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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

JANUARY 23, 2024

6:00 P.M.

PRITCHARD COMMUNITY CENTER, 404 S. MULBERRY STREET

1. Call to Order
2. Approval of Minutes – December 12, 2023
3. Development Plan and Commercial Design Review for Maytag Launderette
Location: 125 Helmwood Drive
4. Development Plan and Commercial Design Review for The Shops at Pear Orchard
Location: 1305 Pear Orchard Road
5. Continuation of Public Hearing No. 2023-PC-17
 - Subdivision Text Amendment related to Public Improvements, Sureties, and Neighborhood Associations
6. Resolution requesting Planning and Development to research minimum setback and lot area requirements in residential zoning districts.
7. Update on City Projects with Ed Poppe, City Administrator and Michael Page, City Engineer
8. Director's Report
9. Commission Member Items
10. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
JANUARY 23, 2024**

A meeting of the Elizabethtown Planning Commission was held on January 23, 2024 at 6:00 p.m. at the Pritchard Community Center, 404 South Mulberry Street, Elizabethtown.

Commission members present:

Steve Rice, Chairperson

Kasey McCrary

Maurice Young

Kyle Souleyrette

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

Commission members absent:

Ken Dozer, Vice Chairperson

Staff members present:

Joe Reverman, Planning Director

Jim Shaw, Senior Planner

Aaron Hawkins, Planner II

Ed Poppe, City Administrator

Michael Page, City Engineer

Matt Hess, Commission Attorney

The following matters were considered:

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APPROVAL OF MINUTES

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

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

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DEVELOPMENT PLAN AND COMMERCIAL DESIGN GUIDELINES REVIEW for 125 Helmwood Drive

Request: Development Plan and Commercial Design Review
Project Name: Maytag Launderette
Location: 125 Helmwood Plaza Drive
Owner: MTH Properties, LLC
Applicant: Helm Construction, LLC

Agency Testimony:

The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. Mr. Hawkins oriented the Commission with the location of the property, identifying adjoining zoning classifications and developments. The applicant is proposing a 3,111 square foot launderette on the site. Access will come from a single access point off Helmwood Plaza Drive. Stormwater will be directed to the drainage network along Helmwood Plaza Drive. Utilities are available on site. No waivers have been requested. Staff recommends approval of the development plan with conditions.

Mr. Hawkins reviewed the commercial design guidelines describing materials, color scheme, and elevations. Landscaping that meets the requirements of the Zoning Ordinance are proposed for this site. Staff recommends approval of the commercial design guidelines with no conditions.

Chairperson Rice asked if the same amount of parking spaces would remain since the interconnection to the north is no longer a condition. Mr. Hawkins stated the parking would remain the same.

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.

Development Plan for Maytag Launderette, 125 Helmwood Plaza Drive

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 Maytag Launderette, 125 Helmwood Plaza Drive, with the following condition:

1. The parking lot being designed to allow for interconnection to the adjacent property to the north when the site develops.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

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Commercial Design Review Guidelines for Maytag Launderette, 125 Helmwood Plaza Drive

On a motion by Commissioner McCrary, 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 for Maytag Launderette, 125 Helmwood Drive, with no conditions.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

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DEVELOPMENT PLAN AND COMMERCIAL DESIGN GUIDELINES REVIEW for 1305 Pear Orchard Road

Request: Development Plan and Commercial Design Review with waivers
Project Name: The Shops at Pear Orchard
Location: 1305 Pear Orchard Road
Owner: Columbia Properties Capital I, LLC
Applicant: Columbia Properties Capital I, LLC

Agency Testimony:

The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report and accompanying PowerPoint presentation. Mr. Hawkins oriented the Commission with the location of the property, identifying adjoining zoning classifications and developments. The applicant is proposing a community shopping center on this site with one grocer anchor store that will include a separate liquor store and tenant shop, totaling 56,871 square feet. A strip center tenant building is also proposed on site and will be approximately 14,800 square feet. There will be two new City streets dedicated with this development. One street coming off Pear Orchard Road on the north side of the property and another street coming off Ring Road to provide access for the 5 outparcels. Access to this shopping center will come from Ring Road via the new city street, and from Pear Orchard Road via a dedicated access point and the new street. Stormwater will be handled with a detention basin to the east and a separate basin for the outparcels on outparcel 5. Utilities are available on site, apart from sewer. The developer is proposing a sewer extension to bring public water to the development. Landscaping that meets the requirements of the Zoning Ordinance is proposed for this site. No waivers are being requested. Staff recommends approval of the development plan with conditions.

