

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

AGENDA

OCTOBER 14, 2021

6:00 p.m.

I. COMMISSION BUSINESS

- A. Approval of September invoices
- B. Approval of September 9, 2021 minutes
- C. Approval of October agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. OLD BUSINESS

- A. FSP-2021-25 Fairfield Farm Subdivision - POSTPONED
- B. ZMA-2021-29 Finley Property Zone Change - Zoning Map Amendment to change the zoning district from A-1 to B-4 & R-2 located at 1202 Old Oxford Road. PUBLIC HEARING

III. NEW BUSINESS

- A. ZMA-2021-30 3364 Main Street - Zoning Map Amendment to change the zoning district from B-1 to B-3 located at 3364 Main Street, Stamping Ground. PUBLIC HEARING
- B. FSP-2021-31 Sozo Church - Amended Final Subdivision Plat to transfer and consolidate two preserved tracts in a cluster subdivision located at 2911 Leestown Road.
- C. FSP-2021-32 Bruin Property - Final Subdivision Plat to subdivide one (1) 5.0-acre tract from a parent tract of 77 acres located at 761 Gaines Road.
- D. FSP-2021-33 Midas of Georgetown - Final Development Plan for a 320 square foot storage building located at 107 Finley Drive.
- E. ZMA-2021-34 Leaf & Barrel - Zoning Map Amendment to change the zoning district from A-1 to B-1 located at 1442 Delaplain Road. PUBLIC HEARING
- F. ZMA-2021-35 Regal Springs Senior Community - Zone change request for 54.86 acres from A-1 to R-2 (PUD) and C-1 (Conservation) located north side of Frankfort Road, east of Paynes Landing subdivision. PUBLIC HEARING
- G. ZMA-2021-36 R & L Carriers - Zoning Map Amendment to change the zoning district from A-1 to I-1 located south of Cherry Blossom Way Spur, west of the railroad and east of I-75. PUBLIC HEARING

IV. OTHER BUSINESS

- A. Update of Previously Approved Projects and Agenda Items

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
September 9, 2021

The regular meeting was held in the Scott County Courthouse on September 9, 2021. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners Steve Smith, James Stone, Charlie Mifflin, Duwan Garrett, Mary Singer and Dann Smith, Director Joe Kane, Planners Matt Summers and Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioner David Vest.

Motion by S. Smith, second by Stone, to approve the August invoices. Motion carried.

Motion by D. Smith, second by Garrett, to approve the August 12, 2021 minutes. Motion carried.

Motion by Mifflin, second by S. Smith, to approve the September agenda. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins individually prior to their comments and questions.

Postponements/Withdrawals

Chairman Sulski stated that the application for Fairfield Farm Subdivision (FSP-2021-25) and Finley Property Zone Change (ZMA-2021-29) were postponed until the next regularly scheduled meeting.

FSP-2021-27 Jacobs Property – Final Subdivision Plat to subdivide one (1) 18.199-acre tract leaving a remainder of 320 acres located at 157 Green Lane.

Mr. Summers stated the site is on Green Lane, but the farm also touches Old County Lane. He stated the access would be from Old County Lane. He stated Old County Lane is a private road and is already serving more than three lots. He stated the applicant has agreed to abandon the right to use Old County Lane for the remainder of the farm.

He stated a maintenance agreement is in place for Old County Lane. He stated staff would prefer this lot to be included in the maintenance agreement but cannot force the issue.

John Watz, attorney for applicant, stated the main issue is the maintenance agreement from 1989 for the road.

Whitney Pate, 129, 149, and 169 Old County Lane, stated his family owns the left side of the road. He stated his main concern is the maintenance and the extra traffic.

Mr. Perkins stated that a maintenance agreement is a private matter.

Commissioner Mifflin questioned if requiring the new owner to join the maintenance agreement could be part of the sale. It was stated Mr. Watz could add that to the sale of the property.

Danny Judd, 401 Duvall Station Road, stated if the owner of the property would not support joining the maintenance agreement that maybe they should look at other properties.

After further discussion, **Motion by Garrett, second by Singer to approve the Final Subdivision Plat (FSP-2021-27) subject to six (6) conditions of approval. Motion carried.**

PDP-2021-28 Community Trust Bank – Preliminary Development Plan for a bank on an out lot in the Amerson Farms Commercial area located on Amerson Way.

Mr. Kane stated the commercial area was approved in 2017. He stated he is asking for approval of the subdivision plat as well as the preliminary development plan due to the subdivision plat expiring under the sunset clause.

He stated the location is zoned B-4. He stated the applicant is requesting a variance to the interior frontage setbacks.

He stated staff is requesting a cross access easement with the adjoining lot and a pedestrian walkway from the right-of-way to the building entrance. He stated staff added another condition that Amerson Way be constructed to provide site access prior to platting the lot.

He stated the site is in the Royal Spring aquifer area and will need approval from the Royal Spring Wellhead committee.

Commissioner Mifflin asked for clarification for the sidewalk and pedestrian walkway location.

Steve Maggard, Summit Engineering, stated the applicant feels the cross-access easement could cause a concern over safety since it is a bank.

After further discussion, **Motion by Singer, second by Stone to approve the Preliminary Development Plan (PDP-2021-28) subject to ten (10) conditions of approval and an additional condition that they be subject to review of the Royal Springs Aquifer Recharge Committee and one variance. Motion carried.**

ZMA-2021-12 Singer Property – Zoning Map Amendment to change the zoning district from A-1 to R-2 PUD located at 822 Cincinnati Road.

Chairman Sulski opened the public hearing.

Commissioner Singer recused herself from this application.

Nathan Billings, attorney for Clint Bevins, requested a motion that the Chairman limit all testimony concerning the money the applicant spent on the zone change and the prior projects that the applicant has done.

Dick Murphy, attorney for Anderson Communities, stated that in court when a motion is made notice is given to the other party in advance. Mr. Murphy stated that showing previous projects is relevant to the application.

Mr. Billings stated that previous projects and cost is appropriate for the development plan stage not at a zone change.

Mr. Murphy stated the concept plan is a type of development plan and the ordinance does not say that previous projects cannot be discussed.

Mr. Perkins stated the reason a zone change may be warranted is based upon the testimony relevant to KRS 100.213.

Mr. Murphy requested a motion that testimony related to access connections be limited.

Mr. Billings stated that he does not intend to discuss location of an access connection to Mr. Bevins property but that a requirement of connectivity with right-of-way is considered.

Mr. Summers stated the application is for an approximately 57-acre zone change. The concept plan shows 7 acres as right-of-way and the remainder as lots, multi-family, and open spaces. He stated the application is for 581 residential units which include 74 single family lots, 151 townhomes, 266 apartments and 90 senior apartments.

He stated the north and south properties remain zoned A-1. He stated to the east of the property is Cardome and to the west is The Colony neighborhood.

He stated the comprehensive plan shows the area urban residential.

He stated access would be from Cincinnati Pike (US 25) with a stub shown to the north and towards the Cardome property.

He stated staff's main concern is the additional traffic the development would create. He presented slides of the traffic study submitted by the applicant. He stated the Comprehensive Plan calls for the transportation network to be at a level C or better. He stated the biggest impact would be to Cincinnati Road and Colony Boulevard. He stated limiting the development to 150 units until a second intersection

with a public road is created would help as well as the applicant constructing right and left turn lanes on US 25 for the entrance. He stated a left turn lane being constructed for vehicles turning northbound onto US 25 from Colony Boulevard and the applicant pursuing other traffic connections would help traffic flow.

He stated the Comprehensive Plan has shown the area being removed from agricultural use and becoming urban residential for several updates of the Comprehensive Plan. He stated many of the goals and objectives of the Comprehensive Plan are supported by this application.

He stated staff's main concerns are the lack of traffic connectivity and the traffic study level of service for vehicles exiting the development.

He stated the concept plan does not follow the Subdivision and Development Regulations by proposing more residential units than is allowed with only one entrance. He recommended limiting the applicant to 150 dwelling units until a second connection is made.

Mr. Murphy, representing Anderson Communities, stated the PUD zoning will allow for more open space.

Dennis Anderson, applicant, stated that there will be two lanes to exit the development. He stated that the single-family homes will face the original home on the property with rear access to the homes. He described how the units will look and the amenities the community will offer.

Mr. Murphy stated they are stub streets to the Brown property and Cardome. He stated a right-of-way will be built to the Bevins property. He stated when they went to KYTC they were denied having two entrances onto Cincinnati Pike (US 25).

He stated they discussed with KYTC about having an emergency entrance and will have access to the Singer property with a gate that can be used if needed.

He stated the proposed entrance location has a service letter C. He stated if Colony Boulevard had a turn lane, and the proposed development was built, it would function better than it does now.

He stated the traffic since 2017 has went down on US 25.

He stated the applicant has a concern that he cannot fully build out the development with the recommended conditions.

He stated they compared their application to the recent Harbor Village application and feel they have similar amount of traffic visits.

He stated they have worked with the Bevins property to assure access to the property. He stated they have reserved a 50-foot piece of land that could be a future road.

He stated they agreed to additional landscaping and buffering. He stated they also reduced the height of the apartment building closest to the Bevins to two stories.

He stated what they did not do, as requested by Bevins, was move the senior apartments to a different location.

He stated the applicant had concern for staff not supporting the smaller lot sizes and size of the apartment buildings.

He stated the application meets comprehensive plan requirements for housing.

Commissioner Smith questioned if the applicant would commit to constructing a sidewalk along the front of the property. Mr. Anderson agreed that he would construct a sidewalk.

Chairman Sulski questioned the location of the emergency access to the property. He questioned if that access would meet the requirement to allow the applicant to build more than the 150 units. Mr. Summers stated that the Singer property would be for emergency use only.

Commissioner Smith questioned if language will be on the plat to dedicate a right-of-way to the Bevins property. Mr. Murphy stated that would be included on the plat.

Commissioner Mifflin questioned if the Brown property develops would KYTC approve an entrance onto US 25. Mr. Krebs stated KYTC will review and probably would approve an entrance.

Commissioner Mifflin questioned if the applicant had any discussions with Cardome regarding access. Mr. Anderson stated he had talked to Cardome three times.

Commissioner Mifflin questioned how far of distance on Colony Boulevard would be needed to add a left turn lane. Eddie Mesta, Prime Engineering, stated you would need 5 to 6 car lengths to add a left turn lane out of the Colony and that part of the median would have to be removed.

Commissioner Mifflin questioned if there have been discussions with Bevins family regarding the right-of-way. Mr. Anderson stated that Mr. Murphy and Mr. Billings have had discussions.

Mr. Billings stated that the Bevins family is not opposed to the zone change. He stated that the surrounding properties would be affected by the decision to approve a zone change. He stated that he plans to show that the zone change should be denied until a development plan is submitted.

Zach Cato, Billings Law Firm, stated that the issue is whether the application meets the criteria of the comprehensive plan. He stated that it does not but that it could.

He stated there is no public roadway connected to the Bevins property. He stated without a roadway that land could become landlocked.

He stated that the application does not meet the comprehensive plan without more information being provided.

He stated the Bevins property is bound by the creek, and they must go through the Cardome property for access to their property. He stated the proposed access limits future access to their property if they were to develop the property.

He stated they are requesting a public right-of-way to the Bevins property as well as a landscape buffer to the south between the properties.

Mr. Billings stated that he is requesting a condition of approval that dedicates right-of-way in a reasonable area for the Bevins property.

He stated he submitted a motion for the Planning Commission to approve the zone change but with conditions that address connectivity.

Chairman Sulski questioned Mr. Murphy if the connectivity can be made.

Mr. Billings stated that the location is an issue but can be addressed at the development plan stage.

He stated that the landscape buffer is also an issue.

Mr. Murphy stated that the applicant is willing to provide landscape buffering.

Ann Bevins, local historian, stressed that connectivity has always been a part of history.

Clint Bevins, 804 Cincinnati Pike, stated Mr. Anderson never contacted him until he hired Mr. Billings. He stated that he did meet with him. He stated he will be able to see the apartment buildings from his home. He stated that apartments do not belong on farmland.

Commissioner Mifflin questioned Mr. Bevins if he had developed his farm how he would have had access. Mr. Bevins replied that he always felt that it would be developed with the Singer property. Mr. Bevins stated that Cardome has always been generous in letting his family go through the Cardome property. He stated he did not have any access problems until he retained council regarding the zone change.

Mr. Billings stated he met with Mayor Prather and asked if the City would ever make a permanent access to the property and was told there is no plan at this time.

Stuart Thayer, 133 Keelridge Drive, stated that Anderson Communities never discussed the plan with him. He stated he found out by seeing the geotechnical crew in the field.

He stated he had concern about the traffic in the area and disagreed with the Traffic Study.

He questioned if a study had been done on the sinkholes on the property.

He stated when he bought his property, he was assured by Mr. Singer that the property would never be developed since it was a family farm. He stated if the zone change is approved, he requests fencing and buffering be installed along the property line.

Yvonne Thayer, 133 Keelridge Drive, stated her home backs up to the proposed application. She stated she has concern about the lights from the neighboring apartments and the ongoing traffic problems in the area. She stated she does not want to see homes behind her home.

Margaret Bevins, 804 Cincinnati Pike, stated she has concern about the apartment building and the proximity of the utility line easement and where a buffer could be located.

Harry Dadds, representing Cardome, stated that he has spoken to Mr. Anderson several times. He stated the Catholic Diocese own the property and would have to approve access through the property. He stated the senior center, school, and a gas easement all are located on the north end of the property closest to the proposed zone change.

Chairman Sulski closed the public hearing.

Commissioner Smith questioned Mr. Billings the meaning of item E on his motion. Mr. Billings stated that is to address if US 25 is ever expanded. Mr. Murphy stated there is 150' of green space along US 25 to accommodate future expansion.

Mr. Murphy stated that item G on Mr. Billings motion is not needed. He stated Mr. Anderson will give the land on the plat for the right-of-way.

He stated that Mr. Anderson has said he will have a landscape buffer.

He stated that Mr. Anderson will address any problems but still wants to be able to build 581 units.

Commissioner Smith questioned if staff and Mr. Anderson agrees with Mr. Billings proposals. Mr. Murphy stated Mr. Anderson agrees with the motions except 1B.

Mr. Billings stated that a stub street to the property line should be in place instead of donating the right-of-way land for future connectivity.

Mr. Murphy requested that the condition limiting the number of units to 150 be removed. He requested that the number of trips a single-family home would generate be the amount of units instead of 150 units.

Mr. Perkins stated that the number of units should be addressed at the development plan stage.

After further discussion, **Motion by Mifflin, second by Garrett to recommend approval of the rezoning request (ZMA-2021-12) on the basis that it complies with the comprehensive plan. Motion carried unanimously.**

Chairman Sulski adjourned the meeting.

Attest:

Mark Sulski, Chairman

Charlie Perkins, Secretary

FINLEY PROPERTY ZONING MAP AMENDMENT

Staff Report to the Georgetown-Scott County Planning Commission OCTOBER 14, 2021

FILE NUMBER: ZMA-2021-29

PROPOSAL: Zoning Map Amendment to change the zoning district from A-1 to B-4 & R-2.

LOCATION: 1202 Old Oxford Road

APPLICANT: Henry Finley

CONSULTANT: Fred Eastridge
Thoroughbred



STATISTICS:

Current Zone	A-1 (Agricultural)
Proposed Zone	B-4 (Community Commercial) & R-2 (Medium Density Residential)
Surrounding Zone(s)	A-1, R-2, & B-2
Site Acreage	Total: 28.7 acres (Proposed R-2: 18.76 acres; Proposed B-4: 9.94 acres)
Concept Residential	142 Residential Units (3 Bedroom Units: 32; 2 Bedroom Units: 110)
Net Density	7.57 units/net acre
Access	Old Oxford Road

BACKGROUND:

The Project Site is a 28.7-acre tract on the east side of Old Oxford Road. The Project Site is north of the Bluegrass RV Storage site and west of the Rocky Creek neighborhood.

