

**SPECIAL MEETING
OF THE ELIZABETHTOWN PLANNING COMMISSION
MAY 24, 2022
6:00 P.M.**

**WESBANCO GALLERY, HISTORIC STATE THEATER
209 WEST DIXIE AVENUE**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes – May 10, 2022**
- 3. Public Hearing #2022-PC-14**
Review of a zoning assignment for property proposed for annexation at 554 Pine Valley Drive as requested by the City of Elizabethtown (Stuart and Rene Sullivan, owners)
- 4. Public Hearing #2022-PC-15**
Review of a map amendment request for property located at 120 Robinbrooke Boulevard to change the zoning classification from Urban Residential, Mixed (R-5) to High Density Residential (R-6) as requested by Robinbrooke Crossings
- 5. Review of a development plan for property located at 120 Robinbrooke Boulevard (Robinbrooke Crossings)**
- 6. Public Hearing #2022-PC-16**
Review of a map amendment request for property located at 1670 North Miles Street to change the zoning classification from Urban Residential, Limited (R-3) to High Density Residential (R-6) as requested by Two Winding Springs, LLC
- 7. Review of a development plan with commercial design for property located at 2101 Ring Road (Flying Horse Convenience Store)**
- 8. Director's Report**
- 9. Commission Member Items**
- 10. Adjournment**

**ELIZABETHTOWN PLANNING COMMISSION
MEETING MINUTES
MAY 24, 2022
WESBANCO GALLERY, HISTORIC STATE THEATER**

Members Present: Steve Rice, Ken Dozer, Joe Humphrey, Kasey McCrary, and Julia Springsteen, City Council Representative

Staff Present: Jim Shaw, Planning Director; Aaron Hawkins, Planner I; and Matt Hess, Commission Attorney

I. CALL TO ORDER: Chairperson Rice called the meeting to order at 6:00 p.m. and introduced the Commission and staff members.

II. APPROVAL OF MINUTES-May 10, 2022: After review of the minutes of the May 10, 2022 meeting and no corrections made to the minutes, Commissioner McCrary made a motion to approve the minutes with a second by Commissioner Dozer. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

III. PUBLIC HEARING #2022-PC-14: The Chairperson introduced the agenda item and opened the public hearing at 6:04 p.m. Chairperson Rice presented the hearing procedures. Matt Hess administered the oath to all those intending to testify at the hearing.

Ed Poppe, City Administrator, reviewed the KRS hearing procedures and notification process. He introduced into the record the Elizabethtown Comprehensive Plan, Subdivision Regulations, Zoning Ordinance, map amendment application and all attachments, and accompanying PowerPoint presentation (Exhibit #1). Mr. Poppe then reviewed the annexation process noting the purpose of the hearing is to determine the appropriate zoning classification for the property proposed for annexation by the City and owned by Stuart and Rene Sullivan. He oriented the Commission with the location of the property at 554 Pine Valley Drive. The site is in the Outer Ring Road East Sub Area, which is predominantly residential. Mr. Poppe stated this sub area includes parcels outside the city limits and is largely Suburban Residential. He also noted this location is one of the faster growing areas in Elizabethtown and growth is expected to continue. Mr. Poppe stated that based on goals and objectives and the Recommended Land Use Map for this sub area in the Comprehensive Plan, Urban Residential, Limited (R-3) zoning is in agreement with the plan and is appropriate for the property.

At the conclusion of the presentation, Chairperson Rice asked for questions of the staff. There were no questions.

Chairperson Rice asked for testimony in favor of the request. There being none, he asked for testimony in opposition to the request. Jim Shaw entered into the record an email received from Tracy Arflin, II (Exhibit #2) stating his concerns with drainage, a potential higher density designation, and the possibility of land values being negatively affected. Brian Martin asked how the zoning designations are decided. Steven Neal expressed concerns with drainage and the property values decreasing depending on the type of development built.

There being no more questions or testimony, the Chairperson closed the testimony phase of the hearing and asked for Commission discussion. The Commission discussed the proposed zoning classification being appropriate for the area.