Mr. Hawkins reviewed the commercial design guidelines describing materials, color scheme, and elevations. Four waivers are being requested. Section 154.134(A)(1) – Materials and Colors, to allow EIFS as the predominant material on the north, south, and east facades. Section 154.134(B)(2) – Facades and Exterior Walls, to allow no roofline projection on the north façade and no animating features on the south and east facades. Section 154.134(D)(2) – Roofs, to allow no roofline variation on the north and south facades of the grocer building and to waive the requirement to conceal rooftop equipment on all facades of the grocer building and the north, south, and west facades of the strip center building. Section 154.135(C) – Parking and Orientation, to waive the requirement of no more than 70% of parking spaces in the principal front yard. Staff recommends approval of the commercial design guidelines and waivers, with conditions.

Commissioner McCrary asked about the absence of the brick columns on the south and east sides of the building. Mr. Hawkins stated that was due to low visibility of the south and east sides and there will also be additional landscaping to conceal that façade. Commissioner Young asked about the location of the new city street. Mr. Hawkins stated the new city street off Ring Road will stub out onto the Aulbach property to the east. When that property is developed, they will be required to connect to the new street in this development. Chairperson Rice asked if access off Ring Road was full access. Mr. Hawkins stated KYTC has approved a full access drive cut at that location. Councilman Fulkerson asked about the landscape buffer along Pear Orchard Road. Mr. Hawkins noted the landscape buffer along Pear Orchard Road will take time to mature as they are new trees. Commissioner McCrary asked if any existing trees will be preserved. Mr. Hawkins stated along the creek there is undisturbed tree buffer noted, however, everything along Ring Road will be removed and replaced during development.

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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.

Development Plan for The Shops at Pear Orchard, 1305 Pear Orchard Road

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 and Landscape Plan for The Shops at Pear Orchard, 1305 Pear Orchard Road, with the following conditions:

1. Submit a Preliminary Subdivision Plat and subsequently an Amended Record Plat showing lot and right of way configuration for approval by the Planning Commission.
2. Review and approval of retaining wall along Pear Orchard Road to ensure adequate site distance.
3. Review and approval of north road design to ensure final grading will allow future extension onto adjacent property when said property develops.

The vote was as follows:

YES: Commissioners McCrary, Young, and Souleyrette

NO: Commissioner Rice

NOT PRESENT: Commissioner Dozer

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Commercial Design Review for The Shops at Pear Orchard, 1305 Pear Orchard Road

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

**Waiver of 154.134(A)(1) – Materials and Colors
Waiver of 154.134(B)(2) – Facades and Exterior Walls**

WHEREAS, The use of EIFS as a predominant material on the north, east and south facades of the grocer building and the lack of projections and animating features on the north, south and east facades will not detract from the appearance of the adjacent residentially and commercially zoned properties to the east and north. Extra landscaping and an undisturbed stream buffer along the south lot line will be used to provide screening from the east, south and north.

WHEREAS, The site is located in Sub Area 4 (Ring Road East) and Targeted Planning Area A which states this area should be developed as Regional Commercial; that landscaping, signage and lighting should be aesthetically pleasing; that vehicular connections should be made to the residential property to the north; that developments in this area should be held to a higher standard for landscaping, signage and building materials; that landscaping should provide visual interest from Ring Road; and that all materials should be durable and varied in a thoughtful manner to enhance the aesthetic quality of the development. With the grocer building angled towards the corner of Pear Orchard Road and Ring Road, the front façade (west) will be visible from both roads and will be comprised of approved predominant materials creating a high-quality development. The north, south and east facades will be adequately screened by an aesthetically pleasing landscape plan that goes above and beyond the requirements of the Zoning Ordinance.

