

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION**

**AGENDA**  
**March 8, 2018**  
**6:00 p.m.**

**I. COMMISSION BUSINESS**

- A. Approval of February invoices
- B. Approval of February 8, 2018 minutes
- C. Approval of March agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

**II. OLD BUSINESS**

- A. PSP-2018-05 Betty Yancey Griffith Trust Property – Preliminary Subdivision Plat for 465 single-family lots, located on the east side of Cincinnati Road, north of Champion Way.

**III. NEW BUSINESS**

- A. FSP-2018-07 Beckett Property – Final Subdivision Plat to divide one tract into three 5-acre tracts, with a remainder tract of 33 acres, located at 4642 Muddy Ford Road.
- B. PDP-2018-08 Oxford Place, LLC – Preliminary Development Plan for a 4,900 sq. ft. retail building to include a Domino's restaurant, located at Falls Creek Drive and Cincinnati Pike (US 25).
- C. PDP-2018-10 Dog Haus – Georgetown – Preliminary Development Plan for a 2,437 sq. ft. restaurant with a 927 sq. ft. patio area, located at 100 Darby Drive.
- D. Open Space Standards – Public Hearing

**IV. OTHER BUSINESS**

- A. Election of officers
- B. Update of previously approved projects and agenda items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
February 8, 2018**

The regular meeting was held in the Scott County Courthouse on February 8, 2018. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Regina Mizell, Steve Smith, Mark Sulski, Johnny Cannon and Frank Wiseman, Director Joe Kane, Planners Matt Summers and Mikaela Gerry, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was commissioner Byron Moran.

Motion by Mizell, second by Cannon, to approve the January invoices. Motion carried.

Motion by Smith, second by Mizell, to approve the January 11, 2018 minutes with the deletion of the last sentence on page 5 of the minutes. Motion carried.

Motion by Sulski, second by Smith, to approve the February agenda. Motion carried.

Postponements/Withdrawals

Chairman Jones stated that the Betty Yancey Griffith Trust Property application (PSP-2018-05) and The Villages of Falls Creek Development Plan application (PDP-2018-02) have been postponed to next month.

Consent Agenda

A representative of the Jones Property application (FSP-2018-01) agreed with their conditions of approval, and no comments were made by the Commission or public. Motion by Smith, second by Mizell, to approve the Final Subdivision Plat subject to the seven (7) conditions of approval. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins.

PSP-2018-03 The Villages of Falls Creek – Preliminary Subdivision Plat to amend eight (8) single-family lots into five (5) duplex lots and one (1) remaining single-family lot, located on Village Park Drive southeast of Champion Way and Cincinnati Road.

Commissioner Jones recused himself.

Mr. Summers reviewed the staff report. He stated the zoning is R-1C PUD and the project site is approximately 1.1 acres. The property was rezoned in 2004. This application is to

amend the Final Subdivision Plat to allow for duplex development where previously single-family homes were planned. The applicant is also required to show that the Common Scheme of Development has changed by proving that market conditions have changed warranting duplex development.

Bruce Lankford, representing the applicants, stated the developers will present their reasons for filing the application.

Joey Smith, applicant, stated that home prices have changed since 2004, the cost of construction materials have risen, the recession, and the growth of the county show that market conditions have changed.

Commissioner Smith asked why the duplexes are proposed in an area of the development approved for single-family homes. Mr. Smith stated he has three builders ready to start building on these lots.

Commissioner Wiseman asked what the opposition prefers the applicant to build.

Commissioner Smith asked why the lots had more than 40% of the lot area to be constructed.

Commissioner Sulski asked Pat Darnell, engineer for applicant, why the lot numbers don't correspond to the drawings. He stated the lot numbers came from an old development plan and will be corrected.

Preston Cecil, attorney representing Robert and Rachel Newtown, residents of Villages of Falls Creek, stated that the development should not be changed to duplexes when residents bought the lots as single-family homes.

He stated that the alleyways are too small for multi-family development and there are other areas of the development which are planned for multi-family units.

Jon Baker, attorney representing Jed and Sidney Johnson, residents of Villages of Falls Creek, stated that his clients bought their lot as a single-family residence and want that area to stay single-family lots.

Commissioner Wiseman asked if the residents would rather see single-family rentals or duplexes. Mr. Baker stated the residents prefer single-family homes. Mr. Johnson stated he had not heard about any single-family homes being built for rental.

Mr. Baker asked how the duplexes would be built. Mr. Smith stated they will be maintained by the owners, would be part of the Homeowner's Association, and the property line would be decided by the builder.

Jack Givens, resident at Creek Stone Court, stated he is against changing the plan.

Steve Brukwicki, Falls Creek Drive resident, disagreed with Mr. Smith's statements about the subdivision regarding rentals and front-loading garages. He stated duplexes should be built in the area previously designated for duplexes.

Nick Compton, Falls Creek Drive resident, stated he adjoins the townhomes/duplexes previously built. He stated he would prefer those townhomes/duplexes to be single-family homes.

He stated that not all of the townhomes/duplexes have been maintained. The apartment complex is sitting empty and has not been maintained.

Robert Newtown, Woods Point Circle resident, submitted a petition against the application. He stated he is against duplexes and apartments adjoining his property.

He questioned what the developer has attempted to do to sell the lots and asked if he has tried reducing the price of the lots.

Mark Smith, Falls Creek Drive resident, listed numerous problems with the development.

Sidney Johnson, Village Park Drive resident, stated that the lots in the development are not selling because of the problems with the development.

Joey Smith, stated that as a local developer he has had a hard time trying to finish the development.

Commissioner Sulski asked if lowering lot prices was an option. Mr. Smith stated it is not feasible.

Commissioner Sulski asked Mr. Smith about the issues with the development. He stated they are working on them.

Engineer Ben Krebs addressed the punch list concerning the development. He stated the bond had been called to finish the list.

Doug Smith, applicant, stated that their original design of flexibility with this development has not happened and the start of open enrollment in the schools hurt their project.

**Motion by Wiseman to approve the Preliminary Subdivision Plat (PSP-2018-03).  
Motion died for a lack of a second.**

**Motion by Smith, second by Cannon, to postpone the Preliminary Subdivision Plat (PSP-2018-03), until a revised master plan is submitted. Motion carried 5-1 with Wiseman dissenting and Jones recused.**

PDP-2018-04 Miami Valley Barns (The Shed Place) – Preliminary Development Plan for a portable building display area, located on the northeast side of Lexington Road, west side of Lisle Road.

Planner Mikaela Gerry reviewed the staff report, stating that the subject property is a 102.7-acre parcel but applicant plans to only lease 0.994-acre portion of the property.

She stated the applicant has requested two variances. A reduction in the minimum canopy requirements and to allow gravel in the storage areas.

Nate Yoder, applicant, stated at his other sites he has signage with his phone number and that he meets buyers either at their house or at the display area to make the sale so an office does not have to be built first.

Chairman Jones asked about the gravel for the storage area.

Brent Combs, stated Clayton Homes, approved in the City of Georgetown, has blacktop in front but gravel where the display units are located.

Samuel Morgan, Spindletop Trailer Park resident, asked if the project would affect his rental home. Commission stated it would not affect his home.

Jimmy Dwyer, property owner, stated he owns the rental property where Mr. Morgan lives and the proposed site and the addresses were mixed up in the mailing and Mr. Morgan's address was identified as the project site, which it is not.

**Motion by Mizell, second by Wiseman, to approve the Preliminary Development Plan (PDP-2018-04) subject to six (6) conditions of approval and two (2) variances. Motion carried.**

ZMA-2018-06 Mallard Point Tract #4 – Rezoning request from B-1 (Neighborhood Commercial) and R-1A (Single Family Residential) to A-1 (Agricultural) for 81.39 acres, to allow for rural residential use, located on the west side of Cincinnati Road, west of I-75.

Chairman Jones opened the public hearing.

Mr. Summers reviewed the staff report and stated the rezoning is in conjunction with a previously approved Preliminary Subdivision Plat. He stated the rezoning is consistent with the Comprehensive Plan.

Harold Simms, attorney representing the applicant, stated that the applicant thought the 225 feet setback line was a tree preservation line.

Rita Jones, realtor representing the applicant, stated that a potential buyer is wanting to build a run-in shed for horses in the paddocks area.

Mr. Simms stated that if the run-in shed is permissible that the applicant is agreeable to the 225 feet setback line.

Chairman Jones closed the public hearing.

**Motion by Sulski, second by Caldwell, to approve the rezoning request (ZMA-2018-06) on the basis it is consistent with the Comprehensive Plan, subject to the two (2) conditions of approval. Motion carried.**

PDP-2017-05 Bluegrass RV – Final Development Plan for a 19,587-sq. ft. Recreational Vehicle sales and maintenance building on 20.13 acres, located on the north side of Paris Road, east of I-75.

Mr. Summers reviewed the staff report, stated the applicant was originally approved for a 43,678-square foot building but wants to construct the building in phases.

Chris Mitchell, Palmer Engineering, stated he prepared the Final Development Plan for the applicant.

Commissioner Sulski asked if all the RV's would be stored in the back. Mr. Mitchell stated they will be on the paved area in the back that is fenced.

Bruce Lankford, representing applicant, stated a few RV's might be placed near the front of the business for display.

Chairman Jones asked that another condition of approval be added that no RV's be stored on the lot until construction is complete.

Mr. Lankford, stated that there is a court order regarding the storage issue of the RV's on the lot before construction is completed that still needs to be heard before the court.

**Motion by Jones, second by Sulski, to approve the Preliminary Development Plan (PDP-2017-05) subject to eight (8) conditions of approval with the addition of no RV's stored on lot until construction is complete. Motion carried.**

Approval of FY 16-17 Audit

Mr. Kane discussed a need to approve the FY16-17 audit prepared by Charles T. Mitchell CPA and presented at Monday's workshop meeting.

**Motion by Sulski, second by Wiseman, to approve the Fiscal Year 2016-2017 audit. Motion carried.**

Review of FY 18-19 Draft Budget

Mr. Kane presented the draft budget for FY 18-19.

**Motion by Sulski, second by Mizell, to approve the Fiscal Year 2018-2019 draft budget. Motion carried.**

Personnel

Mr. Kane recommended and asked for approval of the Commission to end the 6-month probationary periods of Mikaela Gerry, Jay Farris and accept them as permanent full-time employees.

The meeting was then adjourned.

