

CITY OF LEBANON
ZONING AND PLANNING COMMISSION
July 18, 2023

BE IT REMEMBERED that the Zoning and Planning Commission met at 6:00 P.M. Tuesday, July 18, 2023, in the Council Chambers at City Hall located at 401 South Jefferson.

ROLL CALL AND DECLARATION OF A QUORUM

Upon roll call, the following Members were present: Mike Evans, Chris Meckem, Carrie Plassmeyer, Randy Randolph, Jeff Stokes, Shirley Tarwater, and David Wheeler. Absent: Randy Wall and Kristen Waterman.

A quorum was declared.

Staff members and others in attendance: Code Administrator Joe Berkich, Planning and Zoning Manager Christina Wagner, Compliance Specialist Kim Schomaker, and Deputy City Clerk Lacey Brackett.

Deputy City Clerk Lacey Brackett took the minutes.

APPROVAL OF MINUTES

Plassmeyer moved and Meckem seconded that the Commission approve the following meeting minutes as presented:

- April 13, 2023
- May 11, 2023
- June 8, 2023

Motion carried as follows: Yea: (7) Evans, Meckem, Plassmeyer, Randolph, Stokes, Tarwater, and Wheeler; Nay: (0) None; Abstain: (0) None; Absent: (2) Wall and Waterman.

PUBLIC HEARINGS

Evans moved and Randolph seconded that the Commission move out of Regular Session and into Public Hearing. Motion carried as follows: Motion carried as follows: Yea: (7) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wheeler, and Evans; Nay: (0) None; Abstain: (0) None; Absent: (2) Wall and Waterman.

Commission Recommendation to Council on a Chapter 353 Redevelopment Plan for The Dels Redevelopment Area and Recommendation to Declare the Redevelopment Area described in the Redevelopment Plan a Blighted Area

Code Administrator Joe Berkich shared that this item had recently been brought before the Commission, however, since the final plan was not viewed, the Commission needed to review the plan and vote on it again. He informed the Commission that there would be approximately 60 housing units at this facility.

No other public comments.

Conditional Use to Construct a Wireless Cell Tower at 109 Cherokee Road

Planning and Zoning Manager Christina Wagner shared that that the cell tower would be located behind Hicks Climate Control Storage and would need to have a Conditional Use approved in

order to construct it. She explained all setbacks and shared the tower was not approved by the Airport Advisory Board but had been approved by the FAA, and the Board of Adjustment approved the height variance.

Code Administrator Joe Berkich informed the Board that this tower would not interfere with the flight path.

The applicant for the variance, Patrick Ervin, shared the purpose of the tower, explaining that this tower would have multiple functions, one being an effective communication system across multiple jurisdictions for First Responders in the event of a disaster. He also shared that AT&T would use the tower to improve the coverage of their system due to high demands of cellular usage.

Conditional Use to Operate a Short-Term Rental at 116B W. Commercial Street

Wagner shared that this location is on the third story of a building downtown, and the owner would like to operate an Airbnb.

Matt Starnes, the lessee of the building, shared they are working with the owner of this building, and they plan to have an office space on the second story of the building.

Conditional Use to Operate Three Short-Term Rentals at 320 N. Adams Street and 209 E Third Street

Wagner informed the Commission that the owner had remodeled the buildings and wished to use them as short-term rentals. She also shared that these locations met all parking requirements.

Conditional Use to Construct Five 4-Plex Multi-Family Dwellings at 615 Texas Avenue

Wagner explained setbacks of the dwellings and expressed that the owner may place a privacy fence between the lots at this location.

The owner of a neighboring home, Kent Burgdorf, shared that he was concerned for a development of this size to be constructed, and was concerned regarding tenants renting these units.

Berkich shared that each unit must have two parking spots and those requirements would be met.

Owner, Cary King, shared that he was proposing to build these dwellings, advising that they would help with the housing shortage. He also discussed adding a privacy fence to the possible east and south side.

Conditional Use to Construct Two 4-Plex Multi-Family Dwellings at 836 Park Manor

Wagner reviewed the site plan with the Commission and shared that this request had been voted on at the June meeting and failed due to it being a tie vote.

Owner Cary King shared that they had addressed the commission's concerns and wanted the Commission to vote again on the request.

Replat of Two Lots into One Lot at 215 Cornelison and 202 Lee Street

Wagner shared that there was a dilapidated home that had been torn down at 202 Lee Street and the owners requesting the plat would like to build an accessory structure in the vicinity of the house.

There were no public comments.