Waiver of 154.134(D)(2) – Roofs

WHEREAS, Due to the proximity of the building(s) related to the topography of the site, the lack of roofline variation on the north and south façade of the grocer building can cause the rooftop mechanical equipment to be partially visible from both Pear Orchard Road and Ring Road. This site sits approximately 20-30' below the highest point of both Ring Road and Pear Orchard Road creating visibility of the rooftop equipment for people traveling west on Ring Road and South on Pear Orchard Road. The utilization of extra landscaping and the painting of the rooftop equipment to match the façade colors will provide additional screening of the equipment from the right of way.

WHEREAS, The site is located in Sub Area 4 (Ring Road East) and Targeted Planning Area A which states this area should be developed as Regional Commercial; that landscaping, signage and lighting should be aesthetically pleasing; that vehicular connections should be made to the residential property to the north; that developments in this area should be held to a higher standard for landscaping, signage and building materials; that landscaping should provide visual interest from Ring Road; and that all materials should be durable and varied in a thoughtful manner to enhance the aesthetic quality of the development. An enhanced Landscape Plan is being proposed to provide additional screening of the roof and rooftop equipment.

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Waiver of 154.135(C) – Parking Lot Orientation

WHEREAS, The site is located in Sub Area 4 (Ring Road East) and Targeted Planning Area A which states this area should be developed as Regional Commercial; that landscaping, signage and lighting should be aesthetically pleasing; that vehicular connections should be made to the residential property to the north; that developments in this area should be held to a higher standard for landscaping, signage and building materials; that landscaping should provide visual interest from Ring Road; and that all materials should be durable and varied in a thoughtful manner to enhance the aesthetic quality of the development. An enhanced Landscape Plan is being proposed to screen and break up the parking area in the principal front yard. Putting the parking in the principal front yard allows the developer to install a publicly dedicated right of way on the north side of the property which will also provide interconnections with the adjacent residential property to the north.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Commercial Design Guidelines for The Shops at Pear Orchard, 1305 Ring Road, with the following waivers:

- Section 154.134(A)(1) – Materials and Colors, to allow EIFS as a predominant material on the north, east, and south facades of the grocer building.
- Section 154.134(B)(2) – Facades and Exterior Walls, to allow no roofline projection on the north façade and no animating features on the south and east facades.
- Section 154.134(D)(2) – Roofs, to allow no roofline variation on the north and south facades of the grocer building and to waive the requirement to conceal rooftop equipment on all facades of the grocer building and the north, south, and west facades of the strip center building.
- Section 154.135(C) – Parking and Orientation, to waive the requirement of no more than 70% of parking spaces in the principal yard.

With the following conditions:

1. Work with staff to create two community spaces on the shopping center property per the requirement of Section 154.135(G).
2. Dumpster enclosure materials match the predominant material of the west façade of the grocer building.

The vote was as follows:

YES: Commissioners McCrary, Young, and Souleyrette

NO: Commissioner Rice

NOT PRESENT: Commissioner Dozer

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CONTINUATION OF PUBLIC HEARING No. 2023-PC-17

Request: Subdivision Text Amendments related to Subdivision Sureties and Neighborhood Association Standards

Applicant: City of Elizabethtown

The Chairperson introduced the agenda item and continued the public hearing from December 12, 2023.

Joe Reverman stated staff has been in discussion with some representatives of the Homebuilders Association to address concerns brought before the Commission on September 26, 2023, and have made revisions based on their comments. Mr. Reverman stated the homebuilders did not have any direct objections to what is being presented today.

Agency Testimony:

Mr. Shaw presented the staff report and accompanying PowerPoint presentation. The proposed changes in the Subdivision Regulations were first presented to the Commission on September 26, 2023, at which time some objections were voiced by local builders. The opposition focused on the provisions requiring that 80% of all lots have principal structures built on them prior to the release of the subdivision surety and the requirement of a builder's bond after the subdivision surety was released. Both provisions have since been eliminated.

Subdivision Surety

Section 1.13.K – Definition of Improvements

Has been modified primarily by expanding the list of possible improvements to show the diversity of items.

Section 2.7 – Completion of Public Improvements

References solely to public improvements, including in the title, have been removed. This makes clear that public and private improvements must meet the same surety requirements.