Respectfully,

Attest:

\_\_\_\_\_  
Rob Jones, Chair

\_\_\_\_\_  
Charlie Perkins, Secretary

**BETTY YANCEY GRIFFITH TRUST PROPERTY  
PRELIMINARY SUBDIVISION PLAT  
Staff Report to the Georgetown-Scott County Planning Commission  
Postponed February 8, 2018  
March 8, 2018**

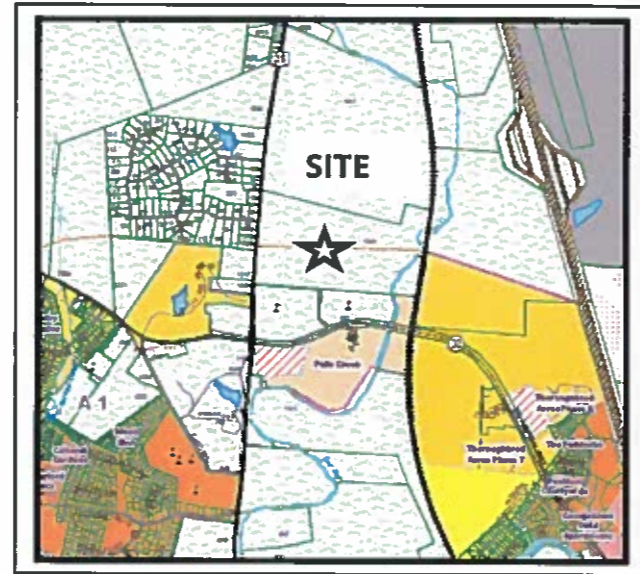
**FILE NUMBER:** PSP-2018-05

**PROPOSAL:** Preliminary Subdivision Plat for ~~465~~ 462 new single family residential lots, on 122.2 acres zoned R-1C (PUD) and C-1 (Conservation)

**LOCATION:** Cincinnati Road (U.S.25 N)

**APPLICANT:** HSC Ventures, LLC  
Contact: George Kawaja

**ENGINEER:** Brent Combs,  
Thoroughbred  
Engineering



**STATISTICS:**

Zone	R-1C PUD (Low Density Residential PUD)
Surrounding Zones	R-1C (Low Density Residential), and A-1 (Agricultural)
Acreage	122.2 Gross
Gross/Net Density	4.44 units/gross acre; 5.74 units/net acre (see staff report)
Proposed Use	<del>465</del> 462 new single family residential lots
Typical Lot Size	55' x 110' (6,050 SF)
Minimum Lot Size	5450 SF
Minimum Lot Width	50 Feet
Typical Lot Width	50-60 Feet
Water/sewer available	Yes/Yes
Length of New Road	16,000 Linear Feet
Access	1) Cincinnati Road Entrance #1 2) Cincinnati Road Entrance #2

**PUD Variances**

- Front setback reduction from 30' to 20'
- Side setback reduction from 10' to 7.5'
- Rear setback reduction from 25' to 20'
- Minimum lot size reduction from 7500 SF to 5450 SF
- Minimum lot width reduction from 70' to 50'
- Maximum net density increase from 4.4 to 5.74 du/net acre

**BACKGROUND:**

The subject property is located on the east side of Cincinnati Road approximately 1/4 mile north of Champion Way. It is located north of Royal Springs and Anne Mason Schools and east of Stonehedge subdivision. The property to be subdivided is the Yancey Griffith Trust property, previously approved and rezoned to R-1C PUD and C-1 Conservation for a residential subdivision (ZMA-2017-36).

The applicants submitted a Concept Plan that showed single-family lots on the east half of the property as part of the zone change application. The west half of the property was intended for multi-family development, so did not have a lot layout for single-family lots. The rezoning request for R-2 PUD for the west portion of the property was amended and the entire developable portion of the property was zoned R-1C PUD. As a result there was no Concept Plan approval for the western portion of the property. The approved Concept Plan did show the proposed entrance locations and proposed landscape buffer areas and known Karst features.

The proposed Preliminary Subdivision Plat should follow the known features of the Concept Plan. Other than that, it will be reviewed as a typical R-1C PUD submittal.

The subject property received zoning approval as a Planned Unit Development (aka Planned Development Project). A planned development project (PUD) may be allowed in those zoning districts where it is designated as a permitted use under the zoning district regulations. Planned development projects are listed as a permitted use in the R-1C District. A planned-development project may depart from the literal conformance with the individual lot dimension and area regulations. A planned development project is subject to the following regulations in Section 2.32 of the Zoning Ordinance.

- A. **Procedure:** The project shall follow normal procedures as set forth in the *Subdivision and Development Regulations*.
- B. **Uses and densities:** *The uses of premises and development densities shall conform with the permitted uses and densities of the zoning district in which it is located.* If a planned-development project is proposed which included uses or densities that are not permitted in any zoning district, the project may be permitted after approval by the Planning Commission.
- C. **Standards:** In any planned-development project, although it is permissible to depart from the literal conformance with the individual lot dimension and area regulations, there shall be no diminution of total equivalent lot area, parking area and loading and unloading area requirement that would be necessary for the equivalent amount of individual lot development with one exemption; the Planning Commission may allow reductions in these requirements if the developer can satisfactorily prove that large scale development may permit such reductions without destroying the intent of these regulations.
- D. **Special Conditions:** *The Planning Commission shall attach reasonable special conditions to insure that there shall be no departure from the intent of this Zoning Ordinance.* The planned-development project shall conform with all such conditions. Because a planned-development project is inherently more complex than individual lot development and because each such project must

be tailored to the topography and neighboring uses, the standards for such projects shall be flexible. The Planning Commission shall attach special conditions based on all of the following standards in addition to imposing the standards for total area, parking area, and loading and unloading area defined in paragraph C above. **The Planning Commission may also attach any other reasonable special conditions.**

**Land Uses:**

The applicant is proposing single-family detached residential development only. This is a permitted use in the R-1C District.

**Setbacks & Dimensions:**

The R-1C zone district is a single-family low-density district with the following dimension and area restrictions.

R-1C Standards:

- Minimum lot area: 7500 square feet
- Max. density: 4.4 units per net acre
- Max. Bldg. Coverage: 40% of lot
- Min. Lot width: 70 feet
- Front Setback: 30 feet
- Side Setback: 10 feet
- Rear Setback: 25 feet

The standard R-1C zone district setbacks are 30-foot front, 25-foot rear, 10-foot side. However, as part of the PUD zoning, the applicant is proposing a reduction in typical setbacks to 20-foot front (~~22-foot~~ garage), ~~25~~ 20-foot rear, and 7.5-foot side. The front and rear setback requests have changed from the plan submitted for the February meeting. The previous submittal did not request a reduction of the rear setback and had a 2' step back proposed for garages. The current submittal is requesting a reduction of the front setback to 20-feet and the rear setback to 20-feet. The side setback, though reduced, is typical for city subdivisions. *The front setback is not desirable when considered with the number and concentration of narrow and shallow lots that are proposed.*

The applicant is requesting to reduce the front, rear and side setbacks and the width of the lots with no increase in open space from that required in a standard non-PUD subdivision, other than an increased buffer along US 25. This appears on its face unreasonable.

The applicant proposed at the time of zoning, a subdivision with a mixture of lot sizes and housing types. The Concept Plan submitted was only for the east side of the property. The concept plan showed 240 single-family lots with the following breakdown of lot widths:

- 65 lots with lot widths 70' or wider (27.1%)
- 45 lots with lot widths 60' or wider (18.8%)
- 87 lots with lot widths 55' or wider (36.3%)

41 lots with lot widths 50' or wider (17.1%)  
2 open space lots. (>1%)

The current submitted Preliminary Subdivision Plat proposes ~~465~~ 462 single-family lots on the property with the following breakdown of lot widths:

~~405~~ 89 lots with lot widths of 70' or wider (~~22.6~~ 19.3%)  
~~35~~ 47 lots with lot widths of 60' or wider (~~7.5~~ 10.2%)  
~~69~~ 157 lots with lot widths of 55' or wider (~~14.8~~ 34%)  
~~255~~ 169 lots with lot widths of 50' or wider (~~54.8~~ 36.6%)  
~~3~~ 0 lots with lot widths of 45' or wider

The majority of lots, roughly 70%, are in the 50'-60' lot width range. The majority of lots appear insufficiently deep to have usable back yard area. Especially along the perimeter of the site where there is a required 15' landscape buffer and where lots back up to internal tree preservation areas. The majority of lots are 110' deep. This may be sufficient to provide area for the principal structure, but leave little area for future expansion or attached decks or covered patios. There is also a large proportion of 50' wide lots. Although 50' wide lots have been approved in the past in PUDs they are not ideal in large numbers and leave a narrow buildable area and force the construction of "snout" house or houses whose garage doors are the dominate feature of the front façade.

The lots sizes proposed on the concept plan varied, with the smallest lot 5,007 square feet and the largest lot 20,255 square feet. The average lot size was 7,070 square feet. The Planning Commission staff was concerned about the density of lots and the Planning Commission Board added as a condition of approval of the zone change that the applicant maintain an average lot size of 7500 square feet in the subdivision.

The proposed Preliminary Subdivision Plat statistics show a minimum lot size of 5450 square feet and an average lot size of 7676 square feet. The average lot size was calculated by the applicant using some of the area in the required landscape buffer area along U.S. 25 to generate the average lot size. There is also an area of R-1C zoning on the east side of Dry Run Creek which is inaccessible due to the existing flood plain and creek. This area was also shown as open space on the Concept Plan. It is staffs opinion that the Landscape buffer areas, floodplain and planned open space areas were not intended to be used to calculate the average lot size in the development. It is also staffs opinion that a minimum lot width should be set at 55', as was done to the most recently approved R-1C PUD at the Abbey at Old Oxford in order to allow a sufficient amount of buildable area on each lot.

There is the additional question as to the method for calculating net density. The existing *Zoning Ordinance* carries forward language that has been in place for a long time and appears to have been interpreted in different ways over the years. The residential categories (R-1A-C) and their corresponding dimension and area requirements were first included in the city-county Zoning Ordinance adopted by the newly founded Joint Planning Commission in 1971.

The R-1C District since that time has had a required minimum lot width of 70' and a minimum lot area of 7500 square feet per lot and a maximum density of 4.4 dwelling units per net acre.

