

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
AGENDA**

**August 11, 2016
6:00 p.m.**

I. COMMISSION BUSINESS

- A. Approval of July invoices
- B. Approval of July 14, 2016 minutes
- C. Approval of August agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. OLD BUSINESS

- A. PDP-2016-29 Smith-Wainscot Duplexes – Preliminary Development Plan for two duplexes located at 200 Pocahontas Trail. WITHDRAWN
- B. ZMA-2016-36 Wise Property Zone Change – Rezoning request for .59 acres from R-1A to B-2, located at 3519 Main Street in Stamping Ground.
- C. ZMA-2016-41, PSP-2016-42, and FSP-2016-43 Risk Property Zone Change - Rezoning request from A-1 (Agriculture) to A-5 (Rural Residential) for 83.7 acres, and Preliminary Subdivision Plat for ten (10) residential cluster lots, and Final Subdivision Plat for five tracts between 5-10 acres, located south and east of Stonecrest subdivision.
- D. PDP-2016-44 Haddix Property – Preliminary Development Plan for a six-unit apartment building on an existing multi-family residential lot, located at 105-115 North Pawnee Trail. POSTPONED

III. NEW BUSINESS

- A. FSP-2016-45 Barnett Property – Final Subdivision Plat to create one new tract of five acres, with 15.483 acres remaining in the parent tract, located at 3295 Ironworks Road (KY 1973), south side of Locksley Court.
- B. PSP-2016-47 Canewood, Unit 1-C, Section 4 – Amended Preliminary Subdivision Plat for 10 lots, located at the termination of The Masters, west of Canewood Blvd.
- C. ZMA-2016-48 Bevins Rural Residential Zone Change and Subdivision Plat – Rezoning request from A-1 (Agriculture) to A-5 (Rural Residential) for 53.51 acres, and Preliminary Subdivision Plat for eight (8) 5+ acre tracts, located on the northeast corner of New Coleman Lane and Ironworks Road.
- D. PDP-2016-49 Hiserbob, LLC – Preliminary Development Plan for a 10,697 sq. ft. auto parts building, located at 499 Triport Road.
- E. PDP-2016-50 O'Reilly Auto Parts – Preliminary Development Plan for a 7,225 sq. ft. auto parts store on 1.515 acres, located on the east side of South Broadway, adjacent to Whitaker Bank.

IV. OTHER BUSINESS

- A. Amendment to By-laws regarding attendance
- B. Update of previously approved projects and agenda items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
July 14, 2016**

The regular meeting was held in the Scott County Courthouse on July 14, 2016. The meeting was called to order by Chair Rob Jones at 6:00 p.m. Present were Commissioners Jeff Caldwell, Johnny Cannon, Regina Mizell, Byron Moran, John Shirley, Steve Smith, Mark Sulski, and Frank Wiseman, Director Joe Kane, Planners Megan Chan and Matt Summers, Engineer Brent Combs, and Attorney Charlie Perkins.

Motion by Mizell, second by Caldwell, to approve the June invoices. Motion carried.

Motion by Moran, second by Mizell, to approve the June 9, 2016 minutes. Motion carried.

Motion by Sulski, second by Shirley, to approve the July agenda. Motion carried.

Postponements/Withdrawals

Chairman Jones stated that the Clark's Pump 'n Shop Store application (PDP-2016-08) has been withdrawn by the applicant, and the Smith-Wainscot Duplexes (PDP-2016-29), Haddix Property (PDP-2016-44), and Risk Property Zone Change (ZMA-2016-41) applications have been postponed to the August meeting. Bruce Lankford, representing the Wise Property Zone Change application (ZMA-2016-36), requested that their application be continued (with amended notices) to the August meeting.

Motion by Sulski, second by Moran, to approve the withdrawal, postponements and continuation. Motion carried.

Consent Agenda

A representative of the Concept Packaging application (PDP-2016-35) agreed to their conditions of approval and there were no comments from the public or Commission. Motion by Smith, second by Shirley, to approve the Concept Packaging application. Motion carried.

A representative of the Cyron Holdings application (PDP-2016-38) agreed to their conditions of approval and there were no comments from the public or Commission. Motion by Caldwell, second by Sulski, to approve the Cyron Holdings application. Motion carried.

FSP-2016-34 The Colony, Unit 11 - Amended Final Subdivision Plat for lots on the south side of Castleford Drive, west of King George Drive, north side of Elkhorn Creek.

Mr. Kane reviewed the staff report. He stated that the applicant is requesting to amend the text on the final plat, not to make any physical changes to the plat. The amendment would allow attached duplex townhomes on four pairs of lots (eight total) on Cornwallis Drive. The lots in Unit 11 were originally configured for a more neo-traditional housing product. The lots on the interior blocks included alleys in the rear so that there were no front facing garages. In 2012, the Commission gave the developer approval to remove the alleys. The narrow lots are now making it difficult to have front-facing garages, and there is little room for construction equipment and debris.

If duplex townhomes are approved, there would still be one dwelling unit per lot, but they would share a wall on one side and then be separated by 15' on the opposite side, instead of the standard 7-1/2'. (These lots are not on the blocks where alleys were previously removed.) The change to permit duplex townhomes would allow for larger homes to be constructed that would fit better on to these undersized lots.

Mr. Kane noted that the City passed an ordinance in 2012 requiring a developer/builder to notify the neighbors of any changes in a plat or change in scheme. The applicant complied with that notification policy.

He recommended that if the request is approved, no other changes be made in the covenants and restrictions in this phase other than the change in the setbacks.

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

Paul Haddix, applicant, stated that the request is being made because the size of the lots, without the amendment, requires small homes, which are more prone to become rental property. He prefers to build larger homes that address the current market and be a better addition to the subdivision.

Gary Leslie, Cornwallis Drive resident, expressed concern about the units being rented. He stated that some of the lots are unbuildable because of sinkholes, and the electrical conduits for every house in the neighborhood are within 50' of where

one of the townhomes would be constructed. He also expressed dissatisfaction about townhomes being permitted among single-family homes.

Joleen Jogger, Cornwallis Drive resident, stated that she offered to buy the property adjacent to her home, but was told that she could not build there. She also stated that she was told she would have to keep access open to a utility easement and asked if the applicant would have to do the same.

Ashley Arnold, Cornwallis Drive resident, stated that, when they bought their home (on lot 19), she was informed that the lot on their left side would not be built upon. If this request is approved, they will be sandwiched in between duplexes.

Mr. Haddix stated that he has built single-family homes in this section 11 of the Colony that have sold (not as rental property), and he wishes to maintain the ability to build and sell homes here. He felt that a larger twin townhome will be less likely to be sold as rental property than a smaller single-family home.

Commissioner Wiseman asked him why he should be able to build there when others were told they could not. Mr. Haddix stated that the neighboring lots that back up the creek are built upon, so there is no reason that these lots cannot be built upon.

Mr. Leslie asked why the configuration and size of the lots can't be changed so that larger single-family homes can be built.

Mr. Haddix stated that they are twin townhomes that are sold individually as homes. There will be off-street parking and one-car garages.

Ms. Jogger asked why she was not able to buy the lot from Mr. Haddix. He replied that he decided to build on it rather than sell it.

Commissioner Sulski asked why Ms. Arnold (on lot 19) was told that one of the lots would not be built upon. Mr. Kane stated that it has always been an approved lot.

Commissioner Shirley stated that it would not be economically feasible to combine two lots to build one house. He understood the dilemma of having to building a single-family home on lots of this size.

The easements on the properties were discussed.

Motion by Moran, second by Shirley, to approve the Amended Final Subdivision Plat subject to the six (6) conditions of approval. Motion carried 8-1 with Wiseman dissenting.

FSP-2016-37 James and Elena Moore Property – Final Subdivision Plat to create one new tract of 5.001 acres, with 17.696 acres remaining in the parent tract, located at the end of Pratt Lane on the west side of North Elkhorn Creek.

Mr. Summers reviewed the staff report. He stated that the plat meets all requirements for setbacks, lot width, and lot size. The only issue of concern is the access easement. The easement/driveway already serves three tracts, the maximum number allowed by the Subdivision Regulations before the road must be upgraded to County road standards. Approval of this proposed subdivision requires that an approximately 250' section of the easement be upgraded.

Elena Moore, applicant, described the property, their farming operation, and the bridge. She stated that they wish their daughter and son to have five acres each to continue to farm, so three of the tracts are owned by family members, and the fourth tract does not have a residence. The owner of the fourth tract lives in Nicholasville and comes to farm his property. She asked that a waiver be granted so that the proposed subdivision can be approved without the upgrade to the road. She stated that she and her husband maintain the road and the bridge.

After discussion, it was clarified that another access exists to the rear of their property.

Michael Moore, the applicant's son, emphasized that his father does an excellent job of maintaining the road. He stated that they are currently looking to build a bigger bridge and that the farm will remain in the family.

Motion by Sulski, second by Wiseman, to approve the Final Subdivision Plat subject to the five (5) conditions of approval, plus the sixth (6) condition that the access easement off White Oak Road that serves one of the tracts be verified. Motion carried 8-1 with Jones dissenting.

PDP-2016-39 Vuteq Corporation Warehouse Expansion – Preliminary Development Plan for a 94,458 sq. ft. building addition, located at 100 Carley Drive.

Ms. Chan reviewed the staff report. She stated that the applicant applied for a setback variance from the Board of Adjustment and the BOA postponed their decision until the applicant receives Planning Commission approval for their development plan. One of the conditions of approval is that it is contingent upon receiving that BOA approval.

She stated that the development is on two tracts, and they must consolidate the tracts before the Final Development Plan is submitted. She reviewed parking and

landscaping. The applicant is requesting variances for approval to provide VUA perimeter screening instead of providing landscape islands. She described the landscape proposal in detail and recommended approval since it would provide substantial screening without having to tear up the parking lot and would accomplish much of the same effect.

Ms. Chan stated that they are also asking for a waiver to some of the perimeter landscaping along McClelland Circle. After discussions, they have agreed to place 78 evergreens 10' on center along McClelland Circle and wrapping around on Lemons Mill to soften the impact of the 35' high building.

Chairman Jones expressed concern about the 35' high building being so close to the intersection of Lemons Mill and McClelland Circle.

Brian Ward, Palmer Engineering and representing the applicant, stated that the building will be 36' from the right-of-way line, where it normally would have been 50'. He felt that the 14' difference, looking from the road, will not make much difference. He stated that there are two crane rails that run the length of the existing building, and in order to maintain the interior operations, they need to extend the existing crane rails through this proposed building. The size of the building is critical to their operation.

Commissioner Sulski felt that the landscaping is sufficient.

Richard Williams, representing the church that owns the adjacent property, was sworn in by Mr. Perkins. Mr. Williams asked if the traffic on the Spring Court extension will be semi-trucks or cars. Ms. Chan stated that judging by the size of the turnaround space, it will probably be used by semi-trucks. Mr. Williams expressed concern about that. Mr. Ward stated that it would be used for trucks, but at a much lower frequency than in the existing parking and loading area on site. Commissioner Smith stated that semi-truck traffic has to be expected in an Industrial Park.

Motion by Shirley, second by Mizell, to approve the Preliminary Development Plan subject to the nine (9) conditions of approval, and including the requested landscape variances. Motion carried.

FSP-2016-40 Westwoods, Lots 79A & 79B – Final Subdivision Plat to create one new tract of 10 acres, with 25.259 acres remaining in the parent tract, located on the east side of Westwoods Drive and west side of Cincinnati Road.

Ms. Chan reviewed the staff report. She pointed out the floodplain area and the original concept plan of the subdivision. The plan was for 400 lots, three parks and a

trail system around all of the residential R-1B lots. It was later reduced to a little over 104 lots and didn't show the parks or the trail, but the intent was still to include park space and a trail system around the residential lots. That was a major component that was considered a requirement of the cluster regulations, which were different when this application was initially approved.

She stated that the plat lost the pedestrian access easement designation that was originally stated on the concept plan, but there is clearly a 10' separation with a woven wire farm fence placed 10' from the agricultural lots surrounding the residential area. As each of the residential lots are built upon, the owners are placing their own plank fences along the 10' buffer area that the applicant has indicated is for pedestrian access. She recommended adding a condition that a pedestrian access easement be shown on lots 79A and 79B in the 10' buffer area between fences.

She recommended approval subject to the nine (9) conditions of approval. The exact number of lots that have been approved was discussed.

Joel Day, representing the applicant, agreed that the 10' fenced, buffer area is intended to be a pedestrian trail.

Cindy Hutcheson, Westwoods Drive resident, asked for clarification on the entrances to the tracts, the pedestrian trail, and the zoning. She asked if the owners of lots 79A and 79B will be members of the Homeowners Association. Ms. Chan stated that they will be.

Jerry Coleman, Westwoods Drive resident, expressed concern about the pedestrian trail. Ms. Chan stated that the applicant has no intent to construct a trail or walkway at this time, but that now is the time to get the easement for possible future plans.

Discussion continued on the access points and the fact that the park has yet to be constructed.

Motion by Smith, second by Sulski, to approve the Final Subdivision Plat subject to the nine (9) conditions of approval. Motion carried.

Update of previously approved projects and agenda items

Mr. Kane reminded the Commission of the training session on Tuesday, August 2.

The meeting was then adjourned.

Respectfully,

Rob Jones, Chair

Attest:

Charlie Perkins, Secretary

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 requested I-1 zoning district complies with the Comprehensive Plan’s Future Land Use Map (FLU Map).

Therefore, Part 1 does apply, and parts A and B need not be considered.

CONCEPTUAL PLAN REVIEW:

No conceptual plan was submitted with the application for a zone change. It is staff’s understanding that the proposed use will utilize the existing building on site.

Site Layout:

The existing building is roughly 2,300 square feet in size. The building sits on a 0.59-acre lot in Stamping Ground.

Access:

The proposed lot has vehicular access from Main Street (KY 227). The driveway may have once been gravel, but is now largely non-existent. There is no clear Vehicular Use Area (VUA) on the project site to indicate parking, ingress/egress, or loading/unloading areas. There is no pedestrian access either along KY 227 or from the road to the building.

The driveway and vehicle use area should be improved to meet the requirements of the Zoning Ordinance. Section 2.73 (C) states, “Parking, loading and unloading spaces and the access thereto shall be surfaced in a manner adequate to eliminate dust and mud, and to eliminate damaging run-off onto abutting or nearby properties.” This makes it clear that there need to be improvements to the entrances, parking and loading/unloading areas on the project site with the appropriate installation of gravel or some other suitable material. Parking spaces for the project site should be paved, striped, and provide adequate handicapped accessible parking and access to the building.

It also is appropriate for the Applicant to install a sidewalk parallel to Main Street. The Subdivision and Development Regulations, in several sections, require sidewalks in urban areas or urban style development. Industrial development is not specifically listed as an area requiring sidewalks. However,

since the Project Site is located along one of the major corridors in Stamping Ground and adjacent to residential development, it makes sense for a sidewalk to be installed as properties along this corridor develop. The Bicycle Pedestrian Plan, currently in draft form, identifies Main Street in Stamping Ground, from Switzer Road to Edgewater Drive, as an area in need of sidewalks on both sides of the road. Additionally, the Stamping Ground Design Audit calls for sidewalks to be extended outward from the existing endpoints to the city limits.

Landscaping:

The *Landscape Ordinance* requires a landscaping buffer between industrial zones and residential zones. The buffer is required to be 15 feet wide adjacent to all residentially zoned property. The buffer should be populated by 1 tree (Group A or B) per 40 feet of linear boundary, or fraction thereof, plus either 1) a double row of 6-foot high hedge or 2) a 6-foot high, fence wall, or earth mound.

Waivers

None requested

RECOMMENDATION:

Based on the findings that the requested zone change satisfies the requirements of KRS 100.213, staff recommends **approval** of the zone change request for 0.59 acres located northwest of the intersection of Main Street (KY 227) and Commonwealth Drive. Staff recommends the following conditions be attached to any recommendation of approval from the Planning Commission:

1. The Applicant shall install a landscaping buffer in accordance with the *Landscaping Ordinance* within ninety (90) days of the final approval of the zone change.
2. The Applicant shall pave the driveway and parking stalls in accordance with all requirements of the Subdivision and Development Regulations, the Zoning Ordinance, and ADA within ninety (90) days of the final approval of the zone change.
3. Due to the scale and intensity of the use of the property, any loading and unloading areas shall be graveled within ninety (90) days of the final approval of the zone change.
4. The Applicant shall install a sidewalk parallel to Main Street.

RISK PROPERTY CLUSTER

Staff Report to the Georgetown-Scott County Planning Commission
July 14, 2016 ppt.
August 11, 2016

FILE NUMBERS: ZMA-2016-41, PSP 2016-42, FSP 2016-43

PROPOSAL: Zone Change request for a cluster subdivision with ten (10) residential cluster lots and five rural tracts on 83.7 acres zoned A-1

LOCATION: South and east of Stonecrest Subdivision

APPLICANT: Mary Risk

ENGINEER: Trinity Surveying

STATISTICS:

Zone	A-1
Surrounding zones	A-1
Acreage	83.7
Dwelling Units/Acre	1 du/5 acres
Dwelling Units Proposed	Ten (10) cluster lots, five (5) rural tracts and one preserved area
Dwelling Units Permitted	16
Min.Cluster Lot Size Proposed	1.75
Max.Cluster Lot Size Proposed	2.0
New Street Required	Yes
Linear feet of new street	+/-1000 feet
Water/Sewer available	Yes/No
Access	Via Wysteria Lane
Variances	maximum number of lots on single access



KEY ISSUES/COMMENTS:

The applicant requests approval of a zone change from A-1 to A-5 for a ten lot cluster subdivision and a rural subdivision with five tracts between 5-10 acres on 83.73 acres. The property is located inside the Georgetown Urban Service Boundary, in the southern Greenbelt for the City of Georgetown east of Stonecrest and Aberdeen subdivisions. The farm has been designated Greenbelt on the Future Land Use Map since the late 1990's.