The Project Site is located outside city limits, and staff recommends that any zone change to an urban residential zoning district be conditioned upon the property being annexed into the City of Georgetown.

Concept Plan Review:

The Concept Plan demonstrates that the site has sufficient commercial space to potentially be developed with a variety of different uses. Staff does note that any future Development Plans for the site will need to consider the maximum setback the B-4 district requires for buildings fronting on a public road. This maximum building setback is part of the design of this district to allow it to be more walkable and have vibrant character.

The Concept Plan shows proposed improvements along Old Oxford Road to account for turning lanes to allow traffic to safely enter the development. As a commercial and multi-family residential development requiring road improvements to Old Oxford Road, those improvements should bring the roadway up to an urban standard consistent with the proposed uses. With those roadway improvements, the typical section for Old Oxford Road should be 12 feet wide lanes to match urban standards with curb, gutter, and sidewalk.

Staff would prefer for the main ingress/egress road be a public street up to where it intersects with the reserved right-of-way for a potential Magnolia Drive extension.

The residential portion of the Concept Plan shows a townhouse development arranged along a grid pattern of private streets. Section 1000 (P)(7) of the *Subdivision & Development Regulations* requires multi-family developments to provide an additional entrance intersection for more than 100 units. The Concept Plan does not meet this requirement. Some consideration should be given at the development plan stage of any residential development for the aesthetics of the sides and rears of the units that face streets.

The Concept Plan also does not meet *Subdivision & Development* requirements for pedestrian access. Any future development plans will need to provide sidewalks on both sides of all private and public streets in accordance with Section 1000 (G).

Traffic Study

The Applicant had a Traffic Impact Study performed by Adam Kirk Engineering. The study may have been performed by a qualified professional but does not have a stamp signifying that it was performed or reviewed by a licensed engineer. The study was submitted on September 29th looking at these intersections:

1. Old Oxford Road at Magnolia Drive,
2. Old Oxford Road at Connector Road,
3. Connector Road at Bluegrass RV Storage Entrance, and
4. Old Oxford Road at the Project Site Entrance.

The traffic study assumes a 2021 build-out and does not analyze how traffic patterns or volumes may shift in the coming years. Traffic Impact Study Guidelines posted on the Planning Commission's website call for these types of studies to perform analysis on the existing/base year, the opening year of the proposed project, and the buildout/completion of the project. Staff is skeptical that construction will begin on the Project Site this calendar year, much less that the site will be built-out this year. The traffic study should be amended to include projections into the future for the anticipated completion of the first phase of development and the eventual buildout of the Project Site.

Table 1: Trips Generated by the Project Site

	Entering	Exiting	Total Trips
AM Peak Hour Trips	239	212	451
PM Peak Hour Trips	294	267	561

The table above (Table 1) shows the anticipated AM & PM peak hour trips generated by the development when built out.¹ These trips are based on the ITE Trip Generation Handbook, and they account for the variety of commercial uses shown on the Concept Plan as well as assuming the residential portion of the property will have similar traffic impacts as low-rise apartments.

Staff has concerns that the trips generated shown on Tables 1 & 2 of the Traffic Impact Study do not match those shown in Figure 5. The reduced volumes shown in Figure 5 were entered into the model to determine the delays and level of service. These reduced volumes lead staff to question the reliability of the Level of Service (LOS) and per vehicle delay information provided by the report.

Staff recommends the application be postponed until staff receives an updated Traffic Impact Study stamped by an engineer licensed in Kentucky.

LEGAL CONSIDERATIONS:

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

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: The Comprehensive Plan provides guidance for consideration of zone change requests. With this plan, there are elements of the Comprehensive Plan that both support and oppose the zone change and concept plan. The Comprehensive Plan's Future Land Use (FLU) Map shows the subject property having a Commercial future land use along Old Oxford Road and an Urban Residential future land use on the rear of the property. This FLU designation supports, among other things "residential uses." This designation states, "...the merits of any specific zone change application will be reviewed to determine the appropriate infill and density for the precise locations and purposes."² Outside of designating areas for High-Density Residential, the Comprehensive Plan does not make a specific density recommendation in the Future Land Use Map for Urban Residentially designated properties. This designation indicates the property is appropriate for a residential density of more than 1 dwelling per 5 acres.

¹ This data is from the Traffic Impact Study performed by Adam Kirk Engineering.

² Georgetown – Scott County Comprehensive Plan, Pg. 49

The Project Site is in the Connector Road/Old Oxford Neighborhood Center Area³ identified in the Comprehensive Plan. This neighborhood center calls for additional connectivity, particularly through the extension of Magnolia Drive. The appropriate land uses in this area are described as being a mix of commercial and residential uses. The plan calls for commercial development in the area to be developed in a manner consistent with the B-4 zoning district. This district places an emphasis on pedestrian oriented development by bringing the buildings closer to the street and locating the motor vehicle parking away from road frontages. The neighborhood center also identifies this area as being appropriate for a library branch, park, or other civic node. The Applicant should consider contacting the library to see if there are plans for an additional branch in this area.

The appropriate density for this site should be determined by examining the Project Site and the context in which it exists. The Project Site is greenfield site located between the Old Oxford Road/Connector Road (KY 2906) intersection and the Rocky Creek neighborhood. To the south of the Project Site is the Bluegrass RV Storage site and an area preliminarily approved for an RV campground. To the north of the project site is an area zoned agriculturally, but the Future Land Use Map shows a mix of commercial and residential uses on the site. In addition to the adjoining land uses, the Planning Commission should strongly consider the context of the existing road network that would serve the Project Site. Old Oxford Road, in front of the Project Site is a two-lane road with a 35 MPH speed limit.

Goal CF 1 encourages the community and developers to design and use the network of streets and land uses that make up our community more efficiently. Generally, mixed-use developments provide for an efficient use of the land, because they provide a variety of development on a single-project site rather than isolated developments scattered through the community. The connectivity index of the public roads shown on the Concept Plan is 3, which is excellent. The Project Site still needs to provide at least one additional connection for the residential portion of the property to the public road to meet the requirements of the *Subdivision & Development Regulations*.

Objective CF 1.1 calls for management of City Annexation to maximize the efficiency of city transportation and services. As an infill development, this project moves the community towards meeting this objective. It is more cost effective for the City to develop areas like the Project Site that are already inside the city except for a formalized annexation.

Objective CF 1.2 encourages higher intensity uses to be in areas with multiple transportation options. At nearly 142 units and 7.57 units/acre, the conceptual development shows far fewer units than could potentially be developed in the requested R-2 zoning district. Staff would not support a residential development on the Project Site at a density of 12 units per net acre without an updated Traffic Impact Study and potential improvements to the transportation network to handle the additional traffic. Pedestrian and bicycle access along Old Oxford Road is dangerous currently. There are no sidewalks, bike trails, or public transportation options on this corridor near the Project Site to provide multiple transportation options. The only viable transportation option to the Project Site at this time is by motor vehicles. Staff would expect any future projects on the site to not only address motor vehicle entrance issues, but also provide pedestrian access internally and along Old Oxford Road.

³ Georgetown – Scott County Comprehensive Plan, Pg. 68

Objective CF 1.4 encourages preservation of prime farmland for agricultural uses. This project would remove some prime farmland from agricultural use. The Project Site has been planned to be removed from agricultural use for several updates of the Comprehensive Plan.

Objective CF 1.6 encourages public amenities, workplaces, and residential areas to be accessible by multiple transportation types. The proposed development does show the proposed residences and public amenities to be accessible by roads, sidewalks, and paved paths. This accessibility is only internal. As was discussed previously, the only one viable mode of transportation for reaching the Project Site at this time is by motor vehicle on Old Oxford Road. Staff would expect any future projects on the site to not only address motor vehicle entrance issues, but also provide pedestrian access internally and along Old Oxford Road.

Objective IF 1.2 encourages the development of parks. The Concept Plan does not show any parks or open space amenities for the residential development. While open space is not required for non-PUD developments, it is encouraged that space be set aside for the quality of life benefits it provides for the residents in the development.

Objective IF 2.10 encourages the community to maintain or improve the transportation network for collectors and arterials at a Level of Service of "C" or better. The Level of Service (LOS) is a measure of the per-vehicle delays expected at certain times of the day for road intersections. The Planning Commission has long held that new development should not cause the LOS of the road network to fall below a "C".

As was previously discussed, staff does not have confidence in the supplied traffic study to conclusively state that the proposed development would not cause the Level of Service in the transportation network in the area to fall below a LOS of C.

Goal HO 1 encourages the community to provide a full spectrum of quality housing options for all residents. This project seeks to construct a single-story townhome development. There are not many residences of this type in Georgetown at this time, so it may be that this development increases the options for housing in the community.

Many elements of the proposed Zoning Map Amendment and Concept Plan are supported by the Future Land Use Map and many of the goals and objectives in the Comprehensive Plan. However, there is discussion in the Comprehensive Plan regarding the relationship between land use and transportation. The R-2 zoning district allows for a maximum of 12 units per net acre. The Traffic Impact Study was performed for 7.57 units per acre, and staff has already discussed reservations regarding the study. Because of the strong ties between land use and transportation, staff places a greater weight on verifying the goals and objectives related to transportation are supported by the Zoning Map Amendment. Staff does not have enough information at this time to confidently state that the road network can support the proposed development without the LOS at certain intersections falling below a C.

Based on the analysis above of the Goals & Objectives, the neighboring properties, and transportation networks, staff does not find that this application is in agreement with the Comprehensive Plan. Therefore, we need to consider parts a & b of KRS 100.213 (1).

Part a: The Project Site is currently used in a manner consistent with the current A-1 zoning, so staff does not find that the current zoning of the Project Site is inappropriate. Therefore, we must consider part b

Part b: There have not been any major changes of an economic, physical, or social nature that were not anticipated by the current Comprehensive Plan that substantially altered the basic character of the area.

Staff does not find that Parts 1, a, or b of KRS 100.213 have been satisfied by the application and the supplied materials. An updated Traffic Impact Study following the guidelines set forth on the Planning Commission's website could demonstrate that the Zoning Map Amendment is supported by the Comprehensive Plan.

FINDINGS:

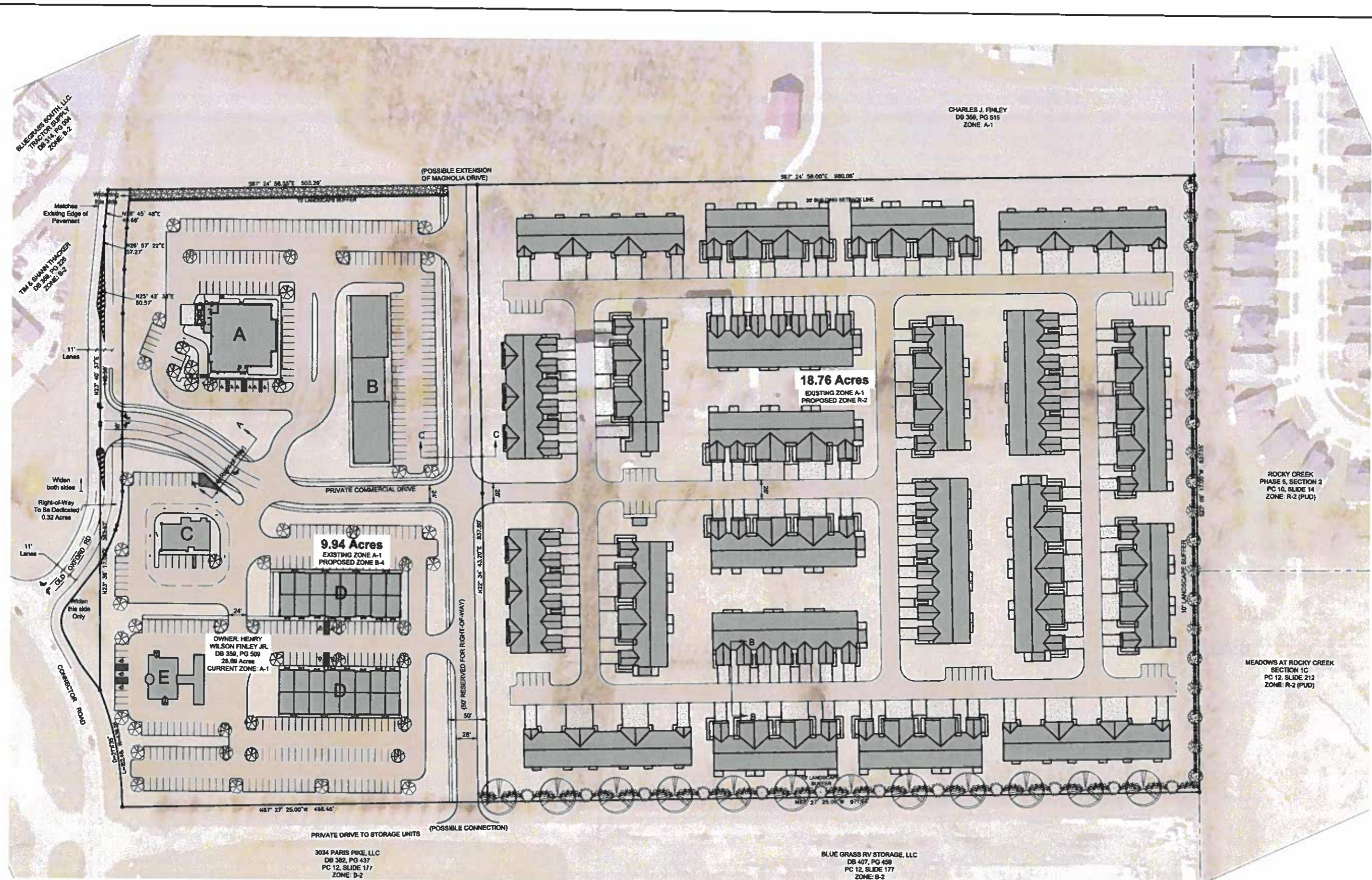
1. Staff has concerns about the reliability of the Traffic Impact Study, leading to staff being unable to find that the Zoning Map Amendment would be supported by the Comprehensive Plan.
2. The Zoning Map Amendment does not meet the findings necessary described in KRS 100.213.
3. The Concept Plan does not show an adequate number of entrances to the residential development for a multi-family development of more than 100 units.

RECOMMENDATION:

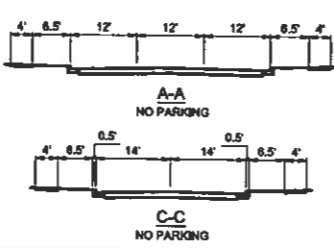
Based on the findings above, staff recommends the Planning Commission recommends **postponement** of the Application to allow the Traffic Impact Study to be completed in accordance with the guidelines published on the Planning Commission's website. Should the Planning Commission recommend approval, staff suggests adding the following conditions of approval.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. The Applicant shall annex the Project Site into the City of Georgetown.
3. The Applicant is responsible for providing a legal description of the Project Site to the City of Georgetown as part of the Zoning Map Amendment process.
4. The residential development shall have a second entrance in accordance with the *Subdivision & Development Regulations*.
5. The Applicant shall construct turn lanes on Old Oxford Road to serve the development. Road improvements to Old Oxford Road should be to an urban standard including 12 ft. lanes, sidewalk, curb, and gutter.

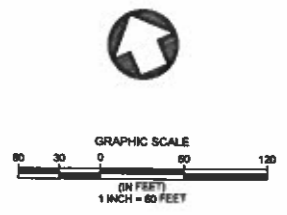


SITE STATISTICS		
PROPOSED BUILDING	USE	AREA
A	RESTAURANT	6,148 S.F.
B	RETAIL	11,050 S.F.
C	FAST-FOOD RESTAURANT	2,562 S.F.
D	RETAIL	9,852 S.F. (EACH)
E	GAS STATION WITH 3 FAST-FOOD RESTAURANTS	3,726 S.F.