Subsection 2.7.5 – Release of Surety

The previously proposed requirement that a subdivision surety not be released until 80% of the lots have principal structures constructed on them has been removed. The requirement of a builder's bond prior to construction on lots after the subdivision surety has been released has also been eliminated. The requirement that all sidewalks be complete when the surety is released remains.

Councilman Fulkerson had a question about Section 2.7.4 – Reduction of Surety, specifically only retaining 5% of the original amount through the warranty period. Mr. Reverman stated after improvements are complete, and inspections are made, the City retains at least 5% of the original amount for one additional year. Councilman Fulkerson stated concerns with the percentage amount should major problems arise within the one-year period that could potentially go beyond the 5% amount. Commissioner Young asked about extending the warranty period beyond one year. City Administrator, Ed Poppe, stated the city becomes aware of most issues within that one year timeframe.

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Neighborhood Association Standards

Section 4.7.4 – Neighborhood Associations

The language currently in Section 4.7.4 will be removed. It is a permissive provision that allows the formation of neighborhood associations by developers. For continuity of the numbering system, the current Section 4.7.5 (City Erosion Control) will be renumbered 4.7.4.

Section 4.7.5 – Common Improvements and Open Space

This new section will require ownership and management measures be taken for the maintenance of common open space and common improvements. Developers must provide documents that establish an organization that will own and manage common open space and improvements as well as establish a funding mechanism for the associated costs. It is also made clear that the City has no obligation for common space and common improvements. Developments that do not have common space or private improvements will not be required to create a neighborhood association.

Staff recommends approval of the amendments to the Subdivision Regulations as they are found to be in compliance with the goals of the Elizabethtown Comprehensive Plan.

Text Amendments to the Subdivision Regulations

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 Goal 2 of the Comprehensive Plan states “Elizabethtown will responsibly expand and improve infrastructure to create a solid foundation for growth and development.” Requiring guarantees for infrastructure and common space is a component of responsible infrastructure expansion; and

WHEREAS, the Commission finds that Goal 5 of the Comprehensive Plan states “Elizabethtown will protect the community and environment through planning, regulation, green infrastructure, and hazard mitigation.” Regulation of infrastructure and common space protects those who benefit from it as well as the community at large.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Subdivision Text Amendments related to Subdivision Sureties and Neighborhood Association Standards as attached hereto.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

The Chairperson closed the hearing at 7:14 p.m.

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ATTACHMENT

Article I. General Provisions

1.13 Definitions

K. Improvements. Physical changes made to raw land and the structures placed on or under the land's surface, in order to make the land more usable for ~~man's~~ human activities. Typical improvements ~~in these regulations would be~~ include, but are not limited to grading, filling, excavation, street pavement, curbs, gutters, sidewalks, pedestrian paths, drainage ditches, storm sewers and associated facilities, water mains, fire hydrants, and sanitary sewers, utility lines of all types, streetlights, permanent reference monuments, and any other improvement required by these regulations or provided for the benefit of the public or property owners, residents, or lessees, of the subdivision.

Article II. Subdivision Procedure

2.7 Completion of ~~Public~~ Improvements

Developers may begin construction of ~~public~~ improvements after the preliminary plat and improvement plans have been fully approved. If such improvements have not been ~~fully constructed~~ completed at the time of consideration of the record plat, the Commission may, but is not required to do so, permit the plat to be approved and recorded prior to completion of such improvements. For any such case, an acceptable surety must be posted by the developer to cover the full cost of completing ~~the incomplete public~~ all improvements, including, but not limited to, public and private roads, sidewalks, sewer and drainage facilities, and reference monuments. The following requirements and procedures shall apply to such surety.

2.7.1 Acceptable Sureties

Acceptable sureties shall be ~~either~~ an irrevocable letter of credit or a certificate of deposit in favor of the City, or a performance bond in favor of the City from a reputable bonding company acceptable to the City. Any surety shall establish a completion date after which the City ~~of Elizabethtown~~ shall call the surety and cause the work to be constructed.