KEY ISSUES/COMMENTS: (cont.)

The applicant is also asking for preliminary approval for two proposed subdivision plats. The first is a cluster subdivision with ten (10) cluster lots and one preserved area. The second is a rural subdivision with five (5) tracts between 5-10 acres in size accessed by a private access easement/driveway.

The applicant must receive a zone change to A-5 (rural residential) prior to approval by the Planning Commission of the Preliminary Plat. The Planning Commission may review and approve the Preliminary Plat contingent upon zoning approval. The requirement for a zone change to A-5 for all major subdivisions in the county was adopted in 2011 with an amendment to the Zoning Ordinance creating the A-5 District along with the requirement that all major subdivisions be rezoned to the rural residential (A-5) zoning category prior to approval.

Kentucky state law is very specific in the criteria that must be used by the Planning Commission when considering a zone change. *Kentucky Revised Statutes*, Chapter 100 states:

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.

The adopted 2006 and 2011 Comprehensive Plans indicate that the farm is designated Greenbelt. The Greenbelt Ordinance allows rural residential development at a density of one unit per five acres, but requires fencing and screening at the Greenbelt boundary. Therefore, the requested zone change is in conformance with the Comprehensive Plan if the Greenbelt Ordinance is followed. The Greenbelt should create a strong physical boundary between residential lots and agriculturally used property and establish a setback of at least 100' between any residential or accessory structures and adjoining agricultural land.

This case is unusual in that the property is designated greenbelt and within the Urban Service Boundary. In most other areas the Greenbelt lies outside the Urban Service Boundary. Cluster development is a valid and desired method to be used to balance the protection and preservation of prime agricultural land while allowing for development in rural areas at the underlying 1 unit per 5 acre density permitted in the Agricultural (A-1) districts. The 2006 Comprehensive Plan also recommended the creation of the A-5 zone district for new rural residential development.

The requirement to rezone prior to major residential development was implemented to allow the community to evaluate the impact major development may have on public services and infrastructure in the rural areas prior to approval.

Adequacy of Infrastructure

The subject property is 83.7 acres in size in Georgetown's southern Greenbelt and accessed only through existing city roads that serve the Stonecrest and Aberdeen Place subdivisions. There is a stub road in Stonecrest that will provide for a future connection to the bypass when the farm north of Stonecrest is developed. It is recommended that no urban density of this farm is allowed based on the limited access. However, development at rural densities and the establishment of a permanent Greenbelt in this area would be compatible with long term land use policy for this area.

The property has been used for agricultural purposes for many decades and was part of the larger Risk farm that was developed into Pioneer Plaza, Aberdeen Place and Stonecrest subdivisions in the 1990's and 2000's. The subject property is located in the prime farmland belt which covers most of the southern portion of the county between the north and south Elkhorn Creeks. The subject property contains no identified sinkholes. Soils are mainly Maury series, rich and gently sloping. The Royal Spring Aquifer Recharge area also bisects the farm, generally following the path of the Norfolk Southern railroad.

The subject property has access to public water and sewer. There is adequate water pressure in the area to provide for fire protection. The subject property is located in County Fire District #6, with the closest fire station being the City fire station on Airport Road approximately one mile away. It is located in Georgetown-Scott County Emergency Medical District #3 and Southern Elementary and Georgetown Middle School Districts. The proposed development will likely generate approximately ten (10) school age children at build out.

The lots are proposed to use individual lot septic systems for sewage disposal. The lot sizes proposed are 1.75-2.00 acres for the cluster lots, the minimum sizes recommended for septic systems by the Environmental Health Department, and 5-5.6 acres for the rural tracts. Final approval of the lots will be required by the Environmental Health Department or Georgetown Municipal Water and Sewer prior to final plat approval. It is recommended, due to the proximity of public sewer available and the fact that the Royal Springs Aquifer Recharge Area bisects the farm, that at a minimum the cluster lots be on public sewer. This would allow the cluster lots to be reduced to ½ acre in size.

The subject property is located in an area south of the Georgetown bypass that was opened up for development when the southern bypass was built. It was determined, at that time, that urban scale development would be permitted south of the bypass to allow the farms that were split by the new road to be utilized for urban purposes where improved access was available. But, in order to protect the prime farmland areas in southern Scott County from urban encroachment, a southern Greenbelt Policy was put in place to act as a barrier to expanded urban development beyond the first line of farms south of the bypass. The intent of this policy was to stop urban sprawl from continuing down the US25 corridor which if left unchecked could promote the commercialization of the rural corridor between Lexington and Georgetown.

Access is an issue for this portion of the Risk farm. The only means to access this part of the farm is on a local public road that snakes through Aberdeen Place and Stonecrest subdivisions. In addition, at the time of the zone change and plat approval for Stonecrest subdivisions, it was agreed that the remainder of the Risk farm would be placed in the Greenbelt and not be zoned urban residential.

Environmental Assessment

A Geotechnical study has not been completed, but no surface features indicative of karst (subsurface rock weathering) conditions that might adversely affect the project are evident. No areas have been identified that appear to affect the constructability of the development. Any karst features will need to be handled according to current ordinances including labelling on the Final Subdivision Plat as unbuildable, protecting and avoiding these areas during construction, and increasing lot sizes to account for environmentally sensitive areas on lots. Stormwater drainage may not be increased into sink hole areas post-development. All other requirements of the Environmentally Sensitive Lands Ordinance must be followed during development.

Stormwater Requirements

The proposed development will extend Wysteria Lane with an urban street section of 29' with curb and gutter and sidewalks to serve the cluster lots. It is recommended for this reason that the cluster lot area be annexed and the street be dedicated to the City of Georgetown after construction. Access to the rural tracts will be via a private drive along an access easement. It is recommended this drive be paved to limit dust. A private maintenance agreement will be required for this private drive.

The site drains from the north to the south through three natural drainage swales. The preserved area will be on both ends of the farm connected by a 50' wide strip of land which will serve as access for the rural residential tracts. Detention requirements will be determined at the time of construction plan submittal. The existing farm ponds should be maintained. Any additional detention, particularly for the cluster lots will be determined at Construction Plan submittal.

Cluster Subdivision Layout

A preliminary cluster ordinance evaluation has been done to evaluate how the proposed subdivision conforms with the existing cluster regulations. The subdivision largely conforms, although the preserved area is an awkward shape and the Royal Springs Aquifer Recharge Area encroaches on at least half of the cluster lots.

Cluster Regulations Analysis:

- A. Cluster development density: one dwelling unit per five acres (1du/5acres): **Development complies.**
- B. Lot size: 1.75 acre (minimum), with a maximum of 2.0 acres. All applications for cluster residential development must receive approval from the Health Department prior to Planning Commission approval of final plat: **The applicant is proposing to seek preliminary approval from the Scott County Health Department for lot sizes ranging from 1.75 to 2.0 acres. It is recommended that the cluster lots utilize public sewer which would allow lots as small as ½ acre. This would also allow the cluster lots to be more compact, retaining existing treelines and field boundaries, reduce the amount of surface pavement and impervious area and reduce the lot area in the Aquifer Recharge Area.**
- C. The remaining acreage (i.e., 3.0-4.5 acres per cluster lot/dwelling unit) must be preserved for agriculture or open space. The preserved area must be set aside in one contiguous tract. A note shall be placed on the Final Subdivision Plat restricting future subdivision of the reserved

area or lots: **The remaining property has been preserved as one tract connected by a 50' strip that serves as an access easement for five adjoining rural tracts.**

- D. If a property is proposed for both cluster development and 5-acre tract development, each type of application must be reviewed by the Planning Commission as a separate application. **The Planning Commission is reviewing the two proposed subdivisions as two separate applications.**
- E. The maximum number of cluster lots is based on the acreage of the farm proposed for cluster development: **Based on the farm's size, a maximum of sixteen (16) residences are allowed. Of the total 83.7 acres, only 58.1 acres are currently proposed for cluster development. The sixteen (16) residential credits will be developed as ten (10) cluster lots, five 5+ acre tracts and one 38.55 acre preserved tract. There is proposed 1.09 acres of road right-of-way.**
- F. For cluster development containing 100 lots or more, accel/decal lanes, turn lanes, and secondary access points will be required. **N/A**
- G. Individual lot standards are as follows:
1. **Lot size:** 0.5 acre minimum, 2.0 acre maximum (outside the floodplain): **All lots comply.**
 2. **Lot width:** 150' minimum at the building setback line. (The lot cannot exceed a 2:1 depth-to-width ration) **All lots comply.**
 3. **Front Yard Setback:** 50'; **or** 75' setback along an existing public road (from edge of pavement): **All lots comply.**
 4. **Rear Yard Setback:** 100'; however, for lots that abut adjacent farm property under different ownership than the applicant for the cluster proposal, a minimum 50' tree preservation easement must be established adjacent to the common property line, and within the required rear yard setback, where no existing vegetation could be removed or disturbed, unless demonstrated to be sick or dead. The preservation area shall also include required or additional landscaping/buffering as outlined in item H: **All lots comply.**
 5. **Side Yard Setback:** 25' OR 100' if side yard abuts any property other than another cluster lot; in such circumstance, the side yard shall be treated as a rear yard regarding building setbacks and landscape buffers: **All lots comply.**
- H. Environmentally Sensitive Areas may not be included within the cluster lot development, without a variance to increase the allowable lot size by the amount of acreage that is environmentally sensitive; otherwise, those areas must be part of the preserved acreage. **More detailed study of potential sinkholes on cluster lots may require those lots to be amended prior to final plat approval. It appears preliminarily that all lots comply.**
- I. All cluster proposals that include more than 30 lots (includes cluster lots and preserved lots) shall submit, for review and approval, a Traffic Impact Study (TIS). The TIS is required prior to Final Subdivision Plat review and approval of the 30th lot. If it is determined that the parent tract has been prematurely subdivided in order to avoid this requirement, the Planning Commission may require the TIS based on the configuration of the parent tract and any existing lots at the time these regulations were adopted. The required TIS may be waived upon recommendation of the Commission staff, where the road upon which the cluster is proposed is adequate for the anticipated traffic generated by the development. The adequacy of the road will be reviewed based on the carrying capacity of the existing roads based on the ITE Trip Generation Manual, 6th (or latest) Edition and the AASHTO Policy on Geometric Design of Highway and Streets, 1990 (or latest) Edition: **Traffic Study was not required.**
- J. Cluster lots may share a common rear lot line with other cluster lots subject to all Health Department requirements: **N/A**

K. Required Landscaping/Buffering: Landscaping and buffering shall be required as follows
[Note: existing screening/trees may be used towards these requirements subject to review and approval of the Planning Commission]:

1. Where cluster lots abut an adjacent farmland owned by someone other than the applicant, a minimum 50' tree preservation easement must be established adjacent to the common property line, and within the required rear yard setback, where no existing vegetation could be removed or disturbed unless demonstrated to be sick or dead. The preservation area shall also include required or additional landscaping/buffering as determined by the following formula: there shall be a double row of evergreens/deciduous trees on 40' center and fencing. The ratio of evergreens and deciduous trees should not exceed 2:1: **All requirements have been met as shown on plan.**
2. Where cluster lots abut an existing road, trees shall be required on 30' centers along the existing road frontage of the cluster lots. The ratio of evergreens and deciduous trees should not exceed 2:1: **All requirements are addressed on plan.**
3. All proposed landscaping shall exclude any species of trees and shrubs that may be deemed harmful to livestock.: **To be addressed in Final Landscape Plan.**
4. Right-of-way: Public roads = 50' ROW, 20' pavement (roads designed for acceptance by Scott County and subject to Scott County's Road Acceptance Policy): **Recommended that street be built to City standards, lots be annexed and street be dedicated to City.**
5. Ditches & Cross Drains: Both sides of the road must be ditched at a 2:1 slope. Cross-drains for driveways and roads (existing or new) are also required (to allow storm water to flow to the nearest drainage structure): **New public street shown with curb and gutter.**
6. Cul-de-sacs: Cul-de-sac geometry shall conform to the requirements contained in Appendix VII. Alternative cul-de-sac designs may be allowed where approved by the Fire Chief and the Commission Engineer/Planning Director, so long as all lots have sufficient and safe access for emergency vehicles: **Proposed cul-de-sac designs will be reviewed at construction plan submittal.**
7. Entrance improvements at county/state roads shall include 55' radaii at intersections and 100' taper for the new street back to the edge of the public road. For accesses onto a state road, a copy of the approved entrance permit must be submitted prior to final review and approval. **Entrance internal to subdivision.**

L. Sufficiency of infrastructure:

New road construction required, as follows (*items 1-8 apply to both public and private roads, unless otherwise noted*):

1. Pavement width: 18' (**See above. Proposed to be built to City standards**)
Pavement depth: 8" base (rock); 2" binder; 1" asphalt
2. Shoulders: Public Roads = 6" gravel plus 6' earth shoulders on each side
Private Roads = 2' gravel shoulders on each side.
3. Ditches & Cross-Drains: Both sides of the road must be ditched at a 2:1 slope. Cross-drains for driveways and roads (existing or new) are also required (*to allow stormwater to flow to the nearest drainage structure*).
4. Cul-de-sacs: Cul-de-sac geometry shall conform to the requirements contained in Appendix VII. Alternative cul-de-sac designs may be allowed where approved by the Fire

Chief and the Commission Engineer/Planning Director, so long as all lots have sufficient and safe access for emergency vehicles.

5. Turn Lanes/Accel & Decel Lanes: For cluster developments containing 100 lots or more, accel/decel lanes, turn lanes, and secondary access points will be required.
 6. Entrance improvements at county/state roads shall include 55' radii at intersections and 100' taper for the new street back to the edge of the public road. For accesses onto a state road, a copy of the approved entrance permit must be submitted prior to final plat review and approval.
 7. Stub streets must be provided to adjacent property where future connectivity will enhance the overall development.
 8. A note is required on the final plat regarding Scott County's policy on road dedication and acceptance if the roads are to be public; a homeowners' agreement is required for private roads showing ownership and maintenance.
Roads will be reviewed as part of Construction Plan approval. Preliminary Plat is in compliance.
- M. Any cluster proposal for mobile homes must be located within 5 minute response time of a fire station and have adequate water pressure for fire protection, including the installation of fire hydrants per item N. **N/A No mobile homes are proposed.**
- N. All cluster lots shall have municipal water. In addition, fire hydrants are required to be installed where the appropriate (required) size water lines are present (in order to maximize fire protection): **Municipal water is available to this site. Existing water main is adequately sized for fire protection.**
- O. One dwelling credit must remain with the preserved acreage: **Complies.**
- P. Fencing: Each cluster pod shall be fenced at its edges prior to final plat approval, with #9 woven wire mesh or equivalent, and post spacing 12' on centers. A note is required on the final plat regarding this requirement. A note is also required that prospective owners of any property are subject to any requirements of the Kentucky Fence Law (KRS 259.10 et. Seq.). The required fence may not be bonded. **Note must be added to Final Subdivision Plat stating the minimum requirements of #9 wire mesh and posts spaced on 12' centers. Fencing must be shown around entire cluster development: Lots 1-10.**
- Q. Notice of the cluster application is required to be sent to all adjacent property owners by First Class Mail and a sign must be placed on the property. The notices and the sign must contain information regarding the nature of the proposal, date and time of the Planning Commission meeting, location of the Planning Commission meeting, and the Planning Commission's address and phone number where additional information may be obtained. **Applicant has complied with notification requirements.**
- R. All applicable standards of the *Subdivision & Development Regulations* will be required, including Erosion Control, Drainage Plans, and Construction Plans: **Construction plans will be submitted prior to Final Subdivision Plat approval**
- S. The final plat of the cluster development and preserved property including all required restrictive covenant/deed restrictions, and homeowner's association documents (if applicable), shall note and convey that the acreage reserved for agricultural/open space is restricted to its noted use. This covenant shall terminate at such time as the property is annexed into a city and approved by the appropriate legislative body of that city for a zone classification change (rezoning) to an urban use. **The applicant has not provided staff with**

a preliminary copy of the deed restrictions. These must be reviewed by staff prior to Final Subdivision Plat approval.

- T. A note is required on the final plat, "Prospective purchasers of residential lots are placed upon notice that hunting and fishing within accepted safety guidelines and agricultural uses and production, including the use of machinery in the normal course of activity, are common and legal practices in the A-1 zone. It is understood that these uses must be expected to occur in and around A-1 developments. These practices, if conducted within accepted safety guidelines, shall not constitute a nuisance within the meaning of KRS 401.500 et.seq. Also see the Kentucky Right to Farm Act". **Note must be provided on Final Subdivision Plat.**
- U. The developer must note on the preliminary and final subdivision plat(s) the types of dwellings (e.g. mobile homes, conventional frame construction, manufactured homes, etc.) which shall be permitted within this development. This requirement shall avoid potential buyer misunderstanding of the consequences of their investment. **Included as note on Preliminary Plan. Conventional Framed Homes only. No mobile homes allowed.**
- V. A note shall be placed on the final plat that the preserved area cannot be further subdivided. A copy of the use and deed restriction, including preserved areas, must be reviewed and approved by the Planning Commission and recorded with the Scott County Clerk's Office; a note shall be placed on the final subdivision plat indicating the recording reference. **This must be provided before Final Subdivision Plat approval.**
- W. Preserved acreage has no Conditional Uses permitted. Those tracts are not eligible for consideration of Conditional Use Permits by the Board of Adjustment. **Must be noted on Final Plat.**
- X. The Planning Commission may require a master plan of the entire farm illustrating overall cluster/rural lot layout, access, internal road system, fencing, landscaping/buffering. **Provided.**
- Y. All cluster lots shall have access to internal roads only, not direct access (driveways) onto the existing public road: **Development complies with internal road requirements.**
- Z. Existing stone fences may not be removed or altered except where the proposed road is to be installed, including the required sight triangle. **N/A.**
- AA. All applicants for cluster residential subdivision approval must provide a copy of the soils map for the subject property or a soil certification from the USDA-NRCS office prior to Planning Commission review and approval: **Soils map has been provided.**
- BB. A Homeowner's Agreement is required for cluster proposals. Until such time as Scott County accepts any roads designed to public standards, the ownership and maintenance of the roads, right-of-way, and any drainage structures will be the responsibility of the homeowners. **Maintenance agreement must be noted on Final Subdivision Plat.**

FINDINGS:

From a zoning and land use perspective, this proposed zone change is consistent with the Comprehensive Plan rural land use map and policy because it proposes development at rural densities and establishes an agricultural/greenbelt transition and edge south of an existing higher density commercial and urban residential area. However, the proposed lot layout could be improved by reducing the size and location of the cluster lots to reduce the amount of lot area within the Royal Springs Aquifer Recharge Area and to make the cluster preserved area more contiguous along the southern boundary of the farm to form a contiguous buffer in one tract, under one ownership. As has been done in previous rezoning applications when there are specific concerns with the lot layout and access, the Planning Commission could defer granting approval of the proposed Preliminary Plats and require them to return to the Planning Commission after zoning approval.

