

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

AGENDA

JULY 11, 2024

6:00 p.m.

I. COMMISSION BUSINESS

- A. Approval of June invoices
- B. Approval of June 13, 2024 minutes
- C. Approval of July 11, 2024 agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. NEW BUSINESS

- A. ZMA-2024-28 Moore Property - Zone change request for 2.93 acres from A-1 (Agricultural) to B-5 (Planned Commercial Park) located at 1432 Paynes Depot Road.
- B. PDP-2024-29 Tee Times - POSTPONED
- C. PDP-2024-30 Audubon Truffle - Preliminary Development Plan to construct a 9,700 +/- sq. ft. event building with gathering space, test kitchen, operation, and storage space for the associated truffle farm, and a total VUA area of 45,480 sq.ft. on a 41.641-acre parcel located at 2663 Paynes Depot NW corner of Moores Mill Road and Paynes Depot Road.
- D. ZMA-2024-31 Kentucky Bluegrass Experience Resort, LLC - POSTPONED

III. OTHER BUSINESS

- A. Comprehensive Plan Public Hearing
- B. Ward Hall Unit 2B/McClelland Springs Phase IIB & IIC, Section A
- C. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
June 13, 2024**

The regular meeting was held in the Scott County Courthouse on June 13, 2024. The meeting was called to order by Chairman Charlie Mifflin at 6:00 p.m. Present were Commissioners James Stone, Dann Smith, Harold Dean Jessie, Duwan Garrett, David Vest, Mary Singer, Jessica Canfield and Director Joe Kane, Planners Elise Ketz and Rhett Shirley, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioner Brad Green.

Motion by Jessie, second by Smith, to approve the May invoices. Motion carried.

Motion by Stone, second by Garrett, to approve the May 9, 2024 minutes. Motion carried.

Motion by Smith, second by Singer, to approve the June agenda. Motion carried.

Postponements/Withdrawals

Chairman Mifflin stated that the application for Three Springs Campground (FSP-2024-13) and Sawyer Pointe Clubhouse (PDP-2024-14) have been postponed until the next regularly scheduled meeting.

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

PSP-2024-15 & PDP-2024-16 Golf Townhomes of Cherry Blossom Phase 7 - Preliminary Subdivision Plat for 27 single-family lots and Preliminary Development Plan for nine (9) single-family detached and 18 single-family attached residences (arranged in 6 triplexes) located at southern terminus of Ashley Drive & Ikebana Drive west of Lanes Run Creek, northwest of Old Oxford Road.

Ms. Ketz stated the property is zoned R-2 PUD. She stated the zone change was approved in the 1990's. She stated there is 15.07 acres of R-2 zoned land with proposed development on 4.94 acres.

She stated proposed access would be through the Golf Townhomes on Ikebana Drive. She stated the applicant is proposing a connection to Old Oxford Road.

She stated three variances and waivers are requested for reduced lot width and lot area for the single-family detached lots, single family attached lots, and for the reduced average width of the triplex building.

She stated the six previous phases of Golf Townhomes of Cherry Blossom, The Mill Apartments, and Villages of Lanes Run are the closest developments to the proposed development.

She stated previously there was concern about the lack of connecting to Old Oxford Road at the May workshop and the applicant postponed the application to June in order to make this connection. She stated the new amendment to the application shows a connection to Old Oxford Drive via Ashley Drive. Staff has conditioned that the connection to Old Oxford Road be completed before the recording of the final subdivision plat for this phase. She stated that after the connection was constructed, residential construction traffic could use that entrance instead of going through the existing subdivision.

She stated the off-street parking requirement has been met for the proposed townhomes. She stated staff does recommend approval of this proposed plan.

Rory Kahly, EA Partners, stated the applicant agrees to the conditions of approval.

Pat Foley, 233 Ikebana Drive, stated the residents are pleased with the changes to the plat but still have a couple of concerns. She stated the residents agree with the condition of approval ten regarding Ashley Drive and want the entrance/exit to remain open at all times.

She stated the residents are satisfied with the reduction of the number of triplexes but do not think the placement of four of the triplexes in the middle of their community. She stated that the triplexes should be located along the golf course like in previous phases.

Mr. Kahly stated the applicant did not want to change the application layout again. He stated the first plat will show Ashley Drive and the improvements to Old Oxford Drive.

Alonzo Allen, 112 Kingston Drive, questioned if Ashley Drive would be straight across from the existing entrance to the Villages at Lanes Run. Chairman Mifflin stated the developer of Lanes Run has a wider boulevard connection so only one lane will match straight up.

After further discussion, **Motion by Singer, second by Smith to approve Golf Townhomes of Cherry Blossom Phase 7 (PSP-2024-15 & PDP-2024-16) subject to (10) conditions of approval and three (3) waivers. Motion carried unanimously.**

Consent Agenda

A representative of Woodland Airstream Property Subdivision (PSP-2024-24) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Jessie, second by Smith, to approve the application. Motion carried unanimously.

A representative of 150 Mt. Vernon Drive Parking Expansion (PDP-2024-25) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Singer, second by Smith, to approve the application. Motion carried unanimously.

PDP-2024-26 R&L Carriers - Amended Preliminary Development Plan for a 156-door cross dock facility, office, vehicle parking, and maintenance garage located on Parcel: 162-20-012.000.

Mr. Kane stated this project was originally approved in November 2021 for a 80-door cross dock facility. He stated this application is for an increase to a 156-door cross dock facility. He stated the access is proposed from Cherry Blossom Way Spur. He stated the applicant gained access between the hotel and natural gas facility.

He stated a waiver is requested for the required screening along I-75. He stated with the previous plan a waiver was granted since the plan was not going all the way towards the interstate. He stated they can meet the landscape requirement with their canopy coverage.

He stated the only other concern at workshop was if the facility would be a 24-hour facility. He stated the applicant has indicated it is, but traffic would be mainly during the day.

He stated the increased size of the facility did not alter the previous Traffic Study, but improvements are required including a better turning radius at Triport Road and Cherry Blossom Spur. He stated the plans shows roadway improvements.

He stated the condition of approval ten should be struck out. He stated the Planning Commission engineer and state plumbing inspector recommended removing it.

Carlene Sharpe, 525 Cherry Blossom Way, questioned the distance of the facility from her house. Sam Mullikin, engineer for R&L Carriers, stated they would not be touching the area between her property and the parking lot and showed her the distance of land disturbance from her house.

