GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
PLANNING COMMISSION AGENDA
NOVEMBER 12, 2026
6:00 p.m.

I. COMMISSION BUSINESS

A. Approval of October invoices
B. Approval of October 8, 2026 minutes
C. Approval of November 12, 2026 agenda
D. Items for postponement or withdrawal

II. OLD BUSINESS

A. PDP-2026-39 Bluegrass Petroleum Liquor Store – Preliminary Development Plan for 5,740 square foot multi-tenant commercial and restaurant building with associated parking and landscaping located at 355 Connector Road.
B. PDP-2025-63 Vuteq Outdoor AC Unit Addition – Amendment to an approved plan to include installation of an exterior Ground Mounted HVAC Unit (GMU) to be located along Lemons Mill Road at 100 Carley Drive.
C. ZMA-2026-43 ICAST-Infrastructure Precast Inc. - Zoning Map Amendment from B-2 (Highway Commercial) to I-2 (Heavy Industrial District) located at 112 Triport Circle. PUBLIC HEARING

III. NEW BUSINESS

A. ZMA-2026-44 Meridian Point - Zoning Map Amendment from B-1 (Neighborhood Commercial) to R-3 (High Density Residential) located at 2463 & 2467 Cynthiana Road . PUBLIC HEARING
B. PDP-2026-48 793A Lemons Mill Road – Preliminary Plan for infill development of an existing site; land use as a Commercial Drivers' Licensing school at 793A Lemons Mill Road.
C. PDP-2026-58 Canewood Retail Center Amended – Amended Preliminary Development Plan for parking addition for approved development plan located at 107 Canewood Center Drive.
D. Farm Stand Ordinance – PUBLIC HEARING

IV. OTHER BUSINESS

A. Data Centers Ordinance
B. Goals & Objectives Update
C. Update of Previously Approved Projects and Agenda Items

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
OCTOBER 8, 2026

The regular meeting was held at Scott County Courthouse on October 8, 2026. The meeting was called to order by Vice Chairman Duwan Garrett at 6:00 p.m. E.T. Present were Commissioners Duwan Garrett, James Stone, Tristin Black, Malissa Adair, Brad Green, and Harold Jessie, Planners Elise Ketz, Rhett Shirley, Mark Carper, Noah Smith, Toshi Tusam, Director Holden Fleming, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Chairman Mary Singer, Commissioners Jessica Canfield and David Vest.

Motion by Black, second by Green to approve the September invoices. Motion carried.

Motion by Stone, second by Green to approve September 10, 2026 minutes. Motion carried.

Motion by Jessie, second by Black to approve September 17, 2026 minutes. Motion carried.

Motion by Green, second by Adair to approve October 8, 2026 agenda. Motion carried.

Postponements or Withdrawals

Josh Weber, representing Vuteq, requested a postponement until next month for PDP-2025-63. **Motion by Green, second by Jessie, to postpone PDP-2025-63 until next month's regular meeting. Motion carried unanimously.**

Harold Simms, representing ICAST, requested a postponement until next month for ZMA-2026-43. **Motion by Jessie, second by Black, to postpone ZMA-2026-43 until next month's regular meeting. Motion carried unanimously.**

Data Centers Ordinance

Mr. Fleming spoke of the changes to the Data Center Ordinance since the last meeting on September 17, 2026. There were discussions regarding adopting a 1,500-foot setback, proposing regulations prohibiting water as the primary liquid for any liquid cooled system, proposing a solar energy system over the roof and within the VUA of any proposed site, reducing the allowable decimal levels at the property perimeter, adding religious facilities as a sensitive use requiring increased setbacks, and clarified enforcement procedures for noise complaints.

Commissioner Jessie questioned if compliance reporting could change the yearly requirements.

Commissioner Green suggested data centers must pay for yearly compliance requirements.

Commissioner Black stated he is in favor of yearly compliance requirements and questioned if it could be an independent verification. Mr. Perkins stated a professional would have to certify the test results.

Commissioner Black stated he would like to revert to the 1,500-foot setback.

After further discussion, **motion by Black, second by Jessie, to revert to the 1,500-foot setback and to the 2,000-square foot setback for any emission points or smokestacks from KLC model ordinance. Motion carried 5-1 with Adair dissenting.**

Commissioner Black requested staff to explore caps on acreage amounts that could be used for a data center.

