

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
AGENDA

April 9, 2015  
6:00 p.m.

**I. COMMISSION BUSINESS**

- A. Approval of March invoices
- B. Approval of March 12, 2015 minutes
- C. Approval of April agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

**II. OLD BUSINESS**

- A. PSP-2015-03 Thoroughbred Acres Unit 6-C – Preliminary Subdivision Plat for 14 single-family units on 3.82 acres zoned R-3 PUD, located on the west side of Pavilion Way between Back Stretch Drive and Furlong Court.
- B. ZMA-2015-04 Cox-Smith Zone Change – Rezoning request for 2.173 acres from A-1 to B-1, located on the southwest corner of Cynthiana Road (U.S. 62) and Delaplain Road. POSTPONED

**III. NEW BUSINESS**

- A. PSP-2015-05 Strunk Property – Preliminary Subdivision Plat for eight (8) residential lots including one common area lot and one amended reserved tract for a previously approved cluster subdivision located on the east side of Stone Road and south of Paris Pike.
- B. FSP-2015-06 Victoria Estates – East Kentucky Paving – Final Subdivision Plat for four (4) tracts for equestrian use on 60.185 acres of a 919-acre parent tract, located on the southern portion of Victoria Estates, west of Georgetown, north of U.S. 460 E. (Frankfort Road).
- C. ZMA-2015-07 Hill-n-Dale Amended – Rezoning request for 19.34 acres from B-4 (Community Commercial) and 5.22 acres from R-2 (Medium Density Residential) to a combined 24.56 acres in R-2 PUD (Medium Density Residential Planned Unit Development). PUBLIC HEARING
- D. PDP-2015-08 Traditions II Apartments – Preliminary Development Plan for 80 apartment units in 10 buildings, located south of the townhomes on Falls Creek Drive in the Village of Falls Creek Subdivision.

- E. PDP-2015-09 Kocolene Convenience Store – Preliminary Development Plan for a 4,250 sq. ft. gas station/convenience store with gas pumps and parking, located in the southwest corner of the Falls Creek Development, east of U.S. 25 N. (Cincinnati Road).
- F. PDP-2015-10 Dollar General Store – Preliminary Development Plan for a 10,640 sq. ft. retail store on the southwest corner of U.S. 25 S. (Broadway) and Hawthorne Drive. POSTPONED TO APRIL 16, 2015 SPECIAL MEETING

### III. OTHER BUSINESS

- A. Landscape Ordinance Amendment – PUBLIC HEARING
- B. Zoning Ordinance Text Amendment
- C. Update of previously approved projects and agenda items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
March 12, 2015**

The regular meeting was held in the Scott County Courthouse on March 12, 2015. The meeting was called to order by Vice Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Janet Holland, Regina Mizell, Byron Moran, John Shirley, Steve Smith, Mark Sulski, and Frank Wiseman, Director Joe Kane, Planners Megan Chan and Matt Summers, Engineer Brent Combs, and Attorney Charlie Perkins.

Motion by Shirley, second by Holland, to approve the February invoices. Motion carried.

Motion by Mizell, second by Sulski, to approve the February 12, 2015 minutes. Motion carried.

Motion by Holland, second by Caldwell, to approve the February 26, 2015 special meeting minutes. Motion carried.

Motion by Mizell, second by Shirley, to approve the March agenda. Motion carried.

Postponements/Withdrawals

The Thoroughbred Acres Unit 6-C and Cox-Smith Zone Change applications were postponed to the April meeting. Motion by Shirley, second by Holland, to approve the two postponements. Motion carried.

Consent Agenda

There were no items for the Consent Agenda.

PSP-2015-02 Singer Property – Preliminary Subdivision Plat for the subdivision of the approximately 42-acre parent tract into four (4) tracts, located on the southwest corner of Stamping Ground Road (KY 227) and Galloway Road.

Mr. Summers reviewed the staff report, noting that only tract one will have access off Stamping Ground Road. Tracts two and three would share an entrance off Galloway, and tract four would have an access further south on Galloway.

Staff recommended approval subject to the four conditions of approval.

Jeff Singer, applicant, stated that the two mobile homes on tract three that are inside the building line will be removed. It was agreed that that be included in the conditions of approval.

Mr. Singer was sworn in by Mr. Perkins.

He stated that a major reason for the subdivision is to settle the estate of his parents. One of the mobile homes will be removed by his brother. The other mobile home will probably be torn down.

Mr. Perkins read a letter for the record from Stephen and Joann Pena, 266 Galloway Road residents. The Penas asked if the application was part of the Blue Ash subdivision. Mr. Singer stated that the Blue Ash lots are on the east side of Galloway Road. They asked if there are restrictions of any kind on the lots. Mr. Singer replied that there are not. They asked if the trailers on the lots are going to be removed. It was stated that they will be removed. They asked if fire hydrants will be installed. Mr. Perkins stated that the Commission has no authority in that matter. They asked if additional roads will be constructed, being concerned about additional stormwater runoff. No additional roads are planned.

Commissioner Shirley doubted that the additional lots will increase drainage problems. Mr. Singer stated that he has lived on farm for 57 years, and the area across Galloway Road has always flooded because of the topography, not development.

**Motion by Shirley, second by Holland, to approve the Preliminary Subdivision Plat subject to the four conditions of approval, plus the fifth condition that the mobile homes on lot #3 be removed. Motion carried.**

#### Landscape Ordinance Amendment – PUBLIC HEARING

Mr. Summers reviewed the three proposed changes. 1) One (1) tree required to be planted for every 250 sq. ft. of landscaped area in the interior VUA; 2) Set minimum canopy requirements (as shown on table) for Scott County, Georgetown, Sadieville, and Stamping Ground; and 3) Landscape Plans/Tree Protection Plans will be required with all Preliminary Development Plans and Preliminary Subdivision Plats.

Commissioner Shirley asked that the canopy requirements be clarified. Mr. Summers explained the requirement, noting the benefit to developers that if more trees are preserved, less total canopy area is required.

Commissioner Shirley expressed concern that the requirement might be interpreted in different ways. Mr. Summers replied that the table is similar to one used by the City of Louisville for some time, and that the Planting Manual gives the area of the mature spread of every tree allowable in Scott County.

Ms. Chan asked Mr. Summers to expand on the way tree canopy would be calculated/demonstrated. Mr. Summers replied that that is the reason for the third amendment which requires the developer to provide a Landscape Plan/Tree Protection Plan. Discussion continued on the canopy requirement. Ms. Chan suggested that existing canopy be measured by aerial coverage and all new canopy be calculated by expected mature spread standards within the Planting Manual.

Having the requirement apply to 5-acre tracts was discussed. Commissioners Wiseman and Smith felt that it should not apply.

Having a 24% coverage area of canopy required for commercial areas was discussed. Mr. Summers noted the examples of Kroger meeting the 24% under the current regulations (although they were granted a variance) and Zaxby's exceeding the 24% under the current regulations. Mr. Kane explained that the 24% is not as excessive as it may sound. Mr. Summers stated that the goal is to not squeeze as many trees into landscape islands, moving them to the perimeter of the properties where they have a better chance to survive and less chance to crack pavement.

Brian Hayes, Scott County resident, asked if a minimum diameter of tree will be required. Mr. Summers replied that the Landscape Ordinance does have planting minimums for all species of trees. Mr. Hayes asked if the requirements consider what type of trees are available at a particular time of year. Mr. Summers stated that any change in species of trees for that reason would be considered a minor amendment to the plan.

Commissioner Wiseman asked if a 5-acre tract with a residence and lawn only would be subject to the regulation. Mr. Summers replied that it would, unless the tract was going to be used for agricultural purposes. Whether it would apply to minor subdivisions was discussed. Mr. Summers stated that additional study will be given to that issue to determine whether minor subdivisions should also be exempt.

Discussion continued on whether the agricultural standard is excessive. It was suggested to exempt tracts over a certain size.

The public hearing was continued to the April meeting to give staff more time to study the agricultural requirement.

Subdivision Regulations Amendment – Digital Submittal – PUBLIC HEARING

Mr. Kane reviewed the proposed amendment, which extends the requirement to minor plats and plans (plats or plans that do not come before the Planning Commission). All public infrastructure needs to be shown on the plat/plan, including sidewalks and stormwater structures.

Commissioner Shirley asked if the requirement will be a hardship on any local engineers, and also if it will save the GIS staff time. Mr. Combs stated that it is already a requirement for major plats and plans, so the engineers and surveyors know the process. It could be an additional cost to property owners of the minor plats and plans. He added that the structures on the plats/plans will be in individual layers, so that sidewalks, for example, can be viewed separately from other structures. Mr. Kane stated that it will save the GIS staff time.

With no other questions, Vice-Chair Jones closed the public hearing.

**Motion by Shirley, second by Mizell, to recommend approval of the digital submittal amendment. By roll call vote, motion carried 9-0.**

Election of Officers

Mr. Kane discussed the process. It was noted that the Chair and Vice Chair can serve two terms, but there is no term limit for the Executive Committee members.

Motion by Wiseman, second by Smith, to nominate Rob Jones for Chair. With no other nominations, Vice-Chair Jones closed the floor for nominations. Motion carried unanimously.

Motion by Jones, second by Smith, to nominate John Shirley for Vice Chair. With no other nominations, Vice-Chair Jones closed the floor for nominations. Motion carried unanimously.

Motion by Jones, second by Wiseman, to nominate Janet Holland for Executive Committee. Motion carried unanimously.

Motion by Caldwell, second by Wiseman, to nominate Steve Smith for Executive Committee. Motion carried unanimously.

Update of previously approved projects and agenda items

The 6-hour workshop on March 20 at BCTC on Newtown Pike in Lexington that will count for H.B. 55 continuing education credits was noted. Several of the Commissioners will attend.

Respectfully,

---

Rob Jones, Vice-Chair

Attest:

---

Charlie Perkins, Secretary

## THOROUGHBRED ACRES, UNIT 6-C

### Staff Report to the Georgetown-Scott County Planning Commission April 9, 2015

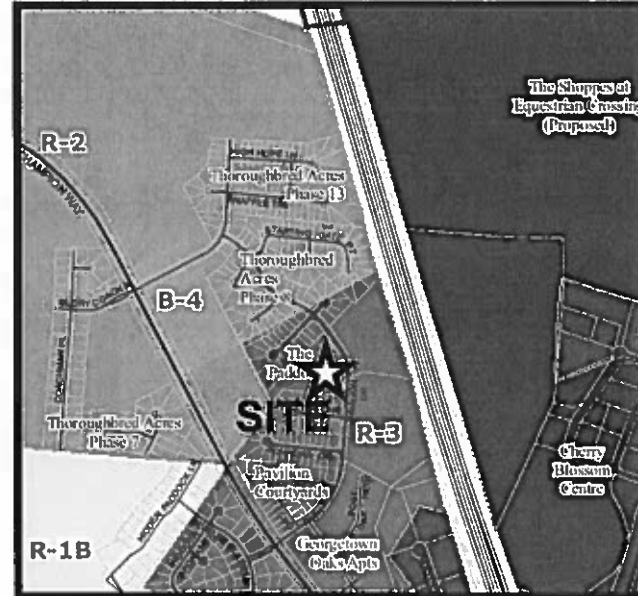
**FILE NUMBER:** PSP-2015-03

**PROPOSAL:** Preliminary Subdivision  
Plat for 14 detached  
homes

**LOCATION:** Thoroughbred Acres; off  
Pavillion Way, east of  
Champion Way

**APPLICANT:** Whitaker Land  
Development, LTD

**ENGINEER:** Rory Kahly, EA Partners



#### STATISTICS:

Zone	R-3 (PUD)
Surrounding Zones	R-2 (PUD)
Acreage	3.82
# of lots proposed	15 (one open space lot)
Dwelling units per acre	3.66 lots/acre
Min. lot size proposed	2,707 sq.ft. (0.062 acres)
Min. lot width	34 ft.
New street required	Yes (private)
Lineal feet of new street	N/A
Water/sewer available	Yes/Yes
Access	Via Champion Way to Pavilion Way
Variances	Front yard setback to 20' Rear yard setback to 10' for lots 5-8 Minimum lot width reduction to 34' Minimum lot area reduction to 2792 SF Setback from private street back of curb or sidewalk reduced to 10' for residence, 5' for lots 5-8 Omit sidewalks from one side of private street.

#### BACKGROUND:

Thoroughbred Acres is a mixed-use development incorporating commercial property, recreational (The Pavilion), multi-family, single family attached and various single family detached residential uses. Thoroughbred Acres was approved as part of a master plan by the Planning Commission in

September 1998 (ZMA-1998-67) with a maximum of 1,600-1,800 dwelling units over a 20-year build out.

This application is to develop a section of Unit 6 of Thoroughbred Acres that was approved for residential R-3 (high density) in the original zone change approval in 1998 and designated for townhome development in the Preliminary Subdivision Plat approved for Unit 6 in 2001 (PSP-2001-36).

The subject property is located on the west side of Pavilion Way, north of Champion Way, on a triangular piece of relatively flat land that is bordered on the south by a mature tree line containing a natural drainage way and incorporating a tree preservation area per previous plans. The subject property is bordered on the north by a 150' utility easement containing an overhead powerline. The subject property is northwest of the Pavilion Aquatic and Recreational Center.

A conceptual open space plan from the 1998 zone change hearing showed an open space corridor following the overhead utility easement. The concept plan from the preliminary subdivision plat approval (PSP-2001-36) showed fourteen attached townhomes on the subject property. Conditions of Approval for PSP-2001-36 noted that conceptual approval was granted for the townhome area, but that a Preliminary Development Plan would be required. The applicant has submitted a Preliminary Subdivision Plat instead, due to their intent to subdivide the property into lots for sale.

#### **KEY ISSUES/COMMENTS:**

The application being considered includes a plan for fourteen (14) detached two-story, two bedroom units approximately 1,500 sq.ft. in size with lot sizes ranging from 2,792 SF (lot 7) to approximately 15,904 SF (lot 8). Each structure will meet the required 7.5' side yard setback. (15' total separation between buildings). A private road with a divided median entrance and 25' width is proposed to serve the 14 lots. The road conforms to the required design standard in the *Subdivision and Development Regulations*. Each lot will have a unit with an identical footprint, but their setbacks will be staggered. All will have one-car front loading garages with a parking pad/driveway in front or to the side of the garage. All units will have a 5' x 7' covered front patio/porch.

There is an existing tree line along the southern property line, adjacent to Thoroughbred Unit 6-A, that is set aside as a common area with a tree preservation area (lot 15). Due to the applicant's proposal for a private road and some common areas, a homeowner's association will be required to be established for ownership and maintenance of common areas prior to Final Subdivision Plat approval.

The fourteen proposed lots average 0.12 acres each, and an average lot size of approximately 35' x 150'. The actual lots vary greatly in width due to the irregular shape of the parcel. The lots to the north average 200' deep while the lots on the south are shallower. There is a large open space lot on the south in the wooded low area of an existing drainage swale. There is a 150' overhead utility easement on the north that will take up much of the rear yards of the homes on the north. It is recommended that the lot area within the utility easement not be fenced, since it is set aside for a regional trail. The proposed location for the trail shall be determined prior to Final Plat approval.

These lot sizes are not in compliance with the standards for R-3 single family lots (single-family lots would require 60' widths and 7500 square feet of area). However, this development is in an area that was approved for fourteen (14) attached townhomes and was approved as a Planned Unit Development (PUD), so variance from standard area and dimension regulations is permitted with approval from the Planning Commission.

The development is requesting the following variances from typical R-3 single-family detached setbacks and area and dimension standards: a variance to front yard setback on all lots, with a requested reduced setback from the edge of sidewalk of 10' for the majority of the main residences and 5' for lots 5-8 which back up to an encroaching tree preservation area; a variance for a 0' rear yard setback on lots 5-8; a variance to the minimum lot width from 60 feet to 34 feet; a variance to the minimum lot area from 7500 to 2792 square feet; and a variance to omit sidewalks adjacent to both sides of private street.

Building Type, Access, Parking, and Internal Circulation:

This housing product is more of a detached townhome product than the standard single-family unit. It is geared toward young singles and will be fourteen (14) two-bedroom units of a similar design and layout. Thoroughbred Acres is planned as a mixed-use neighborhood with a variety of housing sizes and types, including townhomes, apartments and single-family units. These units would add a new product to the housing mix and thus would be in keeping with the overall development plan.

A private road is proposed with a width of 25' inside of curb to inside of curb. This width meets the private or public road standard. No on-street parking is allowed on private streets serving high-density development. Since no on-street parking is available in the immediate vicinity, the applicant was requested to provide 2.5 spaces per unit. Single-family detached homes require 2 spaces per unit, but this assumes that on-street parking is available on the public streets serving the lots. Using the standard for townhomes of 2.5 spaces, thirty-five (35) spaces would be required. The parking is very tight on site; however, the applicant has redesigned the layout at staff request to provide two and one-half (2.5) off-street spaces per unit with driveways and one-car garages and an additional seven (7) spaces in the rear for guest parking. A total of 35 spaces are being provided, 14 driveway, 14 garages and 7 surface spaces. In addition, the applicant has reworked the plan to provide off-street parking on the lot served rather than on multiple lots as was originally shown.

The shared spaces in the rear would require perimeter landscaping. A sidewalk connection is provided on one side of the street connecting the parking area and trail network with the existing sidewalk along Pavilion Way. Sidewalks along both sides of the street could not be provided and still maintain the tree preservation area and the utility easements. Due to the fact that the street contains only fourteen units and is a dead-end and not a thru street, a sidewalk on one side is acceptable.

Open Space and Trails:

There was proposed on the original zone change a trail easement along the northern edge of the property within the existing 150' overhead utility easement. This general trail location is shown on the subdivision plat. The final determination on the location of the trail easement, and responsibility for construction and maintenance should be determined prior to Final Plat approval.

## RECOMMENDATION:

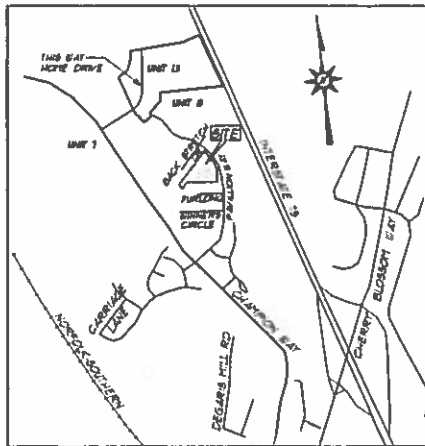
Approve the Preliminary Subdivision Plat for fifteen lots in Thoroughbred Acres, Unit 6-C, subject to the following variances and conditions:

### Variances:

1. Front building line reduction to twenty (20) feet.
2. Rear yard setback reduction to 10' on lots 5-8.
3. Minimum lot area reduction to 2792 SF.
4. Minimum lot width reduction to 34'.
5. Build to front setback from back of sidewalk of 5' on lots 5-8.
6. Omit sidewalk on one side of private street.

