

**REGULAR MEETING
OF THE ELIZABETHTOWN PLANNING COMMISSION
FEBRUARY 22, 2022
6:00 P.M.
WESBANCO GALLERY, HISTORIC STATE THEATER
209 WEST DIXIE AVENUE**

FINAL AGENDA

- 1. Call to Order**
- 2. Approval of Minutes – February 8, 2022**
- 3. Public Hearing #2022-PC-05**
Review of a map amendment request for property located at 88 Sarver Lane to change the zoning classification from Urban Residential, General (R-4) to High Density Residential (R-6) as requested by Kerry McCandless
- 4. Public Hearing #2022-PC-06**
Review of a map amendment request for property located at 228 College Street to change the zoning classification from Urban Residential, General (R-4) to Downtown Mixed Use (C-5) as request by R. Crew Properties, LLC
- 5. Public Hearing #2022-PC-07**
Review of a map amendment request for property located at 1800 Veterans Way to change the zoning classification from Regional Commercial (C-3) to High Density Residential (R-6) as requested by Silver Gate Properties, LLC
- 6. Review of an amended preliminary plat for Buford Farms Subdivision, Tract B-1 located at 1800 Veterans Way**
- 7. Review of a development plan for property located at 1800 Veterans Way (The Town Apartments)**
- 8. Director's Report**
- 9. Commission Member Items**
- 10. Adjournment**

**ELIZABETHTOWN PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 22, 2022
CITY HALL COUNCIL CHAMBERS**

Members Present: Steve Rice, Kendra Scott, Joe Humphrey, Kasey McCrary, and Marty Fulkerson, City Council Representative

Staff Present: Jim Shaw, Planning Director; Aaron Hawkins, Planner I; Matt Hess, Commission Attorney

I. CALL TO ORDER: Chairperson Rice called the meeting to order at 6:00 p.m. and introduced the Commission and staff members.

II. APPROVAL OF MINUTES-February 8, 2022: After review of the minutes of the February 8, 2022 meeting and no corrections made to the minutes, Commissioner McCrary made a motion to approve the minutes with a second by Commissioner Humphrey. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

III. PUBLIC HEARING #2022-PC-05: The Chairperson introduced the agenda item and opened the public hearing at 6:02 p.m. Chairperson Rice presented the hearing procedures. Matt Hess administered the oath to all those intending to testify at the hearing.

Jim Shaw reviewed the KRS 100 notification requirements and introduced into the record the Elizabethtown Comprehensive Plan, Subdivision Regulations, Zoning Ordinance, map amendment application and all attachments, staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). Mr. Shaw oriented the Commission with the location of the property at 88 Sarver Lane. He identified the nearby zoning classifications and uses. The property is owned by Kerry McCandless and is currently zoned Urban Residential, General (R-4) and the owner is requesting High Density Residential (R-6). The request is being pursued to allow the construction of a multifamily development with 451 dwelling units. The Kentucky Transportation Cabinet will require the developer to construct a right turn lane (northbound) and a center left turn lane (southbound) for the single access point on New Glendale Road. A traffic impact study (Exhibit #3) was submitted to staff on February 16, however, it was submitted too late for comment by staff.

Mr. Shaw discussed compliance of the request with the Recommended Land Use Map and community-wide development policies and guidelines. Staff recommends denial.

At the conclusion of the presentation, Chairperson Rice asked for questions of the staff. There were no questions.

The Chairperson asked for testimony in favor of the request. Ed Hawkins, speaking on behalf of the applicant, stated since the announcement of the Ford plant, it has become more difficult to look to the Comprehensive Plan for guidance on development. He stated there is a shortage of multifamily developments and temporary housing in the area. Diane Zimmerman, traffic engineer, presented a traffic impact study she prepared on behalf of the applicant.

At the conclusion of the presentation there were questions about potential road construction projects in the area and how the data was collected in the traffic impact study.

There being no more testimony in favor of the request, Chairperson Rice asked for testimony in opposition to the request. Suzanne Kizer voiced her concerns about safety on New Glendale Road. She stated traffic has increased since East Hardin Middle School opened in the fall of 2021. She stated she recognizes the need for additional housing in the area, but is against this location for a multifamily development. Ms. Kizer feels a multifamily development would change the character of the area and feels the current zoning of R-4 is appropriate. Marsha Jewell stated her concern about having a single entrance into her neighborhood and feels an increase in traffic will cause delays getting in and out of her neighborhood.

There being no more testimony in opposition to the request, the Chairperson asked for questions from the audience. There were questions about maximum allowable density on the site.

