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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

APRIL 25, 2023

6:00 P.M.

CITY HALL, COUNCIL CHAMBERS, 200 WEST DIXIE AVENUE

1. Call to Order
2. Approval of Minutes – April 11, 2023
3. Public Hearing No. 2023-PC-10
Zoning Map Amendment from R-2 Suburban Residential to R-6 High Density Residential
Location: 1203 & 1205 Saint John Road
4. Amended Development Plan with Commercial Design Review Guidelines and waivers for LTADD
Location: 750 South Provident Way
5. Zoning Text Amendment for Utility Scale Solar Facilities
This amendment has been requested to be withdrawn
6. Update on City Projects
7. Training for continuing education requirements – Parking regulations
8. Director's Report
9. Commission Member Items
10. Adjournment



**MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
APRIL 25, 2023**

A meeting of the Elizabethtown Planning Commission was held on April 25, 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

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

Commission members absent:

Ken Dozer, Vice Chairperson

Kendra Scott

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 11, 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 of its meeting conducted on April 11, 2023.

The vote was as follows:

YES: Commissioners Rice, McCrary, and Young

NOT PRESENT: Commissioners Dozer and Scott

**PLANNING COMMISSION MINUTES
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PUBLIC HEARING No. 2023-PC-10

Request: Zoning Map Amendment from R-2 Suburban Residential to R-6 High Density Residential
Project Name: Saint John Road
Location: 1203 & 1205 Saint John Road
Owner: Crossroads Baptist Church of Elizabethtown, Inc.
Applicant: Crossroads Baptist Church of Elizabethtown, Inc.

Chairperson Rice introduced the agenda item and opened the public hearing at 6:00 p.m. and presented the hearing procedures. Matt Hess administered the oath to all those intending to testify at the hearing.

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, and accompanying PowerPoint presentation.

Agency Testimony:

Jim Shaw oriented the Commission with the location of the property and identified nearby zoning classification and uses. The subject property includes two lots, each with a single-family home and accessory structures. The larger lot is also being used for agricultural purposes. This map amendment request is being pursued to increase the property's attractiveness to potential developers. R-6 zoning would provide the greatest number of options and would allow a maximum density of 20 units per acre.

Staff does not recommend approval of the requested map amendment to R-6, High Density Residential, as it is not supported by the comprehensive plan. Staff recommends approval of a map amendment from R-2, Suburban Residential, General to R-5, Urban Residential, Mixed 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.

Those speaking in favor of the request:

Mike Billings, 315 South Mulberry Street, Elizabethtown, KY 42701
Randy Pettus, 78 Pleasant Colony Drive, Elizabethtown, KY 42701
John Pawley, 326 West Poplar Street, Elizabethtown, KY 42701
Wesley Durham, 724 Cedar Creek Drive, Elizabethtown, KY 42701

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Summary of those speaking in favor of the request:

Mike Billings presented a conceptual development plan and discussed nearby zoning classifications and uses. Mr. Billings stated the owners have no intention of developing the property themselves, but wanted to get the land zoned appropriately to sell to a potential buyer that would develop it. Randy Pettus gave a brief history of the previous locations of Crossroads Baptist Church and how they came to own this property. Mr. Pettus stated the church currently occupies the old iPay building on North Black Branch Road with a lease to own option. To offset the cost of the purchase, the Church wants to rezone the property on St. John Road to make it more appealing to a buyer. Commissioner McCrary asked if changing the zone to R-6 would increase the value of the property. John Pawley, realtor/appraiser, stated properties he has recently sold in the area that were zoned high density got four to five times more an acre than properties zoned for single-family developments. Mr. Pawley said several buyers are interested in this property should the zone change be approved. Wesley Durham, Elder at Crossroads Baptist Church, presented various zoning exhibits from comparable cities in Kentucky.

Those speaking in opposition:

Lee Sparks, Jr., 1200 Saint John Road, Elizabethtown, KY 42701

Lisa Burnett, 1305 Saint John Road, Elizabethtown, KY 42701

Rebecca McClarity, 1305 King Arthur Circle, Elizabethtown, KY 42701

Dennis McClarity, 1305 King Arthur Circle, Elizabethtown, KY 42701

Norma Robinson, 105 King Arthur Circle, Elizabethtown, KY 42701

Summary of those speaking in opposition:

Lee Sparks, Jr., stated with the uncertainty in the area regarding the timeline of the widening of St. John Road, he would like to see the land be sold first, then the developer come back to the Commission with a more concrete plan and request the zone change at that time. Lisa Burnett stated she would like to see the land used for single-family housing and not apartments. Ms. Burnett also has concerns about the potential increase in crime. Rebecca McClarity has concerns about existing and potential increase in traffic. Ms. McClarity also has concerns about the nearby G.C. Burkhead Elementary School already being at capacity should families move into these apartments. Dennis McClarity has concerns about the crime rate increasing, traffic, and stated he bought his home in this specific location for the peace and quiet it provides. Mr. McClarity feels this area is not appropriate for an R-5 or R-6 zoning classification. Norma Robinson also shared traffic concerns and asked when the St. John Road project would begin. Ed Poppe, City Administrator, gave an overview of the bidding and awarding process, but also stated since this is a State project, he cannot give a precise timeline for completion.

