

**SPECIAL MEETING  
GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
AGENDA  
SEPTEMBER 10, 2020  
6:00 p.m.**

**I. COMMISSION BUSINESS**

- A. Approval of August invoices
- B. Approval of August 13, 2020 minutes
- C. Approval of September agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

**II. OLD BUSINESS**

- A. FSP-2020-24 Mitchell Property - WITHDRAWN
- B. PDP-2020-34 Bourbon 30 & ESI – Preliminary Development Plan to construct a 13,360 square foot industrial building with 8,000 square foot of additional expansion area located northeast corner of Corporate Boulevard and Enterprise Way in Lanes Run Business Park.

**III. NEW BUSINESS**

- A. FSP-2020-36 Dawson Property – Final Subdivision Plat to subdivide one 5.046-acre tract from a parent tract of 15.796 acres located west side of Muddy Ford Road (KY 923) north of Cynthiana Road.
- B. FSP-2020-37 Davis Property – Final Subdivision Plat to subdivide one 5.0-acre lot from a parent tract of approximately 93 acres located on Barkley Road.
- C. FDP-2020-38 Aphix Grounds Maintenance – Amended Development Plan to add gravel parking lot and additional landscaping to an existing business located at 390 Paynes Depot Road.
- D. FSP-2020-39 Persley Property – Final Subdivision Plat to subdivide a parent tract of 28 acres into two tracts located at 1006 Barkley Road.

**IV. OTHER BUSINESS**

- A. Small Cell Towers Ordinance – PUBLIC HEARING
- B. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
SPECIAL MEETING  
MINUTES  
August 13, 2020**

The special meeting was held online via Zoom on August 13, 2020. The meeting was called to order by Vice Chairman Steve Smith at 6:00 p.m. Present were Commissioners James Stone, Regina Mizell, Mary Singer, David Vest, Duwan Garrett and Charlie Mifflin, Director Joe Kane, Planner Matt Summers, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioners Byron Moran, Mark Sulski, and Duwan Garrett.

Motion by Mizell, second by Stone, to approve the July invoices. Motion carried.

Motion by Stone, second by Vest, to approve the July 9, 2020 minutes. Motion carried.

Motion by Singer, second by Mifflin, to approve the August 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

Vice Chairman Smith stated that the applications for Bourbon 30 & ESI (PDP-2020-34) and Mitchell Property (FSP-2020-24) has been postponed until the next regular scheduled meeting.

Consent Agenda

A representative of the Graves Property application (FSP-2020-31) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mifflin, second by Mizell, to approve the application. Motion carried.

A representative of the Broughton Property application (FSP-2020-32) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Stone, second by, to approve the application. Motion carried.

A representative of the Baker Property application (FSP-2020-33) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Stone, second by Mizell, to approve the application. Motion carried.

FSP-2020-10 Hunt Property – Final Subdivision Plat to subdivide a 25-acre lot into 3 lots located on Cincinnati Pike.

Mr. Summers stated the history of the property.

He stated the entrances for the proposed lots are from US Hwy 25 (Cincinnati Pike). He stated Mr. Hunt has agreed to abandon the access easement if the lots are approved and KYTC approves the entrances.

He stated when phase 2 of Cedar Hills was platted, the preserved area of the property was along the northern edge of the property.

Commissioner Mifflin questioned the location of the preserved area for lot 62C.

Mr. Perkins stated that if the entrances for the three lots are not approved by KYTC, then the plat cannot be recorded.

Redford Hunt, applicant, stated he did not have anything to add.

Alan Handleman, neighbor, stated the easement is on his deed for lot 63.

Mr. Perkins stated this plat only concerns the easement for lot 62.

Robert Ryan, attorney for Mr. Murphy, stated that the easement for Mr. Handleman was obtained after Mr. Murphy bought his property. He stated Mr. Murphy disagrees with Mr. Handleman that he has an easement to his property.

Commissioner Stone asked for a clarification that this plat would not change the other preserved area.

After further discussion, **Motion by Mizell, second by Mifflin, to approve the Final Subdivision Plat (FSP-2020-10) subject to five (5) conditions of approval and one (1) variance. Motion carried.**

FSP-2020-13 Snowball Trust Property Amended – Final Subdivision Plat to subdivide one 5.8-acre lot amend the property lines for an existing 5.0-acre lot, leaving a remainder tract of roughly 26 acres located at 4476 Frankfort Road (US 460).

Mr. Summers stated the property is zoned A-1.

He stated the proposed access is from Frankfort Road. He stated the proposed plat shows the access easement going through the remainder tract to the previously divided two tracts plus the proposed new tract division. He stated the applicant has added a note to the plat stating the remaining property cannot use the access easement. He stated more than 3 tracts sharing the same easement means the road should meet county road standards.

Commissioner Mifflin questioned Mr. Summers reason he recommended denial of the project.

Alvin Humphries, applicant, stated he has an existing entrance to his property at 4476 Frankfort Pike. He stated the only time he would use the access easement is to go across it to reach his horses.

Vice Chairman Smith questioned applicant if he understood the concern the Planning Commission has with the access easement.

Mr. Perkins stated that if the remaining tract was ever divided again it would have to come back before the Planning Commission for approval. He stated at that time a condition could be placed that the access easement had to be brought to county road standards.

Commissioner Mifflin verified with the applicant that he gets his mail at his entrance located at 4476 Frankfort Pike.

Commissioner Singer stated that Mr. Perkins recommendation was a good solution.

After further discussion, **Motion by Singer, second by Mizell, to approve the Final Subdivision Plat (FSP-2020-10) subject to four (4) conditions of approval. Motion carried 4-2.**

PDP-2020-35 Liberty Baptist Church Expansion – Preliminary Development Plan to construct a 1,300 square foot addition to an existing church located at 100 Hillside Drive.

Mr. Kane stated the property is zoned A-1. He stated after workshop he verified that the church has been annexed into the city.

He stated the parking is adequate and the proposed addition, which is for classroom space and kitchen, does not generate a requirement for additional parking.

He stated the applicant is requesting a variance for the building setback for the building addition.

He stated he did receive one complaint regarding water runoff from the site.

Steve Baker, Midwest Engineering, stated the project would not increase the impervious area. He stated the applicant agrees to the conditions of approval.

Vice Chairman Smith questioned if the applicant would be willing to work with the Planning Commission Engineer regarding the runoff. Mr. Baker and Pastor Henry both agreed.

Kay Bechel, neighbor, stated she gets water from the church and Trinity Drive. Mr. Krebs stated he will contact Ms. Bechel and meet her at the site.

After further discussion, **Motion by Stone, second by Mifflin, to approve the Preliminary Development Plan (PDP-2020-35) subject to five (5) conditions of approval and one (1) variance. Motion carried.**

### Small Cell Towers Ordinance

Vice Chairman Smith opened the public hearing.

Mr. Kane stated this hearing is to add a small cell tower section to the zoning ordinance. He stated small cell towers are usually 30-foot to 40-foot tall and located in utility easements or road right-of-way.

He stated the ordinance is divided into four main parts, definitions, application content, design regulations and an evaluation section.

He stated a preconstruction meeting will be required with staff, staff is given the ability to approve applications unless a waiver is requested, then the application would require approval by the Planning Commission.

He stated if equipment is being adding to existing structures, application and an administrative review is not required. He stated all towers are required to be designed for at least two service providers and must not exceed the height for the district.

He stated equipment in residential areas must use stealth technology, cannot be closer than thirty feet to a residential structure, and need to be a minimum of 500 feet apart.

He stated towers in non-residential zones are encouraged to use existing structures, maintain distance of 500 feet apart, and if within 100 feet of a residential zone use stealth technology.

Commissioner Mifflin questioned if the maximum height of 75 feet included the pole and the antenna. Mr. Kane stated that included both.

Commissioner Mifflin questioned the height of the antenna itself. Mr. Kane stated he would have to check typical height.

Commissioner Mifflin questioned the wording of the definition of a small cell tower. Mr. Summers stated the wording had been borrowed from Kenton County's ordinance and it was to ensure a pole was not constructed, then an application turned in months later.

Mr. Brown, concerned citizen, stated he has concern where a proposed pole is being in his yard. Mr. Kane stated citizen concerns are the reason this ordinance has been introduced.

Tim Tillotson, concerned citizen, stated he had questions about small cell towers.

Mr. Tillotson stated he had concern about staff level approval of small cell towers. Mr. Kane explained presently what applications can be approved by staff. Mr. Perkins explained that the Planning Commission hears applications in order that the public stays informed and can have input on applications.

Mr. Tillotson stated he approves of the aesthetic language of the ordinance, but he feels the public will not have any say on the small cell towers. Vice Chairman Smith stated he feels the ordinance gives more control than not having an ordinance.

Mr. Tillotson stated that in Kenton County the Planning Commission hears all the applications. He stated he still has concern over staff being able to approve applications. Vice Chairman Smith stated with multiple applications coming in there is a time factor to think about.

Mr. Tillotson questioned if having staff approve the applications is to reduce public interaction for the applications. Vice Chairman Smith stated it is a matter of trying to remain as unbiased as possible for the applications. He stated everyone will argue they do not want a cell tower in their yard.

Mr. Tillotson stated he had concern that the way the ordinance is written, staff has authority to approve waivers. Mr. Kane stated his understanding is that it does not relate to the regulations but applications.

Mr. Tillotson stated he thinks the amount of days to appeal needs to be checked with State regulations.

He stated he has concern with a few more sections of the ordinance and the wording. He stated he thinks staff needs to review before making a decision. Mr. Kane stated he took notes of the concerns and will address them.

Mr. Perkins stated he does not think Kentucky has a statute that applies to small cell towers.

After further discussion, Motion by Mizell, second by Mifflin, to continue the public hearing at the next regularly scheduled meeting.

Proposed Development Fee Increase

Mr. Krebs stated that he requests to increase the engineering review inspection fee for commercial property to \$500.00 an acre plus \$100.00 an acre for anything over an acre.

After further discussion, Motion by Mizell, second by Stone, to approve an increase to the engineering review inspection fee for commercial property. Motion carried.

The meeting was then adjourned.

Attest:

\_\_\_\_\_  
Mark Sulski, Chairman

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

**BOURBON 30 & ESI  
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission  
September 10, 2020**

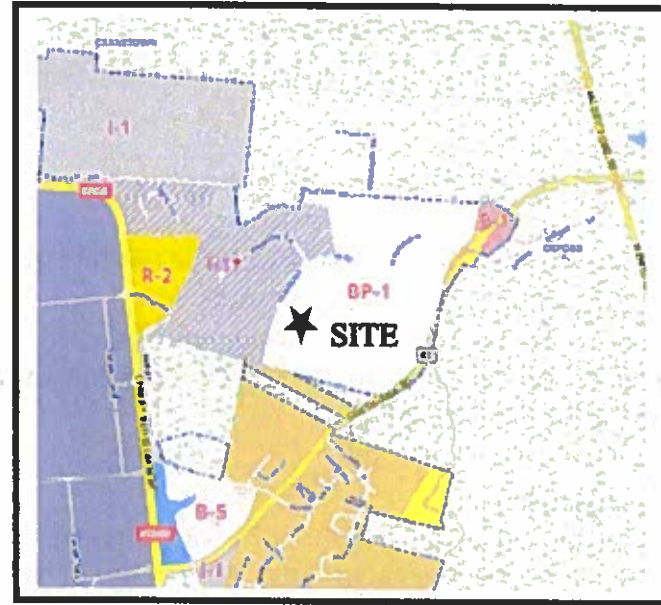
**FILE NUMBER:** PDP-2020-34

**PROPOSAL:** Preliminary Development Plan to construct a 13,360 square foot industrial building with 8,000 SF of additional expansion area.

**LOCATION:** NE Corner of Corporate Blvd. and Enterprise Way in Lanes Run Business Park.

**APPLICANT:** Logan Davis

**ENGINEER:** Geisler Domigan Engineers, PLLC



**STATISTICS:**

Zone	I-1/BP-1 Lanes Run Business Park
Surrounding Zones	I-1/BP-1 Lanes Run Business Park
Proposed Use	Manufacturing/Electrical Contractor/Supplier
Site Acreage	5.196 acres
Building Area	13,360 SF (Total); 8,000 SF expansion area
Max. Building coverage	40%
Building Coverage	5.9%
Parking Required	2 spaces for every 3 employees on major employment shift plus 4 space per 1000 SF office (22 spaces)
Parking Provided	38 spaces (2 handicap accessible, 1 van accessible)
Access	Corporate Blvd.
Variances/Waivers	None

**BACKGROUND:**

This applicant is proposing to construct an 13,360 SF industrial building on a new 5-acre lot in Lanes Run Industrial Park, phase 2. The lot has double frontage on Corporate Blvd. and Enterprise Way. The proposed building will face west to Corporate Blvd. a city street. The Applicant intends to construct the building as a

shared facility. Bourbon 30, a distillery and mixer of specialty liquor products, is proposing a manufacturing facility and a sales shop to display and sell their products in the north wing of the shared building. ESI, an electrical contractor for industrial businesses will be in the southern wing of the building. Both users will share the parking and shipping and receiving areas. The project is being developed by a developer who will own the land and building and lease the space to both businesses.

