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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
MAY 9, 2023
6:00 P.M.

CITY HALL, COUNCIL CHAMBERS, 200 WEST DIXIE AVENUE

1. Call to Order
2. Approval of Minutes – April 25, 2023
3. Public Hearing No. 2023-PC-08
Zoning Text Amendment for Utility Scale Solar Facilities
Request to be withdrawn
4. Public Hearing No. 2023-PC-09
Zoning Map Amendment from C-3 Regional Commercial to R-5 Urban Residential, Mixed
and R-6 High Density Residential
Location: 3500 Leitchfield Road
5. Development Plan for Ridge Pointe Duplexes
Location: 1605 North Miles Street
6. Development Plan with Commercial Design Review for Cheetah Car Wash
Location: 101 Menards Way
7. Development Plan with Commercial Design Review for Dunkin' Donuts
Location: 900 North Dixie Avenue
8. Director's Report
9. Commission Member Items
10. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
MAY 9, 2023**

A meeting of the Elizabethtown Planning Commission was held on May 9, 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

Kendra Scott

Kasey McCrary

Maurice Young

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

Staff members present:

Joe Reverman, Planning Director

Jim Shaw, Senior Planner

Aaron Hawkins, Planner II

Matt Hess, Commission Attorney

The following matters were considered:

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APPROVAL OF MINUTES

APRIL 25, 2023 PLANNING COMMISSION REGULAR MEETING MINUTES

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

RESOLVED, that the Planning Commission does hereby **APPROVE** the minutes with corrections, of its meeting conducted on April 25, 2023.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary, and Young

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Continuation of Public Hearing No. 2023-PC-08

Request: Amendments 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 agenda item and continued the March 28, 2023 hearing.

Agency Testimony:

Jim Shaw stated this case was first presented at the March 28, 2023 meeting and due to a lack of quorum the hearing was continued to April 25, 2023. At that meeting Mr. Shaw presented a letter dated April 10, 2023, from Kenneth Rambo requesting to withdraw the request for a text amendment to the AGB zoning district. There not being a quorum at the April 25, 2023 meeting, the hearing was continued to May 9, 2023.

Commission Attorney Matt Hess recommended to the Commission to withdraw the request and close the hearing with no recommendation to City Council.

On a motion by Commissioner Dozer, seconded by Scott, the following resolution was adopted,

RESOLVED, that the Elizabethtown Planning Commission does hereby withdraw and close Public Hearing No. 2023-PC-08 with no recommendation to City Council.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, and Young

NOT PRESENT: Commissioner McCrary

Chairperson Rice closed the hearing at 6:11 p.m.

Commissioner McCrary rejoined the meeting.

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PUBLIC HEARING No. 2023-PC-09

Request: Zoning Map Amendment from C-3 Regional Commercial to R-5 Urban Residential, Mixed and R-6 High Density Residential
Project Name: Leitchfield Road/Ring Road
Location: 3500 Leitchfield Road
Owner: 25/29 Stults, LLC
Applicant: 25/29 Stults, LLC

Chairperson Rice introduced the agenda item and opened the public hearing at 6:12 p.m. and presented the hearing procedures. Matt Hess administered the oath to all those intending to testify at the hearing.

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, and accompanying PowerPoint presentation.

Agency Testimony:

Aaron Hawkins oriented the Commission with the location of the property and identified nearby zoning classifications and uses. A preliminary development plan has been submitted to include a mixture of single family residential, multifamily residential and commercial uses. The proposal has a transition of commercial along the Leitchfield Road frontage, multifamily residential in the middle, and single family residential along the southeastern boundary. Mr. Hawkins noted a total of 1,030 multifamily dwelling units and 92 single family lots are being proposed. If approved, a preliminary plat and development plan will come back to the Planning Commission for approval.

Staff recommends approval of the requested map amendment to R-5 Urban Residential, Mixed and R-6 High Density Residential as it is found to be in compliance with the community-wide development policies and guidelines, the Recommended Land Use Map, and the sub area guidelines of the Elizabethtown comprehensive Plan. Mr. Hawkins stated because of the detailed nature of the development plan that will need to be submitted and reviewed by the Commission in the future, staff feels it's important to condition the map amendment request, so the development plan is in compliance with the goals and objectives and guidelines of the Comprehensive Plan.

Those speaking in favor of the request:

David Mindel, 5151 Jefferson Blvd, Louisville, KY 40219

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Summary of those speaking in favor of the request:

David Mindel, representing the developer, presented a concept development plan to show how the property could potentially be developed. Mr. Mindel also reviewed proposed access points, stating there would be one access point off Ring Road and two from Leitchfield Road. Street interconnectivity, sidewalks, and utilities were also discussed.