Commissioner Black suggested adding a requirement that any applicant must pay for a home appraisal within a mile and that any change of value would have to be notified during the conditional use process.

Motion by Black, second by Jessie, to require a home appraisal value before a conditional use permit is approved. Motion carried unanimously.

Commissioner Black requested explanation of the community benefits agreement. He requested hiring of local workers, funding for community projects and amenities.

Motion by Black, second by Green, to require hiring of local workers, funding for projects, and energy efficiency of utilities. Motion carried unanimously.

After further discussion, **motion by Jessie, second by Black to approve the substantiable metrics and power unit effectiveness (PUE). Motion carried unanimously.**

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

Lynne Brooks, 102 Hawthorne Court, questioned clarification of the proposed decibel level. Commissioner Black stated that 30 decibels is the proposed level.

Ms. Brooks questioned where the rest of the electricity would come from. Mr. Fleming stated 25% must come from renewables with the remainder coming from additional on-site generation not utilizing renewables or through other available utility sources.

Nate Reeves, 108 Kingston Drive, stated a lot of his concerns have been answered during this meeting.

Sophia Lynn, 2663 Oxford Village Lane, stated some of her concerns have been answered during this meeting but stated there are endangered species in Scott County that a data center could interrupt.

Norris Stacy, 3490 Josephine Road, stated his concern about the closed landfill in northern Scott County and suggested data centers could be underground.

Commissioner Black left the meeting.

Farm Stand Ordinance

Mr. Fleming spoke of changes to the Farm Stand Ordinance. He stated the definition of agricultural uses had changed to add, storage and sales to the list of approved actions associated with ag and horticultural use. He stated a farm stand is defined as a temporary or permanent structure with or without electricity used for the retail sale of agricultural products primarily grown, raised, or produced on-site of the farm that the stand is located. He stated unless staff receives calls about the farm stand, the farm stand will be left alone. He stated farm stands are being added as an allowed use in the A-1 agricultural zone.

He stated farm stands would need to be set back 50-foot from all property lines consistent with existing A-1 setbacks. He stated that the structure would be limited to 1,000 square feet of enclosed space and 1,000 square feet of external display area. He stated signs need to be less than 32 square feet and six feet in height. He stated off-street parking must be provided at least 50 feet from the property line.

Commissioner Jessie questioned if someone wanted to put gravel for parking would that be allowed. Mr. Fleming stated that is up to the farm owner.

Roger Quarles, 1689 Lemons Mill Road, submitted new language wrote by Soil Conservation Board. He questioned if the proposed ordinance had been reviewed by the County Attorney. Mr. Perkins stated himself and the county attorney had reviewed the document.

Mr. Quarles stated they would prefer farm stand to be called a point of sale area instead. He stated another part they would like to change is the square footage. He wants square footage limitations deleted since an accessory building is already allowed in the A-1 zone. He stated parking should just be simplified to state that it would be located on the farm owner's property. He suggested that the Planning Commission use his draft.

Mr. Fleming stated he does like the point-of-sale idea, but he does want to keep a square foot limit on farm stands.

Terry Keown, 2298 Cincinnati Pike, explained current fees and requirements of being a Kentucky Farm Bureau roadside stand. She stated there are already requirements, certifications, and fees governing all those areas. She emphasized less is best for additional regulations.

After further discussion, **Motion by Adair, second by Jessie, to include the verbiage that addresses under 100-square foot farm stands. Motion carried unanimously.**

After further discussion, **Motion by Green, second by Adair, to add point of sale definition to the farm stand ordinance. Motion carried unanimously.**

Online Permitting

Mr. Fleming gave an update and presentation on the new online permitting software GovWell.

Vice Chairman Garrett adjourned the meeting.

Attest: _____ Mary Singer, Chairman

_____
Charlie Perkins, Secretary

BLUEGRASS PETROLEUM LIQUOR
PRELIMINARY DEVELOPMENT PLAN

Staff Report & Determination for the Georgetown-Scott County Planning Commission
November 12, 2026