After further discussion, **Motion by Jessie, second by Singer to approve R&L Carriers (PDP-2024-26) subject to (11) conditions of approval and the striking of condition of approval #10 and one (1) waiver. Motion carried unanimously.**

PDP-2024-27 TMMK-PV Project - Preliminary Development Plan for a renewable energy project consisting of ground mount PV solar array system on 18 acres with a future expansion of 9.25 acres located north of Lexus Way and west of Cherry Blossom Way in NE Georgetown.

Mr. Kane stated this is a preliminary plan for a 27-acre solar farm on the Toyota property. He stated the property is zoned BP-1 and I-1. He stated the project may be phased but the applicant is requesting approval for the whole project.

He stated to the north and west the property adjoins Toyota property. He stated to the east and south it adjoins Lexus Way and Cherry Blossom Way which are A-1 zoned property. He stated where the

property adjoins agricultural property a 25-foot landscape buffer is required. He stated the most impact would be to Lexus Way and areas south of the property.

He stated the applicant is requesting a waiver to the perimeter and canopy landscaping requirements. He stated the solar panels are coated to absorb the sun with only 2% reflectivity and should not glare into the traffic.

Tony Caudill, 102 Wayside Glen, stated he was concerned about the glare. He stated he feels that Toyota could install the panels on the roofs of their existing buildings instead of covering the fields in solar panels.

After further discussion, **Motion by Singer, second by Jessie to approve TMMK-PV Project (PDP-2024-27) subject to (7) conditions of approval and one (1) waiver. Motion carried 6-1 with Vest dissenting and Canfield abstaining.**

Comprehensive Plan Future Land Use Maps Discussion

Mr. Kane stated there was a public meeting regarding the Future Land Use maps the day before and staff are still collecting the public opinions. He stated staff will keep the comments open until Monday to give time for staff to compile it and present it to the Steering Committee prior to the final Planning Commission Public Hearing. He stated the goal is to bring the Comprehensive Plan before the Planning Commission at the July meeting or a special called meeting. It was decided to try for July 8, 10, or 11 for the special called meeting.

Dan Holman, 503 S Broadway, asked the Planning Commission to request what the economic numbers are for the Wiles project.

Chairman Mifflin adjourned the meeting.

Attest:

Charlie Mifflin, Chairman

Charlie Perkins, Secretary

**MOORE PROPERTY
ZONE CHANGE**

**Staff Report to the Georgetown-Scott County Planning Commission
July 11, 2024**

FILE NUMBER: ZMA-2024-28

PROPOSAL: Zone change request for 2.93 acres from A-1 (Agricultural) to B-5 (Planned Commercial Park).

LOCATION: 1432 Paynes Depot Road

APPLICANT: David Scott Burke and Jamie & Lydia Moore

CONSULTANT: Joshua Harp, Baughman Harp Law PLLC



STATISTICS:

Existing Zone:	A-1 (Agricultural)
Site Acreage:	2.93 acres
Proposed Zone:	B-5 (Planned Commercial Development)
Surrounding Zone(s):	A-1 (North, East, & West) B-5 (South)
Proposed Use:	Operations of Roofing Business
Access:	Paynes Depot Road via Frontage Road
New Street Required:	No
Future Land Use Designation:	Urban Residential

BACKGROUND:

The subject property is a 2.93-acre A-1 zoned parcel located east of Paynes Depot Road, north of Cane Run Creek. The Applicant is seeking to rezone the property from A-1 to B-5 in response to a zoning letter issued by the Planning Director regarding site activity. The Applicant has stated that the intent is to utilize the property as a "light industrial" user, or more specifically, is interested in operating a roofing business which includes the use of existing structures for an office and for light fabrication of materials necessary to complete roofing projects . Since this is an urban zoning district, the Project Site will need to be annexed into the City of Georgetown.

LEGAL CONSIDERATIONS:

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

Section 100.213 Findings necessary for proposed map amendment – Reconsideration.

1. *Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:*
 - a. *That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*
 - b. *That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*

Part 1: The Comprehensive Plan provides guidance for consideration of zone change requests. The Future Land Use Map for the currently adopted Comprehensive Plan shows approximately 8 acres on the southeast corner of Paynes Depot and the McClelland Circle bypass as Commercial and the remainder of the farm south of the bypass as Urban Residential to the 820 contour of Cane Run Creek and then as Greenbelt south of the 820 contour.

Therefore, the proposed change is not consistent with the Comprehensive Plan Future Land Use Map for the area. The portion of the subject property being considered for rezoning is also accessed from Paynes Depot Road, via a frontage road, shared by multiple adjoining properties. The property, as well as the area surrounding it is within the Georgetown Urban Service Boundary, so should be annexed, prior to urban scale development. The property to the south and east has already been annexed into the City of Georgetown.

The finalized Future Land Use Map for the update of the Comprehensive Plan shows this entire property within the Georgetown Urban Service Boundary (USB), and for the most appropriate land use to be Residential. Since the proposal is not in compliance with the proposed Comprehensive Plan Future Land Use Map, parts a and b should be considered.

Part a. *That the existing zone classification given to the property is inappropriate and that the proposed zoning classification is appropriate.*

The subject property is within the Urban Service Boundary of the City of Georgetown and is north of Cane Run Creek, the generalized geographic feature defining the Urban Service Boundary limits of the City of Georgetown. There are utilities being brought to the property and commercial land uses are encroaching the property to the south and east.

The current Agricultural zoning on the subject property is a transitional when considering long term plans for city expansion within the current USB. The most appropriate zone given the rezoning of the property to the south is either an Urban Residential zone based on the future land use map or another zone which would support a single planned campus type use which could be buffered from adjoining residential areas and provide a transition to the Greenbelt. Since part a is inconclusive, part b should be considered as well.

Part b. *That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*

There have been physical and social changes in the immediate vicinity, with developing subdivisions to the north and east, a growing commercial hub around the Kroger Marketplace anchor to the north, approved development of the distillery to the south, and the overall increasing residential population and vehicle traffic all around the subject property. While these changes in the area associated with urban growth were all known or anticipated and considered when the current Comprehensive Plan was adopted, the operation of a distillery in the area was not considered at that time. It is not atypical that when a new commercial user is established, undeveloped properties to adjoining begin rezoning to match or complement that user's base zone. Given the property's location and size, it is likely that it would become part of a larger commercial or mixed-use area that would develop around the base tenant. Staff concludes that there have been changes of an economic and physical nature that have altered the basic character of the surrounding area, which satisfies part b.

CONCEPTUAL PLAN REVIEW:

Site Layout:

The Applicant proposes to continue to use the property as is without making major changes. Currently there is a barn and several outbuildings on the property, as well as outdoor piles of materials and other potential non-working equipment.