It is assumed that the maximum density number was derived by removing a calculated amount of a certain type of land, from the gross land area to generate net land area. The amount removed, it is assumed, corresponds to the area required for infrastructure to serve a hypothetical subdivision (i.e, the road right of way and stormwater or other areas unusable for lots). There is 43,560 square feet in an acre.  $4.4 \times 7500 \text{ square feet} = 33,000 \text{ square feet}$ .  $33,000/43560 = 75.75\%$ . It is therefore assumed that approximately 25% was removed from the gross land area to account for roads, right-of-way, stormwater infrastructure and other uses needed to build a subdivision and the remaining approximately 75% of land area would then be left to account for the area in lots.

The following is stated in the *Zoning Ordinance*, Section 2.32 on PUDs. A PUD allows for a reduction in lot area on individual lots as long as there is no diminution of total equivalent lot area, parking area and loading and unloading area requirement that would be necessary for the equivalent amount of individual lot development with one exemption; the Planning Commission may allow reductions in these requirements if the developer can satisfactorily prove that large scale development may permit such reductions without destroying the intent of these regulations.

The language of the *Zoning Ordinance* does appear clear. The intent of net density in the schedule of area and dimension regulations was to set a cap on density for each single-family residential district based on the average density expected in each district based on minimum lot size and minimum lot widths proscribed.

Net Density is also defined in Section 2.1 of the *Zoning Ordinance* as, "The numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land (in acre) upon which the dwelling units are proposed, but excluding public and private right-of-way."

The Planning Commission may approve projects that exceed the maximum density, but they must do so knowingly and the net density should be calculated according to the proscribed definition.

The subject property includes, according to the Concept Plan 122.2 acres of gross area. Of this area 17.81 acres is floodplain and zoned C-1 (Conservation). The Conservation zone is non-buildable and was set aside as open space. There is also .443 acres proposed for right-of-way dedication along US 25 and 23.412 acres proposed for right-of-way for internal subdivision streets. The net acreage is therefore calculated as  $122.2 \text{ acres} - 17.81 \text{ acres} - .443 \text{ acres} - 23.412 \text{ acres} = 80.535 \text{ acres}$ .  
 $80.535 \text{ (net acreage)} \times 4.4 \text{ (maximum net density)} = 354 \text{ lots}$ .

The permitted net density in the proposed subdivision is 354 lots. The applicant is proposing 462 lots. The additional density corresponds to the additional development activity being permitted due to the flexibility allowed in the PUD zone.

**Access & Circulation:**

The proposed subdivision has two entrances on to Cincinnati Road (U.S. 25) at the locations proposed on the Concept Plan. The entrance locations and design improvements to the state road will require

approval of the Kentucky Transportation Cabinet. The proposed design includes a boulevard entrance at the northern most entrance aligning with the southern Stonehedge subdivision entrance. There is proposed a left and right turn lane out of the subdivision at both entrances and turn lanes into the subdivision from each direction proposed on U.S.25.

The road layout proposed in the subdivision is similar to what was proposed on the Concept Plan. There are two main collector roads serving the subdivision and they are intersected approximately every 250' by cross streets. There are three stub connections to the farm to the north. No connections are shown to the school property to the south. The collector streets are designed with traffic calming bulb-out features at approximately 1000 foot intervals. In between the short blocks the plan shows on street parallel parking on the collector streets. The alternative design of the street sections and the narrow median on the main feeder streets is not supported by the Planning Commission Engineer.

The applicant has added three 20' pedestrian easements to the school property to the south that were requested by staff. The sidewalk connections will not be constructed now but the easement will be available if school connections are desired in the future. The applicants are proposing a fence easement along the lots that back up to the main entrance roads. It is recommended that landscaping also be provided in this area if the fence is not intended to screen the back of the property or there shall be clarification on the type of fence proposed. No subdivision entrance signs are proposed at this time, but if they are proposed in the future in the landscape buffer, plantings and the landscape buffer should not be diminished due to the construction of subdivision entrance signs.

The proposed plan shows a driveway access across Dry Run Creek to three large lots in the area zoned R-1C PUD on the east side of the Dry Run Creek floodplain. This area was shown as open space on the zone change concept plan. A driveway across the floodplain and development of these lots in this way is not supported by staff and does not conform to the approved concept plan.

**Landscape, Canopy Standards, & Open Space:**

The project is subject to the land use and land buffers ordinance canopy requirement of between 10-15% for single-family areas. There is also a 15' landscape buffer required around the perimeter of the site. Protection of existing trees within the buffer can satisfy the landscape requirement. In those areas with no existing trees, plantings are required meeting the landscape ordinance standards.

A 150' landscape buffer was required along U.S. 25 as a condition of zoning approval, to screen the subdivision from U.S. 25. Since the majority of the existing treeline along U.S. 25 will be removed, the landscaping and buffer proposed should provide a substantial year-round screen. A buffer drawing is shown. The applicant is proposing a double row of trees spaced at 40' on center, consisting of a mix of evergreen and deciduous trees with a minimum of 40% of each. The applicant is also proposing to include 100' of the landscape buffer within the lot area for the first row of lots and add a four-foot high picket or horse fence at the boundary of the landscape buffer. This is acceptable to staff, if no structures are permitted in this landscape buffer area. The U.S. 25 screening was an additional special requirement tied to the PUD zoning. The planting of small trees at this spacing will not create an effective screen for many years. It is recommended that the proposed trees to be planted be a minimum 10' tall at planting and 2" caliper and be planted during construction of the first phase of the project.

The applicant has proposed to protect the treeline on the boundary of the school property and one treeline that crosses the center of the property north to south along the back of lots 201-223 and lots 228-250. Based on prior experience with tree protection areas in other subdivisions, it is recommended that these lots be deeper to allow for preservation of this treeline. It is recommended that these lots be a minimum of 125' deep. The applicant is also proposing to preserve the treeline on the north side of the northern collector road on the property. The applicant will be required to protect the trees in the Conservation (C-1) zoned areas and in the riparian areas along existing streams.

There are major mature treelines throughout this property around previous farm fields. It is recommended that the lots be reconfigured to protect these treelines where practical as a trade off for the PUD flexibility. Besides the treeline previously mentioned there is a major treeline on lots 361-375 that could be protected if the lots were shifted to align the rear of these lots with the treeline.

The existing treeline along Cincinnati Road (U.S.25) is within the state right-of-way and most of these trees will likely need to be removed to construct the road improvements required along U.S 25 at the entrances.

The required landscape buffer along the boundary with the farm to the north, which is the Urban Service Boundary, should be planted at the time of construction and platting of those lots. It is recommended that those lots be deep enough to accommodate the landscape buffer and still provide usable backyard for homes constructed on those lots.

It is recommended that tree protection areas be identified on construction plans on the rear of lots and along the perimeter of the property and elsewhere on the site where practical. Existing tree lines and significant tree stands in the open space areas shall be protected during development. The required tree canopy coverage shall be met through preserving existing trees or new plantings.

The open space proposed on site includes the floodplain areas and also included the area east of the floodplain of Dry Run Creek. This area to the east of Dry Run Creek is now shown as three large lots accessed by a private driveway. It is staffs recommendation that this area remain open space as previously proposed or at a minimum they not be used in the average lot size calculation.

No walking path or improvements are proposed in the open space areas. It is unfortunate that a walking trail has not been provided in the current plan in order to justify the trade off in lot size, width and arrangement allowed with PUD zoning.

**Lot Configuration:**

The applicant is proposing a significant increase in the percentage of small lots 55' and narrower in this subdivision. The lot width, depth and areas are small when compared to other R-1C PUD subdivisions. The reduction of the front setback to 20' and lot widths of 50' have not been particularly successful when allowed in the past. Potential on-street parking issues would be inevitable in this subdivision due to the lack of front yard area for parking. In addition, it is not ideal to require builders to pave the entire front yard to meet off street parking requirements.

**Karst Areas:**

Numerous small depressions were identified while walking the site, mainly along the natural drain on the west side of the farm that drains areas of the Stonehedge subdivision and crosses a significant number of the proposed 50' wide lots on the front of the development. It is staff's recommendation that this natural drainage area be better protected as it has historically flooded. Known karst features or potential karst features should be identified on the Preliminary Subdivision Plat.

**Conclusions:**

Based on the above review, the Preliminary Subdivision Plat layout has addressed some of staff concerns, but still has too many lots with insufficient width and depth. The open space provided has been encroached upon by residential lots to the degree that it does not provide community space equivalent with the increase in development densities requested.

**RECOMMENDATION:**

Based on the findings above that the application does not comply with the requirements of the *Zoning Ordinance, Subdivision Regulations* and Conditions of Zoning Approval. However, planning staff is not opposed to the general layout and subdivision scheme and would recommend approval with some changes to the lot widths, sizes and arrangement and the following variances and conditions.

**Variances:**

1. Variance to reduce the entrance separation distance on US 25 from 1200 feet to 900 feet.
2. Reduce lot widths from minimum 70' to minimum 55'
3. Reduce front yard setbacks from 30' to 25'
4. Reduce side yard setbacks from 10' to 7.5'
5. Reduce rear yard setback from 25' to 20'
6. Reduce minimum lots size from 7500 square feet to 6000 square feet

**Conditions:**

1. A more community wide open space network be integrated into the design that incorporates drainage areas and karst features into the protected open space areas and includes usable park or open space area in the front/west half of the subdivision.
2. Lots that back up to tree preservation buffers be increased in depth to 125' minimum.
3. The lot area zoned R-1C, 2.97 acres in size, east of the flood plain (C-1 zone) shall not be included in the average lot size calculation, as these areas are not part of the subdivision and violate the intent of the condition of zoning requiring a 7500-square foot average lot size in the subdivision.
4. The area in floodplain, zoned C-1 (Conservation) not be included in the average lot size calculation and not be made part of the individual residential lots.
5. Provide KYTC Encroachment permit for entrance improvements and work on ROW prior to construction plan approval. Improvements must be completed prior to lot platting.
6. Redesign roadways to meet current roadway standards. Final street design (including width, parking and intersection design) and traffic calming measures shall be approved by City and Planning Commission Engineer prior to construction plan approval.

