

CITY OF LEBANON  
ZONING AND PLANNING COMMISSION  
October 8, 2020

BE IT REMEMBERED that the Zoning and Planning Commission met at 6:00 P.M. Thursday, October 8, 2020 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: Chris Meckem, Carrie Plassmeyer, Randy Randolph, Jeff Stokes, Shirley Tarwater, and Danessa Williams. Absent: Becky Burk, Randy Wall and David Wheeler.

A quorum was declared.

Staff members and others in attendance: Code Administrator Joe Berkich, Code Administration Representative Steve Hemphill, GIS Technician Vickie Jones, and Assistant City Administrator/City Clerk Laina Starnes.

APPROVAL OF MINUTES

Meckem moved and Randolph seconded that the Commission approve the minutes from the Zoning and Planning meetings held on September 10, 2020 as presented. Motion carried as follows: Yea: (6) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, and Williams; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

PUBLIC HEARINGS

Tarwater moved and Plassmeyer seconded that the Commission move out of Regular Session and into Public Hearing. Motion carried as follows: Yea: (6) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, and Williams; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

Final Plat of Park Manor Addition Subdivision

Code Administrator Joe Berkich reported the replat of Park Manor Subdivision would vacate unused public right of way to abutting property owners of Tract 1 and Tract 5 who had been maintaining the property.

There were no public comments.

Final Plat of Lifepoint Subdivision

Code Administrator Joe Berkich stated the property owner wished to sell the structure located on the property with a small amount of acreage. To do so, Berkich stated the previous plat containing one lot needed to be replatted into two lots; both lots would have street frontage.

Mindy Hutson of Pacific Drive stated that she and other residents in the area were concerned that something commercial would go in on the property Lifepoint wanted to sell.

There were no other public comments.

Final Plat of Esther Addition Lot 1 and Part of Lot 2

Code Administrator Joe Berkich reported that the owner of 376 Sunset Drive bought half of the lot next to him and requested to replat Lot 1 and part of Lot 2 into 1 lot to accommodate the construction of an accessory building.

There were no public comments.

Final Plat of Leshar Estates Subdivision

Code Administrator Joe Berkich reported that the property owner requested to plat 3 parcels of Lebanon Acreage to accommodate the construction of a cell tower, bring property into compliance and allow a landlocked property to have street access.

There were no public comments.

Final Plat of Kenny Capps Used Cars LLC Subdivision

Code Administrator Joe Berkich stated that the property owner requested to plat Lebanon Acreage located at 818 Durham Road to bring the property into compliance.

There were no public comments.

Final Plat of Davis Hills Airport Subdivision

Code Administrator Joe Berkich reported that the owner of property located at 2605 South Jefferson requested to plat Lebanon Acreage to bring the property into compliance.

There were no public comments.

Rezoning of 20750 Ostrich Lane from RS-1 Residential to C-1 Commercial

Code Administrator Joe Berkich said that part of Lot 1 located at 20750 Ostrich Lane was zoned C-1 Commercial while the other part of the same lot was zoned RS-1 Residential. Berkich stated the property owner requested that the entire lot be zoned C-1 Commercial.

Jim Ciocca, a resident on Ostrich Lane, shared that his property line was adjacent to the property in question. He stated he didn't have an issue with rezoning the property; however, he would like to see a buffer between it and his property.

James Hartman, owner requesting the rezoning, provided input regarding the proposed rezoning and his plans for the property.

There were no further public comments.

Conditional Use to Construct a Cell Tower Adjacent to 1020 Ivey Lane

Code Administrator Joe Berkich reported that a cell tower was not listed as a permissive use for this location and would require the Commission to grant a conditional use. He also expressed the conditional use would be contingent upon FAA approval of the cell tower.

There were no public comments.

Conditional Use to Construct Storage Units at 2605 South Jefferson

Code Administrator Joe Berkich stated that the property owner wanted to construct storage units at this location and a conditional use was required to do so.

There were no public comments.

Conditional Use for a Medical Marijuana Transportation Office at 20750 Ostrich Lane

Code Administrator Joe Berkich reported that the property owner was pursuing a medical marijuana transportation office at this location. Berkich stated that this type of a facility was not included in the marijuana code ordinance passed by City Council, but the City would have to follow state regulations. Because it wasn't listed as a permissive use, Berkich said it was necessary for the Commission to grant a conditional use so the property owner could move forward with his plan.

James Hartman, owner requesting the conditional use, provided information on his plans for the marijuana transportation office.

Kevin Halderman, owner of property south of the location, stated he had previously been opposed, but his wife had passed from cancer and he felt she could've benefited from the use of medical marijuana, so he was now in favor.

There were no further public comments.

