

CITY OF LEBANON  
ZONING AND PLANNING COMMISSION  
April 18, 2019

BE IT REMEMBERED that the Zoning and Planning Commission met at 6:08 P.M. Thursday, April 18, 2019 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: Don Allen, Becky Burk, Darrell Deputy, Randy Randolph, David Schneider, Randy Wall and Danessa Williams. Absent: Stephen Marcum and Jeff Stokes

A quorum was declared.

Staff members and others in attendance: Code Administrator Joe Berkich and Code Admin Rep. Steve Hemphill.

Code Admin Rep. Steve Hemphill took the meeting minutes.

APPROVAL OF MINUTES

Becky Burk moved, and David Schneider seconded that the Commission approve the minutes from the Zoning and Planning meeting held in February 2019 as presented. Motion carried as follows: Yea: (7) Allen, Burk, Randolph, Deputy, Schneider, Wall and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Stephen Marcum and Jeff Stokes.

PUBLIC HEARINGS

Don Allen moved, and David Schneider seconded that the Commission enter into Public Hearing. Motion carried as follows Yea: (7) Allen, Burk, Randolph, Deputy, Schneider, Wall and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Stephen Marcum and Jeff Stokes.

Public Hearing on the Re-Plat of Huer Drive and Lot 6 of Bland Acres Addition.

Bob Shotts explained the re-plat of Huer Drive stating usually a vacated alley or street goes 50/50 to the respective property owners bordering the parcel of land. In this case, all of the vacated street was asked to be returned to Robbie Marley since all of the property originally came from the Marley property. He also stated that MODOT doesn't want a street access that close to the 5/32 interchange. Don Allen asked if MODOT doesn't want a street there, what do they think of the existing driveway. Mr. Shotts stated MODOT doesn't want a street access there.

Randy Sutter stated that the driveway is the issue of opposition and he hasn't had the time to research the ownership history of the property in question. He also stated that his tenants' customers (Heritage Bank) uses the driveway a lot and it is very valuable to the bank. Also, he was concerned with the city giving away public property for private gain.

Don Allen asked what would make the bank happy? Becky Burk asked would the bank want part of the property. Randy Sutter replied the bank wants to be assured that the driveway portion of the property would be maintained.

Bill Lewis stated that the customers of the Eagle Stop convenience store uses the stoplight and drives in front of the bank to access it. He also stated that the driveway must be kept open as it is beneficial for the employees and customers wants to turn south. He would also be interested

in gaining this property because he'd like to see it further developed and he could use it as a parking lot.

Bob Shotts stated that he would ask MODOT what would they expect to see happen if the property is vacated.

Denassa Williams asked if the easements would remain in control of the city. Joe Berkich explained that the city would retain easements control, that the city isn't interested in building a street as MODOT wouldn't allow it and the city isn't interested in building a parking lot whether it be a public or private parking lot.

Bill Lewis stated that when Heritage Bank was being built, the bank conducted business in a trailer located on the property in question and it is because of this why the property was even developed at all. Darrell Deputy stated that he feels that the property should go back to Marley, but he would like to see both parties go work out an agreement and bring it back before the board, if an agreement can't be reached by the next meeting the board will vote on it and send it to city council.

Both parties asked if they could have a little time to try to work something out before going home that night. Joe Berkich reminded them that the city will want to retain the easements. After a few minutes of negotiations, Randy Sutter asked if the board would table the request for the re-plat so that the two parties could negotiate further and try to come to an agreement.

Chairman Deputy asked if there are any more questions or comments, there were no further comments, he asks for a motion to move out of public hearing.

David Schneider moved, and Becky Burk seconded that the Commission move out of Public Hearing. Motion carried as follows: Yea: (7) Allen, Burk, Randolph, Deputy, Schneider, Wall and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Stephen Marcum and Jeff Stokes.

Commission Recommendation to Council on the Re-Plat of Huer Drive and Lot 6 of Bland Acres Addition.

David Schneider moved, and Don Allen seconded that the Commission move to table the Re-Plat of Huer Drive and Lot 6 of Bland Acres Addition until next month. The motion carried as follows: Yea: (7) Allen, Burk, Randolph, Deputy, Schneider, Wall and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Stephen Marcum and Jeff Stokes.

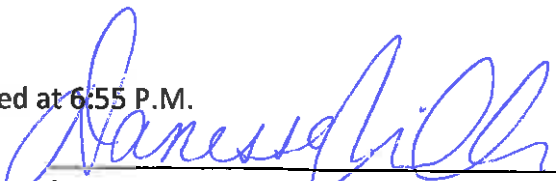
Staff discussion: Joe Berkich told the Commission that next month he will bring a presentation to establish a zoning districts for marijuana use.

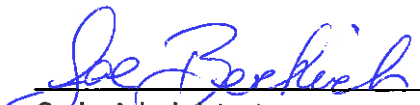
Commission discussion:

ADJOURNMENT

Chairman Deputy declared the meeting adjourned at 6:55 P.M.

ATTEST:

  
Secretary Danessa Williams

  
Code Administrator  
Joe Berkich

Minutes Approved May 9, 2019