The Project Site is zoned BP-1/I-1 enhanced (Light Industrial). All the surrounding land is also zoned I-1 (Light Industrial) or BP-1 (Business Park). Properties within the Lanes Run Business Park are subject to the BP-1 performance standards.

**Final Development Plan Review:**

Setbacks and Building Standards:

The Project Site is subject to the BP-1 performance standards and has the following setback requirements:

Front: 50-foot

Side: 20-foot

Rear: 30-foot (50-foot when serviced from the rear)

The Zoning Ordinance treats all lot sides with road frontage as front yards. Because this is a double frontage lot, it functionally has two front yards with a required 50' setback for each. The Applicant is proposing 13,360 square feet of building area initially, or 5.9% of the lot area, which is well under the 40% maximum building ground coverage allowed. An 8,000 SF of additional expansion area is shown with 4,000 SF expansion area on each wing of the building.

**Site Layout:**

The proposed layout includes a vehicle entrance to a parking lot in front (on the west side) of the building and a spillover parking area on the north side of the building. The building will include two wings with an approximately 1500 SF footprint office and reception area in each. The office areas will be two stories, with the second story being identified as storage area on the ESI side and meeting space on the Bourbon 30 side. The project designer has stated that there will be 15 employees total in the building initially on the maximum shifts. Based on the standard of 2 spaces per 3 employees and 4 spaces per 1000 SF of office area, a minimum of 22 spaces are required. The retail sales component of the Bourbon 30 shop would likely generate the need for additional parking. The applicant is proposing 38 parking spaces total to be shared between the two businesses.

A loading dock and rear parking for shipping and receiving will be shared in the rear of the building. The BP-1 standards state that no loading/unloading areas shall be visible from the street. Additional landscaping will be required

**Land Use Buffers and Landscaping:**

The Preliminary Development Plan complies with all the tree requirements of the *Landscape and Land Use Buffers Ordinance*. The perimeter of the parking lot facing public right-of-way will need an additional hedge added. The proposed parking lot as drawn does not appear to meet the required interior landscape island area of 10% total VUA area. It is recommended an island be added in the row of spaces along Corporate Blvd. and at the south end of the lot. Additional screening may be required along Enterprise Way to screen the loading dock. The designer has indicated these items will be addressed on the Final Development Plan submittal. A Final specie-specific landscape plan will be required for staff approval prior to Final Development Plan approval.

**Business Park Authority:**

The Lanes Run Business Park Authority, a city run board, met on June 23, 2020 and recommended approval of the Preliminary Development Plan. The Business Park Board approved the building materials and the proposal for the office area façade to be full height masonry. Their approval also supported staff recommendations.

**Stormwater:**

A Final Stormwater Plan shall be approved by the Planning Commission Engineer prior to Final Development Plan approval along with any required updates to the Lanes Run Drainage model.

**Sanitary Sewer:**

The subject property is within the Georgetown city limits and has access to city sewer. Presently, there are sewer capacity issues at the treatment plant (#2) that would serve this property. The applicant is required to hook to public sewer if available.

**RECOMMENDATION:**

Staff recommends **Approval** of the Preliminary Development Plan to construct a 13,360 square foot manufacturing building, with 8,000 square feet of expansion area, with the following conditions of approval:

Conditions of Approval:

1. No outdoor storage of materials is permitted. The applicant shall be responsible for providing landscaping area and landscaping which meets the minimum requirements of the Landscape and Land Use Buffer Ordinance on the Final Development Plan. This includes screening of the loading and unloading areas from Enterprise Way. A specie-specific landscape plan shall be included with the Final Development Plan.
2. All building design requirements of the Business Park Authority.
3. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan.
4. Lighting fixtures shall meet the BP-1 standards.
5. All applicable requirements of the Georgetown Fire Department.
6. All applicable requirements of Georgetown Municipal Water and Sewer Service and/or WEDCO Health Department.
7. Future building expansion up to 8,000 SF will be allowed through staff approval of an Amended Final Development Plan.
8. All applicable requirements of the *Subdivision & Development Regulations*.
9. 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.
10. Prior to any building construction, a Final Development Plan, including all required site construction plans, shall be approved by the Planning Commission staff. Prior to any preliminary site work, erosion control, grading and stormwater management plans shall be reviewed and approved by the Planning Commission Engineer 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.

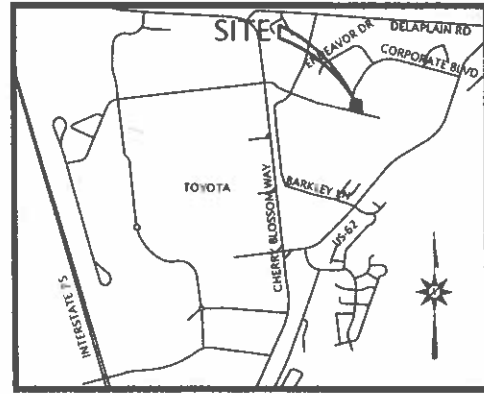
**PROJECT INFORMATION**

**OWNER/DEVELOPER**

LOGAN DAVIS  
PO BOX 910867  
LEXINGTON, KY 40591  
(859) 396-4060

**CIVIL ENGINEER**

GEISLER DOMIGAN ENGINEERS, PLLC  
3318 WOOD VALLEY COURT  
LEXINGTON, KY 40502  
(859) 494-4540



**VICINITY MAP**  
N.T.S.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND DO ADOPT THIS PLAT/PLAN OF THE DEVELOPMENT WITH OUR FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLYS, 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.

1. 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.
2. STORM DRAINAGE FACILITIES, INCLUDING RETENTION BASINS, SHALL BE MAINTAINED FOR PROPER FUNCTIONING FREE OF ANY DEBRIS, SILT, OR TRASH.
3. A CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED AND THE BUILDINGS SHALL NOT BE OCCUPIED UNTIL ALL SITE IMPROVEMENTS SHOWN ON THE FINAL DEVELOPMENT PLAN AND LISTED IN THESE CONDITIONS ARE EITHER INSTALLED, OR A BOND OR IRREVOCABLE LETTER OF CREDIT IS SUBMITTED TO THE PLANNING DIRECTOR FOR 125% OF THE COST OF THE WORK REMAINING TO BE DONE, AS SUBSTANTIATED BY COST ESTIMATES APPROVED BY THE PLANNING DIRECTOR. LANDSCAPING MUST BE CERTIFIED AS COMPLETE BY THE LANDSCAPE INSPECTOR OR BONDED AS DESCRIBED ABOVE.
4. 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.

OWNER: DATE: 7-29-20

**CERTIFICATION OF AVAILABLE CAPACITY FOR SEWER SERVICE ONLY**

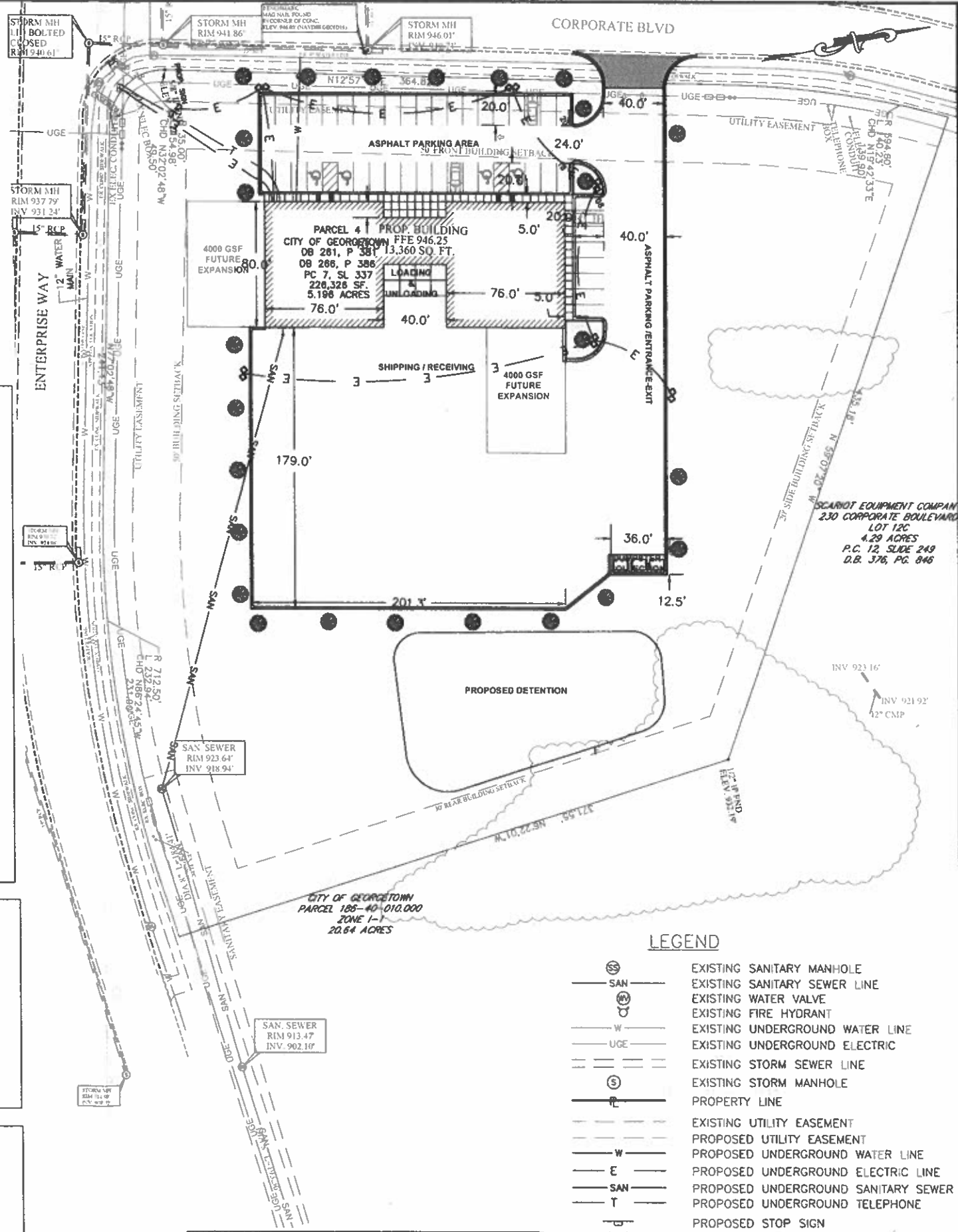
I HEREBY CERTIFY THAT GEORGETOWN MUNICIPAL WATER AND SEWER SERVICE (GMWSS) HAS THE CAPACITY WITHIN THE SEWER DISTRIBUTION SYSTEM TO SUPPLY BOURBON 30 & ESI WITH SEWER DISPOSAL SERVICES. PROVISION OF SERVICE WILL BE CONTINGENT UPON REVIEW AND APPROVAL OF ALL ON-SITE AND OFF-SITE PLANS AND SPECIFICATIONS FOR THE PROPOSED SYSTEM. CONSTRUCTION OF THE SEWER COLLECTION SYSTEM TO BE BY/AT THE COST OF THE DEVELOPER, BUILT TO GMWSS APPROVED SPECIFICATIONS AND APPROVED BY GMWSS OF THE AS-BUILT IMPROVEMENTS AND/OR THE BONDING AMOUNT.

GENERAL MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

**CERTIFICATION OF PRELIMINARY PLAN APPROVAL**

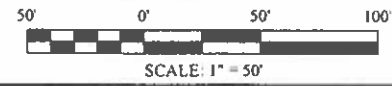
I HEREBY CERTIFY THAT THE PRELIMINARY DEVELOPMENT PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL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

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



**LEGEND**

	EXISTING SANITARY MANHOLE
	EXISTING SANITARY SEWER LINE
	EXISTING WATER VALVE
	EXISTING FIRE HYDRANT
	EXISTING UNDERGROUND WATER LINE
	EXISTING UNDERGROUND ELECTRIC
	EXISTING STORM SEWER LINE
	EXISTING STORM MANHOLE
	PROPERTY LINE
	EXISTING UTILITY EASEMENT
	PROPOSED UTILITY EASEMENT
	PROPOSED UNDERGROUND WATER LINE
	PROPOSED UNDERGROUND ELECTRIC LINE
	PROPOSED UNDERGROUND SANITARY SEWER
	PROPOSED UNDERGROUND TELEPHONE
	PROPOSED STOP SIGN
	PROPOSED LIGHT POLE



Before you dig call 1-800-752-6007 or the individual utility companies to verify the locations of all existing utilities.

REVISIONS:

DATE	SCALE	DRAWN BY	CHECKED BY	JOB NUMBER
JUNE 2020	1"=50'	MGD	MGD	20-0114
1.				
2.				
3.				
4.				