Those speaking in opposition:

No one spoke in opposition.

Those speaking neither in favor nor opposition:

John Bryerton, 220 Field Stone Way, Elizabethtown, KY 42701

Summary of those speaking neither in favor nor opposition:

John Bryerton had a question about the minimum house size for single-family houses. Joe Reverman stated that the Planning Commission cannot require a minimum house size.

Deliberation:

Commissioner McCrary felt this was an appropriate transition in zoning classifications from surrounding properties. Commissioner Scott expressed concerns on the impact developments like this will have on nearby schools, especially with teenage drivers potentially needing to cross Leitchfield Road to get to Central Hardin High School. Chairperson Rice appreciated the mixed use that will be available in the proposed development.

Zoning Map Amendment for 3500 Leitchfield Road

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

WHEREAS, the Elizabethtown Planning Commission (the Commission) finds that the size and scale of an R-6 residential development is comparable to the nearby Central Hardin High School and the nearby industrial uses. The single family uses on the periphery of this development are comparable to the nearby single family uses and agricultural uses along Bacon Creek Road to the south/southwest; and

WHEREAS, the Commission finds that access to the project will be provided by three access points (two off of Leitchfield Road and one off of South Ring Road) which will have to be approved by the Kentucky Transportation Cabinet; and

WHEREAS, the Commission finds that five new City streets are shown on the conceptual plan which will provide interconnections to all portions of this proposed development; and

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WHEREAS, the Commission finds that appropriate transitions and buffers for adjacent properties will be reviewed by the Planning Commission when a development plan is submitted; and

WHEREAS, the Commission finds that this property is bounded by two arterial highways. The proposed development will provide an adequate transition to the single family and agricultural uses to the south and west by utilizing commercial along the two frontages, then transitioning from high density residential to single family residential; and

WHEREAS, the Commission finds that approval of R-6 zoning will necessitate submittal of a development plan, which will address appropriate transitions to the adjacent properties; and

WHEREAS, the Commission finds that sidewalks will be required within the proposed development and they will connect with a sidewalk that will be constructed along both Leitchfield Road and South Ring Road; and

WHEREAS, the Commission finds that this mixed use development will be required to provide multiple detention basins on site, and have plans submitted and approved by the City's Stormwater Department; and

WHEREAS, the Commission finds that water and sanitary sewer services are available on the subject property. The City has plans to upgrade the sewer capacity on this site which will be able to adequately serve a mixed-use development; and

WHEREAS, the Commission finds that this development will include commercial uses along both South Ring Road and Leitchfield Road. These uses will provide services to both the surrounding residential uses as well as the industrial uses in the nearby Industrial Park.

RESOLVED, that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council that the Zoning Map Amendment from C-3 Regional Commercial to R-5, Urban Residential, Mixed and R-6 High Density Residential, be **APPROVED** with the following conditions:

1. Provide a development plan showing landscape buffering and transitions that satisfy the Site Layout Guidelines of the Industrial Park Sub Area.
2. Provide a development plan showing public open space which satisfies Objective A of Goal 10 of the Comprehensive Plan. Goal 10 states that Elizabethtown will provide diverse recreational opportunities, such as high-quality parks, amenities, and activities. Objective A of Goal 10 is to develop smaller parks within walking distance of underserved areas and prioritize sidewalk connections to parks.

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The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary and Young

Chairperson Rice closed the hearing at 6:47 p.m.

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DEVELOPMENT PLAN for 1605 North Miles Street

Request: Development Plan Approval
Project Name: Ridge Pointe Townhomes
Location: 1605 North Miles Street
Owner: Dentac Properties, LLC
Applicant: Dentac Properties, LLC

Agency Testimony:

The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. He oriented the Commission with the location of the property and identified nearby zoning classifications and uses. The property, which is currently vacant, will be for a development that will contain 20 buildings with a total of 40 dwelling units in the form of townhomes. Access will come from a single access point off North Miles Street. A community open space is proposed beside the cluster mailbox unit that will provide a small parklike setting for residents of this development. Mr. Hawkins also reviewed utilities, vehicular and pedestrian access, and landscaping. No waivers were requested.

This development plan has been reviewed by all jurisdictions and utilities and is in compliance with the requirements of the Zoning Ordinance. With the developer previously requesting to change the zoning to allow more dense development, staff is recommending additional measures beyond the Zoning Ordinance minimums as justification for compliance with the Design Guidelines of the Urban Neighborhood East Sub Area portion of the Comprehensive Plan. Staff recommend approval of the development plan, with conditions.

