

CITY OF LEBANON PLANNING COMMISSION MINUTES

DATE: September 19, 2017

TIME: 7:00 p.m.

Members present were Mayor Amy Brewer, Kevin Glardon, Tom Miller, and Bernie Uchtman and Scott Brunka, City Manager. Also present was Meredith Snyder, City Planner.

The meeting was called to order by Mr. Miller, acting as Chairman in Mr. Fair's absence.

Mr. Miller recognized the newest Planning Commission member Mr. Bernie Uchtman and welcomed him to the Commission.

Consideration of Minutes

The meeting minutes for the June 20, 2017 Special Meeting were motioned for approval by Mayor Brewer and Seconded by Mr. Glardon. The June 20, 2017 Special Meeting Minutes were unanimously approved.

The meeting minutes for the August 15, 2017 Regular meeting were motioned for approval by Mayor Brewer and Seconded by Mr. Glardon. The August 15, 2017 Regular meeting Minutes were unanimously approved.

Conditional Use Permit – Public Hearing –665 North Broadway

The first item of business is an application for a Conditional Use request to construct a new 18,000 square-foot Event Center to be part of the Warren County Fairgrounds at 665 North Broadway.

Ms. Snyder presented an overview of the proposed Conditional Use request and provided the staff report for the request as well as the recommended conditions.

Mr. Gene Steiner spoke on behalf of the Warren County Agricultural Society and asked if there were any questions.

Mr. Miller asked for clarification regarding the landscaping waiver requested.

Ms. Snyder stated that it is at the Planning Commission's discretion to waive that landscaping requirement as requested by the applicant and that all other zoning issues have been resolved. The unresolved issues can be handled after the Planning Commission's decision through City department's staff review.

Mr. Steiner stated that the number one responsibility is to put on an agricultural event and educational event every year which is the Fair, so to put islands in that area when we have to do our fair the third week of July would hurt that. Mr. Steiner also stated that the striping condition is not an issue.

Mr. Miller asked for clarification on the required paving and striping requirements.

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Ms. Snyder stated that part of the recommended conditions is that the parking lot in that area be striped prior to the final occupancy being granted by the city for this project. Ms. Snyder also stated that there are still additional items from other departments that we're working through with the consultant and their newest submittal and that can happen after this meeting.

Mayor Brewer motioned to open the Public Hearing and Mr. Uchtman seconded the motion. The public hearing was opened.

Mr. Miller asked if anyone would like to speak, with no one coming forward Mayor Brewer motioned to close the Public Hearing and Mr. Glardon seconded the motion. The public hearing was closed.

There being no further discussion, a motion was made by Mayor Brewer and seconded by Mr. Glardon to approve the Conditional Use permit to construct a new 18,000 square-foot Event Center to be part of the Warren County Fairgrounds at 665 North Broadways, subject to the following conditions:

1. All plan corrections as required in the City Planner's memo dated July 5, 2017, in addition to any other required revisions as requested by City staff, shall be provided on revised plans for final staff approval prior to the conditional use permit being issued for the project.
2. The parking stall striping shown outside of the Construction limits (for a total of 541 parking spaces for Event Center use) be striped prior to the granting of Final Occupancy by the property owner.
3. All applicable permits shall be issued by the City of Lebanon prior to the start of construction. Two original sets of the final plans shall be submitted for staff approval and signature.
4. Any variation from the approved plans may require additional review and approval by the Planning Commission and/or the Department of Planning and Development prior to making changes to the site.

Upon calling the roll, the motion passed unanimously.

Zoning Map Amendment – Request to Re-Zone 28.2256. + Acres on Glosser Road (Parcel No. 12053510071) from R-1B (Residential One B) on the west half of the parcel and R-1A (Residential One A) on the east half of the parcel to R-1B (Residential One B) on the entire parcel.

The next item of business was introduced by Mr. Miller and is a request to review and provide recommendation to City Council on the proposed map amendment to rezone 28 acres from R-1B (Residential One B) on the west half of the parcel and R-1A (Residential One A) on the east half of the parcel to R-1B (Residential One B) on the entire parcel.

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Ms. Snyder presented an overview of the proposed rezoning request and provided the staff report for the request as well as the staff recommendation.

Mr. Miller asked for the applicant to speak on the issue.

Mr. Robert Kaufman provided background on his ownership of the property and the existing zoning conditions. Mr. Kaufman also stated that he intends to develop the property and build home for himself and develop the remaining land. He also stated that wanted to sell of pieces of the land to adjacent properties and that was the reason for the rezoning request to make the zoning contiguous with the properties they would be combined with.

