

JOE REVERMAN, AICP
DIRECTOR
200 West Dixie Avenue
Elizabethtown, KY 42701
(270) 982-3264
www.elizabethtownky.org



Commission Members
Steve Rice, Chairperson
Ken Dozer, Vice Chairperson
Kendra Scott
Kasey McCrary
Maurice Young

CITY OF ELIZABETHTOWN PLANNING AND DEVELOPMENT

ELIZABETHTOWN PLANNING COMMISSION
REGULAR MEETING AGENDA

MARCH 28, 2023

6:00 P.M.

CITY HALL, COUNCIL CHAMBERS, 200 WEST DIXIE AVENUE

1. Call to Order
2. Approval of Minutes – March 14, 2023
3. Development Plan with Commercial Design Review for Dunkin' Donuts
Location: 181 Lincoln Parkway
4. Preliminary Subdivision plat for Robinbrooke Farms, Sec 2, Lot 6
Location: 380 Robinbrooke Boulevard
5. Zoning Text Amendment for Utility Scale Solar Facilities
6. Director's Report
7. Commission Member Items
8. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
MARCH 28, 2023**

A meeting of the Elizabethtown Planning Commission was held on March 28, 2023 at 6:00 p.m. in the Council Chambers in City Hall, 200 West Dixie Avenue, Elizabethtown.

Commission members present:

Steve Rice, Chairperson

Ken Dozer, Vice Chairperson

Kasey McCrary

Marty Fulkerson, City Council Representative (non-voting member)

Commission members absent:

Kendra Scott

Maurice Young

Staff members present:

Joe Reverman, Planning Director

Jim Shaw, Senior Planner

Aaron Hawkins, Planner

Matt Hess, Commission Attorney

The following matters were considered:

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APPROVAL OF MINUTES

MARCH 14, 2023 PLANNING COMMISSION REGULAR MEETING MINUTES

On a motion made by Commissioner Dozer, seconded by Commissioner McCrary, the following resolution was adopted.

RESOLVED, that the Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on March 14, 2023.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Scott and Young

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DEVELOPMENT PLAN WITH COMMERCIAL DESIGN for 181 Lincoln Parkway

Request: Development Plan with Commercial Design Review Approval
Project Name: Dunkin' Donuts
Location: 181 Lincoln Parkway
Owner: Patel Land 1, LLC
Applicant: Jason Emly

Agency Testimony:

The Chairperson introduced the agenda item. Jim Shaw presented the staff report and accompanying PowerPoint presentation. He oriented the Commission with the location of the site, reviewing the adjoining zoning classifications and developments. The applicant is proposing to develop the subject property with a Dunkin' Donuts restaurant. The property is currently vacant and is part of the Roanoke Crossings Subdivision. Access will be from the private streets constructed for Roanoke Crossings. Direct access to Lincoln Parkway will not be permitted. A waiver is requested for synthetic siding material. Staff recommends approval of the commercial design review guidelines and the building material waiver with no conditions.

Mr. Shaw presented the development plan. The development plan and landscape plan have been reviewed by all appropriate departments and jurisdictions and they comply with most requirements. Staff recommends approval.

Those speaking in favor of the request:

Jason Emly, 12310 Covered Bridge Road, Sellersburg, IN 47172

Summary of those speaking in favor of the request:

Jason Emly, franchisee, stated this is the most current model of Dunkin' Donuts and utilizes the most efficient design for ordering and pick up. Mr. Emly said the drive-thru lane should allow stacking for approximately 20 cars and at this location he is estimating roughly 300-350 cars a day.

Those speaking in opposition:

No one spoke in opposition.

Commercial Design Review Guidelines

On a motion by Commissioner Dozer, seconded by McCrary, the following resolution was adopted based on staff analysis and testimony heard today.

WHEREAS, the Elizabethtown Planning Commission finds that there are special circumstances because of building design specified by the franchisor and the need for reduced maintenance; and

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WHEREAS, the Elizabethtown Planning Commission finds that the closest building has limited visibility from this site, so there is no need to conform to it's design. It is not known what other development will occur in this subdivision; and

WHEREAS, the Elizabethtown Planning Commission finds that one of the Comprehensive Plan guidelines for this sub area states, "The design concept building materials should be varied in a thoughtful manner, but should not detract from the over all design." This request complies with the guidelines.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the commercial design review guidelines with a waiver for Section 4.4.1 Materials and Colors, with no conditions.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Scott and Young

Development Plan:

On a motion by Commissioner McCrary, seconded by Dozer, the following resolution was adopted based on staff analysis and testimony heard today.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Development Plan and Landscape Plan, with the following condition:

1. The applicant work with City Engineer to determine access point locations and configurations.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Scott and Young

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PRELIMINARY SUBDIVISION PLAT for 380 Robinbrooke Boulevard

Request: Preliminary Subdivision Plat Approval
Project Name: Robinbrooke Farms, Section 2, Lot 6
Location: 380 Robinbrooke Boulevard
Owner: Will Harris Homes, LLC
Applicant: Will Harris Homes, LLC