Chairperson Rice read a letter from Michael Sanders stating his opposition and Jim Shaw read an email from Megan Gilbert also stating her opposition.

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Deliberation:

The Commission noted their recommendations are based off the Elizabethtown Comprehensive Plan and the zoning and use of nearby properties. The Commission stated they would also like to see a more detailed development plan presented that demonstrates compliance with specific provisions of the Comprehensive Plan, and how potential adverse impacts to nearby properties can be mitigated.

Zoning Map Amendment for 1203 & 1205 Saint John Road

One 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 proposal complies with the Community Wide Development Policies since the proposal would allow development of two platted lots, access to the project will be provided by two access points previously approved by the Kentucky Transportation Cabinet, the size and scale of an R-5 residential, development may be comparable to the nearby G.C. Burkhead Elementary School but will not reflect the surrounding single-family and agricultural uses, no interconnections are shown on the conceptual plan, water and sanitary sewer are available near the property, and water supply and pressure are adequate for the proposed development; and

WHEREAS, the Commission finds the proposal complies with the Recommended Land Use Plan because the proposed zoning would allow a multifamily residential development with a density of 20 units per acre, which exceeds the recommended limit. No information regarding amenities of aesthetic features was provided that would merit consideration of a density greater than 12 units per acre and the Recommended Land Use Map designates this property as Urban Residential with a density range of five to twelve units per acre. R-5 Urban Residential, Mixed zoning is supported by the map; and

WHEREAS, the Commission finds the proposal complies with the Community Wide guidelines because a map amendment to higher density zoning classification would allow redevelopment of two platted lots that have public services nearby; and

WHEREAS, the Commission finds the size and scale of an R-6 residential development may be comparable to the nearby G.C. Burkhead Elementary School but will not reflect the surrounding single-family and agricultural uses; and

WHEREAS, the Commission finds the R-5 zoning would provide the higher density residential development that is encouraged by the comprehensive plan and appropriate transitions and buffers for adjacent properties will be reviewed by the Planning Commission when a development plan is submitted; and

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WHEREAS, the Commission finds that the nearby properties include agricultural uses and single-family homes on lots ranging from 0.25 to two acres. The proposed R-6 zoning would not provide an appropriate transition and the approval of R-5 will necessitate submittal of a development plan, which will address appropriate transitions to the adjacent properties; and

WHEREAS, the Commission finds that the redevelopment of the subject property will utilize two access points on St. John Road that have been approved by the Kentucky Transportation Cabinet; and

WHEREAS, the Commission finds that sidewalks will be required within any proposed development and they will connect with a sidewalk that will be constructed along St. John Road; and

WHEREAS, the Commission finds that water and sanitary sewer services are available near the subject property and they have adequate capacity to serve a multifamily residential development; and

WHEREAS, the Commission finds that no information regarding the applicant's intent to follow or require a future purchaser to follow the façade and landscaping design guidelines for the sub area has been provided; and

WHEREAS, the Commission finds that subject property is not within a targeted planning area.

RESOLVED, that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council that the Zoning Map Amendment from R-2, Suburban Residential, to R-5, Urban Residential, be **APPROVED**.

The vote was as follows:

YES: Commissioners Rice and Young

NO: Commissioner McCrary

NOT PRESENT: Commissioners Dozer and Scott

Chairperson Rice closed the hearing at 7:24 p.m.

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AMENDED DEVELOPMENT PLAN with Commercial Design Review for 750 South Provident Way

Request: Amended Development Plan with Commercial Design Review and Waiver Requests
Project Name: LTADD
Location: 750 South Provident Way
Owner: Gosshall Investments, LLC
Applicant: Gosshall Investments, LLC

Councilman Fulkerson has recused himself from this agenda item and left the room.

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. This property was developed in 2019 as Last Mile Delivery, which provides delivery services for Amazon. The delivery service has since moved to another location and the property has been leased to the Lincoln Trail Area Development District. While the building was not subject to commercial design when built, the proposed changes to the building are. Three waivers will be necessary to allow for modifications to the overhead doors for the garage and windows and the new addition. Mr. Shaw stated the paved areas adjacent to the building that were used to access the garage will be marked for parking to serve the additional building area. No other modifications are proposed to the parking lot. The existing access point on South Provident Way will remain. A landscaping waiver will be necessary to allow the proposed parking spaces.

Staff recommends approval of the Commercial Design Guideline Review and the requested waivers for Section 4.4.1 Materials and Colors, Section 4.4.2 Facades and Exterior Walls, Section 4.4.3 Detail Features, and Section 4.5.5 Landscaping.