There being no more questions, Chairperson Rice closed the testimony phase of the hearing and asked for Commission discussion. There was discussion about the approximate number of construction workers and potential Ford employees moving into the area. There was also discussion about the type of apartments and how many 1, 2 and 3 bedroom units would be provided. Jake Brown, developer, stated the apartments will be built in phases with first availability in approximately two years. Mr. Brown also provided renderings of the proposed development for the Commission to view. There was also additional discussion about density and potential road construction in the area.

At the conclusion of the presentation, Chairperson Rice asked for a motion. Commissioner McCrary made a motion to recommend approval of the zoning change for 88 Sarver Lane from Urban Residential, General (R-4) to High Density Residential (R-6) based on the findings of fact presented by staff with a second by Commissioner Humphrey. Commissioners McCrary and Humphrey voted in favor of the motion. Commissioner Scott and Chairperson Rice voted in opposition to the motion and the motion was tied 2-2. Commission Attorney Matt Hess stated the Commission has up to 30 days to reconsider the request. Commissioner Dozer will be given the video of the hearing to watch before the March 22, 2022 meeting. Chairperson Rice closed the hearing at 7:07 p.m.

IV. PUBLIC HEARING #2022-PC-06: The Chairperson introduced the agenda item and opened the public hearing at 7:10 p.m.

Jim Shaw reviewed the KRS 100 notification requirements and introduced into the record the Elizabethtown Comprehensive Plan, Subdivision Regulations, Zoning Ordinance, map amendment application and all attachments, staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). Mr. Shaw oriented the Commission with the location of the property at 228 College Street. He identified the nearby zoning classifications and uses. The property is owned by R. Crew Properties, LLC and is currently zoned Urban Residential, General (R-4) and the applicant is requesting Downtown Mixed-Use (C-5). The applicant is proposing to utilize the property as a non-owner occupied, short-term rental. In the R-4 zoning district, short-term rentals are limited to ten days a year, however, in the C-5 zoning district, there is no limit on the number of rental days.

Mr. Shaw discussed compliance of the request with the community-wide development policies and guidelines and Recommended Land Use Map as well as the Downtown Sub Area guidelines. Staff recommends approval.

At the conclusion of the presentation, Chairperson Rice asked for questions of the staff. There was discussion about shared driveway access with adjoining properties.

There being no more questions, he asked for testimony in favor of the request. Roger Crew, applicant, discussed providing lodging in the downtown area to families who are in town for a tournament at the sports park or visiting for an event held in the downtown area. Mr. Crew answered a question regarding his plans to buy other properties to utilize as short-term rentals.

There being no more testimony in favor of the request, Chairperson Rice asked for testimony in opposition to the request. Carol Dupin expressed concerns the property could be turned into a halfway house in the future. Sarah Lubert also stated concerns about the property being used as halfway house or homeless shelter. Marilyn Carpenter stated she is opposed to the zoning amendment request. Chris Deal stated he is not opposed to a short-term rental, but is opposed to a halfway house. Darrell Wills shared similar concerns.

There being no more testimony in opposition to the request. Chairperson Rice closed the testimony phase of the hearing and asked for Commission discussion.

There was discussion about how the Commission cannot limit uses that are permitted by right in different zoning districts and the possibility of changing the text in the Zoning Ordinance to allow unlimited short-term rentals in more zoning districts.

There being no more discussion, Chairperson Rice asked for a motion. Commissioner McCrary made a motion to recommend denial of the zoning change of 228 College Street from Urban Residential, General (R-4) to Downtown Mixed-Use (C-5) based on the findings of fact in the staff report with a second by Commissioner Humphrey. Commissioners McCrary and Humphrey voted in favor of the motion. Commissioner Scott and Chairperson Rice voted in opposition to the motion and the motion was tied 2-2. Matt Hess stated the Commission has up to 30 days to reconsider the request. Commissioner Dozer will be provided with a video of the hearing for review before the March 22, 2022 meeting. Chairperson Rice closed the hearing at 7:48 p.m.

V. PUBLIC HEARING #2022-PC-07: Chairperson Rice introduced the agenda item and opened the public hearing at 7:48 p.m.

Aaron Hawkins reviewed the KRS 100 notification requirements and introduced into the record the Elizabethtown Comprehensive Plan, Subdivision Regulations, Zoning Ordinance, map amendment application and all attachments, staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). Mr. Hawkins oriented the Commission with the location of the property at 1800 Veterans Way. He identified the nearby zoning classifications and uses. The property is owned by Silver Gate Properties, LLC and is currently zoned Regional Commercial (C-3) and the owner is requesting High Density Residential (R-6). The property is under contract to a developer who intends to construct a multifamily development on the site that will include 14 buildings with 336 dwelling units and amenities.

