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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
DECEMBER 12, 2023
6:00 P.M.

PRITCHARD COMMUNITY CENTER, 404 S. MULBERRY ST.

1. Call to Order
2. Approval of Minutes – November 28, 2023
3. Commercial Design Review Landscaping Waiver for Vibrant Vitalite
Location: 1106 Juliana Court
4. Subdivision Design and Improvement Standards Sewer Waiver for Tower Subdivision
Location: 204B Pear Orchard Road Northwest
5. Continuation of Public Hearing No. 2023-PC-17
 - Subdivision Text Amendment related to Public Improvements, Sureties, and Neighborhood Associations
(Hearing continued to January 9, 2024)
6. Director's Report
7. Commission Member Items
8. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
DECEMBER 12, 2023**

A meeting of the Elizabethtown Planning Commission was held on December 12, 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

Maurice Young

Kyle Souleyrette

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:

**PLANNING COMMISSION MINUTES
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APPROVAL OF MINUTES

DECEMBER 12, 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 Elizabethtown Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on DECEMBER 12, 2023.

The vote was as follows:

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

**PLANNING COMMISSION MINUTES
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COMMERCIAL DESIGN REVIEW WAIVER for Vibrant Vitalite

Request: Commercial Design Review Waiver, Section 154.135(E) Landscaping
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. After receiving Planning Commission approval for the Commercial Design Guidelines and Development Plan at the August 22, 2023, meeting, it was discovered that a waiver for the required 10-foot landscape buffer area along all street fronts was needed. The proposed Development Plan shows a 5-foot landscape buffer between the edge of the parking pavement and the sidewalk. The sidewalk is within a dedicated 5-foot sidewalk easement on the lot. The Development Plan shows the required landscaping with the buffer area but does not provide the required 10-foot buffer width.

Mr. Hawkins stated all developments shall provide a continuous landscape area along all street frontages which shall be a minimum of 10 feet in width. The frontage along Juliana Court has a 10-foot buffer between the parking lot pavement and the lot line. However, the required 5-foot sidewalk is placed within this 10-foot buffer which only leaves a 5-foot wide landscape area. Due to this circumstance, a waiver of Section 154.135(E) Landscaping, to reduce the landscape buffer from the required 10 feet to 5 feet is being requested. Staff recommends approval of the request.

Commissioner Souleyrette asked about the placement of the sidewalk and how it has affected the amount of required landscaped buffer along the street frontages. Mr. Hawkins noted due to a drainage easement, the sidewalk had to be placed outside of the ROW and on the site itself, which affected the 10-foot landscape buffer, and necessitated the waiver request.

Those speaking in favor of the request:

No one spoke in favor of the request.

Those speaking in opposition:

No one spoke in opposition to the request.

Commercial Design Review Waiver, Vibrant Vitalite, 1106 Juliana Court

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

WHEREAS, the Elizabethtown Planning Commission (the Commission) finds that site constraints make compliance economically unfeasible since the sidewalk must be placed on the site instead of within the ROW because of drainage features in the area between the property line and the street; and

WHEREAS, the Commission finds that the required hedgerow and street front trees will still be provided in the 5-foot landscape strip between the pavement and the sidewalk; and

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WHEREAS, the Commission finds that this is the last undeveloped lot along Juliana Court, and the proposed buffer area will be compatible with the existing pattern of development along Juliana Court.

RESOLVED, that the Elizabethtown Planning Commission does hereby APPROVE the Commercial Design Review Waiver of Section 154.135(E) Landscaping, to reduce the required landscape buffer from 10 feet to 5 feet for property located at 1106 Juliana Court.

The vote was as follows:

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

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SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS SEWER WAIVER for 204B Pear Orchard Rd NW

Request: Subdivision Design and Improvement Standards Sewer Waiver
Project Name: Tower Subdivision
Location: 204B Pear Orchard Road NW
Owner: Hardin County Broadcasting Co., Inc.
Applicant: Clemons Associates Land Surveying

Agency Testimony:

The Chairperson introduced the agenda item. Jim Shaw presented the staff report and accompanying PowerPoint presentation. The property has frontage on Pear Orchard Road NW and Northcrest Drive. A plat was submitted to divide the property into two lots. The proposed lot fronting Pear Orchard Road NW would contain the communications towers and the lot fronting Northcrest Drive would be vacant and made available for commercial development. There is a sanitary sewer main at the end of Northcrest Drive that will serve that lot. There is no sanitary sewer main touching the proposed lot containing the towers. Mr. Shaw also noted a sewer waiver was approved by the Planning Commission last year for 208 and 212 Pear Orchard Road NW, which is the property bordering on the northeast.

Mr. Shaw stated that Section 4.4.43 of the Subdivision Regulations states that every subdivision shall be provided with a sanitary sewer system, unless determined by the Engineering Department that public sanitary sewer is not readily available. With 8 conditions that need to be met to determine sanitary sewer not available, this property meets conditions 2 through 8, but does not meet the first condition listed:

1. Public sanitary sewer is a distance greater than 2000 feet from the site.

Because sanitary sewer is available within 100 feet of the southwest corner of this property, the waiver is being requested. Since sanitary sewer is not needed for the communication towers and additional development is not anticipated currently. Staff recommends approval of the waiver request.

Those speaking in favor of the request:

No one spoke in favor of the request.

Those speaking in opposition:

No one spoke in opposition to the request.

Subdivision Design and Improvement Standards Sewer Waiver for 204B Pear Orchard Road NW

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

WHEREAS, the Elizabethtown Planning Commission (the Commission) finds that special circumstances exist on the proposed lot without sanitary sewer because it has been developed with communication towers and the desirability of that lot for other development is minimal. The extension of the sanitary sewer main would provide no benefit; and

WHEREAS, the Commission finds that the public welfare would not be enhanced by the extension of the sanitary sewer main because it would not be used.

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RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Subdivision Design and Improvement Standards Sewer Waiver of Section 4.4.43, for property located at 204B Pear Orchard Road NW.

The vote was as follows:

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

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Subdivision Text Amendments related to Subdivision Sureties and Neighborhood Association Standards

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 **CONTINUE** the Subdivision Regulations Text Amendments to January 9, 2024.

The Subdivision Regulations Text Amendments will be continued to the January 9, 2024 meeting.

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Director's Report:

The Chairperson introduced the agenda item. Joe Reverman briefed the Commission on other upcoming meetings within the Planning Department. Lloyd Henderson, Chair, Board of Zoning Adjustment, is retiring due to personal health concerns. The Mayor has appointed Ginny Whitt to fill his unexpired term. The Safer Streets for All grant has been awarded to Palmer Engineering. They City plans to meet in the summer of 2024 to get an action plan in place to implement by 2025. Mr. Reverman also reminded the Commission to sign up for training. He also covered units permitted and construction costs. Year to date, 1182 residential units have been permitted. Construction totals have reached \$389 million.

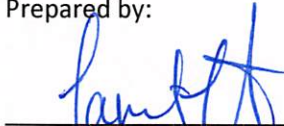
Commission Member Items:

The Chairperson introduced the agenda item. There were no items to discuss.

Adjournment:

There being no further items to discuss, Commissioner Young made a motion to adjourn with a second by Commissioner Souleyrette. The Chairperson declared the meeting adjourned at 6:25 p.m.

Prepared by:



Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

23 day of January 2023



Steve Rice, Chairperson
Elizabethtown Planning Commission