### Conditions:

1. All applicable requirements from previous approvals.
2. All requirements of the Planning Commission Engineer and City Engineer regarding drainage, specifically Phase II and the adopted storm water ordinance, and any related off-site requirements.
3. Provide 20' paved area behind back of curb for all required off-street parking spaces.
4. Providing staff with approved private road names to be designated as "Path" per the *Street Name & Numbering Guide*.
5. Per the *Subdivision & Development Regulations*, no on-street parking is permitted. This shall be noted on the Final Subdivision Plat and requires the installation of appropriate signage.
6. All requirements of the Fire Department regarding the number and location of fire hydrants.
7. A homeowner's association is required. The applicant shall provide staff with a copy of the documents regarding ownership and maintenance prior to Final Subdivision Plat approval.
8. Prior to any construction or grading, the applicant shall meet with the Planning Commission Engineer and the Development Inspector to review construction policies and establish inspection schedules.
9. Trail easement location and construction and maintenance responsibilities for trail shall be determined prior to Final Plat approval.
10. ***There shall be no grading or construction on the site until all required plans (i.e., drainage plans) including Construction Plans and Final Development Plans have been reviewed and approved by the Planning Commission Engineer.***
11. Any revisions or amendments to the approved development plan must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
12. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS Division) with a digital copy of the approved plat.
13. All applicable requirements of the *Zoning Ordinance and Subdivision and Development Regulations*
14. All requirements of the *Landscape & Land Use Buffers Ordinance*.
15. Tree protection area shall be maintained during construction and shall appear on the final plat.

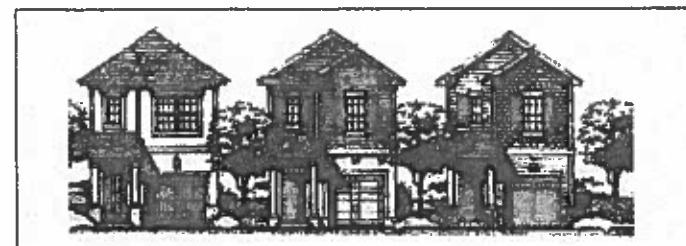


VICINITY MAP  
(NOT TO SCALE)

**SITE STATISTICS:**  
 SITE AREA = 3.87 ACRES  
 ZONE = R-3 (PUD)  
 AREA OF PUBLIC R.O.W. = NOT APPLICABLE  
 NO. OF UNITS = 14  
 DENSITY = 3.66 UNITS PER ACRE  
 NO. OF LOTS = 15 (1 OPEN SPACE)  
 SIDE YARD SETBACK = 1.5'  
 REAR YARD SETBACK = 10'  
 SMALLEST LOT = NO. 7 (2,792 S.F.)  
 BUILDING HEIGHT = 2 1/2 STORY, SITE BUILT  
 PARKING REQUIRED = 35 (2.5 PER HOME)  
 PARKING PROVIDED = 35 (7 SURFACE)  
 (14 GARAGES)  
 (14 DRIVEWAY)

LOT	AREA
1	8,262
2	9,554
3	4,890
4	4,010
5	4,573
6	3,033
7	2,792
8	15,905
9	12,161
10	6,506
11	6,538
12	6,854
13	9,066
14	11,591
15	64,784

SOURCE OF CONTOURS:  
AERIAL SURVEY



- GENERAL NOTES**
- STORM WATER DETENTION IS LOCATED OFF-SITE IN A REGIONAL BASIN.
  - STORM SEWERS, STORM WATER RETENTION BASINS, AND SANITARY SEWERS SHALL MEET THE SPECIFICATIONS AND APPROVAL OF THE PLANNING COMMISSION ENGINEER.
  - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRASS SLOPES EXCEEDING 4:1 SHALL HAVE ADDITIONAL PROTECTION OF ADJACENT TRENCHING OR SOIL IN ORDER TO PREVENT EROSION.
  - THIS PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY UNTIL SALE OF LAND SHALL BE BASED ON A RECORDED SUBDIVISION PLAN.
  - PARKING LOT AND VEHICULAR USE AREA SHALL HAVE CURB & GUTTER.
  - IT IS THE INTENT OF THE GEORGETOWN SCOTT COUNTY GOVERNMENT TO BUILD A MULTI-USE TRAIL THROUGH THIS PROPERTY UTILIZING THE TREE PRESERVATION AREA, SIDEWALK EMBANKMENT AND SIDEWALK. THE EXACT LOCATION SHALL BE DETERMINED AT THE FINAL DEVELOPMENT PLAN STAGE FOR THE TOWNHOUSE. (PER RECORDED PLATS, CAB. 7, SLS 238 & 239) FINAL SUBDIVISION PLAN SHALL CREATE A TRAIL EMBANKMENT. S.C. GOVERNMENT SHALL CONSTRUCT AND MAINTAIN TRAIL.
  - FINISHED FLOOR ELEVATIONS TO BE ESTABLISHED ON THE FINAL SUBDIVISION PLAN, IF NECESSARY.
  - A HOME OWNERS ASSOCIATION FOR LOTS 14A SHALL BE ESTABLISHED. MAINTENANCE OF THE PRIVATE STREET, PARKING SPACES, SIDEWALK AND OTHER COMMON FEATURES SHALL BE THE HOA'S RESPONSIBILITY.
  - LOT 15 IS NON-BUILDABLE AND SHALL BE OWNED AND MAINTAINED BY WHITAKER LAND COMPANY, LTD.
  - UTILITY COMPANIES SHALL HAVE ACCESS TO ALL OPEN SPACE AREAS FOR THE PROVISION AND MAINTENANCE OF SERVICES.

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I/WE HEREBY CERTIFY THAT I/AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I/WE HEREBY ADOPT THIS PLAN/PLAN OF THE DEVELOPMENT WITH ITS (OUR) FREE CONSENT, ESTABLISH THE PROPERTY BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN IN ACCORDANCE WITH THE GEORGETOWN SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED.

TO \_\_\_\_\_  
 SIGNATURE OF OWNER OR OWNERS

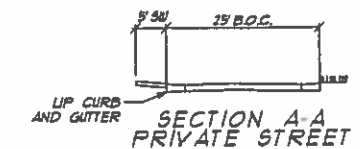
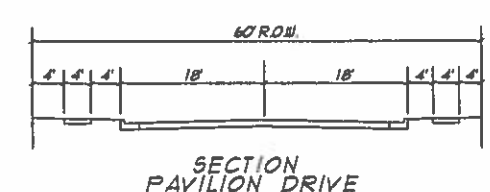
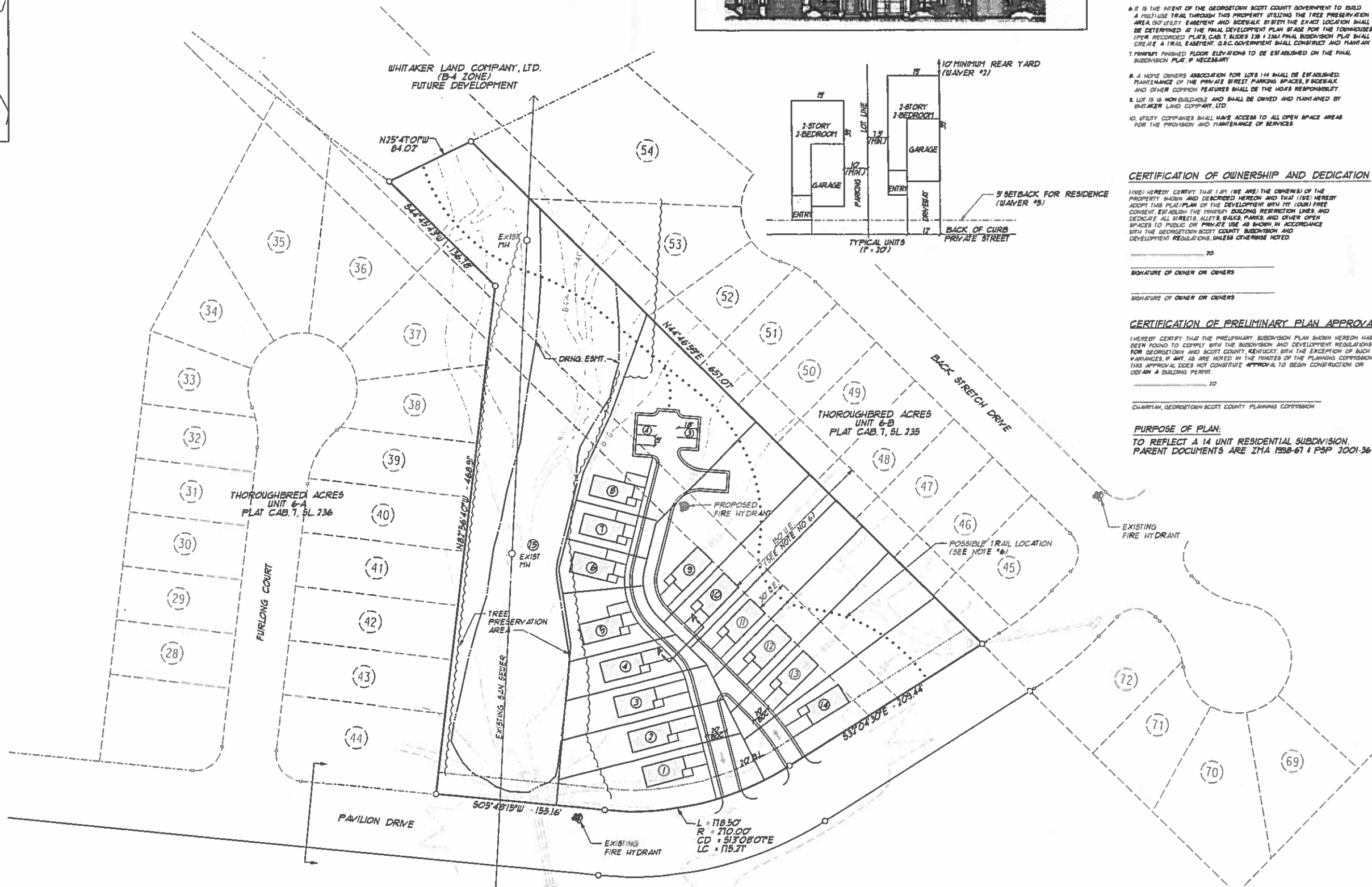
TO \_\_\_\_\_  
 SIGNATURE OF OWNER OR OWNERS

**CERTIFICATION OF PRELIMINARY PLAN APPROVAL**

I HEREBY CERTIFY THAT THE PRELIMINARY SUBDIVISION PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE FOOTNOTES OF THE PLANNING COMMISSION. THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

TO \_\_\_\_\_  
 CHAIRMAN, GEORGETOWN SCOTT COUNTY PLANNING COMMISSION

**PURPOSE OF PLAN:**  
 TO REFLECT A 14 UNIT RESIDENTIAL SUBDIVISION.  
 PARENT DOCUMENTS ARE ZMA 1998-67 & PSP 2001-36



**OWNER:**  
 WHITAKER LAND COMPANY, LTD.  
 P.O. BOX 14031  
 LEXINGTON, KENTUCKY 40512

**DEVELOPER:**  
 BOTT & CRAVEN'S  
 HOMEBUILDERS, LLC  
 3015 E. LEESTOWN RD.  
 MIDWAY, KENTUCKY 40341

**VARIANCES REQUESTED (P.U.D. ALLOWANCES):**

- BUILDING LINE REDUCTION TO 20'.
- REAR YARD SETBACK REDUCTION TO 10' FOR LOTS 5-8.
- MINIMUM LOT AREA REDUCTION TO 2,792 S.F.
- MINIMUM LOT WIDTH REDUCTION TO 34'.
- SETBACK FROM PRIVATE STREET BACK OF CURB OR SIDEWALK REDUCED TO 10' FOR RESIDENCE, 5' FOR LOTS 15-B.
- OMIT SIDEWALK FROM ONE SIDE OF THE PRIVATE STREET.

**EA Partners, PLLC**  
 CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
 3111 WALL STREET  
 LEWISTOWN, KY 40346-4401  
 TEL: (606) 798-2000  
 FAX: (606) 798-2001

PRELIMINARY SUBDIVISION PLAN  
**THOROUGHbred ACRES**  
 UNIT 6-C  
 GEORGETOWN, SCOTT COUNTY, KENTUCKY

DRAWN \_\_\_\_\_  
 DATE 02/02/15  
 CHECKED \_\_\_\_\_  
 REVISED 02/24/15

SHEET  
**1**  
 PSP 2015-03

J:\2375\stradd\pre-subdiv\plan1.dgn

# STRUNK PROPERTY

## Staff Report to the Georgetown-Scott County Planning Commission April 9, 2015

**FILE NUMBER:** PSP-2015-05

**PROPOSAL:** Preliminary Subdivision Plat for eight (8) residential lots including one common area lot and one amended reserved tract for a previously approved cluster subdivision.

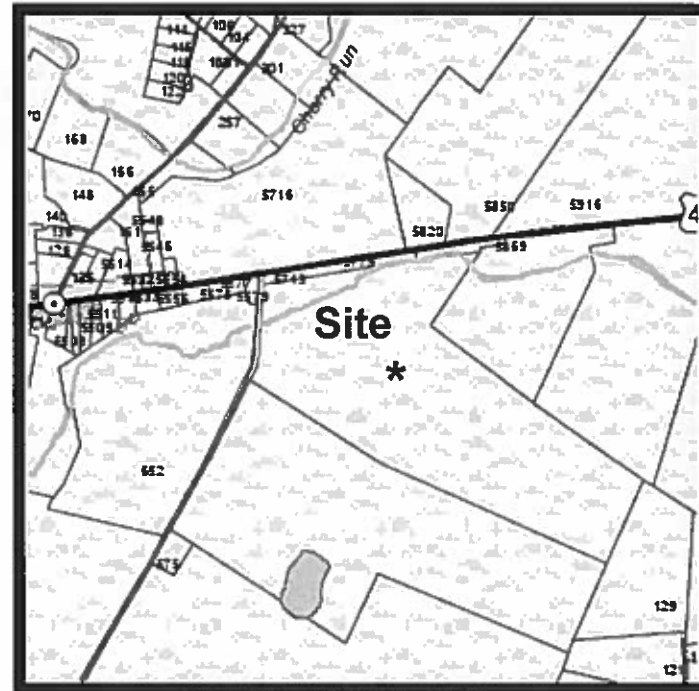
**LOCATION:** East side of Stone Road south of Paris Pike

**APPLICANT:** Tim Strunk

**ENGINEER/  
SURVEYOR:** Joel Day, Meridian LLC

**STATISTICS:**

Zone	A-1
Surrounding zones	A-1
Acreage	83.55 ac.
Dwelling Units/Acre	1 du/5.0ac
New street required	Yes
Lineal feet of new street	approx. 1200'
Water/sewer available	Yes/No
Access	Via Stone Road
Variances	None



**KEY ISSUES/COMMENTS:**

The applicant requests approval of a Preliminary Subdivision Plat for six new 5- to 11.851-acre lots, a 6.569 acre common area (non-buildable) lot and an amended preserved area lot that serves a previously approved cluster subdivision. The subject property is located on Stone Road, a County-maintained, two-lane road which varies in width from 17-18 feet in the area in western Scott County.

This site is moderately sloped with a tributary of North Elkhorn Creek on lots 6, 7 and 8. The previously approved cluster included a new public street and five cluster lots on the southwest portion of the farm and a preserved tract 25.673 acres in size along the southern boundary of the property.

## **KEY ISSUES/COMMENTS (cont):**

The subject property was previously approved for a cluster subdivision that included five cluster lots, and a preserved tract. The approved cluster (PSP-2003-30) also showed two additional parent tracts 22.753 and 25.713 acres in size that were proposed for future development. Since the time of the cluster subdivision approval, the applicant has improved the property by building a small lake in the center of the farm and building a personal residence in the area of the cluster lots.

The proposed public road was not constructed, but gravel base was put down in the area of the proposed road to serve as a drive for the private residence. The County road standard at the time of the original cluster approval was 18' of pavement width. That standard has subsequently been increased to a 20' width. The proposed development layout would be grandfathered. However, since the road was not completed and new lots are proposed to access the road, it is planning staff's opinion that the applicant would have to comply with the new road standard for construction of the road.

There has also been an amendment to the Zoning Ordinance requiring all new major subdivisions in rural areas of the county to be rezoned to A-5, prior to development. However, since the current request is for a subdivision of fewer than four additional rural tracts between 5-10 acres in an area shown as future development on a previously approved preliminary plat and the new tracts require no new road extensions to serve these lots, the application was deemed to be exempt from the rezoning requirement for new major subdivisions.

The subject property has some significant area of floodplain showing on lots 6, 7 and 8. These lots are served by a private driveway. A floodplain permit is required for any grading or work in the floodplain. No new homes shall be built in the floodplain, except in conformance with the floodplain ordinance. All lots shall be approved by the Health Department as suitable for septic systems and the floodplain and septic systems will dictate the buildability and home locations on these lots. No setback variances have been requested on these lots. Private driveways shall serve no more than three lots. The proposed plat shows two driveways from the new public road serving three new lots each. All lots should be accessed from internal roads and driveways. No lots should directly access Paris Pike or Stone Road.

There is an existing undersized tract along Paris Pike that is a remnant of an old railroad right-of-way. This lot since it is under the same ownership as the parent tract needs to be consolidated with the larger tract and cannot be sold separately. The proposed public street must be constructed prior to subdivision or sale of any of the new tracts, or new lots must be accessed by private access easement serving no more than three lots. In other words, the proposed tracts must meet all of the access requirements at the time of creation and sale.