7. Berm, fencing and landscaping shall be installed in the landscape buffer along US 25 prior to approval of the Final Plat for the first phase of lots.
8. Project shall comply with recommendations of the adopted Dry Run Watershed Land Use BMP Plan. This will include stream riparian buffer areas, stormwater study guidelines and comparison of modeling results to existing SWMM Model.
9. "Blue-line" stream identified and inventoried in the Dry Run Plan-"Stream Protection Area" is noted as HOA #2 now but should be noted for protection and stream buffer area. Details of stream riparian buffer protection or restoration shall be provided and approved prior to construction plans approval. (cross section of width and riparian buffer as minimum).
10. Offsite drainage from area of Stonehedge must be discussed in detail. Project must account for and be evaluated to allow for drainage to pass in the event that upstream sinkholes are "plugged". Still have concerns about how pass-thru will be routed and with lots being built through here. 9/1/17 Karst exploration Report provides warnings about this area and there are "dips" in the bedrock (from the GPR & borings) that are suspicious. **Not enough information is currently available to support residential structures being located in this area.**
11. This drainage channel (noted above) from US 25 flowing SE to school will require a jurisdictional determination by the USACE and additional geotechnical evaluation prior to construction plan approval.
12. Identify all depressed and Environmentally Sensitive Areas on site on the preliminary subdivision plat. Besides the area by US 25, other "depression" were noted during our site visit and show up as anomalies on your topo and are in a line paralleling the southern property line. Note on preliminary that these areas must be avoided or studied and mitigated if approved by PC at the meeting or after evaluation has been documented. **Additional "depressed" areas were observed during site visit on 2/1/18 along the "drain" to the north-east (lots 33-80) and around the tree area of lots (216-218 thru 164-165).**
13. Any work in the floodplain or lots abutting it will need to meet the Flood Damage Prevention Ordinance including minimum construction elevations and setbacks.
14. The 16' paved private driveway (assuming this is a proposed "low water crossing" to multiple lots is not supported. It is recommended that this connection be by approved "bridge" allowing passage above the base flood elevation if it is to be subdivided for multiple users.
15. Applicant shall demonstrate they comply with City of Georgetown Ordinance 15-014 regarding documentation of an HOA covenants and restrictions, open space maintenance, and Common Scheme of Development.
16. Construction Plans and Final Subdivision Plat shall demonstrate that all requirements of the Landscape and Land Use Buffer Ordinance are met. All trees shall be in place or bonded prior to Final Plat approval with the exception of the landscaping along US 25 (see condition 7).
17. Subdivision development must meet all Georgetown Stormwater Manual requirements. Per City Ordinance 15-001, an approved stormwater management plan and responsible entity shall be established for maintenance of stormwater infrastructure prior to Final Plat approval.
18. Any wetland impacts be avoided or be permitted through the Kentucky Division of Water and Army Corp of Engineers prior to construction plan approval.
19. No lots shall directly access Cincinnati Road.

20. Any future subdivisions, revisions, or amendments to the approved subdivision plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
21. All applicable requirements of the *Zoning Ordinance Subdivision and Development Regulations*.
22. All applicable requirements of zone change approval (ZMA 2017-36).
23. 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 subdivision plat.
24. The preliminary approval is valid for two years, subject to the requirements of Article 406 of the *Subdivision and Development Regulations*.

**CERTIFICATION OF OWNERSHIP**  
 I, the undersigned, certify that I am the owner of the property shown and described herein and that I hereby grant the use of this subdivision plat for the use of said subject.

(OWNER'S SIGNATURE)

**CERTIFICATION OF PRELIMINARY PLAN APPROVAL**  
 I, the undersigned, certify that the preliminary subdivision plat shown herein has been prepared to comply with the requirements and regulations of the Kentucky Department of Transportation and the Kentucky Department of Public Safety, and that I hereby grant the use of this subdivision plat for the use of said subject.

(PLANNING BOARD MEMBER'S SIGNATURE)

**STATISTICS**

TOTAL AREA - 132.8 ACRES  
 UNDEVELOPED LAND - 41.3 ACRES  
 DEVELOPED LAND - 91.5 ACRES

AREA IN STREET R/W - 22,412 ACRES  
 AREA IN LOT R/W - 6,443 ACRES  
 NET AREA - 68,849 ACRES  
 NET DENSITY - 4.52

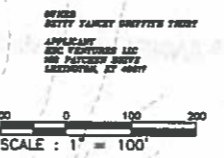
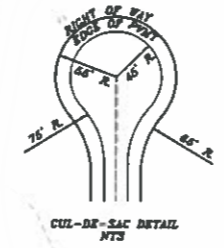
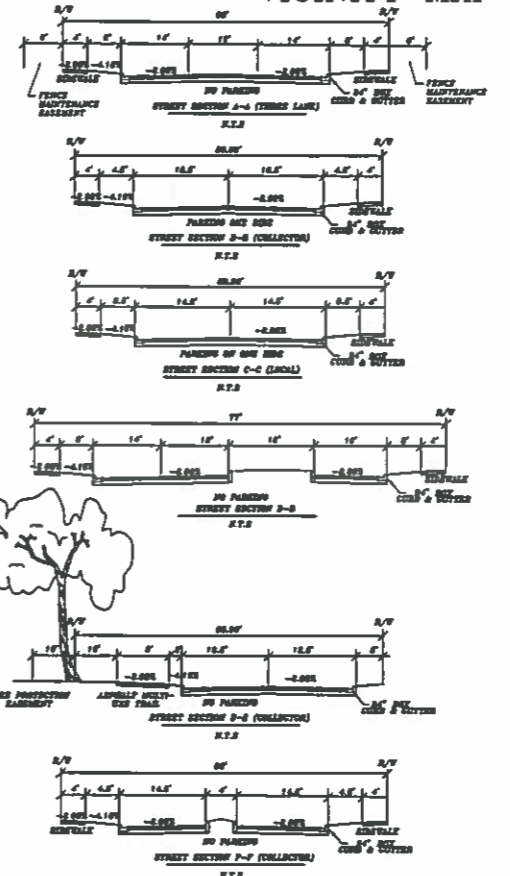
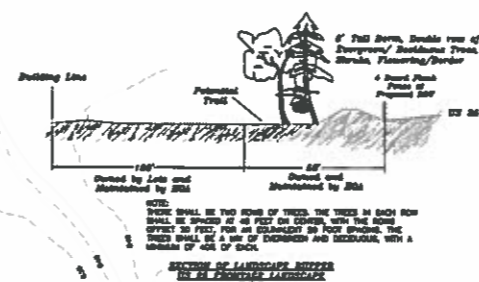
UNPAVED LOT - 1,480 SQ. FT.  
 UNPAVED LOT - 14,300 SQ. FT.

LOTS 40 BROAD (142) - 2,000 SQ. FT.  
 LOTS 40 BROAD (142) - 1,750 SQ. FT.

**ZONE REQUIREMENTS**

PROPOSED - R-10  
 PERMITTED - R-10  
 MAX. LOT AREA - 2.0 ACRES  
 MAX. LOT AREA - 2.0 ACRES  
 MAX. LOT AREA - 2.0 ACRES

PERMITTED - R-10  
 PERMITTED - R-10  
 PERMITTED - R-10



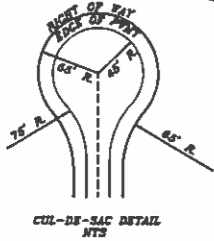
**NOTES**

1. THE PERMITTED DENSITY IS BASED ON THE USE OF 1,480 SQ. FT. PER LOT.
2. LANDSCAPE BUFFER OR PERMITTED BUFFER AREAS SHALL MEET THE LANDSCAPE DISTANCE REQUIREMENTS FOR BUFFER ALONG 14.5 FT. SIDE OF STREET.
3. A 4\"/>

**PRELIMINARY SUBDIVISION PLAT**  
**BETTY YANCEY GRIFFITH TRUST PROPERTY**  
 CINCINNATI PIKE GEORGETOWN, KENTUCKY

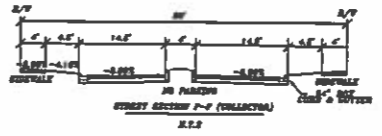
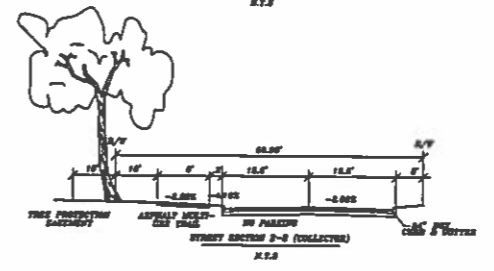
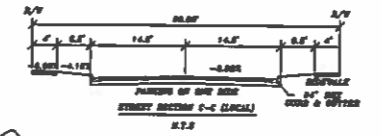
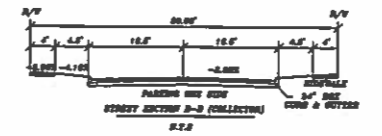
1  
 SCALE: 1"=100'  
 DATE: 12-29-17  
 REVISION: 2-23-18  
 DRAWN BY: A.B.C.  
 CHECKED BY: the\_park-preliminary  
 sub plot-TRC-3.dwg

**THOROUGHBRED ENGINEERING**  
 110 E. MAIN ST. SUITE 208 GEORGETOWN, KY 40324 (502) 843-1758  
 CIVIL DESIGN - GEOTECHNICAL ENGINEERING - IBC SPECIAL INSPECTIONS - MATERIAL TESTING - LAND SURVEYING - GEOTECHNICAL DRILLING



**STATISTICS**

TOTAL AREA -	153.8 ACRES
PROPOSED LOTS -	491
ACRES COUNTY -	3.73
AREA IN STREET R/W -	55.418 ACRES
AREA IN U.S.D. R/W -	5.443 ACRES
RESERVATION -	BLANK ACRES
NET AREA -	4.63
SMALLEST LOT -	8,480 SQ.FT.
LARGEST LOT -	144,700 SQ.FT.
AVERAGE LOT SIZE -	4,688 SQ.FT.
LOTS AS SHOWN (+) & (-) -	4,688 SQ.FT.
LOTS AS SHOWN (+) & (-) LESS FLOODPLAIN -	7,078 SQ.FT.
RESERVED -	7,078 SQ.FT.
ZONE SHOWN -	B-1C
PROPOSED -	PROPOSED
FRONT -	30'
SIDE -	7.5'
REAR -	30'
MIN. LOT SIZE -	7,000
5,400	
PARCING -	
ONE LOTS @ 4 EACH -	1,478
TWO LOTS @ 2 EACH -	276
LOCAL STREET (ONE 1' FOR 2 LOTS) -	230
ADDITIONAL STREET -	ALL
	321 (6.4 PER LOT)



