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Commission Members
Steve Rice, Chairperson
Ken Dozer, Vice Chairperson
Kasey McCrary
Maurice Young
Kyle Souleyrette

CITY OF ELIZABETHTOWN PLANNING AND DEVELOPMENT

ELIZABETHTOWN PLANNING COMMISSION REGULAR MEETING AGENDA

AUGUST 22, 2023

6:00 P.M.

CITY HALL, COUNCIL CHAMBERS, 200 WEST DIXIE AVENUE

1. Call to Order
2. Approval of Minutes – August 8, 2023
3. Development Plan and Commercial Design Review with waivers for APEX Center
Location: 245 Ring Road
4. Development Plan and Commercial Design Review for Vibrant Vitalite
Location: 1106 Julianna Court
5. Sidewalk Construction Standards Waiver for KORT Office Center
Location: 2618 Ring Road
6. Director's Report
7. Commission Member Items
8. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
AUGUST 22, 2023**

A meeting of the Elizabethtown Planning Commission was held on August 22, 2023 at 6:00 p.m. in the Council Chambers in City Hall, 200 West Dixie Avenue, Elizabethtown.

Commission members present:

Steve Rice, Chairperson

Kasey McCrary

Maurice Young

Kyle Souleyrette

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

Commission members not present:

Ken Dozer, Vice Chairperson

Staff members present:

Joe Reverman, Planning Director

Aaron Hawkins, Planner II

Matt Hess, Commission Attorney

The following matters were considered:

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

APPROVAL OF MINUTES

AUGUST 8, 2023 PLANNING COMMISSION REGULAR MEETING MINUTES

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

RESOLVED, that the Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on August 8, 2023.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

DEVELOPMENT PLAN and Commercial Design Review for 245 Ring Road

Request: Approval of Development Plan and Commercial Design Review with waivers
Project Name: APEX Center
Location: 245 Ring Road
Owner: APEX Enterprises, LLC
Applicant: APEX Enterprises, 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 a multi building retail strip center on the site, which will consist of two equal sized buildings separated by a courtyard with 30,600 square feet of total floor area. Access will come from both Ring Road and Peterson Drive. Stormwater will be channeled to the onsite storm drain system and discharged into the basin on the adjoining lot to the south. Utilities are available on-site. Mr. Hawkins reviewed the overall design, building materials, and colors. Staff recommends approval of the Commercial Design Guideline Review with waivers of Section 154.134(A)(1) – Materials and Colors and Section 154.134(D)(2) – Roofs.

Mr. Hawkins presented the development plan. The development plan and landscape plan were filed as part of the requirements for commercial design review. Staff recommends approval of the development plan as presented.

Chairperson Rice asked the size of the two buildings. Mr. Hawkins stated each building is 150' in length. Commissioner Souleyrette asked about the existing tree line and if it will remain between this property and Cytech or will the majority of trees be removed during development. Mr. Hawkins stated most trees will be removed during the development process, but some will remain. Commissioner McCrary asked if there will be pedestrian connectivity to the south. Mr. Hawkins stated there will be sidewalks installed. Commissioner Young asked what the courtyard will look like between the two buildings. Mr. Hawkins stated there will be landscaping and outdoor seating.

The following spoke in favor of the request:

Tracy Helm, 2075 Needham Road, Eastview, KY 42732

Summary of those speaking in favor of the request:

Tracy Helm, general contractor, discussed the waiver request for the roof variation, stating it would not be practical to add a parapet to the metal side of the building due to maintenance issues created over time. Mr. Helm stated there would be approximately twelve tenants occupying the building and all tenant spaces will have exterior entrances.

The following spoke in opposition to the request:

No one spoke in opposition.

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

Development Plan

On a motion by Commissioner McCrary, seconded by Souleyrette 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 for 245 Ring Road, APEX Center.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

Commercial Design Review

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

WHEREAS, the Elizabethtown Planning Commission (Commission) finds that the proposed building will be compatible with the surrounding properties; and

WHEREAS, the Commission finds that the proposed waivers comply with Sub Area 13 design guidelines of the Comprehensive Plan, which encourages a variation of façade materials that enhance the aesthetic quality of the development; and

WHEREAS, the Commission finds that the parapet wall on the rooftop of the east façade should be considered because of customer entrances on the façade as well as concealing any rooftop equipment.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Commercial Design with waivers of Section 154.134(A)(1) – Materials and Section 154.134(D)(2) – Roofs for 245 Ring Road, APEX Center.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

DEVELOPMENT PLAN and Commercial Design Review for 1106 Juliana Court

Request: Approval of Development Plan and Commercial Design Review
Project Name: Vibrant Vitalite
Location: 1106 Juliana Court
Owner: Vibrant Properties, LLC
Applicant: Vibrant 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 applicant is proposing a medical office building on this site. The proposed building will be 5,000 square feet of total floor area. Access will come from a shared access point with the adjoining property to north (Lil Tykes Childcare). Stormwater will be handled with onsite detention and water quality. Utilities are available on-site. Landscaping that meets the requirements of the Zoning Ordinance are proposed for this site. Mr. Hawkins reviewed the overall design, building materials, and colors. Staff recommends approval of the Commercial Design Guideline Review. No waivers are being requested.

Mr. Hawkins presented the development plan. The development plan and landscape plan were filed as part of the requirements for commercial design review. Staff recommends approval of the development plan as presented.