Mayor Brewer stated that people are here due to the connection to McBurney and asked the applicant to speak on that.

Mr. Kaufman stated that the red marked map shows his ideas on the possibility of developing the land and the drawing was meant for his engineer and that he does not intend to have a thru way going through his front yard.

Mr. Miller asked if any one else wished to speak.

Ms. Sylvia Outland from 110 Hickory Lane in McBurney Hills spoke against the request on behalf of a number of residents. She stated that they are opposed to the current rezoning request and to the possibility of opening access to McBurney hills. Ms. Outland also provided the Planning Commission with a petition from the residents, photos, and a letter. The materials were motioned to be accepted by Mayor Brewer and seconded Mr. Glardon.

Mayor Brewer asked staff for clarification on the zoning of the property.

Ms. Snyder stated that the request to rezone was made by Mr. Kaufman and the City must follow the rezoning process and its legal requirements for a public hearing and notifications. Ms. Snyder also stated that the Commission has the option of providing a positive or negative recommendation to City Council for rezoning the entire parcel to R1B.

Mr. Mike Hoelsler of 900 Clover Lane in McBurney Hills spoke against the request on behalf of a number of residents.

Mr. John McComb of 121 Hickory Lane spoke against the rezoning request but in favor of the correct development of the property.

Ms. Julie Deloriey a resident of McBurney Hills spoke against the request and had concern for traffic that would be created.

Mr. John Gowlet of East Concord Drive spoke against the request with concerns of traffic.

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Mr. Mike Cope of 150 West Concord spoke against the request with concerns of density.

Mr. Dave Palmer of McBurney Drive spoke against the request.

Mr. Miller asked for comments from the Planning Commission.

Mayor Brewer stated that she also has concerns with the request as it is currently proposed.

Mayor Brewer motioned to recommend denial to City Council for the rezoning request. The motion was seconded by Mr. Uctman. The motion passed with a vote of three for the motion and one against.

Zoning Map Amendment – Request to Re-Zone 9.8 + acres at the northwest corner of State Route 63 and Neil Armstrong Way (Parcel numbers 12124800960, 12124800930, 12124000320) from NC PUD (Neighborhood Commercial with Planned Unit Development Overlay) to GC (General Commercial).

The next item of business was introduced by Mr. Miller and is a request to review and provide recommendation to City Council on the proposed map amendment to Re-Zone 9.8 ± acres at the northwest corner of State Route 63 and Neil Armstrong Way (Parcel numbers 12124800960, 12124800930, 12124000320) from NC PUD (Neighborhood Commercial with Planned Unit Development Overlay) to GC (General Commercial).

Ms. Snyder presented an overview of the proposed rezoning request and provided the staff report for the request as well as the staff recommendation.

Mayor Brewer stated that she is excited to see this development.

Mr. Dave Ward of Green Court spoke against the request due to concerns of traffic, lights and noise.

Mayor Brewer asked for clarification on the current zoning.

Ms. Snyder gave an overview of the previous PUD rezoning for a mixed use commercial development that would permit a gas station and other businesses.

Mr. Adam Mathews of 1144 Walden Court asked for clarification on the recent rezoning to the south.

Ms. Snyder clarified that both properties shown on the map in red have been rezoned to General Commercial to allow a Car lot.

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Mr. Mathews also against the request but stated that he appreciates all the work that Lebanon Ford does in Lebanon. Mr. Mathews stated that he was concerned about traffic.

Mayor Brewer stated that she believes that Ford will have less impact on the surrounding neighborhood than the previously proposed mixed use commercial development and that there is no drive shown going on to Rough Way.

Mr. Uchtman asked how test driving would occur in the neighborhood.

Ms. Bonnie Kasik, the applicant clarified the entrances and that test drives do not go through neighborhoods. She also stated that Ford wanted to be a good neighbor to the community.

Ms. Lisa Cryder the owner of Lebanon Ford spoke regarding why they wanted to build a new building rather than upgrade their current location.

Mr. Miller asked for any further comments.

Mr. Glardon motioned to recommend approval of the rezoning request to City Council. Mr. Uchtman seconded the motion. The motion passed unanimously.

Subdivision Plat – Rosemarie Heights Section 7 Preliminary Plan for approximately 14.47 acres located at 315 Miller Road

The next item of business was introduced by Mr. Miller and is a request for a preliminary plan for approximately 14.47 acres located at 315 Miller Road.