- NOTES:**
1. THE PROPOSED BOUNDARY IS TAKEN FROM THE CORNER OF LOTS (D.322, P.109).
  2. LANDSCAPE BUFFER AREAS SHALL MEET THE LANDSCAPE ENHANCEMENT REQUIREMENTS FOR BUFFER ALONG ALLIES, SEE DEED ON SHEET 2.
  3. A 10' SETBACK FROM THE PROPOSED BOUNDARY TO CONSTRUCTION SHALL APPLY.
  4. THIS DEVELOPMENT SHALL MEET THE REQUIREMENTS OF THE ACCEPTED SITE PLAN WATERFED LAND USE MAP PLAN.
  5. THIS DEVELOPMENT SHALL MEET THE CLIMATE ACTION VULNERABILITY REQUIREMENTS.
  6. THE UPRIVILEGE WITHIN (180 ACRES) SHALL BE APPROPRIATELY MODELED, SO THAT PLANTY IS HEATED THROUGH THE PROPOSED GROUND LEVEL IN A CLIMATE BUFFER SYSTEM WITH NO UNDESIRABLE IMPACTS.
  7. AREAS LABELED AS "TYPICALLY TO BE MAINTAINED" SHALL BE MAINTAINED OR UNMAINTAINED.
  8. LOTS TO BE 10, 8 TO 17, AND 18-24 SHALL NOT BE PERMITTED TO CONSTRUCT ANY IMPROVEMENTS WEST OF THE 180 FOOT LANDSCAPE BUFFER BUILDING LINE, BEFORE CONSTRUCTION OF ANY OF THESE LOTS, OWNER SHALL CONSTRUCT A FENCE ALONG THE 180 FOOT LANDSCAPE BUFFER BUILDING LINE, PROVIDED THAT THE FENCE IS OTHER FRONT (LOCALLY SPACED) AND SHALL HAVE AN HEIGHT OF 4 FEET, AND HAS A PERMITTING RATE, OR A FOUR BOARD HOME FENCE, PROVIDED, THE 180 FOOT BUFFER AREA IS PART OF THE DEVELOPMENT.
  9. FOR LOTS WITH AN 81' FRONT, BEFORE CONSTRUCTION OWNER SHALL CONSTRUCT A FENCE TO ENCLOSE THE REAR OF THESE LOTS, OTHER THE FLOODPLAIN, PROVIDED THAT THE FENCE IS OTHER FRONT (LOCALLY SPACED) VERTICAL BOARD, NO TALLER THAN 4 FEET, AND HAS A PERMITTING RATE, OR A FOUR BOARD HOME FENCE.



**CERTIFICATION OF OWNERSHIP**  
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF THE DEVELOPMENT WITH OUR OWN FREE CONSENT.

(OWNER'S SIGNATURE)

**CERTIFICATION OF PRELIMINARY PLAN APPROVAL**  
I HEREBY CERTIFY THAT THE PRELIMINARY DEVELOPMENT PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION.

(CHAIRMAN, SCOTT COUNTY PLANNING COMMISSION)

OWNER  
BETTY YANCEY GRIFFITH TRUST  
APPLICANT  
BSC VENTURES LLC  
160 PATCHESS DRIVE  
LEXINGTON, KY 40507

**PRELIMINARY SUBDIVISION PLAT**  
**BETTY YANCEY GRIFFITH TRUST PROPERTY**  
CINCINNATI PIKE GEORGETOWN, KENTUCKY

SCALE	DATE
1"=100'	12-29-17
REVISION	DRAWN BY
2-22-18	A.B.C.
CAD FILE	the_park-preliminary
	sub plat-TRC-3.dwg

**THOROUGHbred ENGINEERING**  
110 E. MAIN ST. SUITE 200 GEORGETOWN, KY 40324 (502) 863-1750  
CIVIL DESIGN - GEOTECHNICAL ENGINEERING - REC SPECIAL INSPECTIONS - MATERIAL TESTING - LAND SURVEYING - GEOTECHNICAL DRILLING

**BECKETT PROPERTY**  
**Staff Report to the Georgetown-Scott County Planning Commission**  
**March 8, 2018**

**FILE NUMBER:** FSP-2018-07

**PROPOSAL:** Final Subdivision Plat to divide three five acre tracts, leaving a 33.11-acre parent tract.

**LOCATION:** Muddy Ford Road (KY 922)

**APPLICANT:** Rita Jones

**SURVEYOR:** Joel Day



**STATISTICS:**

Zone	A-1 (Agricultural)
Surrounding Zones	A-1 (Agricultural)
Acreage	Tract 1 (new): 5.00 acres Tract 2 (new): 5.00 acres Tract 3 (new): 5.00 acres remainder: 33.11 acres

Proposed Use	Agricultural/Residential
Access	Muddy Ford Road (KY 922)
Variance Requested	None

**BACKGROUND:**

The subject property contains 48.11 acres, and is located on Muddy Ford Road north of Oxford. The subject property and land surrounding is zoned A-1, Agricultural. The proposed subdivision will create three new 5.00-acre tracts with a proposed new shared access from Muddy Ford Road. The remaining 33.11 tract will be accessed by an existing farm entrance from Muddy Ford Road.

This application is considered a major subdivision and is required to be reviewed by the Planning Commission because the property was previously subdivided after 1999. That plat required all further subdivisions to be approved by the full Planning Commission. The application does not require rezoning since there are three or fewer tracts between 5-10 acres being created.

**Plat Review:**

The proposed subdivision meets all planning requirements at this time. All tracts show the required 50-foot setbacks on all property lines and have at least 250 feet of width at the building line. The Health

Department will need to conduct a site evaluation for the newly configured tracts to certify that an on-site septic system is feasible, but have not indicated any anticipated problems.

There one existing entrance to the farm. The proposed new tracts would be served by a new entrance proposed on Muddy Ford Road, a state road. Only three users have been assigned to this access, which complies with the *Subdivision Regulations*.

**RECOMMENDATION:**

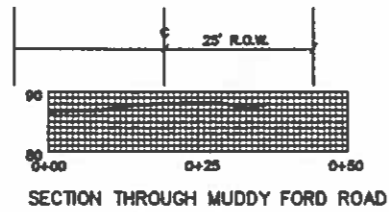
Approve the Final Subdivision Plat to create three 5-acre tracts leaving a remainder tract of 33.11 acres tract with the following conditions of approval:

Conditions of Approval:

1. Any future subdivisions, revisions, or amendments to the approved subdivision plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
2. All applicable requirements of the *Zoning Ordinance*.
3. New entrance permit shall be obtained from KYTC District 7 for the proposed entrance prior to Final Plat approval.
4. All applicable requirements of the *Subdivision & Development Regulations*.
5. 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 subdivision plat.
6. This preliminary subdivision plat is valid for a period of two years in accordance with Section 306 of the *Subdivision and Development Regulations*.

**LEGEND**

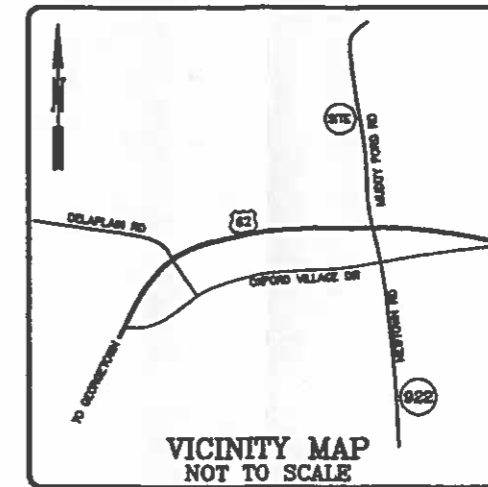
- 1/2" x 18" STEEL REBAR W/ID CAP MARKED "MERIDIAN/2536" SET
- ▣ IRON BAR FOUND-AS NOTED
- ⊙ SURVEYOR'S MAG-NAIL-SET
- ⊙ SURVEYOR'S MAG-NAIL-FOUND
- ▣ R.O.W. MONUMENT-FOUND
- ⊙ UTILITY POLE
- ⊙ BENCHMARK
- ⊙ FIRE HYDRANT



**UTILITY CERTIFICATION**

I HEREBY CERTIFY THAT THE UTILITY EASEMENTS DEPICTED HEREON ARE ADEQUATE TO PROVIDE SERVICE. OWNERS AND PROSPECTIVE OWNERS SHOULD NOTE THAT CUSTOMARY CHARGES APPLY, AND, THAT ADDITIONAL EASEMENTS AND/OR CONCESSIONS MAY BE NECESSARY IN ORDER TO SUPPLY SERVICE.

FOR: L.G.E./K.U.	DATE
FOR: AT&T	DATE
FOR: KY-AMERICAN WATER Co.	DATE



THE PURPOSE OF THIS PLAT IS TO DEPICT THE SUBDIVISION OF THE BECKETT PROPERTY, CREATING THREE NEW TRACTS.

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

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

ONE NEW ENTRANCES IS PROPOSED.

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

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

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

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH SETBACK LINES, AND DEDICATE ANY PUBLIC RIGHTS-OF-WAY AND/OR EASEMENTS INDICATED UPON THIS PLAT OF MY OWN FREE WILL AND CONSENT. PRELIMINARY ONLY-NOT FOR RECORDING OR USE IN TRANSFER

