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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

APRIL 23, 2024

6:00 P.M.

PRITCHARD COMMUNITY CENTER, 404 S. MULBERRY STREET

1. Call to Order
2. Approval of Minutes – April 9, 2024
3. Public Hearing No. 2024-PC-05
Annexation Zoning Assignment
Location: South Wilson Road and Hutcherson Lane
4. Public Hearing No. 2024-PC-06
 - Zoning Map Amendment, C-3 Regional Commercial to R-6 High Density Residential
 - Conceptual Development Plan for The Nest ApartmentsLocation: 1121/1131 Alex Drive
5. Development Plan Review for Residence Inn
Location: 3001 Ring Road
6. Commercial Design Guideline Waiver for Slim Chickens
Location: 412 West Dixie Avenue
7. Director's Report
8. Commission Member Items
9. Adjournment



MEETING MINUTES OF THE ELIZABETHTOWN PLANNING COMMISSION
April 23, 2024

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

Commission members present:

Steve Rice, Chairperson

Ken Dozer, Vice Chairperson

Kasey McCrary

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

Commission Members absent:

Maurice Young

Kyle Souleyrette

Staff members present:

Joe Reverman, Planning Director

Aaron Hawkins, Planner II

Commission Attorney Matt Hess

The following matters were considered:

**PLANNING COMMISSION MINUTES
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APPROVAL OF MINUTES

APRIL 9, 2024 PLANNING COMMISSION REGULAR MEETING MINUTES

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

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the minutes of its meeting conducted on April 9, 2024.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Young and Souleyrette

**PLANNING COMMISSION MINUTES
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PUBLIC HEARING No. 2024-PC-05

Request: Zoning Assignment for proposed Annexation
Project Name: South Wilson Road and Hutcherson Road Annexation
Location: South Wilson Road and Hutcherson Road
Owner: Brooks St Baptist Church, Sulema & Javier Jimenez,
Hardin County Government, and Kentucky Transportation Cabinet
Applicant: City of Elizabethtown

Chairperson Rice introduced the agenda item and opened the public hearing at 6:06 p.m. and presented the hearing procedures. Matt Hess administered the oath to all those intending to testify at the hearing.

Agency Testimony:

Joe Reverman presented the staff report and accompanying PowerPoint presentation. Mr. Reverman oriented the Commission with the location of the property and identified nearby zoning classifications and uses. The Comprehensive Plan, Envision Elizabethtown 2040, encourages the City to plan for growth by expanding the existing City limits (Goal 4). The goal states that voluntary annexations should be evaluated to ensure they are fiscally responsible. The site is located along the southwestern boundary of South Wilson Road and south Hutcherson Road. Also including property of South Wilson Road in this area owned by the Kentucky Transportation Cabinet, and Hutcherson Road between South Wilson Road and North Dixie Avenue owned by Hardin County Government. A zoning district classification of C-3, Regional Commercial, is appropriate for this property based on existing land uses and the Envision Elizabethtown 2040 Comprehensive Plan.

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.

Questions:

Javier Jimenez, 6945 S. Wilson Road, Elizabethtown, KY 42701

Summary:

Javier Jimenez had questions about the annexation approval process. Mr. Reverman reviewed the annexation process stating the purpose of this hearing is for the Commission to recommend a zoning classification to the City Council for the land proposed for annexation. The Council will then act on the recommendation if they decide to annex the property.

Annexation Zoning Assignment for South Wilson Road and Hutcherson Road

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

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WHEREAS, the Elizabethtown Planning Commission (Commission) finds that Goal 1 of the Envision Elizabethtown 2040 Comprehensive Plan (Plan) calls to identify and acquire appropriate property for future growth, and to expand infrastructure to facilitate development; and

WHEREAS, the Commission finds Goal 2 of the Plan calls for the responsible expansion and improvement of infrastructure; and

WHEREAS, the Commission finds that Goal 4 of the Plan encourages the City to plan for growth by expanding the existing City limits in a fiscally responsible way; and

WHEREAS, the Commission finds that the annexation was requested by the property owner, and all proper notification was provided to nearby property owners; and