**GEISLER DOMIGAN ENGINEERS**  
GEISLER DOMIGAN ENGINEERS, PLLC  
3318 WOOD VALLEY COURT  
LEXINGTON, KENTUCKY 40502  
(859) 494-4540

**BOURBON 30 & ESI**  
**LANE'S RUN BUSINESS PARK**  
**GEORGETOWN, KENTUCKY**  
**PRELIMINARY DEVELOPMENT PLAN - 1**

SHEET NO.  
**PDP-1**

# DAWSON PROPERTY FINAL SUBDIVISION PLAT

## Staff Report to the Georgetown-Scott County Planning Commission September 10, 2020

**FILE NUMBER:** FSP-2020-36

**PROPOSAL:** Final Subdivision Plat to subdivide one 5.046-acre tract from a parent tract of 15.796 acres.

**LOCATION:** West side of Muddy Ford Road (KY 923) North of Cynthiana Road

**OWNER:** William and Sheila Dawson

**SURVEYOR:** Joel Day, Meridian Surveying



### STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1 (Agricultural)
Site Acreage	15.796 acres (Lot 1: 5.046 ac; Remainder 10.750 ac;)
Access	Muddy Ford Road
VariANCES/Waivers	None

### BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat request to subdivide one approximately five-acre tract from a parent tract of 15.796 acres. The Project Site is zoned A-1 (Agricultural).

### Plat Review:

The proposed subdivision meets all A-1 zoning requirements. The A-1 zoning district requires new tracts to be a minimum 5-acres in size, 250' wide at the building line, with 50-foot front, side and rear yard setbacks. The proposed new tract has frontage along Muddy Ford Road. The proposed new tract is being created to subdivide an existing residence and detached garage onto its own five-acre lot. The plat will create an access easement across the five-acre tract to serve the remainder tract of 10.750 acres.

### RECOMMENDATION:

Staff recommends **Approval** of the Final Subdivision Plat to subdivide the Dawson Property into two tracts with the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. A shared access and maintenance agreement shall be required as part of this plat or through a separate agreement prior to Final Plat approval.
3. 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).
4. 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.
5. 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*.



**DAVIS PROPERTY  
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission  
September 10, 2020**

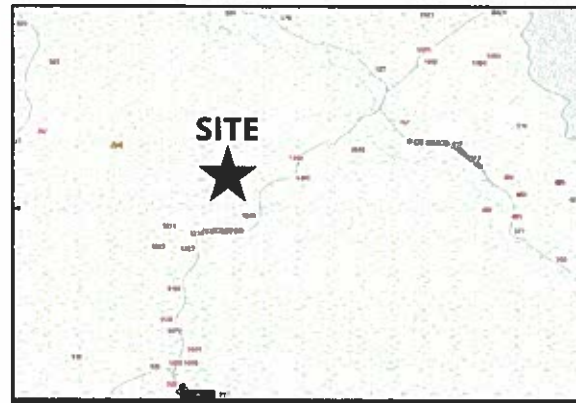
**FILE NUMBER:** FSP-2020-37

**PROPOSAL:** Final Subdivision Plat to subdivide one 5.0-acre lot from a parent tract of approximately 93 acres.

**LOCATION:** Parcel: 219-00-025.000  
(Barkley Road)

**APPLICANT:** Grayce Davis

**CONSULTANT:** Ron Willhoit, PLS



**STATISTICS:**

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Parcel A: 5.00 acres; Remainder: 88 acres
Access	Barkley Road
Variances/Waivers	None

**BACKGROUND:**

The application before the Planning Commission is a Final Subdivision Plat to subdivide one 5.00-acre lot leaving a remainder of roughly 88 acres. The parent tract was previously subdivided in 2005.

**Plat Review:**

The proposed plat meets the setbacks, lot size, and width requirements. The Applicant's consultant has already met with the County Road Supervisor and received approval for the proposed entrance location for the new lot.

**RECOMMENDATION:**

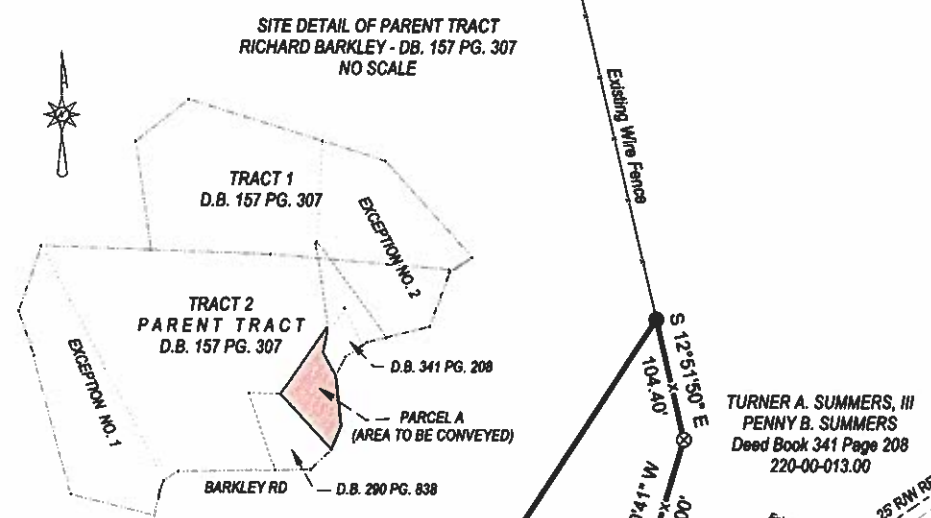
Staff recommends **approval** of the Final Subdivision Plat. Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

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*.



Latitude Location for P.O.B. Reference is 38°19'42.551"N Longitude Location is 84°28'33.997"W GRID is NAD83 Theta: 0°46'56" Grid FACTOR 0.999935998



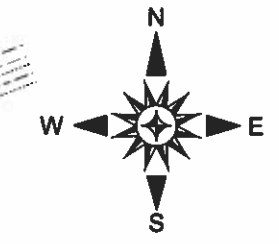
THE ZONING DISTRICT INFORMATION DEPICTED ON THIS RECORD PLAT WAS ACCURATE AS OF THE DATE OF APPROVAL AND EXECUTION BY THE PLANNING COMMISSION. HOWEVER, SUCH INFORMATION IS SUBJECT TO CHANGE AND SHOULD BE VERIFIED WITH THE APPROPRIATE AUTHORITY.

ZONING: "A-1"  
 ZONING REQUIREMENTS  
 MINIMUM WIDTH AT BLDG. LINE = 250'  
 SETBACKS: FRONT: 50'  
 SIDE: 50'  
 REAR: 50'  
 R/W: 25'

**AGRICULTURAL  
 MINOR FARM SUBDIVISION  
 OF:  
 RICHARD BARKLEY  
 DEED BOOK 157 PAGE 307  
 1223 BARKLEY ROAD  
 SADIEVILLE, KY. 40370**

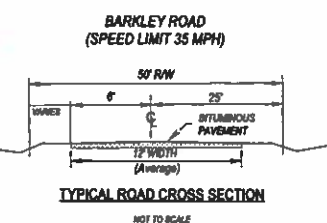
**NOTES:**

- SOURCE OF TITLE FOR GRAYCE COURTNEY IS DEED BOOK 157 PG 307 (TRACT 2)
- THE REFERENCE BASIS OF BEARING FOR HORIZONTAL CONTROL AND DIRECTIONS ON THIS SURVEY WAS GPS GRID ENHANCED USING A CARLSON BRX5 GNSS RECEIVER (SERIAL # 1888288) UTILIZING THE KENTUCKY COORDS NETWORK. RTK CORRECTIONS WERE RECEIVED VIA A VERIZON MIFI MODEM. THE TYPE OF SURVEY WAS A VRS REAL TIME NETWORK UTILIZING CARLSON SOFTWARE TIME FIXED SOLUTIONS. OPERATED BY KY COORDS AND KY DOT.
- IN PROVIDING THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OF LOCATION OF ANY UTILITY EXISTING ON SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED.
- ALL MONUMENTS FOUND ESTABLISHED BY GPS - FIXED POSITION WITHIN 0.10' USING CARLSON SURCE 6.0+ SOFTWARE USING A HEMISPHERE GNSS - CARLSON BRX5 - USING NTRIP VRS RTCMS NETWORK - KY DOT AS BASE
- PROPERTY SHOWN IS SUBJECT TO THOSE RESTRICTIONS SET FORTH BY THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION (IF ANY) FOR ITS RESPECTIVE ZONE.
- BOUNDARY SURVEY FINISHED DECEMBER 24, WITH ADJUSTMENTS FOR CLOSURE BY (IF ANY) CRANDALL RULE, ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL SPECIFICATIONS OF THIS RURAL CLASS.
- BUILDINGS, ROADS, PONDS, AND OTHER TOPOGRAPHIC INFORMATION MAY BE BASED ON AERIAL IMAGERY.
- THIS PROPERTY IS NOT IN A DESIGNED FLOOD HAZARD AREA PER FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY) MAP: 21200C0150D EFFECTIVE DATE 12/21/2017 - ZONE "X" = OUTSIDE 0.2% ANNUAL CHANGE OF FLOOD
- SURVEY SHOWN HEREON WAS PERFORMED BY ME FROM EVIDENCE FOUND IN RECORD AND IN THE FIELD BY METHOD OF RANDOM TRAVERSE USING A TOPCON GTS-903A TOTAL STATION. THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE WAS 1:39,732+ AND THE BEARING AND DISTANCE HAVE BEEN ADJUSTED FOR CLOSURE USING GNSS CONTROL ESTABLISHED IN THE FIELD - AVG. RESIDUAL(S) = 0.0267'. MONUMENTS SET USING GNSS ARE LABELED WITH AN ASTERISK (\*).
- THE PROPOSED ENTRANCE TO BARKLEY ROAD AS SHOWN HEREON WAS EXAMINED BY THE SCOTT COUNTY ROAD SUPERVISOR AND HAS BEEN FOUND TO FULLY MEET THE SIGHT DISTANCE REQUIREMENTS/SPECIFICATIONS OF THE SCOTT COUNTY ROAD DEPARTMENT AND IS HEREBY APPROVED.
- ANY FURTHER SUBDIVISION OF THESE TRACTS REQUIRES APPROVAL FROM THE GEORGETOWN SCOTT COUNTY PLANNING COMMISSION.



GRID NORTH  
 ESTABLISHED BY KY STATE PLANE  
 COORDINATES

KY NORTH ZONE - GEOID 12  
 MAGNETIC DECLINATION: 5°53.94' WEST  
 GRID DECLINATION: 7°27.90' WEST  
 Convergence Angle: 1°33.96' EAST  
 IGRF -12 (2015) MODEL



- LEGEND**
- ANGLE POINT
  - 1/2" X 18" REBAR (SET) W/SURVEYOR'S I.D. CAP - WILLHOIT 3004 "ORANGE"
  - ⊗ 1/2" REBAR (FOUND) NO I.D. CAP
  - ◇ MAG NAIL (FOUND)
  - ◆ MAG NAIL (SET)
  - ⊕ 1/2" REBAR (FOUND) WITH CAP "WITNESS CORNER"
  - BOUNDARY (BY Deed)
  - BOUNDARY (This Survey)
  - - - EXISTING WIRE FENCE
  - SETBACK LINE
  - EDGE ROAD
  - CENTER LINE
  - 219-00-025.00 PVA PARCEL NUMBER
  - \* 1/2" X 18" REBAR (SET) W/SURVEYOR'S I.D. CAP - WILLHOIT 3004 "ORANGE" WITH GNSS



**CERTIFICATION OF PROVISION OF WATER SERVICE \*\***

I HEREBY CERTIFY THAT KENTUCKY AMERICAN HAS REVIEWED THE PLANS AND SPECS FOR THE PROPOSED WATER DISTRIBUTION SYSTEM FOR RICHARD BARKLEY MINOR SUBDIVISION. THAT THE WATER DISTRIBUTION SYSTEM OF SAID DEVELOPMENT MEETS THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER REQUIREMENTS OF THE PROPER DISTRIBUTION OF WATER, AND THAT KENTUCKY AMERICAN SHALL SUPPLY SAID DEVELOPMENT WITH WATER SERVICES.

GENERAL MANAGER  
 KENTUCKY AMERICAN WATER COMPANY

\*\* SEE DEED BOOK 215 PAGE 497 & PAGE 668

**CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES**

I HEREBY CERTIFY THAT BLUE GRASS ENERGY SHALL SUPPLY THE RICHARD BARKLEY MINOR SUBDIVISION 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  
 BLUE GRASS ENERGY COOPERATIVE

**OWNER'S CERTIFICATE**

I (WE) CERTIFY THAT I (AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION 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 NOTED.

DATE: Aug 25, 2020  
 Eloise Barkley  
 OWNER

**CERTIFICATE OF ACCURACY**

I CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION AND THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON TO THE SPECIFICATIONS OF THE PLANNING COMMISSION OR OTHER AUTHORIZED OFFICER.