Plassmeyer moved and Meckem seconded that the Commission move out of Public Hearing and back into Regular Session. Motion carried as follows: Yea: (6) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, and Williams; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE FINAL PLAT OF PARK MANOR ADDITION SUBDIVISION

Tarwater moved and Meckem seconded that the Commission approve the Final Plat of the Park Manor Addition Subdivision and forward to Council for final approval. Motion carried as follows: Yea: (6) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, and Williams; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE FINAL PLAT OF LIFEPOINT SUBDIVISION

Randolph moved and Meckem seconded that the Commission approve the Final Plat of the Lifepoint Subdivision and forward to Council for final approval. Motion carried as follows: Yea: (6) Plassmeyer, Randolph, Stokes, Tarwater, Williams, and Meckem; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE FINAL PLAT OF ESTHER ADDITION SUBDIVISION

Plassmeyer moved and Tarwater seconded that the Commission approve the Final Plat of Esther Addition Subdivision and forward to Council for final approval. Motion carried as follows: Yea: (6) Randolph, Stokes, Tarwater, Williams, Meckem, and Plassmeyer; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE FINAL PLAT OF LESHER ESTATES SUBDIVISION

Tarwater moved and Meckem seconded that the Commission approve the Final Plat of Leshar Estates Subdivision and forward to Council for final approval. Motion carried as follows: Yea: (6) Stokes, Tarwater, Williams, Meckem, Plassmeyer, and Randolph; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE FINAL PLAT OF KENNY CAPPS USED CARS LLC SUBDIVISION

Williams moved and Meckem seconded that the Commission approve the Final Plat of Kenny Capp Used Cars LLC Subdivision and forward to Council for final approval. Motion carried as follows: Yea: (5) Tarwater, Williams, Meckem, Plassmeyer, and Randolph; Nay: (0) None; Abstain: (1) Stokes; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE FINAL PLAT OF DAVIS HILLS AIRPORT SUBDIVISION

Meckem moved and Tarwater seconded that the Commission approve the Final Plat of Davis Hills Airport Subdivision and forward to Council for final approval. Motion carried as follows: Yea: (6) Williams, Meckem, Plassmeyer, Randolph, Stokes, and Tarwater; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION RECOMMENDATION ON THE REZONING OF 20750 OSTRICH DRIVE, KNOWN AS BULLDOG TRUCKING, FROM RS-1 RESIDENTIAL TO C-1 COMMERCIAL

Plassmeyer moved and Randolph seconded that the Commission approve the rezoning of 20750 Ostrich Drive from RS-1 Residential to C-1 Commercial and forward to Council for final approval. Yea: (6) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, and Williams. Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION APPROVAL ON A CONDITIONAL USE TO CONSTRUCT A CELL TOWER ADJACENT TO 1020 IVEY LANE

Tarwater moved and Meckem seconded that the Commission approve a Conditional Use to construct a cell tower adjacent to 1020 Ivey Lane. Motion carried as follows: Yea: (6) Plassmeyer, Randolph, Stokes, Tarwater, Williams, and Meckem; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION APPROVAL ON A CONDITIONAL USE TO CONSTRUCT STORAGE UNITS AT 2605 SOUTH JEFFERSON

Tarwater moved and Meckem seconded that the Commission approve a Conditional Use to construct storage units at 2605 South Jefferson. Motion carried as follows: Yea: (6) Randolph, Stokes, Tarwater, Williams, Meckem, and Plassmeyer; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

COMMISSION APPROVAL ON A CONDITIONAL USE FOR A MEDICAL MARIJUANA TRANSPORTATION OFFICE AT 20750 OSTRICH LANE

Meckem moved and Plassmeyer seconded that the Commission approve a Conditional Use for a medical marijuana transportation office at 20750 Ostrich Lane. Motion carried as follows: Yea: (6) Stokes, Tarwater, Williams, Meckem, Plassmeyer, and Randolph; Nay: (0) None; Abstain: (0) None; Absent: (3) Burk, Wall and Wheeler.

ZONING CODE AND COMPREHENSIVE PLAN WORK SESSION (RS-3 AND RS-4)

Code Administrator Joe Berkich, Code Administration staff and the Commission continued working through City Code related to Zoning Districts RS-3 and RS-4. During this time, their discussion focused on mobile homes, mobile home inspections, RVs and recreational vehicles.

COMMISSION DISCUSSION

None.

STAFF DISCUSSION

None.

ADJOURNMENT

Chairman Stokes declared the meeting adjourned at 7:26 P.M.

ATTEST:

  
Code Administrator  
Joe Berkich

  
Secretary Danessa Williams

Minutes Approved November 12, 2020