NOTE:
THE LOCATION OF THE CROSS STREET THROUGH THE COMMERCIAL AREA MAY BE SHIFTED, DEPENDING ON HOW THE COMMERCIAL AREA DEVELOPS. THE OTHER MOST LOGICAL LOCATION WOULD BE APPROXIMATELY CENTERED WITHIN THE COMMERCIAL AREA.

SITE STATISTICS	
AREA	18.76 ACRES
UNITS:	
32 x 3 BR UNITS	= 32 UNITS
110 x 2 BR UNITS	= 110 UNITS
TOTAL UNITS	= 142 UNITS
ALLOWED DENSITY	= 12 UNITS/AC
PROPOSED DENSITY	= 7.57 UNITS/AC
PARKING REQUIRED	142 x 2.5 = 355 SPACES
GARAGES	= 142 SPACES
DRIVEWAYS	= 142 SPACES
PULL IN STALLS	= 36 SPACES
TOTAL PROPOSED	= 320 SPACES



ZONE CHANGE MAP & CONCEPT PLAN

REDWOOD APARTMENT NEIGHBORHOODS

1202 OLD OXFORD ROAD, GEORGETOWN, SCOTT COUNTY, KY

THOROUGH BRED
DESIGN | ENGINEER | CONSTRUCT

P.O. BOX 481 LEXINGTON, KY 40588
(859) 785-0383

CIVIL DESIGN, LAND SURVEYING,
GEO-TECHNICAL ENGINEERING, DRILLING SERVICES,
IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
CM-CE-CONSTRUCTION SERVICES

PROJECT NO.	DATE	ISSUED FOR REVIEW
-	09-07-2021	
BAW	REVISED BY	BC

1.0

**3364 MAIN STREET
ZONING MAP AMENDMENT**

**Staff Report to the Georgetown-Scott County Planning Commission
October 14, 2021**

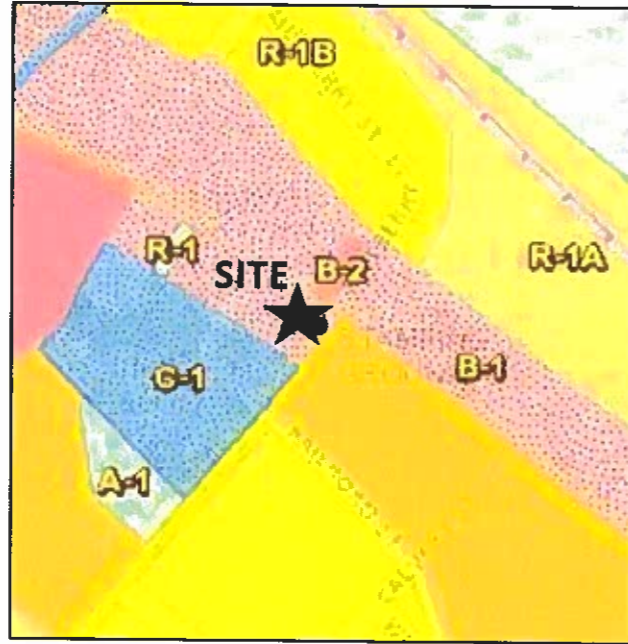
FILE NUMBER: ZMA-2021-30

PROPOSAL: Zoning Map Amendment to change the zoning district from B-1 to B-3.

LOCATION: 3364 Main Street

APPLICANT: Terra Schroeder
Sisu Properties

CONSULTANT: n/a



STATISTICS:

Current Zone	B-1 (Neighborhood Commercial)
Proposed Zone	B-3 (Central Business District)
Surrounding Zone(s)	C-1, B-2, R-1A, R-1B, & R-2
Site Acreage	0.1 Acre (Total)
Concept Development	Commercial Frontage with 3 Residential Apartments
Access	Main Street (Commercial) & Woodlake Road (Residential)

BACKGROUND:

The Project Site is existing lot with road frontage on Main Street, and access onto Woodlake Road. The site is located on the south side of Main Street and the west side of Woodlake Road and is located between commercial properties on the west and north sides, single-family residences on the east side, and conservation on the south side.

The Project Site is included in the Downtown Stamping Ground Neighborhood District, as defined by the Comprehensive Plan. The intersection of Main Street and Woodlake is identified as the center of the district and the walkshed.

Concept Plan Review:

The concept plan shows the first and second floor interior layout of commercial and residential units. There is no inclusion of proposed landscape or exterior facade changes for the property at this time. Two to three parking spots are available on site with access from Woodlake Road and pedestrian access is from Main Street. The plan shows one commercial unit on the first floor with direct access to Main Street. The plan also shows three residential units, one on the first floor and two on the second, with access from the parking area adjacent to Woodlake Road.

Concept Plan Comments:

At the Technical Review Committee meeting, staff recommended that the Applicant submit a concept plan and statement on the property as at the time one was not available for review. Applicant submitted two floor plans, one for each existing floor of the property.

Staff recommends further details be provided into the exterior facade changes proposed on the property. The Project Site is along the corridor through and primary gateway of Downtown Stamping Ground. The building currently stands vacant.

Staff recommends design features such as awnings, signage, windows, or seating create a more engaging building. The building currently had no visible windows on the second floor as the openings have been covered with vinyl siding. The City Commission of Stamping Ground has indicated that they would like to maintain first floor commercial in the Main Street area.

The property owners will need to meet all building codes and pull building permits for any renovation. This will require restoring the windows on the second floor and provide safe egresses from the property. It is recommended that the new windows be appropriate to the historic building.

Further plans for customer and resident parking should also be considered as the lot behind the property off of Woodlake is unlikely to be able to support commercial and residential operations simultaneously.

LEGAL CONSIDERATIONS:

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

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: The Comprehensive Plan provides guidance for consideration of zone change requests. With this plan, more than many others the Planning Commission has reviewed in recent years, there are elements of the Comprehensive Plan that seem to support the zone change and concept plan.

The Comprehensive Plan identifies the Project Site within the Downtown Stamping Ground neighborhood. As per the Comprehensive Plan, "this area called for more traditional mixed-use areas, including *commercial storefronts and second story residential. ... Apartments would be most appropriate near the intersection of Woodlake and Main Street*". The Project Site is explicitly outlined as a transitional area between existing zones. The Future Land Use (FLU) Map shows the subject property having a "Commercial" land use. This designation states that, due to the variety of use types within commercial activity "[to] consider the merits of a given application and its fit within the surrounding context at the time of zone change application. During review, the levels of use, scale, and form characteristics can be assessed." Outside of designating areas for Commercial use, the Comprehensive Plan does not make a specific business or density recommendation, instead focused on developments that are concentrated and planned as a unit.

The Project Site is a commercial lot located along Woodlake Road, which is a transition point between Commercial and Residential land uses on the southside of Main Street. Along the southside going west along Main Street and along the northside traveling west and east along Main Street are similar sized commercial buildings and businesses. After approximately a block north and south, the land uses transition to "Medium Density Residential", primarily R-1B and R-2 zoning districts. Any discussion of appropriate commercial use, scale, and appearance should start by looking at these surrounding properties to get an idea of the area in which the Project Site is located.

Relevant Comprehensive Goals and Objectives are in the table below. Those underlined are explored further in the sections following the table.

Goals	Objectives
<p>CF 1 <u>Design efficient network of streets and land uses.</u></p>	<ul style="list-style-type: none"> - CF 1.2 - Plan for higher-intensity uses in areas with multiple transportation options. - <u>CF 1.3 - Focus revitalization efforts in existing centers of activity.</u>
<p>CF 2 <u>Create places that enrich our built environment's form and character.</u></p>	<ul style="list-style-type: none"> - CF 2.1 - Allow for flexibility in land use and design pattern within zone districts. - CF 2.3 - Invest in downtown Georgetown, Sadieville, and Stamping Ground as the heart of each city - CF 2.8 - Require infill and redevelopment projects to be designed for pedestrian use and compatible with the existing character and long-term goals for the surrounding area.
<p>CF 3 <u>Encourage sustainable development practices at site and community-wide levels.</u></p>	<ul style="list-style-type: none"> - CF 3.1 - Incentivize development that utilizes green building and sustainable development best practices. - CF 3.3 - Protect the quality and integrity of existing structures and support preservation efforts.
<p>HE 1 <u>Preserve our built history.</u></p>	<ul style="list-style-type: none"> - HE 1.1 - Highlight and enhance the historic quality of downtown Georgetown, Sadieville, and Stamping Ground and their surrounding neighborhoods to attract businesses and support economically viable commercial districts.

<p>HO 1 <u>Provide a full spectrum of housing options for all residents.</u></p>	<ul style="list-style-type: none"> - HO 1.1 – Encourage the expansion of affordable and middle-income housing opportunities and distribute new units throughout the community. - <u>HO 1.4 – Provide greater flexibility in land use regulations to adapt to shifting housing demands</u>
<p>HO 2 <u>Preserve and maintain housing stock in established neighborhoods.</u></p>	<ul style="list-style-type: none"> - HO 2.1 – Bring properties into compliance with the building code. - <u>HO 2.3 – Explore opportunities to combine development efforts and infill with historic preservation and natural habitats, and place priority on preserving existing residential structures of historic value and retaining neighborhood character.</u>
<p>EG 2 <u>Create more local business and job opportunities.</u></p>	<ul style="list-style-type: none"> - EG 2.1 – Encourage long-term incremental local business development to benefit the community. - EG 2.3 – Support downtowns to be economically viable and protect investments in cultural and historic resources.

Goal CF 1 encourages the community and developers to design in a way that utilizes the network of streets and land uses that make up our community more efficiently. Development of a vacant building, such as the Project Site, typically meet many of the objectives under this goal. Development of this type of site means that the city does not need to sprawl outwards to accommodate growth and can maintain existing connections within neighborhoods. This goal supports the redevelopment of vacant buildings such as the Project Site.

Objective CF 1.3 promotes revitalization practices in areas with existing buildings and infrastructure. Redevelopment of downtowns bring people into the area and strengthens community connectivity. The Project Site is identified as the center of downtown activity in Stamping Ground according to the Comprehensive Plan. In this, the area calls for “more traditional mixed-use areas, including commercial storefronts and second story residential”. Concentrating density and redevelopment in existing centers of activity and existing neighborhoods is effective because it allows new development to utilized existing utilities and abandoned buildings. Providing infill also benefits the community by strengthening its urban form and increasing usership of existing areas. As proposed, the Project Site would be a prime example of the opportunity to revitalize the area as prescribed by the Comprehensive Plan.

Goal CF 2 encourages the creation of places that enrich the built environment’s form and character. In the context of this application, reuse of the property would likely enhance the character from the perspective of the existing commercial buildings within Downtown Stamping Ground and houses that surround the commercial area. The Comprehensive Plan calls for higher density in key corridors of the community, and that the buildings and streetscapes within the corridors should be in good condition, be of high-quality construction, and maintain a cleanly appearance.

The Comprehensive Plan references the Stamping Ground Design Audit, performed in 2016. In the audit, the Project Site and surrounding areas were identified as poor performers for three (3) of eight (8) items related to exterior features. The lack of investment and maintenance results in Staff conclusion that the Project Site detracts from downtown Stamping Ground as it presently exists. While this concept plan does not outline what the exterior improvements, it is believed that any investment into the building would visibly alter the exterior façade of the Project Site. If done properly, revitalization of the Project Site would improve the character of the downtown Stamping Ground neighborhood.

Item	Location	Comments
Vacant Structures	Primary concern for commercial structures in the 3300 block of Main Street	Vacant structures can detract from the character of downtown and user experience. Attempts should be made to fill vacant structures, either with long-term users, or temporary uses and/or art displays.
Gaps in Building Facades	Primary concern for commercial structures in the 3300 block of Main Street	Vacant lots create gaps in the physical shape of a street. Infill should be encouraged to close these gaps and provide a more inviting public experience of the streetscape.
Stone Fencing	Throughout downtown area	Provides character and historic context to Stamping Ground
Locust Fork	Near Main Street crossing	Opportunity for public park/amenity near creek
Poor Asphalt Condition	3345 Main Street	Deteriorating asphalt/gravel allows dust and can be dragged onto street
Gravel Driveways	3117-3159 Main Street	Gravel driveways can increase dust and the can be dragged onto street, in addition to not fitting in aesthetically in a residential zone.
Facade Paint Condition	3174 Main Street	Poor condition, paint needed
Poor Facade Conditions	3336-3364 Main Street	Paint chipping, opportunity to add awnings

2016 Stamping Ground Design Audit Observations

Goal CF 3 encourages sustainable development practices at the site and community-wide levels. A community that utilizes planning best practices, such as compact growth and adaptive re-use can result in further revitalization. By not requiring new lot creation or intensive exterior changes instead in favor of site reclamation, the concept plan meets the goal of sustainable development practices.

Goal HO 1 encourages the community to provide a full spectrum of quality housing options for all residents. This project seeks to rehabilitate an existing building at a transition between residential and commercial areas in Stamping Ground. It would introduce apartments to the area, a high-density housing type that the community does not have adequate supply of. Staff has seen several high-density apartments in recent years. However, very few if any exist in mixed use areas that have commercial first floors and residential second floors. This project seeks to add to the variety of housing types available in the community, which would seem to be in line with this goal.

Objective HO 1.4 focuses on flexibility in land use regulations to adapt to shifting housing demands. The B-3 district offers the best way to support mixed-use development as proposed at the Project Site. The district supports the context of the surrounding area indicates that it may be appropriate to allow for a transitional area between Commercial zoning and Single-Family Residential zoning.

Objective HO 2.3 states, "explore opportunities to combine development efforts and infill with historic preservation... and place priority on preserving existing residential structures of historic value and retaining neighborhood character." This objective plainly calls for developments that retain the character of the neighborhood. Sub-standard housing should be improved, where possible, rather than demolished. The concept plan for the Project Site shows intent to improve sub-standard housing and expand it, thus retaining neighborhood character.

Goal EG 2 focuses on the creation of local business and job opportunities. The re-use of existing structures can reduce the costs for young businesses and help to revitalize urban cores and structures

that have been abandoned. Furthermore, adaptive re-use also provides opportunity for more local contractors and businesses to provide the rehabilitation to potential sites.

Staff does find the application, as currently proposed, meeting the requirements of Part 1 of KRS 100.213. As the various goals and objectives cited above indicate, there are several items in the plan that support this application as proposed. Adaptive reuse of underutilized and vacant properties supports growth of the businesses while also offering housing options for new residents. Investments into key areas revitalize the community and allow for the character of Downtown Stamping Ground to be maintained. A zone change would support downtown growth and development, which is identified as a desirable element by several Goals and Objectives in the Comprehensive Plan noted above.