Mr. Shaw presented the development plan and landscape plan. These plans have been reviewed by all appropriate departments and jurisdictions and they comply with most requirements. Staff recommends approval.

The following spoke in favor of the request:

No one spoke in favor of the request.

The following spoke in opposition to the request:

No one spoke in opposition to the request.

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Commercial Design Review with Waivers:

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 there are special circumstances because the original building was not subject to the commercial design guidelines when it was constructed. Using different materials to meet the guidelines would detract from the appearance of the building; and

WHEREAS, the Commission finds the topography of the site would make a change in the footprint of the addition a hardship for the applicant; and

WHEREAS, the Commission finds there is limited development nearby. The existing building and proposed changes are appropriate for the neighborhood. It is not known what other development will occur in this subdivision; and

WHEREAS, the Commission finds one of the Comprehensive Plan guidelines for this sub area states, "Façade materials should be varied in a thoughtful manner to enhance the aesthetic quality of the development, but the variation of materials should not detract from the overall design." The use of different materials on the portions of the facades that will be modified will detract from the overall design; and

WHEREAS, the Commission finds a variation in the roof height will be provided and the front awning will be continued across the façade of the addition, both of which will add visual interest to the building.

WHEREAS, the Commission finds that installation of landscape islands will require removal of existing pavement and base material. Pavement would have to be added in existing landscape areas to replace the parking spaces that would be lost to the new islands.

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Commercial Design Guidelines with waivers of Section 4.4.1 Materials, Section 4.4.2 Facades and Exterior Walls, Section 4.4.3 Detail Features, and Section 4.5.5 Landscaping, with no conditions.

The vote was as follows:

YES: Commissioners Rice, McCrary, and Young

NOT PRESENT: Commissioners Dozer and Scott

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Development Plan and Landscape Plan:

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 Development Plan and Landscape Plan.

The vote was as follows:

YES: Commissioners Rice, McCrary, and Young

NOT PRESENT: Commissioners Dozer and Scott

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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.

Councilman Fulkerson has rejoined the meeting.

The Chairperson introduced the agenda item and continued the March 28, 2023 hearing.

Agency Testimony:

Jim Shaw stated this case was presented at the March 28, 2023 hearing and was continued to today due to lack of quorum. Mr. Shaw presented a letter from Kenneth Rambo requesting to withdraw the request for a text amendment to the AGB zoning district.

Commission Attorney Matt Hess recommended the Commission withdraw the request once there was a quorum. And to continue the hearing to the next Planning Commission meeting.

Chairperson Rice stated Public Hearing No. 2023-PC-08 would remain open and be continued to the May 9, 2023 meeting.

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Update of City Projects

Agency Testimony:

The Chairperson introduced the agenda item. Ed Poppe, City Administrator, presented a memo dated April 20, 2023 discussing the South end improvements of Freeman Lake Park. He noted that under KRS 100.324 and 100.111 (19) parks are considered public facilities and must be reviewed by the local planning commission prior to the development of any new or expanded facility. Mr. Poppe presented the site plan for the new playground, similar to the newly constructed Funtopia at American Legion Park, installation of five new tennis courts, and new pavilion on the south end of Freeman Lake Park.

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

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the site plan for expansion of public facilities at Freeman Lake Park.

The vote was as follows:

YES: Commissioners Rice, McCrary, and Young

NOT PRESENT: Commissioners Dozer and Scott

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Director's Report:

The Chairperson introduced the agenda item. Joe Reverman asked the Commission to allow staff to research the variable density requirements of the zoning districts, and bring back a recommendation to the Commission. Currently, the residential zoning districts have a variable density allowance depending on the zoning of adjacent properties. Staff would like to consider removing those variables, and instead require additional setbacks and buffering based on adjacent properties.

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

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the request to research the variable density requirement of the residential zoning districts.

The vote was as follows:

YES: Commissioners Rice, McCrary, and Young

NOT PRESENT: Commissioners Dozer and Scott

Adjournment:

Commissioner McCrary made a motion to adjourn with a second by Commissioner Young. The Chairperson declared the meeting adjourned at 8:45 p.m.

Commissioner McCrary left the meeting. The remaining Commissioners remained for training.

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Training for continuing education requirements – Parking regulations

The Chairman introduced the agenda item and training began at 8:12 p.m.

Joe Reverman presented a PowerPoint presentation discussing parking regulations within the City of Elizabethtown and other cities in Kentucky as well as national trends relating to minimum parking regulations.

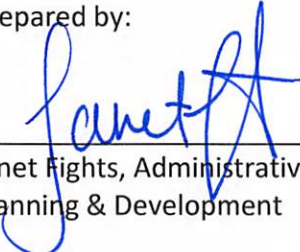
Training concluded at 8:44 p.m.

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Commission Member Items:

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

Prepared by:



Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

9th day of May, 2023



Steve Rice, Chairperson
Elizabethtown Planning Commission