It is important to note that neither the A-1 or B-5 zones permit junkyards, or the use of the property for the "outdoor storage, display, or keeping of inoperative or inoperable machinery, whether or not it is capable of operation, or the accumulation of trash, waste material, or vegetation, in a manner which is unsightly, offensive or not in harmony with surrounding property". Regardless of the existing or proposed zone, operations meeting the definition of "junkyards" as defined in the *Zoning Ordinance* need to be removed from the property and disposed of in accordance with all related regulations.

The outdoor sales, display, and/or storage of products related to business operations may be permitted in the B-5 zone with a conditional use permit. If outdoor storage is incidental to the proposed business operations, Applicant is required to apply for and be granted a conditional use permit for outdoor storage related to the proposed business. At the time of use permit operations, standards may be required by the Board of Adjustment regarding screening from adjoining properties or property maintenance.

Landscaping:

The *Landscape Ordinance* requires a landscaping buffer between commercially zoned property and agriculturally zoned property. A recent Agricultural Buffer Ordinance passed by the City/County would apply to this property. That Ordinance requires a six-foot high wire no-climb fence where the property adjoins an Agricultural zone. The landscape buffer required by this Agricultural Buffer Ordinance is 50-foot-wide, and any plantings within it shall be non-harmful to livestock and be planted far enough of the property line to not overhang the boundary.

RECOMMENDATION:

Based on the findings that the requested zone change does satisfy the requirements of KRS 100.213, based upon a combination of parts a and b, staff recommends **Approval** of the zone change request for 2.93 acres located at 1432 Paynes Depot Road.

If the Commission recommends approval of this application, staff recommends the following conditions be attached:

1. The subject property shall be annexed into the City of Georgetown.
2. All applicable requirements of the *Zoning Ordinance* and *Subdivision and Development Regulations*.
3. The Applicant shall apply for and be granted a conditional use permit prior to having outdoor storage related to the proposed business on the property.

STAFF REFERENCE



**AUDUBON TRUFFLE FARM
PRELIMINARY DEVELOPMENT PLAN**

Staff Report to the Georgetown-Scott County Planning Commission

July 11, 2024

FILE NUMBER: PDP-2024-30

PROPOSAL: Preliminary Development Plan to construct a 9,700 +/- sq.ft. event building with gathering space, test kitchen, operation, and storage space for the associated truffle farm, and a total VUA area of 45,480 sq.ft. on a 41.641 acre parcel.



LOCATION: 2663 Paynes Depot
NW Corner of Moores Mill
Road and Paynes Depot

APPLICANT: Audubon Truffle Farms,
LLC.
Federico Balestra, member

DESIGNER: John Hunt, MLH Civil
Engineers, PLLC

STATISTICS:

Current Zone	A-1
Surrounding Zones	A-1
Site Acreage	41.641 ac
Building Area	9,700 sq.ft. structure (3,900 sq.ft. footprint) - 79,420 sq.ft. VUA
Max. Building coverage	20%
Building Coverage	4.5% (Disturbed Area)
Building Height	50 feet +/- (50 feet max. allowance)
Parking Required	65 spaces (1 space per 150 SF General Commercial Standard, 9,700 sq.ft. total building area)
Parking Provided	66 spaces (4 handicap) plus 2 bus spaces
Water/Sewer Availability	GMWSS/Septic
Access	Paynes Depot Road (US 62) and Moores Mill
Variances/Waivers	Request to waive the requirement for property boundary fencing due to change of use per Landscaping and Land Use Buffers Ordinance [Section 6.14]

BACKGROUND:

The application being considered is a Preliminary Development Plan on a 41.641 acre lot. The intent of the Development Plan is to construct and operate a multi-use facility with gathering space, test kitchen,

event venue, visitor center, and business office with some storage associated with truffle farm operations. The applicant has received approval for Scott County Board of Adjustments case S-2024-31 for a Conditional Use Permit for this operation as it is a change in overall use and intensity of the current/previous activity on the property.

The Project Site is a double frontage lot and has 1,327 feet of road frontage along Paynes Depot Road [US-62] to the east, and 1,712 feet of road frontage along Moores Mill Road (county-maintained) to the south. The access to the subject property is from a state road (Paynes Depot Road, US 62). An encroachment permit will be required for the improvement of the entrance off Paynes Depot Road, which was granted in August 2023 by KYTC District 7.

The property is moderately sloped toward the southeast of the parcel which also includes floodplain area. The floodplain itself also occupies the entirety of the intersection of Moores Mill, Bethel Road, and Paynes Depot at the southeast corner of the project site. It also extends north along Paynes Depot. The proposed entrance from Paynes Depot is located just north of the identified floodplain. Staff does have concerns that flooding may obstruct or inundate the entrance, but the Applicant has stated the existing farm road that runs northwest from the center of the property could be used as secondary/emergency access if the need arose, as the Applicant owns the adjoining property which has access to both Moores Mill and Paynes Depot outside of the floodplain.

Preliminary Development Plan Review:

Setbacks and Building Standards:

The A-1 zone district requires the following standard setbacks:

- Front: 50 feet;
- Side: 50 feet;
- Rear: 50 feet;

The proposed building and parking area will be located in the northern "corner" of the project site. All proposed structures meet setback requirements.

Traffic Study

A Traffic Study was not warranted, based on the applicant's stated peak traffic generation for the proposed use being under the threshold of 100 peak hour trips. The ITE manual for trip generation does not have a category specifically for this use, nor for general agritourism. Trip Generation was estimated using the metrics for Wineries, which have a similar business model as this project. As such, 56 peak hour trips can be expected on a Saturday (22.46 peak hour trips per 1000 sq.ft. for 2500 sq.ft. of "tasting room").

Vehicular Access & Pedestrian Circulation:

Driveways & Access: One access point to the Project Site is shown from Paynes Depot Road.

Parking Spaces: The parking requirement metric being used is the commercial retail store standard of 1 space per 150 SF of building for multi-purpose space for a total of 65 spaces required for 9,700 sq.ft. total building area. The applicant is proposing 66 spaces, including 62 standard spaces, 4 handicap spaces and 2 additional bus spaces. There are 35 additional parking spaces proposed as potential future expansion, but they are not included in the current development plan.

Sidewalks: Safe sidewalk connections from all parking areas are provided. These sidewalks should be sufficient to provide pedestrian circulation to employment areas and around the public areas of the site.

Land Use Buffers and Landscaping: The *Landscape Ordinance* provides standards for Property Perimeter Buffers and Vehicle Use Area Landscaping.