FILE NUMBER: **PDP-2026-29**

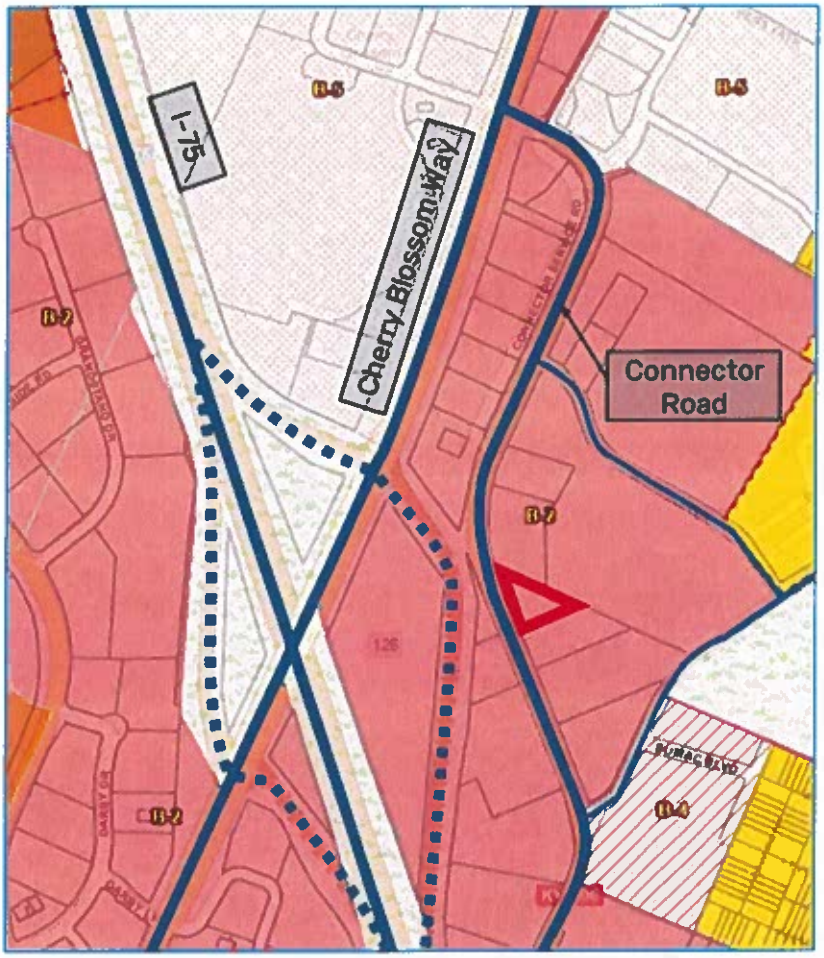
PROPOSAL: Preliminary Development Plan for a 5,740 square foot multi-tenant commercial and restaurant building with associated parking and landscaping

LOCATION: 355 Connector Road

OWNER: Bluegrass Petroleum LLC

APPLICANT: Joshua Trent

CONSULTANT: David Gibson, Gibson Engineering & Surveying



STATISTICS:

Existing Zone:	B-2 (Highway Commercial)
Surrounding Zones:	B-2
Site Area:	1.03-ac
Proposed Development:	Multi-Tenant Commercial Building
Access (Direct):	Connector Road [KY-2906]
Access (Nearest Arterial):	Paris Pike [US-460] or Cherry Blossom Way [US-62]

BACKGROUND:

The Project Site is a 1.03-acre, B-2 zoned parcel located approximately 0.5 miles south of the intersection of Connector Road and Cherry Blossom Way. The proposed use of the site as a multi-tenant office and/or commercial building is by-right in the B-2 zoning district. The surrounding area consists of several commercial single-tenant and multi-tenant developments between Paris Pike and Cherry Blossom Way.

As no deviation from the objective standards set forth in the *Zoning Ordinance, Subdivision & Development Regulations,* and *Landscape & Land Use Buffers Ordinance,* the determination of this application shall be ministerial. Despite this, the application is listed on the agenda of the November 12, 2026 meeting of the Planning Commission due to the notices sent having referenced that the application is subject to a Planning Commission public review and meeting.

SITE PLAN REVIEW

The development plan depicts a multi-tenant commercial building with a restaurant measuring 82 feet by 70 feet (5,740 square feet).

Setbacks & Lot Layout

The building standards for the B-2, Highway Commercial, zone are as follows:

- 50-foot front yard setback
- 0-foot side yard setback
- 0-foot rear yard setback
- 6-story and 75-foot maximum height
- 50% maximum building ground coverage of lot

The proposed building satisfies the minimum building setback, maximum number of stories and maximum height requirements. The building also satisfies the requirements for maximum building lot coverage, as the proposed development would result in building ground coverage of 12.79%.