DATE: 08/24/2020  
 R. Willhoit  
 SURVEYOR

**SURVEYOR'S CERTIFICATE**

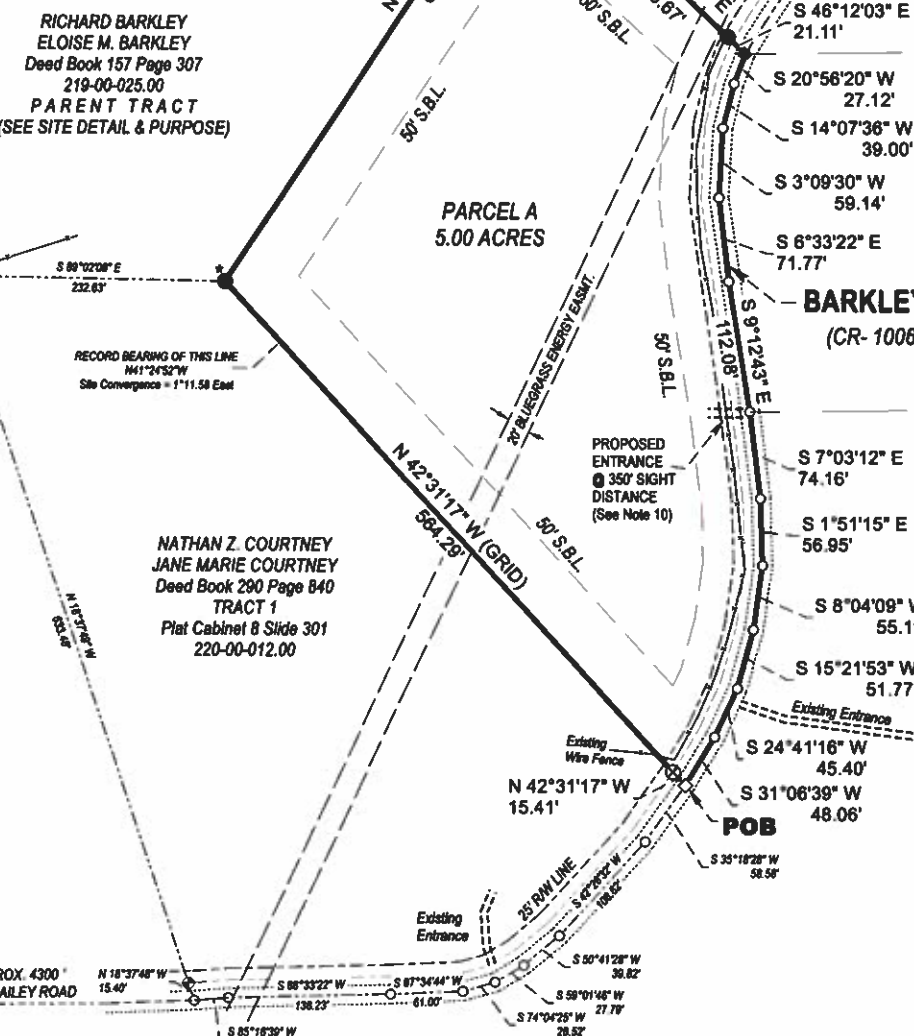
I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY ME, USING APPROPRIATE GPS METHODS FOR MEASURING RECOVERED MONUMENTS AND ESTABLISHED SURVEY CONTROL. THE RELATIVE POSITIONAL ACCURACY WAS ± 0.10' + 200 PPM OR GREATER. THE SURVEY AS SHOWN HEREON IS A RURAL SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL SPECIFICATIONS OF THIS CLASS. THE REFERENCE MERIDIAN BASIS FOR DIRECTIONS ON THIS SURVEY WAS GPS ENHANCED USING CARLSON BRX5 GNSS (SERIAL # 1888288) RECEIVED

DATE: 08/24/2020  
 RONALD F. WILLHOIT, PLS 3004  
 307 HAWTHORNE TRAIL  
 FRANKFORT, KY. 40601  
 502-330-1387

**HEALTH DEPARTMENT CERTIFICATE**

I CERTIFY THAT THE SEWER 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.

DATE: \_\_\_\_\_  
 AUTHORIZED REPRESENTATIVE



## APHIX GROUNDS MAINTENANCE AMENDED DEVELOPMENT PLAN

### Staff Report to the Georgetown-Scott County Planning Commission September 10, 2020

**FILE NUMBER:** PDP-2020-38

**PROPOSAL:** Amended Development Plan to add gravel parking lot and additional landscaping to an existing business.

**LOCATION:** 390 Paynes Depot Road

**APPLICANT:** APHIX, Allen Sweeney

**CONSULTANT:** Tony Barrett, Barrett Partners, Inc.



#### **STATISTICS:**

Zone	R-1B (Residential) A-1 (Agricultural)
Surrounding Zones	R-1B, A-1 (Agricultural)
Existing Use	Commercial Lawn Care and Snow Removal Business
Site Acreage	3.89 acres
Access	Paynes Depot Road
Variances/Waivers	Gravel employee parking lot

#### **BACKGROUND:**

The application before the Planning Commission is an Amended Development Plan to allow a new 26 space gravel parking lot for an existing business in rural Scott County and to approve additional landscaping and screening as required by the Landscape Ordinance and the Scott County Board of Adjustment. The Project Site is in southern Scott County, south of I-75, near the Fayette County line.

The business was approved for a Conditional Use in the A-1, R-1B zone by the Scott County Board of Adjustment in 2014. Earlier this year the owner acquired two run down residential properties, demolished the homes, consolidated the lots into his property and built a gravel parking lot for employee parking. A neighboring property owner called a complaint into the Planning Commission and we served a notice of violation for building a parking lot without approval.

The applicant was served notice that he needed to get approval from the Scott County Board of Adjustment for the expanded business and Development Plan approval from the Planning Commission for the parking lot. The Scott County Board of Adjustment hearing is scheduled for September 3<sup>rd</sup>. Any additional requirements of the Scott County Board of Adjustment will need to be incorporated into the Amended Final Development Plan prior to staff approval. The parking lot as constructed is gravel. Past practice has been to only allow gravel for storage areas and not areas of daily vehicle use.

#### **Development Plan Review:**

##### Vehicular Access & Pedestrian Circulation:

*Driveways & Access:* The Applicant is proposing no new entrances and will continue to utilize the existing gravel driveway from Paynes Depot Road.

*Parking Spaces:* The proposed parking lot is additional parking based on the needs of the expanding business and is not the result of Planning Commission requirements for additional parking. The lot is currently gravel and reflects the pavement material on the site as a whole. The existing entrance is gravel and other existing parking and storage areas are gravel. The business is in a rural location. There is no retail component to the business and the parking lot is proposed for employee parking. The design drawing shows 13' drive aisles and diagonal parking. It is recommended that the gravel lot, if approved, have a minimum one-way drive aisle and parking stalls that reflects our current standards.

##### Land Use Buffers and Landscaping:

The vehicle use area (VUA) as sized would require interior landscape island area of 10% of the lot and 1 tree planted per 250 SF of interior island area. Also, VUA perimeter landscaping of 1 tree per 40 LF and a 3-foot hedge would be required around the VUA parallel to the Paynes Depot Road frontage and abutting neighboring property. If the Planning Commission grants a variance to allow for gravel surface on the parking lot, it is recommended that a variance be granted to the interior VUA landscaping. Perimeter landscaping should be provided.

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. The proposed parking lot if approved for gravel will not add significant surface runoff.

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

#### **RECOMMENDATION:**

Pending Scott County Board of Adjustments approval of the expanded use on the site, staff recommends **Approval** of the Preliminary Development Plan for a 26 space employee parking lot, with perimeter VUA landscaping and additional landscaping and screening as required by the Scott County BOA:

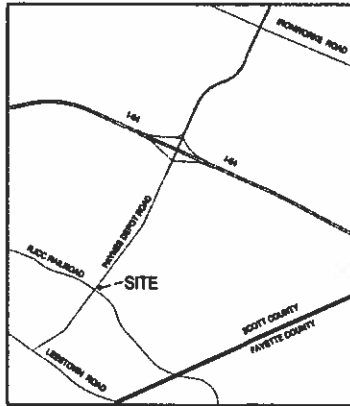
##### Variance

1. To allow new employee parking lot to be gravel.

2. To allow a waiver of the interior VUA area and landscaping in the gravel parking lot.

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. Perimeter site screening and landscaping shall be provided adjacent to all abutting residential properties as determined by the Scott County Board of Adjustment.
4. 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.
5. All site requirements of the Scott County Board of Adjustment shall be incorporated into the Amended Final Development Plan prior to staff approval.
6. 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.



VICINITY MAP, N.T.S.

CURVE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	RADIUS
C1	S 87°08'50" E	227.01	227.01	113527.24
C2	S 25°21'02" E	139.33	139.33	2843.89
C3	N 55°21'22" W	139.89	139.89	2883.89
C4	N 57°08'43" W	228.22	228.22	16447.24
C5	S 47°01'36" E	175.26	175.26	2843.89
C6	N 30°53'38" W	365.89	365.89	2770.89
C7	N 36°49'01" W	36.28	36.28	16444.24
C8	N 57°13'08" W	194.19	194.19	116440.24

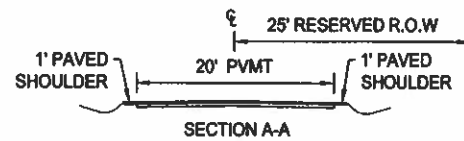
SITE STATISTICS		
ZONE	R-1B	
AREA OF AMENDMENT		
SITE AREA		
375 PAYNES DEPOT ROAD	0.13	ACRES
389 PAYNES DEPOT ROAD	0.15	ACRES
405 PAYNES DEPOT ROAD	0.15	ACRES
TOTAL	0.43	ACRES
PARKING		
390 PAYNES DEPOT ROAD	3.46	ACRES
TOTAL AREA	3.89	ACRES
BUILDING AREA	20,280	SQ. FT.

PURPOSE OF PLAN:  
TO SHOW GRAVEL PARKING LOT ON  
375, 389 & 405 PAYNES DEPOT ROAD

INTERIOR LANDSCAPE AREA FOR VEHICULAR USE AREA			
VEHICULAR USE AREA	9,364	SF	
INTERIOR LANDSCAPE AREA			
REQUIRED	936	SF	10%
PROPOSED	991	SF	11%
INTERIOR LANDSCAPE AREA DETAILS			
A	350	SF	
B	319	SF	
C	68	SF	
D	124	SF	
E	130	SF	
TOTAL	991	SF	

- NOTES:
- A STORMWATER MANAGEMENT REPORT AND FACILITIES WILL BE PROVIDED PRIOR TO FINAL DEVELOPMENT PLAN APPROVAL THAT MEETS CURRENT STORMWATER REGULATIONS AND ADDRESSES "TREATMENT" FOR INCREASES IN PERVIOUS SURFACES.
  - THE BOARD OF ADJUSTMENT APPROVED A CONDITIONAL USE REQUEST FOR A LAWN CARE BUSINESS AT 390 PAYNES DEPOT ROAD ON FEBRUARY 8/2014, 9-2-14. A REQUEST TO MODIFY THE CONDITIONAL USE REQUEST IS PENDING APPROVAL FROM THE BOARD OF ADJUSTMENT IN SEPTEMBER 2020, 9-2020-20

TREES REQUIRED		
	REQUIRED	PROPOSED
INTERIOR VEHICULAR TREES	4	4
PERIMETER TREES	4	4
SUBTOTAL	8	8
ADDITIONAL TREES REQUIRED TO MEET TREE CANOPY REQUIREMENTS		
TOTAL	8	8



SOURCE OF TITLE

- PARCEL 1 D.B. 412, PAGE 240
- PARCEL 2 D.B. 412, PAGE 93
- PARCEL 3 D.B. 412, P. 90 AND D.B. 336, P. 668 TRACT 3
- PARCEL 4 D.B. 410, P. 106
- PARCEL 5 D.B. 336, P. 568, TRACT 1
- PARCEL 6 D.B. 336, P. 568, TRACT 2
- PARCEL 7 D.B. 336, P. 568, TRACT 4
- PARCEL 8 D.B. 368, P. 102 & D.B. 369, P. 862

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.

- 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 EITHER INSTALLED, OR A BOND OR IRREVOCABLE LETTER OF CREDIT IS SUBMITTED TO THE PLANNING DIRECTOR FOR 125% OF THE COST OF THE WORK REMAINING TO BE DONE, AS SUBSTANTIATED BY COST ESTIMATES APPROVED BY THE PLANNING DIRECTOR. LANDSCAPING MUST BE CERTIFIED AS COMPLETE BY THE LANDSCAPE INSPECTOR OR BONDED AS DESCRIBED ABOVE.
- THERE SHALL BE NO GRADING OR CONSTRUCTION UNTIL THE FINAL DEVELOPMENT PLAN HAS BEEN APPROVED AND SIGNED BY THE PLANNING COMMISSION, EXCEPT AS CONSTRUCTION DRAWINGS ARE APPROVED BY THE PLANNING DIRECTOR FOR SITE DEVELOPMENT. THE BUILDING PERMIT SHALL NOT BE ISSUED UNTIL THE FINAL DEVELOPMENT PLAN IS APPROVED AND SIGNED.