There being no more discussion, Chairperson Rice asked for a motion. Commissioner Dozer made a motion to recommend an Urban Residential, Limited (R-3) zoning classification for property proposed for annexation located at 554 Pine Valley Drive with a second by Commissioner McCrary. All Commissioners voted in favor of the motion. Chairperson Rice voted in favor of the motion and the motion was passed 4-0. The Chairperson closed the hearing at 6:36 p.m.

IV. PUBLIC HEARING #2022-PC-15: The Chairperson introduced the agenda item and opened the public hearing at 6:38 p.m.

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 (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). Mr. Hawkins oriented the Commission with the location of the property at 120 Robinbrooke Boulevard. He identified nearby zoning classifications and uses. The property is owned by Arlington Park Partners and is currently zoned Urban Residential, Mixed (R-5) and the owner is proposing High Density Residential (R-6). The applicant is proposing a multi-family development that will be completed in two phases. The first phase includes ten buildings with 160 dwelling units on this property while the second phase, which will be constructed across Robinbrooke Boulevard, will include a swimming pool and clubhouse.

Mr. Hawkins discussed compliance of the request with the community-wide development policies and guidelines, the Sub Area Guidelines and the Targeted Planning Area Guidelines of the Comprehensive Plan. Staff recommends approval.

At the conclusion of the presentation, Chairperson Rice asked for questions of staff. There were questions of interconnectivity to surrounding properties.

There being no more questions of staff, Chairperson Rice asked for testimony in favor of the request. Gregory Mays, representing the applicant, gave a brief description of the proposed development and why they chose this location. There being no more testimony in favor of the request, the Chairperson asked for testimony in opposition to the request. There being none, Chairperson Rice asked of questions from the audience. Jane Morgan expressed concerns about the possibility of an increase in traffic in the area with more development being proposed.

There being no more questions or testimony, Chairperson Rice closed the testimony phase of the hearing and asked for Commission discussion. There was discussion about the proposed development being a good fit for the area.

At the conclusion of the discussion, Chairperson Rice asked for a motion. Commissioner Humphrey made a motion to recommend approval of the requested map amendment from Urban Residential, Mixed (R-5) to High Density Residential (R-6) for 120 Robinbrooke Boulevard based on the findings of fact in the staff report with a second by Commissioner Dozer. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0. Chairperson Rice closed the hearing at 7:03 p.m.

V. REVIEW OF A DEVELOPMENT PLAN FOR PROPERTY LOCATED 120 ROBINBROOKE BOULEVARD (ROBINBROOKE CROSSINGS): The Chairperson introduced the agenda item. Aaron Hawkins presented the staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). He oriented the Commission with the location of the development, reviewing the adjoining zoning classifications and development. He noted the applicant is proposing to develop 10 apartment buildings, two stories each, consisting of a total of 160 dwelling units. He also reviewed access points, landscaping, and parking requirements. Mr. Hawkins stated the applicant is seeking a parking waiver of 17 spaces to bring the total spaces down from 360 to 343. Staff recommends approval of the development plan and requested parking requirement waiver.

At the conclusion of the presentation, Chairperson Rice asked for questions of staff. There was a question about the placement of the sign.

There being no more questions of staff, Ted Bernstein and Adam Solinger, speaking on behalf of the applicant, presented a PowerPoint presentation (Exhibit #3) describing the development, landscaping, square footage of the units, and parking spaces.

There being no more questions, the Chairperson asked for a motion. Commissioner McCrary made a motion to approve the development plan with waiver of 17 parking spaces conditioned upon obtaining approvals of all City departments and outside agencies and working with staff to finalize a landscape plan that meets the intent of the Zoning Ordinance with a second by Commissioner Humphrey. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

Chairperson Rice called for a one minute recess.