WHEREAS, the Commission finds the Hardin County Government and the Kentucky Transportation Cabinet were provided proper notification of the proposed annexation; and

WHEREAS, the Commission finds that assignment of a zoning district should comply with the goals, objectives, policies, guidelines, and recommended land use map of the Plan; and

WHEREAS, the Commission finds that the property is located in Sub Area 2, North Dixie, of the recommended land use map of the Plan; and

WHEREAS, the Commission finds that the property is not located within a targeted planning area within Sub Area 2; and

WHEREAS, the Commission finds that utilities necessary for development are available for extension, and developers of the property will be required to extend these utilities to serve the property; and

WHEREAS, the Commission finds that the properties proposed for annexation are recommended for a suburban residential zoning district, which primarily includes single-family residential uses, but that there have been changes of a physical nature through zoning changes and development that were not anticipated in adoption of the Plan that justify commercial zoning for these properties; and

WHEREAS, the Commission finds that adjacent lands south of the subject properties along South Wilson Rd are recommended for mixed use zoning, but have since been rezoned to C-3, Regional Commercial, and that property on the northwest corner of South Wilson Rd and Hutcherson Rd has been rezoned to R-6, High Density Residential; and

WHEREAS, the Commission finds that the Plan recommends this general area to serve as a transition from commercial uses to the south and along North Dixie Ave to lighter density residential uses to the north, and that with the changes in zoning and development since adoption of the Plan, a commercial zoning district is appropriate for the properties.

Now, therefore be it **RESOLVED** that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council a zoning assignment of C-3, Regional Commercial, for the proposed annexation area be **APPROVED**.

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The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Young and Souleyrette

The Chairperson closed the hearing at 6:22 p.m.

**PLANNING COMMISSION MINUTES
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PUBLIC HEARING No. 2024-PC-06

Request: Zoning Map Amendment and Conceptual Development Plan
Project Name: The Nest Apartments
Location: 1121/1131 Alex Drive
Owner: HGV Properties, LLC
Applicant: HGV Properties, LLC

Agency Testimony:

The Chairperson introduced the agenda item and opened the hearing at 6:23 pm. 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 request for a change of zoning was needed for the purpose of allowing a multifamily development. The project will consist of 42 dwelling units. Staff recommends approval of the zone change from C-3 Regional Commercial to R-6 High Density Residential.

Mr. Hawkins presented the conceptual development plan. Access will come from two access points off Alex Drive with parking at the rear of the property. Utilities are currently available to the site and there is sufficient capacity for this development. Stormwater will be directed to a detention basin at the northeast corner of the property. Staff recommends approval of the conceptual development plan with conditions.

Commission Attorney Matt Hess advised the Commission that a partner in his firm is an investor for this development, but that he, himself has no financial interest in this development and does not believe it is a conflict for him to advise the Commission on procedural aspects of this hearing.

Those speaking in favor of the request:

Ted Bernstein, 503 Washburn Avenue, Louisville, KY 40222

Summary of those speaking in support:

Ted Bernstein, stated the proposed development will consist of only one-bedroom apartments. Mr. Bernstein feels the one-bedroom option is a need in the city and will be a great addition to the other surrounding multifamily developments.

Those speaking in opposition:

No one spoke in opposition to the request.

Deliberation:

The Commission likes the one-bedroom only option for this project considering other multifamily developments are proposing only two and three-bedroom options.

Zoning Map Amendment for The Nest Apartments located at 1121/1131 Alex Drive

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

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WHEREAS, the Elizabethtown Planning Commission (Commission) finds the proposed zoning map amendment from C-3, Regional Commercial to R-6, High Density Residential complies with the Envision Elizabethtown 2040 Comprehensive Plan; and

WHEREAS, the Commission finds access to the property will come from two access points on Alex Drive, an existing city street; and

WHEREAS, the Commission finds the size and scale of a multifamily development would be comparable to the nearby commercial developments and the multifamily development along Alex Drive; and

WHEREAS, the Commission finds water and sewer are available on the property; and

WHEREAS, the Commission finds water supply and pressure are adequate for the proposed development; and

WHEREAS, the Commission finds the requested zoning map amendment to a residential zoning classification would allow an appropriate infill development of an existing city lot that has public services (water, sewer, gas) nearby; and