OWNER OR OWNERS: \_\_\_\_\_ DATE: 8/2/20

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

(COUNTY HEALTH DEPARTMENT OFFICIAL) \_\_\_\_\_ DATE \_\_\_\_\_

CERTIFICATION OF THE APPROVAL OF PRIVATE SEWERAGE SYSTEMS:  
I HEREBY CERTIFY THAT THE PRIVATE SEWERAGE DISPOSAL SYSTEM INSTALLED, OR PROPOSED TO BE INSTALLED IN THE DEVELOPMENT ENTITLED, APHIX GROUNDS MAINTENANCE FULLY MEETS THE REQUIREMENTS OF THE KENTUCKY STATE HEALTH DEPARTMENT AND HEREBY IS APPROVED AS SHOWN.

(COUNTY HEALTH DEPARTMENT OFFICIAL) \_\_\_\_\_ DATE \_\_\_\_\_

CERTIFICATION OF THE PROVISION OF WATER ONLY:  
I HEREBY CERTIFY THAT GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GMWSS) HAS THE CAPACITY WITHIN THE WATER DISTRIBUTION SYSTEM TO SUPPLY APHIX GROUNDS MAINTENANCE WITH WATER SERVICES. PROVISION OF SERVICE WILL BE CONTINGENT UPON THE REVIEW AND APPROVAL OF ALL ON-SITE AND OFF-SITE PLANS AND SPECIFICATIONS FOR THE PROPOSED SYSTEM. CONSTRUCTION OF THE WATER DISTRIBUTION SYSTEM TO BE BY AT THE COST OF THE DEVELOPER WITHOUT REIMBURSEMENT, BUILT TO GMWSS APPROVED SPECIFICATIONS AND APPROVAL BY GMWSS OF THE AS-BUILT IMPROVEMENTS AND/OR THE BONDING AMOUNT, AND HEREBY DEDICATED TO GMWSS.

GENERAL MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

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.

CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMM. \_\_\_\_\_ DATE \_\_\_\_\_

CERTIFICATION OF UTILITY EASEMENT DESCRIPTION:  
EASEMENTS GRANT AND CONVEY TO THE KENTUCKY UTILITY COMPANY, SOUTH CENTRAL BELL, GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GMWSS), THEIR SUCCESSORS, ASSIGNS, AND LESSEES, THE RIGHT TO TRIM OR REMOVE ANY AND ALL TREES, STRUCTURES AND OBSTACLES LOCATED ON THE EASEMENTS OR IN SUCH PROXIMITY THERETO THAT IN FALLING THEY MIGHT INTERFERE WITH OPERATION AND MAINTENANCE OF SAID FACILITY. THE RIGHT OF INGRESS WITH OPERATION AND MAINTENANCE OF SAID FACILITY. THE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED TO USERS OF THE UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REINFORCE FACILITIES WITHIN SAID EASEMENTS. ALL LOTS LINES NOT HAVING AN EASEMENT INDICATED WILL HAVE 0' EASEMENTS ON THEM.

GENERAL MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

OWNER:  
SWEENEY PROPERTIES, LLC  
130 HARVELAND RD  
FRANKFORT, KY 40601-6509

SCALE: 1" = 40'-0"



Date: August 3, 2020

**Barrett Partners, Inc.**  
PLANNING AND LANDSCAPE ARCHITECTURE  
209 EAST HIGH STREET - SUITE 201 - LEONINGTON, KY 40027  
859.381.9697  
www.barrettpartnersinc.com

APHIX  
GROUNDS MAINTENANCE  
375, 389, 390 & 405 PAYNES DEPOT ROAD  
GEORGETOWN, KY 40324

AMENDED DEVELOPMENT PLAN



**PERSLEY PROPERTY  
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission  
September 10, 2020**

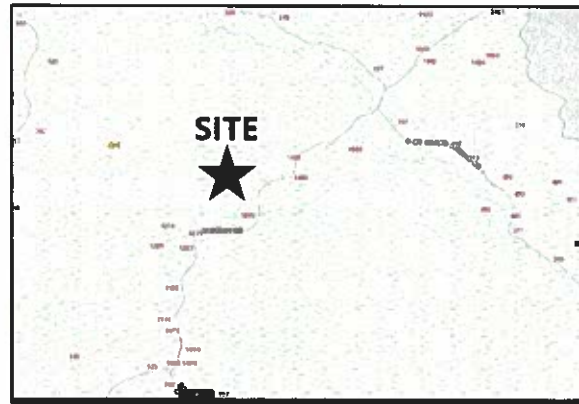
**FILE NUMBER:** FSP-2020-39

**PROPOSAL:** Final Subdivision Plat to subdivide a parent tract of 28 acres into two tracts of.

**LOCATION:** 1006 Barkley Road

**APPLICANT:** Brian Tyler

**CONSULTANT:** Keith Winstead  
Thoroughbred Engineering



**STATISTICS:**

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Tract 1: 16.63 acres; Tract 2: 10.41 acres
Access	Barkley Road
Variances/Waivers	None

**BACKGROUND:**

The application before the Planning Commission is a Final Subdivision Plat to subdivide a parent tract of 28 acres into two lots. The parent tract was previously subdivided in 2004 and 2009.

**Plat Review:**

The proposed plat meets the setbacks, lot size, and width requirements. The Planning Commission Engineer and County Road Supervisor visited the site and approved the entrance location.

This plat creates an access & utility easement to allow Tract 2 to have access across Tract 1. The Applicant may consider reaching out to the owner of 1010 Barkley Road, to see if it makes sense for this entrance and easement to serve this neighboring lot as well.

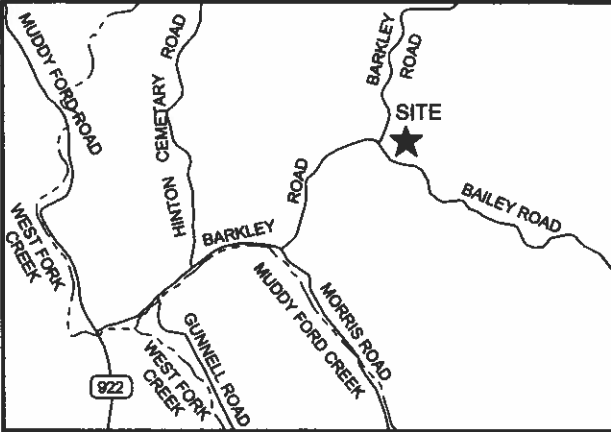
**RECOMMENDATION:**

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*.

PLAT DATE: 8/28/2020 11:55 AM



VICINITY MAP

Site Statistics

Parcel Number: 220-00-018.001
Zoned: A-1
Property Size: 28 Acres
Setback Dimensions: Front - 50 ft., Side - 50 ft., Rear - 50 ft.

PROPERTY OWNER

ROBERT PERSLEY HEIRS
C/O MARY PERSLEY
18700 SHELBYVILLE ROAD
FISHERVILLE, KY 40023

LOCATION ADDRESS

BARKLEY ROAD
DEED BOOK 283, PAGE 509

LEGEND

- PROPERTY CORNER AS NOTED
SET 1/2" IRON BAR W CAP "L.S. 3870"
SET MAG NAIL
PROPERTY BOUNDARY LINE
ADJONERS APPR. BOUNDARY
BUILDING SETBACK LINE

PURPOSE OF PLAT

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE MAIN TRACT INTO TWO TRACTS AS SHOWN AND CREATE AN ACCESS EASEMENT FOR ACCESS OF TRACT 2

CERTIFICATE OF OWNERSHIP & 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 PLATPLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT...

(DATE), 20\_\_

(OWNER OR OWNERS)

ADDITIONAL NOTE

1. PROPERTY OWNERSHIP INFORMATION PROVIDED HEREIN IS BASED ON INFORMATION OBTAINED FROM READILY AVAILABLE SOURCES (I.E., SCOTT COUNTY CLERK (Deed Book 283, Pg. 508), SCOTT COUNTY PVA, ETC.)...

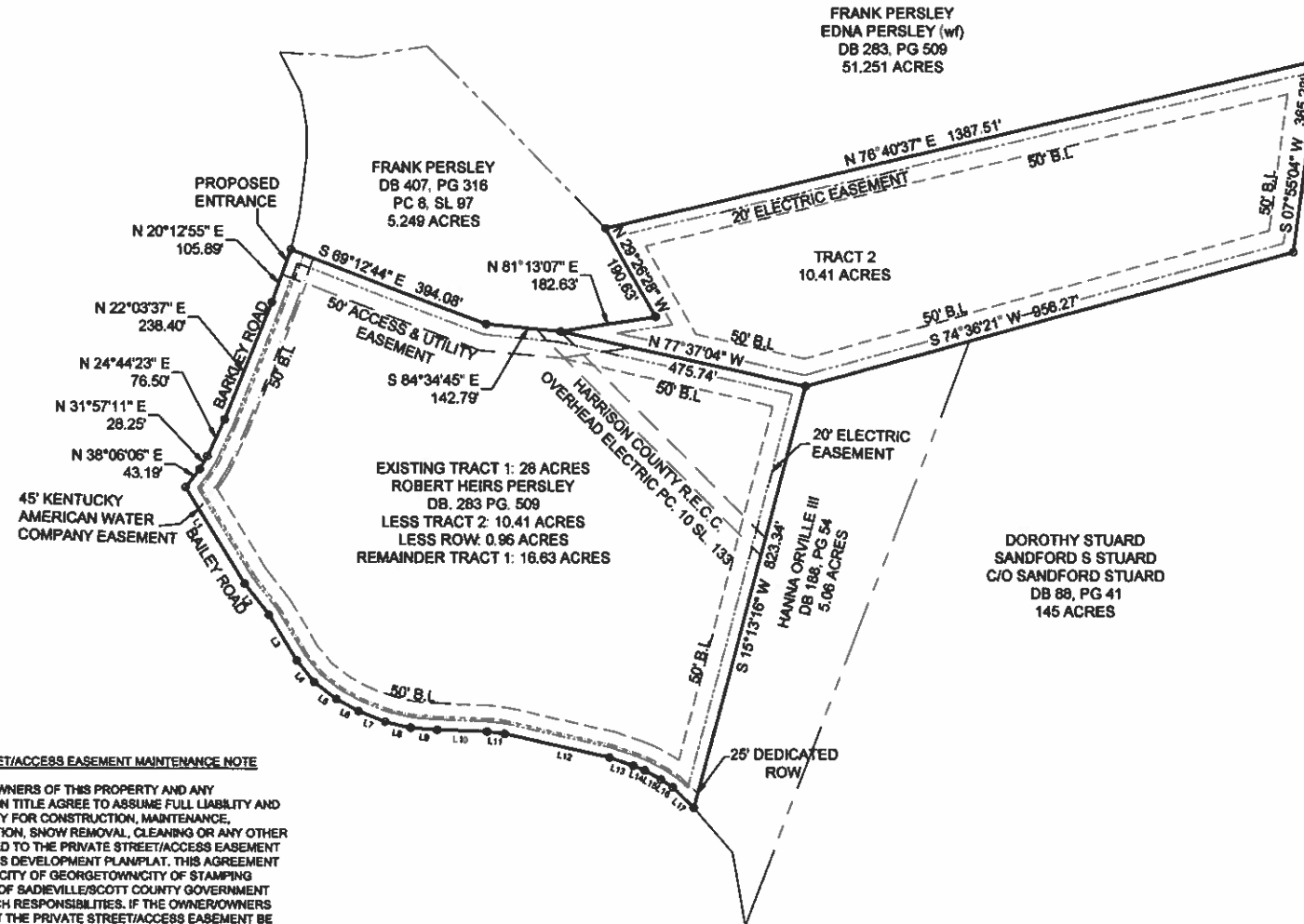
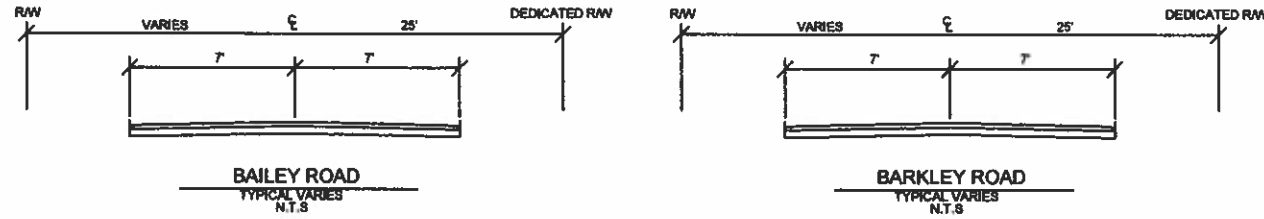
CERTIFICATE OF THE AVAILABILITY OF UTILITY SERVICES

I HEREBY CERTIFY THAT:

SHALL SUPPLY THE

WITH ELECTRIC/GAS/TELEPHONE SERVICES AND THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEETS WITH THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS.

DATE ELECTRIC Co. OFFICER



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, SNOW REMOVAL, CLEANING OR ANY OTHER NEEDS RELATED TO THE PRIVATE STREET/ACCESS EASEMENT SHOWN ON THIS DEVELOPMENT PLAN/PLAT...

OWNER

OWNER

HEALTH DEPARTMENT CERTIFICATION

I HEREBY CERTIFY THAT THE PRIVATE SEWAGE DISPOSAL SYSTEM INSTALLED, OR PROPOSED TO BE INSTALLED, FULLY MEETS THE REQUIREMENTS OF THE KENTUCKY STATE HEALTH DEPARTMENT AND HEREBY IS APPROVED AS SHOWN.

