUTCD requirements for all: driveways intersecting public streets, public street intersection, and mid-block crossings.
 - f. Provide Warning signage and Flashing pedestrian crossing signals (full time flashing, not pedestrian actuated) at mid-block crossing location.
 - g. Provide stop signs compliant with MUTCD requirements, for all driveways intersecting public streets.
 - h. Combine Street name and stop signs on single post. Street name signs to match current city standard (old gold background with black lettering and "Tiger head" logo) on black painted square breakaway steel posts. Color and logo files will be provided under separate cover.

- i. All traffic control posts installed within the right-of-way shall be black painted square breakaway steel posts.
 - j. All traffic control signage within the right-of-way to have black painted sign backs.
 - k. Indicate Street Light locations.
 - l. All pavement within right-of-way must meet city of Lebanon standard for heavy duty pavements. This includes entry/exit drive connections.
 - m. Widen Cox Ave to provide for 2 – 11' through lanes (in addition to areas for traffic control striping, 4" double yellow thermoplastic) along the entire project frontage.
 - i. Provide for 2' stone shoulder along both sides of the entire project frontage.
 - ii. Mill (2") and resurface Cox Avenue along the entire project frontage.
6. Sheet C300-C305 – Grading Plan (Including Overall Plan):
- a. All proposed public streets shall have a minimum slope of 1.0%.
 - b. Indicate Street centerline stationing for proposed Public Street.
 - c. Provide centerline elevations labels at the following locations:
 - i. Intersections
 - ii. High points
 - iii. Low points
 - iv. Even stations, i.e., 1+00, 2+00, etc.
7. Sheet C306-C308 – Intersection Grading:
- a. Concentrated storm sewer flows at intersections shall be centered on concrete gutters; no concentrated flow shall be directed across asphalt.
 - b. Indicate Gutter slopes. Minimum slope of 1.0% to be provided on all radii.
 - c. Ensure that ADA and PROWAG standards for ramps, including longitudinal and cross slopes, are met.
 - d. Indicate Street lighting locations.
 - e. Indicate traffic control and Street name signage locations.
8. Sheet C309-C311 – Road Plan and Profiles
- a. See Comment 3. Above.
9. Sheet C312 – Flood Routing Plan
- a. No comment at this time.
10. Sheet C400-C405 – Drainage Plan (Including Overall Plan):
- a. No comment at this time.
11. Sheet C406-C410 – Storm Sewer Profiles:
- a. See Comment 3. Above.

b. The following revised stormwater standard may apply:

City of Lebanon Polypropylene Storm Sewer Specifications

1. Polypropylene (PP) Storm sewer pipe (HP storm pipe by ADS or approved equal) will be permitted outside of right-of-way pavement areas. PP pipe material shall have an extended double gasketed bell and spigot connection.
2. All storm sewer structures shall be precast reinforced concrete per Lebanon standards. All storm sewer structure connections shall meet Lebanon standards for interior and exterior concrete collars and grouting. All storm sewer structures shall meet Lebanon standards for concrete flow lines.
3. All End Sections shall be precast reinforced concrete per Lebanon standards.
4. All PP storm sewers shall be subject to and meet 7.5% mandrel testing. All storm sewers shall be jet cleaned inspected with video inspection equipment and video files provided to the City prior to acceptance per Lebanon standards.
5. All storm sewers under right-of-way pavement shall be reinforced concrete pipe per Lebanon standards.
6. All changes in storm sewer pipe material must be made at a precast reinforced concrete storm sewer structure.
7. Bedding for PP pipe material shall be 4-inches for 12- to 24-inch pipe, and 6-inches for 30- to 60-inch pipe. Bedding and initial backfill shall be crushed #8 limestone placed to a minimum of 12-inches above top of pipe.
8. All other City of Lebanon Standards shall apply to storm sewer Construction.


Kevin Krulik PE PS AICP, City Engineer
City of Lebanon, Indiana



12. Sheet C500-C505 - Utility Plan (Including Overall Plan):
 - a. No comment at this time.
13. Sheet C506 – Sanitary Sewer Plan and Profile:
 - a. See Comment 3. Above.
14. Sheet C507-C509 – Water Main Plan and Profile:
 - a. See Comment 3. Above.
15. Sheet C700-C706 – Landscape Plan:
 - a. Ensure compliance with Planning Department.
 - b. Indicate Street lighting and signage locations.
 - c. Ensure UDO sight triangle requirements.
16. Sheet C800-804 –Details Sheets (All):
 - a. Please remove any detail that is in conflict or duplicative of details provided in the current City of Lebanon Standard Details.
17. Sheet C900-C905 – Stormwater Pollution Prevention Plan:
 - a. No comment at this time.
18. Sheet C906 – Stormwater Pollution Prevention Notes:
 - a. No comment at this time.
19. 01-23 of 23 Lebanon Standards:
 - a. inapplicable details and or sheets may be “X”d out.
20. Provide Maintenance of Traffic plan in compliance with MUTCD for the construction of the proposed Cox Avenue and Entry Drive to SR 39 improvements.

21. Provide copy of Indiana Department of Natural Resources (IDNR) CSGP Notice of Intent (NOI) 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 Improvement Location Permit (ILP) issuance based on the proposed anticipated construction schedule.
22. Please note that all proposed buildings will be subject to Road Impacts fees at the time of permitting.

City of Lebanon Planning Staff Review-

1. Plan of Operation:

The applicant is requesting Primary Plat approval in order to establish four lots within Park 65, a proposed industrial development along the west side of State Road 39, just south of Interstate 65 and behind the Flying J gas station.

2. Development Standards-

The submitted civil drawings have demonstrated compliance with the following standards required for the Light Industrial (LI) Zoning District.

UDO Development Standards-Light Industrial	
Required	Provided
Minimum Lot Size = 5 acres	8.99 – 73.08 acres
Minimum Lot Width = 200 feet	614 – 2165 feet
Front Setback = 50 feet	50 feet
Side Setback = 25 feet	25 feet
Rear Setback = 50 feet	50 feet

Staff Recommendation:

In review of the submitted Primary Plat as presented, Lebanon Planning Staff finds compliance with the Unified Development Ordinance Requirements for the subject site. Staff recommends approval of the subject Plat contingent on the following condition:

- **TAC Comments:**

The applicant adequately addresses any remaining City of Lebanon Technical Advisory Committee comments and submit for Development Plan approval for individual lot development prior to application for any building permits or site improvements.

**I: Staff
 Recommendation:**