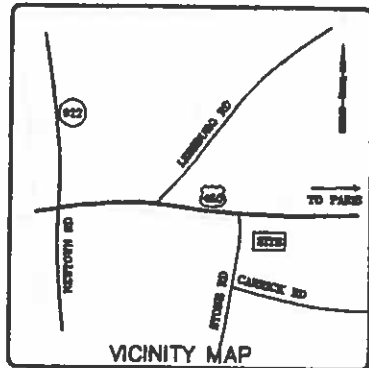
The development proposes a common, non-buildable tract containing a small lake. HOA restrictions shall be recorded laying out ownership and responsibility of maintenance for common areas prior to sale of any lots. Maintenance responsibility for all shared drives shall be placed on the Final Plat.

## **RECOMMENDATION:**

**Approve** the Preliminary Subdivision Plat for a seven (7) lot, residential development located on 51.45 acres, subject to:

1. All requirements of the Scott County Fire Department.
2. All requirements of the Scott County Health Department.

3. Provide staff with approved road names in accordance with the *Street Name and Numbering Guide*.
4. A note shall be placed on the Final Subdivision Plat stating the preserved areas cannot be further subdivided. A copy of the use and deed restrictions, including preservation areas, must be reviewed and approved by the Planning Commission staff and recorded with the Scott County Clerk's Office; a note shall be placed on the Final Subdivision Plat indicating the recording reference.
5. A note shall appear on the Final Plat stating: "Prospective purchasers of residential lots are placed upon notice that hunting and fishing within accepted safety guidelines and agricultural uses and production, including the use of machinery in the normal course of activity, are common and legal practices within the A-1 zone. It is understood that these uses must be expected to occur in and around A-1 developments. These practices, if conducted within accepted safety guidelines, shall not constitute a nuisance within the meaning of KRS 401:500 Et.Seq. Also see the Kentucky Right to Farm Act."
6. An entrance permit must be obtained for the proposed entrance onto Stone Road.
7. All lots should have internal access only.
8. A Homeowner's Agreement is required for maintenance of common areas and shall be approved by the Planning Commission staff prior to Final Plat approval.
9. Prior to construction or grading, the applicant shall meet with the Planning Commission Engineer and the Development Inspector to review construction policies and establish inspection schedules.
10. There shall be no grading or construction on the site until all required plans (i.e., drainage plans and construction plans) have been reviewed and approved by the Planning Commission Engineer.
11. Any revisions or amendments to the approved Subdivision Plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
12. All applicable requirements of the *Zoning Ordinance*.
13. All applicable requirements of the *Subdivision & Development Regulations*.
14. Provide Planning Commission staff (GIS division) with a digital copy of the approved Final Subdivision Plat.



THE LAKE TRACT IS FOR THE USE AND ENJOYMENT OF ALL TRACT OWNERS AND IS TO BE OWNED BY AN ASSOCIATION ORGANIZED AS A NON-PROFIT ENTITY. THE ASSOCIATION WILL BE RESPONSIBLE FOR ALL ASPECTS OF MANAGING THE LAKE AND COMMON AREA INCLUDING ASSESSING ANNUAL DUES AND MAINTENANCE. TRACTS 1 THRU 12 WILL EACH HAVE ONE OWNERSHIP SHARE IN THE ASSOCIATION.

AREA IN PHASE 1 CLUSTER LOTS	9.005 Ac.
NEW R.O.W. (CLUSTER STREET)	1.065 Ac.
EXISTING R.O.W. (STONE ROAD)	0.20 Ac.
COMMON AREA	6.589 Ac.
PRESERVED AREA (CLUSTER)	25.004 Ac.
AREA IN A-1 TRACTS	41.89 Ac.
	83.55 Ac.

THE PURPOSE OF THIS PLAT IS TO DEPICT THE SUBDIVISION OF THE STRUNK PROPERTY AND TO ALTER THE PRESERVED AREA OF THE 5-LOT CLUSTER SUBDIVISION PREVIOUSLY APPROVED. NO CHANGES ARE BEING MADE TO THE LOCATION OF THE PROPOSED STREET NOR TO THE PERIMETER OF THE CLUSTER POOL.

FURTHER SUBDIVISION OF THIS PROPERTY WILL REQUIRE REVIEW AND APPROVAL BY THE GEORGETOWN-SCOTT COUNTY JOINT PLANNING COMMISSION.

NEW ENTRANCES OFF COUNTY MAINTAINED ROADS MUST MEET LOCAL SEPARATION AND SITE-DISTANCE REQUIREMENTS.

NEW ENTRANCES OFF STATE MAINTAINED ROADS WILL REQUIRE A KY DOT ENTRANCE PERMIT.

NO NEW ENTRANCES ARE CURRENTLY PROPOSED.

CURRENT ZONING OF THE SUBJECT PROPERTY IS AGRICULTURAL (A-1).

NO PREVIOUSLY ESTABLISHED UTILITY EASEMENTS OR DRAINAGE EASEMENTS ARE ELIMINATED OR OTHERWISE ALTERED BY THIS DIVISION. NO TEMPORARY OR PERMANENT STRUCTURES ARE TO BE CONSTRUCTED IN NOR ENCRDACH UPON ANY DRAINAGE EASEMENT.

UNLESS OTHERWISE DETERMINED BY CONDITIONS OF DEED OR CONTRACT/AGREEMENT SUPERSEDING THIS PLAT, THE PRIVATE ROAD/JOINT ENTRANCE/SHARED ACCESS SHOWN SHALL BE JOINTLY MAINTAINED BY THE OWNERS OF EACH TRACT SERVED BY SAME TO THE EXTENT OF THAT OWNER'S USE.

I HEREBY ATTEST TO THE FOLLOWING TO THE BEST OF MY KNOWLEDGE, BELIEF, AND ABILITY; THIS PLAT DEPICTS AN CLASS SURVEY MADE BY MYSELF USING THE METHOD OF RANDOM TRAVERSE WITH AN ERROR-OF-CLOSURE OF 1: AND AN ANGULAR ERROR OF 00. BEARINGS AND DISTANCES HAVE NOT BEEN ADJUSTED FOR CLOSURE. BASIS OF BEARINGS SHOWN IS DATE OF FIELD SURVEY WAS 2003. PRELIMINARY ONLY-NOT FOR RECORDING OR USE IN TRANSFER

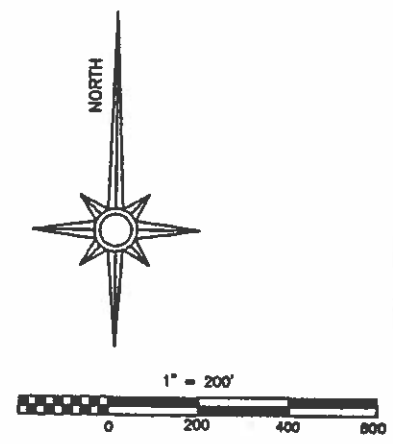
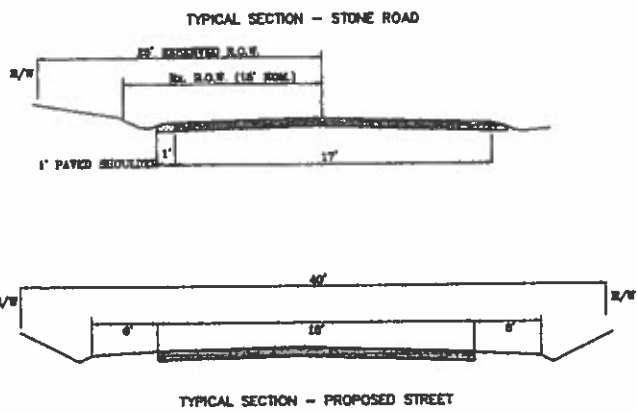
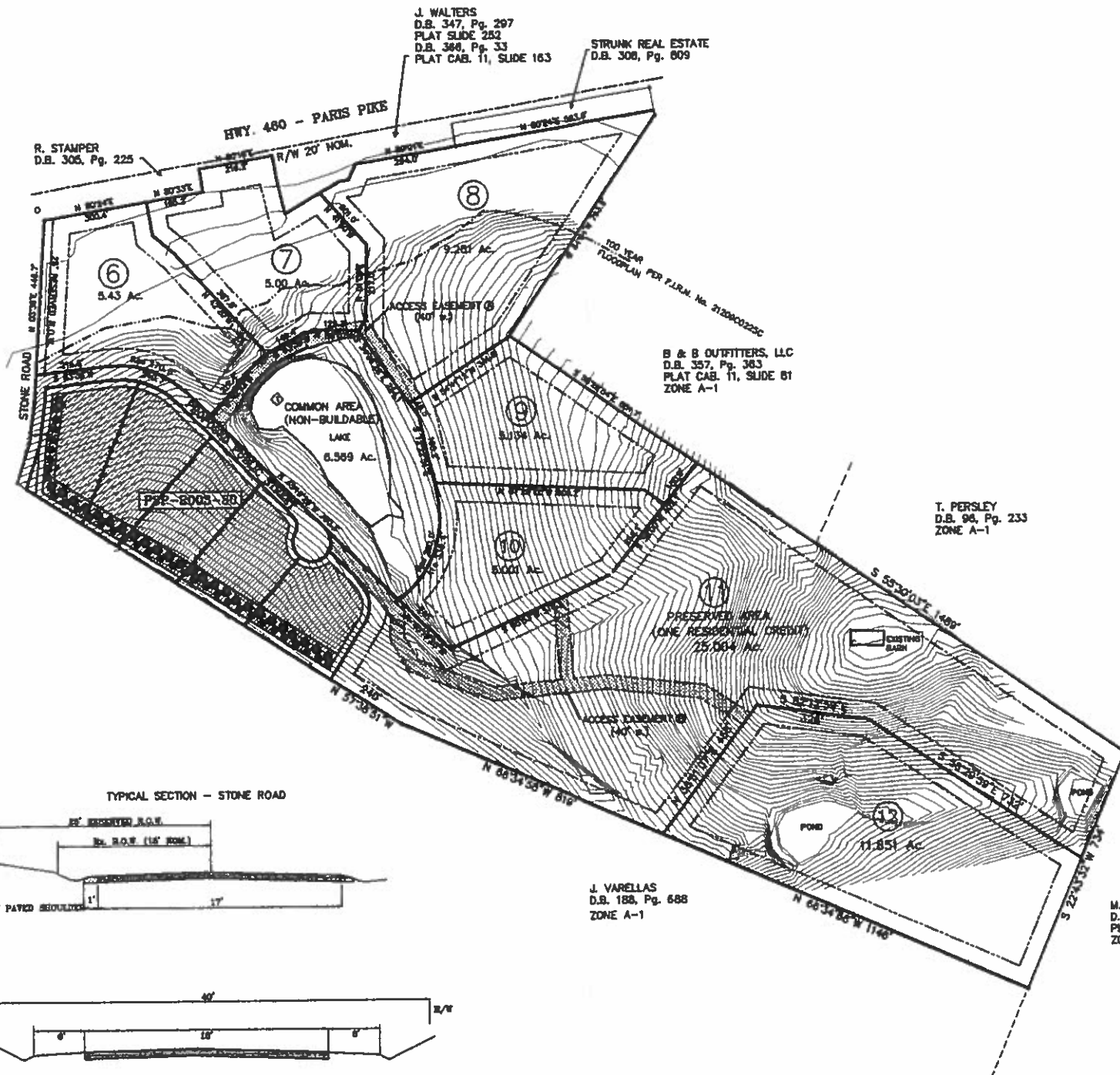
I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH SETBACK LINES, AND DEDICATE ANY PUBLIC RIGHTS-OF-WAY AND/OR EASEMENTS INDICATED UPON THIS PLAT OF MY OWN FREE WILL AND CONSENT.

I CERTIFY THAT THE SEWAGE DISPOSAL SYSTEM(S) INSTALLED OR PROPOSED FOR INSTALLATION ON THE PROPERTY SHOWN HEREON MEETS THE REQUIREMENTS OF THE KENTUCKY STATE HEALTH DEPARTMENT AND IS HEREBY APPROVED.

- LEGEND**
- 1/2" x 16" STEEL REBAR W/D CAP MARKED "MERIDIAN/2636" SET
  - IRON BAR FOUND-AS NOTED
  - SURVEYOR'S MAG-NAIL-SET
  - SURVEYOR'S MAG-NAIL-FOUND
  - R.O.W. MONUMENT-FOUND
  - UTILITY POLE
  - BENCHMARK
  - FIRE HYDRANT

TRACTS 7, 8, & 9 SHALL USE ONLY ACCESS EASEMENT (A)  
 TRACTS 10, 11, & 12 SHALL USE ONLY ACCESS EASEMENT (B)  
 TRACT 6 SHALL NOT HAVE ACCESS FROM THE PRIVATE DRIVE (C)

CURRENT COUNTY REGULATIONS RESTRICT THE USE OF ONE PRIVATE ACCESS/DRIVE TO NO MORE THAN THREE TRACTS UNLESS UPGRADED TO COUNTY ROAD STANDARDS.



**OWNER CONTACT INFORMATION**  
 TIMOTHY L. STRUNK  
 JAYNA G. STRUNK  
 STRUNK REAL ESTATE, LLC  
 869 STONE ROAD  
 GEORGETOWN, KENTUCKY 40324  
 (502) 542-1132  
 D.B. 306, Pg. 809  
 D.B. 304, Pg. 515  
 D.B. 368, Pg. 29

AMENDED PRELIMINARY CLUSTER SUBDIVISION PLAT  
**STRUNK PROPERTY**  
 STONE ROAD • PARIS PIKE, SCOTT COUNTY, KENTUCKY

MARCH 1, 2015  
 REVISED  
 REVISED

**MERIDIAN ASSOCIATES, LLC**  
 120 E. MAIN ST., GEORGETOWN, KY 40324  
 (502) 863-6070  
 jdaypie@bellsouth.net  
 jdaypie@meridian.net



**VICTORIA ESTATES**  
**Staff Report to the Georgetown-Scott County Planning Commission**  
**April 9, 2015**

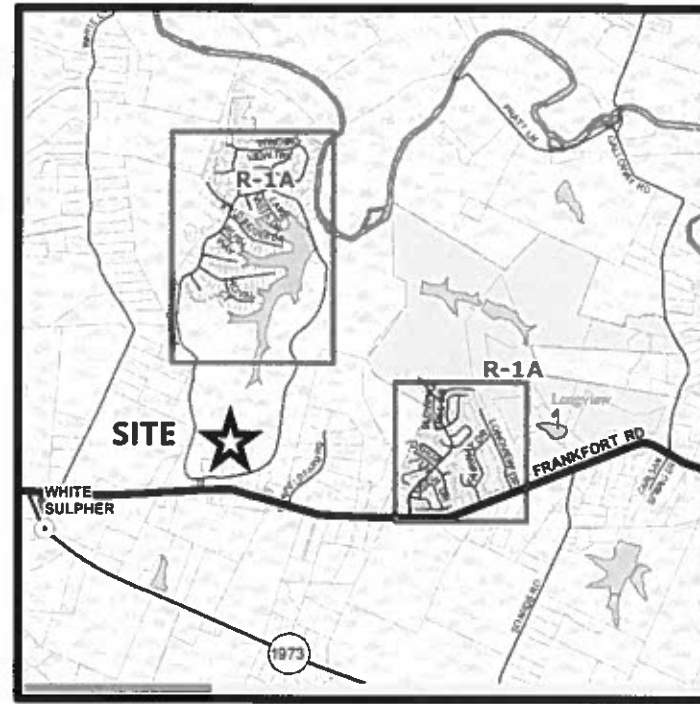
**FILE NUMBER:** FSP-2015-06

**PROPOSAL:** Final Subdivision Plat for 4 tracts for equestrian use on 60.185 acres of a 919 acre parent tract

**LOCATION:** Southern portion of Victoria Estates, located west of Georgetown, north of Frankfort Road (U.S. 460)

**APPLICANT:** Jackie Ruth, East Kentucky Paving

**ENGINEER:** Kelly Richards, Thoroughbred Engineering



<b>STATISTICS:</b>	
Zone	R-1A (Single Family Residential)
Surrounding Zones	R-1A (Single Family Residential), A-1 (Agricultural), and B-1 (Neighborhood Commercial)
Acreage	60.185 acres of 919 acre parent tract
Proposed Use	Equestrian
New Street Required	Existing, but may be dedicated as part of plat
Water/sewer available	Yes/Yes
Access	Via U.S. 460 (Frankfort Road)
Variance Requested	None

**BACKGROUND:**

The subject property is a 60.185-acre portion of an original approximately 919-acre tract located in Victoria Estates, west of Georgetown off Frankfort Road (U.S. 460). Several existing residential lots are platted and built in the northern portion of Victoria Estates, but the majority of the parent tract remains under ownership of East Kentucky Paving.

The Applicant seeks to create 4 approximately 15-acre tracts for equestrian use only. These lots would have no residential dwelling credits. The land within Victoria Estates is R-1A (Single Family Residential) with the exception of a small B-1 (Neighborhood Commercial) parcel for a gas station located on Frankfort Road. The property immediately surrounding Victoria Estates is A-1 (Agricultural), although additional R-1A is located in the area.

In 1988 the Planning Commission reviewed this property for a zone change from A-1 to R-1A for the entire 919 acres. The Fiscal Court approved the zone change in 1988 for 193 total lots, then in 1990 it was expanded to 441 permitted lots on the 919 acres per Planning Commission recommendations and conditions. At the 1990 approval, 486 acres of the original 919 acres would remain in common areas (for roads, sewage, trails, etc.), but all original conditions of approval remained.

Currently, the Planning Commission zoning map (online and print forms) incorrectly shows the zoning for a majority of the area as A-1, while the area in the north (which has several approximately 2-acre lots) is shown as R-1A. This is incorrect; based on the 1990 zone change approved by the Fiscal Court with Ordinance 90-0001, the entire area should be zoned as R-1A. This will be updated on our official zoning map and corrected on the final plat.

**KEY ISSUES/COMMENTS:**

**Plat Review:**

The proposed subdivision plat will create four (4) new approximately 15-acre tracts from the East Kentucky Paving property located in the Victoria Estates subdivision. These tracts are for equestrian use only, and will not have residential dwelling credits. The lots are created along existing paddock fences. Only buildings accessory in nature to the equestrian use of the tracts may be built (barns, stables, etc.). Overall, the requested subdivision is permitted. However, there are a few issues still to be resolved:

**Horse Trail / Dedicated ROW Removal:** A 353 square foot parcel is proposed for transfer from the dedicated HOA horse trail to Tract 1. As noted on the plat, it appears that this would be a land transfer. However, it is possible that there is instead an easement in this location. It is important that the HOA is aware of this transfer if it is in fact land owned by the HOA. If this is the case, an easement can be created in this location so that the horse trail remains intact. The Applicant is not attempting to remove the horse trail, but it is important that it is clear that it is meant to stay. This can be clarified on the Final Subdivision Plat. If this is a transfer of property, a signature from the HOA representative will be required on the Final Subdivision Plat to acknowledge the transfer.