(DATE), 20\_\_

(COUNTY HEALTH DEPARTMENT OFFICIAL)

CERTIFICATION OF PROVISION OF WATER SERVICE

I HEREBY CERTIFY THAT KENTUCKY AMERICAN HAS REVIEWED THE PLANS AND SPECS FOR THE PROPOSED WATER DISTRIBUTION SYSTEM FOR (NAME OF DEVELOPMENT), THAT THE WATER DISTRIBUTION SYSTEM OF SAID DEVELOPMENT MEETS THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER REQUIREMENTS OF THE PROPER DISTRIBUTION OF WATER...

(DATE), 20\_\_

GENERAL MANAGER

SURVEY NOTES

SURVEY PERFORMED BY THOROUGH-BRED ENGINEERING EQUIPMENT USED; TRIMBLE R10 GNSS RECEIVER COORDINATE SYSTEM; KY NORTH BASE NAD 83 VERTICAL BASED ON NAVD88

SURVEYOR NOTES

- 1) ANY FURTHER DIVISION OF THE PROPERTIES SHOWN HEREON WILL REQUIRE REVIEW AND APPROVAL OF "GSCPC" THE GEORGETOWN SCOTT COUNTY PLANNING COMMISSION.
2) PROPERTY IS SUBJECT TO ANY EASEMENTS OF RECORD NOT SHOWN HEREON.
3) FLOOD MAP# 21209C01500 EFFECTIVE 12/21/2017. SITE IS LOCATED IN FLOOD ZONE X, AREA OF MINIMAL FLOOD HAZARD RISK.

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/GEORGETOWN PLANNING AND ZONING COMMISSION AND A URBAN CLASS SURVEY THE MONUMENTS ARE AS SHOWN. METHOD OF SURVEY WAS CONDUCTED BY GPS RTK (REAL TIME KINEMATIC) POSITIONAL ACCURACY IS LESS THAN 10.10"/200 PPM. THE HORIZONTAL DATUM IS NAD 1983. THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY...

SURVEYOR: [Signature]

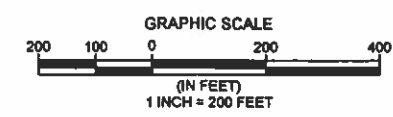
DATE: 2020-8-28

KEITH G. WINSTEAD, PLS 3870
THOROUGH-BRED ENGINEERING
PO BOX 481
LEXINGTON, KENTUCKY 40508
PHONE: (602) 883-1788

DATE OF SURVEY: 2020-7-06

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

LINE TABLE with columns: Line #, Length, Direction. Rows L1 through L17.

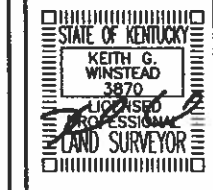


MINOR SUBDIVISION PLAT
ROBERT PERSLEY HEIRS
BARKLEY ROAD
GEORGETOWN, SCOTT COUNTY, KENTUCKY

THOROUGH-BRED ENGINEERING
P.O. BOX 481 LEXINGTON, KY 40508
CIVIL DESIGN, LAND SURVEYING,
GEO-TECHNICAL ENGINEERING, DRILLING SERVICES,
IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
CM-CE-CONSTRUCTION SERVICES



PROJECT NO., DATE, ISSUED FOR REVIEW, and signature lines.



## ARTICLE 2: SMALL CELL TOWERS

### SECTION 2.55 DEFINITIONS:

**Antennas or Related Equipment:** Any transmitting, receiving or other equipment used to support cellular telecommunications service or personal communication service in conjunction with a Wireless Communications Facility. The term includes Utility or Transmission Equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, or similar equipment. This definition does not include Cellular Antenna Towers.

**Applicant:** A person seeking or entity who is authorized by the provisions of these regulations to file for approval under these regulations for a subdivision or development.

**Base Station:** A structure or equipment at a fixed location that enables Federal Communications Commission-licensed or authorized wireless communication between user equipment and a communication network. The term does not include a Cellular Antenna Tower as defined in this section or any equipment associated with a tower. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

- A. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Small Cell Systems).
- B. The term includes any structure other than a tower that, at the time the required Application is filed with the Planning Commission under this subsection, supports or houses equipment described in sub-paragraph (A) of this definition that has been reviewed and approved under the applicable zoning or siting process even if the structure was not built for the sole or primary purpose of providing such support.
- C. The term does not include any structure that, at the time the required Application is filed with the Planning Commission under this definition, does not support or house equipment described in this definition.

**Monopole:** A tower that consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications antennas and connected appurtenances.

**Non-Tower Wireless Communications Facilities:** Wireless communications facilities other than tower-based wireless communications that are located on buildings, Utility Poles as defined by this section, and other existing structures.

**Small Cell System:** A network of remote antenna nodes that distributes radio frequency signals from a central hub through a high capacity signal transport medium to a specific area. The term includes mini commercial towers, small cells, distributed antenna systems, mini cell, or similar systems.

**Small Cell Tower:** Any structure under seventy-five (75) feet in height with an antenna or transmitter that is constructed for the sole or primary purpose of supporting any Federal Communications Commission – licensed or authorized antennas and their associated

facilities, including structures that are constructed for wireless communications services including but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. A pole originally installed for the primary purpose of supporting wireless telecommunications equipment, regardless of the timeframe between pole installation and connection/implementation of Transmission Equipment, is considered a Small Cell Tower, and is not a Utility Pole. The term Small Cell Tower includes mini cell towers, distributed antenna system towers, micro cell towers, mini cell, Wi-Fi antennas, or similar systems.

**Stealth Technology:** State-of-the-art design techniques used to blend objects into the surrounding environment and to minimize visual impact. These design techniques may be applied to wireless communications towers, antennas, and other facilities, which blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it less visible to the casual observer. Such methods include but are not limited to facilities constructed to resemble light poles, flag poles or other streetscape amenities. The use of additional features such as flags, decorative streetlamps, and banners or signs may be utilized to blend the proposed facility into the visual backdrop.

**Transmission Equipment:** Equipment that facilitates transmission for any Federal Communications Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services such as microwave backhaul.

**Utility:** Has the meaning as defined in KRS 278.010(3).

**Utility, Overhead:** Utility infrastructure that is located primarily above ground as determined by staff. For purposes of these regulations, Overhead Utilities include but are not limited to power lines and communication lines.

**Utility Pole:** A structure originally constructed for the support of electrical, telephone, cable television or other video services, street lighting, or other similar cables and located within the public right of way or utility easements. A pole originally installed for the primary purpose of supporting wireless telecommunications equipment, regardless of the timeframe between pole installation and connection/implementation of Transmission Equipment, is considered a Small Cell Tower, and is not a Utility Pole.

**Utility, Underground:** Utility infrastructure that is located primarily underground as determined by staff. For purposes of these regulations, utilities include but are not limited to water lines, sanitary sewer lines, storm sewer lines, culverts, natural gas lines, power lines, and communications lines. This definition does not include electric transformers, switch boxes, telephone pedestals and telephone boxes, traffic boxes, and similar devices which are ground mounted.

**Wireless Communications Facility:** The set of equipment and network components including antennas, transmitters, receivers, Base Stations, cabling, and telecommunication services.

**SECTION 2.551 PRE-APPLICATION CONFERENCE:** Applicants must contact Staff and request a pre-application conference. Upon receipt of this request, Staff will set up the meeting which shall include Staff, the Applicant, any applicable Utility providers, the local jurisdiction, and the owner of the right of way or property on which the Small Cell System is proposed to be installed. This meeting will allow for early coordination by identifying existing structures that might be suitable for collocation and identifying any other items which are in conformance/nonconformance with the Comprehensive Plan, local zoning ordinance, and/or the provisions of these regulations. The meeting will provide an opportunity for an initial discussion regarding proposed structure locations, design and the Application submittal, and approval process. Coordination with utilities for possible use of pre-existing structures will be required. Applicants should supply the Provider's preferred locations, structure design style and structure height one week prior to the pre-application meeting or upon request for such meeting.

**SECTION 2.552 APPLICATION SUBMITTAL:** All proposed Small Cell Systems, except those exempted by Section 2.555, A., shall be subject to administrative review and approval by Staff. The factual determination approving or rejecting such plans shall be made in accordance with requirements of this and other applicable sections of these regulations and the Comprehensive Plan. One Application for multiple proposed towers within the same Small Cell System is encouraged whenever possible. ~~Where Staff finds that circumstances or conditions relating to the particular Application are not necessary or desirable for the protection of surrounding property or the public health, safety, and general welfare, and that such special conditions or circumstances make one or more requirements unreasonable, Staff may modify or waive such requirement, either permanently or on a temporary basis. Any modification or waiver shall be requested in writing by the Applicant.~~

**SECTION 2.553 REQUESTED APPLICATION INFORMATION:** All information contained in the Application and any updates, except for any map or other information that specifically identifies the proposed location of the Cellular Antenna Tower then being reviewed, shall be deemed confidential and proprietary within the meaning of KRS 61.878. The Planning Commission shall deny any public request for the inspection of this information, whether submitted under Kentucky's Open Records Act or otherwise, except when ordered to release the information by a court of competent jurisdiction.

Applicants for the construction of Small Cell Systems for Cellular Telecommunications Services or Personal Communications Services may choose to provide either the Uniform Application per KRS.100.9865 or in lieu of the Uniform Application, a Small Cell Systems Application may be made. A Small Cell Systems Application shall be considered complete upon submission of all the following items and information:

- A. An application fee shall be submitted based upon the following table;

Number of proposed Small Cell Towers	Fee	Total
First tower	\$500	\$500
Second tower	Add'l \$275	\$775
Third tower	Add'l \$225	\$1000
4-10 towers	Add'l \$200/tower	\$1,200-\$2,200

Applications are limited to ten (10) towers per Application. Multiple towers may only be included on a single Application if they are located within the same city or unincorporated area of the County.

- B. A written description and map showing the coverage area of the provider's existing facilities in the general and site-specific areas that are the subject of the Application.
- C. A statement of the telecommunications objectives for the proposed location, whether the proposed facility is necessary to prevent or fill a gap capacity shortfall, expand or provide new coverage, or to deploy new technology in the Applicant or provider's service area, whether it is the least obtrusive means of doing so, and whether there are any alternative sites that would have fewer aesthetic impacts while providing comparable service.
- D. A statement by an authorized representative that the Applicant or provider holds all applicable licenses or other approvals required by the Federal Communications Commission, the Kentucky Public Service Commission, and any other agency of state or federal government with authority to regulate telecommunications facilities that are required in order for the Applicant to construct the proposed facility.
- E. A statement by an authorized representative that the Applicant or provider is in compliance with all conditions required for such license and approvals.
- F. A full description of the number and dimensions of all Small Cell Towers proposed to be installed.
- G. A site development plan, signed and sealed by a professional engineer registered in Kentucky, showing the proposed location of the tower and existing structures within five hundred (500) feet of the proposed site. For Applications in which multiple towers are proposed, an overall site development plan showing all proposed locations within a single city or unincorporated area must be provided.
- H. A vertical profile sketch or drawing of the towers, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas and equipment enclosures.
- I. A statement indicating the individual who is the authorized agent and their preferred email and mailing address to receive communications under these

regulations.

- J. Photographs of view shed from each proposed tower location, taken in at least four directions.
- K. Description of whether other Overhead Utilities exist within five hundred (500) feet of the proposed antenna location.
- L. A completed form indicating compliance with Code Enforcement, Revenue Commission, and all property taxes.

#### SECTION 2.554 PROCESSING OF APPLICATION:

- A. Applications will be reviewed for substance only when they meet all submittal requirements. If applications are not complete, staff must notify the applicant within ten (10) calendar days from the submission of the application stating the application is incomplete and identifying the missing materials, which must be submitted in order to complete the application. No further review of the application will take place until the application is complete. If the resubmitted materials are not complete, staff must notify the applicant within ten (10) calendar days from the most recent submission of application materials stating the application is incomplete and identifying the missing materials, which must be submitted in order to complete the application. No further review of the application will take place until the application is complete.
- B. Staff Planning Commission shall review and take final action on Applications for new Small Cell Systems within ninety (90) calendar days of a completed Application. This time period will not begin until the application is deemed complete by Staff. Staff shall notify the applicant once the application is deemed complete and provide the deadline for the Staff Planning Commission review period. Staff Planning Commission staff or Board shall either approve, approve with conditions, or deny the Application. If Staff Planning Commission staff or Board does not make a final decision within the required ninety (90) calendar days, the Application shall be deemed to be approved as submitted.
- C. An applicant claiming to be injuriously affected or aggrieved by an official action, order, requirement, interpretation, grant, refusal, or decision of Staff in the administration of these regulations may appeal the action to the Planning Commission. Such appeal must be taken within thirty (30) consecutive calendar days of the final action by Staff. The appeal shall be filed with Staff along with an appeal fee of five hundred dollars (\$500). Staff will fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant, the jurisdiction where the proposed Small Cell System is located, and the owner of Right-of-Way or property (if different from the jurisdiction) at least one (1) calendar week prior to the hearing.

