

Lebanon Plan Commission Report to the Council

March 11, 2024

The Lebanon Plan Commission met on March 7, 2024, to address the March agenda items.

- 1) The City of Lebanon requested a hearing for the purpose of rezoning parcels #051903337028 and #05300100018 from MR-1 to C-1 (commercial). The adjoining parcel #05190337020 (IGA partially located on this parcel) on South Madison is zoned C-1 and rezoning the two subject parcels to C-1 would both conform the area to its current use and allow for future commercial development. These parcels were zoned years ago with MR-1 in mind. The comprehensive plan adopted in 2015 envisioned this area being commercial but it was decided to leave it alone until someone had a reason to rezone it C-1 commercial. There was very little discussion, and the only visitor was Sloan Kessinger, potential proprietor of a coffee shop that will be located on these parcels. There were no other visitors present, and no one spoke in opposition. The Plan Commission recommended unanimously to approve the rezoning.
- 2) Discussion: There was a request by the City to discuss restrictions on placement of items on the sidewalks in the C-2 Historic District. There was a proposed ordinance on this issue earlier and it did not pass the council. The City Council has asked the Plan Commission for recommendations. There was extensive discussion about what should or shouldn't be allowed. The opposition to the ordinance previously proposed was twofold. First, it would prohibit nearly all displays of merchandise on the sidewalks, which can be quite appropriate in an historic district if done properly. Second, it would have prohibited the current public concrete benches.

There was extensive discussion about a bigger issue and that is some tenants put lawn chairs and other items on the sidewalks that are not related to the retail business, and they present a danger to safety from tripping and falling. It was also noted that the sign ordinance section that pertains to the C-2 historic district addresses sidewalk signs placed outside a business, and this is adequate for signs. The real issue is blocking sidewalks with chairs and/or merchandise.

The Plan Commission recommends **against** an ordinance on this issue based on 1) The problems are addressed in the ADA (Americans with Disabilities Act addressing ingress, egress, and pedestrian flow, and 2) retail merchandise on the sidewalks in an historic district seem to be acceptable. The Plan Commission recommends not having a separate ordinance.

If the Council is so inclined to do something, then it would be to place a statement in the C-2 Historic District that requires compliance with ADA on the public sidewalks. ADA requires a minimum of 3 feet; no drops; no vertical obstacles. As long as you can walk a straight distance of the width 36 inches between the sales area in front of the property, there shouldn't be any difficulty.

Respectfully Submitted

AJ Dontigney
Chairperson