RECOMMENDATION:

Recommend **Approval** of a zone change from A-1 to A-5 on 83.7 acres based on the finding that the proposed change is in conformance with the Georgetown-Scott County Comprehensive Plan.

If the Planning Commission is sufficiently satisfied with the layout, **Approve** the Preliminary Subdivision Plat for ten (10) residential cluster lots and one 38.55 acre preserved tract, subject to:

1. Zone Change being approved by Scott County Fiscal Court or Georgetown City Council, if applicable.
2. All requirements of the Scott County Health Department regarding onsite septic systems for 5-acre tracts. All requirements of GMWSS for cluster lots. Cluster lots shall utilize public sewer.
3. All requirements of the Cluster Regulations and Environmentally Sensitive Lands Ordinance regarding sinkholes and other environmentally sensitive lands.
4. Provide a species specific landscape plan with the Final Subdivision Plat.
5. Note must be added to Final Subdivision Plat stating the minimum requirements of #9 wire mesh and posts spaced on 12' centers. Fencing must be shown around entire cluster development and 5-acre tracts. (Note: fence must be installed prior to Final Subdivision Plat approval and cannot be bonded.)
6. Provide staff with approved road names in accordance with the *Street Name and Numbering Guide*.
7. A copy of the use and deed restrictions, including preservation areas, must be reviewed and approved by the Planning Commission staff and recorded with the Scott County Clerk's Office; a note shall be placed on the Final Subdivision Plat indicating the recording reference.
8. A Homeowner's Agreement is required for cluster proposals and must be provided to Planning Commission staff prior to Final Subdivision Plat.
9. Note maintenance agreement for private access easements/driveways on Final Subdivision Plat.
10. Right to Farm note is required on the Final Subdivision Plat:
"Prospective purchasers of residential lots are placed upon notice that hunting and fishing within accepted safety guidelines and agricultural uses and production, including the use of machinery in the normal course of activity, are common and legal practices in the A-1 zone. It is understood that these uses must be expected to occur in and around A-1 developments. These practices, if conducted within accepted safety guidelines, shall not constitute a nuisance within the meaning of KRS 401.500 et.seq. Also see the Kentucky Right to Farm Act".
11. Prior to any construction or grading, 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.
12. Any revisions or amendments to the approved Subdivision Plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
13. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
14. Provide Planning Commission staff (GIS division) with a digital copy of the approved Final Subdivision Plat.

Approve the Preliminary Subdivision Plat for five (5) rural residential tracts, subject to:

1. Zone Change being approved by Scott County Fiscal Court or Georgetown City Council, if applicable.
2. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
3. All requirements of the Health Department regarding the provision of septic systems.
4. All requirements of GMWSS regarding the provision of water.
5. The tree preservation easement shall be shown on the Final Subdivision Plat.
6. All landscaping shall be either installed or bonded prior to approval of the Final Subdivision Plat.
7. All fencing is required to be installed prior to approval of the Final Subdivision Plat.

SCOTT COUNTY PLANNING COMMISSION
 230 E. MAIN ST., GEORGETOWN, KY 40324
 502.367.3701 www.scottpa.com
 Printed 7/12/2016 WAW



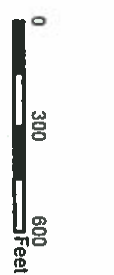
Map created by the Georgetown-
 Scott County Planning Commission GIS
 230 E. Main St., Georgetown, KY 40324
 502.367.3701 www.scottpa.com
 Printed 7/12/2016 WAW



JUL 01 2015
 PLANNING COMMISSION

Risk Property - Soils

Georgetown, Kentucky



Parcels not survey grade
 Parcels from the Scott County PUA, 7' or Reference Purpose
 City Map Survey Grade, and Shaded to Change at any time.
 This map is a map to visualize information. It is not a legal document.
 The information is for informational purposes only.



This map was prepared by the Planning Commission of Boone County, Kentucky, for the purpose of identifying areas of risk to the Royal Spring Aquifer. The map is based on aerial photography and other available data. The map is not intended to be used for any other purpose. The map is the property of Boone County, Kentucky, and is loaned to you for your information only. It is to be returned to the Planning Commission upon request.

Boone County Planning Commission
 200 E. Main St., Georgetown, KY 40324
 Phone: 502-325-1101
 Fax: 502-325-1102

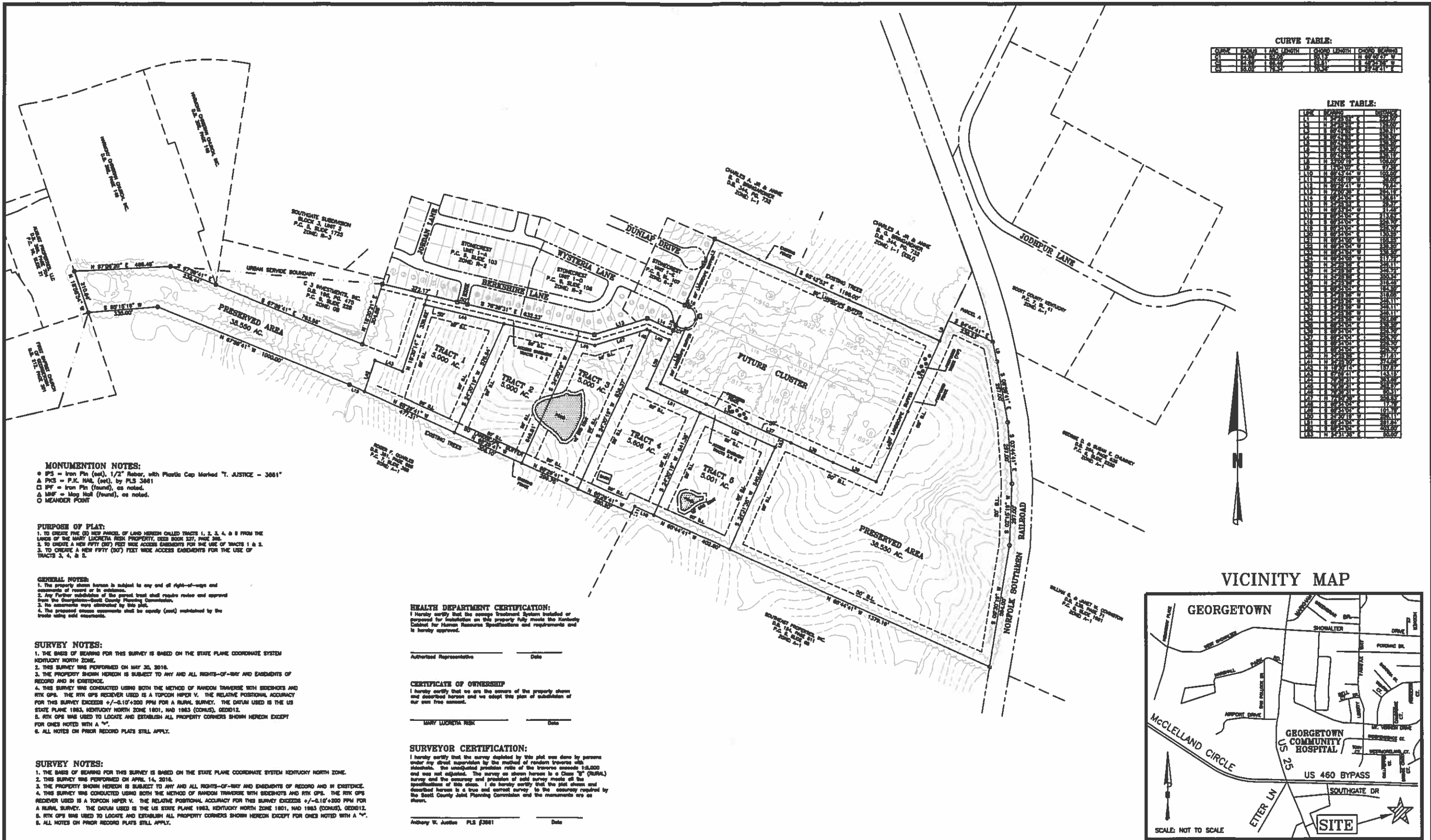


Risk Property - Royal Spring Aquifer
 Georgetown, Kentucky



Parcels and Aquifer Recharge Areas
 Prepared by the Boone County Planning Commission
 Date: 10/2004

- Legend**
- Risk Property
 - Royal Spring Aquifer
 - Aquifer Recharge Area
 - Parcel
 - Creek
 - Water Body
 - Interstate
 - US Highway
 - KY Highway
 - Local Road

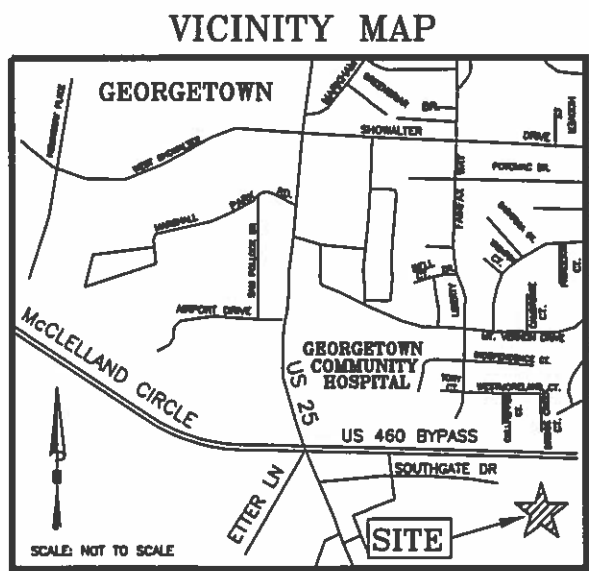


CURVE TABLE:

Curve	Radius	Chord Length	Chord Bearing
C1	100.00'	100.00'	90° 00' 00"
C2	100.00'	100.00'	90° 00' 00"
C3	100.00'	100.00'	90° 00' 00"

LINE TABLE:

Line	Length	Bearing
L1	100.00'	N 00° 00' 00" W
L2	100.00'	S 00° 00' 00" E
L3	100.00'	E 00° 00' 00"
L4	100.00'	S 00° 00' 00" W
L5	100.00'	N 00° 00' 00" E
L6	100.00'	W 00° 00' 00"
L7	100.00'	S 00° 00' 00" E
L8	100.00'	E 00° 00' 00"
L9	100.00'	N 00° 00' 00" W
L10	100.00'	S 00° 00' 00" E
L11	100.00'	W 00° 00' 00"
L12	100.00'	N 00° 00' 00" E
L13	100.00'	S 00° 00' 00" W
L14	100.00'	E 00° 00' 00"
L15	100.00'	N 00° 00' 00" W
L16	100.00'	S 00° 00' 00" E
L17	100.00'	W 00° 00' 00"
L18	100.00'	N 00° 00' 00" E
L19	100.00'	S 00° 00' 00" W
L20	100.00'	E 00° 00' 00"
L21	100.00'	N 00° 00' 00" W
L22	100.00'	S 00° 00' 00" E
L23	100.00'	W 00° 00' 00"
L24	100.00'	N 00° 00' 00" E
L25	100.00'	S 00° 00' 00" W
L26	100.00'	E 00° 00' 00"
L27	100.00'	N 00° 00' 00" W
L28	100.00'	S 00° 00' 00" E
L29	100.00'	W 00° 00' 00"
L30	100.00'	N 00° 00' 00" E
L31	100.00'	S 00° 00' 00" W
L32	100.00'	E 00° 00' 00"
L33	100.00'	N 00° 00' 00" W
L34	100.00'	S 00° 00' 00" E
L35	100.00'	W 00° 00' 00"
L36	100.00'	N 00° 00' 00" E
L37	100.00'	S 00° 00' 00" W
L38	100.00'	E 00° 00' 00"
L39	100.00'	N 00° 00' 00" W
L40	100.00'	S 00° 00' 00" E
L41	100.00'	W 00° 00' 00"
L42	100.00'	N 00° 00' 00" E
L43	100.00'	S 00° 00' 00" W
L44	100.00'	E 00° 00' 00"
L45	100.00'	N 00° 00' 00" W
L46	100.00'	S 00° 00' 00" E
L47	100.00'	W 00° 00' 00"
L48	100.00'	N 00° 00' 00" E
L49	100.00'	S 00° 00' 00" W
L50	100.00'	E 00° 00' 00"



TRINITY SURVEYING, LLC
 113 Windsong Way, Georgetown, Ky. 40324
 Phone: (859) 948-0198

PRELIMINARY SUBDIVISION PLAT
RISK PROPERTY
 TRACTS #1, 2, 3, 4, & 5
 RISK LANE, SCOTT COUNTY, KENTUCKY

OWNER: BARRY LUCRETA RISK
 ADDRESS: 841 CONCORD RD
 GEORGETOWN, KY 40476

DRAWN BY: A.W.J. DATE: 08/01/18
 CHECKED BY: DATE: 08/29/18

GRAPHIC SCALE
 0' 200' 400' 600'
 1 INCH = 200 FEET

REVISIONS
 BY: DATE:
 A.W.J. 08/29/18

STATE OF KENTUCKY
 AUTHORITY IN
 SCOTT COUNTY
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

Anthony W. Justice PLS 3881 Date

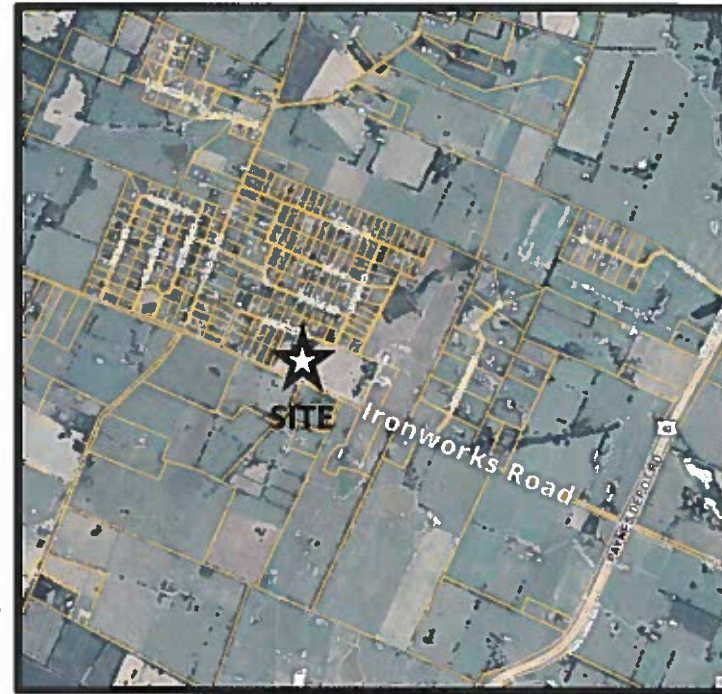
BARNETT PROPERTY
Staff Report to the Georgetown-Scott County Planning Commission
April 14, 2016

FILE NUMBER: FSP-2016-45

PROPOSAL: Final Subdivision Plat to create one new tract of 5 acres, with 15.483 acres remaining in the parent tract.

LOCATION: 3295 Ironworks Road (KY 1973), south side of Locksley Court

APPLICANT: Gary Saxman
OWNER: Robyn Barnett
SURVEYOR: Joel Day, Meridian Associates



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zones	A-1, R-1A (Lancelot Estates), and A-5 (Winding Oaks Cluster Subdivision)
Acreage	Tract 1B (new): 5.000 acres Tract 1 (remainder): 15.483 acres
Proposed Use	Agricultural
Access	Via Locksley Court
Variance Requested	None

BACKGROUND:

The original parent tract has been subdivided twice; once in 2013 and again recently as part of application FSP-2016-12 (April 14, 2016). See Cabinet 11, Slide 16 and Cabinet 11, Slide 298. The original 91.483-acre tract has been divided into four (4) total tracts: Tract 1 of 20.483 acres (subject property), Tract 1A of 5.000 acres, Tract 2 of 5.000 acres, and Tract 3 of 61.000 acres.

The subject property (Tract 1) contains 20.483 acres, and is located on the north side of Ironworks Road (KY 1973), and south side of Locksley Court. The property is zoned A-1, Agricultural. It is surrounded by three zone districts, including: A-1, Agricultural, A-5, Rural Residential, and R-1A, Single Family Residential. The property adjoins Lancelot Estates (R-1A) to the north. It is also located across from the Winding Oaks cluster, which is located on the south side of Ironworks Road and east side of Cane Run Road. The proposed subdivision will create Tract 1B of 5.000 acres with proposed access from Locksley Court. Tract 1 (parent tract) will be left with a remainder of 15.483 acres.

The proposed subdivision meets all planning requirements at this time. Both the new tract and the remainder show the required 50-foot setbacks on all property lines and have at least 250 feet of width at the building line. The Health Department will need to conduct a site evaluation for Lot 1B (5 acres) to certify that an on-site septic system is appropriate.