An applicant claiming to be injured or aggrieved by any final action of the

Planning Commission shall appeal from the final action to the circuit court of the county in which the property is located. Such appeal shall be taken within thirty (30) calendar days after such action.

- D. **WAIVERS TO THESE REGULATIONS:** This section sets forth a procedure by which the Planning Commission Board may allow for waivers of these regulations. The purpose is to allow some flexibility in dealing with unique issues that are outlined in Subsection 4 below.
1. An application requesting a waiver, a \$500 fee, and any additional documentation necessary to meet the requirements of this section shall be submitted for review.
  2. The Planning Commission shall hold at least one public hearing after giving notice as according to KRS 424 for the purposes of reviewing the requested waiver.
  3. After the public hearing, the Planning Commission may approve, approve with conditions, or disapprove the requested waiver.
  4. The Planning Commission Board may grant a waiver to these regulations balanced against the public interest, providing the Planning Commission finds that the waiver will not be detrimental to the public interest and that the jurisdiction where the proposed small cell tower is to be located approves the waiver, and at least one of the following criteria apply:
    - a. That strict compliance with these regulations will create a hardship or unsafe situation in the face of unusual conditions.
    - b. That granting the waiver creates a situation more in keeping with unique character within the general vicinity.
    - c. That the requested waiver better meets the objectives of these regulations.
    - d. That granting the waiver creates a safer situation than strict compliance with these regulations.
- E. In addition to GSCPC approval, separate applicable building, zoning, and electrical permits, and permission from the local jurisdiction, Right-of-Way or property owner are required prior to the beginning of construction.
- ~~F. If GSCPC issues a small cell tower permit which conflicts with a City's permit for the same small cell tower, the City's permit will preempt GSCPC's permit and so long as the applicant is in compliance with the City's permit, the applicant will be deemed to be in compliance with GSCPC's permit~~

**SECTION 2.555 SMALL CELL TOWER LOCATION AND DESIGN REGULATIONS:**  
A new Small Cell System is subject to design review and approval ~~by Staff~~ the Planning Commission Board after a public hearing. The design criteria required for the new Small Cell Systems is determined by the type of location or zoning district in which the facility is to be located.

- A. **NON-TOWER SMALL CELL SYSTEM LOCATIONS:** ~~No~~ Administrative review by Staff is required for antennas locating on existing telecommunications structures, water towers, buildings, Utility Poles (as defined by this regulation) or other existing structures. These non-tower locations must adhere to all other applicable federal, state, and local zoning codes, building codes or permits.
  
- B. **NEW SMALL CELL SYSTEM TOWER LOCATIONS IN ALL ZONING DISTRICTS:** The regulations in this subsection apply to all new Small Cell System Towers.
  - 1. Temporary, mobile or wheeled cellular antenna towers shall not be permitted.
  - 2. New Small Cell Towers shall not exceed the maximum building height for the zoning district within which they are located. ~~A height that is in excess of what is permitted within the zoning district may be approved by staff, if it integrates stealth technology that better meets the objectives of these regulations.~~
  - 3. New Small Cell Towers shall be designed and constructed to accommodate a minimum of two (2) service providers.
  - 4. New Small Cell Towers may be located on public or private non-residential land or within a public Right-of-Way provided it does not interfere with other utilities, functionality of sidewalks, visibility, or other matters of public safety.
  - 5. New Small Cell Towers shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the Stealth Technology, such as a design intended to look like a street light pole.
  - 6. New Small Cell Towers shall not include advertisements and may only display information required by a federal, state, or local agency. Such display shall not exceed one (1) square foot in area, unless required by state or federal regulations, or unless a larger display is integral to the Stealth Technology. Such display shall not exceed the width of the pole, unless a wider sign is integral to the Stealth Technology such as a design which integrates a decorative banner.
  - 7. If a new Small Cell Tower is located in an area with primarily Underground Utilities, or where no adjacent Overhead Utility lines exist, it shall not utilize Overhead Utility lines.
  - 8. In instances where an antenna is proposed to be constructed within a historic or commercial district with established public or private design control measures, regulations in subsection 2.555, C., shall be followed.

Efforts shall be made to adhere to any established design control measures or existing furnishing or fixture styles within the district. Where additional local design review processes exist, such as Certificates of Appropriateness or Urban Design Review Boards, such approvals may be required.

**C. NEW SMALL CELL SYSTEM TOWER LOCATIONS IN RESIDENTIAL ZONES:**

The regulations in this subsection apply to Small Cell Towers to be located within, or immediately adjacent to, residential zoning districts as defined in Article III, Section 2.555, D., (1).

1. Facilities in residential areas are strongly encouraged to be Non-Tower Wireless Communication Facilities, which are exempt from these regulations per Article III, Section 2.555, A.
2. New Small Cell Towers and Antenna or Related Equipment shall be camouflaged by Stealth Technology. Examples of appropriate Stealth Technology for residential areas includes, at a minimum, towers with all cables, wires, Transmission Equipment, electric meters, power equipment, etc. installed inside the Small Cell Tower. Other types of stealth technology or other methods which will reduce the visual impact may be approved by Staff.
3. All poles and antennas shall be uniform grey or black in color, unless another color is integral to the Stealth Technology as approved by Staff.
4. The use of cooling fans is discouraged. When needed, fans with lower noise profiles must be used.
5. New Small Cell Towers should avoid areas without Overhead Utilities. If a Small Cell Tower is located in an area with primarily Underground Utilities it must adhere to Stealth Technology that incorporates the telecommunications equipment into a streetscape amenity such as a decorative lamp post, streetlight or other approved design. In areas with Overhead Utilities, cylindrical antennas are required.
6. In residential areas, a Small Cell Tower shall not be located closer than the height of the proposed tower to an existing or proposed residential structure, or no closer than thirty (30) feet, whichever is greater.
7. Efforts should be made to locate new Small Cell Towers in the yard location where other Overhead Utilities are located.
8. New Small Cell Towers within residential areas should be located to avoid obstructing the view of building facades by placing the tower at a

corner, intersection or along a lot line.

- 9. New Small Cell Tower shall not be located within five hundred (500) feet of an existing Small Cell System Tower. Multiple carriers are permitted and encouraged to locate on one tower, where possible.
- 10. Reasonable efforts shall be made to locate new Small Cell Towers in the order of hierarchy below, based on the following functional roadway classification from the most to least preferred:
  - a. Interstate
  - b. Arterial
  - c. Collector
  - d. Local

**D. NEW SMALL CELL SYSTEM TOWER LOCATIONS IN NON-RESIDENTIAL ZONES:** The regulations in this subsection apply to towers to be located within non-residential zoning districts.

- 1. In instances where a facility is proposed to be constructed in the right of way within one hundred (100) feet of a residential zone or use, even if the antenna's physical location is within a non-residential zone, regulations in subsection 2.555, C., shall be followed.
- 2. Antennas in commercial, institutional, or park areas are encouraged to be installed as Non-Tower Wireless Communication Facilities, which are exempt from this regulation per Article III, Section 2.555, A.
- 3. Reasonable effort shall be given to locate new equipment based upon the following hierarchy of zones and land uses from the most to least preferred:
  - a. Co-locate on an existing structure whenever possible, which is exempt from these regulations, per Section 2.555, A.
  - b. Institutional.
  - c. Industrial.
  - d. Commercial.
  - e. Public parks.
  - f. Agricultural.
- 4. Equipment enclosures, including electric meters, should be nearly the same width as the pole or as small as possible. Ground mounted equipment boxes should be screened from view with shrubs or other appropriate screening as approved by Staff.
- 5. Shrouds, risers, and conduits shall be used to reduce the appearance of

external cabling.

- 6. All poles, antennas, brackets, cabling, risers, shrouds, and conduits shall be uniform grey or black in color, or other color as approved by Staff.
- 7. Cylindrical antennas shall be required, unless another antenna style is integral to the Stealth Technology as approved by Staff.
- 8. There shall be no more than a four (4) inch off-set between the pole and pole mounted equipment enclosures.

**SECTION 2.556 EVALUATION CRITERIA:** Evaluation of the proposal shall be based upon the following criteria and shall be subject to administrative approval by Staff:

- A. The extent to which the proposal is consistent with the purposes of these regulations.
- B. The extent to which the proposal minimizes the impact on adjacent land uses, especially in terms of visual impact.
- C. The extent to which the proposed facility is camouflaged (i.e., use of Stealth Technology).
- D. The extent to which the proposed facility conforms to the character of the surrounding area (i.e., buildings, street lighting, signs).

**SECTION 2.557 AMENDMENTS TO APPROVED PLANS:** Any amendments to Small Cell Tower plans, except for the minor adjustments outlined below, shall be made in accordance with the procedure required by Section 2.553, subject to the same limitations and requirements as those under which such plans were originally approved.

The following activities shall be considered minor adjustments from the original approval of an Application for towers located in public rights of way. Changes are measured cumulatively from the original approval of the tower or Base Station.

- A. Tower height increases by less than ten (10) percent ~~or ten (10) feet, whichever is greater.~~
- B. Change in the tower width of less than ten (10) percent ~~or six (6) feet, whichever is greater.~~