Agency Testimony:

The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. This plat proposes the creation of 41 lots; subdividing the existing Lot 6 of Section 2 into 40 single family attached lots in form of 4 unit townhomes per building and 1 open space non-buildable lot. 10 total buildings will be proposed for a total of 40 dwelling units. One lot will be platted as an open space non-buildable lot for the purpose of preserving the flood plain and drainage way. This plat also proposes the extension of Village Brook Drive into a cul-de-sac as well as the creation of a new city street (Nona Way) that will also end in a cul-de-sac. Access for all lots in this subdivision will come from the two cul-de-sac streets (no access will be requested off of Robinbrooke Boulevard). Mr. Hawkins also reviewed transportation and street design, utilities, drainage, and access points. Staff recommends approval.

Commissioner Dozer asked why they are not using access off Robinbrooke Boulevard. Mr. Hawkins answered because of the location of the proposed building on lots 25-28, access can only come from Nona Way via and ingress/egress easement across the lots. The City does not want four individual units utilizing the existing access off Robinbrooke Boulevard.

Those speaking in favor of the request:

No one spoke in favor.

Those speaking in opposition of the request:

No one spoke in opposition.

Preliminary Subdivision Plat for 380 Robinbrooke Boulevard

On a motion by Commissioner McCrary, seconded by Dozer, the Elizabethtown Planning Commission does hereby **APPROVE** the preliminary subdivision plat for Robinbrooke Farms, Section 2, Lot 6.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Scott and Young

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PUBLIC HEARING No. 2023-PC-08

Request: Amendment to the Zoning Ordinance to permit utility-scale solar projects in the AGB zoning district
Applicant: City of Elizabethtown

Commissioner McCrary recused herself from this hearing and left the room.

The Chairperson introduced the item and opened the public hearing at 6:34 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, staff report, and PowerPoint presentation.

Agency Testimony:

Jim Shaw presented the staff report. The Elizabethtown Zoning Ordinance does not specifically address utility-scale solar projects. A written interpretation was issued by the Planning and Development Department on August 26, 2022, which stated utility-scale solar projects are considered “public or private utility facilities”, which is a listed permitted use in the I-1 General Industrial and I-2 Regional Industrial zoning districts. In December 2022, the Planning and Development Department received a formal request to explore a text amendment to allow utility-scale solar projects in the AGB district and in January 2023 the Planning Commission adopted a resolution directing staff to do that. The AGB zoning district was added to the Ordinance in June 2017 with the intent of the district encouraging and allowing agricultural business uses to develop in a rural setting with the corporate limits. The zone is intended to allow for a mix of commercial and residential. Staff recommends denial of the request to add utility-scale solar facility as a use by right or conditional use in the AGB zoning district.

Chairperson Rice stated no action would be taken due to a lack of quorum. However, the Commission decided to hear testimony.

Those speaking in favor of the request:

Kenny Rambo, 55 Public Square, Elizabethtown, KY 42701

Summary of those speaking in favor:

Kenny Rambo, CEO Heartland Communications Consultants, Inc, stated that because of no action being taken by the Commission due to a lack of quorum, he would prefer to save his presentation until the continuation of the hearing is scheduled and there are enough voting members present.

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Those speaking in opposition of the request:

Trina Martin, 345 Black Branch Road, Elizabethtown, KY 42701

Summary of those speaking in opposition:

Trina Martin, Hardin County Citizens for Responsible Solar, stated she also wishes to wait to make her presentation when a quorum is present to take action.

Commissioner Rice stated Public Hearing No. 2023-PC-08 would remain open and be continued at the April 25, 2023 meeting.

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Commissioner McCrary rejoined the meeting.

Director's Report:

The Chairperson introduced the agenda item. Joe Reverman presented the Director's Report and gave updates on current and proposed developments in the city. Mr. Reverman also discussed upcoming meeting dates and proposed agenda items.

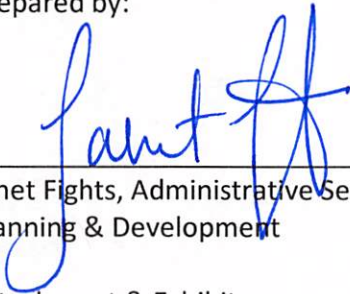
Commission Member Items:

The Chairperson introduced the agenda item. Commissioner McCrary stated that she would like better communication between staff and the Commission. Commissioner Dozer asked for an update on the RV that parks at Walmart every night.

Adjournment:

There being no further items to discuss, Commissioner Dozer made a motion to adjourn with a second by Commissioner McCrary. The Chairperson declared the meeting adjourned at 7:25 p.m.

Prepared by:

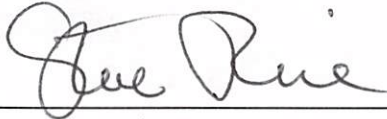


Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

11 day of April, 2023



Steve Rice, Chairperson
Elizabethtown Planning Commission