2.7.2 Determination of Surety Amount

The ~~Stormwater and~~ Engineering Departments shall determine the amount of the surety based upon the estimated cost which would be incurred by the City to construct the unfinished improvements including an estimated cost for engineering, contingencies, and inflation. The developer's engineer shall prepare and stamp an itemized list of all improvements to be bonded with estimated associated costs on the prescribed City form. ~~This construction cost estimate form shall be reviewed and updated by the Engineering Department based on changes in construction costs on a regular basis.~~ The Stormwater and Engineering Departments shall review this estimate for accuracy and conformance with the improvement plans and then establish the amount of the surety. Upon receipt of the surety in the established amount from the developer and the Subdivision Development Contract, if required, the authorized City official will certify the record plat. The plat will then be forwarded to the Department for certification by the Director.

2.7.3 Surety Period

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- A.** All required ~~public~~ improvements should be satisfactorily installed within two (2) years of final plat approval by the Department. After the initial two (2) year surety period, the City Engineer may extend the surety for another two (2) years, if requested by the developer. If an extension is granted, the Stormwater and Engineering Departments may increase the amount of the surety to ensure it will cover the cost of completing the improvements.
- B.** In order to assure completion of and warranty of the approved ~~public~~ improvements, the developer shall maintain a surety through the completion of the warranty period of all improvements. ~~If construction of the public improvements is completed within one (1) year, the surety period may be reduced in order to maintain a one-year warranty period.~~
- C.** If at any time following the surety period the required improvements are not in good repair or properly constructed and it does not appear the improvements will be completed within a reasonable time period, the City may call the surety and cause the improvements to be constructed.

2.7.4 Reduction of Surety

Two reductions in the amount of the surety will be permitted prior to the warranty period. The reduced surety must not be reduced below an amount which would be incurred by the City to construct the unfinished improvements, including the estimated cost for engineering, contingencies, and inflation. At least 5% of the original values shall be maintained through the warranty period.

2.7.5 Release of Surety

~~Upon written request from the developer, the City will accept the new public improvements, streets, sidewalks, sanitary sewer lines, and water lines into the City's street system, sewer system, and water system for ownership and continuous maintenance after approval by the City Council.~~

Once all improvements have been installed, the developer may request release of the surety. The request shall be accompanied by the following:

- A letter from the developer's engineer certifying that Control Monuments, materials, construction, and testing comply with City specifications.
- A copy of a letter addressed to the State of Kentucky Division of Water, certifying the completion of water and sewer improvements.
- One (1) mylar and two (2) blue line copies of "As Built" drawings prepared by a licensed surveyor in a format acceptable to the Engineering and Stormwater departments.
- A digital drawing of the plan ~~on diskette~~ compatible with the City's computer mapping system.

~~The developer shall be notified of the initial acceptance date. This date shall begin a one (1) year warranty period during which the City will periodically inspect the streets, water, and sewer lines and the developer or his contractor will be responsible for correction of any defects found. After the one-year warranty period expires and all defects are corrected, the City will permanently accept the streets for continuous maintenance and the surety may be released.~~

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Prior to release of the surety, all remaining sidewalks shall be constructed unless waived by the City Engineer and Director of Planning and Development.

2.7.6 Warranty of Improvements

Once improvements have been installed to the satisfaction of the City, a one (1) year warranty period begins during which the City will periodically inspect the improvements and the developer or his contractor will be responsible for correction of any defects found. At least 5% of the original surety amount will be maintained through the warranty period. After the one-year warranty period expires and all defects are corrected, the City Council will permanently accept the streets for continuous maintenance and the surety may be released.

4.7 Miscellaneous Standards

4.7.4 Neighborhood Associations

~~Developers may choose to form neighborhood associations or other organizations that would be responsible for the maintenance and upkeep of common areas, decorative entrances, special median plantings, drainage features or other special amenities. If any such association or organization is formed, the private covenant or agreement establishing the association or organization must be reviewed and approved by the Department and City Attorney as to the content relating to the continual and permanent maintenance of special features and the disposition of such features if organization or association ceases.~~

4.7.54 City Erosion Control

During grading, improvement installation, and building construction erosion control shall be implemented. The project engineer shall use the *Best Management Practices for Construction Activities* prepared by the Kentucky Division of Conservation and Division of Water. The developer and project engineer shall use vegetative, structural, and associated best management practices, as approved by the Engineering Department.