6.14 Agricultural Buffering; Section 6.14:

- Property boundary fencing shall be required for all parcels adjoining A-1 zoned land, regardless of the subject property's zone, when there is an approved change of use, either through the conditional use, variance, or development plan approval process to a use other than agricultural or single-family residential use. The developer shall construct a 6-ft. minimum height fence of diamond mesh wire or equivalent no climb wire. The fence may not be bonded. If an existing tree line is present, then adequate measures shall be required to remove the vegetation to place the fence on the property boundary line. The cost of the fence installation shall be at the expense of the developer.

The applicant has requested a **waiver** to this requirement. Staff supports the granting of this waiver as the surrounding property is owned by the Applicant for associated agricultural operations. There is four plank horse fence around the entirety of the perimeter of the owned parcels to include along the frontages of Moores Mill and Paynes Depot. Requiring the Applicant to change the type of fencing would break with the character of the area. Further, the density of the planted trees provides more than sufficient visual screening from all vantage points within and outside of the property.

Vehicle Use Area Perimeter Requirements; Section 6.13: Rows 1 and 2:

- VUA perimeter screening is required around new VUA (parking lots/driveways) .
- When VUA faces a public or private street right-of-way, access road, or service road, trees must be planted 1 tree per 40 linear feet, from Group A, B, or C plus a 36" average height continuous planting, hedge, fence, wall or earth mound.

The project site has 262 linear feet of VUA perimeter that requires screening. Seven trees are required in this screening, 8 are being provided along with the appropriate continuous hedge planting.

Interior Landscaping for Vehicle Use Areas; Section 6.22:

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

With a total VUA of 45,840 square feet, 4584 square feet of landscaping area is required. Per the landscape plan, 5930 square feet is being provided. This exceeds the required 10% ratio. The provided landscape plan also supplies 19 trees, meeting the requirement of 19 for the interior VUA.

Section 6.14: Minimum Canopy Requirements

The provided landscape plan states 90,000 sq.ft. of existing canopy coverage (5%) shall remain, and development standards mandate there be 236,000 sq.ft. of coverage (13%) provided once the development plan is executed. As part of the farm operations, there will be roughly 16,000 hazelnut trees planted (8,000 of which in the first phase). Hazelnut trees are deciduous trees/shrubs that range from six (6) feet to thirty (30) feet in height. These qualify as "medium" trees which are credited with 450 sq. ft. of canopy area.

It is currently unclear how many trees will be on this specific parcel, as the agricultural aspect of the business will occur on adjacent parcels as well. As part of the Final Development Plan, the Applicant shall clarify these quantities in order to satisfy the requirements of the ordinance. The actual mature

size of the trees shall also be established, as the provided species may differ from the type cited in the approved plantings used to calculate canopy coverage.

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.

Utilities: GMWSS currently supplies the site with water, with expanded service proposed. There is not sewer availability at the project site. As such, the applicant has a proposed septic field located south of the general operational area. This septic system must be evaluated and approved by WEDCO health department. Adequate fire protection shall be provided and Scott County Fire Department shall approve the Final Development Plan. The preliminary plan does call for hydrants and other fire suppression infrastructure.

Geotechnical Report: A complete Report of Geotechnical Exploration was furnished by Consulting Services Incorporated and thusly submitted to the Planning Commission Engineering Department.

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

Signs: All signage will need to comply with the *Sign Ordinance* including meeting the size requirements and required setbacks.

RECOMMENDATION:

Staff recommends **approval** of the Preliminary Development Plan for Audubon Truffle Farms LLC, with the following variances/waivers and conditions of approval:

Variances / Waivers:

Request to waive the requirement for property boundary fencing due to change of use per Landscaping and Land Use Buffers Ordinance [Section 6.14]

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Development Plan 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 Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
5. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual, as applicable.
6. Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
7. The Final Development Plan shall have a specie specific Landscaping Plan in compliance with the *Landscaping & Land Use Buffers Ordinance*, if applicable.



ENCROACHMENT PERMIT

KYTC KEPT #: 07-2023-00350

Permittee: Audubon Truffle Farm LLC

Permit Type / Subtype: Entrance / Private

Work Completion Date: 8/11/2024

INDEMNITIES		
Type	Amount Required	Tracking Number
Performance Bond	\$0.00	
Cash / Check	\$0.00	
Self-Insured	\$0.00	
Payment Bond	\$0.00	
Liability Insurance	\$0.00	

This permit has been: **APPROVED** **DENIED**

Robert Baker	D7 Permits	8/14/2023
SIGNATURE	TITLE	DATE

The TC 99-1(B), including the application TC-99 1(A) and all related and accompanying documents and drawings make up the permit. It is not a permit unless both the TC 99-1(A) and TC 99-1(B) are both present.

LOCATION(S)			
Description	County - Route	Latitude	Longitude
Farm Entrance	Scott - US 62	38.151937	-84.615681



To Submit a Locate Request
 24 Hours a Day, Seven Days a Week:
 Call 811 or 800-752-6007



MLH CIVIL ENGINEERS, PLLC
 john@mlhcivil.com
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 PO BOX 910379
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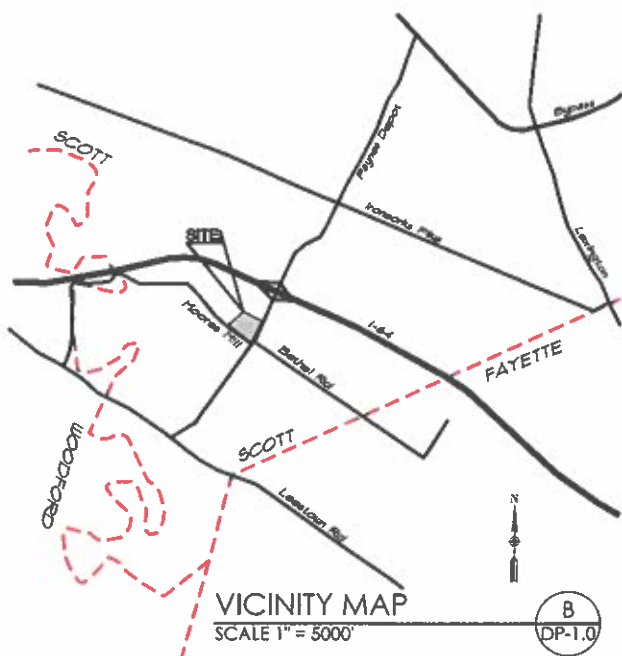


DRAFT

PRELIM. DEVELOPMENT PLAN
AUDUBON FARM, LLC
ROOKWOOD FARM TRACT - 2663 PAYNES DEPOT
 AUDUBON FARM, LLC
 293 MOORES MILL ROAD
 GEORGETOWN, SCOTT CO., KY 40324

DATE 28 JUN 2024
FILE ATF2401AA
DRAWN JWH
REVISION

DRAWING DP-10
 1 OF 1



PURPOSE OF DEVELOPMENT PLAN
 The purpose of this Preliminary Development Plan is to allow for an 3,900 +/- SF Event Building & 66 parking spaces and 2 bus parking spaces. The existing AG Barn is to remain and be renovated, continuing AG use. The remainder of the tract will be planted with trees and be used as a truffle farm.