Mr. Hawkins discussed compliance of the request with the community-wide development policies and guidelines as well as the Targeted Planning Area Guidelines. Staff recommends approval.

At the conclusion of the presentation, Chairperson Rice asked for questions of staff. There were no questions.

There being no questions, the Chairperson asked for testimony in favor of the request. Glenn Turner, owner and applicant, stated he agreed with the presentation by staff and was present to answer any questions the Commission or audience may have. John Campbell, Heritage Engineering, LLC, representing the purchaser of the property, also stated he was present to answer any questions. There were no questions.

There being no more testimony in favor of the request, the Chairperson asked for testimony in opposition to the request. There being none, Chairperson Rice closed the testimony phase of the hearing and asked for Commission discussion.

There was a discussion about the development being a good fit for the area.

There being no more discussion, Chairperson Rice asked for a motion. Commissioner Humphrey made a motion to recommend approval of the zoning change for property located at 1800 Veterans Way from Regional Commercial (C-3) to High Density Residential (R-6) based on the findings of fact presented by staff with a second by Commissioner Scott. All Commissioners voted in favor of the motion. Chairperson Rice voted in favor of the motion and the motion was passed 4-0. Chairperson Rice closed the hearing at 8:07 p.m.

VI. REVIEW OF AN AMENDED PRELIMINARY PLAT FOR BUFORD FARMS SUBDIVISION, TRACT B-1 LOCATED AT 1850 VETERANS WAY: The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). Mr. Hawkins gave a brief history of the property. On February 9, 2021 the Commission granted conditional approval of a preliminary plat to create Lot 1 for Signature Healthcare and the remainder as a future development tract. This amended preliminary plat is being filed to divide the future development tract into six lots. Lots 4 and 5 are proposed for a multifamily residential development. There are no proposals for the remaining four lots. Mr. Hawkins discussed the lot design, street design, utilities, drainage, and access points. He also noted there were two waiver requests granted at the February 2021 meeting that should be reapproved with the amended plat. Staff recommends approval.

At the conclusion of the presentation, Chairperson Rice asked for questions of staff. There were questions regarding the previously granted waivers.

There being no additional discussion, Chairperson Rice asked for a motion. Commissioner Humphrey made a motion to approve the amended preliminary plat with the previously approved waivers for the provision of a sidewalk along Veterans Way and the reduction of a portion of the Signature Avenue right of way width to fifty feet with a second by Commissioner McCrary. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

VII. REVIEW OF A DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 1800 VETERANS WAY (THE TOWN APARTMENTS): The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). He oriented the Commission with the location of the development, reviewing the adjoining zoning classifications and development. He noted the applicant is proposing to develop 14 apartment buildings, three stories each, consisting of a total of 336 dwelling units. Also included in this development is a clubhouse, a pool, and a car/pet wash. He also reviewed access points, landscaping, and parking requirements. Mr. Hawkins stated the

applicant is seeking a parking waiver of 84 spaces and presented a Letter of Explanation from Heritage Engineering, LLC (Exhibit #3) detailing their justification of the request for the parking reduction.

At the conclusion of the presentation, Chairperson Rice asked for questions of staff. There being no questions, John Campbell, Heritage Engineering, LLC, gave a brief PowerPoint presentation (Exhibit #4) of the proposed development. Mr. Campbell discussed location, access points, sidewalks, landscaping, and amenities.

At the conclusion of the presentation, the Chairperson asked if there were any questions. There were questions of how many 1, 2, and 3 bedroom apartments would be offered and their square footage, cost of rent, and interior apartment features.


There being no more questions, Chairperson Rice asked for a motion. Commission Humphrey made a motion to approve the development plan with wavier of 84 parking spaces conditioned upon obtaining approvals of all City departments and outside agencies and work with staff to finalize a landscape plan that meets the intent of the Zoning Ordinance with a second by Commissioner Scott. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

VIII. DIRECTOR'S REPORT: The Chairperson introduced the agenda item. Jim Shaw discussed the upcoming meeting schedule and stated the joint meeting with the Council will be held on March 8, 2022.

IX. COMMISSION MEMBERS: The Chairperson introduced the agenda item. There was discussion of a fence at 318 Mallory Street.

X. ADJOURNMENT: There being no further items to discuss, Commissioner Scott made a motion to adjourn with a second by Commissioner Humphrey. Chairperson Rice declared the meeting adjourned at 8:55 p.m.

Prepared by:



Janet M. Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

22 day of March, 2022



Steve Rice, Chairperson
Elizabethtown Planning Commission