Tract 1B proposes a new entrance on Locksley Court, which is a County road. No new entrances are proposed from Ironworks Road (KY 1973). If an entrance from Ironworks is desired in the future, the owner will need to obtain a permit through KYTC-District 7. Tract 1 (parent) will continue to use the existing entrance from Ironworks Road (KY 1973).

The GIS department has assigned an address of 3295 Ironworks Road (KY 1973) for Tract 1B.

Future Subdivision of 5- to 10-acre Lots

If Tracts 1-3 are to be subdivided in the future to create additional lots between 5- to 10-acres in size, further staff and/or legal review are necessary. The new A-5 Rural Residential zone district requirements are as follows:

4.15 RURAL RESIDENTIAL DISTRICT A-5

The Rural Residential District (A-5) is a district designed to provide for very low density residential use to protect and preserve low density rural areas in their present or desired character. It is intended that the A-5 district will afford areas where rural residential uses can be maintained without impairment from industrial, commercial or higher density residential development. It is also intended that it will reduce impacts between intensive commercial agricultural activities and rural residential lots. It is further intended that no major rural residential subdivision of tracts between five acres and less than ten acres shall occur in a rural area of the county until the land is rezoned to the A-5 zoning category.

Subdivisions are considered "major" when they create 4 or more total residential lots, or new residential lots from a tract that has been subdivided since July 1999. The next 5- to 10-acre tract created from the parent tract will be the fourth of such size from the parent tract, and would be required to return to the Commission for review regardless of the A-5 requirements. There is no precedent for interpretation of whether the A-5 zone should be required in future cases or not.

RECOMMENDATION:

Approve the Final Subdivision Plat to create Tract 1B of 5.000 acres, leaving Tract 1 with a remainder of 15.483 acres, with the following conditions of approval:

Conditions of Approval:

1. Any future subdivisions, revisions, or amendments to the approved subdivision plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
2. All applicable requirements of the *Zoning Ordinance*.
3. All applicable requirements of the *Subdivision & Development Regulations*.
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 subdivision plat.

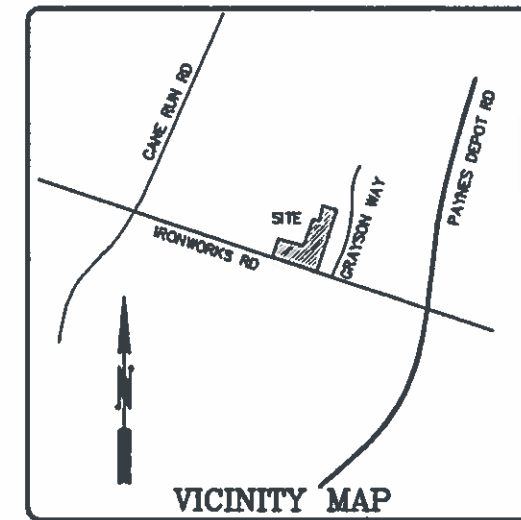
I HEREBY CERTIFY THAT THAT GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GMWSS) HAS THE CAPACITY WITHIN THE WATER DISTRIBUTION SYSTEM TO SUPPLY THE PROPERTY SHOWN HEREON WITH WATER SERVICE. PROVISION OF SERVICE WILL BE CONTINGENT UPON THE REVIEW AND APPROVAL OF ALL ON-SITE AND OFF-SITE PLANS AND SPECIFICATIONS FOR THE PROPOSED SYSTEM. CONSTRUCTION OF THE WATER DISTRIBUTION /SEWER COLLECTION SYSTEM TO BE BY/AT THE COST OF THE OWNER, WITHOUT REIMBURSEMENT, BUILT TO GMWSS APPROVED SPECIFICATIONS AND WITH APPROVAL BY GMWSS OF THE AS-BUILT IMPROVEMENTS AND/OR THE BONDING AMOUNT; AND, DEDICATED TO G.M.W.S.S.

G.M.W.S.S. AUTHORIZED REPRESENTATIVE

DATE

LEGEND

- 1/2" x 18" STEEL REBAR W/ID CAP MARKED "MERIDIAN/LS2536" -SET
- IRON BAR FOUND-AS NOTED
- ⊙ SURVEYOR'S MAG-NAIL-SET
- ⊙ SURVEYOR'S MAG-NAIL-FOUND
- ⊠ 1/2" x 18" STEEL REBAR W/ID CAP MARKED "WITNESS/LS2536" SET AS WITNESS 20.0' ON LINE



THE PURPOSE OF THIS PLAT IS TO DEPICT THE SURVEY AND DIVISION OF ONE FIVE ACRE TRACT(1B).

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

NEW ENTRANCES OFF STATE MAINTAINED ROADS WILL REQUIRE A KY DOT ENTRANCE PERMIT. NO NEW ENTRANCE OFF IRONWORKS ROAD IS BEING REQUESTED AT THIS TIME.

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

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

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

ROBYN BARNETT _____ DATE _____

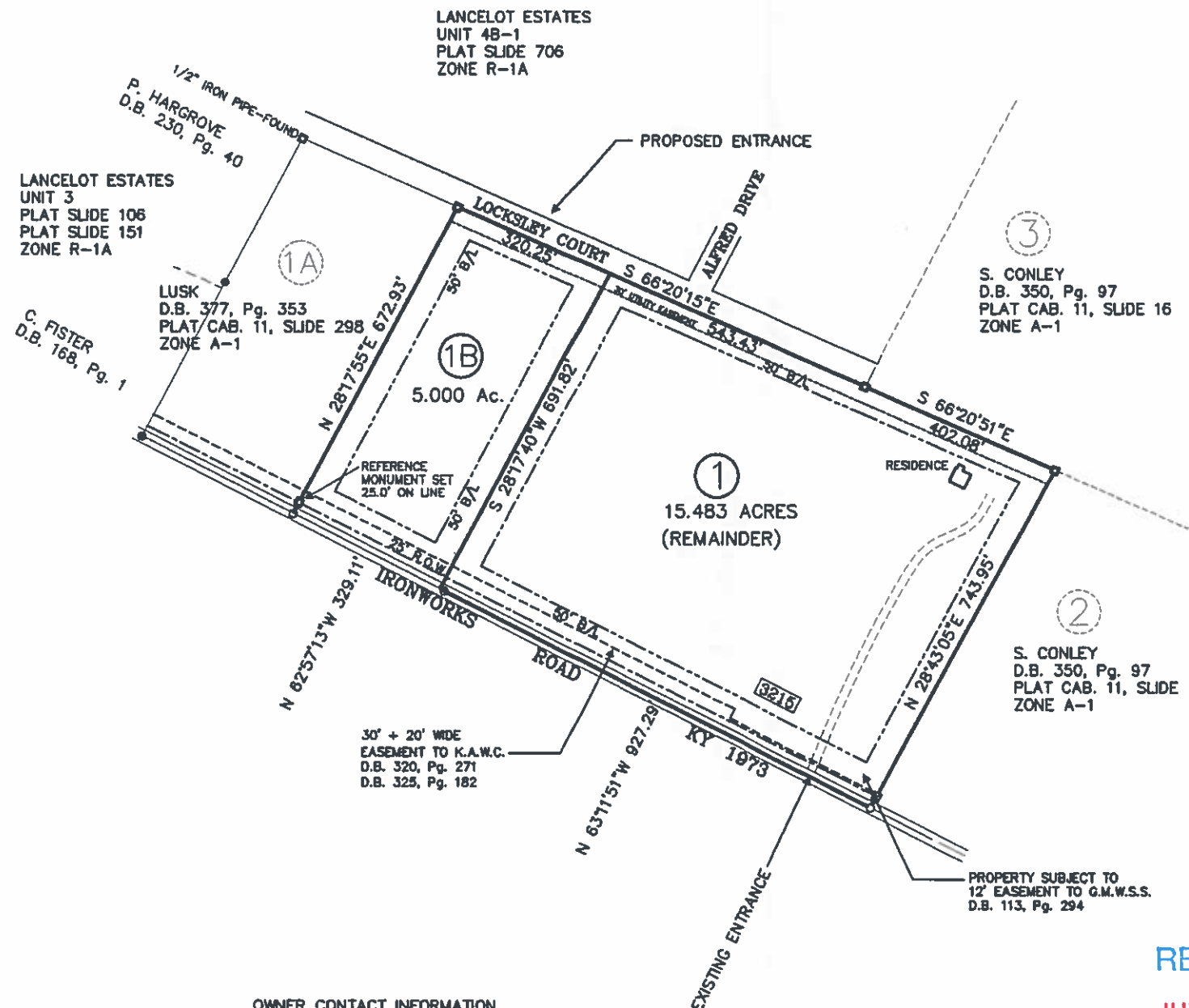
I CERTIFY THAT THE SEWAGE DISPOSAL SYSTEM(S) INSTALLED OR PROPOSED FOR INSTALLATION ON THE PROPERTY SHOWN HEREON MEETS THE REQUIREMENTS OF THE KENTUCKY STATE HEALTH DEPARTMENT AND IS HEREBY APPROVED.

HEALTH DEPARTMENT REPRESENTATIVE _____ DATE _____

I HEREBY ATTEST TO THE FOLLOWING TO THE BEST OF MY KNOWLEDGE, BELIEF, AND ABILITY: THIS PLAT DEPICTS A RURAL SURVEY MADE BY MYSELF USING THE METHOD OF RANDOM TRAVERSE WITH AN ERROR-OF-CLOSURE OF 1:19385 AND AN ACCUMULATED ANGULAR ERROR OF 00-00'-25". BEARINGS AND DISTANCES HAVE BEEN ADJUSTED FOR CLOSURE USING THE LEAST SQUARES METHOD. BASIS OF BEARINGS SHOWN IS RECORD BEARING TAKEN FROM SURVEY OF ADJOINING CLAYTON ACRES. LAST DATE OF FIELD SURVEY WAS JANUARY 9, 2013.

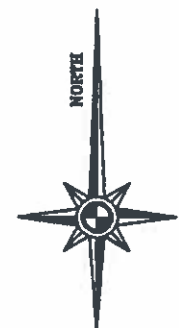
PRELIMINARY-NOT FOR RECORDING OR USE IN TRANSFER

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



OWNER CONTACT INFORMATION

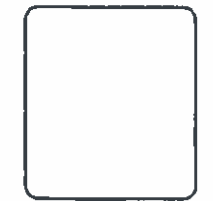
ROBYN BARNETT
105 GRAYSON WAY
GEORGETOWN, KY 40324



RECEIVED
JUL 27 2016
PLANNING COMMISSION

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

JULY 27, 2016



FINAL SUBDIVISION PLAT
BARNETT PROPERTY
IRONWORKS ROAD, GEORGETOWN, SCOTT COUNTY, KENTUCKY
ROBYN BARNETT - D.B. 375, Pg. 97 - PLAT CAB. 11, SLIDE 16
THIS PLAT REPRESENTS A BOUNDARY SURVEY & COMPLIES WITH 201 KAR 18:150

NOT VALID UNLESS THIS PRINT CARRIES THE ORIGINAL SEAL AND SIGNATURE

CANEWOOD, UNIT 1-C, SECTION 4

Staff Report to the Georgetown-Scott County Planning Commission August 11, 2016

FILE NUMBER: PSP-2016-47

PROPOSAL: Amended Preliminary
Subdivision Plat for 10
lots

LOCATION: Canewood Subdivision; at
termination of The
Masters, west of
Canewood Blvd.

APPLICANT: Snap Hook Development,
LLC

ENGINEER: Rory Kahly, EA Partners

STATISTICS:

Zone	R-1B, R-2 (PUD)
Surrounding Zones	R-1B, R-2 (PUD)
Acreage	4.08 acres
# of lots proposed	10
Dwelling units per acre	2.45 units/acre
Min. lot size proposed	11,861 sq.ft. (0.27 acres)
Ave. Lot size proposed:	0.36 acres
Ave. Lot width:	72+/- ft. at building line
New street required	Yes
Lineal feet of new street	200 L.F.
Water/sewer available	Yes/Yes
Access	Via The Masters
Variances	None



BACKGROUND:

This application is a request for amendment to a previously approved Preliminary Subdivision Plat for Canewood Unit 1-C, Section 3 (PSP 2001-71) which included 35 single-family lots. The previous approval for Unit 1-C, Section 3 included lots that extended into the proposed right-of-way for the Georgetown bypass. At the time of the approval of the previous Preliminary Plat, the exact location of the bypass right-of-way was not finalized. As a result, only fourteen of the thirty-five lots were platted and the road was left stubbed out with a temporary turn-around. The bypass was completed in 2014, the right-of-way location is now established, and a sound barrier wall is constructed on the east side of the right-of-way.

KEY ISSUES/COMMENTS:

The current applicant has reworked the final extension of The Masters roadway and is now proposing ten lots around two cul-de-sacs in what is now being called Unit 1-C, Section 4.

Canewood subdivision is a Planned Unit Development (PUD), with split zoning. A portion is zoned R-1B PUD and a portion is zoned R-2 PUD. All the buildable area of this section is zoned R-1B PUD. R-1B is a low-density single-family zoning district which requires a minimum lot size of 10,000 square feet, with a minimum lot width of 80' at the building line and a maximum density of 3.6 units per net acre. Planned Unit Developments are permitted some flexibility in lot size and configuration and setbacks, with the trade off that the overall neighborhood will have open space, amenities or some other elements of community building within it. The flexibility in lot configuration should serve to ensure improved overall design.

The new lots as proposed are irregularly shaped because they all surround two short cul-de-sac streets. The average width is approximately 72' at the building line, 15,000 sf in area, with an overall net density (gross density – road right-of-way) of 3.58 units per net acre. The lots are compatible in size and width to other lots on the street and are similar in size to the lots previously approved (PSP 2001-71).

The proposed layout includes an existing detention pond on the back of lots 8 and 9. This detention pond is within an easement, is currently maintained by the golf course according to the applicant, and the intent is for it to be continued to be maintained by the golf course. There is a proposed Tree Protection Area along the back of lots 15 and 16 which adjoining the North Elkhorn Creek and a Public Right-of Way. This tree protection area shall be dedicated on the Final Plat with a note that no fences shall be allowed in the tree preservation area and the trees shall not be removed in this area unless dead or deceased.

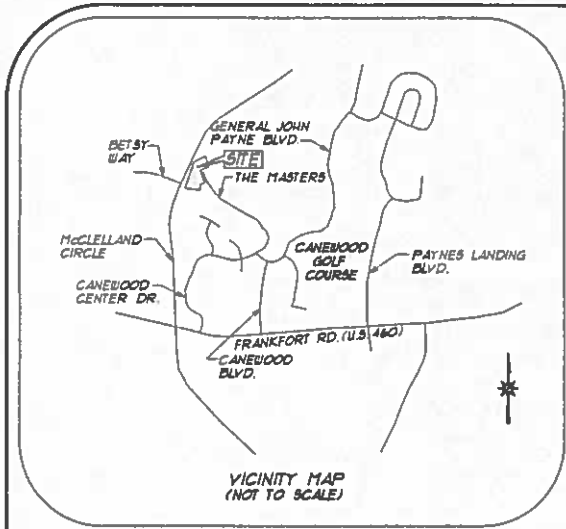
The homes in this section will be required to join the existing home owners association of the adjacent lots in section 3. The applicant is requesting a 30' front setback, 7 1/2' side yard and a 15' rear yard setback. The previous approval included 30' front, 5' side and 25' rear setbacks on the for section 3. It is recommended that the rear setback be maintained at 25' with this plat. With the soundwall and tree protection easement and the 15' utility easement around the perimeter, less than 25' would not be possible on the majority of the lots. In addition, it is recommended that the homes on lots 7 and 12 face The Masters and the rear setback be maintained at 25', which will be a side yard for the adjoining lots.

RECOMMENDATION:

Approve the Amended Preliminary Subdivision Plat for ten lots in Canewood, Unit 1C, Section 4, subject to the following conditions:

1. All applicable requirements from previous approvals.
2. Prior to any construction or grading, the applicant shall meet with the Planning Commission Engineer and the Development Inspector to review construction policies and establish inspection schedules.
3. There shall be no grading or construction on the site until Construction Plans have been reviewed and approved by the Planning Commission staff.

4. Any revisions or amendments to the approved Preliminary Plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
5. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
6. Lot setbacks shall be maintained at 30' front, 7 1/2' side and 25' rear.
7. Lots shall be required to join the existing HOA of the adjacent section of lots.
8. Lots 7 and 12 shall face The Masters Drive and shall maintain a 25' rear setback adjoining lots 8 and 11.
9. Tree Protection Area shall be designated on the Final Plat.
10. Detention Area maintenance agreement reference or note signed by the proposed maintenance entity shall appear on the Final Plat.
11. Prior to (as part of) the Final Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.



MON.	DESCRIPTION	COORDINATES
1	IRON PIN #2181 (FOUND) IN THE WESTERN PROPERTY LINE	N = 267,094.19 E = 1,344,793.18
2	IRON PIN #2181 (FOUND) IN THE SOUTHERN PROPERTY LINE	N = 267,789.43 E = 1,344,101.13

NOTES:

- 1) THIS PROPERTY SHALL BE REQUIRED TO JOIN THE HOMEOWNER'S ASSOCIATION OF THE ADJACENT LOTS, WHEN DEVELOPED.
- 2) EASEMENTS SHOWN HEREON WERE DEDICATED ON PREVIOUS DOCUMENTS.
- 3) LOCATION AND TYPE OF MONUMENTS AND PINS WILL BE PROVIDED ON THE FINAL RECORD PLAT.
- 4) MAINTENANCE OF THE DETENTION EASEMENT ON LOTS 8 & 9 SHALL REMAIN THE RESPONSIBILITY OF THE GOLF COURSE.