Wheeler moved and Meckem seconded that the Commission move out of Public Hearing and back into Regular Session. Motion carried as follows: Yea: (7) Plassmeyer, Randolph, Stokes, Tarwater, Wheeler, Evans, and Meckem; Nay: (0) None; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON RECOMMENDING THAT THE CITY COUNCIL APPROVE THE CHAPTER 353 REDEVELOPMENT PLAN FOR THE DELS REDEVELOPMENT AREA AND DECLARE THE REDEVELOPMENT AREA DESCRIBED IN THE REDEVELOPMENT PLAN TO BE A BLIGHTED AREA

The Commission has reviewed the Chapter 353 Redevelopment Plan for The Dels Redevelopment Area (the "Redevelopment Plan"), the Blight Study associated with that Plan, and other evidence in support of the Project and has made the following determinations:

- (1) The Redevelopment Area described in the Redevelopment Plan is a blighted area and a declaration of blight is necessary and advisable to effectuate the public purposes described in the City's municipal code;
- (2) The Redevelopment Plan is compliant with the City's development plan;
- (3) No eminent domain will be needed to carry out the Redevelopment Plan;
- (4) The Redevelopment Area is of sufficient size to allow redevelopment of the area in an efficient and economically satisfactory manner;
- (5) The Redevelopment Plan and the requested tax abatement is practical;
- (6) The proposed facilities to be built within the Redevelopment Area are adequate to allow for public services to be provided;
- (7) There are no changes to the City's zoning ordinances or maps, no vacating or closing of streets and alleys, and no construction of streets and alleys;
- (8) The contents of the Redevelopment Plan are in conformance with Section 32-27 of the City's municipal code;
- (9) The financing of the Redevelopment Project is adequate based upon the costs proposed in the Redevelopment Plan; and

- (10) The tax abatement request in the Redevelopment Plan is necessary for the Project to be successful given the estimated project costs and after consideration of the effects of such tax abatement on the taxing jurisdictions.

The Commission has determined that the development proposed in the Redevelopment Plan is desirable for the City, and does hereby recommend that the City Council approve the Redevelopment Plan and declare the Redevelopment Area described in the Redevelopment Plan to be a Blighted Area.

Plassmeyer moved, and Meckem seconded that the Commission approve the Chapter 353 Redevelopment Plan for The Dels Redevelopment Area and Declare the Redevelopment Area described in the Redevelopment Plan to be a Blighted Area. Motion carried as follows: Yea: (7) Randolph, Stokes, Tarwater, Wheeler, Evans, Meckem, and Plassmeyer; Nay: (0) None; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO CONSTRUCT A WIRELESS CELL TOWER AT 109 CHEROKEE ROAD

Randolph moved and Wheeler seconded that the Commission approve a Conditional Use Request to Construct a Wireless Cell Tower at 109 Cherokee Road. Motion carried as follows: Yea: (6) Tarwater, Wheeler, Evans, Meckem, Plassmeyer, and Randolph; Nay: (7) Stokes; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO OPERATE A SHORT-TERM RENTAL AT 116B W. COMMERCIAL STREET

Meckem moved and Evans seconded that the Commission approve a Conditional Use Request to Operate a Short-Term Rental at 116B W. Commercial Street. Motion carried as follows: Yea: (6) Wheeler, Evans, Meckem, Plassmeyer, Randolph, and Stokes; Nay: (1) Tarwater; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO OPERATE THREE SHORT-TERM RENTALS AT 320 N. ADAMS STREET AND 209 E THIRD STREET

Plassmeyer moved and Evans seconded that the Commission approve a Conditional Use Request to Operate Three Short-Term Rentals at 320 N Addams Street and 209 E Third Street. Motion carried as follows: Yea: (7) Wheeler, Evans, Meckem, Plassmeyer, Randolph, Stokes, and Tarwater; Nay: (0) None; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO CONSTRUCT FIVE 4-PLEX MULTI-FAMILY DWELLINGS AT 615 TEXAS AVENUE

Evans moved and Meckem seconded that the Commission approve a Conditional Use Request to Construct Five 4-Plex Multi-Family Dwellings at 615 Texas Avenue. Motion carried as follows: Yea: (7) Evans, Meckem, Plassmeyer, Randolph, Stokes, and Wheeler; Nay: (1) Tarwater; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO CONSTRUCT TWO 4-PLEX MULTI-FAMILY DWELLINGS AT 836 PARK MANOR

Wheeler moved and Plassmeyer seconded that the Commission approve a Conditional Use Request to Construct Two 4-Plex Multi-Family Dwellings at 836 Park Manor. Motion carried as follows: Yea: (7) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wheeler, and Evans; Nay: (0) None; Abstain: (0) None; Absent: (2) Wall and Waterman.

COMMISSION ACTION ON A REPLAT OF TWO LOTS INTO ONE LOT AT 215 CORNELISON AND 202 LEE STREET

Plassmeyer moved and Evans seconded that the Commission approve a Request to Replat Two Lots into One Lot at 215 Cornelison and 202 Lee Street. Motion carried as follows: Yea: (4) Plassmeyer, Randolph, Tarwater, and Meckem; Nay: (3) Evans, Stokes, and Wheeler; Abstain: (0) None; Absent: (2) Wall and Waterman.

Commission and Staff Discussion

None.

ADJOURNMENT

Chairman Stokes declared the meeting adjourned at 6:46 P.M.

ATTEST:


Code Administrator

Joe Berkich


Secretary Carrie Plassmeyer

Minutes Approved August 10, 2023