REQUIRED NOTES:
 1. Non-Residential Uses:
 1. Identified sinkhole area(s) were investigated in the vicinity of [redacted]. This investigation was performed by [redacted] (geotechnical engineer) on [redacted] and is on file with the offices of the Planning Commission and City Engineer, where applicable. The report details the activities used to explore these areas and any recommendations regarding non-buildable areas (shown on the plat/plan) and treatment areas suitable for construction.
 2. Structures located adjacent to the closed contour of a sinkhole or adjacent to an immediate sinkhole drainage area shall not be permitted to have a basement or first floor elevation lower than an elevation, USGS Datum or other comparable source, to be determined on a case-by-case basis, said elevation being at least two (2) feet above the 100 year 24-hour storm event (maximum) assuming no outflow from the sinkhole. Minimum Floor Elevations for such lots are referenced and shown on the plat.

GSCPC NOTES

- No existing site surveying performed by MLH Civil. Indicated property lines, contours, and existing improvements as taken from Plat of Record and State LIDAR data for contours & aerial photography, not field verified by MLH Civil.
- Elevations & north azimuth from State LIDAR, KY North.
- This is not a boundary survey and is not eligible for recording.
- No grading, stripping, excavation, filling or other disturbance of the natural ground cover shall take place prior to approval of an area control plan, submission of NOI, and submission of contractor's BMP plan.
- All areas disturbed by grading shall have temporary vegetative cover provided. (Such cover shall consist of annual grasses or small grains.) Slopes exceeding 4:1 shall have additional protection of mulching to prevent erosion.
- Manhole covers shall not be covered by grading, sodding, or any other construction operation.
- This property DOES NOT lie in the Royal Springs Aquifer Recharge Area.

GENERAL NOTES

GSCPC 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

OWNER CERTIFICATION OF OWNERSHIP AND DEDICATION

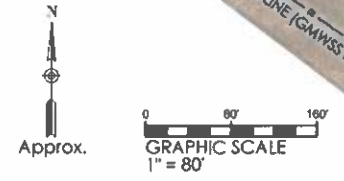
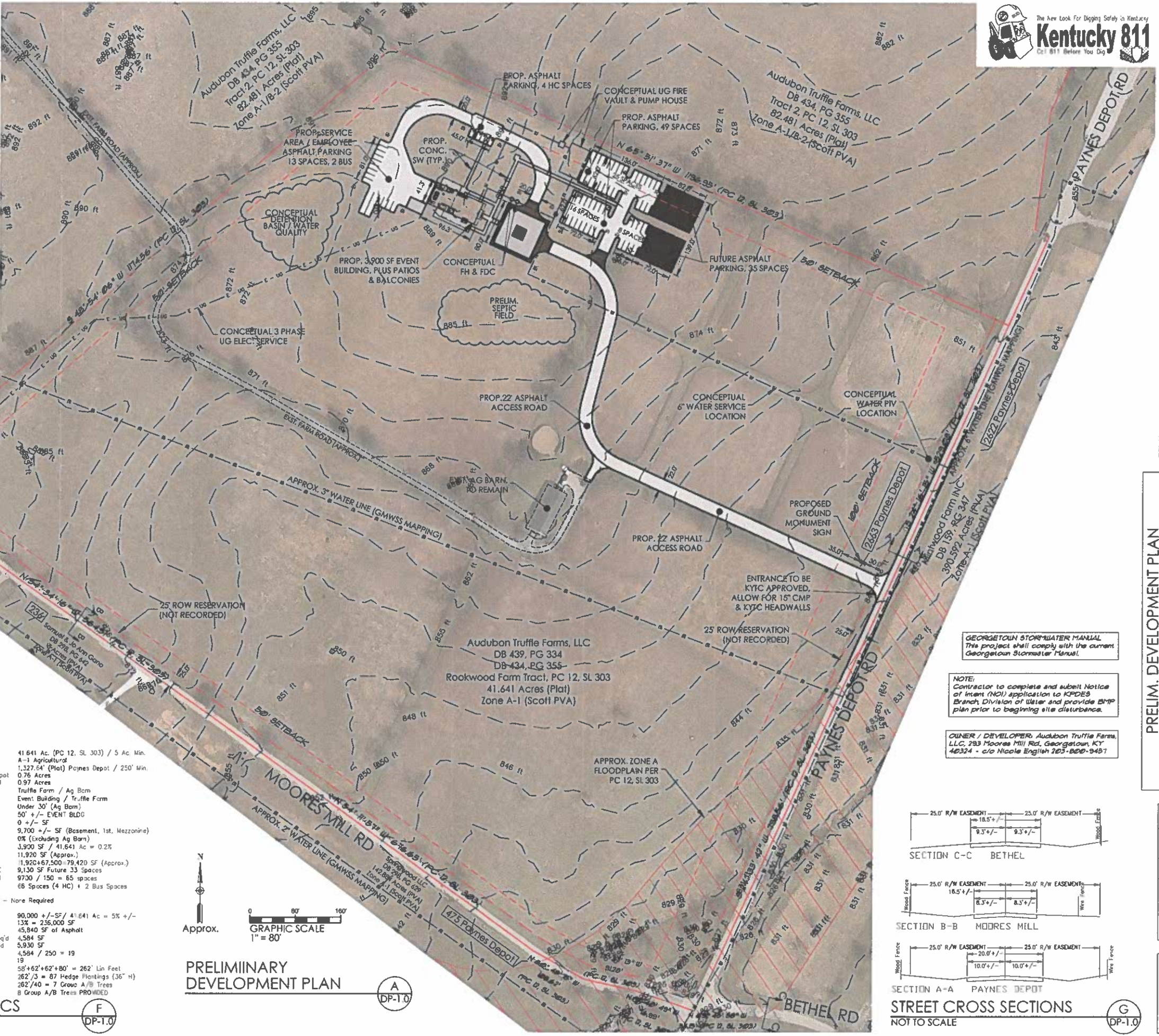
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adjust this plat/plan of the development with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as shown, in accordance with the Georgetown-Scott County Subdivision and Development Regulations, unless otherwise noted.