RECOMMENDATION:

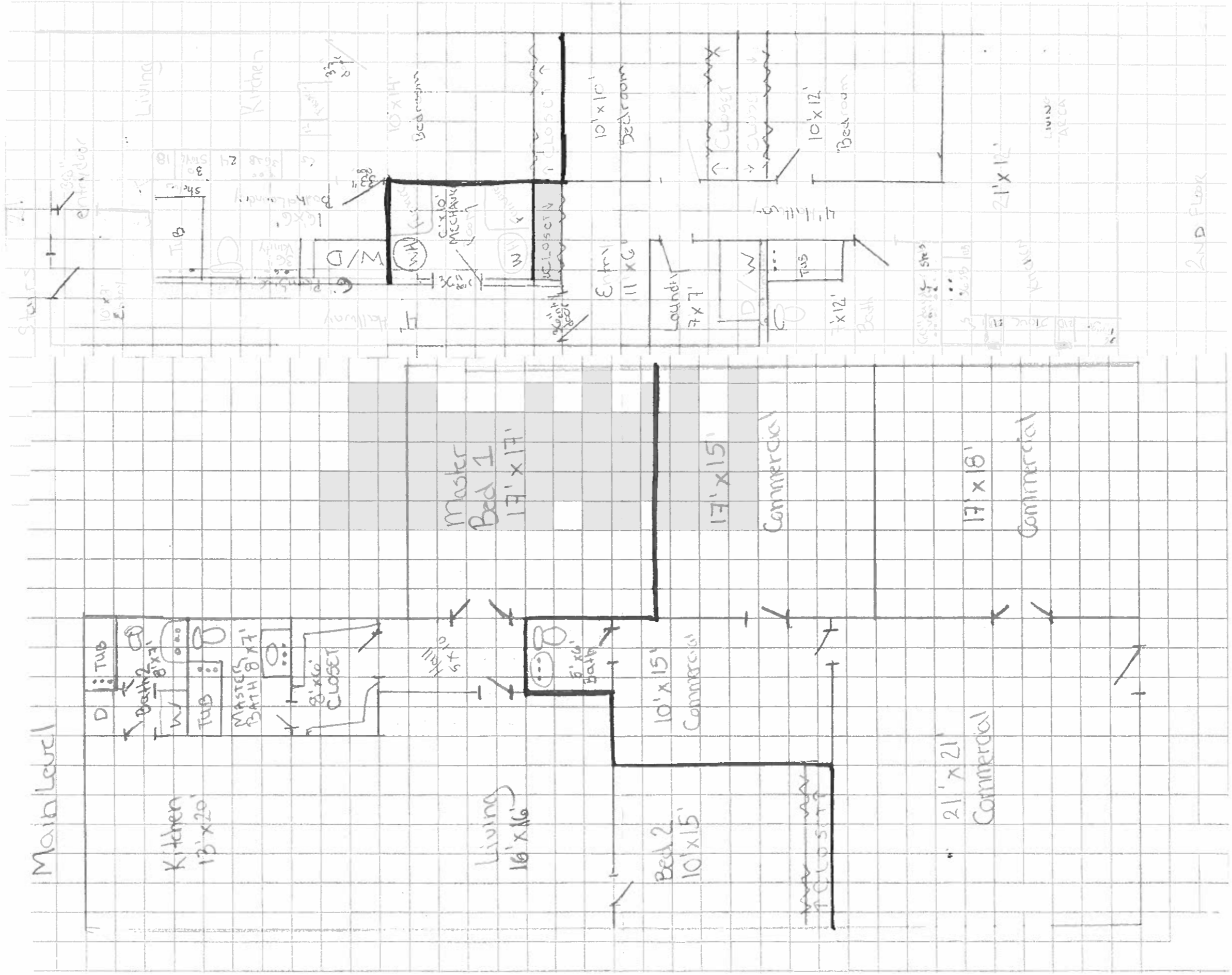
Based on the analysis in this report, Staff recommends **approval of the zone change from B-1 (Neighborhood Commercial) to B-3 (Central Business District).**

Should the Planning Commission recommend approval of the application, staff recommends including the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. The Applicant is responsible for providing a legal description of the Project Site and the proposed zone change boundaries to the City of Stamping Ground as part of the Zoning Map Amendment process.
3. Any amendments to this Concept Plan shall require Planning Commission approval and approval from Stamping Ground City Commission.

ZMA-2021-30
 3364 Main St
 Stamping Ground, KY



Jenna Schwader
 Disu Properties
 9/27/21

**SOZO CHURCH
AMENDED FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission
October 14, 2021**

FILE NUMBER: FSP-2021-31

PROPOSAL: Amended Final Subdivision Plat to transfer and consolidate two preserved tracts in a cluster subdivision

LOCATION: 2911 Leestown Road

OWNER: Sozo Church

CONSULTANT: Brent Combs, T'Bred Engineering



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Existing Tract 12: 26.441 acres; Tract 13: 25.024 acres)
Access	Elkhorn Bend Drive (County Road)
Variances/Waivers	Minimum Lot size for a Preserved Tract in a Cluster Subdivision

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to allow the transfer and consolidation of land from one preserved tract to another preserved tract in the Elkhorn Bend Cluster Subdivision. The request is to reduce the area of the preserved lot that contains the church building and parking lot from 26.441 acres to 10.980 acres and to increase the size of the other preserved tract owned by Roy Mink from 25.024 acres to 40.497 acres. In addition, a 50' access easement is being created to allow the church to continue to have access to South Elkhorn Creek.

Plat Review:

The existing cluster subdivision is 68.82 acres in size which allows for 13 dwelling credits at a 5-acres per lot density. The cluster subdivision contains 11 cluster lots between 1-2 acres in size each and two preserved tracts with one dwelling credit each currently 25+ acres in size.

At the time of approval of this cluster subdivisions, the Cluster Regulations in place allowed cluster lots to be a minimum of one acre in size and the preserved area was allowed to be in multiple tracts, a minimum of 25-acres in size.

This proposed plat requires approval by the Planning Commission of a variance to the Cluster Regulations under which it was approved, allowing one of the preserved tracts to be less than 25-acres in size.

No new tracts are being created, but as previously stated, one is being reduced in size from 26.441 to 10.980 acres and one will be increasing in size from 25.024 to 40.497 acres. The end result will have no impact on the character of the subdivision or the use of the land. The 10.980 acre remainder will be east of Elkhorn Bend Drive, the entrance road to the subdivision. The remaining land will be consolidated to a large tract behind the church.

Access:

Access to both tracts is from Elkhorn Bend Drive, a planned public road. Elkhorn Bend Drive was constructed to county standards and is in good condition, but has never been officially accepted into the county system. Sufficient ROW will need to be dedicated along its length between these two preserved tracts in order for it to be eligible for official acceptance for county maintenance.

RECOMMENDATION:

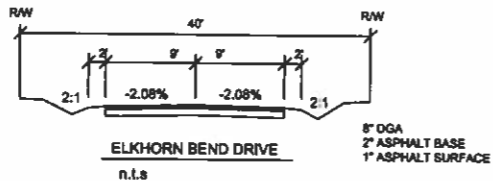
Staff recommends **Approval** of the Final Subdivision Plat. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

Variance:

Recommend approval. Based on the fact that the proposed smaller preserved tract is already built on, with a church building and parking lot. The second preserved tract will be increased in size and would result in more agricultural area under one ownership.

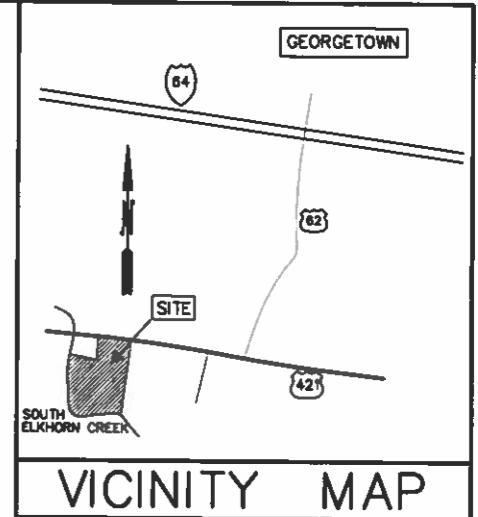
Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. Sufficient ROW shall be dedicated along Elkhorn Bend Drive to allow for future county maintenance.
3. 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.
4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.



CERTIFICATE OF ACCURACY
 I DO HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE SCOTT COUNTY JOINT PLANNING COMMISSION FOR A CLASS "B" SURVEY AND THE MONUMENTS ARE AS SHOWN.
 METHOD OF SURVEY WAS Random traverse
 ERROR OF CLOSURE IS 1:38,938
 ANGULAR ERROR IS 1/4"
 BEARINGS AND DISTANCES HAVE (NOT) BEEN ADJUSTED FOR CLOSURE
 BASIS FOR BEARINGS SHOWN IS Plat Slide 2307

UTILITY EASEMENT DESCRIPTION
 EASEMENTS GRANT AND CONVEY TO THE KENTUCKY UTILITIES COMPANY, VERZON, KY AMERICAN WATER CO., THEIR SUCCESSORS, ASSIGNS AND LEASEES, THE RIGHT TO TRIM 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 UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REINFORCE FACILITIES WITHIN SAID EASEMENTS. ALL LOT LINES NOT HAVING AN EASEMENT INDICATED WILL HAVE A 5' EASEMENT ON THEM.



HEALTH DEPARTMENT CERTIFICATION
 I HEREBY CERTIFY THAT THE SEWAGE TREATMENT SYSTEM INSTALLED OR PROPOSED FOR INSTALLATION ON THIS PROPERTY FULLY MEETS THE KENTUCKY CABINET FOR HUMAN RESOURCES SPECIFICATIONS AND REQUIREMENTS AND IS HEREBY APPROVED.

NOTE:
 IT IS THE INTENTION OF THE DEVELOPER TO ASK SCOTT COUNTY TO TAKE THIS ROAD INTO THEIR SYSTEM, SUBJECT TO THE ROAD ACCEPTANCE POLICY. HOWEVER, THE COUNTY IS NOT REQUIRED TO DO SO. IF THE COUNTY DOES NOT TAKE OVER THE ROAD, THE COST OF MAINTENANCE SHALL BE SHARED EQUALLY BETWEEN TRACTS 1 - 13.

SURVEYOR _____ DATE _____
 DATE OF SURVEY _____

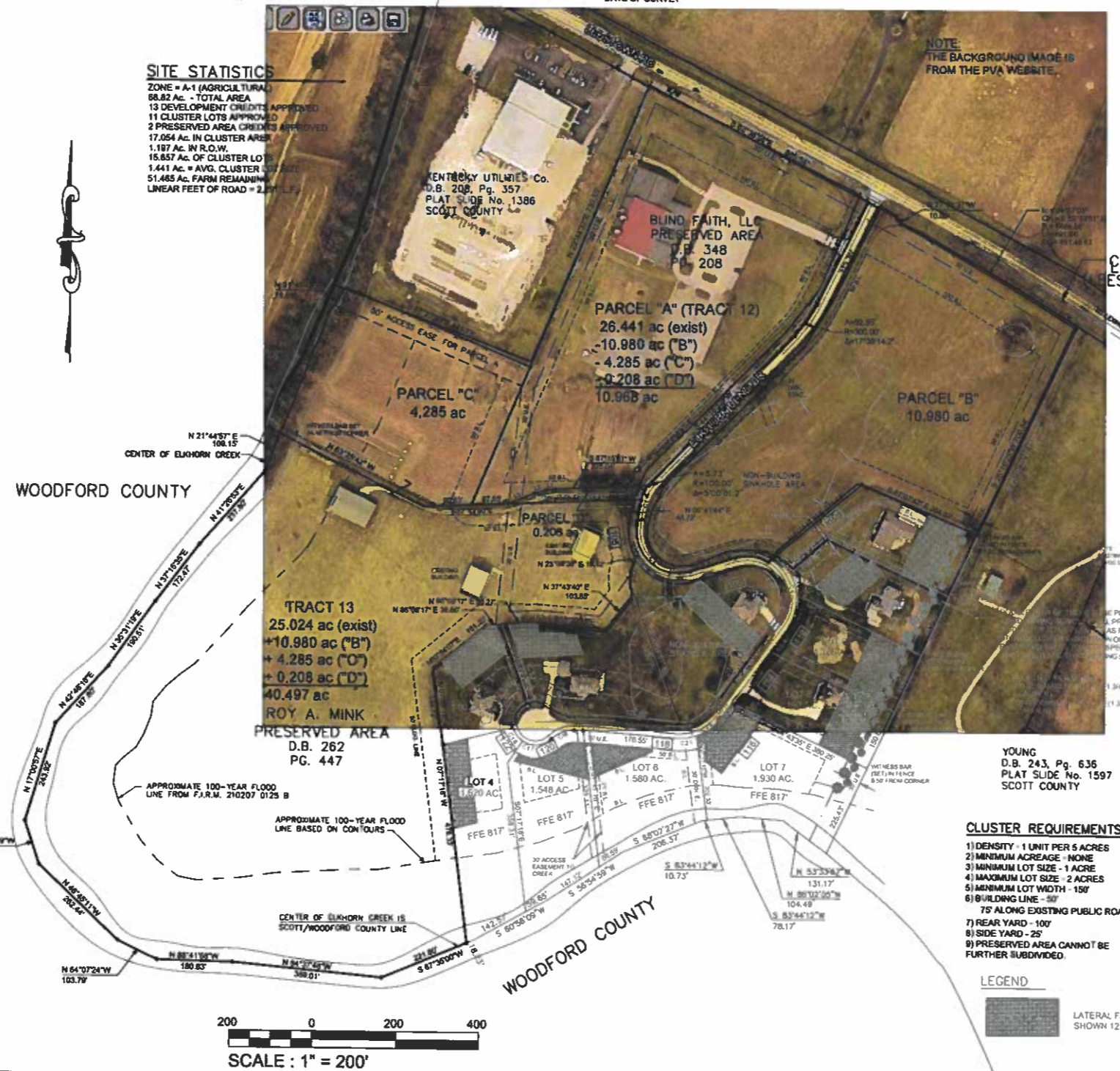
AUTHORIZED REPRESENTATIVE _____ DATE _____

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/PLAT 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 STATISTICS
 ZONE = A-1 (AGRICULTURAL)
 66.82 AC. - TOTAL AREA
 13 DEVELOPMENT CREDITS APPROVED
 11 CLUSTER LOTS APPROVED
 2 PRESERVED AREA CREDITS APPROVED
 17.054 AC. IN CLUSTER AREA
 1.187 AC. IN R.O.W.
 15.837 AC. OF CLUSTER LOT AREA
 1.441 AC. = AVG. CLUSTER LOT AREA
 51.485 AC. FARM REMAINING
 LINEAR FEET OF ROAD = 2,717.15'

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 MAY WASH INTO STORMWATER CHANNELS OR STORAGE AREAS.

PROSPECTIVE PURCHASERS OF LOTS IN AGRICULTURAL CLUSTER DEVELOPMENTS ARE PLACED UPON NOTICE THAT HUNTING, FISHING WITHIN ACCEPTED SAFETY GUIDELINES AND AGRICULTURAL USE PROTECTION, INCLUDING THE USE OF MACHINERY IN THE NORMAL COURSE OF ACTIVITY, ARE COMMON AND LEGAL PRACTICES IN THE AGRICULTURAL A-1 ZONE. THESE ACTIVITIES MUST BE EXPECTED TO OCCUR IN AND AROUND AGRICULTURAL RESIDENTIAL CLUSTER DEVELOPMENTS. THESE PRACTICES, IF CONDUCTED WITHIN ACCEPTED SAFETY GUIDELINES, SHALL NOT CONSTITUTE A NUISANCE WITHIN THE MEANING OF KRS 401.500 (5)(5). SEE THE KENTUCKY RIGHT TO FARM ACT.



NOTE:
 ALL HOMES PROPOSED FOR CONSTRUCTION IN THIS SUBDIVISION SHALL BE "CONVENTIONAL FRAME STRUCTURES" THAT MEET ALL STATE AND LOCAL BUILDING CODE REQUIREMENTS.
NOTE:
 OUTSIDE BOUNDARY AS PER PLAT SLIDE 2307
NOTE:
 THERE SHALL BE NO HOME OWNERS ASSOCIATION. LOTS MAINTAIN PORTION OF FENCE THAT FOLLOWS THEIR LOT.
NOTE:
 PRESERVED AREA SHALL BE RESTRICTED TO AGRICULTURAL USE OR OPEN SPACE AS PER NOTE "M" OF THE CLUSTER REGULATIONS, AND MAY NOT BE FURTHER SUBDIVIDED UNLESS IT IS REZONED FOR AN URBAN USE.