**New ROW/New Road Created by Plat:** The plat has conflicting information in its notes regarding dedication of Right-of-Way. Note 8 states that "No new Right-of-Way is being proposed by this subdivision." However, a note near what appears to be an extension of Victoria Way on the eastern portion of the subject property (along Tract 3 and Tract 4) states that a "50 foot right-of-way created by this plat." The road is existing, but it will need to be clarified whether this is being dedicated to the HOA at this time on the Final Subdivision Plat.

**Legal Concerns from Billings Law Firm, representing Victoria Estates HOA:**

Nathan Billings, representing the Victoria Estates Homeowner's Association, writes that the Association is concerned with the following matters. A detailed summary and exhibits will be available at the PC Workshop and Public Hearing.

1. The entire 919 acres are zoned R-1A.  
This is correct, and will be updated on the official zoning map. It will need to be changed on the final plat as well.

2. As part of the original zone change, the Applicant was required to establish an HOA and the owner/developer was supposed to contribute financially to the HOA in an equivalent amount based on the lot sizes/portion of land, or "per lot" dues/assessments.

The Zone Change Conditions of Approval (COA) required approval of the deed and restrictions by the Planning Director. It also states that the Planning Commission "shall be included as a third party to the deed restrictions, which shall state that the Commission is fully empowered to enforce all of the terms." Billings Law, representing the HOA, claims that an HOA was required for the entire 919-acre parcel and has stated that all other subdivision plats from the parent tract show that the lots will be subject to the HOA's restrictive covenants.

Staff has not been provided or reviewed a copy of the HOA deeds and restrictions (old or new). Billings Law has informed staff that the HOA redefined its boundaries and payment obligations in 2000 claiming that the remaining 650 acres are not subject to the restrictive covenants. Because the HOA never returned to the PC or Fiscal Court, Staff finds it would be appropriate to require these lots to be part of the HOA, if that was part of the original requirement.

While the majority of parcels have been traditional residential lots, that does not exempt the equestrian tracts from the original conditions of approval, if the HOA can prove this was part of the restrictions. Staff may not be able to directly address the concern of the amount each owner would pay, but in order to accomplish this task, all lots should be included in the HOA if proven that this was required in the original conditions of approval/deed and restrictions.

3. The developer was to finish all roads in a timely manner. The HOA does not feel this has been accomplished, and has stated that there are no current bonds for the unfinished roads. The HOA would like for the developer to A) complete all existing road within a reasonable period of time; B) bond or post irrevocable letters of credit for i) existing roads until completed, and ii) all future roads; and C) dedicate the private roads to the Association.

Typically, we do not require bonds and letters of credit for private infrastructure. Depending on the exact phrasing of the original requirements, this may or may not be something that needs current enforcement from our office. This is something our office may need to do further research on, but have not had ample time to address before the Planning Commission meeting. At this time, the Commission may want to require bonds or letters or credit at least for the new portion of road to be constructed.

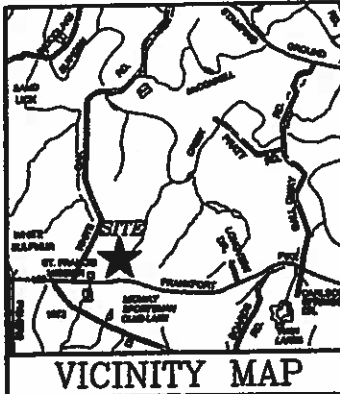
4. The HOA would like to see an updated comprehensive Master Plan for this subdivision. Technically this would not be required as the subdivision was approved long before our sunset regulations. Staff does not believe that new subdivision plats within this area initiate the 2-year time limit for future additions. It would be beneficial to see if plans have changed, but may not be technically required.

**RECOMMENDATION:**

Approve the Final Subdivision Plat for a 60.135 total acre subdivision for four new equestrian tracts on the southern portion of Victoria Estates, with the following conditions of approval:

## Conditions of Approval:

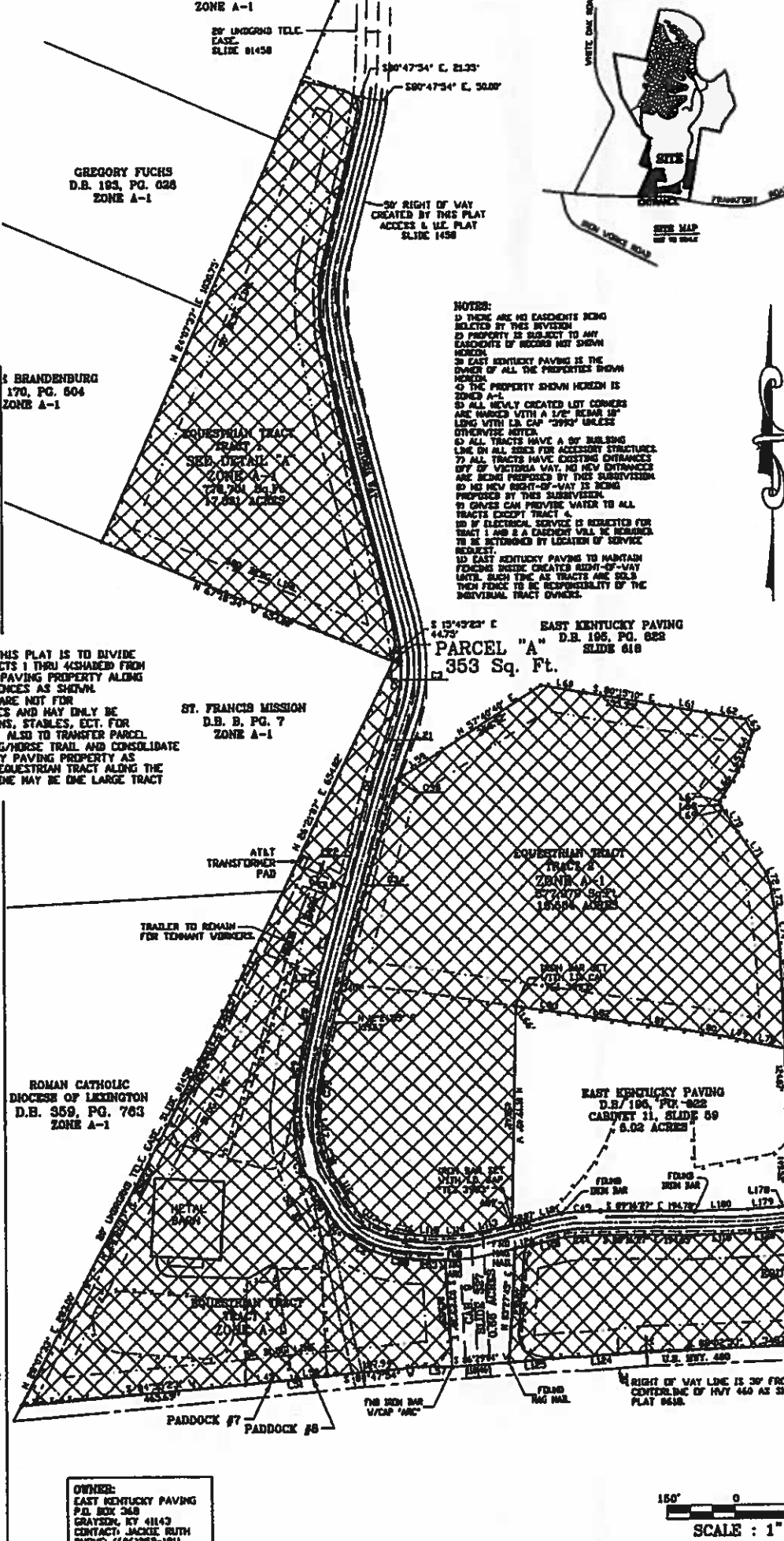
1. Final review by the Planning Commission Staff prior to recording.
2. All lots within the Victoria Estates Subdivision shall be part of the HOA as required by the Planning Commission in 1988. The Applicant will provide reference on the plat to Homeowner Association documents including ownership and maintenance agreement for fencing, private roads, and common areas.
3. A signature block for the HOA representative shall be required to ensure the HOA is aware of the land transfer of a 353 square foot portion of the horse trail located along Victoria Way and Tract 1. If evidence of an existing easement is in place, this sign-off would not be required.
4. The Applicant shall provide bond or letter of credit for the new portion of road shown on this plat.
5. There shall be no grading or construction on the site until all required plans (i.e., drainage plans) including Construction Plans and Final Development Plans have been reviewed and approved by the Planning Commission Engineer.
6. Any future revisions or amendments to the approved subdivision plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
7. All applicable requirements of the *Zoning Ordinance*.
8. All applicable requirements of the *Subdivision & Development Regulations*.
9. Prior to (as part of) the final subdivision plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved development plan.



**CERTIFICATION OF OWNERSHIP AND DEDICATION**  
 I HEREBY CERTIFY THAT EAST KENTUCKY PAVING COMPANY IS THE OWNER OF THE PROPERTY SHOWN AND RECORDED HEREON AND THAT I, AS PRESIDENT OF SAID CORPORATION, AM FULLY QUALIFIED TO SIGN AND TO MAKE THIS DEED AND TO MAKE THIS ACCESSION TO THE PUBLIC RECORDS OF SAID COUNTY IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF KENTUCKY AND TO MAKE THIS DEED AND TO MAKE THIS ACCESSION TO THE PUBLIC RECORDS OF SAID COUNTY IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF KENTUCKY AND TO MAKE THIS DEED AND TO MAKE THIS ACCESSION TO THE PUBLIC RECORDS OF SAID COUNTY IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF KENTUCKY.

**CERTIFICATE OF ACCURACY**  
 I DO HEREBY CERTIFY THAT THE PLAT SHOWN AND RECORDED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE COMMISSIONERS OF THE SCOTT COUNTY PLANNING AND ZONING DEPARTMENT FOR A CLASS "A" SURVEY AND THE REQUIREMENTS ARE AS SHOWN. METHODS OF SURVEY WAS THROUGH TRAVERSE WITH SIGHTS. ORDER OF CLOSURE IS 1/10000. ANGULAR ERROR IS 1" PER ANGLE. BEARING AND DISTANCES HAVE NOT BEEN ADJUSTED FOR CLOSURE. BASES FOR BEARINGS SHOWN IS PLAT OF RECORD IN SLIDE 648 IN THE SCOTT COUNTY CLERK'S OFFICE.

DATE OF SURVEY: \_\_\_\_\_  
 DATE OF PAVING: \_\_\_\_\_



**LINE TABLE**

NUMBER	DIRECTION	DISTANCE
1	S 77°14' E	125.34
2	S 77°14' E	125.34
3	S 77°14' E	125.34
4	S 77°14' E	125.34
5	S 77°14' E	125.34
6	S 77°14' E	125.34
7	S 77°14' E	125.34
8	S 77°14' E	125.34
9	S 77°14' E	125.34
10	S 77°14' E	125.34
11	S 77°14' E	125.34
12	S 77°14' E	125.34
13	S 77°14' E	125.34
14	S 77°14' E	125.34
15	S 77°14' E	125.34
16	S 77°14' E	125.34
17	S 77°14' E	125.34
18	S 77°14' E	125.34
19	S 77°14' E	125.34
20	S 77°14' E	125.34
21	S 77°14' E	125.34
22	S 77°14' E	125.34
23	S 77°14' E	125.34
24	S 77°14' E	125.34
25	S 77°14' E	125.34
26	S 77°14' E	125.34
27	S 77°14' E	125.34
28	S 77°14' E	125.34
29	S 77°14' E	125.34
30	S 77°14' E	125.34
31	S 77°14' E	125.34
32	S 77°14' E	125.34
33	S 77°14' E	125.34
34	S 77°14' E	125.34
35	S 77°14' E	125.34
36	S 77°14' E	125.34
37	S 77°14' E	125.34
38	S 77°14' E	125.34
39	S 77°14' E	125.34
40	S 77°14' E	125.34
41	S 77°14' E	125.34
42	S 77°14' E	125.34
43	S 77°14' E	125.34
44	S 77°14' E	125.34
45	S 77°14' E	125.34
46	S 77°14' E	125.34
47	S 77°14' E	125.34
48	S 77°14' E	125.34
49	S 77°14' E	125.34
50	S 77°14' E	125.34
51	S 77°14' E	125.34
52	S 77°14' E	125.34
53	S 77°14' E	125.34
54	S 77°14' E	125.34
55	S 77°14' E	125.34
56	S 77°14' E	125.34
57	S 77°14' E	125.34
58	S 77°14' E	125.34
59	S 77°14' E	125.34
60	S 77°14' E	125.34
61	S 77°14' E	125.34
62	S 77°14' E	125.34
63	S 77°14' E	125.34
64	S 77°14' E	125.34
65	S 77°14' E	125.34
66	S 77°14' E	125.34
67	S 77°14' E	125.34
68	S 77°14' E	125.34
69	S 77°14' E	125.34
70	S 77°14' E	125.34
71	S 77°14' E	125.34
72	S 77°14' E	125.34
73	S 77°14' E	125.34
74	S 77°14' E	125.34
75	S 77°14' E	125.34
76	S 77°14' E	125.34
77	S 77°14' E	125.34
78	S 77°14' E	125.34
79	S 77°14' E	125.34
80	S 77°14' E	125.34
81	S 77°14' E	125.34
82	S 77°14' E	125.34
83	S 77°14' E	125.34
84	S 77°14' E	125.34
85	S 77°14' E	125.34
86	S 77°14' E	125.34
87	S 77°14' E	125.34
88	S 77°14' E	125.34
89	S 77°14' E	125.34
90	S 77°14' E	125.34
91	S 77°14' E	125.34
92	S 77°14' E	125.34
93	S 77°14' E	125.34
94	S 77°14' E	125.34
95	S 77°14' E	125.34
96	S 77°14' E	125.34
97	S 77°14' E	125.34
98	S 77°14' E	125.34
99	S 77°14' E	125.34
100	S 77°14' E	125.34

**CURVE TABLE**

NUMBER	DELTA ANGLE	CHORD BEARING	TANGENT BEARING	CHORD BEARING	CHORD LENGTH	CHORD LENGTH
1	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
2	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
3	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
4	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
5	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
6	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
7	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
8	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
9	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
10	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
11	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
12	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
13	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
14	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
15	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
16	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
17	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
18	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
19	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
20	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
21	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
22	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
23	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
24	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
25	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
26	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
27	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
28	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
29	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
30	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
31	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
32	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
33	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
34	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
35	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
36	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
37	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
38	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
39	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
40	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
41	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
42	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
43	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
44	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
45	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
46	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
47	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
48	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
49	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
50	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
51	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
52	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
53	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
54	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
55	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
56	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
57	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
58	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
59	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
60	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
61	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
62	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
63	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
64	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
65	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
66	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
67	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
68	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
69	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
70	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
71	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
72	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
73	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
74	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
75	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
76	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
77	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
78	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
79	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
80	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
81	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
82	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
83	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
84	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
85	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
86	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
87	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
88	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
89	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E	125.34	125.34
90	174°28'00"	S 77°14' E	S 77°14' E	S 77°14' E		

**HILL-N-DALE ZONE CHANGE**  
**Staff Report to the Georgetown-Scott County Planning Commission**  
**April 9, 2015**

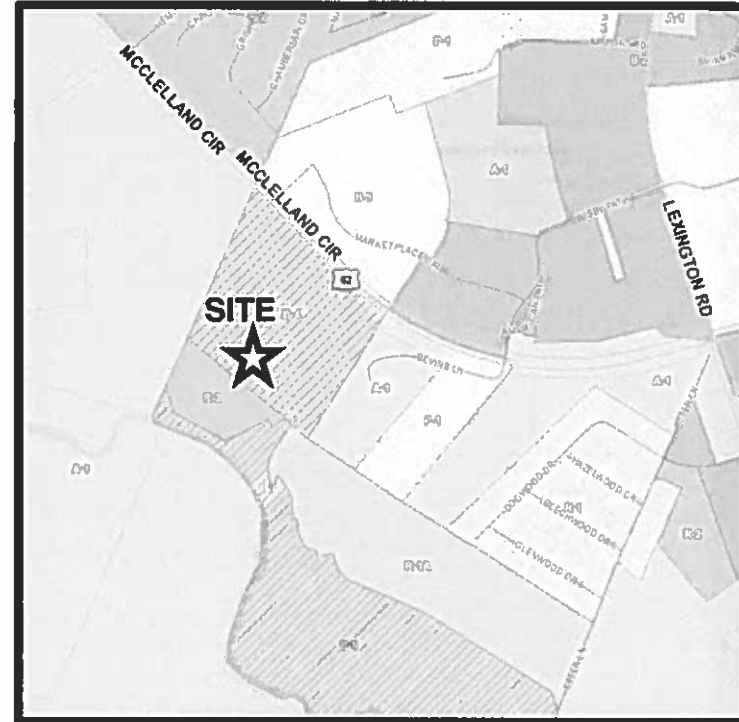
**FILE NUMBER:** ZMA-2015-07

**PROPOSAL:** Zone change request for 19.34 acres from B-4 (Community Commercial) and 5.22 acres from R-2 (Medium Density Residential) to combined 24.56 acres in R-2 PUD (Medium Density Residential Planned Unit Development)

**LOCATION:** 252 McClelland Circle in Georgetown

**APPLICANT:** Sikura Properties, LLC

**ENGINEER:** Rory Kahly, EA Partners



**STATISTICS:**

Existing Zone	19.34 acres in B-4 (Community Commercial) and 05.22 acres in R-2 (Medium Density Residential)
Proposed Zone	24.56 acres in R-2 PUD (Medium Density Residential PUD)
Surrounding Zones	A-1 (Agricultural), C-1 (Conservation), R-1A (Low Density Residential), and B-5 (General Commercial Park) across McClelland Circle to the north.
Acreage	24.56 acres
Proposed Use	Two-story apartments, 15 buildings, 295 units
Density	12 units per acre
Sq. Ft. of Buildings	Concept Plan shows approx. 190,120 SF (staff calculation)
Ground Coverage	17.8% (staff calculation)
Parking	599 spaces (required/proposed)
New street required	Yes (private)
Linear feet of new street	TBD at Preliminary Development Plan Stage
Water/sewer available	Yes/Yes
Access	Via McClelland Circle at stoplight to Kroger Marketplace, secondary access proposed to connect with church and commercial/medical offices to east.
Variance Requested	1) Waiver to <i>Zoning Ordinance</i> , Article IV, Section 4.33.B to increase the maximum number of units per building from 6 to 28 units/building. 2) Waiver to <i>Subdivision and Development Regulations</i> , Article X, Section 1000.R.2 to reduce the 100' setback from McClelland Circle (U.S. 460) to 60'.