The following spoke in favor of the request:

No one spoke in favor of the request.

The following spoke in opposition of the request:

No one spoke in opposition.

Development Plan:

On a motion by Commissioner Young, seconded by Souleyrette 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, for 1106 Juliana Court, Vibrant Vitalite.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

Commercial Design Review:

On a motion by Commissioner Young, 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 for 1106 Juliana Court, Vibrant Vitalite.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

SIDEWALK CONSTRUCTION STANDARDS WAIVER for 2500 Ring Road

Request: Sidewalk Construction Standards Waiver
Project Name: KORT Office Center
Location: 2618 Ring Road
Owner: Topper Holdings, LLC
Applicant: Topper Holdings, 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. An Amended Development Plan has been filed for this site to add an additional 10 parking spaces between the building and Juliana Court. The development plan was approved with a 5 ft wide sidewalk along Juliana Court. The developer constructed a 4 ft sidewalk along Juliana Ct, and because of this, a Certificate of Occupancy has not been issued by the Planning Department. The applicant is requesting a 1 ft waiver to allow the 4' sidewalk to remain. Staff recommends denial of the sidewalk construction standards waiver.

The following spoke in favor of the request:

Mike Billings, 315 South Mulberry Street, Elizabethtown, KY 42701

Summary of those speaking in favor:

Mike Billings, stated in 1992, Lot 17 of Juliana Estates was platted along with five other lots. Two years later, Lot 17 was subdivided to create Lots 17A and 17B. By the year 2004, four of the now six lots along Juliana Court were developed and included 4ft wide sidewalks, which was the standard width at the time of development. The development plan for this site was submitted for review showing a 4ft wide sidewalk. During the review and approval process, the sidewalk was changed to a width of 5ft, however, the contractor installed a 4ft wide sidewalk to match the adjacent properties along Juliana Court. Mr. Billings believes this does not pose any adverse impact on pedestrian traffic as this is on a cul-de-sac street. Mr. Billings also suggested in lieu of removing the 4ft sidewalk and replacing it with the 5ft sidewalk, the Commission could possibly consider taking 20% of the city's installation fee of the 232 linear feet of sidewalk and put it towards the city's sidewalk fund, while still allowing the 4ft sidewalk to remain.

The following spoke in opposition to the request:

No one spoke in opposition.

Deliberation:

Commissioner Young asked if it would be possible to add an extra 1ft wide section of sidewalk to the entire 232 feet. Mr. Billings stated while it can be done, it could become uneven and any maintenance in the future would be provided by the City once it becomes a public sidewalk. Commissioner McCrary agrees with the staff recommendation, but in regards to the option allocating a percentage to the sidewalk fund, Commissioner McCrary stated if the Commission allows the 4ft sidewalk to remain, she would like to see 30% of the city's installation fee be put into the city's sidewalk fund. Chairperson Rice asked staff if this situation has been brought to the Commission before. Mr. Hawkins said to his knowledge, a sidewalk waiver has not been requested for a sidewalk that has already been installed.

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

Sidewalk Construction Standards Waiver

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

WHEREAS, the Elizabethtown Planning Commission (Commission) finds that there is no natural topography or vegetation pre-existing this project that will prevent the sidewalk width from being the required 5 ft; and

WHEREAS, the Commission finds that installation of the sidewalk is technically feasible as a 4 ft wide sidewalk was installed with no issues. Further, there is room inside of the right-of-way for an additional 1 ft of sidewalk width; and

WHEREAS, the Commission finds that there are no planned projects in the City's Capital Improvement Plan for Juliana Court that would require the sidewalk to be removed; and

WHEREAS, the Commission finds that there is no extraordinary reason specific to this site to justify the waiver; and

WHEREAS, the Commission finds that the approval of the waiver will not be more in keeping with the Comprehensive Plan and the intent of the Zoning Ordinance and Subdivision Regulations.

RESOLVED, that the Elizabethtown Planning Commission does hereby **DENY** the sidewalk waiver of Section 154.250(F)(2) - Sidewalk Construction Standards for 2618 Ring Road, KORT Office Center.

The vote was as follows:

YES: Commissioners Rice, Young, and Souleyrette

NO: Commissioner McCrary

NOT PRESENT: Commissioner Dozer

**PLANNING COMMISSION MINUTES
AUGUST 22, 2023**

Director's Report:

The Chairperson introduced the agenda item. Joe Reverman stated he hopes the subdivision bonding text amendments will be presented at the September 26 meeting and gave a brief overview of the subdivision bonding process and what the text amendments will entail. Mr. Reverman also discussed meeting location changes due to the Council Chambers being renovated to accommodate additional employees for several departments at City Hall. Meetings will be moved to the Pritchard Community Center for the foreseeable future. Mr. Reverman also reviewed the upcoming meeting schedule and potential agenda items.

Commission Member Items:

The Chairperson introduced the agenda item. Commissioner McCrary stated she would like staff to explore increasing the maximum building height in certain zoning districts to accommodate higher density and intensity developments.

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

RESOLVED, that the Elizabethtown Planning Commission directs staff to research and bring a recommendation to the Planning Commission regarding building height maximums.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

Adjournment:

Commissioner McCrary, made a motion to adjourn, seconded by Young. The Chairperson declared the meeting adjourned at 7:07 p.m.

Prepared by:



Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

12 day of Sept, 2023



Steve Rice, Chairperson
Elizabethtown Planning Commission