VI. PUBLIC HEARING #2022-PC-16: The Chairperson introduced the agenda item and opened the public hearing at 7:26 p.m.

Jim Shaw 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 (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). Mr. Shaw oriented the Commission with the location of the property at 1670 North Miles Street. He identified the nearby zoning classifications and uses. The property is owned by Two Winding Springs Investments, LLC and is currently zoned Urban Residential, Limited (R-3) and the owner is requesting High Density Residential (R-6). The applicant is proposing to develop the 30 acre site with a multi-family development in the center and a single-family subdivision along the periphery. Mr. Shaw stated the multi-family portion would consist of six residential buildings with a clubhouse and pool and the single family portion would consist of 112 lots.

Mr. Shaw discussed compliance of the request with the Recommended Land Use Map and community-wide development policies and guidelines. Staff recommends denial.

At the conclusion of the presentation, Chairperson Rice asked for questions of staff. There was a question about what would be considered an adequate transition from the single family residences on adjacent properties to a higher density multi-family development.

The Chairperson asked for testimony in favor of the request. Mike Billings, speaking on behalf of the applicant, presented aerial footage of the site (Exhibit #3) showing the natural buffer between the two adjacent subdivisions. Mr. Billings also described the proposed development and discussed how the project meets the Comprehensive Plan. Shawn Goff, applicant, discussed the timeline of the project stating the multi-family development and single-family lots would all be done simultaneously. Mr. Goff also presented renderings of the multi-family development and single-family homes. Jim Shaw entered into the record a letter staff received from Regina Johnson (Exhibit #4). Ms. Johnson, Property Manager for Winding Springs Apartments, stated there is a need for this type of development in the area and demand is growing rapidly in the community. LaTerra Woods stated it is difficult to find rental property in this area and supports the proposed development. Will Figary stated the community is in need of this type of development.

There being no more testimony in favor of the request, the Chairperson asked for testimony in opposition of the request. Jim Shaw entered into the record nine letters staff received in opposition (Exhibit #5) expressing concerns with traffic congestion, decrease in property values, potential increase in crime, and the development changing the overall character of the area. Bill Martin stated he is opposed to the interconnectivity with Duggins Drive from the neighboring Shepherd Hills Subdivision. Mr. Martin also said he has concerns with the potential increase in traffic and drainage issues. Brian Martin stated this development does not meet the intent of the comprehensive plan. Rex Allaman stated concerns with increase in traffic and speeding and an increase in crime. Wendy Ringle, presented a letter from Paula Floyd (Exhibit #6) expressing concerns with traffic, crime, noise, and decreasing surrounding property values. Chris Gaudern stated Duggins Drive is too narrow to withstand a potential increase in traffic. Roy Loyall had questions about the proposed price range of the single-family homes. Mr. Loyall stated concerns about his property value being impacted negatively and an increase in traffic.

Chairperson Rice called for a five minute recess at 8:52 p.m.

Chairperson Rice resumed the hearing at 8:58 p.m.

The Chairperson read a list of concerns mentioned before the recess that included, but were not limited to, an increase in traffic, property values being negatively affected, noise increase, crime and drugs, and drainage issues. The Chairperson asked the audience, by show of hands, who shares those concerns that were stated earlier. The majority of the audience raised their hands. The Chairperson then stated if there are any additional concerns that have not been mentioned, they may be heard now.

Nancy Bell stated Ridgcrest Road is not built to handle any extra traffic and the natural buffer behind her house is not adequate to separate the developments. Debbie Johnson had drainage concerns. Gary Elliott expressed concerns with traffic congestion and the deterioration of the streets in his subdivision. Danita Miller stated that this type of development does not belong in the area. Kathryn McAleer stated concerns with the increase in density and feels this development does not fit in with the surrounding developments. Debbie Wright had questions about how long it would take to complete the development. Burnd Sybert had drainage concerns and had questions about the placement of a fence around the development. Jill Dahl feels not all Ford employees will choose to live in Elizabethtown. Marylou Emerine stated she now mows the cart path behind her house and would like to know if that will be maintained as part of the new development.