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

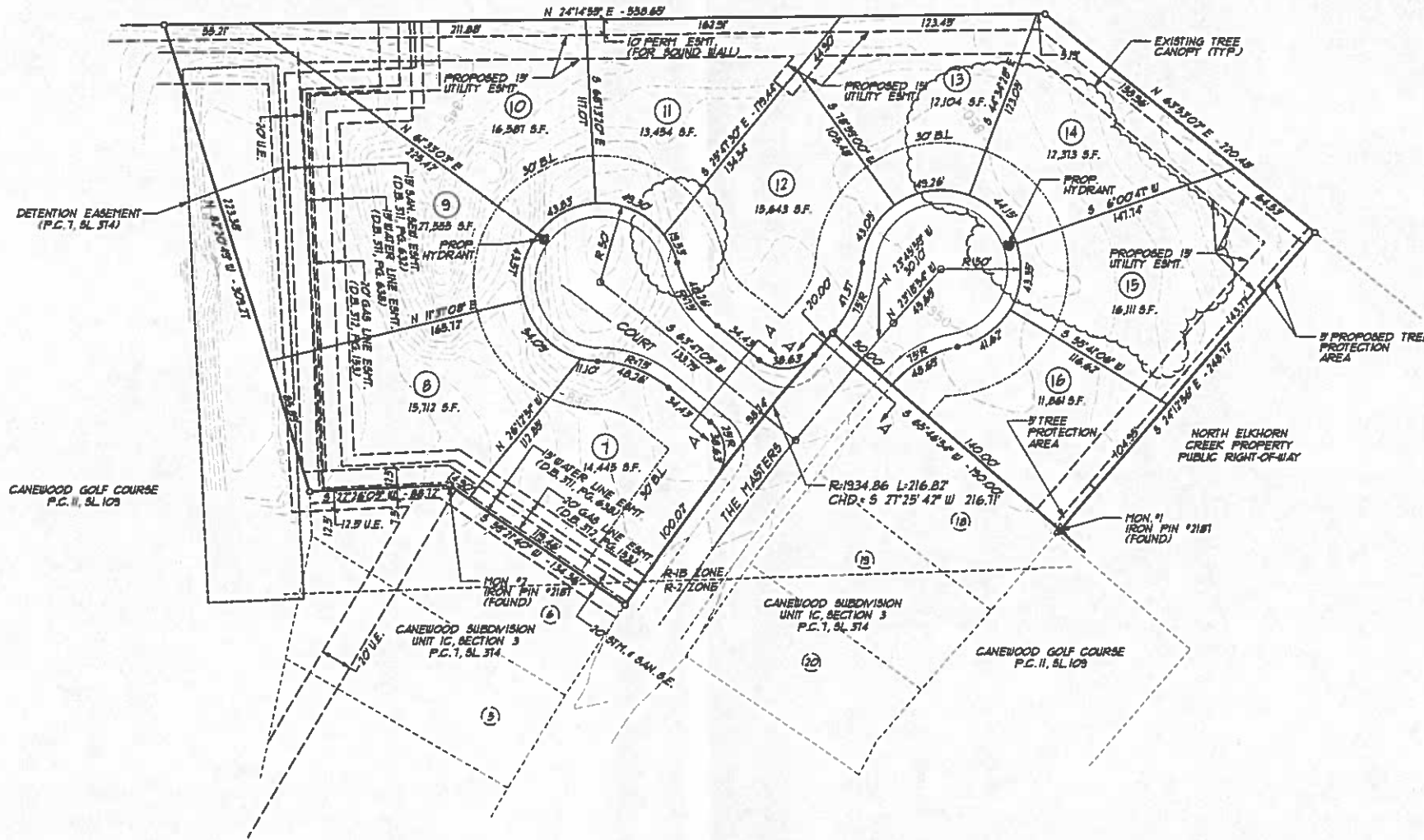
_____, 20____
 CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

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.

 SIGNATURE OF OWNER OR OWNERS DATE

MCCLELLAND CIRCLE (U.S. 460 BY PASS)
 D.B. 387, PG. 688



SURVEY DATE - OCTOBER, 2015
 REFERENCE MERIDIAN - P.C. II, SL. 281

THE SURVEY DEPICTED ON THIS PLAT WAS PERFORMED BY THE METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE WAS 1/29,000 AND HAS NOT ADJUSTED. THE SURVEY AS SHOWN HEREON MEETS THE REQUIREMENTS OF AN URBAN SURVEY.

THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 301 KAR 18.50.

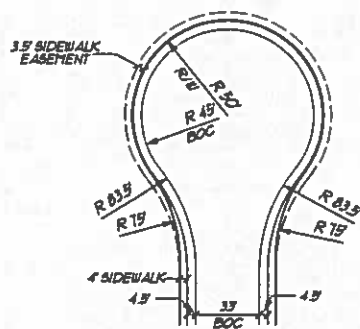
DEVELOPER/OWNER:
 SNAP HOOK DEV. CO., LLC
 300 THE GRANGE LANE
 LEXINGTON, KY. 40511

SITE STATISTICS:
 ZONE - R-1B & R-2
 (TO BE DEVELOPED AS A P.U.D.)
 TOTAL AREA - 4.08 ACRES
 AREA IN R.D.M. - 0.90 ACRES
 NO. OF LOTS - 16
 SMALLEST LOT - 11,864 S.F. (LOT 16)
PROPOSED LOT STANDARDS:
 SIDEYARD: 15'
 REAR YARD: 15'
 FRONT YARD: 30'

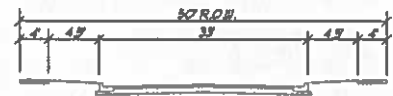
PURPOSE OF AMENDMENT:

- TO REVISE LOT STANDARDS AS PERMITTED IN A P.U.D. COMMUNITY.
- TO REDUCE THE PROPOSED LOTS TO 10.
- TO REFLECT THE CORRECT MCCLELLAND CIRCLE RIGHT-OF-WAY.
- TO RE-APPROVE THIS PORTION OF THE CANEWOOD DEVELOPMENT (AUG. 2002)

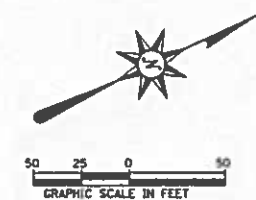
RECEIVED
 JUL 27 2016
 PLANNING COMMISSION



CUL-DE-SAC
 N.T.S.



SECTION A-A
 N.T.S.



S&A Partners, PLLC
 CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 1111 WALL STREET
 LEXINGTON, KY 40513
 P: 606.253.2887
 F: 606.253.2888

AMENDED PRELIMINARY SUBDIVISION PLAN
CANEWOOD SUBDIVISION
 UNIT 1C, SECTION 4
 GEORGETOWN, SCOTT COUNTY, KENTUCKY

DRAWN L.L.W.
 DATE 06/27/16
 CHECKED
 REVISED 07/27/16

SHEET
1
 PSP 2016-47

BEVINS RURAL RESIDENTIAL ZONE CHANGE AND SUBDIVISION PLAT
Staff Report to the Georgetown-Scott County Planning Commission
August 11, 2016

FILE NUMBER: ZMA-2016-48

PROPOSAL: Zone change request for approximately 53.5 acres from A-1 to A-5. Preliminary Subdivision Plat to create 8 tracts from the parent tract.



LOCATION: Northeast corner of the intersection of New Coleman Lane and Ironworks Road

APPLICANT: James B. Bevins

STATISTICS:

Existing Zone	A-1 (Agricultural)
Proposed Zone	A-5 (Rural Residential)
Surrounding Zones	A-1 (Agricultural), B-2 (Highway Commercial)
Acreage	53.5 acres
New street required	No
Water/sewer available	Yes/No
Access	New Coleman Road & Ironworks Road
Variance Requested	None

BACKGROUND:

The subject property is a 53.5-acre tract located northeast of the intersection of New Coleman Lane and Ironworks Road (KY 1973). The proposed subdivision will create 8 new tracts out of the parent tract. The smallest proposed tract is 5.05 acres, and the largest is 11.49 acres. The subject property and the property to the east, south, and west are zoned A-1 Agricultural. The tract to the north of the Project Site is zoned B-2 Highway Commercial.

This application is considered a major subdivision and required to be reviewed by the Planning Commission because it has been previously subdivided since 1999, and there are more than three (3) tracts being created. The project site was created by a minor subdivision plat in January 2014 (Cabinet 11, Slide 106).

This application also requires the property to be rezoned since Section 4.41 (C) of the Zoning Ordinance prohibits "Major residential subdivisions of tracts between five and less than ten acres. A major residential subdivision is the division of land into four (4) or more residential tracts including the parent tract" in the A-1

zoning district. The Applicant is seeking to rezone the property from A-1 to A-5. The A-5, or Rural Residential District, allows "Single-family residential dwellings on five (5) acre to less than ten (10) acre tracts or Cluster Developments" by right.

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 requested A-5 zoning district complies with the Comprehensive Plan. The Rural Land Use Element of the Comprehensive Plan states that 'Agricultural' is the general designation for future land uses outside the urban service boundaries. The same section describing the agricultural future land use designation continues to say, "this also allows rural residential use." Rural Residential is described by the Comprehensive Plan as, "less dense residential uses outside of the Urban Service Boundary and unincorporated areas."

Therefore, Part 1 does apply. Parts A and B need not be considered.

2013 US Small Area Plan

The Future Land Use Plan proposed as a part of the 2013 Small Area Plan designates the subject property for Agricultural uses. The description of agricultural uses in this plan includes rural residential use similar to those proposed by the Applicant.

PLAT REVIEW:

The Applicant submitted the Preliminary Subdivision Plat concurrently with the Zoning Map Amendment application.

Site Layout:

The proposed subdivision divides the 53.5-acre parent tract into eight (8) tracts. These tracts are labeled 1 through 8 on the Preliminary Subdivision Plat. The tracts are 7.46 acres, 6.08 acres, 5.05 acres, 5.05 acres, 5.29 acres, 5.10 acres, 7.98 acres, and 11.49 acres respectively.

Access:

Tracts 1 through 4 will have access from New Coleman Lane. Tracts 1 and 2 will utilize existing entrances, and Tracts 3 and 4 will have new entrances located side-by-side. The existing entrance for Tract 5 is located at the intersection of New Coleman Lane and Ironworks Road. The existing entrance has been in place serving the existing mobile home for many years. The Applicant has indicated a proposed new entrance for Tract 5 from Ironworks Road. This new entrance will become the access point for Tract 5 once the existing mobile home is removed. Tracts 6 and 7 will have new entrances located side-by-side, and Tract 8 will have a separate entrance.

The Applicant will, prior to the approval of the final plat, improve the portion of New Coleman Lane along the proposed development. The eastern half of New Coleman Lane adjacent to Tracts 1 through 5 will need to be brought up to county road standards.

Fencing:

The A-5 zoning district states, *"Each major (A-5) subdivision development shall be fenced along the perimeter of all lots that abut Agriculturally (A-1) zoned land. Fencing shall be installed prior to final plat approval, and shall consist of #9 diamond mesh wire or equivalent with 16' fencing plank on top, and post spacing 8' on center. A note is required on the final plat regarding this requirement. A note is also required that prospective owners of any property are subject to any requirements of the Kentucky Fence Law (KRS 256.10 et. Seq.) The required fence may not be bonded."*

Landscaping:

The A-5 zoning district states, *"A landscape buffer shall be provided along the perimeter of all major (A-5) subdivision lots abutting Agriculturally (A-1) zoned land in conformance with the requirements of the Landscape and Land Buffers Ordinance. Required trees shall be native species."* The landscaping buffer for rural residential lots is:

- A minimum 50-foot tree preservation easement along the property lines delineating the zoning boundary between the A-1 and proposed A-5 districts.
 - Where no existing vegetation could be removed/disturbed, unless demonstrated to be sick or dead.
 - The preservation area shall also include required or additional landscaping/buffering as determined by the following formula:
 - There shall be a double row of evergreens/deciduous trees 40' on centers and fencing.
 - The ratio of evergreens and deciduous trees shall not exceed 2:1.
 - All proposed landscaping shall exclude any species of trees and shrubs that may be deemed harmful to livestock.

This preservation easement will need to be shown on the final subdivision plat. All required landscaping will need to be either installed or bonded prior to approval of the final subdivision plat.

Waivers

None requested

RECOMMENDATION:

Based on the findings that the requested zone change satisfies the requirements of KRS 100.213, staff recommends **approval** of the zone change request for 53.5 acres located northeast of the intersection of New Coleman Lane and Ironworks Road (KY 1973).

Additionally, staff recommends **approval** of the preliminary subdivision plat creating eight (8) new tracts between 5.05 and 11.49 acres.

Staff recommends the following conditions be attached to any approval from the Planning Commission:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. All requirements of the Health Department regarding the provision of septic systems.
3. All requirements of GMWSS regarding the provision of water.
4. The tree preservation easement shall be shown on the final subdivision plat.
5. All landscaping shall be either installed or bonded prior to approval of the final subdivision plat.
6. All fencing is required to be installed prior to approval of the final subdivision plat.
7. All improvements to New Coleman Lane shall be completed prior to the approval of the final subdivision plat.
8. Any future subdivisions, revisions, or amendments to the approved subdivision plat must be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
9. Prior to (as part of) the final subdivision plat approval, the applicant shall provide the Planning Commission staff (GIS Division) with a digital copy of the approved subdivision plat.
10. The Applicant shall secure the zone change from A-1 to A-5 prior to the recording of the final subdivision plat.
11. A species specific landscaping plan shall be submitted for approval prior to approval of the final subdivision plat.

HISERBOB, LLC
Staff Report to the Georgetown-Scott County Planning Commission
August 11, 2016

FILE NUMBER: PDP-2016-49

PROPOSAL: Preliminary Development Plan for a 10,697 square foot auto parts building.

LOCATION: Triport Road

APPLICANT: Hiserbob, LLC

CONTACT: Aaron Jamison



STATISTICS:

Zone	I-1 Light Industrial
Surrounding Zones	I-1 Light Industrial
Acreage	2.99 acres
Water/Sewer Availability	Yes/Yes
Access	Triport Road
Parking Required	6 spaces
Parking Provided	9 spaces; 1 handicap
Variances/Waivers	Gravel for the vehicular use area

BACKGROUND:

The Project Site is roughly 3 acres in size and zoned I-1. The adjoining properties are also zoned I-1, Light Industrial. The project site is bounded by Triport Road to the west. The Applicant proposes a 10,697 square foot building and a vehicular use area intended for parking and storage.

Site Layout:

The proposed development meets the I-1 district's requirements for setbacks. The proposed development is allowed to have up to 50% building coverage on the lot. The Applicant is only proposing roughly 8% coverage. The proposed building will be 18 feet tall, which is well within the maximum allowable height of 6 stories or 75 feet. The Applicant has submitted an application to the Board of Adjustment for a conditional use permit to allow outdoor storage. This application will be heard by the Scott County Board on September 1st.

Parking and Circulation:

Access to the Project Site is from Triport Road. The Applicant is proposing a concrete entrance 75 feet long, concrete parking spaces, and concrete aprons around loading bays for the proposed building. The remainder of the proposed vehicular use area (VUA) is proposed to be graveled. At the TRC meeting, staff recommended paving the VUA except for those areas to be used primarily for storage. The Applicant is proposing a VUA that is almost entirely gravel. Staff asked the Applicant to provide a written justification for gravel use on the Project Site. The Applicant states, *"The site...will not see heavy vehicular traffic during or after business hours. Hiserbob, LLC expects approximately 5-9 employees that will park their vehicles on site and with some staying gone an entire work week. Approximately, one (1) to four (4) tractor trailer trucks may exit and enter the site once per day (start and finish of day)."* In past developments, gravel has only been permitted for use in areas that would be used for storage of materials, vehicles or trailers that are infrequently moved. Staff recommends gravel only be allowed for the fringe areas on the development plan marked for storage.

The Applicant is showing nine (9) parking spaces on the development plan, which exceed the six (6) required parking spaces. One of these spaces is proposed to be handicap accessible.

Land Use Buffers and Landscaping:

The Applicant is proposing to preserve existing trees on the Project Site. The indicated trees to be preserved cover roughly 12% of the Project Site. For industrial use properties, if 5% or more canopy coverage is proposed to be preserved, no new trees are required to meet the canopy standards.

For a vehicular use area of 26,854 square feet, 2,685 square feet of interior landscaped area are required. The Applicant is proposing to meet this requirement. 2,685 square feet of interior landscaped area also requires the installation of 10 trees. The Applicant has shown these trees on the plan.

The vehicular use area is also required to be screened from the right-of-way. The existing vegetation proposed to be preserved on the western side of the property should provide screening of this area from the right-of-way. Should the Applicant decide to clear this vegetation to an extent where the screening is less than what is required by the Landscape Ordinance, the Applicant should install additional plantings to bring the site into compliance.