**BACKGROUND:**

The subject property is a 24.56-acre parcel within the Urban Service Boundary, currently zoned B-4 (Community Commercial) and R-2 (Medium Density Residential). The current zoning was recommended for approval by the Planning Commission in 2012, with application ZMA-2012-14 Sikura Properties. The zoning of adjacent properties include A-1 (Agricultural), C-1 (Conservation), R-1A (Low Density Residential), and B-5 (General Commercial Park) across McClelland Circle to the north. There are other R-2 properties in the general vicinity (south Georgetown), but none directly adjacent to the site. The portion of the Sikura property that was rezoned to R-1A (Single Family Residential) in 2012 is not part of this application.

The subject property is located on the southwest side of McClelland Circle (U.S. 460 Bypass) and approximately one-third mile west of U.S. 25. The site has a gently sloping topography that drains from McClelland Circle to Cane Run Creek, which follows its southern boundary. The farm has been used for agricultural purposes in the recent past and had a historic home in the area that is currently zoned R-2, which was demolished within the last five years. There are existing mature tree lines along the western and southwestern property boundaries and floodplain along the southern boundary. There is a sanitary sewer pump station on site and all utilities are available. The site also has good visibility on the northwest side of the property along McClelland Circle, and has been filled and levelled significantly since 2012. The main entrance is from a signalized intersection serving the Kroger Marketplace across the bypass. Secondary access is proposed to connect with the church and commercial/medical offices to the east.

**Proposed Zoning and Land Use:**

The 24.56-acre site is proposed to be rezoned to R-2 PUD (Medium Density Residential Planned Unit Development), eliminating the existing B-4 area, and converting the existing R-2 to R-2 (PUD). A Planned Unit Development (PUD) allows the applicant flexibility in the overall location and sizing of buildings to satisfy density requirements. This allows approval of buildings larger than typically permitted while the development would still meet the overall density requirements of the R-2 zone, at 12 units/acre. The conceptual plan shows 15 two-story apartment structures, plus a clubhouse and pool. The requested building sizes are larger than typically allowed within R-2, which will require approval of a waiver. The applicant also seeks a second waiver which would allow the residential structures to be built at a 60-foot setback from U.S. 460, rather than the required 100 foot setback for all residential structures along U.S. 460.

**LEGAL CONSIDERATIONS:**

Any zone change request is required to meet the following *Kentucky Revised Statutes*, Chapter 100 standards:

***Section 100.213 Findings necessary for proposed map amendment – Reconsideration.***

1. *Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:*

- a. *That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*
- b. *That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*

**Part 1:** This zone change proposal is in agreement with the adopted Comprehensive Plan, although in 2012, it was found that Commercial zoning was appropriate. The adopted Comprehensive Plan Future Land Use Map (last updated in 2006) designates the area proposed for zone change as urban residential. R-2 PUD is an urban residential zone district. It is staff's opinion that while commercial use along the bypass would have been appropriate, the requested residential zone district would be more aligned with the Comprehensive Plan goals and existing Future Land Use Map. The 2006 Comprehensive Plan recommends that the U.S. 460 Bypass (McClelland Circle) only see increased commercial development surrounding its intersections with U.S. 25 and U.S. 460 (Frankfort Road).

The gradual step-down of intensity and buffering between urban and rural zones is a goal of the Comprehensive Plan specifically along the southern greenbelt. This step-down manner of development has been applied through other developments on the edge of the USB, including Sutton Place subdivision, where larger one-acre lots were placed along the edges of the USB. Also, the 2012 Sikura zone change on this property used this technique to step down the intensity of use as development approached the greenbelt boundary. A gradual decrease between the urban and rural areas allows for a transition of intensity and use. With additional requirements to maintain existing tree lines, further separation and distinction is made between the urban and rural land. In 2012, the Commission found the R-2 zoning for townhomes on the southern third of this lot to be appropriate, in part because the requested density was half of that typically allowed in an R-2 zone and a significant buffer was in place to the south of the R-2 area. With this new application, it is staff's finding that residential development is appropriate in this location, but that residential uses should be phased or stepped-down in intensity as the property approaches the Southern Greenbelt.

The southern portion of the site, currently zoned R-2, is now proposed to be built at a density of approximately 8.8 dwelling units per acre (it was proposed at 6 d.u./acre in 2012), while the northern portion of the site would be built at approximately 12.9 dwelling units per acre. While the density of the southern portion of the site is higher than the original 6 dwelling units per acre as approved in 2012, it is still significantly lower than the density allowed within R-2. Staff deems that the flexibility of the Planned Unit Development allows the applicant to shift density between segments within the site, while still maintaining the overall density at the rate allowed for standard R-2 zoning, or 12 dwelling units per acre. It is staff's finding that this level of development is appropriate on the property if a buffer is provided protecting the existing tree line adjacent to the greenbelt.

In finding that the zone change request for R-2 PUD is in agreement with the future land use map, and that residential zoning as shown on the FLU map is appropriate in this location, neither condition a or b must be satisfied in order to grant this request.

**CONCEPTUAL PLAN REVIEW:****Vehicular Access:**

The subject property will be accessed from McClelland Circle at the existing traffic light which serves the Kroger Marketplace development on the north side of McClelland Circle. During the previous zone change, a condition of approval was added that this location would be the only direct access onto McClelland Circle from the subject property. It was also noted that the intersection should have dedicated right and left turn lanes at this intersection.

Secondary access is proposed to connect with the church and commercial/medical offices to the east. A sidewalk has been extended along the northern side of the access point.

The previous concept plan at the Sikura zone change (ZMA-2012-14) also showed a roadway connection to Etter Lane. This was not added as a condition of approval, although it was a major consideration in the approval of the zone change, because this was something the applicant had proposed. It is staff's opinion that the connection originally planned at the Sikura zone change should still be constructed. Staff recommends that a condition requiring this connection be included.

**Traffic study:**

EA Partners, PLC has updated the numbers used in their previous traffic study submitted with the 2012 Zone Change application. The previous development plan would have generated 585 vehicles in the AM peak hour and 856 vehicles in the PM peak hour. The traffic engineer has concluded that the revised development plan will see a reduction of 71% to 170 vehicles in the AM peak hour and a reduction of 76% to 202 vehicles in the PM peak hour.

**Pedestrian Access:**

Pedestrian access and circulation was a large consideration in the previous zone change approval. On the 2012 Sikura property concept plan, an 8' wide walk/bike path was shown along the road connecting to Etter Way, but stopping just short of the current site under consideration. As part of the COA's added at the recommendation for approval, the Commission required a path to be continued to the traffic light intersection on McClelland: "The Applicant shall provide a multi-use trail connection from Etter Lane to the McClelland Circle intersection."

The applicant has stated an intent to use the access road for the pump station and part of the proposed 6-foot wide sidewalk to address this condition. Staff believes that a separate 8-foot wide multi-use path (not just a sidewalk) should be developed. Staff recommends that this requirement be continued as a condition of approval, and that language be added to specify the 8-foot multi-use trail (bike, ped, non-motorized traffic). This helps solidify the intent of pedestrian access along/through the greenbelt, and it helps provide safe pedestrian access between multiple sites.

**Landscaping & Greenbelt:**

This proposal is located along the Southern Greenbelt. The 820-foot elevation contour on the southern boundary of the site has been identified in previous and the current Comprehensive Plan as the

boundary of the Southern Greenbelt. The subject property was annexed by the City of Georgetown in 2005 up to the 820 contour, and this is also the southern Georgetown USB line.

The purpose of the greenbelt is to establish a clear boundary beyond which urban development will not be permitted. A Greenbelt Ordinance was adopted by the City of Georgetown in 1996. It recommended that existing mature tree lines and fences be maintained or landscaping and fencing be established to create a clear and permanent boundary between urban areas and agricultural land. This greenbelt should be established at the time of development of any property along the Greenbelt. The Greenbelt area was meant to be maintained as an agricultural, parkland or open space buffer. In 2012, the Applicant rezoned a strip south of the 820 contour to the Conservation (C-1) zone district, so that it may be permanently restricted from urban development.

The Subdivision and Development Regulations include Arterial Buffering Standards requiring all residential development along the Bypass (U.S. 460) and I-75 to be buffered by landscaping, earth mounds, or walls for visual purposes. Screening should substantially soften visual and noise impacts upon adjacent uses, especially residential. At this time, the applicant has not shown a landscape buffer along the bypass and is also requesting a waiver to allow the buildings a reduced setback. Additional landscaping will be required.

At the Preliminary Development Plan stage, the Applicant will be required to show appropriate tree preservation to meet the requirements of the *Greenbelt Ordinance* and/or appropriate landscape buffers to satisfy the *Landscape and Land Use Buffer Ordinance* and the *Subdivision and Development Regulations*.

#### **Waivers**

Not requested, but of note: The conceptual plan and zone change request seeks approval for zoning that would allow two-story apartment buildings along the Southern Greenbelt. Any height over 30 feet will require an equivalent increase to the setback requirement. For example, if the proposed height of the building is 35 feet, this will require an additional 5 feet of setback.

Waiver to Number of Units per Building: In addition, the Applicant has requested a variance to allow buildings with up to 28 dwelling units per acre. The R-2 district typically only permits up to 6 dwelling units per building. The applicant had originally applied for R-3 PUD zoning so that they would be able to have increased size buildings, but staff recommended that they instead apply for R-2 zoning which more closely aligned with the desired overall level of development and required density. It is preferable to keep the zoning to the lowest level necessary with a waiver as part of the PUD process than to require the applicant to reduce the overall density allowed on the site. Additionally, the applicant is preserving trees and land in the southern portion of the site, which allows for the step down of building density. Staff supports this waiver request.

Waiver to Setback from McClelland Circle (U.S. 460 Bypass): The Applicant has requested a waiver to reduce the setback of residential structures from McClelland Circle from 100 feet to 60 feet. They have stated the reasoning is that this will allow them to more adequately step down the building density from McClelland Circle to the rear of the property. Staff does not feel that appropriate justification has been

provided to support this waiver request. With the addition of more substantial buffer screening, this could be appropriate.

**RECOMMENDATION:**

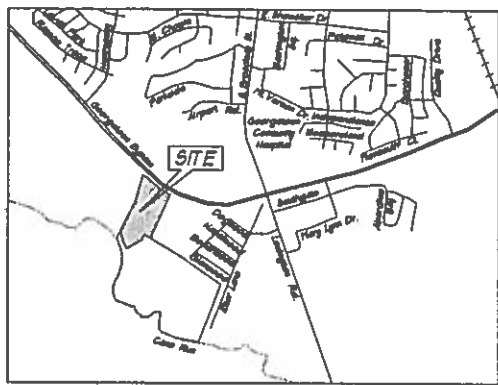
Based on the findings that the requested zone change satisfies the requirements of KRS 100.213, **Staff recommends approval** of the zone change request for 24.56 acres at 252 McClelland Circle, for 19.34 acres from B-4 to R-2 PUD and for 5.22 acres from R-2 to R-2 PUD, with the following waiver and conditions of approval.

Waiver (as part of PUD):

1. Allow buildings up to 28 units/building (exceeding the 6 units/building standard for R-2).

Conditions of Approval:

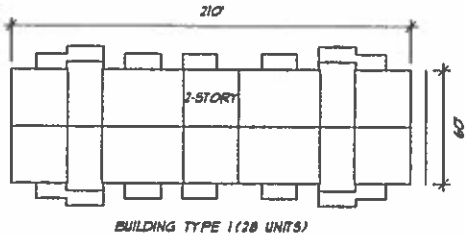
1. All applicable Conditions of Approval from Zone Change ZMA-2012-14.
2. No direct access onto McClelland Circle from the subject property except at the intersection shown on the conceptual plan.
3. Preservation of the existing tree line along the western property line and along the Southern Greenbelt. (Further detail in original COA.)
4. Applicant shall be responsible for all off-site roadway improvements identified by the submitted traffic study or subsequent traffic study(s) submitted at time of Preliminary Development Plan review.
5. The Applicant shall provide an 8' wide multi-use trail connection for non-motorized traffic from Etter Lane to the McClelland Circle intersection.
6. At the previous zone change (ZMA-2012-14), a roadway connection to Etter Lane was shown. This was an integral part of the zone change approval, and shall be required to be included in all future concept plans and preliminary/final development plans submitted for approval.
7. As part of the PUD approval, allow flexibility in intensity of dwelling units on the site so that a higher density of dwelling units may be located near McClelland Circle, and lower intensity of dwelling units be allowed along the C-1 Conservation/Greenbelt in a step-down manner.
8. Greenbelt buffering, Property Perimeter buffering, Arterial Road buffering along the Bypass, and Vehicular Use Area landscaping shall be provided to meet the requirements of the *Greenbelt Ordinance*, the *Landscape and Land Use Buffer Ordinance*, and *Subdivision & Development Regulations*.
9. All stormwater and runoff shall be managed so as not to create additional off-site impacts.
10. The Applicant shall return to the Planning Commission for Preliminary Development Plan review.
11. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
12. All requirements of GMWSS regarding the provision of sanitary sewer.



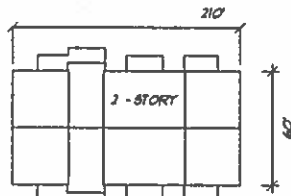
VICINITY MAP  
(NOT TO SCALE)

**SITE STATISTICS:**  
 SITE AREA = 24.96 ACRES  
 EXISTING ZONE = B-4 & R-2  
 PROPOSED ZONE = R-2 (PUD)  
 TOTAL UNITS = 295  
 DENSITY = 11.0  
 TOTAL BEDROOMS = 429  
 PARKING REQUIRED = 999  
 PARKING PROVIDED = 999 (502 SURFACE)  
 (51 GARAGES)

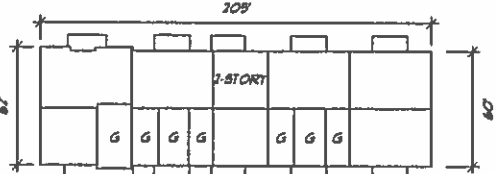
**UNIT BREAKDOWN:**  
 EFFICIENCY = 31 UNITS  
 1 BEDROOM = 108 UNITS  
 2 BEDROOM = 118 UNITS  
 3 BEDROOM = 38 UNITS  
 295 TOTAL UNITS



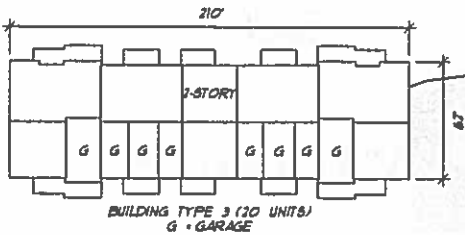
BUILDING TYPE 1 (128 UNITS)



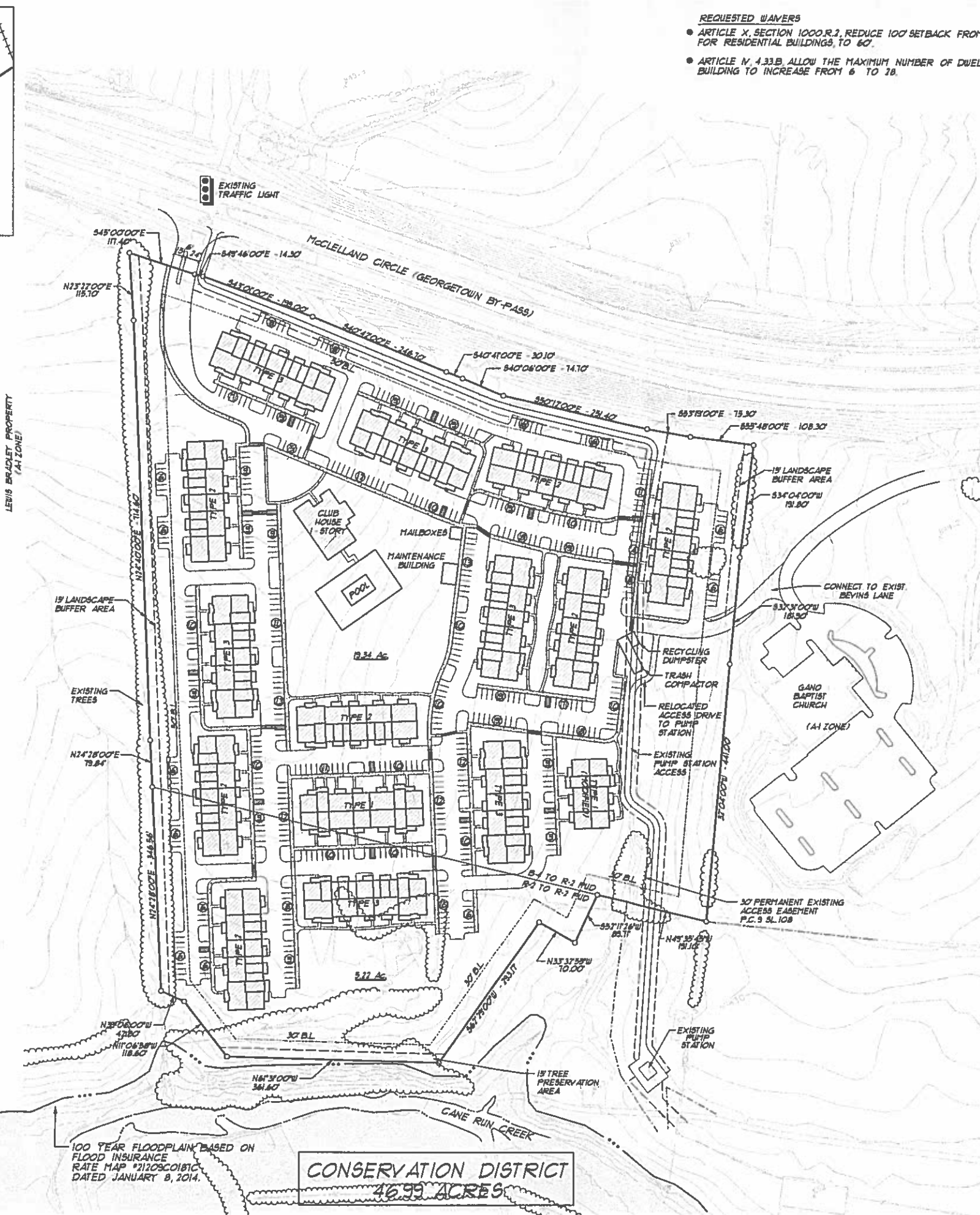
BUILDING TYPE 1 (14 UNITS)  
(MODIFIED)



BUILDING TYPE 2 (19 UNITS)  
G + GARAGE



BUILDING TYPE 3 (20 UNITS)  
G + GARAGE



100 YEAR FLOODPLAIN BASED ON  
 FLOOD INSURANCE  
 RATE MAP #21209C0181C  
 DATED JANUARY 8, 2014.

CONSERVATION DISTRICT  
 46.99 ACRES

- REQUESTED WAIVERS**
- ARTICLE X, SECTION 1000.R.2, REDUCE 100' SETBACK FROM McCLELLAND CIRCLE, FOR RESIDENTIAL BUILDINGS, TO 60'.
  - ARTICLE V, 4.33.B, ALLOW THE MAXIMUM NUMBER OF DWELLING UNITS PER BUILDING TO INCREASE FROM 6 TO 28.