There being no more testimony in opposition to the request, Chairperson Rice asked the developers to return to the podium to address questions and concerns from the audience. Mike Billings and Shawn

Goff answered questions on drainage, sidewalks, traffic, the number of units being proposed for the apartments and the square footage of the single-family homes.

There being no more testimony or questions, Chairperson Rice closed the testimony phase of the hearing and asked for Commission discussion. There was discussion about the development not matching the character and style of the surrounding area and density concerns. The Commission also discussed the housing shortage in the area.

There being no more discussion, Chairperson Rice asked for a motion. Commissioner Humphrey made a motion to recommend denial of the requested map amendment from Urban Residential, Limited (R-3) to High Density Residential (R-6) for property located at 1670 North Miles Street based on the findings of fact recommended by staff with a second by Commissioner McCrary. Commissioners Humphrey and Dozer voted in favor of the motion. Commissioner McCrary voted in opposition to the motion. The Chairperson voted in favor of the motion and the motion was passed 3-1. Chairperson Rice closed the hearing at 10:10 p.m.

VII. REVIEW OF A DEVELOPMENT PLAN WITH COMMERCIAL DESIGN FOR PROPERTY LOCATED AT 2101 RING ROAD (FLYING HORSE COVENIENCE STORE): Chairperson Rice introduced the agenda item. Aaron Hawkins presented the staff report (Exhibit #1) and accompanying PowerPoint presentation (Exhibit #2). He oriented the Commission with the location of the site, reviewing the adjoining zoning classifications and development. He noted the applicant is proposing to develop a convenience store. He reviewed access points, building elevations, and landscaping. He presented and reviewed each waiver.

Mr. Hawkins summarized the review of the proposal stating staff recommends approval of the commercial design elements and the requested waiver conditioned upon the dumpster enclosure being built with the same brick as the east façade of the building and in lieu of the shrubs required for the buffer along the east property boundary, the developer shall install a 6' tall privacy fence on the property line to screen the development from the adjacent residential use. Mr. Hawkins also noted the fence design and materials should be discussed with the adjacent property owner.

At the conclusion of the presentation, Chairperson Rice asked for questions of the staff. There were questions about the elevation difference between the development and the adjacent property owners and the material that will be used for the privacy fence. The Commissioners also discussed sidewalks and ingress/egress from both Pear Orchard Road and Ring Road.

There being no more questions or discussion, the Chairperson asked for a motion. Commissioner Dozer made a motion to approve the commercial design elements with a waiver for the trash enclosure proximity to the street and pedestrian walkway with the following conditions: the trash enclosure being the same brick as the east façade, in lieu of the shrubs required for the buffer along the east property boundary, the developer shall install a 6' tall privacy fence on the property line to screen the development from the adjacent residential use, the developer will work with the adjacent property owner on the design and materials of the privacy fence, and the developer will work with staff on a sign package with a second by Commissioner Humphrey. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

Mr. Hawkins presented the development plan. He stated staff recommends approval of the plan conditioned upon approval of improvement plans from the City Engineering Department.

Chairperson Rice asked for questions of staff. There being none he asked for a motion.

Commissioner Humphrey made a motion to approve the development plan conditioned upon approval of improvement plans by the City Engineering Department with a second by Commissioner Dozer. All Commissioners voted in favor of the motion. The Chairperson voted in favor of the motion and the motion was passed 4-0.

VIII. DIRECTOR'S REPORT: The Chairperson introduced the agenda item. Mr. Shaw presented the staff memorandum dated May 19, 2022. He discussed the upcoming meeting schedule and potential agenda items.

IX. COMMISSION MEMBER ITEMS: The Chairperson introduced the agenda item. Commissioner Humphrey stated he would not be returning for another term and thanked the Commission for the time they got to work together.

X. ADJOURNMENT: There being no further items to discuss, Commissioner Dozer made a motion to adjourn with a second by Commissioner McCrary. Chairperson Rice declared the meeting adjourned at 10:31 p.m.

Prepared by:



Janet M. Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

14th day of June, 2022



Steve Rice, Chairperson
Elizabethtown Planning Commission