PURPOSE NOTE:
 THE PURPOSE OF THIS PLAT IS TO CREATE PARCELS "A" THRU "D" FROM THE EXISTING TRACT 12. PARCELS "B" THRU "D" ARE FOR TRANSFER TO TRACT 13, AND CAN ONLY BE TRANSFERRED TO TRACT 13, THEREBY KEEPING THE NUMBER OF PRESERVED TRACTS AT TWO, THE APPROVED NUMBER. AN ACCESS EASEMENT IS CREATED, TO ALLOW PARCEL "A" (TRACT 12) ACCESS TO THE CREEK.

LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S 84°29'23" W	22.48'
L2	S 73°55'39" W	30.58'
L3	S 88°13'47" W	06.40'
L4	N 87°53'28" E	20.95'

CURVE TABLE CENTERLINE ROAD

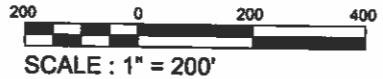
NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	19°05'47"	S 18°14'37" W	60.00	20.00	19.91
C2	116°14'13"	S 48°25'22" E	60.00	121.72	101.80
C3	47°21'58"	S 63°51'30" E	100.00	82.87	80.34
C4	98°36'44"	S 11°52'09" E	100.00	168.62	149.34
C5	58°04'34"	S 65°28'30" W	95.00	96.29	92.22
C6	08°34'41"	N 89°48'33" W	1110.00	166.19	166.03

CURVE TABLE LOT LINES

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C7	04°46'24"	S 11°04'56" W	120.00	10.00	9.99
C8	40°05'51"	S 11°21'12" E	120.00	83.98	82.28
C9	78°08'22"	S 69°28'18" E	120.00	158.47	147.99
C10	143°58'42"	S 35°33'08" E	80.00	201.03	152.16
C11	58°04'34"	S 65°28'30" W	75.00	76.02	72.81
C12	04°10'51"	N 67°34'38" W	1130.00	82.45	82.44
C13	40°53'44"	N 69°13'11" W	75.00	53.53	52.40
C14	60°36'18"	N 79°04'29" W	55.00	58.16	55.50
C15	84°52'49"	S 28°10'58" E	55.00	81.48	74.23
C16	41°57'51"	S 35°14'22" E	55.00	40.28	39.39
C17	78°33'01"	N 84°30'12" E	55.00	75.40	69.83
C18	45°29'54"	N 67°58'38" E	75.00	59.56	58.00
C19	01°08'40"	S 88°42'04" E	1080.00	21.77	21.77
C20	02°38'32"	S 86°48'28" E	1080.00	50.26	50.26
C21	33°54'15"	N 53°23'20" E	115.00	68.05	67.08
C22	33°54'15"	N 53°23'20" E	115.00	68.05	67.08
C23	40°58'24"	N 15°58'01" E	120.00	85.74	83.83
C24	25°38'58"	N 17°18'39" W	120.00	53.85	53.20
C25	28°32'56"	N 43°23'38" W	120.00	55.80	55.11
C26	45°51'45"	N 00°12'48" E	100.00	80.95	77.85

CLUSTER REQUIREMENTS
 1) DENSITY - 1 UNIT PER 5 ACRES
 2) MINIMUM ACREAGE - NONE
 3) MINIMUM LOT SIZE - 1 ACRE
 4) MAXIMUM LOT SIZE - 2 ACRES
 5) MINIMUM LOT WIDTH - 150'
 6) BUILDING LINE - 50'
 7) REAR YARD - 100'
 8) SIDE YARD - 25'
 9) PRESERVED AREA CANNOT BE FURTHER SUBDIVIDED.

LEGEND
 LATERAL FIELDS SHOWN 12,500 Sq. Ft.



TRANSFER AND CONSOLIDATION PLAT
SOUTH ELKHORN BEND
 TRACTS 12 AND 13
 U.S. HWY. 421, SCOTT COUNTY, KENTUCKY

SCALE: 1" = 200'
 REVISED:
 CAD NAME:
 DATE: 8-31-2020
 DRAWN BY:
 JOB NUMBER

THOROUGHBRED ENGINEERING Inc.
 SURVEYORS • ENGINEERS • PLANNERS
 110 E. MAIN ST. GEORGETOWN, KY. 40324 (502) 863 - 1756

**BRUIN PROPERTY
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission
October 14, 2021**

FILE NUMBER: FSP-2021-32

PROPOSAL: Final Subdivision Plat to subdivide one (1) 5.0-acre tract from a parent tract of 77 acres.

LOCATION: 761 Gaines Road

OWNER: Robert Bruin

CONSULTANT: Keith Winstead
Thoroughbred



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Total: 77 acres (Tract 3: 5.0 acres; Residual: 72 acres)
Access	Gaines Road
Variances/Waivers	None

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to subdivide one (1) 5.0-acre lot from a parent tract of 77 acres. The Project Site was previously subdivided, requiring any future subdivisions to receive approval from the Planning Commission.

Plat Review:

The proposed plat shows the appropriate the setbacks and meets lot size and width requirements.

Access:

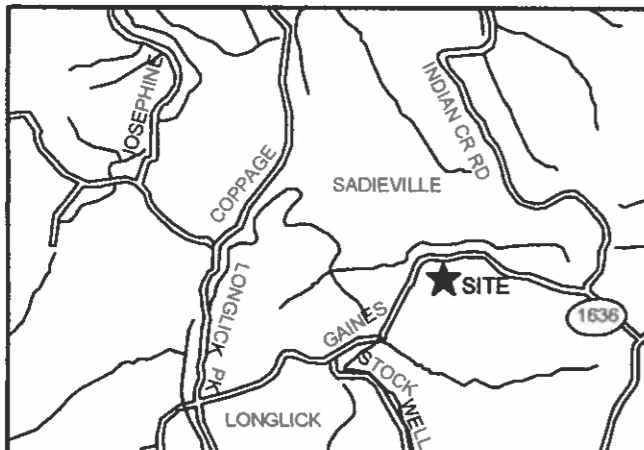
Access to Tract 3 is proposed from Gaines Road off of an existing driveway on Tract 1 (addressed 757 Gaines Road). The driveway is along the shared property line between Tract 1 and 3. The parent tract, Tract 1 and Tract 3 are still owned by the Applicant. Since a new entrance is not proposed by this plat and instead an existing one is intended for use, a private street/access easement maintenance note is required

RECOMMENDATION:

Staff recommends **approval** of the Final Subdivision Plat. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. 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.
4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.
5. The Applicant shall apply for an address for the Tract 3 from the Planning Commission staff (GIS Division).



VICINITY MAP

PROPERTY OWNER
 ROBERT L. BRUIN
 SUE M. BRUIN
 305 INDIAN CREEK ROAD
 SADIEVILLE, KENTUCKY 40370

Site Statistics
 PVA #: 075-00-009.000, PVA #075-00-009.001,
 ZONING: A-1
 PROPERTY SIZE: 5.0 ACRES
 SETBACKS: 5'
 FRONT: 50'
 SIDE: 50'
 REAR: 50'

PROPERTY LOCATION
 781 GAINES ROAD
 SADIEVILLE, KENTUCKY 40370
 DB 384, PG 01
 DB 415, PG 134
 PC 11, SL 365

PURPOSE:
 TO PERFORM A BOUNDARY & SUBDIVISION RETRACEMENT SURVEY FOR THE 781 GAINES RD., SADIEVILLE, SCOTT COUNTY, KENTUCKY.

CERTIFICATION OF OWNERSHIP AND DEDICATION
 I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF RECORD OF THE PROPERTY PLAT HEREON WHICH IS RECORDED IN DEED BOOK 384, PAGE 01 AND DEED BOOK 415, PAGE 134 IN THE SCOTT COUNTY CLERK'S OFFICE. DO HEREBY ADOPT THIS AS MY (OUR) PLAN OF LOTS FOR THIS THIS PROPERTY. DO HEREBY DEDICATE THE STREETS AND ANY OTHER SPACES SO INDICATED TO PUBLIC USE AND DO ESTABLISH THAT THE EASEMENTS SHOWN HEREON ARE RESERVED FOR THE USE SO INDICATED AND NO STRUCTURE, TREE, OR OTHER OBSTRUCTION OF ANY KIND SHALL BE ERRECTED OR PERMITTED TO REMAIN UPON OR OVER ANY PORTION OF SAID EASEMENTS, AND DO HEREBY DEDICATE THE SANITARY SEWER SYSTEM TO PUBLIC USE. ALSO I (WE) DO HEREBY AGREE THAT BEFORE ANY LOT HEREIN IS SOLD OR TRANSFERRED, THE PURCHASER SHALL BE NOTIFIED IN THE CONTRACT OF DEED OF ANY PRIVATE UTILITIES (WATER, GAS, ELECTRICITY, AND, WHERE APPLICABLE, SANITARY SEWERS) NOT INSTALLED, AND THE DEED OF CONTRACT SHALL CONTAIN A STATEMENT THAT NO BUILDING OCCUPANCY CERTIFICATE MAY BE SECURED UNTIL ANY SUCH UTILITY IS INSTALLED.

OWNER	TRACT 1	DATE
OWNER	TRACT 2	DATE
OWNER	TRACT 3	DATE

CERTIFICATION OF THE PROVISION OF WATER ONLY
 I HEREBY CERTIFY THAT GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GMWSS), BY AND THROUGH THE CITY OF GEORGETOWN, KY, HAS FACILITIES WITHIN THE WATER DISTRIBUTION SYSTEM TO SUPPLY TRACT 1 AND TRACT 3 LOCATED IN SADIEVILLE, KENTUCKY WITH WATER SERVICE. PROVISION OF DEVELOPMENT, CONSTRUCTION, AND SERVICE IS CONTINGENT UPON THE DEVELOPER OBTAINING A CURRENT APPROVED AVAILABILITY OF CAPACITY REQUEST FROM THE GMWSS BOARD OF COMMISSIONERS; AND GMWSS REVIEW AND APPROVAL OF ALL PLANS AND SPECIFICATIONS FOR REQUIRED ON-SITE AND OFF-SITE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO WATER LINES, ELEVATED STORAGE TANKS, BOOSTER PUMP STATIONS, AND RELATED APPURTENANCES FOR THE PROPOSED SYSTEM. CONSTRUCTION OF THE PROPOSED WATER DISTRIBUTION SYSTEM SHALL BE AT THE COST OF THE DEVELOPER WITHOUT REIMBURSEMENT BY GMWSS AND CONSTRUCTED ACCORDING TO GMWSS AND KENTUCKY DIVISION OF WATER APPROVED PLANS AND SPECIFICATIONS. EASEMENTS REQUIRED FOR THE PROPOSED WATER DISTRIBUTION SYSTEM SHALL BE ACQUIRED BY THE DEVELOPER AND DEDICATED TO GMWSS.

GENERAL MANAGER _____ DATE _____

CERTIFICATION OF UTILITY EASEMENT DESCRIPTION
 EASEMENTS GRANT AND CONVEY TO THE KENTUCKY UTILITIES COMPANY, BELL SOUTH, GMWSS, COLUMBIA GAS COMPANY, TIME WARNER THEIR SUCCESSORS, ASSIGNS AND LEASES, THE RIGHT TO TRIM OR REMOVE ANY/ALL TREES, STRUCTURES AND OBSTACLES LOCATED ON THE EASEMENT OR IN SUCH PROXIMITY THERETO 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, EXCAVATION OR OTHER CHANGE OF GRADE SHALL BE PERFORMED UPON SAID EASEMENT AFTER INSTALLATION OF FACILITIES. THE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED TO USERS OF UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REINFORCE FACILITIES WITHIN SAID EASEMENTS. ALL LOT LINES NOT HAVING AN EASEMENT INDICATED WILL HAVE A 5' EASEMENT ON THEM. HOWEVER, SHOULD LOTS BE CONSOLIDATED IN THE FUTURE AND NOT UTILITY LINES ARE WITHIN SAID SIDE EASEMENTS ALONG THE CONSOLIDATED LINES BECOMES NULL AND VOID.

OWNER _____ DATE _____

CERTIFICATION OF THE APPROVAL OF PRIVATE SEWERAGE SYSTEMS

I HEREBY CERTIFY THAT THE PRIVATE SEWAGE DISPOSAL SYSTEM INSTALLED, OR PROPOSED TO BE INSTALLED IN THE DEVELOPMENT ENTITLED: BOUNDARY SURVEY FOR ROBERT L. BRUIN & SUE M. BRUIN FULLY MEETS THE REQUIREMENTS OF THE KENTUCKY STATE HEALTH DEPARTMENT AND HEREBY IS APPROVED AS SHOWN.

(COUNTY HEALTH DEPARTMENT OFFICIAL) _____ DATE _____

CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES

I HEREBY CERTIFY THAT _____ (NAME OF AGENCY OR COMPANY) SHALL SUPPLY THE _____ (NAME OF DEVELOPMENT) WITH ELECTRIC/GAS/TELEPHONE SERVICES AND THAT THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEET THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS.

COMPANY REPRESENTATIVE (TITLE) _____ (DATE), 20__

CERTIFICATION OF GIS DEPARTMENT APPROVAL

I HEREBY CERTIFY THAT THE DEVELOPMENT PLAN OR SUBDIVISION PLAT SHOWN HAS BEEN REVIEWED AND FOUND TO COMPLY WITH THE DIGITAL SUBMITTAL REQUIREMENTS SET FORTH IN THE SUBDIVISION AND DEVELOPMENT REGULATIONS.

GIS ANALYST/TECHNICIAN, GSCPC _____ DATE _____

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 MAY WASH INTO STORMWATER CHANNELS OR STORAGE AREAS. (THE DRAINAGE EASEMENT DESCRIPTION SHALL ALSO SPECIFY MAINTENANCE RESPONSIBILITIES.)

CERTIFICATION OF FINAL SUBDIVISION PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT 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 AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

CHAIRMAN, GSCPC _____ DATE _____

REQUIRED SIGN NEEDS TO ALONG ROAD AT APPROPRIATE LOCATION

SURVEYOR'S NOTES:

- 1) ANY FURTHER DIVISION OF THE PROPERTIES SHOWN HEREON WILL REQUIRE REVIEW AND APPROVAL OF GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION.
- 2) PROPERTY IS SUBJECT TO ANY EASEMENTS OF RECORD NOT SHOWN HEREON.
- 3) CURRENCY: DATA REGARDING UTILITIES AND EASEMENTS WERE OBTAINED FROM LOCAL & FEDERAL GOVERNMENT AGENCIES.
- 4) DUE TO THE ABOVE, THOROUGHBRID ENGINEERING, ASSUMES NO LIABILITY WITH REGARDS TO INFORMATION PREFORMED BY OTHERS, SHOWN OR OTHERWISE INFERRED. NOTHING CONTAINED HEREIN SHALL BE HELD AS A LEGAL WARRANTY, EXPRESSED OR IMPLIED.
- 5) THE SURVEY REPRESENTS A RURAL SURVEY AND MEETS OR EXCEEDS THE REQUIREMENTS THEREOF
- 6) THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY.
- 7) THIS PROPERTY IS LOCATED IN ZONE X REF: FRM MAP NO. 21206C0100C EFFECTIVE 01/02/2014

PRIVATE STREET/ACCESS EASEMENT MAINTENANCE NOTE

THE OWNER/OWNERS OF THIS PROPERTY AND ANY SUCCESSORS IN TITLE AGREE TO ASSUME FULL LIABILITY AND RESPONSIBILITY FOR CONSTRUCTION, MAINTENANCE, RECONSTRUCTION, SHOW REMOVAL, CLEANING OR ANY OTHER NEEDS RELATED TO THE PRIVATE STREET/ACCESS EASEMENT SHOWN ON THIS DEVELOPMENT PLAN/PLAT. THIS AGREEMENT RELIEVES THE CITY OF GEORGETOWN/CITY OF STAMPING GROUND/CITY OF SADIEVILLE/SCOTT COUNTY GOVERNMENT FROM ANY SUCH RESPONSIBILITIES. IF THE OWNER/OWNERS REQUEST THAT THE PRIVATE STREET/ACCESS EASEMENT BE DEDICATED AS PUBLIC STREETS, THE OWNER/OWNERS BEAR THE FULL EXPENSE OF ANY CONSTRUCTION REQUIRED TO COMPLY WITH CITY/COUNTY STANDARDS PRIOR TO DEDICATION AND ACCEPTANCE AND ALL CONDITIONS OUTLINED IN SECTION 4, D. HAVE BEEN MET.