RECOMMENDATION:

Staff recommends approval of the Preliminary Development Plan for a 10,697 SF building. Staff recommends denial of a waiver to allow gravel to the extent which the Applicant is proposing. Staff supports allowing gravel for perimeter areas marked for storage, but the remainder of the VUA should be paved. If the Commission grants approval of the application, staff recommends the following conditions be attached:

Waivers:Recommend Approval:

1. Allow gravel in those perimeter areas shown to be used primarily for storage.

Recommend Denial:

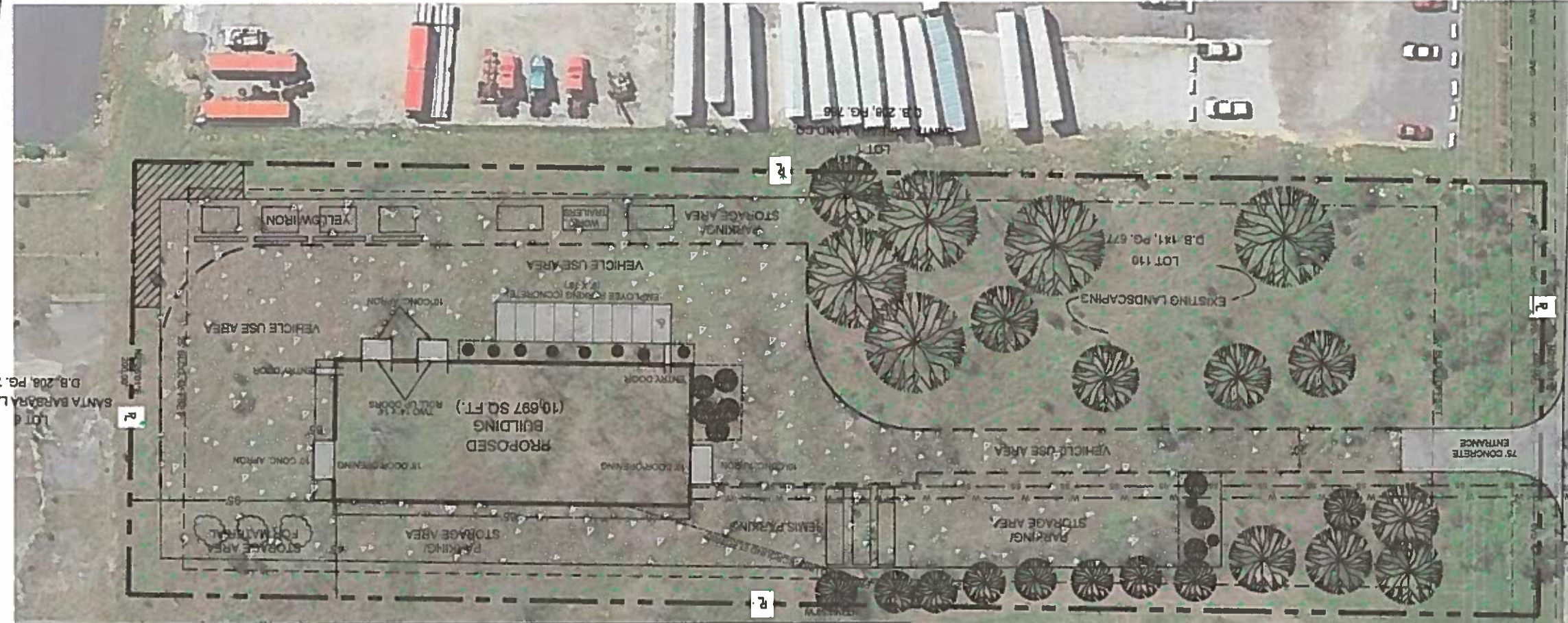
2. Allow gravel for a majority of the vehicular use area as shown in the Applicant's most recent development plan drawing.

Conditions of Approval:

1. The Final Development Plan and Construction Documents shall be subject to any requirements of the Scott County Board of Adjustment (SCBOA), including but not limited to additional landscape material.
2. A specie-specific landscape plan shall be included with the Final Development Plan.
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. All applicable requirements of the *Subdivision & Development Regulations*.
5. All applicable requirements of the *Zoning Ordinance*.
6. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
7. 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.
8. Should any of the landscaping be removed from the Project Site, the Applicant shall install new plantings to ensure proper screening as described by the Landscape Ordinance.

52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Triport Rd
TRIPORT ROAD



SITE STATISTICS:

TOTAL ACRES OF PROPERTY 3.0
 EXISTING ZONING R-1
 PROPOSED ZONING R-1
 TOTAL AREA OF PROPOSED DEVELOPMENT 10,697 SQ. FT.
 TOTAL AREA OF EXISTING DEVELOPMENT 2,880 SQ. FT.
 TOTAL AREA OF PROPOSED DEVELOPMENT 13,577 SQ. FT.
 TOTAL AREA OF EXISTING DEVELOPMENT 2,880 SQ. FT.
 TOTAL AREA OF PROPOSED DEVELOPMENT 10,697 SQ. FT.
 TOTAL AREA OF EXISTING DEVELOPMENT 2,880 SQ. FT.
 TOTAL AREA OF PROPOSED DEVELOPMENT 10,697 SQ. FT.
 TOTAL AREA OF EXISTING DEVELOPMENT 2,880 SQ. FT.

PARKING STATISTICS:

PROPOSED PARKING SPACES 100 SQ. FT.
 PROPOSED BUILDING COVERED 100 SQ. FT.
 PROPOSED TOTAL PARKING SPACES 100 SQ. FT.
 PROPOSED TOTAL BUILDING COVERED 100 SQ. FT.

LANDSCAPING NOTES:

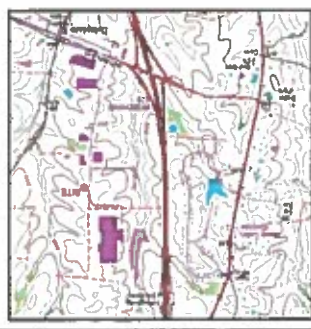
PROPOSED LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANNING COMMISSION'S LANDSCAPING GUIDELINES. THE PLANNING COMMISSION SHALL REVIEW AND APPROVE THE LANDSCAPING PLAN. THE LANDSCAPING PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION FOR REVIEW AND APPROVAL. THE PLANNING COMMISSION SHALL REVIEW AND APPROVE THE LANDSCAPING PLAN. THE LANDSCAPING PLAN SHALL BE SUBMITTED TO THE PLANNING COMMISSION FOR REVIEW AND APPROVAL.

CHANGES:

DATE: _____
 CHANGES: _____
 DATE: _____

CERTIFICATION OF OWNERSHIP AND DEDICATION

I, the undersigned, being the owner of the property shown and described herein and having been duly advised of the contents of the plat hereon, do hereby certify that the plan hereon is a true and correct copy of the plan as shown and approved by the Planning Commission of Scott County, Kentucky, and that I have no objection to the same being recorded in the public records of said county. I further certify that the development plan shown hereon has been approved by the Planning Commission of Scott County, Kentucky, and that I have no objection to the same being recorded in the public records of said county. I further certify that the development plan shown hereon has been approved by the Planning Commission of Scott County, Kentucky, and that I have no objection to the same being recorded in the public records of said county.



SCALE IN FEET
0 60



DATE: 07/25/16
 DRAWN BY: BG
 CHECKED BY: PM
 PROJECT NO: _____
 DWG. NAME: FIG. 1

SITE MAP
 LOT 110
 499 TRIPORT ROAD
 GEORGETOWN, SCOTT COUNTY, KY

HISERBOB, LLC

FIGURE 1

O'REILLY AUTO PARTS
Staff Report to the Georgetown-Scott County Planning Commission
August 11, 2016

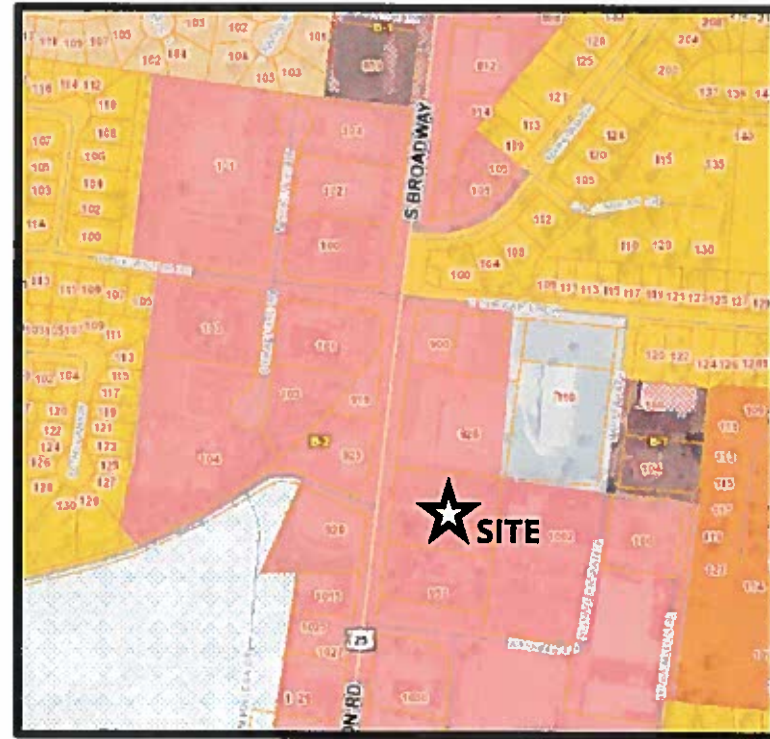
FILE NUMBER: PDP-2016-50

PROPOSAL: Preliminary Development Plan for a 7,225 square foot auto parts building.

LOCATION: 930 South Broadway

APPLICANT: O'Reilly Auto Parts

ARCHITECT: Craig A. Schneider, AIA



STATISTICS:	
Zone	B-2 Highway Commercial
Surrounding Zones	Primarily B-2 Highway Commercial, I-1 Light Industrial to northeast
Proposed Use	Auto Parts Store
Site Acreage	1.515 acres
Building Area	7,225 Square Feet
Max. Building coverage	50%
Building Coverage	10.9%
Parking Required	27 spaces
Parking Provided	39 spaces; 37 standard spaces, 2 handicap spaces
New Street Required	No
Water/Sewer Availability	Yes/Yes
Access	South Broadway, existing entrance
Variances/Waivers	None Requested

BACKGROUND:
The subject property consists of 1.515 acres, zoned B-2 Highway Commercial, on the eastern side of Broadway and south of Showalter Drive. The site is located between an existing Walgreens (to the north) and Whitaker Bank (to the south). The parcel is surrounded primarily by land zoned B-2 Highway Commercial. Two parcels to the northeast which are owned by MRM Precision Machining, LLC are zoned I-1 Light Industrial. The site was previously operated as the Central Kentucky Veterinary Center, which has relocated to Southgate Drive. The Applicant proposes to redevelop this site with a 7,225 square foot auto parts building.

Preliminary Development Plan Review:

Setbacks and Building Standards:

The B-2 zone district requires the following standard setbacks:

Front: 50 feet

Side: 0 feet

Rear: 0 feet

The proposed building location meets the setback requirements. The 7,255 square foot structure will create approximately 10.9% building ground coverage, under the 50% maximum building ground coverage allowed. The building will have metal portal/panel exteriors, and be 19 feet tall. See attached building elevations.

Vehicular Access & Pedestrian Circulation:

Driveways & Access: Primary access to the site is from an existing driveway off South Broadway.

Secondary access is available through two cross-access connections to the Whitaker Bank property.

Whitaker Bank shares the entrance from South Broadway, and has an entrance from Mount Vernon Drive. The entire Vehicle Use Area is concrete pavement. Raised curb and gutter are shown around the exterior edges of the Vehicle Use Area. There will not be a raised sidewalk with curb next to the building; instead, the pedestrian area will remain at the same level as the rest of the parking lot and be separated with wheel stops.

Parking Spaces: Based on the parking standard of 1 space for each 400 square feet of leasable floor space, plus 1 space per employee on maximum shift, a total of 27 parking spaces are required. The Preliminary Development Plan provides 39 total spaces; 37 standard parking spaces and 2 handicap van accessible spaces. All stalls except those along the south façade are shown at 9-feet by 20-feet. No compact spaces have been shown.

Sidewalks: South Broadway has an existing 5-foot wide sidewalk along the road right-of way. The Preliminary Development Plan included a 5-foot wide sidewalk connection to South Broadway, and pedestrian crosswalk area in the parking lot. While the Subdivision and Development Regulations list 6-foot wide sidewalks in commercial areas, the 5-foot wide sidewalk proposed is consistent with the sidewalks that other commercial lots have built to connect to the existing system along the road.

The sidewalk/pedestrian area located between the parking stalls is not raised with curb. Instead it is flush with the concrete of the parking areas. Wheel stops are provided to keep cars from overhanging too far into the pedestrian area and to keep them away from the building. These pedestrian areas are shown at two different widths; along the front façade, it is shown at the required 6-foot minimum, while along the south façade it is shown at only 5 feet. This could be adjusted by moving the wheel stops back at least one-foot on the south side of the building. Currently, the plan shows a total depth of 23 feet from the façade to rear of parking, with 5 feet from the wheel stop to façade, and 18 feet between rear of stall and the curb stop. By moving the wheel stops back up to 2.5 feet, the Applicant could provide additional clear space for pedestrians while taking advantage of the 2.5-foot maximum overhang allowed and still meet the stall depth requirements. The wheel stops could also be moved back on the stalls along the front façade to provide a consistent sidewalk width and stall depth.

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

Property Perimeter Requirements; Section 6.12:

- No property perimeter buffering is required for this application

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

- Requires VUA perimeter screening for areas greater than 1,800 SF or used by 5 or more vehicles.
- Driveways are considered VUA areas.
- VUA perimeter screening is required when facing public and private streets.
- Minimum Buffer Area: 5' to edge of paving where vehicles overhang, 4' minimum from edge of paving and 3' (that prohibits any vehicular overhang) for other areas, on boundary of portion of vehicular use area applies to VUA portion facing adjacent property, public or private street right-of-way, access road, or service road.
- Materials: 1 tree/40' of boundary of vehicular use area or fraction thereof.
 - When VUA faces adjoining property, trees must be from Group A or B, plus a 3' average height continuous planting, hedge, fence, wall or earth mound or a 3' decrease in elevation from the adjoining property to the vehicular use area (Row 1).
 - When VUA faces a public or private street right-of-way, access road, or service road, trees must be from Group A, B, or C plus a 3' average height continuous planting, hedge, fence, wall or earth mound or a 3' decrease in elevation from the adjoining property to the vehicular use area (Row 2).

The Applicant has satisfied the requirements from Section 6.13 (listed above). A total of 14 VUA perimeter trees are required and provided. A three-foot tall planting has been provided.

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.

The Applicant has satisfied the requirements from Section 6.22 (listed above). A total of 9 VUA interior trees are required and provided.

Section 6.14: Minimum Canopy Requirements

For the 1.515-acre site, a total canopy coverage of 15,179 square feet is required (23% of the site; 5% in preserved canopy, plus 18% new canopy). A total of 3,098 square feet of existing canopy will be preserved and 12,300 square feet of new canopy installed (at maturity), for a total of 15,398 square feet.

All plant material shown have been confirmed as acceptable for the locations proposed.

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

Lighting and Signage: 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.

Signage: The location for a monument sign near the main driveway has been indicated as part of this application. All signage will require a sign permit from the Building Inspection department.

RECOMMENDATION:

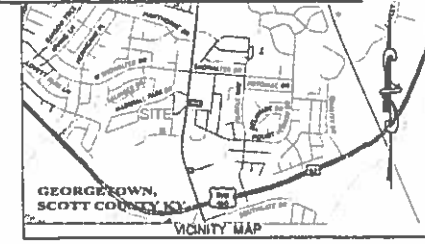
Staff recommends approval the Preliminary Development Plan for a 7,225 SF auto parts building, with the following conditions of approval:

Conditions of Approval:

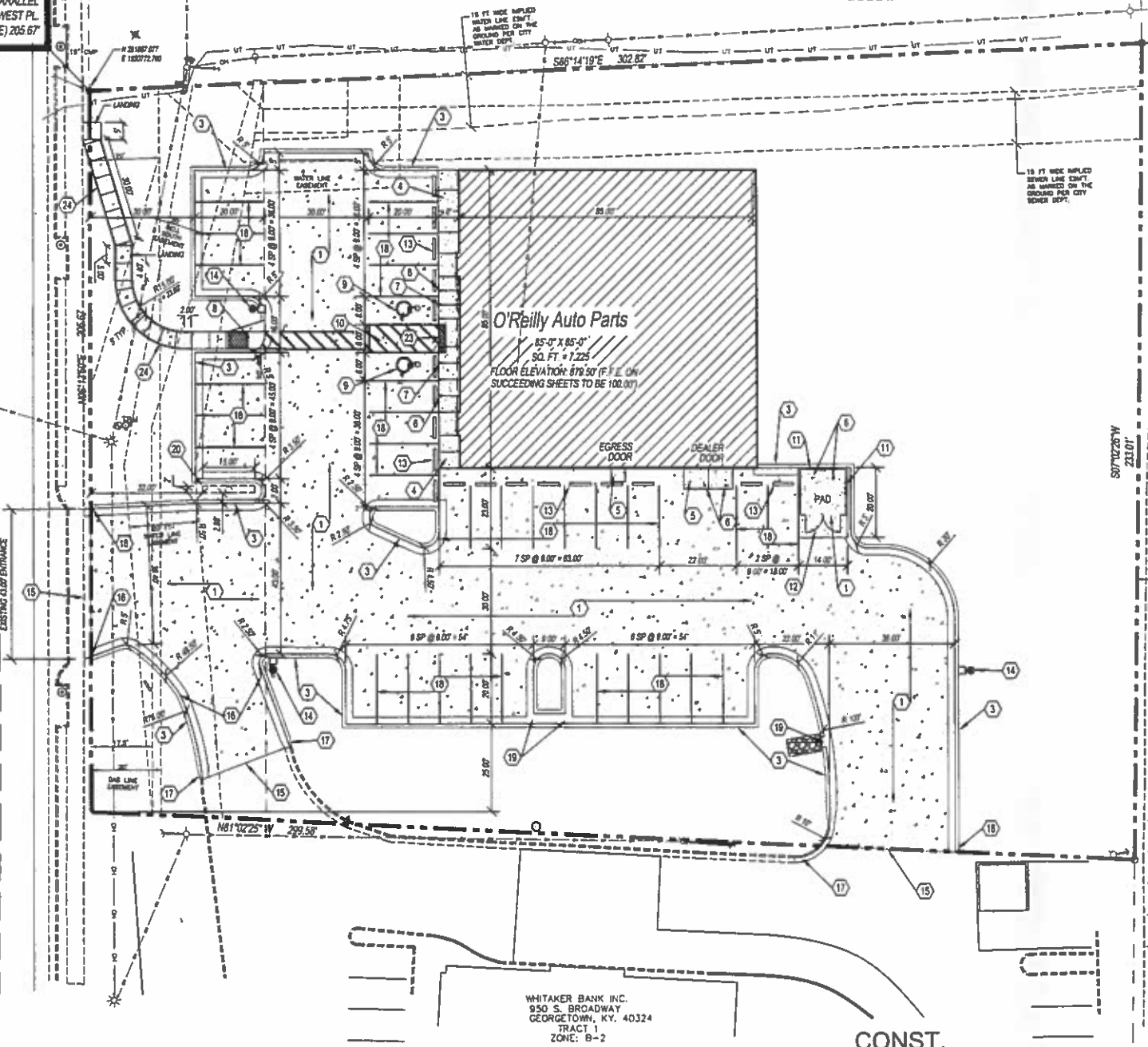
1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan.
3. Prior to (as part of) the Final Development 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.