WILLIAM G. BECKETT  
4642 MUDDY FORD ROAD  
GEORGETOWN, KY 40324

DATE

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

PRELIMINARY ONLY-NOT FOR RECORDING OR USE IN TRANSFER

Wm. JOEL DAY, P.L.S. No. 2536

DATE

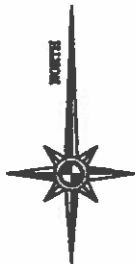
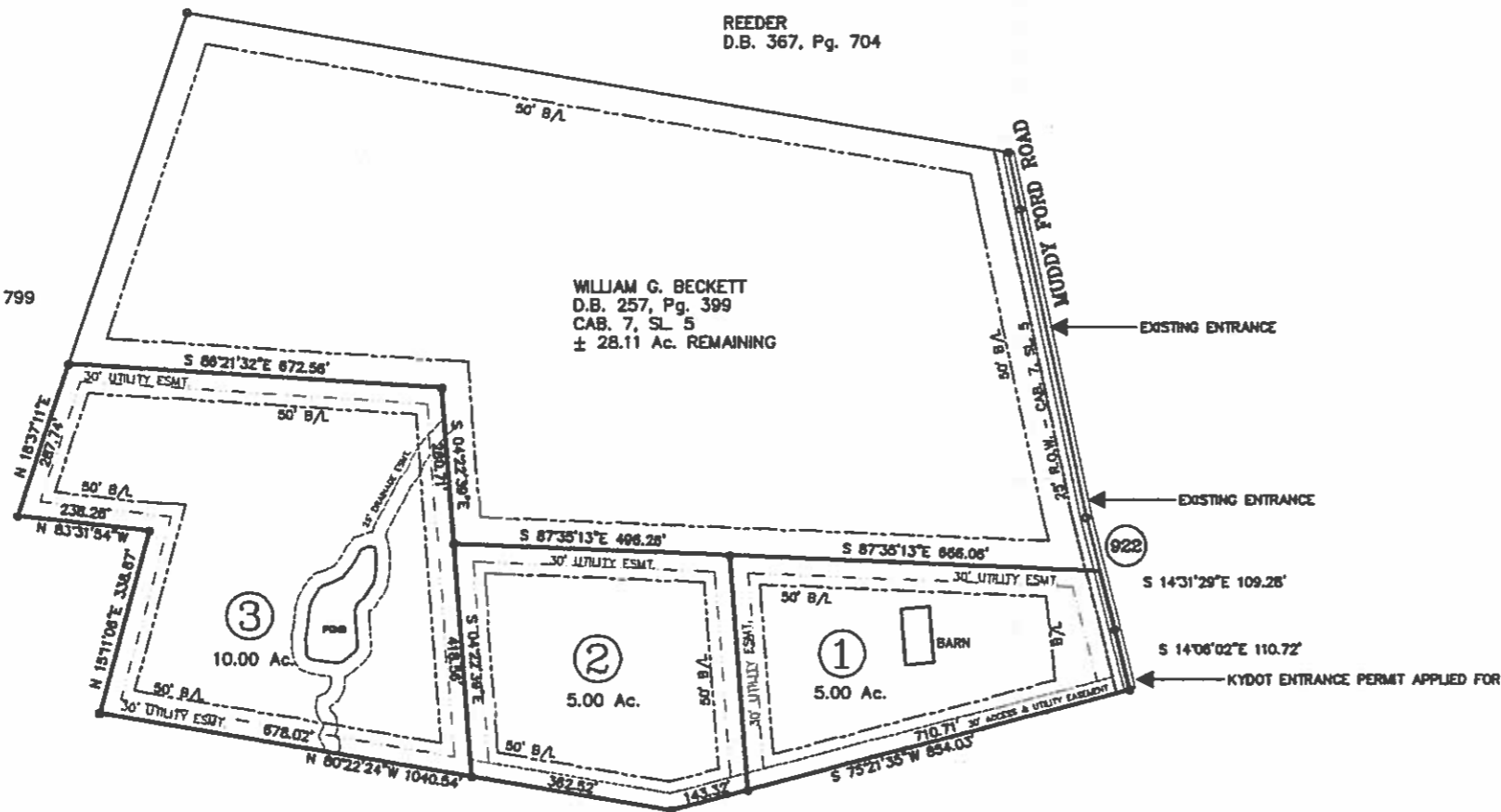
MASON  
D.B. 353, Pg. 799

WILSON  
D.B. 139, Pg. 361

REEDER  
D.B. 367, Pg. 704

WILLIAM G. BECKETT  
D.B. 257, Pg. 399  
CAB. 7, SL. 5  
± 28.11 Ac. REMAINING

GRAVES  
D.B. 354, Pg. 749  
CAB. 9, SL. 194



**MERIDIAN ASSOCIATES, LLC**  
SURVEYORS  
120 EAST MAIN STREET, GEORGETOWN, KY 40324  
TELEPHONE (502) 863-8070 - jdaypls@bellsouth.net

FEBRUARY 22, 2018

FINAL SUBDIVISION PLAT OF  
**BECKETT PROPERTY**  
4642 MUDDY FORD ROAD, GEORGETOWN, SCOTT COUNTY, KENTUCKY  
WILLIAM G. BECKETT - D.B. 257, Pg. 399 - CAB. 7, SLIDE 5

**OXFORD PLACE, LLC  
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission  
March 8, 2018**

**FILE NUMBER:** PDP-2018-08

**PROPOSAL:** Preliminary Development Plan to construct a 4,900-square foot commercial building

**LOCATION:** Falls Creek development, north of the existing gas station

**APPLICANT:** Chris Reisch  
Team Goliath, Inc.

**ENGINEER:** Allen Patrick Darnell, PE  
Darnell Engineering, Inc.

**STATISTICS:**

Zone	B-4 (PUD)
Surrounding Zones	B-4 (PUD)
Acreage	0.735 acres
Building Size	4,900 square feet (0.112 acres)
Parking Required	20 spaces
Parking Provided	34 spaces (2-handicap accessible)
Water/sewer available	No/No
Access	None
Variiances	None



**BACKGROUND:**

The application before the Planning Commission is a Preliminary Development Plan to construct a 4,900-square foot commercial building.

The Falls Creek Development was approved as a mixed-use, Traditional Neighborhood Development in 2004 as part of Drake Property rezoning (ZMA-2004-23). In 2004, the Drake Property was rezoned from

A-1 to B-4 and R-1C PUD with a maximum 338 dwelling units approved based on the R-1C density of 4.4 units per net acre.

The original Concept Plan anticipated a mixture of housing types and sizes with unifying architectural controls that would be established in the Homeowner Association documents. The original concept plan proposed 150 single-family homes on a range of lot sizes from 5,000 square feet and larger; 25 townhouse units, and 163 apartment units.

The Project Site has been planned for commercial use since the rezoning of the property in 2004. The B-4 zoning district (Community Commercial) is intended to serve an extended neighborhood within the city. It should promote community attractiveness by integrating with surrounding residential areas through pedestrian connections, landscaping, and screening.

## KEY ISSUES/COMMENTS:

### Layout:

The B-4 zoning district has design standards that are unique to it. The regulations for this district are listed below, with staff comments in **bold italics**.

- A. Maximum height permitted - 75-feet: ***The plan meets this requirement.***
- B. Minimum lot size shall be 7,500 square feet: ***The plan meets this requirement.***
- C. All buildings shall be set back at least 50' from the perimeter of the zone. All buildings fronting on public streets within the interior of the zone shall have a maximum setback of 35 feet from the right-of-way. Side and rear yard setbacks, for those lots on the interior of the zone, shall be zero (0) feet. ***The plan meets this requirement.***
- D. The ground area occupied by all the buildings shall not exceed, in the aggregate, thirty-five (35) percent of the total area of the zone. ***The plan meets this requirement.***
- E. Parking shall be provided on a basis of one space for every 250 feet of floor area. ***The plan meets this requirement.***
  - a. On-street parking is permitted if roadway is designed to 36-foot section. ***The street is proposed to be 25-feet wide. No on-street parking will be allowed***
  - b. Parking may not occupy lot frontage on those lots less than one (1) acre; parking must be accommodated on the side or rear of the building. ***The plan meets this requirement.***
- F. No free-standing signs shall be allowed except for gas stations and signs at the entrance to the area stating occupants of the zone. ***None Proposed***
- G. Outdoor sales and display is allowed if shown on an approved development plan. ***None Proposed***
- H. Street trees shall be required at a standard of one tree per every 40 linear feet of the individual property. Placement and maintenance shall be the responsibility of the land owner. ***The plan meets this requirement.***

### Access/Traffic:

Vehicular access to the Project Sites will be from a proposed access street. Currently, a road stub (access road) exists to provide a second entrance to the gas station south of the Project Site. This access road will need to be extended north to provide access to the Project Site prior to the recording of a plat creating the 0.735-acre lot.

Falls Creek Drive, the main collector road for this part of the Falls Creek Development, currently exists as an access easement for only Lot 1A (Traditions Apartments) and Lot 2 (BP Gas Station). This road will need to be platted as right-of-way, and not just an access easement, so it can serve additional development in Falls Creek and eventually be eligible for dedication to the City of Georgetown.

The traffic study prepared in 2004, included the commercial component of the Falls Creek development. The size of buildings and uses proposed with this Preliminary Development Plan match those analyzed in the traffic study. The development of this site should not have a negative on the transportation network.

The parking proposed with this development meets the requirements of the Zoning Ordinance.

Pedestrian traffic will be handled by sidewalks along the streets in Falls Creek. The Preliminary Development Plan shows sidewalks being located outside the cross section of the access road. Sidewalks will need to be located within the right-of-way or access easement. On-site sidewalks are shown providing access from the access road to the building.

#### **Landscaping:**

Development Plan:

The plan shows an appropriate amount of interior VUA landscaping to meet the requirements. Section 6.13 of the *Landscaping and Land Use Buffers Ordinance* requires landscaping buffer 5 feet wide to screen the vehicular use area from the adjoining property to the north and east. This buffer area can be met by the shown interior landscaped area, but the Final Development Plan will need to show details regarding the plantings for this buffer.

The plan shows sufficient existing trees and proposed trees to meet the canopy requirements for a residential development.

The Final Development Plan will also need to specify the location for street trees.

#### **FINDINGS:**

1. The Preliminary Development Plan matches uses shown on the concept plan.
2. The traffic study completed in 2004, considered the commercial development of Falls Creek.
3. The 0.735-acre lot proposed for this development does not exist, and the site does not have road, water, or sewer availability.

#### **RECOMMENDATION:**

Staff recommends **Approval** of the Preliminary Development Plan. Should the Planning Commission approve the application, staff recommends the following conditions be attached:

Conditions

1. A plat shall be recorded, creating the lot for this development, including road access and certifications for water, sewer, and electric availability.
2. Falls Creek Drive shall be platted as right-of-way prior to approval of a Final Development Plan.

3. The sidewalk along the frontage shall either be constructed in the right-of-way or an access easement shall be placed around it to allow for public usage.
4. All previous applicable conditions from the zone change for Falls Creek (ZMA-2004-23).
5. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan.
6. All development must meet the requirements of the Georgetown Stormwater Manual.
7. Prior to any construction or grading, the applicant shall meet with the Planning Commission Engineer and the Development Inspector to review construction policies and establish inspection schedules.
8. Any revisions or amendments to the approved Preliminary Plan must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
9. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
10. Prior to (as part of) the Final Plan approval, the applicant shall provide the Planning Commission staff (GIS Division) with a digital copy of the approved Plan.
11. A specie-specific landscape plan shall be provided along with the Final Development Plan.
12. The preliminary approval is valid for two years, subject to the requirements of Article 406 of the *Subdivision and Development Regulations*.