WHEREAS, the Commission finds this development provides a transition from the intense commercial uses along Ring Road to the residentially zoned property to the north and east; and

WHEREAS, the Commission finds the developer will extend Alex Drive to the adjoining property to east, allowing for future connectivity when that property develops; and

WHEREAS, the Commission finds a sidewalk will be required to be constructed along Alex Drive with connections to the development; and

WHEREAS, the Commission finds a landscape plan that satisfies the requirements of the Zoning Ordinance will be required; and

WHEREAS, the Commission finds this development will feature a variety of building materials and landscaping; and

WHEREAS, the Commission finds the parking is provided in the rear of the development.

Now, therefore be it **RESOLVED**, that the Elizabethtown Planning Commission does hereby **RECOMMEND** to the Elizabethtown City Council that the Zoning Map Amendment from C-3 Regional Commercial to R-6 High Density Residential, for property located at 1121/1131 Alex Drive, be **APPROVED**.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Young and Souleyrette

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Conceptual Development Plan for The Nest Apartments located at 1121/1131 Alex Drive

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

RESOLVED, that the Elizabethtown Planning Commission does hereby **APPROVE** the Conceptual Development Plan, for property located at 1121/1131 Alex Drive, with the following conditions:

1. Improvement plans for the extension of Alex Drive shall be approved by the Engineering Department.
2. Appropriate landscaping with a diversity of heights, colors, and types of planting material shall be provided.
3. The building design shall be substantially similar to the rendering shown at the April 23, 2024 public hearing.
4. The building and parking placement shall be substantially similar to the placement as shown on the Conceptual Development Plan.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Young and Souleyrette

The Chairperson closed the hearing at 6:48 p.m.

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DEVELOPMENT PLAN for 3001 Ring Road

Request: Development Plan
Project Name: Residence Inn
Location: 3001 Ring Road
Owner: CABG2V
Applicant: Sweet Living Capital, Inc.

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 construction of a 3-story, 125-room hotel on the southern portion of the property. The remainder of the property will be available for later development, possibly two additional hotels to the north and a smaller commercial building on the Ring Road frontage.

Access will be from the existing access point off Ring Road across from Prospect Pointe Drive and will be upgraded to allow two-way commercial traffic. The developer will be required to show this access drive, as well as a future north south connector to the adjacent property, as future publicly dedicated right-of-way. The Stormwater Department has requested that the access drive be moved to the west outside of the 25-foot stream buffer area. The project engineer is working with the Stormwater Director to accommodate this request. Staff recommends approval of the development with conditions.

Those speaking in favor of the request:

Steve Hermiller, 1160 Dubin Road, Columbus, OH, 43215

Summary of those speaking in support:

Steve Hermiller asked for clarification from staff on the right-of-way requirements and when the newly constructed road would need to be upgraded to meet city standards. Mr. Reverman stated the road wouldn't need to meet city standards until it is a dedicated city street. But that future development of the lot would likely require dedication of additional rights-of-way on the property, so it may be in their best interest to construct the access road to City standards. Mr. Reverman also stated the access off Ring Road would need to be widened and improved with this development.

Those speaking in opposition:

No one spoke in opposition to the request.

Development Plan for Residence Inn located at 3001 Ring Road

On a motion by Commissioner Dozer, seconded by Commissioner McCrary, 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 property located at 3001 Ring Road, with the following conditions:

1. Show the access road, and a future connector road north and south, as future right-of-way on the Development Plan.

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2. Add a note on the development plan stating that any future development will require the road to be dedicated as public right-of-way.
3. Site must be graded to accommodate a future connection to the north and south.
4. Move the access road to the west outside of the 25-foot stream buffer area to satisfy the request of the Stormwater Director.
5. Revise the development plan and landscape plan to meet all requirements.
6. Obtain approval from all reviewing departments and agencies.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Young and Souleyrette

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COMMERCIAL DESIGN GUIDELINES WAIVER for 412 West Dixie Avenue

Request: Commercial Design Guidelines Waiver
Project Name: Slim Chickens
Location: 412 West Dixie Avenue
Owner: Houchens Properties, Inc.
Applicant: Houchens Properties, Inc.