P.O.B. FOR LAYOUT OF NEW SITE:
THE DEVELOPMENT IS PARALLEL
& PERPENDICULAR TO WEST PL.
(N08°13'50"E) 205.67'

PICTURE BROADWAY SHOW, LLC
926 S. BROADWAY
GEORGETOWN, KY. 40324
ZONE: B-2



U.S. HWY. 25 / BROADWAY ST



WASHINGTON PARTNERS, LLC
800Z S. BROADWAY
GEORGETOWN, KY. 40324
TRACT A
ZONE: B-2

WHITAKER BANK INC.
950 S. BROADWAY
GEORGETOWN, KY. 40324
TRACT 1
ZONE: B-2

1 SITE DEVELOPMENT PLAN
SCALE: 1" = 20'-0"



KEY NOTES:

- 1 CONCRETE PAVING REFER TO DETAIL 1C3
- 2 NOT USED
- 3 CONCRETE CURB REFER TO DETAIL 3C3
- 4 CONCRETE SIDEWALK REFER TO DETAIL 4C3
- 5 CONCRETE DOOR LANDING REFER TO DETAIL 4C3 AND STRUCTURAL DETAILS. RAMP PAVING AS INDICATED. LANDING CAN BE POURED MONOLITHIC IF CONCRETE PAVING IS USED.
- 6 STEEL BOLLARD REFER TO DETAIL 6C3. PROVIDE (2) AT TRASH PAD AND OVERHEAD DOOR. PROVIDE (8) AT SIDEWALK. REFER TO STRUCTURAL PLAN FOR LOCATION.
- 7 HANDICAP PARKING SIGN REFER TO DETAIL 7C3
- 8 CONCRETE HANDICAP RAMP REFER TO DETAIL 8C3
- 9 HANDICAP PARKING SYMBOL REFER TO DETAIL 9C3
- 10 HANDICAP ACCESS LANDING SIGN. SLOPE 2% MAX. EACH WAY (ADA COMPLIANT) AND STRIPE AS SHOWN.
- 11 SCREEN FENCE. REFER TO DETAIL 11C3
- 12 SCREEN FENCE GATES. REFER TO DETAIL 11C3
- 13 CONCRETE BUMPER BLOCK: 8" x 8" x 8" LONG CONCRETE ANCHOR TO PAVING WITH (2) 1" x 8" LONG REBAR (TO BIT LEVEL WITH PAVING), 26 TOTAL.
- 14 PARKING LOT LIGHTING. REFER TO SITE UTILITIES PLAN FOR LOCATION AND TYPE.
- 15 LIMITS OF NEW PAVING. MATCH EXISTING PER COUNTY STANDARDS.
- 16 ROLL CURB DOWN. TERMINATE AND ROLL DOWN NEW CURBS WHERE INDICATED. ROLL DOWN @ 1:2
- 17 NEW CONCRETE CURB TO MATCH EXISTING PER CITY/TYPIC DESIGN STANDARDS
- 18 STRIPING: PROVIDE 4" WIDE PARKING LOT STRIPING AS SHOWN. USE HIGHWAY MARKING PAINT - YELLOW (2 COATS)
- 19 CURB CUT: 30" CURB OPENING. REFER TO SHEET C1
- 20 SIGN LOCATION: SIGN FURNISHED AND INSTALLED BY OWNER. REFER TO SITE UTILITIES PLAN FOR DETAILS.
- 21 NOT USED
- 22 NOT USED
- 23 DETECTABLE WARNING SURFACE. REFER TO DETAIL 23C3
- 24 INSTALL 8" WIDE SIDEWALK RAMP AND LANDINGS WITH PAINTED (OWNER TO SELECT COLOR) STEEL HANDRAIL. EACH SIDE PER ADA STANDARDS. HANDRAIL POSTS TO BE EPOXY SET IN SLEEVE IN CONCRETE. REFER TO DETAIL 4C3 FOR SIDEWALK.

PROJECT CONTROL

SITE CONTROL SET AT STATE PLANE KY NORTH

PARKING SUMMARY

37 REGULAR PARKING SPACES
2 HANDICAP SPACES (VAN ACCESSIBLE)
39 TOTAL SPACES PROVIDED
(NO COMPACT SPACES)

REQUIRED PARKING SPACES:
1 SPACE FOR EACH 400 S.F. OF LEASEABLE FLOOR SPACE
PLUS 1 PER EMPLOYEE ON MAXIMUM SHIFT
7,225/400 = 18 SPACES
8 EMPLOYEES MAX. SHIFT = 8 SPACES
TOTAL REQUIRED = 27 SPACES

SITE NOTES

EXISTING USE: COMMERCIAL
INTENDED USE: RETAIL - AUTOMOTIVE PARTS
PROPERTY ZONING: B-2 (HIGHWAY COMMERCIAL)

SITE CRITERIA:
BEING THE REMAINING PORTION OF A MINOR SUBDIVISION PLAT SITUON PROPERTY AS RECORDED IN SLIDE 2245 IN THE COUNTY CLERK'S OFFICE OF SCOTT COUNTY, KY.
DEED BOOK: 255, PG. 825
TAX MAP: 188-10-324.00
LOT AREA: 1.515 AC. 65,094 S.F.
STREET SETBACK/STREET TYPE(S):
FRONT YARD: 30 FT.
SIDE YARD: 0 FT.
REAR YARD: 0 FT.

FLOOD NOTE:
THE PROPERTY AS SURVEYED HEREON IS LOCATED IN SHADED ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE .02 % ANNUAL CHANCE FLOOD PER F.E.M.A. FIRM MAP # 21280C0180C PANEL 183 OF 275 OF SCOTT COUNTY KENTUCKY AND INCORPORATED AREAS. EFFECTIVE: JANUARY 6, 2014.

PROPERTY ADDRESS:
800 SOUTH BROADWAY
GEORGETOWN, KY 40324

PROPERTY OWNER:
HARLEY SUTTON JR. (TRUSTEE)
1321 ROANOK RD.
JAMESTOWN, TN 38558

CONTACT:
CHRIS EVANS, 417-662-2874
EMAIL: cevens@oreillyauto.com

PROJECT ENGINEER:
RON BACON
BFW ENGINEERING AND TESTING INC.
500 S. 17th STREET
PADUCAH, KY 42003
EMAIL: rbac@bfg-engineering.com

CERTIFICATE OF OWNERSHIP & DEDICATION

I (we) hereby certify that I (we) the owner(s) of the property above and described herein and that I (we) hereby adopt this plat plan of the development with my (our) free consent, establish the minimum building setback 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 stated.

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

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 determined 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.

(date), 20__

(owner or owners)

CERTIFICATE OF PRELIMINARY PLAN APPROVAL

with the Subdivision and Development Regulations for Georgetown and Scott County, Kentucky, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission. This approval does not constitute approval to begin construction or obtain a building permit.

(date), 20__

Chairman, Georgetown-Scott County Planning Comm.

SYMBOLS LEGEND

- NOTE: REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS LEGEND.
- AREA OF CONCRETE
 - NEW BUILDING
 - NEW POLE SIGN LOCATION
 - NEW LIGHT OR LIGHT POLE LOCATION
 - NEW CONCRETE PARKING BLOCK



BFW BACON | FARMER | WORKMAN
ENGINEERING & TESTING, INC.

800 SOUTH 17th STREET PADUCAH, KY 42003 PHONE: 278-648-1886
400 NORTH COLONY STREET MARCH, KY 40350 PHONE: 417-857-8744
1715 BULLDOG DRIVE MURRAY, KY 40356 PHONE: 278-758-7507

STATE OF KENTUCKY
SHANNON L. HOLEY
REGISTERED PROFESSIONAL ENGINEER
7-26-16

CRAIG A. SCHNEIDER, AIA
ARCHITECT

1736 East Sunshine, Suite 417
Springfield, Missouri 65804

417.662.0558
Fax: 417.662.3765
e-mail: architect@cschneider.com

How: O'Reilly Auto Parts - Signage

930 S. BROADWAY ST.
GEORGETOWN, KY

O'Reilly AUTO PARTS

233 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
417-662-2574 PHONE

COMM # 3894

DATE: 7-22-16
REVISION
DATE:

MRM MACHORING LLC
110 E. SHAWALTER DR.
GEORGETOWN, KY. 40324
ZONE: I-1

LANDSCAPE SYMBOLS LEGEND

REFER TO SURVEY FOR EXISTING CONDITION SYMBOLS LEGEND

	NEW BUILDING CONSTRUCTION
	AREA OF CONCRETE
	AREA OF SHREDDED CYPRESS MULCH (COLOR TO BE APPROVED BY O'REILLY REPRESENTATIVE)
	AREA OF SOD LAWN AREA WHICH EXCEEDS 25% SLOPE TO BE PROVIDED WITH SOD. REFER TO GRADING PLAN
	NEW POLE SIGN LOCATION
	NEW CONCRETE PAVING BLOCK
	NEW LIGHT POLE LOCATION
	NEW FENCE CONSTRUCTION
	AREA OF NEW TREE REFER TO PLANTING SCHEDULE FOR SIZE AND TYPE
	AREA OF NEW SHRUB REFER TO PLANTING SCHEDULE FOR SIZE AND TYPE

- ### GENERAL NOTES:
- REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.
 - SITE CONDITIONS BASED UPON SURVEY PROVIDED BY OWNER. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS BY DETAILED INSPECTION PRIOR TO SUBMITTING BID AND BEGINNING CONSTRUCTION.
 - REFER TO CIVIL DRAWINGS FOR ADDITIONAL REQUIREMENTS.
 - ALL PLANTING TYPES SHALL COMPLY WITH LOCAL GOVERNING CODES AND REGULATIONS. CONFORM TO REQUIREMENTS OF PLANT LIST AND TO THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARD OF NURSERY STOCK" AND "HORTICULTURAL STANDARDS" AS TO SPECIES, AGE, SIZE, AND PLANTING RECOMMENDATIONS.
 - NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE ARCHITECT'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED.
 - PLANT LOCATIONS ARE APPROXIMATE. ADJUST AS NECESSARY TO AVOID CONFLICTS.
 - QUANTITIES OF MATERIALS SHOWN ON LANDSCAPING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON PLANTING SCHEDULE. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON LANDSCAPING PLAN.
 - PROVIDE 4" TOPSOIL AT ALL SOD, SEED AND PLANTING AREAS. GRADE SHALL BE ADJUSTED FOR SOD THICKNESS. REFER TO CIVIL SITE GRADING PLAN FOR SLOPE REQUIREMENTS.
 - WHEN CLAY SOIL IS ENCOUNTERED IN THE ESTABLISHMENT OF THE LAWN OR THE INSTALLATION OF PLANT MATERIAL IT SHALL BE IMPROVED IN ACCORDANCE WITH STANDARD TRADE PRACTICE.
 - REESTABLISH TURF IN AREAS DISTURBED BY GRADING OR UTILITY TRENCHING IN THE RIGHT-OF-WAY.
 - COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
 - PRIOR TO INSTALLATION, GENERAL CONTRACTOR TO CONFIRM THAT LIGHT POLES, LANDSCAPING AND UTILITIES DO NOT CONFLICT WITH SIGN LOCATION SHOWN. IF ANY POTENTIAL CONFLICT IS DISCOVERED, GENERAL CONTRACTOR TO CONTACT THE O'REILLY PROJECT ADMINISTRATOR BEFORE PROCEEDING.

- ### KEY NOTES:
- HYDRO MULCH / SEED AND STRAW. (UNLESS NOTED OTHERWISE) ALL AREAS DISTURBED BY CONSTRUCTION ARE FIRST TO BE FINED GRADED AND THEN FOLLOWED BY HYDRO MULCH OR SEED AND STRAW OVER MIN. 4" TOPSOIL STOCKPILED FROM SITE OR HAULED IN AS REQUIRED.
 - AREA OF SOD. REFER TO DETAIL 1A.2.
 - SHREDDED CYPRESS MULCH. REFER TO DETAIL 2A.2.

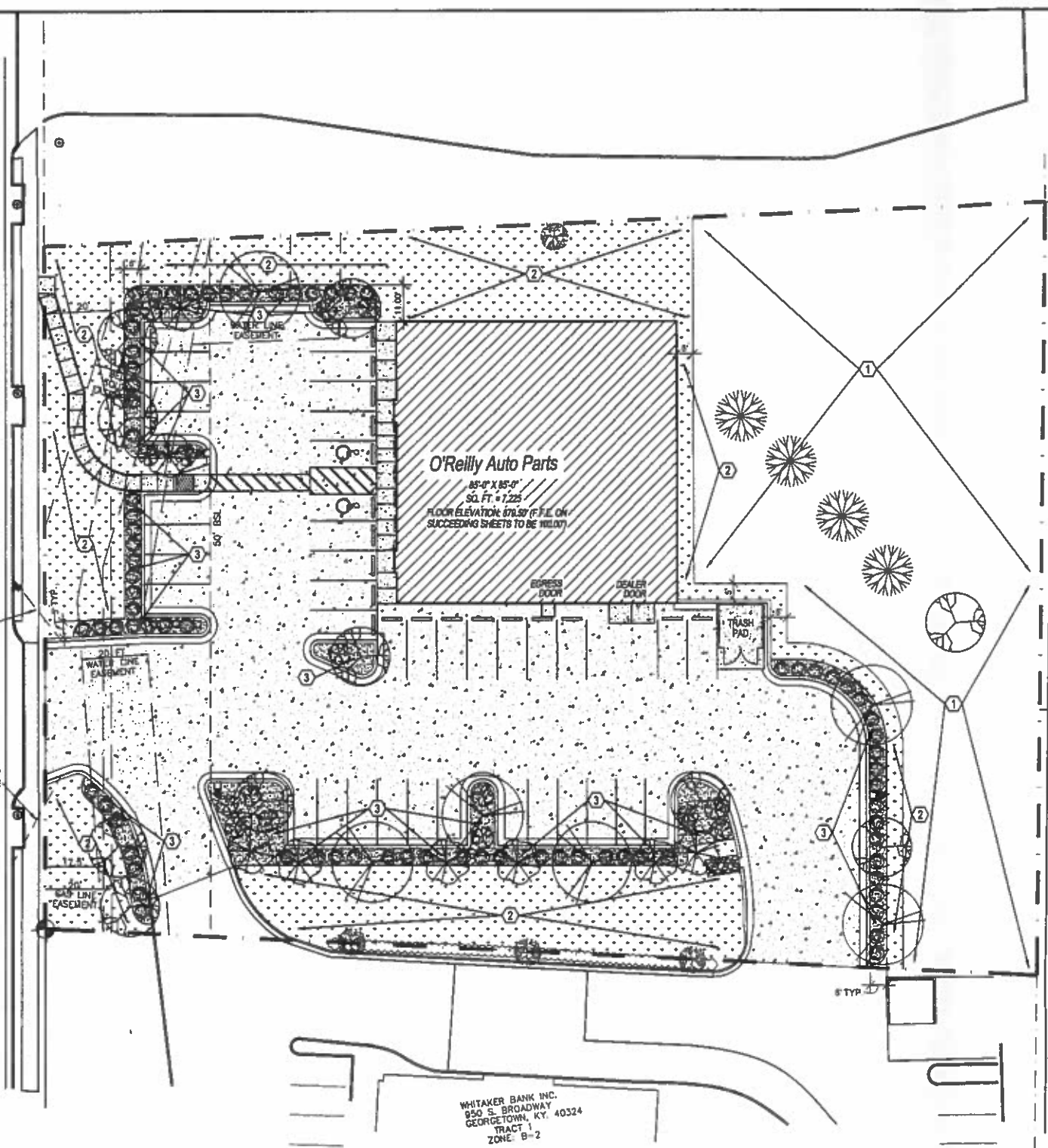
LANDSCAPING CALCULATIONS

PARKING SPACES REQUIRED:	22
PARKING SPACES PROVIDED:	38
VEHICLE USE AREA (V.U.A.):	20,048 S.F.
V.U.A. INTERIOR LANDSCAPE AREA REQUIRED:	1'20,048 = 2,005 S.F.
V.U.A. INTERIOR LANDSCAPE AREA PROVIDED:	2,214 S.F.
V.U.A. INTERIOR TREES REQUIRED:	(2,005/250) = 8
V.U.A. INTERIOR TREES PROVIDED:	9
V.U.A. PERIMETER LANDSCAPE BUFFER AREA REQUIRED:	1,988 S.F.
V.U.A. PERIMETER LANDSCAPE BUFFER AREA PROVIDED:	2,582 S.F.
V.U.A. PERIMETER TREES REQUIRED:	(1988' V.U.A. PERIMETER/40') = 14
V.U.A. PERIMETER TREES PROVIDED:	14
PROPERTY PERIMETER BUFFER/SCREENING REQUIRED:	N/A
PROPERTY PERIMETER BUFFER/SCREENING PROVIDED:	N/A
BUILDING COVERAGE:	7,225 S.F.
CANOPY COVERAGE AREA REQUIRED:	REFER TO CANOPY CALCULATIONS ON SHEET LA, TREE PRESERVATION PLAN

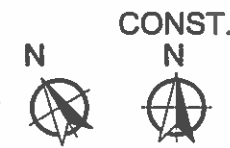
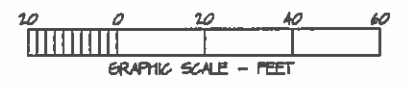
PLANTING SCHEDULE

REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS. ALL PLANTINGS MAY BE SUBSTITUTED DUE TO REGION OR LOCAL REQUIREMENTS IF NECESSARY