Owner Date

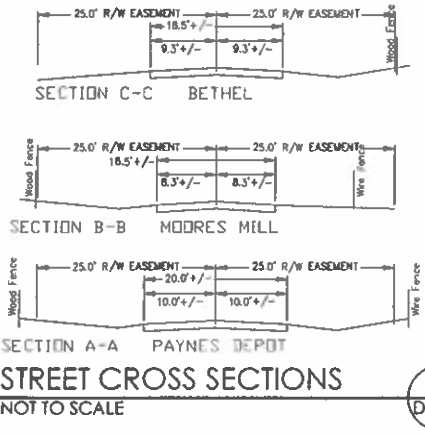
CERTIFICATIONS

SITE AREA	41.641 Ac. (PC 12, SL 303) / 5 Ac. Min. A-1 Agricultural
Zoning	1,327.64' (Plat) Paynes Depot / 250' Min.
Street Frontage	0.76 Acres
Reserved ROW - Paynes Depot	0.97 Acres
Reserved ROW - Moores Mill	Truffle Farm / Ag Barn
Est. Site Use	Event Building / Truffle Farm
Prop. Site Use	Under 30' (Ag Barn)
Est. Building Height	50' +/- EVENT BLDG
Prop. Building Height	0 +/- SF
Est. Building Floor Area	9,700 +/- SF (Basement, 1st, Mezzanine)
Prop. Building Floor Area	0% (Excluding Ag Barn)
Est. Lot Coverage	3,900 SF / 41.641 Ac = 0.2%
Prop. Lot Coverage	11,920 SF (Approx.)
Est. Asp. Drive / Parking	1,925+67,500 = 79,425 SF (Approx.)
Prop. Asp. Parking/Access	9,130 SF Future 33 Spaces
Event Building Parking Req'd	9700 / 150 = 65 spaces
Parking Provided	66 Spaces (4 HC) + 2 Bus Spaces
Zone Perimeter Landscaping - None Required	
Site Tree Canopy	90,000 +/- SF / 41.641 Ac = 5% +/-
Est. Canopy to Remain	13% = 236,000 SF
Canopy Required	45,840 SF of Asphalt
Interior WUA	4,584 SF
Interior WUA Landscaping Req'd	5,930 SF
Interior WUA Lndscap. Provided	4,584 / 250 = 19
Interior Trees Req'd	19
Interior Trees Provided	15' + 62' + 62' + 80' = 262' Lin Feet
Perimeter WUA - ROW	262' / 3 = 87 Hedge Plantings (36" H)
	262' / 40 = 7 Group A/B Trees
	8 Group A/B Trees PROVIDED

SITE STATISTICS



PRELIMINARY DEVELOPMENT PLAN



STREET CROSS SECTIONS
 NOT TO SCALE

NOW, THEREFORE, for and in consideration of the above recitals without any monetary consideration being exchanged, the adequacy and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Consent and Release. In consideration of the improvements listed below to be constructed by the Developers, the Association does hereby consent to the doing away with the requirement to construct sidewalks in the areas shown and described on Exhibits "A" and "B" attached hereto, and further hereby releases the Developer from any such requirements.

2. Developer's Agreement to Construct Alternate Improvements. In consideration of Association's agreement set out in numerical paragraph one (1) immediately above, Developers agree to construct improvements and perform work as follows:

- a. Construct stone entrances at the intersection of Natchez and Frankfort Road (460), and at the entrance to Commonwealth's property from McClelland Circle; and
- b. Run electrical with lighting installed during construction and once electrical boxes area available to the stone entrances referred to in subparagraph "a" above, as well as to entrance off Highway 62; and
- c. Plant trees eighty feet (80') O.C. along Frankfort Road (460) from Natchez Trace to Highway 62; and
- d. Construct a community Pergola and plant fifteen (15) trees in the open space to the right as you enter off McClelland Circle; and
- e. Remove trees/brush/debris, final grade, and resod berms located west of Natchez and Frankfort Road (460) entrance to Ward Hall property line.

3. Planning Commission Approval. The parties recognize and agree that the Planning Commission's approval is necessary to eliminate the sidewalks identified herein. If Planning Commission approval is not obtained, then the agreement of Developer to construct the alternate improvements set out in numerical paragraph two (2) immediately above, shall be null and void. Developer agrees to use reasonable efforts to obtain such approval.

4. Binding Effect. The agreements herein contained shall be binding upon the parties hereto and their successors and assigns forever.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized representatives, the day and year first above written.

"Developer"
Delong Estates Development, LLC,
a Kentucky limited liability company


By:  _____

John D. Barlow
Title: Manager

Commonwealth Designs, Inc.,
a Kentucky corporation


By: 
John D. Barlow
Title: Chairman

Buchanan Ventures, LLC,
a Kentucky limited liability company

By: 
John D. Barlow
Title: Manager

"Association"

Ward Hall Homeowner's Association, Inc.,
a Kentucky not for profit corporation

By: 
~~John D. Barlow~~ David Craft
Title: President

AGREEMENT

THIS AGREEMENT (herein "Agreement") is made by this 29 day of May, 2024, by Delong Estates Development, LLC, a Kentucky limited liability company having its principal office at 161 N Eagle Creek Drive, Suite 200, Lexington, Kentucky 40509 ("Delong"); Commonwealth Designs, Inc., a Kentucky corporation having its principal office at 161 N Eagle Creek Drive, Suite 200, Lexington, Kentucky 40509 ("Commonwealth"), and Buchanan Ventures, LLC, a Kentucky limited liability company having its principal office at 161 N Eagle Creek Drive, Suite 200, Lexington, Kentucky 40509 ("Buchanan", "Delong", "Commonwealth", and "Buchanan", are sometimes collectively referred to herein as the "Developer"); and Ward Hall Homeowner's Association, Inc., a Kentucky not-for-profit corporation with its principal office at 1501 North Limestone Street, Lexington, Kentucky 40505 ("Association").

RECITALS

WHEREAS, Developer is the owner and developer of certain real property located in Georgetown, Scott County, Kentucky, which is bordered by Frankfort Road, McClellan Circle, and Paynes Depot Road, and which is commonly known as the Ward Hall Subdivision and the Buchanan Property (the "Property").

WHEREAS, Association is a home-owner's association comprised of the residents of Ward Hall Subdivision and organized to promote the general welfare of its residents.

WHEREAS, certain areas of Ward Hall Subdivision are undeveloped, and the property known as the Buchanan Property is now commencing development.

WHEREAS, Developer believes that certain yet to be constructed sidewalks shown on the development plan for the Property will not serve pedestrian needs or other purposes, and therefore are unnecessary.

WHEREAS, the construction of such sidewalks would cause disfigurement to the existing berms.