4.7.5 Common Improvements and Open Space

- A. Maintenance of Common Improvements and Open Space - Adequate ownership and management measures will be provided in developments to protect and perpetually maintain common open space and common improvements, to ensure their continued availability and usefulness for the residents or occupants of the development, and to prevent such facilities from becoming an unnecessary burden or nuisance to the general public or surrounding property. However, nothing in these regulations shall be construed as creating any obligation or liability upon the City of Elizabethtown or any entity not specifically designated to maintain such facilities or otherwise ensure their availability and condition. These regulations shall apply to all common open space and all common improvements that are provided voluntarily or required pursuant to these regulations, the adopted comprehensive plan, or other applicable laws and regulations. However, these requirements shall not apply to the following:
 - 1. Dedicated Lands and Improvements - Any lands or improvements to be dedicated or conveyed to the public for designated or general public use.

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2. Private Lands and Improvements - Any lands or improvements to be owned and maintained by a landlord for the benefit of lessees residing on or occupying leaseholds on the lot or parcel where such lands and improvements are situated or on other lots or parcels owned by the landlord, as for typical multi-family or shopping center development.
 3. Condominiums and Cooperatives - Any lands or improvements to be owned and maintained under a condominium or cooperative, which shall be established and regulated in accordance with Kentucky law.
- B. Establishment of Means of Common Ownership and Management - Prior to approval of a record plat, the developer shall provide documents to establish a means of common ownership and management of all common open space and common improvements. Such documents shall establish an organization or entity to own and manage the open space and/or improvements, describe its membership and responsibilities, and include a maintenance and fiscal program for the improvements.
- C. Funding Mechanism Required - Prior to approval of a record plat, the developer shall provide and record documents to establish a funding mechanism for the maintenance of the common improvements and/or open space. The documents shall provide a method for the organization or entity to assess the property owners having beneficial use of the improvements and open space for the cost of their maintenance. The method of assessment shall provide the legal right for the organization or entity to impose liens against those properties for which payment of any assessment is not made. Collection of assessments and enforcing the payment thereof shall be the responsibility of the organization or entity and shall not be the responsibility of the public. The assessments imposed by the organization or entity shall not relieve property owners from any taxes, fees, charges, or assessments imposed by the City of Elizabethtown, Hardin County, or any other governmental agency. The documents shall also provide for notice to purchasers and prospective purchasers of properties that the organization or entity shall have the authority to make assessments and impose liens as provided in these regulations.
- D. Failure to Maintain Common Improvements and Open Space - Failure to maintain common improvements and/or common open space in accordance with these regulations, established standards and the developer's agreements, binding elements, and other documents establishing the improvements and/or open space shall be considered a violation subject to enforcement by the City in accordance with the provisions of these regulations. In such cases, notices and citations of violation shall be issued to the organization or entity. Alternatively, notices and violations may be issued to all property owners, occupants, and lessees having beneficial use of or legal interest in the improvements and/or open space. The City shall not be required or obligated in any way to construct, maintain, or participate in any way in the construction or maintenance of the common improvements and/or open space.

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RESOLUTION No. 1-2024

Request: Approval of Resolution No. 1-2024 to research minimum setback and lot area requirements in residential zoning districts

Agency Testimony:

The Chairperson introduced the agenda item. Joe Reverman reviewed Resolution No. 1-2024 requesting the Department of Planning and Development research minimum setback and lot area requirements in residential zoning districts and forward its recommendation to the Planning Commission.

Discussion:

Regarding this resolution, the Commission has requested staff reach out to other municipalities that are comparable in size and have passed similar text amendments in reference to minimum setback and lot area requirements to hear feedback on the results. The Commission understands thorough research into these requests takes time but would like updates periodically on its progress.