Owner _____ Owner _____
 Owner _____

LEGEND

- ☉ = POWER POLE
- = WATER MAIN
- = PROPERTY CORNER AS NOTED
- = SET 1/2" IRON BAR, 18" LONG
- △ = SET MAG NAIL
- = PROPERTY BOUNDARY LINE
- - - = ADJOINERS APPR. BOUNDARY
- - - = EASEMENT SETBACK LINE
- - - = OVERHEAD ELECTRIC LINE

CERTIFICATE OF ACCURACY

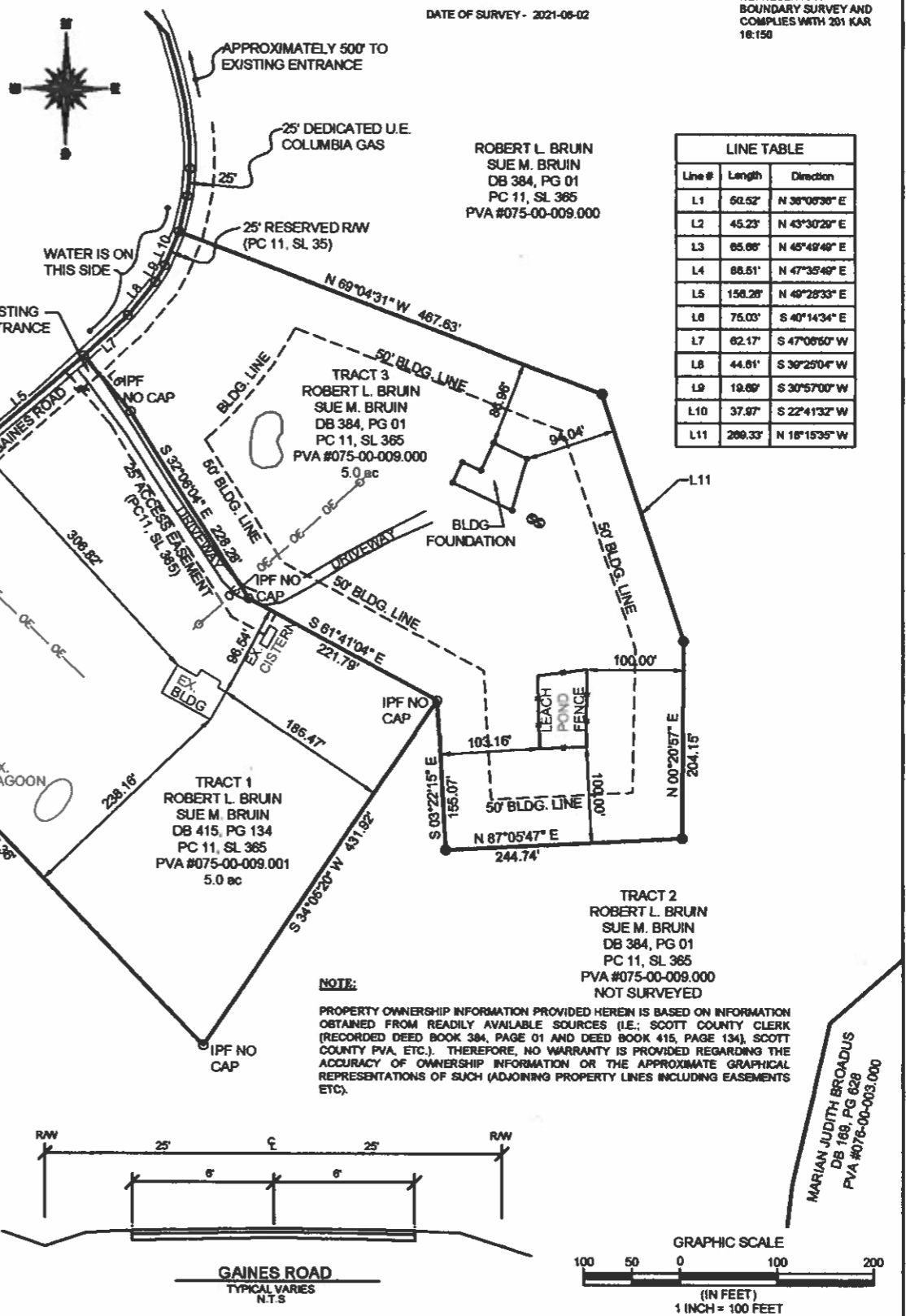
I DO HEREBY CERTIFY THAT THE BOUNDARY SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE SCOTT COUNTY PLANNING COMMISSION AND A RURAL CLASS SURVEY THE MONUMENTS ARE AS SHOWN. METHOD OF SURVEY WAS CONDUCTED BY GPS RTK (REAL TIME KINEMATIC) POSITIONAL ACCURACY IS LESS THAN ±0.10±0.09 PPM. THE HORIZONTAL DATUM IS NAD 1983. THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY STATE PLANE NORTH ZONE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY. ALL PROPERTY CORNERS INDICATED HAVE BEEN MONUMENTED WITH AN IRON PIN (18" LENGTH, 1/2" DIAMETER) AND CAP STAMPED UNLESS OTHERWISE NOTED HEREON.

SURVEYOR: _____

KEITH G. WINSTEAD
 THOROUGHBRID
 PO BOX 481
 LEXINGTON, KY 40588
 PHONE: (606) 785-0383

DATE OF SURVEY - 2021-08-02

PLAT SHOWN HEREON REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150



P.O. BOX 481 LEXINGTON, KY 40588
 (606) 785-0383
 CIVIL DESIGN, LAND SURVEYING,
 GEOTECHNICAL ENGINEERING, DRILLING SERVICES,
 IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
 CM-CE-CONSTRUCTION SERVICES

THOROUGHBRID
 DESIGN | ENGINEER | CONSTRUCTOR

FINAL SUBDIVISION PLAT
ROBERT L. BRUIN
SUE M. BRUIN
 781 GAINES ROAD, SADIEVILLE, SCOTT COUNTY, KENTUCKY

DATE	08-28-2021
ISSUED FOR REVIEW	
REVISION	

SHT# _____

**MIDAS OF GEORGETOWN
FINAL DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission
October 14, 2021**

FILE NUMBER: FDP-2021-33
PROPOSAL: Final Development Plan for a 320 SF storage building.
LOCATION: 107 Finley Drive
OWNER: Mark Turner
CONTACT: Dan Bourne



STATISTICS:
Zone B-2 (Highway Commercial)
Surrounding Zone(s) B-2
Site Acreage Total: 0.814 acres
Access Finley Drive & Elkhorn Meadows Drive
Variances/Waivers 1. Reduce the front yard setback from 50 feet to 40 feet.

BACKGROUND:
The Applicant is proposing to place an additional structure on the rear of the building for storage. The Applicant is proposing to set an 8' x 40' shipping container on the property to eliminate the need for various trailers to be parked on the site. A development plan of this type would typically be handled with a staff review, but the requested variance requires approval from an appointed board.

Plan Review:
The Final Development Plan complies with the building height and coverage requirements. There are no proposed changes on the Development Plan to other buildings on the Project Site.

Landscaping:
There is no landscaping required by the *Landscape & Land Use Buffers Ordinance* as part of this project.

Variance Request:
KRS 100.243 describes the findings that are necessary for granting variances. Before granting a variance, the Commission must find that the variance would not adversely affect the public health,

safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

When making these findings, the Commission needs to consider whether:

1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone.
2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

Granting the variance would not adversely affect the public health, safety, or welfare. The variance would not alter the essential character of the area, because there are already a few buildings along Elkhorn Meadows Drive that were approved closer than 50 feet from the property line. The Project Site is a triple frontage lot, so a strict application of the regulations requires all buildings be at least 50 feet from the property line on all frontages. This places limitations on the Applicant's ability to store equipment and scrap parts in a manner that does not detract from the surrounding properties. Granting the variance would give the Applicant some relief from the building setback regulations and allow for the addition of a storage building that should help to improve the character of the general vicinity.

RECOMMENDATION:

Staff recommends **approval** of the Final Development Plan with the requested variance. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

Variance:

1. Reduce the front yard setback on the rear of the building from 50 feet to 40 feet for the placement/construction of a storage building.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Final Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
4. The Applicant shall submit 3 full size (18" x 24") copies of the approved Final Development Plan to staff with all signatures prior to the issuance of any building permits.



VICINITY MAP N.T.S.

PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO MEET THE REQUIREMENTS OF APPLYING FOR A VARIANCE TO THE 50' BUILDING SETBACK LINE FOR ELKHORN MEADOWS DRIVE. ADDITIONAL STORAGE, AS SHOWN.

SITE STATISTICS

ADDRESS: 107 FINLEY DRIVE
 EXISTING ZONE: B-2 COMMERCIAL
 SITE ACREAGE: 0.814 ACRE
 EXISTING BUILDING FLOOR AREA: 3,986 S.F. (31.91'x124.91')
 PROPOSED ADDITIONAL STORAGE FLOOR AREA: 320 S.F. (8'x40')
 PROPOSED ADDITIONAL STORAGE HEIGHT: 9' - 8"
 PROPOSED/CURRENT LAND USE: B-2 COMMERCIAL
 REQUIRED PARKING: 12 + 2 HAND-I-CAP SPACES = TOTAL 14
 PROPOSED PARKING: 0 STD. (15 PARKING SPACES AVAIL)

UTILITY PROVIDERS

ELECTRIC COMPANY: KENTUCKY UTILITIES
 1 QUALITY STREET
 WATER DEPARTMENT: KENTUCKY AMERICAN WATER COMPANY
 2300 RICHMOND RD.
 NATURAL GAS: COLUMBIA GAS OF KENTUCKY
 2001 MERCER RD.
 TELEPHONE COMPANY: SPECTRUM
 2450 NICHOLASVILLE RD.

SURVEY NOTES

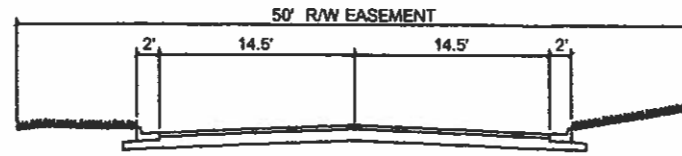
- THE BASIS OF BEARINGS FOR THIS SURVEY IS NAD 83 (2011), STATE PLANE NORTH ZONE. MORE PARTICULARLY HORIZONTAL CONTROL WAS ESTABLISHED BY A RTK GPS SURVEY USING KY D.O.T. BASE STATION KYTG, AS A BASE CONTROL POINT.
- THE SURVEY AS SHOWN HEREON IS AN URBAN CLASS SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.
- THIS SURVEY WAS BASED ON THE RECORDED LEGAL DESCRIPTION AND OR PLAT OF SURVEY FOR THE SUBJECT PROPERTY. NO TITLE REPORT WAS PROVIDED OR USED FOR THIS SURVEY. ALL EXISTING EASEMENTS, PUBLIC RIGHT OF WAYS, INGRESS AND EGRESS RIGHTS, OR ANY OTHER LEGAL ENCUMBRANCES THAT WERE FOUND DURING THE COURTHOUSE RESEARCH FOR THIS PROPERTY, ARE AS SHOWN. HOWEVER A TITLE REPORT PREPARED BY AN ATTORNEY MAY BE NEEDED TO DETERMINE THE EXISTENCE OF ALL ENCUMBRANCES AND OR TITLE ISSUES RELATED TO THIS PROPERTY.

PARKING REQUIREMENTS

GEORGETOWN, SADIEVILLE, STAMPING GROUND AND SCOTT COUNTY, KENTUCKY
 SUBDIVISION AND DEVELOPEMENT REGULATIONS
 Per APPENDIX VII TECHNICAL REQUIREMENTS
 D. Access and Parking Details 212
 " Automobile Repair "
 One space per each service bay and one space per mechanic per shift.

EXISTING BUILDING (3,986 S.F.) 8 Bays
 PARKING REQUIREMENT - 1 per Bay x 8 = 8 spaces
 1 per Mechanic per shift (1 shift)
 (total of 4 Mechanics) = 4 spaces
 Total parking spaces Required = 12
 Required ADA hand-i-cap parking spaces = 2
 Grand Total parking spaces = 14 (15 Available)

TYPICAL SECTIONS N.T.S.



SCALE - 1" = 40'

LEGEND

- ADJOINING PROPERTY LINE
- - - EASEMENT LINE
- PROPERTY LINE
- IPF ⊙ IRON PIN FOUND
- MGF ▲ MAG NAIL FOUND
- IPS ⊙ IRON PIN SET
- MGS ▼ MAG NAIL W/ TAG SET
- IPF ■ IRON PIPE FOUND
- CTF ⊙ CRIMP TOP FOUND

RECORDER'S CERTIFICATION



OWNER / DEVELOPER

OWNER: MARK W. TURNER
 4012 OLD TRAIL WAY
 NAPLES, FL 34103-3542
 DEVELOPER: DAN BOURNE
 107 FINLEY DRIVE
 GEORGETOWN, KENTUCKY 40324
 Phone: (859) 797-9758
 email: bourneenterprisesllc@gmail.com

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 plat/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.

For all Final Development Plans add the following "Standard Requirements" after the above paragraph.

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 first be 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 installed. Required landscaping unable to be installed due to extreme weather conditions may be secured for a period of one year by submitting to the Planning Director an approved security for 125% of the cost of the total work to be done, as substantiated by cost estimates approved by the Planning Director.

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.

_____, (date), 2021

(owner or owners)

CERTIFICATION OF FINAL DEVELOPMENT PLAN APPROVAL

I hereby certify that the 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 and that it has been approved for construction and obtaining building permits.

_____, (date), 2021

Chairman, Georgetown-Scott County Planning Comm.

CERTIFICATION OF FIRE DEPARTMENT APPROVAL

I hereby certify that the development plan shown hereon has been reviewed and found to comply with the (insert either Georgetown or Scott County) Fire Department regulations, including any conditions of approval or exceptions, noted hereon.

_____, 2021

(Signature and title of Fire Dept. representative)

ENGINEER'S AND SURVEYOR'S CERTIFICATION

I HEREBY DO CERTIFY THAT THIS RECORD PLAN WAS PREPARED BY ME OR UNDER MY DIRECTION, WAS DONE IN ACCORDANCE WITH THE PROVISIONS OF THE LAND SUBDIVISION REGULATIONS, THE ZONING ORDINANCE AND THE REQUIREMENTS OF THE PLANNING COMMISSION. THAT ALL MONUMENTS INDICATED HEREON DO EXIST AND THEIR LOCATIONS, SIZE AND MATERIALS ARE CORRECTLY SHOWN; AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION SHOWN HEREON IS ACCURATE.

Justin D. Drury 9-24-21
 Justin D. Drury PLS 3843 Date

FINAL DEVELOPMENT PLAN

107 FINLEY DRIVE

PLAT CABINET 4 SLIDE 1431
 107 FINLEY DRIVE
 GERGETOWN SCOTT COUNTY, KENTUCKY

	SCALE	DATE	
	1" = 40'	9/22/2021	
	ADJUSTMENTS	DWG. NAME	
	ADJ	107FINLEY	
REVISION #	.CRD FILE		
DRAWN BY	CHECKED BY		
J.T.K.	J.D.		