Ms. Snyder presented an overview of the proposed Preliminary plan request and provided the staff report for the request as well as the staff recommendation.

Mr. William Imbus stated that this request was to allow for the sale of his property.

There being no further discussion, a motion was made by Mayor Brewer and seconded by Mr. Uchtman to approve the preliminary plan for approximately 14.47 acres located at 315 Miller Road, subject to the following conditions:

1. All plan corrections as required by the City Planner shall be provided on revised plans prior to submittal for Final Plat approval.
2. The final plat for Rosemarie Heights Section 7 shall be submitted to the Planning Commission for review on or before September 19, 2018. Failure to submit the final plat for approval or request an extension by the Planning Commission will cause the preliminary plan to expire and become null and void.

Upon calling the roll, the motion passed unanimously.

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Subdivision Plat – Norris-Bunce First Subdivision for a Re-plat of 213 Pleasant Street and 217 N. East Street

The next item of business was introduced by Mr. Miller and is a request for Re-plat of 213 Pleasant Street and 217 N. East Street.

Ms. Snyder presented an overview of the proposed Re-plat request and provided the staff report for the request as well as the staff recommendation.

There being no further discussion, a motion was made by Mayor Brewer and seconded by Mr. Glardon to approve the Re-plat of 213 Pleasant Street and 217 N. East Street, subject to the following conditions:

1. All corrections as required by the City Planner shall be provided on revised plans for final staff approval prior to City Council review.
2. The replat shall be recorded within sixty (60) days from the date of approval by Lebanon City Council, as listed in Section 1117.04 (a)(4) of the Subdivision Regulations.
3. A reproducible Mylar of the recorded plat shall be provided to the City of Lebanon.

Upon calling the roll, the motion passed unanimously.

Certificate of Appropriateness – 317 E. Mulberry Street – Exterior Modification (Replacement of roof, Addition of two windows to third floor, Painting of Shutters/trim, and a 5' 6" by 12' 6" addition to the side of the house with matching roof and siding).

The next item of business was introduced by Mr. Miller and is an Exterior Modification at 317 E. Mulberry Street.

Ms. Snyder presented an overview of the proposed Exterior Modification request which includes the replacement of roof, addition of two windows to third floor, painting of shutters/trim, and a 5' 6" by 12' 6" addition to the side of the house with matching roof and siding and provided the staff report for the request as well as the staff recommendation.

Mayor Brewer thanked the applicant for their investment.

There being no further discussion, a motion was made by Mayor Brewer and seconded by Mr. Uchtman to approve the Exterior Modifications at 317 E. Mulberry Street, subject to the following conditions:

1. All required City permits shall be approved prior to beginning work on the structure.
2. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.

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3. The property owner is required to consult with the Department of Planning and Development to discuss any future improvements, renovations, and/or refurbishment of the structure prior to beginning any related work.
4. The applicant shall have one year to perform the modification under an approved certificate of appropriateness or the certificate shall expire and be deemed null and void, unless an extension of time is applied for and approved by the Planning Commission. Upon expiration of the certificate of appropriateness the applicant shall then be required to submit a new application per section 1132.08.

Upon calling the roll, the motion passed unanimously.

Certificate of Appropriateness – 220 S. Mechanic Street – Exterior Modification (18 Storm Windows over existing double hung windows)

The next item of business was introduced by Mr. Miller and is an Exterior Modification at 220 S. Mechanic Street.

Ms. Snyder presented an overview of the proposed Exterior Modification request which includes the addition of 18 Storm Windows over existing double hung windows and provided the staff report for the request as well as the staff recommendation.

Mayor Brewer and Mr. Miller thanked the applicant for their investment.

There being no further discussion, a motion was made by Mayor Brewer and seconded by Mr. Uchtman to approve the Exterior Modifications at 220 S. Mechanic Street, subject to the following conditions:

1. Any variation from the approved plans will require additional review and approval by Planning Commission prior to any work being conducted at the site.
2. All required City and County permits shall be approved prior to beginning work on the structure.
3. The property owner is required to contact the Department of Planning and Development and discuss any future improvements, renovations, and/or refurbishment to the structure prior to beginning any related work.

Upon calling the roll, the motion passed unanimously.

Other Business

There being no further business, Mr. Glardon motioned to adjourn and Mr. Uchtman seconded the motion. The motion passed unanimously and the meeting was adjourned.



SECRETARY – PLANNING COMMISSION



CHAIRMAN – PLANNING COMMISSION