Commissioner Dozer had questions about the amount of parking spaces provided and if on-street parking will be permitted. Mr. Hawkins answered that while this will be a private street, the Fire Chief has asked to leave one side of the street open to accommodate emergency vehicles. Chairperson Rice asked about the enhanced screening provided on the south side of the development. Mr. Hawkins stated that while a fence is an acceptable buffer, staff will request evergreen trees to be planted to provide proper screening. Commissioner McCrary stated in addition to the evergreen trees she would like to see a fence installed as well. Commissioner Dozer would like to see the existing natural buffer on the south side remain if possible. Councilman Fulkerson asked why the developer would want to make this a private street considering the maintenance of the road that will have to take place overtime and the lack of services provided by the City when streets are privately maintained.

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The following spoke in favor of the request:

Warren Clifford, Engineering Design Group, 315 S Mulberry Street, Elizabethtown, KY 42701

Summary of those speaking in favor of the request:

Mr. Clifford stated because of the setback constraints when developing a public street, it would not be a good use of the land.

The following spoke in opposition to the request:

Emily Desjardins, 1611 North Miles Street, Elizabethtown, KY 42701

Summary of those speaking in opposition to the request:

Emily Desjardins has concerns about noise pollution, privacy, and drainage. Chairperson Rice stated anytime a new development is constructed in the city, the City's Stormwater Department approves drainage plans before construction is to begin.

Those speaking neither in favor nor opposition to the request:

Karey Speten, 1403 Canterbury Court, Elizabethtown, KY 42701

John Self, 1215 Manchester Drive, Elizabethtown, KY 42701

Summary of those speaking neither in favor nor opposition to the request:

Karey Speten had questions about the existing trees along the south property line. John Self had a question about the expansion of the existing detention basin. Mr. Clifford responded they are going to expand the detention basin towards the townhome development to increase the volume of stormwater it can hold.

Development Plan for Ridge Pointe Townhomes

On a motion by Commissioner McCrary, seconded by Commissioner Young, 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 of the Ridge Pointe Townhomes, with the following conditions:

1. Work with staff to finalize the Landscape Plan.
2. Work with staff to provide an enhanced landscape buffer adjacent to the residential properties to the southeast and northeast.
3. Shift dwelling units along the south property line north in order to get the patios completely out of the setback and landscape buffer zone.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary, and Young

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DEVELOPMENT PLAN with Commercial Design Review for Cheetah Car Wash

Request: Development Plan with Commercial Design Review & Waiver Request
Project Name: Cheetah Car Wash
Location: 101 Menards Way
Owner: Menard, Inc.
Applicant: Cheetah Clean Holding Company, LLC

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 property and identified nearby zoning classifications and uses. The applicant is proposing to develop the property into a Cheetah Car Wash. The site will have one access point, which will be Menards Way. Mr. Hawkins also reviewed parking requirements, utilities, landscaping, and waiver requests. Staff recommends approval of the Commercial Design Guideline Review and the requested waivers for Section 4.5.5, Landscaping.

Mr. Shaw presented the development plan. The development plan and landscape plan were filed as part of the requirements for commercial design review. These plans have been reviewed by all appropriate departments and jurisdictions and are in compliance with most requirements. No waiver requests were made.

Commissioner Dozer asked how far the row of parking spaces in the vacuum area exceeds the 120-foot limit for parking without a landscape island. Mr. Shaw answered the row of parking is approximately 160 feet long. Chairperson Rice asked what is allowed in the pipeline easement and could a retaining wall similar to what Sam's Club has facing Ring Road be constructed on the south side of the car wash facing Ring Road. Mr. Shaw replied that no structure could be built in the easement. Commissioner McCrary expressed concerns about stacking. Menard's Way should provide sufficient room for stacking. Mr. Shaw stated that the stacking exceeds the minimum requirements of the code.

The following spoke in favor of the request:

Jason Baker, 1535 Frederica St, Owensboro, KY 42301
Geoff Fields, 808 Annemarie Circle, Bowling Green, KY 42103

Summary of those speaking in favor of the request:

Jason Baker, representing the applicant, described the project and stated they are still working with Energy Transfer LP to provide a proper buffer that will not interfere with the Mid-Valley Pipeline easement. Geoff Fields provided the Commission with renderings of other car wash locations in the state the developer has constructed.

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The following spoke in opposition of the request:

No one spoke in opposition.