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

WHEREAS, Kentucky Revised Statutes chapter 100.211(3) states that a proposal to amend the text of any zoning regulation may originate with the Planning Commission; and

WHEREAS, the Comprehensive Plan, Envision Elizabethtown 2040, was adopted on October 13, 2020, and amended on June 28, 2022; and

WHEREAS, Goal 1.A., Action Step 3 of the Comprehensive Plan calls to, "Review and update zoning and subdivision regulations to encourage infill development and high-density housing when appropriate"; and

WHEREAS, Goal 8.A., Action Step 4 calls to "Support a mix of lot sizes, densities, and housing prices and styles"; and

WHEREAS, Goal 8.C., Action Step 1 calls to "Support residential development within the city limits in areas that maximizes available infrastructure and community amenities"; and

WHEREAS, the Elizabethtown Planning Commission requests the Department of Planning & Development research the minimum setback and lot size requirements and make recommendations on needed updates and amendments, and forward its recommendations regarding its findings.

NOW, THEREFORE, BE IT RESOLVED by the Elizabethtown Planning Commission, that the Department of Planning & Development is directed to research the minimum setback and lot size requirements and make recommendations on needed updates and amendments and forward its recommendations regarding its findings to the Planning Commission.

The vote was as follows:

YES: Commissioners Rice, McCrary, Young, and Souleyrette

NOT PRESENT: Commissioner Dozer

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UPDATES ON CITY PROJECTS

The Chairperson introduced the agenda item. City Administrator, Ed Poppe, and City Engineer, Michael Page, were present to review current and ongoing city projects, as well as future projects.

Capital Projects

- Public Works, Phase 3
- Henry Street, Phase 1
- Foxborough Estates, Phase 1
- Meadow Lane, Phase 3
- Hawkins Drive – sanitary sewer
- South Ring Road/Leitchfield Road – sanitary sewer
- Commerce Drive/Buffalo Lake Trail
- Pear Orchard Road Northwest
- Fire Station 4
- Outdoor Entertainment Venue and Commerce Drive upgrade and extension
- VCWWTP design for upgrade/expansion
- Gas Storage field/well make over
- North Main Street sidewalks, Phase 2
- Park Avenue and South Maple Street – sidewalk improvements
- Helm Street/Terry Court
- Village Drive
- SS4A Grant

Downtown

- Jones Property
- Way-finding signage/ETCB
- 210 Helm Street

Parks

- Freeman Lake Park, “The Oasis” playground
- Trail upgrade at Freeman Lake Park south-end
- Tennis courts (5) expansion at Freeman Lake Park
- Upgrade Lions pavilion at Freeman Lake Park
- Pickleball courts conversion at American Legion Park
- Community Orchard at Nature Park

Chairperson Rice asked the cost of the Hawkins Drive project. Mr. Page stated the City had budgeted \$4 million for the project, but the approved cost came in below budget at \$3 million. Commissioner McCrary asked how the studies are conducted and how information is collected for the Safe Streets for All initiative. Commissioner Souleyrette stated several community partners are involved and data from the research will be presented to the SS4A Committee with suggestions on how to improve the roadways within the city. Mr. Poppe said there is an open house scheduled for Tuesday, January 30, 2023, at the Prichard Community Center to present data collected up to this point. Mr. Poppe also

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discussed grants that have been awarded to the city that will assist in funding projects along South Ring Road, North Main Street, Towne Mall redevelopment, and different park programs.

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Director's Report:

The Chairperson introduced the agenda item. Joe Reverman stated the annual report should be ready to be presented at the second meeting in February or the first meeting in March. Along with providing the Commission monthly updates on construction costs and permits issued, Mr. Reverman will also report on approved development plans and plats. Mr. Reverman also reminded the Commission about upcoming training opportunities and stated the City is hosting a half-day training session at the Historic State Theater on February 2.

Commission Member Items:

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

Adjournment:

There being no further items to discuss, Commissioner Souleyrette made a motion to adjourn with a second by Commissioner McCrary. The Chairperson declared the meeting adjourned at 8:06 p.m.

Prepared by:

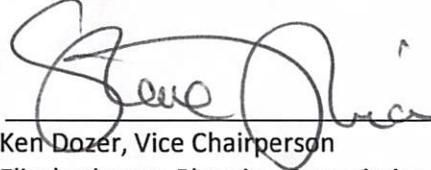


Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

12 day of March, 2024



Ken Dozer, Vice Chairperson
Elizabethtown Planning Commission