**DOG HAUS  
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission  
March 8, 2018**

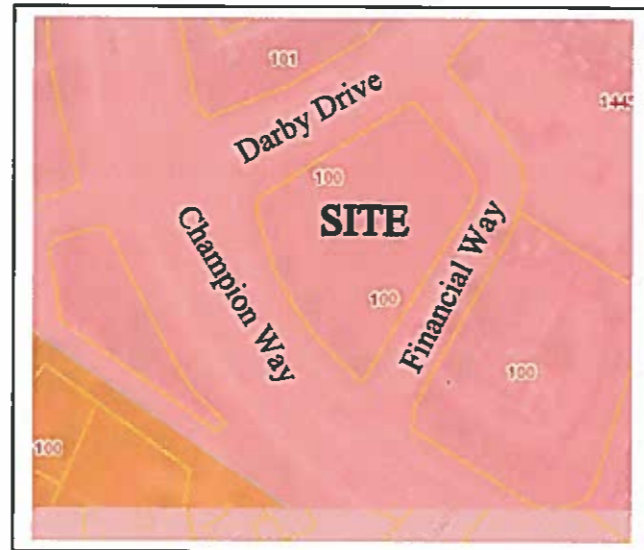
**FILE NUMBER:** PDP-2018-10

**PROPOSAL:** Preliminary Development Plan to construct a 2,437-square foot restaurant with a 927-square foot patio area

**LOCATION:** 100 Darby Drive

**APPLICANT:** Pun For Li

**ENGINEER:** Will Spaulding  
Kimley-Horn



**STATISTICS:**

Zone	B-2 (Highway Commercial)
Surrounding Zones	B-2
Proposed Use	Restaurant
Site Acreage	0.97 acres
Building Area	3,364 square feet
Max. Building coverage	50%
Building Coverage	8%
Parking Required	1 space per 150 SF of commercial floor area (23 spaces)
Parking Provided	23 spaces (2 handicap accessible)
Access	Financial Way (2 accesses proposed)
Variances/Waivers	Variance to reduce the minimum separation requirement for accesses on non-residential streets from 100 feet to 60 feet.

**BACKGROUND:**

The application before the Planning Commission is a Preliminary Development Plan to construct a 2,437-square foot restaurant with a 927-square foot patio area.

The Project Site is a 0.97-acre parcel that is zoned B-2 (Highway Commercial) and is located at 100 Darby Drive. The surrounding properties are also zoned B-2 (Highway Commercial).

**Preliminary Development Plan Review:**

Setbacks and Building Standards:

The B-2 Zoning District has the following setback requirements:

Front: 50-foot  
Side: 0-foot  
Rear: 0-foot

However, in September 1995 (G-25-95) the Board of Adjustment approved an application for a variance to reduce the front-yard setback from 50 feet to 25 feet for 12 parcels along Northwest Collector and Darby Drive. A minor subdivision plat (Cab. 5, Sl. 1957) was approved in 1998 that created the subject property, which showed the 25-foot building line along Darby Drive. A minor transfer and consolidation plat (Cab. 9, Sl. 169) was then approved in 2006, which created a separate parcel, or a private access easement, which is now Financial Way. The plat showed a 25-foot building line along the frontage of Darby Drive, but showed a 0-foot building line along Financial Way when a 50-foot building line would typically be required. Due to the previous variance granted for this area Staff feels that a 25-foot building line, rather than a 50-foot building line, is appropriate for the frontage along Financial Way.

The Preliminary Development Plan shows a 50-foot building line along Darby Drive. This should be adjusted to a 25-foot building line on the Final Development Plan. The proposed building location for the Project Site meets the 25-foot building setback requirements. The footprint of the proposed structure will cover 3,364 square feet, or 8% of the lot area, which is under the 50% maximum building ground coverage allowed.

#### Vehicular Access & Pedestrian Circulation:

*Driveways & Access:* There are two new entrances proposed on Financial Way. The southern entrance along Financial Way does not meet the minimum separation requirement and a variance will be required if the Preliminary Development Plan is approved as shown. The Subdivision and Development Regulations state "accesses on opposing sides of the street shall be either opposite each other (+/- 5.0 feet) or at least 100 feet from center line to center line". The proposed access is approximately 60-feet from the southern entrance of Whitaker Bank and 65-feet from the northern entrance of Whitaker Bank. The Planning Commission Engineer recommended that the entrance should either be opposite the southern entrance of Whitaker Bank and be a right-in right-out only, or that the proposed entrance should split the two existing entrances for Whitaker Bank. The Applicant has proposed the latter.

*Parking Spaces:* The proposed number of parking spaces meets the minimum Parking requirements.

*Sidewalks:* The Applicant has proposed sidewalks along Financial Way and has agreed to repair the existing sidewalk along Darby Drive to meet ADA/FHA requirements.

#### Land Use Buffers and Landscaping:

##### *Vehicle Use Area Perimeter Requirements; Section 6.13:*

- VUA perimeter screening is required when adjoining a public or private street right-of-way, access road, or service road.
- When VUA faces a public or private street right-of-way, access road, or service road, trees must be from Group A or B plus a 3' average height continuous planting, hedge, fence, wall or earth mound or a 3' decrease in elevation from the adjoining property to the vehicular use area (Row 2).

The preliminary landscaping plan shows the appropriate VUA perimeter screening.

##### *Interior Landscaping for Vehicle Use Areas; Section 6.22:*

- Requires interior VUA landscaping for all lots greater than 6,000 SF or used by 20 or more vehicles. Loading areas and driveways are counted since this is not an industrial site.
- For each 100-sq. ft., or fraction thereof, of vehicular use area, ten (10) sq. ft. of landscaped area shall be provided in addition to the required perimeter landscaping. Interior landscaping shall be peninsular or island types.
- 1 tree shall be required for each 250 SF of required landscape area.

The Applicant has proposed 13,185-square feet of Vehicular Use Area on the Project Site, which requires 1,319-square feet of landscaped area. The Applicant has proposed 1,354-square feet of landscaped area, but did not provide landscape islands. However, due to the configuration of the VUA Staff feels the interior landscaping area shown is sufficient. The Applicant is required to have 5 interior trees, and is showing 6.

*Section 6.2215: Minimum Canopy Requirements*

For the 0.97-acre site, a total canopy coverage of 9,723 square feet is required (5% preserved canopy, 18% new canopy). The Applicant will preserve 2,635-square feet of canopy (6%) and has proposed 7,500-square feet (17.7% coverage) of new canopy. The Applicant meets the minimum canopy requirements.

Stormwater: A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer meeting all requirements of the Georgetown Stormwater Manual prior to approval of the Final Development Plan.

Lighting: A photometric plan will need to be submitted and reviewed as part of the Final Development Plan review. Staff recommends that all exterior lighting should be designed to minimize off-site impacts.

Signs: All signs will need to comply with the Zoning Ordinance.

**RECOMMENDATION:**

Staff recommends **approval** of the Preliminary Development Plan for a 2,437-square foot restaurant with a 927-square foot patio area, with the following variance and conditions of approval:

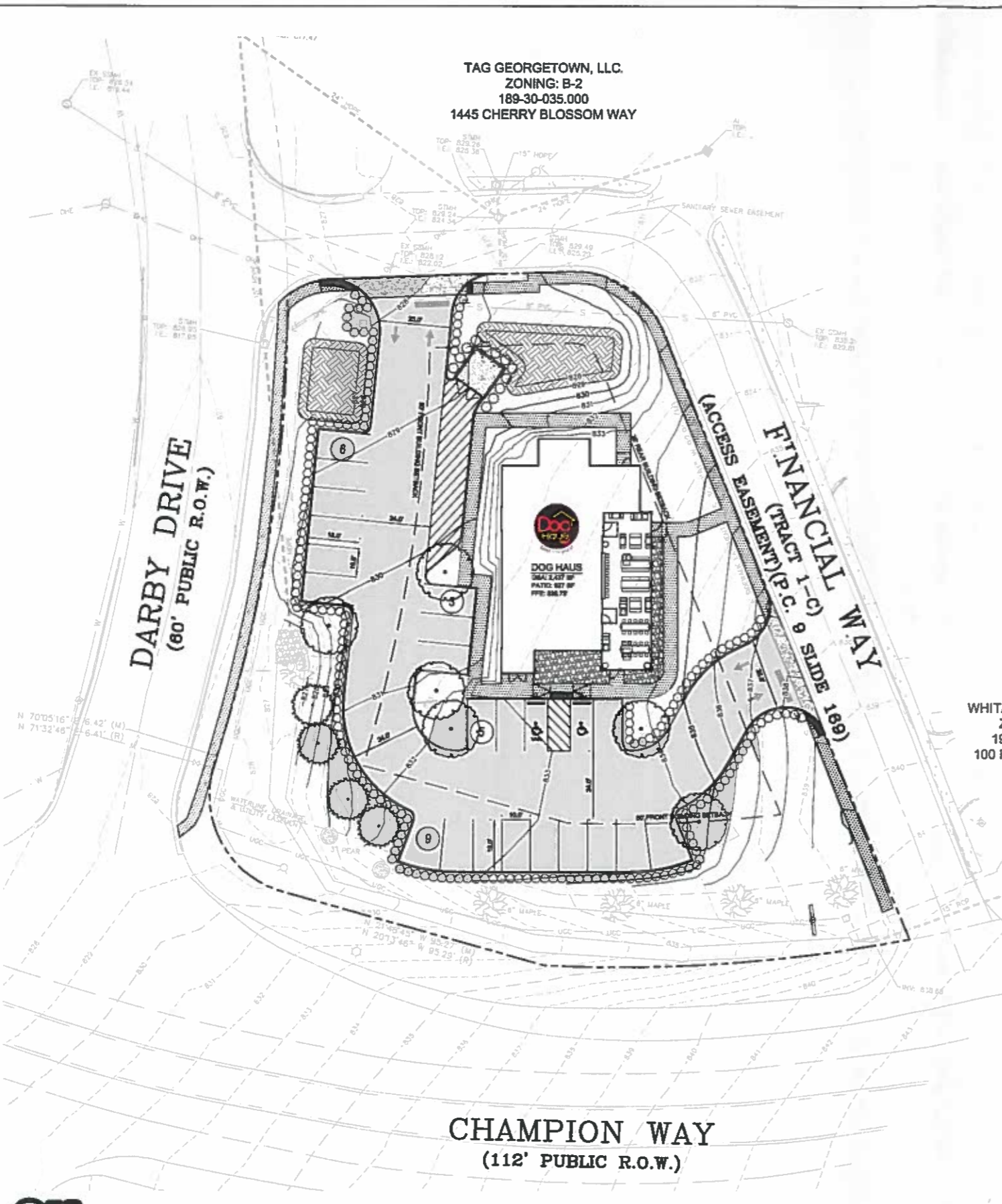
Variance

1. Variance to reduce the minimum separation requirement for accesses on non-residential streets from 100 feet to 60 feet.