**UTILITY EASEMENT DESCRIPTION**

EASEMENTS GRANT AND CONVEY TO THE KENTUCKY UTILITIES COMPANY, BELLSOUTH COMPANY, AND OTHER APPROPRIATE UTILITY COMPANIES, THEIR SUCCESSORS, ASSIGNS, AND LESSEES, THE RIGHT TO INSTALL OR REMOVE ANY AND ALL TREES, STRUCTURES AND OBSTACLES LOCATED ON THE EASEMENTS OR IN SUCH PROXIMITY THERE TO THAT IN FALLING THEY MIGHT INTERFERE WITH THE OPERATION AND MAINTENANCE OF SAID FACILITIES. NO BUILDING OR OTHER STRUCTURE SHALL BE ERRECTED AND NO LANDFILL OR EXCAVATION OR OTHER CHANGE OF GRADE SHALL BE PERFORMED UPON THE SAID EASEMENT AFTER INSTALLATION OF FACILITIES. THE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED TO USERS OF THE UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REPAIR FACILITIES WITHIN SAID EASEMENTS. ALL LOT LINES NOT INDICATING EASEMENTS WILL HAVE A 5' EASEMENT ON EACH SIDE OF THE LOT LINE UNLESS OCCUPIED BY A RESIDENTIAL STRUCTURE.

**DRAINAGE EASEMENT DESCRIPTION**

DRAINAGE EASEMENTS CONTAIN STORMWATER CHANNELS, STORMWATER STORAGE AREAS/FACILITIES, AND ACCESS RIGHTS FOR MAINTENANCE OF SUCH FACILITIES. NO CHANNEL ALTERATION OR CONSTRUCTION THAT WOULD OBSTRUCT THE FLOW OF STORMWATER IS ALLOWED. THERE SHALL BE NO STORAGE OR DISPOSAL OF GRASS CLIPPINGS, TRASH, DEBRIS, OR OTHER POTENTIAL OBSTRUCTIONS THAT FLAT BASH INTO STORMWATER CHANNELS OR STORAGE AREAS.

- GENERAL NOTES**
- INTERIOR CONNECTIVITY, SANITARY SEWERS, STORMWATER MANAGEMENT, ENTRANCE DESIGN AND EXISTING TREES SHALL BE EVALUATED WITH THE PRELIMINARY DEVELOPMENT PLAN AND CONSTRUCTION DOCUMENTS.
  - STORY SEEDERS, STORY WATER RETENTION BASINS, AND SANITARY SEWERS SHALL MEET THE SPECIFICATIONS AND APPROVAL OF THE PLANNING COMMISSION ENGINEER.
  - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATION COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRASSES. SLOPES EXCEEDING 4% SHALL HAVE ADDITIONAL PROTECTION OF AGULOSIS MULCHING OR SOD IN ORDER TO PREVENT EROSION.
  - THIS CONCEPTUAL PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED ON A RECORDED SUBDIVISION PLAN.
  - GRADING, BUILDING FLOOR ELEVATIONS & I.E. PARKING SPACE LOCATIONS ARE SUBJECT TO CHANGE BASED ON FINAL CONSTRUCTION PLANS.
  - NO PROPOSED PUBLIC STREETS.

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I/WE HEREBY CERTIFY THAT I/WE (BE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I/WE HEREBY ADOPT THIS PLAN/PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT, ESTABLISH THE PROPERTY BUILDING RESTRICTION LINES AND DEDICATE ALL STREETS, ALLEYS, BACKYARDS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE, AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED.

\_\_\_\_\_, TO

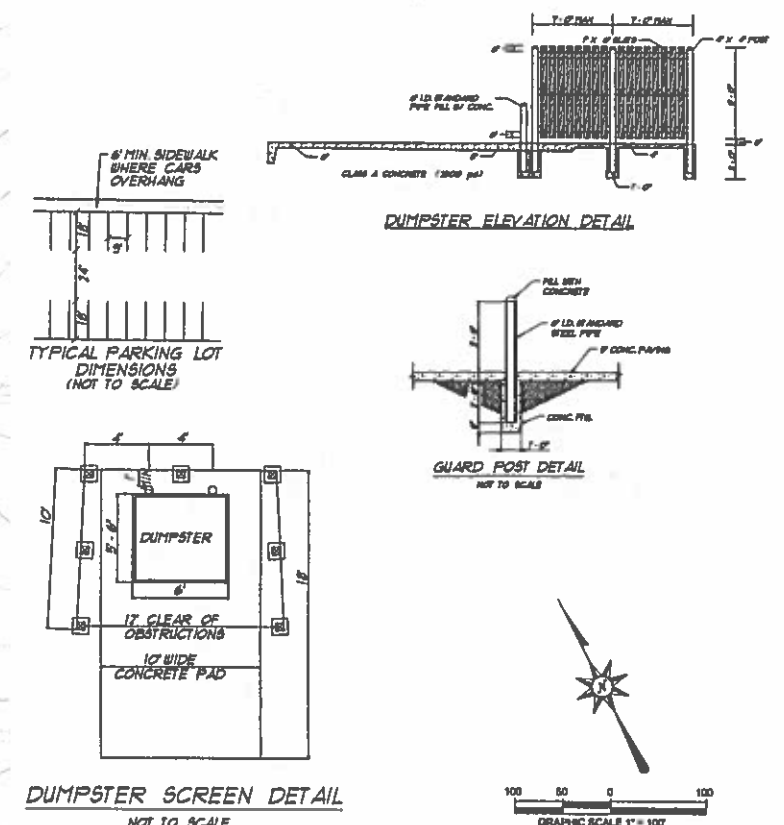
SIGNATURE OF OWNER OR OWNERS

\_\_\_\_\_, TO

SIGNATURE OF OWNER OR OWNERS

**PURPOSE OF PLAN:**  
 TO REFLECT A CONCEPTUAL DEVELOPMENT OF THIS PROPERTY IN CONJUNCTION WITH THE ZONE CHANGE REQUEST, TO R-2 (PUD).

**OWNER:**  
 SIKURA PROPERTIES, LLC  
 640 NORTH YARNALTON ROAD  
 LEXINGTON, KY 40511



**DEVELOPER:**  
 BALL HOPES, LLC  
 3409 WALDEN DRIVE  
 LEXINGTON, KY 40511

**SA Partners, PLLC**  
 CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
 2111 WALL STREET  
 LEXINGTON, KENTUCKY 40513  
 PHONE: 606.259.9977  
 FACSIMILE: 606.259.9977

AMENDED CONCEPTUAL PLAN FOR ZONE CHANGE  
**HILL - N - DALE PLACE**  
 252 McClelland Circle (A PORTION OF)  
 GEORGETOWN, SCOTT COUNTY, KENTUCKY

DRAWN \_\_\_\_\_  
 DATE 03/02/15  
 CHECKED \_\_\_\_\_  
 REVISED 03/25/15

SHEET  
**1**

**TRADITIONS II APARTMENTS**  
**Staff Report to the Georgetown-Scott County Planning Commission**  
**April 9, 2014**

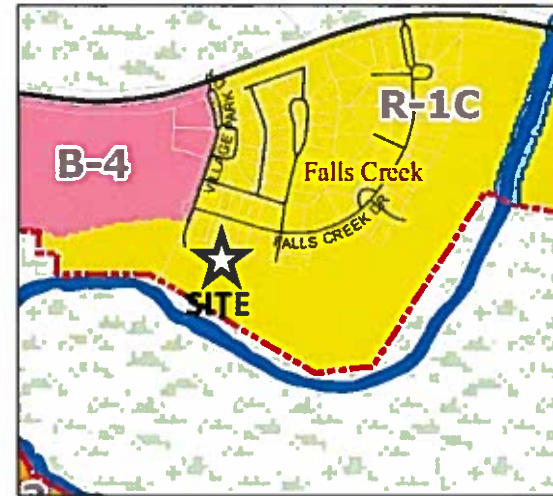
**FILE NUMBER:** PDP-2015-08

**PROPOSAL:** Preliminary Development Plan for the construction of ten (10) apartment buildings on the lands of Oxford Place, LLC

**LOCATION:** Falls Creek Development, south of the townhomes on Falls Creek Drive

**APPLICANTS:** Oxford Place, LLC  
134 East Main Street  
Georgetown, KY 40324

**ENGINEER:** Fred Eastridge, ECSI, LLC  
340 S. Broadway, Suite 200  
Lexington, KY 40508



**STATISTICS:**

Zone	R-1C (PUD)
Surrounding Zones	R-1C (PUD) to the north, east, and west; A-1 to the south (across Dry Run Creek)
Acreage	5.0-acres
Water/sewer available	Yes/Yes
Access	Access via Meadow Lane and Village Park Drive
Variance Requested	None

**BACKGROUND:**

The subject property is a roughly 5.00-acre parcel, zoned R-1C (PUD). The subject property is located north of Dry Run Creek with access from Meadow Lane (the westernmost of the two streets shown as Village Park Drive) and Village Park Drive in the Falls Creek Development. The adjacent properties to the north, east and west are zoned R-1C (PUD). The property to the south, across Dry Run Creek, is zoned A-1. Adjacent land uses include: residential to the north, east and west, and agricultural to the south. The proposed use for the subject property is for ten (10) 2,880 ft<sup>2</sup> apartment buildings.

In 2004, the Project Site was rezoned R-1C PUD. As part of the planned development, the Falls Creek Development was granted 163 multi-family dwelling units. An overall residential density for the Falls Creek Development was set at 4.4 dwelling units/acre. The Project Site was approved in 2008 as an assisted living development with 70 dwelling units (PDP-2008-26). The existing apartments were

approved in the 2011 Preliminary Development Plan for the Mixed-Use Center (PDP-2011-29). The Mixed-Use Center was approved for 106 multi-family units. The table below illustrates the number dwelling units currently approved, the number that will be approved if this application is approved, and the number that will be approved if this application and an amended development plan for the Mixed-Use Center are approved.

	Assisted Living	Mixed-Use Center	Traditions II Apartments	Total
<b>Year Approved</b>	2008	2011	2015	
<b>Number of Dwelling Units (Before this application)</b>	70	106	0	176
<b>Number of Dwelling Units (After this application)</b>	0	106	80	186
<b>Number of Dwelling Units (After amending PDP-2011-29)</b>	0	83	80	163

If this application is approved, staff recommends that the Applicant amend the Mixed-Use Center (PDP-2011-29) to reduce the number of unused multi-family dwelling units to bring the overall Falls Creek Development into compliance with the conditions under which the zone changes were approved.

**Layout:**

The Traditions II Apartments are proposed to consist of ten (10) two-story buildings (2,880 square feet each). Each building will contain eight (8) units. The proposed use and density of the site is consistent with what has been approved for the area; however, there is a waiver being requested regarding the multi-family units.

Access for vehicular and pedestrian traffic to the property is provided from Meadow Lane and Village Park Drive. When Meadow Lane meets the Project Site it will become a private street named Spring Meadow Path. This will wrap around the southern portion of the development, ending when it comes to a T-intersection. Similarly, when Village Park Drive meets the Project Site it will become a private street named Traditions Path, and will run southwards intersecting with Spring Meadow Path.

Dry Run Creek is located to the south of the proposed apartments. There are also existing trees along the southern and western boundaries to be preserved to meet landscaping requirements.

**Parking and Circulation:**

Parking is proposed to be off of the alley to the north as well as through the private drives providing access through the development. Eighty (80) single-bedroom units require 120 parking spaces. The Applicant is showing 126 parking spaces. The applicant is also showing seven (7) handicap spaces, while only five (5) are required.

Internal vehicular circulation will be provided by Spring Meadow Path and Traditions Path. These will both be 24-foot private streets providing access through the apartment complex. A 15-foot alley exists on the northern side of the proposed apartments and will allow only one-way traffic from west to east.

The apartments will provide bike parking within the apartment buildings.

Pedestrian access to the development is provided via the sidewalks along both Village Park Drive and Meadow Lane. Crosswalks have been proposed at the crossing of both ends of the alley to increase pedestrian safety. 5.5-foot sidewalks are proposed throughout the development to provide connectivity between apartment buildings, parking areas, and other portions of the Falls Creek Development.

There are three (3) proposed dumpster locations in the apartment complex. Two (2) of these are located on Spring Meadow Path, and the third is on the southern end of Traditions Path.

### **Landscaping:**

The Applicant has proposed to preserve existing trees along the southern and western boundaries to meet the perimeter landscaping requirements. The western and northern perimeter landscaping will be achieved through the combination of a hedge and trees.

The perimeter Vehicular Use Area (VUA) landscaping requirements are met by a hedge running along Spring Meadow Path. The trees normally required in the VUA perimeter are met by the existing tree lines to be preserved.

The total proposed VUA area is 43,582 ft<sup>2</sup>, making the required interior landscaped area 4,359 ft<sup>2</sup>. The Applicant is showing 5,338 ft<sup>2</sup> landscaped area, which more than meets the required amount. The required trees for the interior landscaped area is thirty-five (35) and the Applicant has shown thirty-five (35) trees for the interior landscaped area.

### **Design Guidelines**

- 1. General principle of architectural style:** The Falls Creek Mixed-Use Center will be designed utilizing classical architectural principles. These principles may be utilized in a variety of design “styles”, such as, but not limited to, Georgian, Federal, and Victorian.
- 2. Façade articulation and detailing**
  - a. Storefront buildings shall provide street level, pedestrian-oriented uses on all street fronts.
  - b. Architectural elements like openings, sills, bulkheads, columns, and other architectural features shall be used to establish human scale at the street level.
  - c. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes on their visible facades.
  - d. Mansard roofs shall have functional dormers which project out from the roof. Dormers shall have a symmetrical gable or hip roof.

- e. All sides of the building shall use materials consistent with those on the front if visible from public streets or neighboring properties, and should be carefully designed with similar detailing, comparable quality, and compatible materials.
- f. All visibly exposed facades should have:
  - i. a recognizable base course consisting of, but not limited to:
    - a. thicker walls, ledges or sills;
    - b. integrally textured materials such as stone or other masonry;
    - c. integrally colored and patterned materials, i.e. smooth finished stone or tile;
    - d. lighter or darker colored materials, mullions, or panels; and planters;
  - ii. a recognizable top consisting of, but not limited to:
    - a. cornice treatments, other than just colored stripes or bands, with integrally textured materials such as stone, masonry, or differently colored materials;
    - b. a roof overhang with brackets;
    - c. stepped parapets;
    - d. a cornice capping the top of a building wall.

### **3. Building Materials**

- b. Quality finish materials shall be utilized. These may include, but need not be limited to:
  - i. brick, masonry, or stone
  - ii. integrally tinted, textured masonry block
  - iii. stucco
  - iv. wood or concrete siding
- c. Where any sloped roofs and structural canopies are used, they shall be covered with:
  - i. asphalt shingles
  - ii. clay tile
  - iii. slate
  - iv. concrete tile
  - v. ribbed metal
  - vi. wood shakes or shingles, provided the roof includes required fire protection
- d. Materials used only on one face of a structure, which give the impression of "thinness" and artificiality, are prohibited.
- e. The color of roof stacks, flashing, vents, power exhaust fans, and metal chimney caps shall blend with the roof colors.

### **4. Window and Door Proportions and Design**

- a. Fenestration shall be architecturally related to the style, materials, colors, and details of the building.
- b. Windows and door openings should be proportioned so that verticals dominate horizontals.
- c. Reflective or highly tinted glass, faux windows, or casement display windows are prohibited.

### **5. Roof form and pitch**

- a. Roofs shall be simple forms such as hip, flat, shed, gable to front, or gable to side, and shall avoid excessive articulation.

## RECOMMENDATION:

Staff recommends **Approval** of the Preliminary Development Plan for ten (10) apartment buildings with eight (8) single-bedroom units each and a ground floor area of 2,880 ft<sup>2</sup> each on the 5.00-acre lot. As part of that approval, staff suggests that the Planning Commission attach the following waiver and conditions:

### Waiver:

1. Allow the transfer of twenty-three (23) unbuilt multi-family dwelling units from the previously approved Falls Creek Mixed-Use Center (PDP-2011-29).

### Conditions of Approval:

1. All requirements of the design guidelines previously approved.
2. Any revisions or amendments to the approved subdivision must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. All applicable requirements of the *Subdivision & Development Regulations*.
4. All applicable requirements of the *Zoning Ordinance*.
5. The Applicant shall provide a lighting and photometric plan along with the Final Development Plan. Lighting shall be directed away from adjoining property and not have any off-site impact.
6. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan. Two control points in the Kentucky North State Plane system are required.
7. The Final Development Plan will require a species specific landscape plan.
8. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan.
9. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the Applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
10. The Applicant shall submit an Amended Development Plan for the Mixed-Use Center previously approved in application PDP-2011-29 showing the reduction in the multi-family units being transferred to this application's Project Site. This minor Amended Development Plan shall be reviewed and approved prior to the approval of the Final Development Plan for PDP-2015-08.