**APPENDIX A**

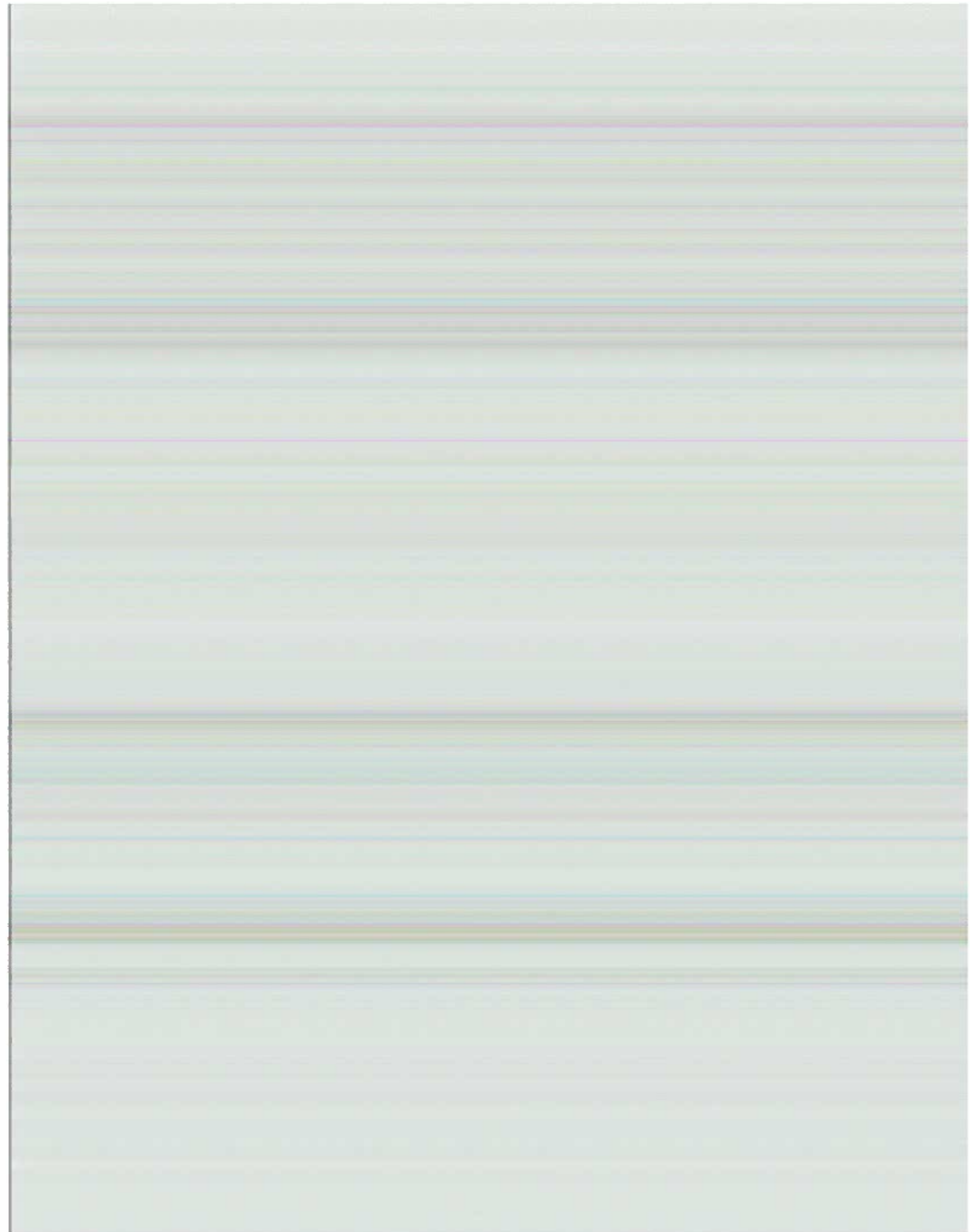
**SUMMARY OF AMENDMENTS**

SUMMARY OF AMENDMENTS

DATE ADOPTED BY

New regulations adopted

GSCPC \_\_\_\_\_



# GSCPC Active Development Projects

Status	Application number	Project Name	Type
<b>Under Construction</b>			
	<b>Number of Projects: 18</b>		
	2018-22	Amerson South Townhomes	DEV-R
	2018-25	Bluegrass RV Storage - Soil Relocation	DEV-C
	2015-22	Cherry Blossom Townhomes Phase 5 (Haddix triplex)	DEV-R
	2018-41	Commonwealth T&M - 220 Endeavor	DEV-C
	2018-08	Dominos (Oxford Place) Perfect Properties	DEV-C
	2016-49	Hiserbob - 411 Triport Road	IND
	2020-25	Innovative Holdings - 185 Industry Road - Grading	DEV-C
	2020-11	Jiffy Lube - 120 Osborne Way	DEV-C
	2013-09	Northside Christian Church - 101 Ferguson	DEV-C
	2020-04	Oser Paint & Flooring	DEV-C
	2006-07	Overlook Apartments (Dover Dr) Phase 3 & 4	DEV-C
	2018-18	Pleasant Valley, Section II - Phase 3 Condominiums	DEV-C
	2019-51	Rumpke Transfer Station-245 W Yusen (Grading only)	DEV-C
	2005-41	Shops at Elkhorn Meadows (Hanna)	DEV-C
Minor DP		Simply Southern Properties_ 618 E Main	DEV-R
	2018-62	Sleep-in/Mainstay_Cherry Blossom Connector	DEV-C
	2018-56	Texas Roadhouse (ML Georgetown)	DEV-C
	2003-56	White Oak Village - Development (Units)	DEV-R
<b>Final Inspection</b>			
	<b>Number of Projects: 6</b>		
	2017-33	American Mini (Self-Storage_ 1047 Paris Pike)-Ph 1	DEV-C
	2019-09	Bastian Solutions - Bristol Group - Corporate Blvd	IND
	2015-27	Country Boy Brewing_2019 Expansion	DEV-C
	2016-38	Cyron Holdings	IND
	2017-53	Top Gun Safe Auto Sales	DEV-C
	2018-26	Toyota Tsusho - North Access Road	DEV-C

# GSCPC Active Subdivision Projects

Status	Application number	Project Name
<b>Under Construction</b>	Number of Projects: 8	
	2006-80	Barkley Meadows (Duncan/Fightmaster) Phase 2
	2019-13	Cherry Blossom Townhomes - Phase 6
	2019-39	Harbor Village Unit 1, Phase 3C
	2019-46	Jones Prop - Willow Brook Ln Ext
	2017-24	Pinnacle At Mallard Point
	2018-61	Village at Lanes Run - Phase 2, Sect 3-A (Haddix)
	2018-05	Woodland Park (Betty Yancey) Phase 1
	2018-05	Woodland Park (Betty Yancey) Phase 2
<b>Dedication/Final Work</b>	Number of Projects: 7	
	2005-47	Cherry Blossom Subdivision Phase 7 & 8
	2005-26	Edgewood Subdivision - Phase 1
	2004-02	Leesburg Landing
	2006-28	McClelland Springs Subdivision Phase 2A
	2005-02	Rocky Creek Reserve - Unit 1 Sect 1,2,3A,3B,4
	2015-29	Sutton Place, Phase 3, Section 1
	2004-26	Village at Lanes Run - Phase 1, Section 1
<b>Approved/Bonded</b>	Number of Projects: 18	
	2016-47	Canewood Unit 1-C Sect 4
	2006-86	December Estates Cluster Subdivision
	2013-11	Deer Run - Phase 3A
	2013-11	Deer Run - Phase 3B
	2017-43	Fox Run Subdivision - Phase 1
	2008-40	Paynes Crossing Phase 4 - Section 1 & 2
	2004-51	Pleasant Valley Phase 4B, 4C, & 4F
	2004-51	Pleasant Valley Phase 4D & 4E
	2016-51	Price Farm (Abbey Phase 2 Unit 1A) (Ball Homes)
	2016-51	Price Farm (Abbey Phase 2 Unit 1B) (Ball Homes)
	2006-63	Rocky Creek Farm Section 3B, Phase 3
	2005-02	Rocky Creek Reserve Phase 3 Section 1 (Ball)
	2005-02	Rocky Creek Reserve Phase 3 Section 2 (Ball)
	2013-30	Rocky Creek-Meadows-Sec1C
	2015-29	Sutton Place, Phase 3-B
	2017-08	Thoroughbred Acres Unit 7D, Section 1
	2018-61	Village at Lanes Run - Phase 2, Sect 3-B (Charles)
	2019-10	White Oak Condominiums Phase 4 (Remaining)

# List of all Active Projects/status

Application	Project Name	Type	Status
2017-34	Adient USA (Hillps) Amended DP (Parking and dock)	DEV-C	No Activity
2017-33	American Mini (Self-Storage_1047 Paris Pike)-Ph I	DEV-C	Final Inspection
2014-22	Amerson Apartments North	DEV-R	Warranty Period
2017-20	Amerson Commercial Grading and Site Work	DEV-C	Approved/Bonded
2019-30	Amerson Daycare_301 Schoolhouse	DEV-C	Complete
2018-22	Amerson South Townhomes	DEV-R	Under Construction
2017-49	Ashton Grove Senior Living (Highgrove)	DEV-C	Complete
2006-80	Barkley Meadows (Duncan/Fightmaster) Phase 2	RES	Under Construction
2019-09	Bastian Solutions - Bristol Group - Corporate Blvd	IND	Final Inspection
2018-25	Bluegrass RV Storage - Soil Relocation	DEV-C	Under Construction
2016-47	Canewood Unit I-C Sect 4	RES	Approved/Bonded
2017-13	Canewood Unit 6, Lot 1	RES	Under Review
2005-47	Cherry Blossom Subdivision Phase 7 & 8	RES	Dedication/Final Work
2019-13	Cherry Blossom Townhomes - Phase 6	RES	Under Construction
2015-22	Cherry Blossom Townhomes Phase 5 (Haddix triplex)	DEV-R	Under Construction
2015-22	Cherry Blossom Townhomes-Phase 5	DEV-R	Approved/Bonded
2020-17	Clarks Pump-N-Shop - 385 Cherry Blossom	DEV-C	Under Review
2018-41	Commonwealth T&M - 220 Endeavor	DEV-C	Under Construction
2015-27	Country Boy Brewing_2019 Expansion	DEV-C	Final Inspection
2016-38	Cyron Holdings	IND	Final Inspection
2020-29	Dearinger Excavating - Wells Ave	DEV-C	Under Review
2006-86	December Estates Cluster Subdivision	RES	Approved/Bonded
2013-11	Deer Run - Phase 3A	RES	Approved/Bonded
2013-11	Deer Run - Phase 3B	RES	Approved/Bonded
2018-10	Dog Haus Development	DEV-C	No Activity
2018-08	Dominos (Oxford Place) Perfect Properties	DEV-C	Under Construction

Application	Project Name	Type	Status
2019-23	Ecofibre - Hemp Black, Corporate Dr.	DEV-C	Complete
2005-26	Edgewood Subdivision - Phase I	RES	Dedication/Final Work
2011-29	Falls Creek Drive extension	DEV-C	Approved/Bonded
2020-30	Firestone - 111 Marketplace Cir	DEV-C	Under Review
2017-43	Fox Run Subdivision - Phase I	RES	Approved/Bonded
2019-39	Harbor Village Unit 1, Phase 3C	RES	Under Construction
2015-08	Heritage Apartments at Falls Creek - Phase 2	DEV-R	Under Review
2016-49	Hiserbob - 411 Triport Road	IND	Under Construction
2019-06	Hoghead Trailer Sales-Showalter	DEV-C	No Activity
2019-31	Hotel Development - 150 Ikebana Dr	DEV-C	Under Review
2020-25	Innovative Holdings - 185 Industry Road - Grading	DEV-C	Under Construction
2020-11	Jiffy Lube - 120 Osborne Way	DEV-C	Under Construction
2018-52	Jimmy Johns - 121 Southgate Dr	DEV-C	Under Review
2019-46	Jones Prop - Willow Brook Ln Ext	RES	Under Construction
2019-10	Landmark Shoppes - 109 Marketplace Circle	DEV-C	Complete
2004-02	Leesburg Landing	RES	Dedication/Final Work
2006-28	McClelland Springs Subdivision Phase 2A	RES	Dedication/Final Work
2009-20	Morgan Property	DEV-C	No Activity
2017-14	Morgan Property (Tract 2) 2017	DEV-C	No Activity
2013-09	Northside Christian Church - 101 Ferguson	DEV-C	Under Construction
2020-04	Oser Paint & Flooring	DEV-C	Under Construction
2006-07	Overlook Apartments (Dover Dr) Phase 3 & 4	DEV-C	Under Construction
2008-40	Paynes Crossing Phase 4 - Section 1 & 2	RES	Approved/Bonded
2015-05	Pemberley Cove	RES	Warranty Period
2018-29	Penn Ave Baptist Parking - Stamping Ground	DEV-C	Under Review
2017-24	Pinnacle At Mallard Point	RES	Under Construction
2004-51	Pleasant Valley Phase 4B, 4C, & 4F	RES	Approved/Bonded
2004-51	Pleasant Valley Phase 4D & 4E	RES	Approved/Bonded

Application	Project Name	Type	Status
2004-51	Pleasant Valley Phase 5	RES	Under Review
2008-47	Pleasant Valley Sec 2, Ph 2, Unit 3(Urban Groupe)	RES	Warranty Period
2018-18	Pleasant Valley, Section II - Phase 3 Condominiums	DEV-C	Under Construction
2016-51	Price Farm (Abbey Phase 2 Unit 1A) (Ball Homes)	RES	Approved/Bonded
2016-51	Price Farm (Abbey Phase 2 Unit 1B) (Ball Homes)	RES	Approved/Bonded
2006-63	Rocky Creek Farm Section 3B, Phase 3	RES	Approved/Bonded
2005-02	Rocky Creek Reserve - Unit 1 Sect 1.2,3A,3B,4	RES	Dedication/Final Work
2005-02	Rocky Creek Reserve Phase 3 Section 1 (Ball)	RES	Approved/Bonded
2005-02	Rocky Creek Reserve Phase 3 Section 2 (Ball)	RES	Approved/Bonded
2013-30	Rocky Creek-Meadows-Sec1C	RES	Approved/Bonded
2019-51	Rumpke Transfer Station-245 W Yusen (Grading only)	DEV-C	Under Construction
2005-41	Shops at Elkhorn Meadows (Hanna)	DEV-C	Under Construction
Minor DP	Simply Southern Properties 618 E Main	DEV-R	Under Construction
2018-62	Sleep-in/Mainstay Cherry Blossom Connector	DEV-C	Under Construction
2019-02	South Crossing - Phase I (McClelland Cir)	RES	Under Review
Minor DP	Stonewall First Church of God - Grading & Parking	DEV-C	No Activity
2018-38	Sutton Place Remaining - Phase 4	RES	Under Review
2015-29	Sutton Place, Phase 3, Section 1	RES	Dedication/Final Work
2015-29	Sutton Place, Phase 3-B	RES	Approved/Bonded
2018-56	Texas Roadhouse (ML Georgetown)	DEV-C	Under Construction
2005-22	Thoroughbred Acres Unit 11(Commercial Subdivision	DEV-C	Approved/Bonded
2017-08	Thoroughbred Acres Unit 7D, Section 1	RES	Approved/Bonded
2019-14	Titan Project (QSI Banking) Technology Ct	DEV-C	Complete
2017-53	Top Gun Safe Auto Sales	DEV-C	Final Inspection
2018-26	Toyota Tsusho - North Access Road	DEV-C	Final Inspection
2020-02	Village at Georgetown (Lemons Mill/E Main Ext)	DEV-R	Under Review
2004-26	Village at Lanes Run - Phase I, Section 1	RES	Dedication/Final Work
2004-26	Village at Lanes Run - Phase I, Section 2 (Ball)	RES	Warranty Period

<b>Application</b>	<b>Project Name</b>	<b>Type</b>	<b>Status</b>
2018-61	Village at Lanes Run - Phase 2, Sect 3-A (Haddix)	RES	Under Construction
2018-61	Village at Lanes Run - Phase 2, Sect 3-B (Charles)	RES	Approved/Bonded
2004-26	Village at Lanes Run - Phase 3, Sect 1 (Charles)	RES	Under Review
2010-22	Village at Lanes Run- Phase 2, Section 1	RES	Warranty Period
2011-30	Village at Lanes Run- Phase 2, Section 2	RES	Warranty Period
2006-06	Ward Hall Property - Phase 1B & 1C (Remainder)	RES	Warranty Period
2019-10	White Oak Condominiums Phase 4 (Remaining)	RES	Approved/Bonded
2003-56	White Oak Village - Development (Units)	DEV-R	Under Construction
2016-13	Winding Oaks Cluster	RES	Warranty Period
2018-05	Woodland Park (Betty Yancey) Phase 1	RES	Under Construction
2018-05	Woodland Park (Betty Yancey) Phase 2	RES	Under Construction
<b>Total Number of Active Projects:</b>		93	