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 seasonal enclosure of the front patio using brown canvas textiles and clear vinyl panels, which would allow the restaurant to utilize the patio during colder months as the patio is currently equipped with fans and heaters. Mr. Hawkins presented the Commission with renderings of other Slim Chickens restaurant locations in Bowling Green, KY, Owensboro, KY and Murfreesboro, TN that utilize the same patio enclosure.

The existing building is comprised of a mixture of brick and fiber cement board lap siding on all four sides. The proposed changes would be to the front patio using the brown canvas textiles enclosure with clear vinyl panels for windows. The use of the canvas textile material for the enclosure is not listed among the permitted predominant materials. A waiver of Section 154.134(A)(5) – Materials and Colors, is being requested to allow the proposed enclosure materials to be used as a predominant material for the northeast façade. Staff recommends denial of the waiver request.

The Commission asked staff if the black framed sliding doors used at restaurants such as Boombozz and Impellizzeri's are acceptable and meet the commercial guidelines requirements. Mr. Hawkins stated those types of doors are acceptable as a predominant material.

Those speaking in favor of the request:

Danna Monroe, 309 Red Bud Drive, Elizabethtown, KY 42701

Summary of those speaking in favor:

Danna Monroe stated the enclosure is only seasonal and has concerns with installing overhead sliding doors in the outdoor patio area which would require structural changes and fire protection upgrades. Ms. Monroe said this franchise location has had no complaints about the enclosure and the redevelopment of the site, formerly The News-Enterprise, is a vast improvement to the area. Chairperson Rice asked if the enclosure was part of the original proposal brought before the Commission. Ms. Monroe stated the enclosure was noted on the design, but no details were given regarding material. Commissioner McCrary suggested allowing the enclosure 50% of the year, primarily during the colder months. Ms. Monroe feels that is a reasonable compromise. Commissioner Dozer asked how long the canvas material will last before needing to be replaced. Ms. Monroe stated she was unsure; however, the franchise requires upgrades to their buildings every seven years, and should the enclosure be in disrepair, it would be replaced. Commission Attorney Matt Hess asked if any other Slim Chickens locations had a permanent patio enclosure such as the sliding garage doors. Ms. Monroe stated a location in Bowling Green, KY, has sliding doors, but that building is a different design than what was constructed in Elizabethtown.

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Deliberation:

Chairperson Rice stated while he appreciates the improvements to the site, he is hesitant to approve the waiver because of the precedent it will set. Commissioner McCrary suggested adding a condition to the waiver request stating the business could only use the enclosure 50% of the year. Commission Attorney Hess asked for clarification on the 50% suggestion, asking if that means the enclosure is completely uninstalled or if the canvas doors are “rolled” up while not in use. Ms. Monroe stated she will need to look into how the canvas doors at this location are installed to see what is possible.

Commercial Design Guidelines Waiver request for Slim Chickens, located at 412 West Dixie Avenue

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

RESOLVED, that the Elizabethtown Planning Commission does hereby ~~TABLE~~ the Commercial Design Guidelines Waiver request. The Commission requests the applicant to work with staff on other possible options and bring that information back to the Commission.

The vote was as follows:

YES: Commissioners Rice, Dozer, and McCrary

NOT PRESENT: Commissioners Young and Souleyrette

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Director's Report:

The Chairperson introduced the agenda item. Mr. Reverman reviewed the proposed agenda items for the upcoming May 14, 2024 Commission meeting.


Commission Member Items:

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

Adjournment:

There being no further items to discuss, Commissioner Dozer made a motion to adjourn with a second by Commissioner McCrary. The Chairperson declared the meeting adjourned at 7:43 p.m.

Prepared by:

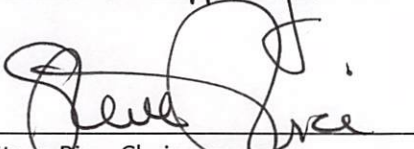


Janet Fights, Administrative Secretary
Planning & Development

Attachment & Exhibits
DVD of the meeting available for review

ADOPTED AND APPROVED

14 day of May, 2024



Steve Rice, Chairperson
Elizabethtown Planning Commission