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN/PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED. SITE SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THIS PLAN. ANY DEVIATION FROM THE PLAN, INCLUDING LANDSCAPING, SHALL FIRST BE APPROVED BY THE PLANNING DIRECTOR AND THE COMMISSION ENGINEER. MAJOR MODIFICATIONS OF THE PLAN SHALL BE FIRST APPROVED BY THE PLANNING COMMISSION. STORM DRAINAGE FACILITIES, INCLUDING RETENTION BASINS, SHALL BE MAINTAINED FOR PROPER FUNCTIONING FREE OF ANY DEBRIS, SILT, OR TRASH. A CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED AND THE BUILDINGS SHALL NOT BE OCCUPIED UNTIL ALL SITE IMPROVEMENTS SHOWN ON THE FINAL DEVELOPMENT PLAN AND LISTED IN THESE CONDITIONS ARE EITHER INSTALLED, OR A BOND OR IRREVOCABLE LETTER OF CREDIT IS SUBMITTED TO THE PLANNING DIRECTOR FOR 125% OF THE COST OF THE WORK REMAINING TO BE DONE, AS SUBSTANTIATED BY COST ESTIMATES APPROVED BY THE PLANNING DIRECTOR. LANDSCAPING MUST BE CERTIFIED AS COMPLETE BY THE LANDSCAPE INSPECTOR OR BONDED AS DESCRIBED ABOVE. THERE SHALL BE NO GRADING OR CONSTRUCTION UNTIL THE FINAL DEVELOPMENT PLAN HAS BEEN APPROVED AND SIGNED BY THE PLANNING COMMISSION, EXCEPT AS CONSTRUCTION DRAWINGS ARE APPROVED BY THE PLANNING DIRECTOR FOR SITE DEVELOPMENT. THE BUILDING PERMIT SHALL NOT BE ISSUED UNTIL THE FINAL DEVELOPMENT PLAN IS APPROVED AND SIGNED.

\_\_\_\_\_, 2015

OWNER

**CERTIFICATION OF FIRE DEPARTMENT APPROVAL**

I HEREBY CERTIFY THAT THE DEVELOPMENT PLAN SHOWN HEREON HAS BEEN REVIEWED AND FOUND TO COMPLY WITH THE GEORGETOWN FIRE DEPARTMENT REGULATIONS, INCLUDING AND CONDITIONS OF APPROVAL OR EXCEPTIONS, NOTED HEREON.

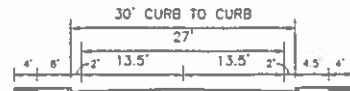
\_\_\_\_\_, 2015

FIRE DEPT. REPRESENTATIVE

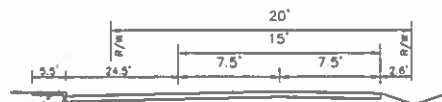
TITLE

**NOTES**

1. ALL PROPOSED LAND USES WILL CONFORM TO R-1C (PUD) REGULATIONS (GEORGETOWN-SCOTT COUNTY ZONING ORDINANCE 4.441).
2. ALL PROPOSED DESIGN STANDARDS WILL CONFORM TO R-1C(PUD) REGULATIONS (GEORGETOWN-SCOTT COUNTY ZONING ORDINANCE 4.443) EXCEPT WHERE SPECIFIC DIMENSIONAL VARIANCES ARE REQUESTED TO FURTHER THE INTENT OF THE ORDINANCE.
3. ALL LANDSCAPING REQUIREMENTS WILL BE MET.
4. APPLICANT WILL WORK WITH GEORGETOWN FIRE CHIEF TO PROVIDE APPROPRIATE FIRE PROTECTION TO BUILDINGS.
5. APPLICANT WILL WORK WITH UTILITY COMPANIES TO PROVIDE APPROPRIATE CONNECTIONS TO BUILDINGS.
6. ALL DUMPSTER LOCATIONS IN THE MIXED USE AREA WILL HAVE A MIN. OF 150 GALLON GREASE TRAP.
7. STORM WATER QUANTITY AND DISCHARGE OUTLET IS NOT REQUIRED FOR THIS AREA AS PER THE DRY RUN STORM STUDY BY THE CITY OF GEORGETOWN. WATER QUALITY CONTROL SHALL BE PROVIDED ON EACH LOT AS THEY ARE DEVELOPED.
8. STORMWATER QUALITY AND INFILTRATION SHALL BE PROVIDED BY USE OF RAINFOREST GARDENS AND PERVIOUS PAVEMENTS IN THE APARTMENT AREA.
9. BIKE PARKING SHALL BE LOCATED IN THE BUILDING FOOTPRINT FOR THE APARTMENTS.
10. ALL NOTES ON THE PREVIOUS DEVELOPMENT PLAN APPLY TO THIS PLAN.
11. THE FLOOD PLAN SHOWN AS PER LETTER OF MAP REVISION EFFECTIVE DATE MAY 29, 2015 FOR FIRM MAP No. 21209C0177C DATE JAN. 8, 2014.



ENTRANCE ROAD  
TYPICAL SECTION A-A  
N.T.S.



ALLEY  
TYPICAL SECTION B-B  
N.T.S.

**AMENDMENT NOTE**

THIS PLAN AMENDS ONLY THE AREA AS DEFINED HEREON. AREAS OUTSIDE OF THE AREA OF AMENDMENT ARE SHOWN FOR GRAPHIC REPRESENTATION ONLY AND ARE NOT TO BE CONSIDERED A PART OF THIS AMENDMENT.

**PURPOSE OF AMENDMENT**

PURPOSE OF THIS AMENDMENT IS TO REVISE THE NUMBER OF BUILDINGS TO 10 WITH 8 UNITS PER BUILDING GIVING A TOTAL NUMBER OF 80 UNITS AND TO REVISE THE PARKING.

**LANDSCAPING STATISTICS**

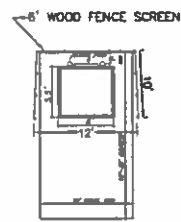
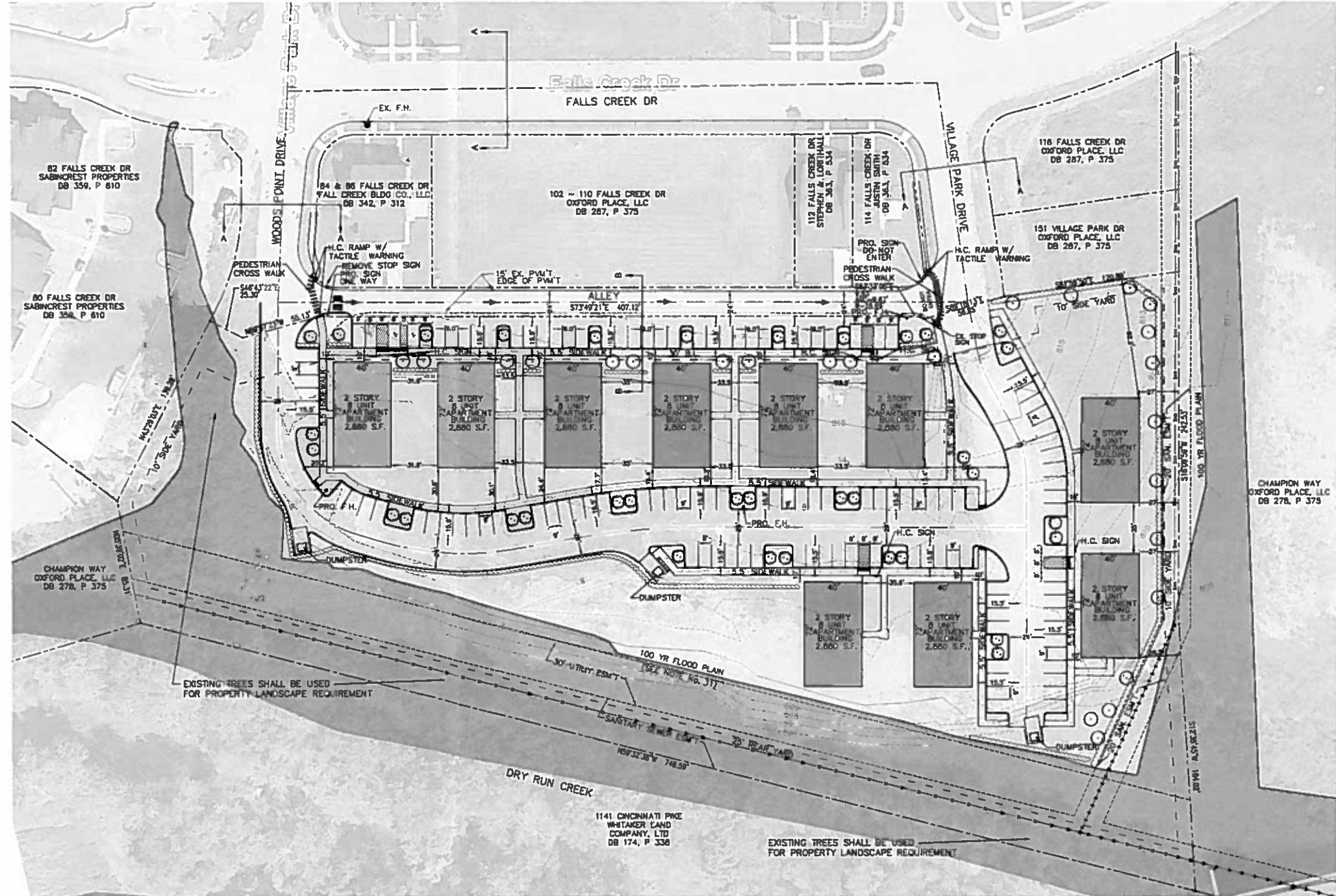
- V.U.A. INT. TREES (30 ea) = 1 3/4" CALIPER (RED MAPLE, THORNLESS HONEY LOCUST, OR EQUAL)
- PROPERTY PERIM. TREES (25 ea) = 1 3/4" CALIPER (PLAYINGFIELD DOGWOOD, EASTERN REDBUD, OR EQUAL)
- V.U.A. & PROPERTY PERIM. HEDGES (3,096 LF) = 3' o.c. (GREEN GEM BOXWOOD - 12" HIGH AT PLANTING)

**SITE SUMMARY**

TOTAL SITE AREA (5.0 ACRES)	217,800 SQ. FT.
ZONED	R-1C(PUD)
BUILDING COVERAGE	28,800 SQ. FT.
MAX. UNITS (16 UNITS/AC)	80 UNITS
PROPOSED UNITS	80 UNITS
NUMBER OF BUILDINGS	10
NUMBER UNITS PER BUILDINGS	8
PROPOSED NUMBER OF 1 BEDROOM UNITS	60
REQUIRED PARKING 1.5 SPACE/UNIT	120
PROPOSED PARKING SPACES	126
REQUIRED HANDICAP SPACES	5
PROPOSED HANDICAP SPACES	7
PARKING V.U.A. AREA	43,582 SQ. FT.
REQUIRED ILA	4,359 SQ. FT.
PROPOSED ILA	5,338 SQ. FT.
REQUIRED ILA TREES	35
REQUIRED ILA TREES	35



VICINITY MAP  
N.T.S.



DUMPSTER DETAIL  
N.T.S.

- LEGEND**
- PROPOSED BUILDING
  - BITUMINOUS ASPHALT PAVT
  - CONCRETE PAVT AND WALKS
  - 881 - EXISTING 1' CONTOUR
  - 890 - EXISTING 5' CONTOUR

OWNER/APPLICANT: OXFORD PLACE, LLC  
ADDRESS: 134 EAST MAIN STREET  
GEORGETOWN KY 40324  
PHONE: 502-863-1736

AMENDED PRELIMINARY DEVELOPMENT PLAN  
TRADITIONS II APARTMENTS  
OXFORD PLACE SUBDIVISION  
VILLAGE PARK DRIVE

GEORGETOWN, SCOTT COUNTY, KENTUCKY

DATE: 03/02/2015  
PROJECT: 8614.0001  
DESIGNED: FRE  
DRAWN: FRE  
CHECKED: GM  
REVISIONS:  
3/19/15 TRC COMMENTS

SHEET  
**PDP1**



CIVIL ■ ENVIRONMENTAL ■ MINING

340 S Broadway • Lexington, KY • 40508 • 859-233-2103 • fax 859-259-3394

**KOCOLENE CONVENIENCE**  
**Staff Report to the Georgetown-Scott County Planning Commission**  
**April 9, 2015**

**FILE NUMBER:** PDP-2015-09

**PROPOSAL:** Preliminary Development Plan for the construction of a 4,250 SF convenience store with gas pumps and parking

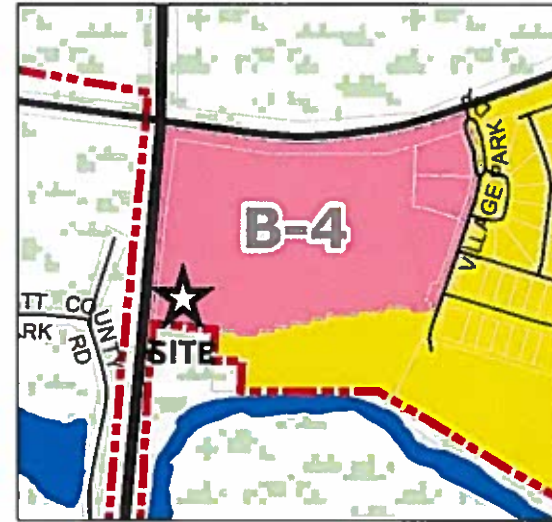
**LOCATION:** Southwest corner of the Falls Creek Development, east of US 25 (Cincinnati Road)

**APPLICANTS:** Oxford Place, LLC  
134 East Main Street  
Georgetown, KY 40324

**ENGINEER:** Fred Eastridge, ECSI, LLC  
340 S. Broadway, Suite 200  
Lexington, KY 40508

**STATISTICS:**

Zone	B-4
Surrounding Zones	B-4 to the east and north; A-1 to the west and south
Acreage	1.3 acres
Water/sewer available	Yes/Yes
Access	Access via Falls Creek Drive & an unnamed street
Waivers Requested	Waiver of 35' maximum building line, reduce interior landscaping trees from 30 to 23, reduce the perimeter trees along US 25 from 5 to 0, and to remove the required street trees.



**BACKGROUND:**

The subject property is a 1.3-acre parcel, zoned B-4. The subject property is located east of US 25 and north of the proposed extension of Falls Creek Drive. The adjacent properties are: B-4 to the east and north, and A-1 to the west and south. The proposed use for the subject property is for a 4,250 ft<sup>2</sup> convenience store with gas pumps and parking. The proposed use is permitted in the B-4 district.

**Layout:**

The Kocolene development is proposed to consist of a 25 foot tall building (4,250 square feet), with an area designated for a 960 ft<sup>2</sup> expansion. Access for vehicular and pedestrian traffic to the property is provided from both Falls Creek Drive and the currently unnamed street along the eastern side of the Project Site. A proposed drive-thru is located on the north side of the convenience store. There are five

proposed gas pumps on the project site, and it will have parking on the south and west sides of the building.

The proposed development will be at a lower elevation than nearby US 25, requiring a retaining wall to be built along the western edge of the vehicular use area (VUA). There is a high pressure gas line running just outside the western property line. There is a proposed water line running along the southern property line of the proposed convenience store. There is a proposed fire hydrant located south of the VUA, but north of the proposed Falls Creek Drive extension

#### **B-4 Design Standards:**

- A. Maximum height: 75 feet. *The proposed building is 25 feet tall.*
- B. Minimum lot size 7,500 ft<sup>2</sup>. *The proposed lot size is 56,628 ft<sup>2</sup>.*
- C. Setbacks of at least 50 feet from the zone perimeter and a maximum setback of 35 feet from the right-of-way. *The perimeter setback has been met, but the maximum setback of 35 feet from the right-of-way has not.*
- D. The area occupied by all the buildings shall not exceed thirty-five percent. *The proposed building with the expansion will occupy just over 9% of the total lot size.*
- E. One parking space provided for every 250 ft<sup>2</sup> of floor area. *Parking requirement has been met.*
- F. No free standing signs shall be allowed except for gas stations and signs at the entrance to the area stating occupants of the zone. *The Applicant is proposing a gas station which is permitted the free standing signs shown on the plan. If the Applicant also wants signage stating the occupants of the zone, staff recommends this be co-located on the free standing sign shown at the southwest corner of the project site.*
- G. Outdoor sales and display is allowed if shown on an approved development plan. *The Applicant has not shown any outdoor sales and display, and has not applied for a conditional use permit for this use.*
- H. Street trees shall be required at a standard of one tree per every 40 lineal feet of the individual property. Placement and maintenance shall be the responsibility of the land owner. *The Applicant has not shown any street trees on the development plan. The water line and numerous intersections and entrances prevent the Applicant from placing street trees at this location.*

#### **Parking and Circulation:**

Parking is proposed to be on the south and west sides of the new building. There are also five proposed parking spaces in the southeast section of the VUA. The vehicle circulation on the north and west sides of the building will be signed as one way. The B-4 zoning district requires one (1) parking space for every 250 ft<sup>2</sup> of floor area. The required parking is 21 spaces, and the Applicant has proposed 26 spaces, with two of those being handicapped parking spaces.

Bicycle access will be the same as motor vehicle access, with bicycle parking provided on the east side of the building.

Sidewalks of six and eight feet in width will provide access from parking spaces to the front door of the convenience store. A sidewalk, four feet in width will provide safe transportation for pedestrians along the streets from the southern entrance wrapping around the eastern side of the Project Site. The

proposed crosswalk striping will increase the safety of pedestrians in both the street and parking lot crossings. The mid-block crosswalk southeast of the Project Site will require extra safety precautions. The Applicant has proposed signs directing vehicular traffic to yield to pedestrians, as well as triangular street markings indicating where vehicles should stop when pedestrians are crossing.

A screened dumpster area is shown on the northeastern side of the building.

**Landscaping:**

The B-4 district requires street trees spaced 40 feet apart, but as discussed previously there are numerous impediments to the installation of these trees.