MARK	SIZE GROUP	COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE @ PLANTING	DETAIL
	"A" LARGE TREE	NORTHERN RED OAK	QUERCUS RUBRA	8	1-3/4" CALIPER MIN. 10' HIGH	3A.2
	"A" LARGE TREE	"SHAWNEE BRAVE" BALD CYPRESS	TAXODIUM DISTICHUM "SHAWNEE BRAVE"	4	1-3/4" CALIPER MIN. 10' HIGH	3A.2
	"B" MEDIUM TREE	AMERICAN HORNBREAM	CARPINUS CAROLINIANA	9	1-3/4" CALIPER MIN. 10' HIGH	3A.2
	"C" LARGE SHRUB/SMALL TREE	"FLAME" EASTERN RED BUD	CERCIS CANADENSIS "FLAME"	8	1-3/4" CALIPER MIN. 10' HIGH	3A.2
	"D" MEDIUM SHRUBS	CONVEXA JAPANESE HOLLY	ILEX CRENATA "CONVEXA"	15	#3 CONTAINER 24" HIGH	4A.2
	"E" LOW SHRUBS	WINTERGREEN BOXWOOD	BUXUS MICROPHYLLA "WINTERGREEN"	79 (SPACED FOR CONT. HEDGE)	#3 CONTAINER 24" HIGH	4A.2



1 LANDSCAPE PLAN
L1 SCALE: 1" = 20'



CRAIG A. SCHNEIDER, AIA
ARCHITECT
1756 East Sunbeam, Suite 417
Springfield, Missouri 65804
417.862.8558
417.862.3265
Fax: 417.862.3265
e-mail: architect@csaarchitect.com

O'Reilly AUTO PARTS
233 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
417-962-2674 PHONE

COMM # 3894

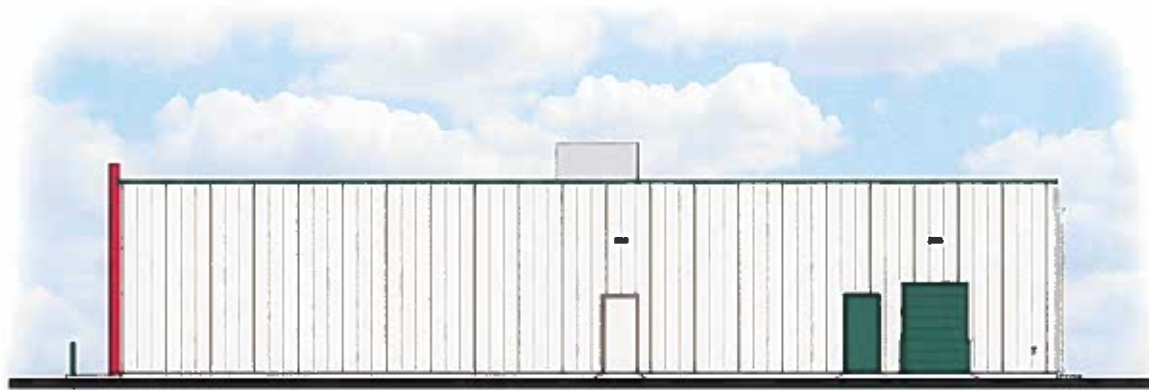
DATE: 7-22-16
REVISION DATE:



1 WEST ELEVATION

CE1 SCALE: 1/8" = 1'-0"

61' O'REILLY AND 31' AUTO PARTS (LINEAR)



2 SOUTH ELEVATION

CE1 SCALE: 1/8" = 1'-0"



3 EAST ELEVATION





CE1 SCALE: 1/8" = 1'-0"



4 NORTH ELEVATION

CE1 SCALE: 1/8" = 1'-0"

FINISH LEGEND:

	METAL PORTAL -	EQUAL TO BUTLER MFGR "STYLWALL" PANEL (RED)
	METAL FIELD PANEL -	EQUAL TO BUTLER MFGR "STYLWALL" PANEL (COOL BIRCH WHITE)
	METAL PANEL -	EQUAL TO BUTLER MFGR "SHADOWWALL" PANEL (COOL BIRCH WHITE)
	STOREFRONT -	KAWNEER "DARK IVY"

CRAIG A. SCNEIDER, AIA
ARCHITECT

417-962-8558
417-962-3368
1736 East Sunshine, Suite 417
Springfield, Missouri 65804
e-mail: architect@csnyder.com

Mr. O'Reilly Auto Parts Store

BROADWAY ST.
GEORGETOWN, KY

O'Reilly AUTO PARTS
233 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
417-962-2674 PHONE

CONM # 3644

DATE: 7-22-16

REVISION DATE:

REVISION DATE:

REVISION DATE:

REVISION DATE:

REVISION DATE:

REVISION DATE:

REVISION DATE:

NOT FOR CONSTRUCTION

**BYLAWS
OF THE
GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION**

ARTICLE I. OBJECTIVES: The objectives and purposes of the Georgetown-Scott County Planning Commission, are those set forth in Kentucky Revised Statutes Chapter 100, as amended, and otherwise provided by law, and as determined by actions of the Scott County Fiscal Court, the Georgetown City Council, the Stamping Ground City Council, and the Sadieville City Council by Ordinance of record in the Scott County Court Book K-9, Page 59 of February 13, 1970.

ARTICLE II. OFFICERS AND THEIR DUTIES:

SECTION 1. The officers of the Planning Commission shall consist of a Chair, Vice-Chair, and a Secretary.

SECTION 2. The Chair shall be the presiding officer at all meetings and hearings of the Planning Commission, except as otherwise provided, and shall perform his, or her duties, guided by *Robert's Rules of Order* subject to applicable State and local law.

SECTION 3. The Chair's general duties are: to open and call all Commission meetings to order; to announce the business to be conducted; to recognize members entitled to the floor; to state and put to vote all questions, properly before the Commission in the course of Commission proceedings; and to announce the results of all votes, to make proceedings as efficient as possible; to maintain order in meetings; to determine points of order pertinent to pending business; and to authenticate, by signature when necessary, all acts, orders, and proceedings of the Commission. On all votes, the Chair's vote shall be cast last so as to limit the appearance of undue influence by the Chair on the votes of other members.

SECTION 4. The Chair shall be a citizen-member of the Commission. He, or she shall conduct business only for the benefit of the Commission and the public trust, which it serves, reflecting no personal prejudice in any matter.

SECTION 5. The Vice-Chair shall assist the Chair in any way possible subject to the Chair's request. Upon the absence of the Chair, the Vice-Chair shall preside.

SECTION 6. The duties of the Secretary are as follows: to keep records and minutes of each meeting or hearing of the Commission; to keep a roll of the members and to call this roll when required; to notify officers and committees of their appointment and

to furnish committees with all papers and other material referred to them; to insure compliance with the current Accounting Policies and Procedures, unless otherwise specified by the Chair; to record the number of votes for and against each question put to vote; to indicate absences or disqualifications from voting, when a question is put to vote; and other duties, which may be assigned by proper Commission action .

The duties of the Secretary may be assigned to a person or persons, who are not members of the Commission.

SECTION 7. Executive Committee. The Executive Committee, to be designated at the regularly held meeting in March, shall be made up of the Chair, Vice-Chair, and one appointed commissioner from the City and one appointed commissioner from the County. The joint city/county appointee may be appointed to the Executive Committee as either representative of either the City or County. Appointment to the Executive Committee shall be for a term of one (1) year. Its purpose shall be to assist the Director in management of official business between regular meetings of the Commission.

Such duties shall include:

- A. May make such decisions, which cannot wait to be put before the entire membership of the Commission, and as are required to maintain administrative decisions of the Commission office, excluding substantive planning and zoning decisions prescribed to the entire Commission. If the Executive Committee cannot reach a decision by simple majority, then the matter shall be heard by the full Commission.
- B. To assist the Director with budget preparations and an overall work program for the following fiscal year.
- C. To assist the Director in reviewing proposed budget changes, contracts and/or consulting and professional service agreements for approval.
- D. To assist the Director in administration of personnel policies within the Commission's Employee Handbook, including recommendation of potential disciplinary action against an employee.
- E. To serve as an appeals and/or interpretation board on staff decisions, upon request by an applicant or Director, as described in the Georgetown-Scott County Subdivision and Development Regulations.

- F. The Executive Committee minutes shall be included in the Planning Commission packet no later than the second regular Commission meeting following the Committee for which the minutes were taken.
- G. Compensation to the members of the Executive Committee, if any, shall be determined according to the Commission's adopted annual budget.

ARTICLE III. NOMINATION AND ELECTION OF OFFICERS:

SECTION 1. Nominations of officers shall be made at the regularly held meeting in March. All officers shall be eligible for re-election at the expiration of their office.

SECTION 2. Election of officers shall take place immediately following nominations.

SECTION 3. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be elected and shall serve for a term of one (1) year, or until a successor shall take office.

ARTICLE IV. MEMBERSHIP/ATTENDANCE:

SECTION 1. Appointments, removals and vacancies shall be accomplished according to State law.

SECTION 2. When a vacancy occurs other than through expiration of the term of membership, it shall be filled for the remainder of that term according to State law.

SECTION 3. Attendance.

(A) Planning Commissioners shall maintain regular attendance at Planning Commission meetings and workshops. Regular attendance shall be defined as attendance at more than 75% of Planning Commission meetings in a 12-month period.

(B) Absence by Planning Commissioners at more than three (3) regular or special called meetings and more than three (3) Planning Commission workshops in a 12-month period shall be grounds for an Executive Committee hearing on removal from office.

ARTICLE V. MEETINGS:

SECTION 1. Regular Meetings. Meetings shall be held at the date, time and location established from time to time by the Commission, according to law.

SECTION 2. Quorum. A quorum is a simple majority of the Commission's nine (9) members. For the purpose of establishing quorum, a member shall not be counted if he, or she is disqualified under Article VII from participation on a particular question, or agenda item.

SECTION 3. Vote Necessary for Action.

(A) A simple majority vote of a quorum shall be necessary to transact any official business.

(B) A simple majority vote of the total required membership of the Commission shall be necessary to adopt or amend the Commission's bylaws.

(C) Action taken in the adoption and recommendation of Comprehensive Plan goals and objectives, or supporting sections, shall be governed by applicable State law.

SECTION 4. Special meetings. Special meetings may be called by the Chair. Special meetings shall be called by the Chair upon written request by five (5) members [quorum] of the Commission. The Chair shall notify in writing all members of the Commission according to State law. This notice shall contain the date, time, place, and subject of discussion. Pursuant to State law, a notice of a special meeting shall specify the purposes for which that meeting is called. No other business shall be considered.

SECTION 5. Open Meetings. All meetings and hearings at which official action is taken shall be open to the general public, except where closed session is appropriate under KRS Chapter 61, and subject to notice requirements in Article X of these bylaws.

ARTICLE VI. ORDER OF BUSINESS:

SECTION 1. The order of business at regular meetings shall be:

(A) Administration of oath may be administered by the presiding officer or anyone qualified as a Notary Public in the Commonwealth of Kentucky, (B) Roll call, (C) Approval of monthly invoices, (D) Approval of previous meeting's minutes (E) Approval of current meeting's agenda, (F) Approval of items for postponement and withdrawal, (G) Approval of the consent agenda items, (H) Old business, (I) New business, (J) Other business, (K) Adjournment.

ARTICLE VII. CONFLICT OF INTEREST:

SECTION 1. Disqualification. A Commission member having a direct, or indirect financial interest in the outcome of any question before the Commission shall not participate in the discussion on the matter. That member shall not be counted for purposes of determining the existence of a quorum necessary to hear and act on that matter.

SECTION 2. Definition. Direct or indirect financial interest shall include financial interest of members of the Commissioner's family in direct line (grandparents, children, siblings, etc.) and siblings of parents. Examples of Commission actions that constitute direct or indirect financial interest include but are not limited to:

- A. A development proposal for a property in which a Commissioner has financial interest.
- B. A policy decision which will substantially affect the development potential of a property in which a Commissioner has financial interest.
- C. A development proposal or policy which will result in known financial benefit (e.g., through contract or employment) from related activities.
- D. A development proposal that would provide a direct financial competition with a development in which the Commissioner has financial interest.
- E. A development proposal that would substantially impact the value of a nearby property in which the Commissioner has a financial interest.

These examples provide guidelines for conflict of interest determination.

SECTION 3. Procedure. A Commissioner with a potential conflict of interest shall disclose the nature of that interest to the Chair at such time as he, or she becomes aware of it. The Chair shall state for the record the disqualifications of the member at the beginning of the discussion, or hearing on the matter in which the potential conflict arose.

Any person during the course of a Commission meeting can raise the issue of a Commissioner's conflict of interest. At the time the conflict of interest is asserted, the Chair shall suspend the discussion, or hearing until the question of conflict is resolved. If the Commissioner acknowledges a conflict, he or she shall be disqualified under Section 1. Upon the Commissioner's disqualification, the meeting shall continue if a quorum is present. If there is no quorum, the discussion or hearing shall be continued until such time as a quorum is present.

If the Commissioner denies the existence of a conflict, the Chair may rule on the question and upon ruling, take appropriate action under these bylaws. In the event there is insufficient information upon which the Chair may rule, he or she shall conduct an evidentiary hearing before the Commission. At the close of the evidence the Commission shall vote either "Yes, there is a conflict" or "No, there is no conflict" under these bylaws. Upon completion of the vote the Chair shall take appropriate action. After resolution of the assertion of conflict of interest, the discussion or hearing shall be resumed.

SECTION 4. Non-financial Conflict of Interest. A Commissioner shall also be disqualified, or shall abstain, under the same rules as in Sections 1 and 3, for cause, defined as the apparent inability to render an impartial decision. In no event shall a Commissioner speak for, or against a matter before the Commission as a representative of any organization other than the Planning Commission.

SECTION 5. Occurrence of Conflict of Interest After Commission Action. This section applies when the issue of conflict of interest is raised by any person after the Commission has taken final action on a matter. The Chair shall determine whether the assertion of conflict of interest, if true, would have, more likely than not, affected the outcome of the Commission's prior action. If it appears that the conflict, if true, would not have affected the outcome, the Chair shall report the assertion of conflict and his, or her determination to the Commission. The Commission on motion and second with majority vote may override the Chair's finding and set the matter for evidentiary hearing.

If it appears that the conflict, if true, would have affected the outcome, the Chair shall report the assertion of conflict to the Commission and schedule a hearing before the Commission on the question of whether the conflict of interest existed at the time of the prior action and whether it affected the prior Commission action. If the Commission, after evidentiary hearing, finds that the conflict did affect the prior Commission action the record of that determination shall be forwarded to the appropriate legislative body for inclusion in the record of the prior action of the Commission.

SECTION 6. Guidance from the APA. The Chair and the Commission shall seek guidance from the APA's "Ethical Principles in Planning," adopted in May 1992, in determining the existence of conflicts of interest. See Appendix One, below.

ARTICLE VIII. ADMINISTRATION OF FUNDS:

SECTION 1. The Commission shall have the right to administer funds as set out according to State law and within the Accounting Policies and Procedures.

SECTION 2. The Commission shall undertake an annual audit in accordance with Kentucky Revised Statute 100.177 and according to accepted practices for like agencies, including presentation to the Commission and their adoption of a report outlining the findings and recommendations of that audit.

ARTICLE IX. EMPLOYEES:

SECTION 1. Creation of Employee Positions. The Commission may create such employee positions as it deems appropriate, assigning to each position duties, responsibilities and compensation. This action shall be taken according to law.

SECTION 2. Employment of Staff, or Outside Services. The Commission may employ staff and/or contract outside services in the performance of its objectives and purposes according to law and as set out above. Such employment shall be made by the director to begin the employee's six month probationary period, and a majority of the total membership of the Commission shall approve an employee's permanent employment status at the conclusion of the six month probationary period.

SECTION 3. Supervision of Staff and Outside Services. The Director of Development Services, subject to the oversight of the Commission, shall supervise all staff and outside contractors.

ARTICLE X. HEARINGS:

SECTION 1. In addition to those required by law, the Commission may hold public hearings at its discretion when such hearings are in the public interest.

SECTION 2. Notice of such hearings shall be given to the Commission and public according to law. For information on the Commission's notice requirements, reference should be made to the notice provisions of Kentucky Revised Statutes Chapters 424 and 100 and to local ordinance.

SECTION 3. The matter before the Commission shall be presented by the Commission staff. Parties in interest, proponents and opponents, shall be afforded reasonable opportunity to address the Commission. In the event of an appeal of a Commission action, or other legal action, all statements, exhibits, or other submissions offered on the Commission record shall be submitted on the record in the court having jurisdiction over that appeal or action.

SECTION 4. A record shall be kept of those speaking before the Commission.

SECTION 5. The Planning Commission may appoint one or more of its members to act as a hearing examiner or examiners.

ARTICLE XI. AMENDMENTS:

SECTION 1. These bylaws may be amended at a properly convened meeting by a vote of a simple majority of the total membership of the Commission.

Adopted by: The Georgetown-Scott County Planning Commission at its regular meeting held _____, 2011.

Approved by:

Chair

Attested by:

Secretary

Appendix One:

Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning Process Participants should:

Exercise fair, honest and independent judgment in their roles as decision makers and advisors;

Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker.

Define "personal interest" broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;

Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;

Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process;

Not participate as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;

Serve as advocates only when the client's objectives are legal and consistent with the public interest.

Not participate as an advocate on any aspect of a plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commence earlier than one year following termination of the role as advisor or decision maker;

Not use confidential information acquired in the course of their duties to further a personal interest;

Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;

Not misrepresent facts or distort information for the purpose of achieving a desired outcome;

Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;

Respect the rights of all persons and not improperly discriminate against or harass others based on characteristics which are protected under civil rights laws and regulations.¹

¹ These principles are recommended by the American Planning Association [APA], 205 N. Michigan Ave., Suite 1200, Chicago, IL 60601, for all participants in the planning process, including decision makers, and is found at the APA website: <http://www.planning.org/ethics/ethicalprinciples.htm>