Commercial Design Review

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

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Commercial Design Review Guidelines with waivers of Section 4.5.5, Landscaping with the condition that trees are planted adjacent to the Ring Road property lines and landscaping is provided in the Mid-Valley Pipeline easement to the extent allowed by Energy Transfer LP, based on the following:

1. The vacuum area constitutes a special circumstance because it is only found at car wash facilities. Requiring a landscape island may reduce the usefulness of the adjacent parking spaces.
2. The perimeter landscaping that is required adjacent to the vacuum area is being provided. The loss of one island will not be significant.
3. There are special circumstances because full-service car washes require a specific site design that does not have the flexibility of other commercial uses.
4. The site is severely constrained by the 50-foot wide pipeline easement that is nearly parallel to the southeast property line.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary, and Young

Development Plan

On a motion by Commissioner McCrary, seconded by Scott, 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 conditioned upon approval and recording of an amended record plat for the property.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary, and Young

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DEVELOPMENT PLAN with Commercial Design Review for Dunkin' Donuts

Request: Development Plan with Commercial Design Review & Waiver Requests
Project Name: Dunkin' Donuts
Location: 900 North Dixie Avenue
Owner: 900 ND Realty, LLC
Applicant: 900 ND Realty, LLC

Agency Testimony:

The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. He oriented the Commission with the location of the property and identified nearby zoning classifications and uses. The applicant is proposing to develop the property into a Dunkin' Donuts restaurant. Access will come from Diecks Drive and the Governor's Manor Shopping Center from the north. The City will be closing the Diecks Drive shopping center access closest to the intersection with US 31W. This change will require the reconfiguration of the shopping center drive lanes and parking. Previously the site of a Pizza Hut restaurant, the Pizza Hut has since been demolished in preparation for this Dunkin Donuts development. The applicant originally proposed to construct the Dunkin Donuts on the existing foundation of the former Pizza Hut, however because of a storm drainpipe that runs underneath the foundation, the building cannot be placed in that spot and will be constructed in the southwest corner of the lot. Mr. Hawkins also reviewed parking requirements, utilities, landscaping, and waiver requests. Staff recommends approval of the Commercial Design Guideline Review and waivers for Section 4.4.1, Materials and Colors, and Section 4.4.5, Landscaping.

Mr. Hawkins presented the development plan. This plan has been reviewed by all appropriate departments and jurisdictions and is in compliance with most requirements. No waiver requests were made.

The following spoke in favor of the request:

Douglas Johnson, 21500 Sonora Hardin Springs Rd, Big Clifty, KY 42712

Summary of those speaking in favor of the request:

Douglas Johnson discussed the area to the north of the dumpster location and it needing to remain paved. Mr. Johnson stated that the parking lot for Green Bamboo may be reworked in the future and use that area, so they would like it to remain paved.

Commissioner McCrary had questions about stacking. Mr. Reverman stated it exceeds the minimum requirements for stacking.

The following spoke in opposition of the request:

No one spoke in opposition.

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Commercial Design Review

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

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Commercial Design Review Guidelines with waivers of Section 4.4.1, Materials and Section 4.5.5 Landscaping, with the following condition:

1. The dumpster screening material shall match the predominant material used on the building.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary, and Young

Development Plan

On a motion by Commissioner Dozer, seconded by McCrary, 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 with the following condition:

2. The applicant shall work with staff to finalize the landscape plan.

The vote was as follows:

YES: Commissioners Rice, Dozer, Scott, McCrary, and Young

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Director's Report:

The Chairperson introduced the agenda item. Joe Reverman discussed the hearing procedure process and would like the Commission to allow for the opportunity for public comment in all cases. Mr. Reverman also reviewed current construction projects and costs, and upcoming meeting agenda items.

Commission Member Items:

The Chairperson introduced the agenda item. Commissioner McCrary has requested staff keep the website up to date with the most current information. Chairperson Rice, Commissioner Dozer and Commission Attorney Matt Hess noted they will be absent for the June 27, 2023, meeting. Commissioner Scott announced she will be resigning from the Commission with her last meeting being June 27, 2023. Commissioner Scott said it was her pleasure and honor to have served on this Commission. The Commission thanked her for her time served and all she does for the community.

Adjournment:

Commissioner McCrary made a motion to adjourn with a second by Commissioner Scott. The Chairperson declared the meeting adjourned at 8:27 p.m.

Prepared by:

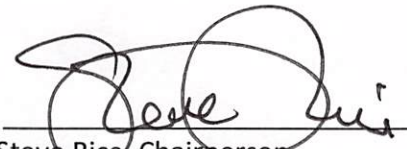


Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

13 day of June, 2023



Steve Rice, Chairperson
Elizabethtown Planning Commission