The 2004 rezoning of the project site included a condition requiring “additional consideration to buffering the commercial zoning at the development plan stage.” The minutes from ZMA-2004-23 indicate the intent was to “preserve the rural nature of the County Park as much as possible.” As a double frontage lot adjoining an arterial, from which the project site does not have access, the Project Site would be required to provide a 10 foot landscaping buffer. However, the high pressure gas line, and additional VUA needed to provide an adequate turning radius for trucks does not allow enough space for this buffer. Instead, the Applicant is proposing a three plank wood fence with a 3 foot tall hedge along US 25.

The perimeter VUA will be screened by a continuous 3 foot tall hedge and group A or B trees spaced 40 feet apart. The perimeter VUA screening has been adjusted to allow adequate sight distance at all entrances to the project site.

The proposed VUA at the project site is 37,163 ft<sup>2</sup>, which requires 3,716 ft<sup>2</sup> of landscaped area. The Applicant meets this requirement by providing 3,850 ft<sup>2</sup> of landscaped area. The *Landscape Ordinance* requires thirty (30) trees be planted in this interior landscaped area, but the Applicant is proposing to plant twenty-three (23). The Applicant is requesting a waiver to the remaining 7 trees, which is understandable given the difficulties of fitting these trees into the provided area.

**RECOMMENDATION:**

Staff recommends **Approval** of the Preliminary Development Plan for the 4,250 square foot convenience store with gas pumps and parking on the 1.3-acre lot. As part of that approval, staff suggests that the Planning Commission attach the following variance and conditions:

Variance/Waiver:

1. Waive the 35' maximum building line
2. Variance to reduce the interior landscaping trees from thirty (30) to twenty-three (23)
3. Variance to reduce the required trees along US 25 from five (5) to zero (0)
4. Variance to reduce the required street trees to zero

Conditions of Approval:

1. Any revisions or amendments to the approved development must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
2. All applicable requirements of the *Subdivision & Development Regulations*.
3. All applicable requirements of the *Zoning Ordinance*.
4. The Applicant shall provide a lighting and photometric plan along with the Final Development Plan. Lighting shall be directed away from adjoining property and not have any off-site impact.
5. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan. Two control points in the Kentucky North State Plane system are required.
6. The Final Development Plan will require a species specific landscape plan.
7. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan.
8. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the Applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
9. If the Applicant wishes to install a freestanding sign stating the occupants of the zone, it shall be co-located on the freestanding sign for the gas station at the intersection of US 25 and Falls Creek Drive.
10. The unnamed street to the east of the proposed convenience store shall be named according to the *Street Name and Numbering Guide* and the proper application shall be filed through the Planning Staff (GIS Department).

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN/PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED. SITE SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THIS PLAN. ANY DEVIATION FROM THE PLAN, INCLUDING LANDSCAPING, SHALL FIRST BE APPROVED BY THE PLANNING DIRECTOR AND THE COMMISSION ENGINEER. MAJOR MODIFICATIONS OF THE PLAN SHALL BE FIRST APPROVED BY THE PLANNING COMMISSION. STORM DRAINAGE FACILITIES, INCLUDING RETENTION BASINS, SHALL BE MAINTAINED FOR PROPER FUNCTIONING FREE OF ANY DEBRIS, SILT, OR TRASH. A CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED AND THE BUILDINGS SHALL NOT BE OCCUPIED UNTIL ALL SITE IMPROVEMENTS SHOWN ON THE FINAL DEVELOPMENT PLAN AND LISTED IN THESE CONDITIONS ARE EITHER INSTALLED, OR A BOND OR IRREVOCABLE LETTER OF CREDIT IS SUBMITTED TO THE PLANNING DIRECTOR FOR 125% OF THE COST OF THE WORK REMAINING TO BE DONE, AS SUBSTANTIATED BY COST ESTIMATES APPROVED BY THE PLANNING DIRECTOR. LANDSCAPING MUST BE CERTIFIED AS COMPLETE BY THE LANDSCAPE INSPECTOR OR BONDED AS DESCRIBED ABOVE. THERE SHALL BE NO GRADING OR CONSTRUCTION UNTIL THE FINAL DEVELOPMENT PLAN HAS BEEN APPROVED AND SIGNED BY THE PLANNING COMMISSION, EXCEPT AS CONSTRUCTION DRAWINGS ARE APPROVED BY THE PLANNING DIRECTOR FOR SITE DEVELOPMENT. THE BUILDING PERMIT SHALL NOT BE ISSUED UNTIL THE FINAL DEVELOPMENT PLAN IS APPROVED AND SIGNED.

2015

**CERTIFICATION OF PRELIMINARY PLAN APPROVAL**

I HEREBY CERTIFY THAT THE PRELIMINARY DEVELOPMENT PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTIONS OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL DOES NOT CONSTITUTE APPROVAL TO BEGIN CONSTRUCTION OR OBTAIN A BUILDING PERMIT.

2015

**CHAIRMAN, GSCPC**

**CERTIFICATION OF FIRE DEPARTMENT APPROVAL**

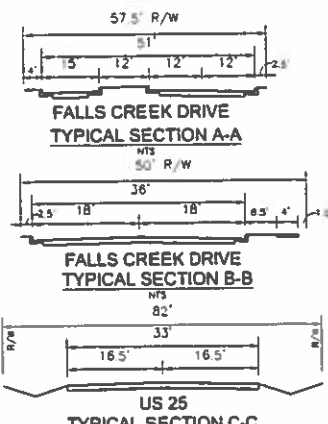
I HEREBY CERTIFY THAT THE DEVELOPMENT PLAN SHOWN HEREON HAS BEEN REVIEWED AND FOUND TO COMPLY WITH THE GEORGETOWN FIRE DEPARTMENT REGULATIONS, INCLUDING AND CONDITIONS OF APPROVAL OR EXCEPTIONS, NOTED HEREON.

2015

FIRE DEPT. REPRESENTATIVE TITLE

**NOTES**

- ALL PROPOSED LAND USES WILL CONFORM TO B-4 REGULATIONS (GEORGETOWN-SCOTT COUNTY ZONING ORDINANCE 4.441).
- ALL PROPOSED DESIGN STANDARDS WILL CONFORM TO B-4 REGULATIONS (GEORGETOWN-SCOTT COUNTY ZONING ORDINANCE 4.443) EXCEPT WHERE SPECIFIC DIMENSIONAL VARIANCES ARE REQUESTED TO FURTHER THE INTENT OF THE ORDINANCE. REQUESTED VARIANCES FROM B-4 PERIMETER SETBACKS WILL BE OFFSET WITH ADDITIONAL SCREENING AND BUILDING DESIGN TO MINIMIZE THE IMPACT OF VARIANCES.
- THE ACCESS POINT ONTO U.S. 25 AT THE WESTERN EDGE OF THE PROPERTY WILL BE FULL ACCESS.
- ALL DRIVES ARE 2-WAY, MAIN DRIVES AS DETERMINED BY THE GEORGETOWN FIRE CHIEF SHALL BE A MINIMUM OF 25' WIDE; ALL OTHERS ARE A MINIMUM OF 24' WIDE.
- ALL LANDSCAPING REQUIREMENTS WILL BE MET, EXCEPT FOR THE VARIANCES REQUESTED.
- APPLICANT WILL WORK WITH GEORGETOWN FIRE CHIEF TO PROVIDE APPROPRIATE FIRE PROTECTION TO BUILDINGS.
- APPLICANT WILL WORK WITH UTILITY COMPANIES TO PROVIDE APPROPRIATE CONNECTIONS TO BUILDINGS.
- SIGNAGE WILL CONFORM TO B-4 STANDARDS AND WILL INCLUDE PROJECTING, OR "SHINGLE", SIGNS FROM EACH SEPARATE USE. DIRECTORY AND DEVELOPMENT ORIENTATION SIGNS WILL ALSO BE NECESSARY.
- DRIVE-THRU ACCESS AND STACKING SPACE IN THE MIXED USE AREA WILL BE DESIGNED FOR SAFETY AS WELL AS CONVENIENCE.
- VOLUNTARY DEVELOPMENT AND ARCHITECTURAL GUIDELINES AND ARCHITECTURAL STANDARDS WILL BE ADOPTED FOR THIS PROJECT. A DETAILED DEVELOPMENT HANDBOOK WILL BE PROVIDED TO THE COMMISSION.
- ACCURATE LOADING AND UNLOADING SPACE WILL BE PROVIDED FOR ALL USES.
- DUMPSTER LOCATION WILL HAVE A MIN. OF 150 GALLON GREASE TRAP.
- ENCROACHMENT PERMIT MUST BE OBTAINED FROM KDOT DISTRICT 7 FOR US 25 ENTRANCE AND TURN LANES PRIOR TO FINAL DEVELOPMENT PLAN APPROVAL.
- THE GAS LINE LOCATED ALONG US 25 IS SUBJECT TO ALL RESTRICTIONS AS RECORDED IN DB158 PG 464.
- STORM WATER QUANTITY AND DISCHARGE OUTLET IS NOT REQUIRED FOR THIS AREA AS PER THE DRY RUN STORM STUDY BY THE CITY OF GEORGETOWN. WATER QUALITY CONTROL SHALL BE PROVIDED ON EACH LOT AS THEY ARE DEVELOPED.
- THE ORIGINAL DESIGN GUIDELINES FOR FALLS CREEK AS REQUIRED IN PDP-2007-32, WILL APPLY TO THIS AMENDMENT.
- STORMWATER QUALITY AND INFILTRATION SHALL BE PROVIDED BY USE OF RAIN GARDENS, PERVIOUS PAVEMENTS OR MECHANICAL WATER QUALITY UNITS.
- THIS DEVELOPMENT PLAN MAY BE AMENDED WITH THE APPROVAL OF THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION.
- ALL NOTES ON PREVIOUS APPROVED DEVELOPMENT PLANS APPLY TO THIS PRELIMINARY DEVELOPMENT PLAN.



**AMENDMENT NOTE**  
THIS PLAN AMENDS ONLY THE AREA AS DEFINED HEREON. AREAS OUTSIDE OF THE AREA OF AMENDMENT ARE SHOWN FOR GRAPHIC REPRESENTATION ONLY AND ARE NOT TO BE CONSIDERED A PART OF THIS AMENDMENT.

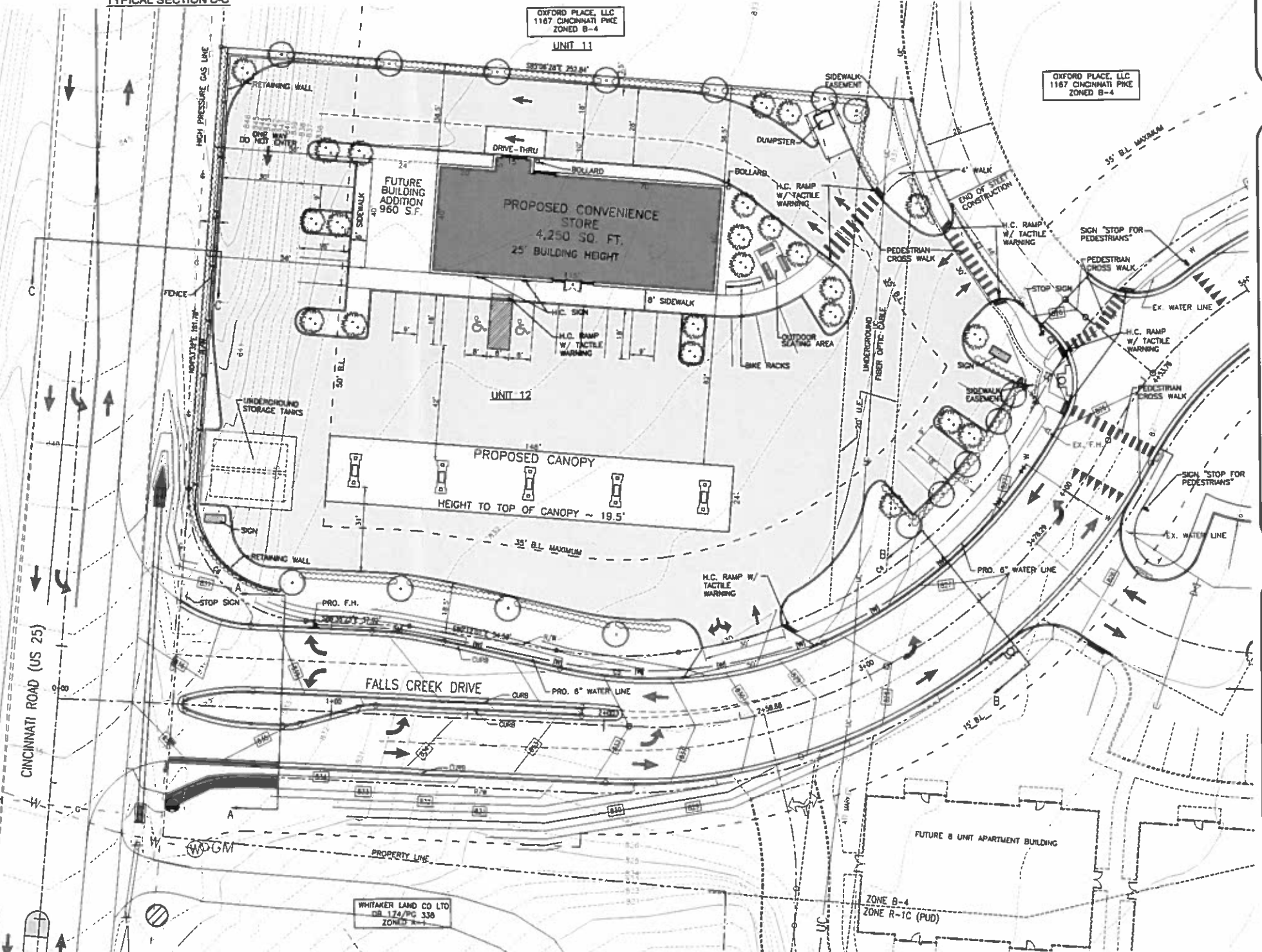
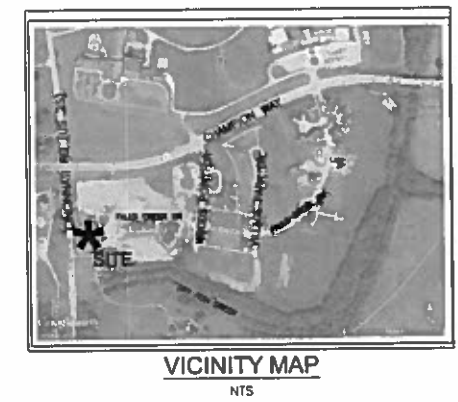
**PURPOSE OF AMENDMENT**  
PURPOSE OF THIS AMENDMENT IS TO REVISE THE DEVELOPMENT ON UNIT 12 TO INCREASE THE BUILDING FROM 3,600 S.F. TO 4,250 S.F., TO ADD A FUTURE 960 S.F. BUILDING ADDITION AND TO REMOVE THE CAR WASH.

**WAIVERS REQUESTED**

- WAVE THE 35' MAXIMUM BUILDING LINE ALONG FALLS CREEK DRIVE.
- REDUCE THE NUMBER OF INTERIOR LANDSCAPE TREES FROM 30 TO 23.
- REDUCE THE PERIMETER LANDSCAPE TREE REQUIREMENT ALONG US 25 (CINCINNATI ROAD) FROM 5 TREES TO 0 TREES DUE TO THE LOCATION OF THE EXISTING GAS LINE.

**SITE SUMMARY**

TOTAL SITE AREA (1.3 ACRES)	56,628 SQ. FT.
ZONED	B-4
NUMBER OF BUILDINGS	1
BUILDING COVERAGE	4,250 SQ. FT.
FUTURE BUILDING COVERAGE	960 SQ. FT.
REQUIRED PARKING 1 SPACE / 250 S.F.	21 SPACES
PROPOSED PARKING SPACES	26
REQUIRED HANDICAP SPACES	2
PARKING V.U.A. AREA	37,163 S.F.
REQUIRED ILA (10%)	3,716 S.F.
PROPOSED ILA (10.4%)	3,850 S.F.
REQUIRED V.U.A. TREES (2/250 S.F.)	30
PROPOSED V.U.A. TREES	23

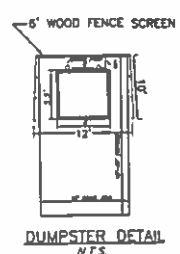


**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
CT	98.18	163.00	33°48'28"	S 29°12'18" E	84.79
C1	0.80	25.07	17°44'23"	S 35°26'40" E	0.72
C2	20.36	175.00	6°29'25"	S 17°49'25" E	20.34
CC	163.40	175.00	17°13'00"	S 32°38'00" E	158.89
CD	64.75	150.00	17°05'30"	S 89°44'45" E	44.58
CB	171.88	45.00	91°31'53"	S 40°32'25" E	64.48

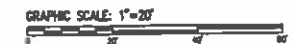
**LANDSCAPING STATISTICS**

- V.U.A. INT. TREES (33 eq.) - 1 3/4" CALIPER (RED MAPLE, THORNTREE, HONEY LOCUST, OR EQUAL)
- V.U.A. PERM. TREES (16 eq.) - 1 3/4" CALIPER (FLOWERING DOGWOOD, EASTERN REDBUD, OR EQUAL)
- V.U.A. PERM. HEDGE (753 L.F.) - 5' h.c. (GREEN OIL SHEDWOOD - 12" HIGH AT PLANTING)



OWNER: OXFORD PLACE  
ADDRESS: 134 EAST MAIN STREET  
GEORGETOWN KY 40324  
PHONE: 502-863-1736

APPLICANT: KOCOLENE DEVELOPMENT CORP.  
c/o GARY MYERS  
ADDRESS: 2060 1ST AVENUE  
SEYMOUR IN 47274  
PHONE: 812-522-2224 X 259



**ECSI, LLC**  
CIVIL ■ ENVIRONMENTAL ■ MINING  
340 S Broadway • Lexington, KY • 40508 • 859-233-2103 • fax 859-259-3394

AMENDED PRELIMINARY DEVELOPMENT PLAN  
FALLS CREEK MIXED-USE CENTER  
KOCOLENE CONVENIENCE STORE ~ UNIT 12  
CINCINNATI ROAD (US 25)

GEORGETOWN, SCOTT COUNTY, KENTUCKY

PDP-2015-09

DATE: 03/02/2015

PROJECT: 9171.0001

DESIGNED: FRE

DRAWN: FRE

CHECKED: DM

REVISIONS: 3/19/15 TRC COMMENTS

SHEET  
**PDP1**