286 EAST SHORT STREET
 LEXINGTON KY, 40507
 OFFICE 859-268-1044
 WEB: www.aim3d.us
 EMAIL: justin@aim3d.us



LEAF & BARREL ZONING MAP AMENDMENT

Staff Report to the Georgetown-Scott County Planning Commission OCTOBER 14, 2021

FILE NUMBER: ZMA-2021-34

PROPOSAL: Zoning Map Amendment to change the zoning district from A-1 to B-1.

LOCATION: 1442 Delaplain Road

APPLICANT: Leaf & Barrel Cigar and Bourbon Lounge, LLC

CONTACT: Nathan Billings & Zach Cato, Billings Law Firm



STATISTICS:

Current Zone	A-1 (Agricultural)
Proposed Zone	B-1 (Neighborhood Commercial)
Surrounding Zone(s)	A-1 & B-1
Site Acreage	Total: 1.44 acres
Access	Delaplain Road & Oxford Village Lane

BACKGROUND:

The Project Site is a 1.44-acre tract at the corner of Delaplain Road and Oxford Village Lane. The Project Site is located in the Oxford Historic District listed on the National Register of Historic Places. Oxford School is listed as a contributing structure, and the old FFA building is listed as a non-contributing structure.

The Project Site is located outside city limits, and staff recommends the property be annexed when either sanitary sewer is provided to the site, or an adjoining property/another property on this section of Delaplain Road is annexed.

Concept Plan Review:

The Concept Plan shows a reuse of the existing residence on the Project Site. The relatively small structure is proposed to be repurposed and a parking lot would be constructed to accommodate patrons of the future business on site. The Concept Plan shows the proposed parking lot entrance to be from Delaplain Road. The remainder of the site, the old school building, is proposed to retain its current use. The Applicant told staff at the TRC meeting that the site was in the process of being cleaned up.

Staff expects the outdoor storage of materials on a commercial site to be more organized and screened from adjoining properties and roads.

LEGAL CONSIDERATIONS:

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

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: In analyzing whether the Comprehensive Plan supports the Zoning Map Amendment, staff looks primarily at the Future Land Use Map and the adopted Goals & Objectives of the plan for guidance. The Comprehensive Plan’s Future Land Use (FLU) Map shows the subject property having a Commercial future land use. This FLU designation supports, “the sale of goods and services”¹ The Applicant’s proposed use for the site as Bourbon & Cigar Lounge is supported by the Future Land Use Map in the Comprehensive Plan.

Staff has received some phone calls from property owners in the historic Oxford community who are concerned about the impacts the zone change would have on their community. While the Future Land Use Map’s designation is an important factor, it is also important to ensure that the proposed Zoning Map Amendment will fit in with the character of the surrounding area. Any zone changes or development of property in this area should strive to retain the character and heritage of the community.²

Objective CF 1.1 calls for management of the Urban Service Boundary (USB) and City Annexation to maximize the efficiency of city transportation and services. The Project Site is within the USB and planned for commercial use. Staff does recommend eventual annexation of the Project Site as was discussed earlier in the staff report.

Objective CF 1.4 encourages preservation of prime farmland for agricultural uses. The Project Site is not identified as Prime Farmland or Farmland of Statewide Importance.

¹ Georgetown – Scott County Comprehensive Plan, Pg. 49

² Georgetown – Scott County Comprehensive Plan, Pg. 25

Objective CF 3.3 calls for the quality and integrity of existing structures to be preserved. A repurpose of the building at 1442 Delaplain Road would be the result of the Zoning Map Amendment.

Goal HE 1 strives to protect the historic structures in all of Scott County. One of the structures on the Project Site is an historic school constructed in 1928. Although its use as a school ceased in 1955, the property owner should ensure the site does not deteriorate to the point where demolition is inevitable.

Objective HO 2.3 states "Explore opportunities to combine development efforts and infill with historic preservation...and place priority on preserving existing residential structures of historic value and retaining neighborhood character." Through this objective, the community has made it clear that they not only desire the preservation of historic structures, but also retaining neighborhood character. For an historic community like Oxford, that means making sure than changes to the area fit in with the scale and character of the area. The choice of a B-1 (Neighborhood Commercial) zoning district and the plan to repurpose existing structures fits in with this objective. The Applicant should take care that any signage and lighting not disturb this balance between repurposing existing structures and maintaining the character of the area.

Objective 2.4 encourages the preservation of existing structures to reduce the production of waste. This application is supported by this objective.

Objective 2.2 encourages small-scale commercial operations. This application is supported by this objective.

Based on the analysis above, staff finds that this application is in agreement with the Comprehensive Plan. Therefore, we need not consider parts a & b of KRS 100.213 (1).

FINDINGS:

1. The Zoning Map Amendment meets the findings necessary described in KRS 100.213.

RECOMMENDATION:

Based on the findings above, staff recommends the Planning Commission recommends **approval** of the Application to Scott County Fiscal Court. Should the Planning Commission recommend approval, staff suggests adding the following conditions of approval.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. The Applicant shall request annexation either when public sewer is available to the site or an adjoining property or another property on the same section of Delaplain Road is annexed.
3. The Applicant shall submit a Development Plan showing all proposed site improvements prior to any construction or grading. The Development Plan shall show all areas for outdoor storage associated with the lumber operation on the Project Site and how it will be screened from adjoining properties and roads.
4. All lighting and signage for the Project Site shall be designed in a manner to have the least impact on nearby properties or the character of the historic Oxford community.



**REGAL SPRINGS SENIOR COMMUNITY
ZONE CHANGE**

**Staff Report to the Georgetown-Scott County Planning Commission
October 14, 2021**

FILE NUMBER: ZMA-2021-35

PROPOSAL: Zone change request for 54.86 acres from A-1 to R-2 (PUD) and C-1 (Conservation)

LOCATION: North Side of Frankfort Road, east of Paynes Landing subdivision

APPLICANT: RSD, LLC

**ENGINEER/
DESIGNER:** Mark McCain



STATISTICS:

Existing Zones	54.004 acres zoned A-1 (Agricultural) .856 acres zoned C-1 (Conservation)
Proposed Zones	32.135 acres R-2 PUD (Medium Density Residential), and 21.869 acres C-1 (Conservation)
Surrounding Zones	R-2 (Medium Density Residential) R-1C (Low Density Residential), A-1 (Agricultural)
Acreage	54.86
Proposed Use	Independent living senior retirement cottages
Sq. Ft. of Buildings	56 duplexes, 3,640 sf clubhouse, 900 sf amphitheatre
Parking	224 Residential; 32 Clubhouse, 25 guest/auxillary 281 (required/proposed)
New street required	Yes (private)
Linear feet of new street	+/- 4000 linear feet
Water/sewer available	Yes/Yes
Access	Via US 460 and Delissa and Belvoir Park Drives

BACKGROUND:

The subject property is 54.86-acres in size located between Paynes Landing and White Oak subdivisions on the west and the North Elkhorn Creek on the east. The property is within the Urban Service Boundary of the City of Georgetown. It is located on the north side of Frankfort Road (U.S. 460) and approximately one-third mile west of Broadway (U.S. 25).

The main access will be from Frankfort Road at Delissa Drive and a secondary access will be from Belvoir Park Drive which is currently stubbed to the property from Paynes Landing subdivision. A third potential connection from La Costa Drive, may be possible as it is currently stubbed to the property boundary of an adjacent residential parcel. The site has a moderately sloping topography that drains west to east to North Elkhorn Creek. There are severe slopes along the creek for a portion of the property.

There are existing mature treelines along the North Elkhorn Creek and its floodplain along the property's eastern boundary. There is a sanitary sewer access and all utilities are available. The main entrance at Dellissa Drive and Frankfort Road is from an unsignalized intersection with existing center turn lane for east bound traffic and a 10' paved shoulder for west bound traffic.

Proposed Zoning and Land Use:

32.135 acres of the total 54.004-acre site is proposed to be rezoned to R-2 (Medium Density Residential) to allow for the 56 duplex senior cottages. The 112 attached cottages are intended to be one-story brick units with front loading garages. The density proposed of 3.48 du/gross acres is well below the 12 units per gross acre permitted in the R-2 zone.

A concept plan has been submitted showing the proposed layout with additional landscaping and amenities proposed. The floodplain area along the North Elkhorn is proposed to be zoned C-1 Conservation.

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 in that the adopted Comprehensive Plan Future Land Use Map designates the areas proposed for the zoning change as Urban Residential and the floodplain area as Conservation. The "senior" duplex cottages are low density and one-story with attached garages. In addition, the density proposed is similar to that of the adjoining residential property.

The project is further supported by numerous Comprehensive Plan 2017 Goals and Objectives including the following:

Community Form 1. Design for an efficient network of streets and land uses

CF 1.1 Manage the location of the Urban Service Boundary (USB) and City Annexation to maximize efficiency of city networks and services...the property is an infill site within the current Georgetown USB and 1.5 miles of downtown. It will be tying into the existing roadway network from adjoining subdivisions and will be required to be annexed into the city of Georgetown prior to development.

CF 2.1 Allow for flexibility in land use and design patterns within zone districts. The project will be developed under a condo scheme with the units sold fee simple and the property maintained by an HOA or owners association. This will allow flexibility by reducing the number of internal lot lines and setbacks that would otherwise limit building locations.

CF 3.2 Explore standards to retain adequate, usable open space, create green linkages, and increase stream corridor/floodplain protection in new urban and suburban development. The project is proposing multiple amenities and protecting the 100-year floodplain by rezoning it Conservation which will protect it from future residential development and land clearance.

Housing 1. Provide a full-spectrum of quality housing options for all residents.

HO 1.2 Increase availability and flexibility of housing options for elderly residents. The project will provide 112 single-story senior housing units which will provide a housing option for elderly residents.

EN 4 Protect environmentally sensitive areas.

EN 4.2 Require rezoning to C-1 Conservation for any creek conservation corridors in any area proposed for development. The creek conservation corridor (100-year flood plain) will be rezoned conservation which does not allow for future dwelling units or development within the zone.

Conceptual Plan Review:

The conceptual plan and zone change request seeks approval for multiple zoning districts in order to create a unified elderly housing project. The plan has many benefits, particularly high-quality elderly housing in a location that conforms to the Future Land Use Map and Zoning Ordinance.

The site is moderately to steeply sloped with a significant amount of floodplain along north elkhorn creek. The main planning staff concerns with the concept plan are the proposed development of residential units in areas that are moderately sloped. The road network is proposed to be privately maintained but will be constructed to the same engineering standard as public streets. Streets will have buildings on only one side where slopes or floodplain limit development. A 3,640 square foot clubhouse with pool is proposed at the southern entrance at Delissa Drive. An 8' walking path/sidewalk will connect the clubhouse to an amphitheater and sports courts and a community garden on the north end of the site,

The private streets will be lined with street trees and have sidewalks on both sides where buildings are proposed.

The proposed single-story cottages will be in duplex attached units. Each unit will have a front-loading garage. There will be additional off-street parking near the amphitheater and sports courts. There is proposed a fenced horse paddock in the open pasture area of the flood plain on the north side of the site and a wooden board fence with wire mesh lining is proposed at the boundary with adjoining subdivisions and is proposed to be lined with an interior landscape buffer of trees planted 30' on center. The R-2 zone requires a minimum 25' rear setback so any structures will be setback a minimum of 25' from the perimeter of the site.

The densities of the adjoining Paynes Landing subdivision vary from 3.2 to 4.6 dwelling units/gross acre. The adjoining land in Paynes Landing subdivision is zoned R-2 PUD. White Oak development is zoned R-1C (PUD) and is developed at a density of 4.94 du/gross acre. The proposed density in the Regal Springs project is 3.48 du/gross acre or 112 dwelling units on 32.135 gross acres. A large portion (21.867 acres) of the subject property will be zoned C-1 Conservation, This project, if carefully executed would provide an appropriate transition to North Elkhorn Creek.

The project will be required to submit a Preliminary and Final Development Plan for approval prior to construction. It is recommended that steeply sloped areas be protected during development. Mature treelines and stands within and outside the C-1 zone, particularly along the North Elkhorn Creek behind the clubhouse and the southern part of the site, should also be protected during development.

Access:

The main entrance will be from Delissa Drive via Frankfort Road with a secondary entrance from Belvoir Park Drive in the rear. Delissa is a public road, but it does not meet current right-of-way or pavement width standards. The applicant should be required to dedicate required right-of-way and upgrade Delissa Drive to city standards from centerline along their frontage.

Traffic study

The proposed development of 112 dwelling units does not meet the threshold for requiring a traffic study. However, the applicant did provide a traffic summary. It showed that the entrance intersection at Delissa Drive and Frankfort Road will be LOS C or better at buildout. A Frankfort Road (US 460) 5-year accident history indicated twenty-two (22) accidents between Paynes Landing Boulevard and Delissa Drive, a 0.6 mile segment. The author stated the crash rate is 48% lower than the Kentucky statewide average for a 2-lane highway. ([KYTC, Analysis of Traffic Data in Kentucky \(2015-2019\)](#))

Landscaping & Greenbelt:

This proposal is located adjacent to White Oak and Paynes Landing subdivisions. They are proposing a board fence with mesh and a trees planted 30' on-center along the boundary with the neighboring subdivision. It is recommended that existing treelines and stands be protected within the C-1 areas and in the R-2 zone to the degree possible.

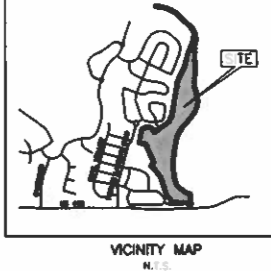
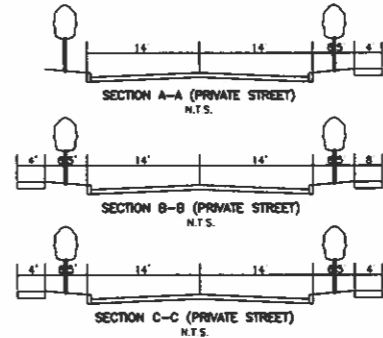
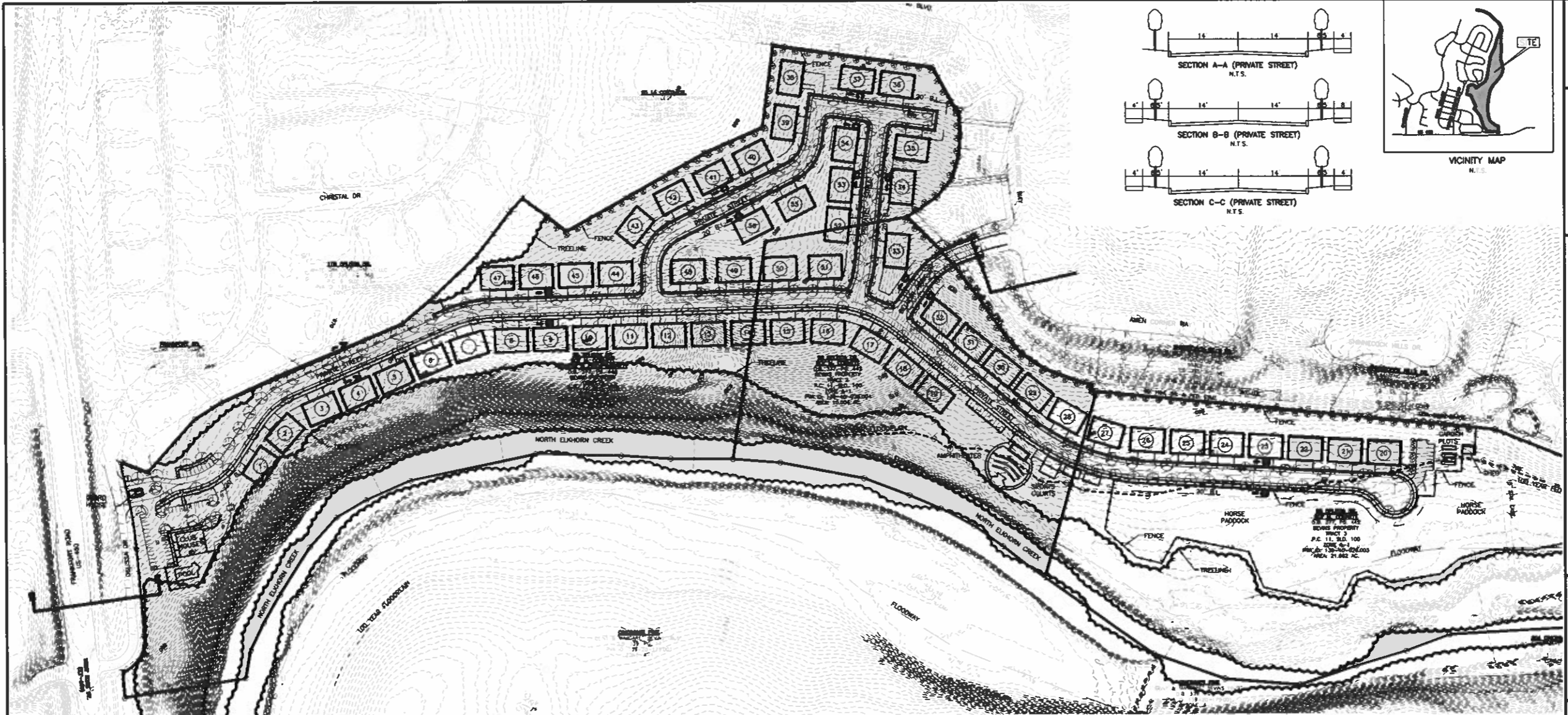
At the Preliminary Development Plan stage, the Applicant would be required to show a detailed landscape buffer and identify tree protection areas on the plan.