Conditions of Approval:

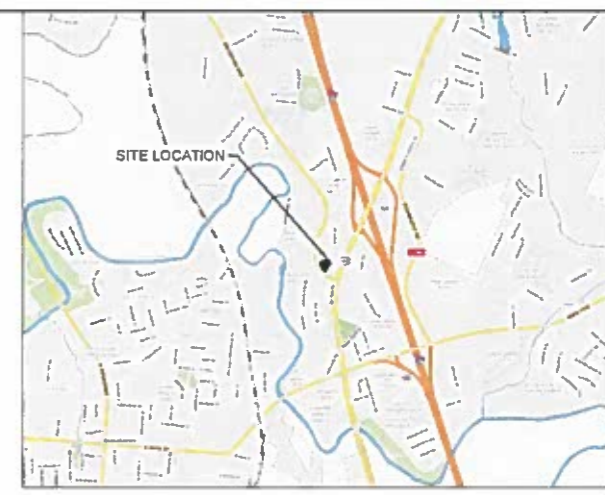
1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan. Development must meet all requirements of the Georgetown Stormwater Manual.
3. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
5. 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.

K:\MVA-CIVIL\18229\_ADP\10074-KV-Deerfield\18229\18229.dwg February 23, 2018 07:23:26am This document, together with the concepts and design presented herein, is intended only for the specific purpose and client for which it was prepared. Review of and reliance on this document without written authorization and assumption by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**TAG GEORGETOWN, LLC.**  
**ZONING: B-2**  
**189-30-035.000**  
**1445 CHERRY BLOSSOM WAY**

SITE DATA	
ZONING DISTRICT	HIGHWAY COMMERCIAL (B-2)
PROPOSED USE	FAST FOOD RESTAURANT W/ OUTDOOR SEATING
PARCEL NUMBER	190-10-020.000
ADDRESS	100 DARBY DRIVE, GEORGETOWN, KY 40324
SITE AREA	42,271 SF / 0.97 AC
MAX. FLOOR AREA RATIO	0.50
PROPOSED FLOOR AREA RATIO	0.08
LOT FRONTAGE	448 LF
MIN. LOT WIDTH AT BUILDING LINE	60 LF
PARKING	
PARKING REQUIRED	1 SPACE/150 SF COMMERCIAL FLOOR AREA = 3,364 SF/150 = 23 SPACES
PARKING PROVIDED	23 SPACES
MINIMUM STALL SIZE	180 SF
PROPOSED STALL SIZE	10' x 12' = 120 SF
VEHICULAR USE AREA	13,185 SF
IMPERVIOUS SURFACE AREA	
EXISTING	0.2%
PROPOSED	48.87%
LANDSCAPING	
ILA REQUIRED	10 SF PER 100 SF VEHICULAR USE AREA = 1,318 SF
ILA PROPOSED	1,354 SF
PAVEMENT QUANTITIES	
ASPHALT PAVEMENT	12,745 SF
CONCRETE SIDEWALK	3,340 SF
CONCRETE PAVEMENT	584 SF
CURB QUANTITIES	
KYTC STANDARD CURB	851 LF



**SITE LEGEND**

- PROPOSED MONUMENT SIGN
- ADA PARKING SPACE
- KYTC STANDARD 8" CURB
- PROPERTY LINE
- SIGN
- PARKING SPACE COUNT
- DIRECTIONAL ARROW
- PROPOSED MICRO-BIORETENTION BASIN
- EXISTING TREE
- TREE
- EVERGREEN TREE
- LARGE EVERGREEN SH-RUB
- EVERGREEN SH-RUB

**PAVING LEGEND**

- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT

**SITE NOTES**

- KYTC ENTRANCE PERMIT IS NOT REQUIRED. NO ENTRANCES PROPOSED ONTO S.R. 32 (CHAMPION WAY).

Minimum Canopy Requirements			ZO A-6.2215
Site Area = 42,271 SF			
Preserved Tree Canopy Coverage			
Type	Existing Size (DBH)	Canopy Area	
Maple	6in	448 SF	
Maple	6in	489 SF	
Maple	6in	450 SF	
Maple	6in	443 SF	
Maple	6in	383 SF	
Pear	3in	191 SF	
Pear	3in	231 SF	
Total Preserved Tree Canopy Coverage =		2,635 SF	
Percent Preserved Tree Canopy Coverage =		6%	
Proposed Tree Canopy Coverage			
Type	Number	Canopy Area	Total Canopy Area
Zelkova serrata	6	750 SF	4,500 SF
Picea pungens	4	750 SF	3,000 SF
Total Proposed Tree Canopy Coverage =		7,500 SF	
Percent Proposed Tree Canopy Coverage Required =		18%	
Percent Proposed Tree Canopy Coverage =		18%	
Total Tree Canopy Coverage Area =		24%	

**WHITAKER BANK, INC.**  
**ZONING: B-2**  
**190-10-020.000**  
**100 FINANCIAL WAY**

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF THE DEVELOPMENT WITH MY 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.

DATE: \_\_\_\_\_  
 OWNER: \_\_\_\_\_

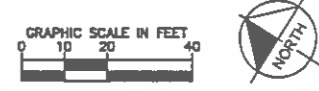
**CERTIFICATION OF PRELIMINARY PLAN APPROVAL**

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

DATE: \_\_\_\_\_  
 CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

**PROJECT CONTACTS**

<b>OWNER</b> DH - 100 DARBY DRIVE GEORGETOWN KY 201 MADIRA AVE. CORAL GABLES, FL 33134 PHONE: (240) 893-8833 CONTACT: PUN FOR LI	<b>DEVELOPER</b> KMR COMMERCIAL CONSTRUCTION LLC 700 OSTERMAN AVE DEERFIELD, IL 60015 PHONE: (847) 882-8810 CONTACT: MICHAEL FIEBURNER
<b>CIVIL ENGINEER</b> KIMLEY-HORN 214 OCEANSIDE DRIVE NASHVILLE, TN 37204 PHONE: (615) 584-2866 CONTACT: WILL SPAULDING, P.E. REGISTRATION # - 31884	<b>SURVEY</b> 4SITE 7500 S. MEMORIAL PKWY, SUITE 209 HUNTSVILLE, AL 35802 PHONE: (256) 539-1221 CONTACT: ANTHONY WIANARY, P.L.S. REGISTRATION # - 35345



**Kimley-Horn**  
 214 Oceanside Drive, Nashville, TN 37204  
 Main: 615.564.2701 | www.kimley-horn.com  
 © 2018 Kimley-Horn and Associates, Inc.

**DOG HAUS**  
 100 DARBY DRIVE  
 GEORGETOWN, KY 40324  
 GEORGETOWN-SCOTT COUNTY



**DRAFT PRELIMINARY PLAN FOR REVIEW ONLY**

REVISIONS	DATE	BY	CHK
	2/23/2018	CAH	

DESIGNED BY: CAH  
 DRAWN BY: LVA  
 CHECKED BY: CAH  
 DATE: 01/30/2018  
 KIMLEY-HORN PROJECT NO. 11824000 - 10324

**SITE PLAN**  
 SHEET NUMBER  
**C2-00**

**ARTICLE V  
OPEN SPACE STANDARDS**

**500 APPLICABILITY**

The provisions of this section shall apply to all applications for major subdivision or major development plan approval with a residential land use component.

**505 PRESERVATION OF OPEN SPACE**

- A. Required open space shall be reserved for any major residential subdivisions or major development plans. The amount of open space to be reserved is based on the gross acres in the proposed development and is set forth Exhibit 5-1.
- B. Exemption. Developments with fewer than 20 lots or dwelling units shall be exempt from the requirements of this section.
- C. Open Space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open-space areas may be owned, preserved, and maintained as determined by the Planning Commission by any of the following mechanisms or combinations thereof:
  - 1. Dedication of open space to the Cities of Georgetown, Stamping Ground or Sadieville, Scott County, an appropriate public agency, or a non-profit entity (such as a land conservancy) if such an agency or entity is willing to accept the dedication and is financially capable of maintaining such open space.
  - 2. Common ownership of the open space by a property Owners Association that assumes full responsibility for its maintenance. The restrictive covenants shall provide that, in the event the Owners Association fails to maintain the open space according to the standards of these Subdivision Regulations, the city or county may, following reasonable notice:
    - a. Demand that deficiency of maintenance be corrected; or
    - b. Enter the open space to maintain same. The cost of such maintenance shall be charged to the Owners Association.

C. Greenbelts

Greenbelts shall have a minimum width of not less than one-hundred (100) feet.

D. Spacing and Dimensional Limitations

1. In order to ensure that all designated open space has suitable size, location, dimension, topography and general character, and proper road and/or pedestrian access, as may be appropriate, to be usable open space, the following standards shall apply:

- a. Open space shall be within ½ mile from any lot upon which a dwelling is intended to be built.
- b. The minimum dimension for usable open space shall be fifteen (15) feet of width.
- c. The percentage of open space comprised of inaccessible or unusable land shall not exceed the amount set forth in column (C) of Exhibit 5-1.

E. Required Improvements

Subdividers shall be responsible for making certain minimum improvements to the land they dedicate as open space within their development for park, playground and active open space purposes as follows:

1. Provide finish grading and turf establishment for all disturbed areas and provide landscaping and/or screening.
2. Complete, construct, and pave walkways that may be required as a trail link connector in accordance with this Section.
3. Complete and construct any additional features promised as part of either preliminary or final plan approval.

F. Access to Open Space

1. All areas to be preserved for open space are to be accessible to pedestrians by one of the following:
  - a. frontage (width as required in this Section) on a public street right-of-way; or

Exhibit 5-1

(A) Zoning District(s)	(B) Required Percentage of Open Space*	(C) Maximum Percent in Inaccessible and Unusable Land
A-1	N/A	N/A
R-1A/B/C; R-2; R-3	5%	25%
B1-5; I-1; I-2; P-1; P-1B	N/A	N/A
Residential or Mixed Use Residential PUD	15%	25%

\* Based on the Gross Density of the Subdivision or Development.

**Add the following to Article II (Definitions)**

Inaccessible or Unusable Land: Land unsuitable for use as open space as part of a residential or PUD development. Land with a post-development slope greater than 3:1 that severely limits its usefulness as open space, land that is located within sinkhole limits, 1% annual chance flood areas, stormwater drainage or detention/retention areas, wetlands, cave areas, or springs.