WHEREAS, the Association recognizes that other improvements in lieu of such sidewalks would be more appropriate and attractive to the Property.

WHEREAS, Developers and the Association recognize that it will be necessary to obtain the approval of the Georgetown /Scott County Planning Commission to eliminate such sidewalks and that this agreement is necessarily contingent upon such approval.

WHEREAS, the Developer and the Association have reached an agreement with respect to the sidewalks and the other proposed improvements and desire to memorialize their understanding.

List of all Active Projects/Status

Application	Project Name	Type	Status
2023-42	A&Z Towing Gravel Expansion	DEV-C	Under Review
2017-34	Adient USA (Hillps) Amended DP (Parking and dock)	DEV-C	Under Construction
2023-37	Amen House Operations Center	DEV-C	Under Review
2017-33	American Mini (Self-Storage_1047 Paris Pike)-Ph 1	DEV-C	Final Inspection
2020-47	American Mini-Storage (South) Expansion	DEV-C	Under Construction
2017-20	Amerson - Schoolhouse Road Unit 1	DEV-C	Approved/Bonded
2017-20	Amerson Commercial Grading and Site Work	DEV-C	Approved/Bonded
2018-43	Amerson North Townhomes	DEV-R	Under Construction
2023-05	AWG Expansion - 400 Triport Rd	DEV-C	Under Construction
2006-80	Barkley Meadows (Duncan/Fightmaster) Phase 2	RES	Approved/Bonded
2023-35	Bierman Development - 1925 Lexington Rd	DEV-C	Under Construction
2003-35	Buffalo Springs (Phase 2) Stamping Ground	RES	Under Construction
Minor	Burger King Reconstruction_1131 Lexington Rd	DEV-C	Under Review
2021-10	Cherry Blossom Subdivision - Phase 9	RES	Approved/Bonded
2019-13	Cherry Blossom Townhomes - Phase 6	RES	Warranty Period
2015-22	Cherry Blossom Townhomes Phase 5 (Haddix triplex)	DEV-R	Under Construction
2021-07	Core Controls - 155 Enterprise Way	DEV-C	Under Construction
2018-32	Crossings at Wyndamere (Ph4) - Conner Path	DEV-C	Under Construction
2023-21	Dan Cummins Auto - Connector Rd	DEV-C	Under Review
2006-86	December Estates Cluster Subdivision	RES	Dedication/Final Work
2023-44	Dollar General - Sadieville	DEV-C	Complete
2024-06	Drake & Ditardi (944 E Main) - Site Grading	DEV-C	Under Review
2023-31	Eckart Supply - Corporate Blvd	DEV-C	Under Construction
2011-29	Falls Creek Drive extension	DEV-C	Approved/Bonded
2021-11	Falls Creek Phase 2 (Res) Townhomes	DEV-R	Under Construction
2021-04	Falls Creek Residential - Phase 2	RES	Approved/Bonded
2017-43	Fox Run - Phase 2	RES	Approved/Bonded
2017-43	Fox Run Unit 1	RES	Warranty Period
2021-06	Georgetown Auto Sales - 136 Darby Dr	DEV-C	No Activity
2023-36	Grace Christian Church - Gymnasium		Under Review

Application	Project Name	Type	Status
2020-43	Harbor Village - Phase 4	RES	No Activity
2019-39	Harbor Village Unit 1, Phase 3C	RES	Approved/Bonded
2015-08	Heritage Apartments at Falls Creek - Phase 3	DEV-R	Under Construction
2019-06	Hoghead Trailer Sales-Showalter	DEV-C	No Activity
2018-52	Jimmy Johns - 121 Southgate Dr	DEV-C	No Activity
2019-46	Jones Prop - Willow Brook Ln Ext	RES	Warranty Period
2021-40	KY Farm Bureau - 101 Trackside	DEV-C	Final Inspection
2018-15	Landmark (South, Kelley-Owen) Office Bldg Exp	DEV-C	No Activity
2023-57	Limestone Farms - Early Grading	DEV-C	Under Construction
2006-28	McClelland Springs Ph IIB & IIC	RES	Under Review
2006-30	McClelland Springs Ph IIB & IIC Section A (Delong)	RES	Under Construction
2002-62	Minnfield Townhomes 1 & 2 - Barbara Blvd	DEV-R	Under Review
2023-11	MLS Powersports (US 62)	DEV-C	Under Construction
2023-32	Moonlight Investments, LLC - Corporate Blvd	DEV-C	Under Construction
2009-20	Morgan Property	DEV-C	No Activity
2017-14	Morgan Property (Tract 2) 2017	DEV-C	No Activity
2022-34	Parkview Medical Outlot-Grading of Excess	DEV-C	Approved/Bonded
2019-49	Parkview Medical Plaza - Phase 1, S Broadway	DEV-C	Complete
2015-05	Pemberley Cove	RES	Warranty Period
2021-44	Penn Alley Townhomes	DEV-R	Under Review
2018-29	Penn Ave Baptist Parking - Stamping Ground	DEV-C	No Activity
2023-20	Phoenix Transportation Expansion - E Yusen	IND	Final Inspection
2017-24	Pinnacle At Mallard Point	RES	Approved/Bonded
2004-51	Pleasant Valley Phase 5	RES	Final Inspection
2008-47	Pleasant Valley, Sect II, Phase 2, Unit 4 (street)	RES	Approved/Bonded
2018-18	Pleasant Valley, Section II - Phase 3 Condominiums	DEV-C	Final Inspection
2023-13	Popeye's - 101 Financial Way	DEV-C	Under Construction
2018-57	Price Farm (Abbey) Ph 3 Unit 2A, 2B, 2C, 2D	RES	Approved/Bonded
2022-51	Price Farm (Abbey) Townhomes - Herndon Blvd	DEV-R	Under Construction
2018-57	Price Farm(Abbey) Ph3 Units 1A, 1B, 1C, 1D	RES	Approved/Bonded
2023-33	Pure Air KY - 117 Eastside Dr	DEV-C	Under Review
2021-42	R&L Carriers - Cherry Blossom Spur(Tree Removal)	DEV-C	No Activity

