

CITY OF LEBANON
ZONING AND PLANNING COMMISSION
June 14, 2018

BE IT REMEMBERED that the Zoning and Planning Commission met at 6:00 P.M. Monday, June 14, 2018 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, Darrell Deputy, Randy Randolph, David Schneider, Jeff Stokes, Randy Wall, and Danessa Williams Absent: Becky Burk and Stephen Marcum.

A quorum was declared.

Staff members and others in attendance: Code Administrator Joe Berkich and Draft Technician Vickie Jones

Vickie Jones took the meeting minutes.

APPROVAL OF MINUTES

Stokes moved, and Randolph seconded that the Commission approve the minutes from the Zoning and Planning meeting held in May 2018 as presented. Motion carried as follows: Yea: (7) Allen, Deputy, Randolph, Stokes, Wall, Schneider and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Burks and Marcum.

PUBLIC HEARINGS

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

Public Hearing: Public hearing on a Conditional Use for 1993 Donna Circle

Joe Berkich explained the Conditional Use request for a day care in a residential home located at 1993 Donna Circle zoned RS1. Allen questioned if they were legal to have a daycare and Joe explained that they had all necessary State licenses and only needed approval for conditional use from the Planning and Zoning Commission.

Public Hearing: Public hearing on a Conditional Use for 123 Evergreen Pkwy

Phillip Dumoss with Journey Church explained the Conditional Use request to hold church services at 123 Evergreen Parkway Zoned C-1 General Commercial District. Stokes asked if there was adequate parking and it was explained that the church had 40 members and code requires 1 parking spot for every 4 seats. There are currently 16 parking spots

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

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

Commission Action on a Request for Conditional Use for 1993 Donna Circle.

Stokes moved, and Randolph seconded that the Commission approve the Request for a Conditional Use for a Daycare at 1993 Donna Circle.: Yea: (7) Allen, Deputy, Randolph, Stokes, Wall, Schneider and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Burks and Marcum.

Commission Action on a Request for Conditional Use for 123 Evergreen Parkway.

Stokes moved, and Schneider seconded that the Commission approve the Request for a Conditional Use for a Church at 123 Evergreen Parkway.: Yea: (7) Allen, Deputy, Randolph, Stokes, Wall, Schneider and Williams. Nay: (0) None; Abstain; (0) None; Absent: (2) Burks and Marcum.

Jordan Dorsey, John Brancaglione and David Martin gave a presentation for Cedarhurst/Dover Development regarding 353 Development Plan for Cedarhurst Redevelopment Area and Recommendation to Declare the Redevelopment Area described in the Development Plan a Blighted Area. David Martin, special counsel for the City on economic development issues spoke on the legality of the issue.

Wall questioned who determines an area blighted, it was explained that was mandated criteria that had to be met.

Allen questioned who could challenge the tax abatement, it was explained that the taxing jurisdiction could.

Stokes questioned who was in the taxing jurisdiction, the reply was that there was a list in the booklets that were handed out, with the school being the biggest.

Schneider had concerns about giving away tax money, it was explained that there would be an increase from approximately \$2000 of taxes collected to approximately \$40,000 of taxes collected with the 20 yr. 50% tax abatement, along with the new jobs that would be created. It was also verified that If the tax abatement failed, Cedarhurst would not be able to build at this location.

Schneider was concerned that other entities wanting to develop in this area would demand the same tax break, it was explained that a location would have to meet the same Blighted Area requirements for that to happen.

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

- (1) The Redevelopment Area described in the Development 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 Development Plan is compliant with the City's development plan;
- (3) No eminent domain will be needed to carry out the Development 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 Development Plan are in conformance with Section 17-27 of the City's municipal code;
- (9) The financing of the Redevelopment Project is adequate based upon the costs proposed in the Development Plan; and
- (10) The tax abatement request in the Development 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.

Stokes moved, and Randolph seconded that the Commission approve the Chapter 353 Development Plan for the Cedarhurst Redevelopment Area and Declare the Redevelopment Area described in the Development Plan to be a Blighted Area.: Yea: (5) Allen, Deputy, Randolph, Stokes, Wall, and Williams. Nay: (1) Schneider; Abstain; (0) None; Absent: (2) Burks and Marcum.

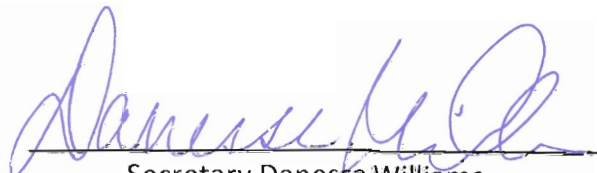
The Commission determined that the development proposed in the Development Plan is desirable for the City, and does hereby recommend that the City Council approve the Development Plan and declare the Redevelopment Area described in the Redevelopment Plan to be a Blighted Area.

Staff and Commission discussion: None

ADJOURNMENT

Chairman Deputy declared the meeting adjourned at 7:08 P.M.

ATTEST:


Secretary Danessa Williams


Code Administrator
Joe Berkich

Minutes Approved July 12, 2018