RECOMMENDATION:

Based on the findings above, viewed in its entirety, the requested Zoning Map Amendments satisfies the requirements of KRS 100.213, Staff recommends **Approval** of the zone change request for 32.155 acres to R-2 PUD and 21.869 acres to C-1 (Conservation) with the following conditions.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. The Applicant shall annex the Project Site into the City of Georgetown.
3. The Applicant is responsible for providing a legal description of the Project Site to the City of Georgetown as part of the Zoning Map Amendment process.
4. The Applicant shall meet all requirements of the Flood Damage Protection Ordinance for any work in the floodplain.
5. The Applicant shall dedicate ROW and improve Delissa Drive to city standards from centerline to the edge of their property within ROW along their frontage. Required widening shall be reviewed and approved by Planning Commission Engineer.
6. A Preliminary and Final Development Plan shall be submitted to the Planning Commission for review and approval.



LINE DATA TABLE

LINE NO.	LINE TYPE	START STATION	END STATION	LENGTH
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

LINE NO.	LINE TYPE	START STATION	END STATION	LENGTH
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

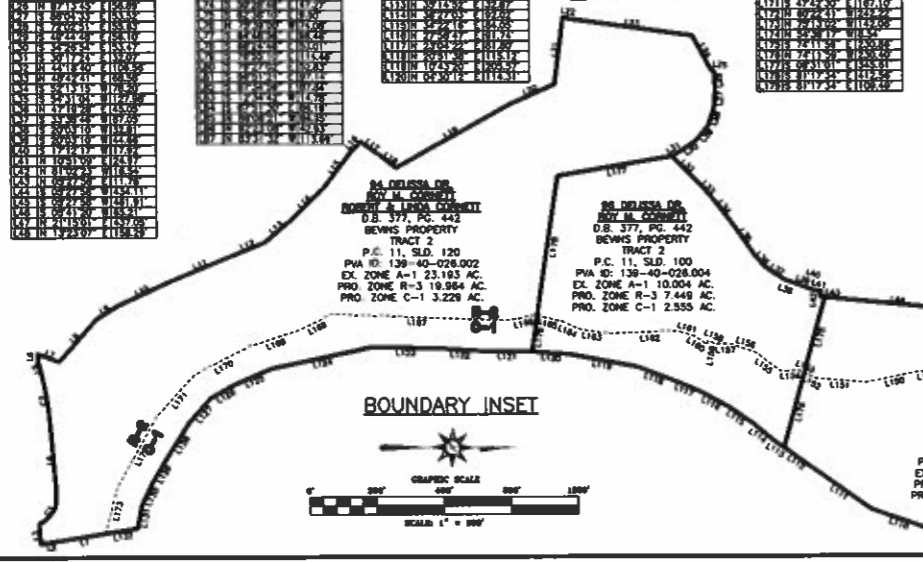
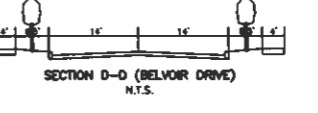
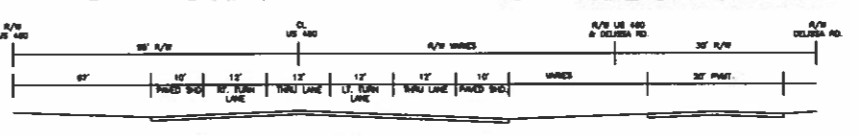
LINE NO.	LINE TYPE	START STATION	END STATION	LENGTH
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

LINE NO.	LINE TYPE	START STATION	END STATION	LENGTH
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

LINE NO.	LINE TYPE	START STATION	END STATION	LENGTH
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60

CURVE DATA TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	PERCENTAGE AREA
125+00.00	N 113.52° E	113.52	113.52	1.00%
125+00.00	N 113.52° E	113.52	113.52	1.00%
125+00.00	N 113.52° E	113.52	113.52	1.00%



200 SPUR LANE SUB. (MAY BE REZONE AVAILABLE)

LOT NO.	D.B.	P.C.	P.S.D.	P.M.A.	EX. ZONE	PRO. ZONE
1	375	120	120	120	A-1	18.000 AC.
2	375	120	120	120	A-1	18.000 AC.
3	375	120	120	120	A-1	18.000 AC.
4	375	120	120	120	A-1	18.000 AC.
5	375	120	120	120	A-1	18.000 AC.
6	375	120	120	120	A-1	18.000 AC.
7	375	120	120	120	A-1	18.000 AC.
8	375	120	120	120	A-1	18.000 AC.
9	375	120	120	120	A-1	18.000 AC.
10	375	120	120	120	A-1	18.000 AC.
11	375	120	120	120	A-1	18.000 AC.
12	375	120	120	120	A-1	18.000 AC.
13	375	120	120	120	A-1	18.000 AC.
14	375	120	120	120	A-1	18.000 AC.
15	375	120	120	120	A-1	18.000 AC.
16	375	120	120	120	A-1	18.000 AC.
17	375	120	120	120	A-1	18.000 AC.
18	375	120	120	120	A-1	18.000 AC.
19	375	120	120	120	A-1	18.000 AC.
20	375	120	120	120	A-1	18.000 AC.
21	375	120	120	120	A-1	18.000 AC.
22	375	120	12			

**R+L CARRIERS
ZONING MAP AMENDMENT**

**Staff Report to the Georgetown-Scott County Planning Commission
OCTOBER 14, 2021**

FILE NUMBER: ZMA-2021-36
PROPOSAL: Zoning Map Amendment to change the zoning district from A-1 to I-1.
LOCATION: Parcel: 162-20-012.000
APPLICANT: Stan Richards
CONSULTANT: Joe Iovinelli
Manhard Consulting LTD



STATISTICS:
Current Zone A-1 (Agricultural)
Proposed Zone I-1 (Light Industrial)
Surrounding Zone(s) A-1, B-2, & I-2
Site Acreage Total: 43.83 acres
Access Cherry Blossom Way Spur

BACKGROUND:

The Project Site is a 43.8-acre tract south of Cherry Blossom Way Spur. The Project Site is west of the railroad and east of I-75.

The Project Site is located outside city limits, and staff recommends that any zone change to an urban zoning district, such as light industrial, be conditioned upon the property being annexed into the City of Georgetown.

Concept Plan Review:

The Concept Plan demonstrates that the site has sufficient space to potentially be developed as a trucking facility with parking, an 80-dock building, maintenance garage, fueling station, and office space. Space also exists to handle stormwater management facilities. The Project Site is in the Dry Run Watershed BMP Study Area, and will require additional study/requirements according to the adopted guidelines. The Applicant was made aware of this and intends to address it as part of the Development Plan.

The access for the Project Site comes from Cherry Blossom Way Spur. This road is currently a state owned and maintained road but is anticipated to be accepted by Scott County Fiscal Court in the near future.

Traffic Study

The Applicant had a Traffic Impact Study (TIS) performed by HMB Professional Engineers, Inc. The study may have been performed by a qualified professional but does not have a stamp signifying that it was performed or reviewed by a licensed engineer. The traffic study looked at existing conditions (2021), an opening year of 2023, and a build out year of 2033. The study looked at these intersections:

1. I-75 Northbound off-ramp at Cherry Blossom Way (KY-620),
2. Cherry Blossom Way (KY-620) at Triport Road, and
3. The T-intersection on Cherry Blossom Way Spur just south of the intersection of Cherry Blossom Way and Triport Road.

Table 1: Trips Generated by the Project Site

	Entering	Exiting	Total Trips
AM Peak Hour Trips	25	30	55
PM Peak Hour Trips	20	25	45

The table above (Table 1) shows the anticipated AM & PM peak hour trips generated by the development when built out.¹ The trip information was supplied by the Applicant to the consultant and checked against the ITE Trip Generation Manual. It is possible, if the proposed development is not built on the site or if the site is redeveloped in future, the traffic impacts for 43+ acres of property zoned I-1 to have a larger impact than those shown in Table 1. If the site were proposed to be developed differently than the Concept Plan or redeveloped, staff would request an updated Traffic Impact Study.

Table 2: Level of Service and Per-Vehicle Delays

Intersection Approach	Year	AM/PM Peak	No-Build LOS	Build LOS	Difference in Delay (sec/veh.)
I-75 NB Ramp	2023	AM	D	D	0.0
I-75 NB Ramp	2023	PM	E	E	-0.1
I-75 NB Ramp	2033	AM	D	D	-0.1
I-75 NB Ramp	2033	PM	E	E	0.0
Cherry Blossom Way & Triport - Northbound	2023	PM	F	F	1.5
Cherry Blossom Way & Triport - Northbound	2033	PM	F	F	17.5
Cherry Blossom Way & Triport - Overall	2023	PM	C	D	1.9
Cherry Blossom Way & Triport - Overall	2033	PM	D	D	3.4

¹ This data is from the Traffic Impact Study performed by HMB Professional Engineers.

Table 2, above, shows the anticipated Level of Service data for No-Build and Build scenarios for 2023 and 2033.² This table shows only those approaches that are anticipated to operate below a LOS of C. Looking at the data provided by the Applicant it looks like none of these intersections will experience meaningful increases in traffic delays other than the 2033 PM peak hour northbound approach at the intersection of Triport Road and Cherry Blossom Way. At the time the study was performed, the hotel and gas station on Cherry Blossom Way Spurt were not yet completed, so estimates of generated trips from the ITE manual were added to the traffic counts. Staff agrees with the Applicant that these counts likely overestimate the number of trips that will be generated by the gas station and new hotel. When looking at the Build vs No Build data provided by the Applicant, the only intersection anticipated to have a degraded Level of Service (LOS) to below a C when looking at the difference between the Build vs No-Build scenarios is the intersection of Cherry Blossom Way and Triport Road in the 2023 analysis. In looking at the data, it appears that the per vehicle delay would increase by 1.9 seconds. This intersection already operates close to a LOS of D, so any change was likely to push it over the threshold into a D.

The conclusion of the Traffic Impact Study is that the proposed development will add additional trips to the network and increase the percentage of trucks in the area but does not warrant any additional lanes or signal modifications. The report does recommend additional pavement on the eastern shoulder edge of the northbound approach of Cherry Blossom Way and Triport Road to allow trucks to make right turns. It also recommends additional pavement at the southern edge of the T intersection to allow for maneuverability for trucks going towards the Project Site on the spur road. The Applicant mentioned in a response letter to staff's TRC comments that the spur road would be widened to 24 feet with 2 feet rock shoulders as part of the development plan. The Applicant would be responsible for making these improvements to the road network, as their larger vehicles are the ones creating the need for the improvements.

LEGAL CONSIDERATIONS:

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

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.*

² This data is from the Traffic Impact Study performed by HMB Professional Engineers.

Part 1: In analyzing whether the Comprehensive Plan supports the Zoning Map Amendment, staff looks primarily at the Future Land Use Map and the adopted Goals & Objectives of the plan for guidance. The Comprehensive Plan's Future Land Use (FLU) Map shows the subject property having an Industrial future land use. This FLU designation supports, "light and heavy manufacturing, warehousing and distribution, trucking..."³ The Applicant's proposed use for the site as a trucking facility is supported by the Future Land Use Map in the Comprehensive Plan.

The Project Site's is situated in an area that is appropriate for a light industrial development. It is located between the railroad/Toyota and the Interstate. It is located relatively close to an interchange on the interstate making for relatively easy access to the larger region. The site is also located near to commercial and residential uses between the site and Cherry Blossom Way.⁴ Any development of the Project Site will need to be sensitive to these adjoining land uses and attempt to mitigate any off-site impacts.

Objective CF 1.1 calls for management of City Annexation to maximize the efficiency of city transportation and services. The project site is nearly an infill development in that it is surrounded on multiple sides that have been developed in an urban style. Development of areas like this allow the City to efficiently use resources.

Objective CF 1.4 encourages preservation of prime farmland for agricultural uses. Development of this project would remove some prime farmland from agricultural use. The Project Site has been planned to be removed from agricultural use for several updates of the Comprehensive Plan.

Objective IF 2.10 encourages the community to maintain or improve the transportation network for collectors and arterials at a Level of Service of "C" or better. The Level of Service (LOS) is a measure of the per-vehicle delays expected at certain times of the day for road intersections. The Planning Commission has long held that new development should not cause the LOS of the road network to fall below a "C".

Staff has previously discussed the results of the Traffic Impact Study submitted by the Applicant. While the Zoning Map Amendment is anticipated to cause one approach to drop below a Level of Service C, the anticipated increase in delay is less than 2 seconds per vehicle. There are areas identified in the Traffic Study that are already operating below a LOS of C, but it is not the responsibility of the Applicant to fix pre-existing traffic delays.

Goal EN 4 encourages the protection of environmentally sensitive areas. The Project Site may have existing steep slopes. The Applicant will need to consult the *Subdivision and Development Regulations* Section 1200 (F) and (G) for more information on how these areas should be handled on any future development plans.

Objective EG 4.2 encourages the community to retain adequate acreage for industrial development. Several industrially zoned properties in and around Georgetown have received approval to be developed in the last several years. This objective supports the proposed Zoning Map Amendment as it

³ Georgetown – Scott County Comprehensive Plan, Pg. 49

⁴ Georgetown – Scott County Comprehensive Plan, Pg. 32

would allow the community to have additional industrial land available to continue to build on a strength of Georgetown and Scott County.

Based on the analysis above, staff finds that this application is in agreement with the Comprehensive Plan. Therefore, we need not consider parts a & b of KRS 100.213 (1).

FINDINGS:

1. The Zoning Map Amendment meets the findings necessary described in KRS 100.213.

RECOMMENDATION:

Based on the findings above, staff recommends the Planning Commission recommends **approval** of the Application to Georgetown City Council. Should the Planning Commission recommend approval, staff suggests adding the following conditions of approval.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. The Applicant shall annex the Project Site into the City of Georgetown.
3. The Applicant is responsible for providing a legal description of the Project Site to the City of Georgetown as part of the Zoning Map Amendment process.
4. The Applicant shall construct all identified roadway improvements with the first development plan/subdivision plat that is approved by the Planning Commission.
5. The Applicant will need to comply with all requirements of the guidelines in the Dry Run Watershed BMP Study that are applicable to this site.