Application	Project Name	Type	Status
2022-21	Redwood Apartments - Old Oxford (Finley)	DEV-R	Under Construction
2021-45	Regal Springs, 1555 Frankfort Rd	DEV-R	Under Review
Scott Co	Scott Co EMS - 690 Lexus Way	DEV-C	Under Construction
2023-10	Scott Co Humane Society - 1376 Lexington Rd	DEV-C	Under Review
2022-14	Singer Property - Phase 1 (822 Cinc Pike)	RES	Under Review
2019-02	South Crossing - Phase 1 Units 1A, 1B, 1C	RES	Approved/Bonded
2019-02	South Crossing - Phase 1 Units 1D, 1E, 1F	RES	Approved/Bonded
2018-38	Sutton Place Remaining - Phase 4	RES	No Activity
2005-22	Thoroughbred Acres Unit 11(Commercial Subdivision	DEV-C	Approved/Bonded
Minor	TMMK - Powertrain Parking Expansion - Gate 6	DEV-C	Under Construction
2023-51	Triport Circle (Motor Pool) Truck Wash	DEV-C	Under Review
2022-13	Universal Piping - Enterprise Way	IND	Final Inspection
2022-13	Universal Piping Canopy Exp - 198 Enterprise Way	IND	Under Construction
2021-20	Village at Lanes Run - Ph 3, Sect 2 (Briggs)	RES	Approved/Bonded
2021-20	Village at Lanes Run - Ph 3, Sect 3 (2B) (Briggs)	RES	Under Construction
2018-61	Village at Lanes Run - Phase 2, Sect 3-B (Charles)	RES	Warranty Period
2018-61	Village at Lanes Run - Phase 2, Sect 3-C (Haddix)	RES	Dedication/Final Work
2004-26	Village at Lanes Run - Phase 3, Sect 1A (Charles)	RES	Approved/Bonded
2004-26	Village at Lanes Run - Phase 3, Sect 1B (Charles)	RES	Approved/Bonded
2022-05	Village at Lanes Run - Phase 4, Sect 1	RES	Under Construction
2024-09	Vuteq 2024 Expansion_100 Carley	DEV-C	Under Construction
2023-30	Wawa - McClelland and E Main	DEV-C	Under Review
Minor	Welch Parking Lot Development	DEV-C	Under Construction
2021-24	Whitaker Prop Distrib Center - Carley/Kaden	DEV-C	Approved/Bonded
2003-56	White Oak Village - Development (Units)	DEV-R	Under Construction
2023-59	Woodland Airstream Dealership - Wahland Hall Path	DEV-C	Under Construction
2018-05	Woodland Park - Phases 3 & 4	RES	Under Review
2018-05	Woodland Park (Betty Yancey) Phase 2	RES	Approved/Bonded
Total Number of Active Projects:		90	

GSCPC Active Development Projects

Status	Application number	Project Name	Type
Under Construction		Number of Projects: 24	
	2017-34	Adient USA (Hillps) Amended DP (Parking and dock)	DEV-C
	2020-47	American Mini-Storage (South) Expansion	DEV-C
	2018-43	Amerson North Townhomes	DEV-R
	2023-05	AWG Expansion - 400 Triport Rd	DEV-C
	2023-35	Bierman Development - 1925 Lexington Rd	DEV-C
	2015-22	Cherry Blossom Townhomes Phase 5 (Haddix triplex)	DEV-R
	2021-07	Core Controls - 155 Enterprise Way	DEV-C
	2018-32	Crossings at Wyndamere (Ph4) - Conner Path	DEV-C
	2023-31	Eckart Supply - Corporate Blvd	DEV-C
	2021-11	Falls Creek Phase 2 (Res) Townhomes	DEV-R
	2015-08	Heritage Apartments at Falls Creek - Phase 3	DEV-R
	2023-57	Limestone Farms - Early Grading	DEV-C
	2023-11	MLS Powersports (US 62)	DEV-C
	2023-32	Moonlight Investments, LLC - Corporate Blvd	DEV-C
	2023-13	Popeye's - 101 Financial Way	DEV-C
	2022-51	Price Farm (Abbey) Townhomes - Herndon Blvd	DEV-R
	2022-21	Redwood Apartments - Old Oxford (Finley)	DEV-R
	Scott Co	Scott Co EMS - 690 Lexus Way	DEV-C
	Minor	TMMK - Powertrain Parking Expansion - Gate 6	DEV-C
	2022-13	Universal Piping Canopy Exp - 198 Enterprise Way	IND
	2024-09	Vuteq 2024 Expansion_100 Carley	DEV-C
	Minor	Welch Parking Lot Development	DEV-C
	2003-56	White Oak Village - Development (Units)	DEV-R
	2023-59	Woodland Airstream Dealership - Wahland Hall Path	DEV-C
Final Inspection		Number of Projects: 5	
	2017-33	American Mini (Self-Storage_1047 Paris Pike)-Ph I	DEV-C
	2021-40	KY Farm Bureau - 101 Trackside	DEV-C
	2023-20	Phoenix Transportation Expansion - E Yusen	IND
	2018-18	Pleasant Valley, Section II - Phase 3 Condominiums	DEV-C
	2022-13	Universal Piping - Enterprise Way	IND

GSCPC Active Subdivision Projects

Status	Application number	Project Name
Under Construction	Number of Projects:	4
	2003-35	Buffalo Springs (Phase 2) Stamping Ground
	2006-30	McClelland Springs Ph IIB & IIC Section A (Delong)
	2021-20	Village at Lanes Run - Ph 3, Sect 3 (2B) (Briggs)
	2022-05	Village at Lanes Run - Phase 4, Sect 1
Final Inspection	Number of Projects:	1
	2004-51	Pleasant Valley Phase 5
Dedication/Final Work	Number of Projects:	2
	2006-86	December Estates Cluster Subdivision
	2018-61	Village at Lanes Run - Phase 2, Sect 3-C (Haddix)
Approved/Bonded	Number of Projects:	15
	2006-80	Barkley Meadows (Duncan/Fightmaster) Phase 2
	2021-10	Cherry Blossom Subdivision - Phase 9
	2021-04	Falls Creek Residential - Phase 2
	2017-43	Fox Run - Phase 2
	2019-39	Harbor Village Unit 1, Phase 3C
	2017-24	Pinnacle At Mallard Point
	2008-47	Pleasant Valley, Sect II, Phase 2, Unit 4 (street)
	2018-57	Price Farm (Abbey) Ph 3 Unit 2A, 2B, 2C, 2D
	2018-57	Price Farm(Abbey) Ph3 Units 1A, 1B, 1C, 1D
	2019-02	South Crossing - Phase 1 Units 1A, 1B, 1C
	2019-02	South Crossing - Phase 1 Units 1D, 1E, 1F
	2021-20	Village at Lanes Run - Ph 3, Sect 2 (Briggs)
	2004-26	Village at Lanes Run - Phase 3, Sect 1A (Charles)
	2004-26	Village at Lanes Run - Phase 3, Sect 1B (Charles)
	2018-05	Woodland Park (Betty Yancey) Phase 2