Access:

The site is accessed by one entrance onto Connector Road. Connector Road is a state-maintained roadway with center turning lane measuring approximately 30 feet wide at the entrance to the building. Connector Road does not have sidewalks, so construction of a sidewalk is not required at this time. Funding for improvements to Connector Road has been included in the 2024-2030 KYTC 6-Year Highway Plan, however the exact timeline for construction has not been established by the Cabinet.

Parking:

Per the *Subdivision & Development Regulations*, restaurants are required to provide 1 parking space for every 150 gross square foot; equivalent to 39 spaces (2 ADA accessible). The proposed development plan depicts40 parking spaces (2 ADA accessible), thus meeting this requirement.

Stormwater Management:

Stormwater is proposed to be handled in an underground system along the north portion of the parking lot. Maintenance and construction of the stormwater system would be subject to all applicable local, state, and federal regulations, including the filing of a Stormwater Management agreement.

Landscaping & Land Use Buffers:

Section 6.12: Property Perimeter Requirements

The proposed development does not require property perimeter landscaping pursuant to the *Landscape & Land Use Buffers Ordinance* Section 6.12.

Section 6.13: Vehicular Use Area Perimeter Requirements

The *Landscape & Land Use Buffers Ordinance* requires a 3 to 5-foot-wide buffer area between a vehicular use area (VUA) and an adjoining property, and for those areas to be populated with 1 tree per 40 feet of linear boundary plus a 3-foot-tall continuous buffer. Areas to the north, west, east, and south of the VUA require additional tree plantings to meet this requirement, which the Applicant is aware of.

Section 6.22: Interior Landscaping for Vehicular Use Areas

The *Landscape & Land Use Buffers Ordinance* requires an interior landscaped area 10% the size of the VUA and for those areas to be populated with 1 tree per 250 square feet of interior landscaped area. The plan shows 25,150 SF of VUA, equivalent to 2,515 SF of ILA required for the property. Additional tree plantings and area dedications require additional tree plantings to meet this requirement, which the Applicant is aware of. The final landscape plan shall need include the correct amount of ILAs and ILA trees to satisfy the requirements of the *Ordinance*.

Section 6.2215: Minimum Canopy Requirements

The site has no existing tree canopy that will remain post development. As a commercial development, the Applicant is therefore required to install 24% of the total site area as tree canopy, equivalent to 10,768 SF of canopy. The preliminary development plan shows 24 large trees, equivalent to 18,000 SF of tree canopy, demonstrating that the Applicant can meet the standards of the ordinance. Diverse species requirements and existing utility lines may impact the feasibility of the plantings, which the Applicant is aware of the requirement. The final landscape plan shall need include the preserved tree canopy and satisfy the requirements of the *Ordinance*.

Lighting

Per the *Zoning Ordinance*, exterior illumination shall be directed away from adjoining properties. The photometric plan shall be reviewed in detail as part of the Final Development Plan review.

FINDINGS

1. The application is for a 1.03-acre B-2 zoned property located off Connector Road. The request is to develop the property with a 5,740 SF multi-tenant commercial and restaurant building with associated landscaping and parking. The use is by-right in the B-2 zoning district.
2. There are no concerns regarding access, vehicular use area, landscape, environmental aspects, or hydrology on the parcels.
3. The preliminary development plan meets all requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.

RECOMMENDATION:

Staff **approves** the Preliminary Development Plan for a 5,740 SF multi-tenant commercial and restaurant building located at 355 Connector Road with the following variance(s) and conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff.
3. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.

5. 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.
6. A photometric plan shall be submitted and approved as part of the Final Development Plan. The Applicant shall direct lighting away from adjoining property and not have any off-site impact.
7. A species-specific landscape plan shall be included with the Final Development Plan indicating all trees to be preserved during construction as applicable.
8. All requirements of the Georgetown Fire Department regarding fire hydrant locations and emergency vehicle accessibility.
9. All requirements of applicable utility companies regarding service provision and easements.

This letter serves as notice of **preliminary development plan approval**. If you have any questions, please feel free to call (502) 867-3701.

Sincerely,

Holden A. Fleming, AICP
Director

SITE INFORMATION

ZONE	B2
LOT AREA	±1.03 ACRES OR ±44,867 SF
LOT COVERAGE	11%
REQUIRED PARKING STALLS	5740 SF /150 SF PER STALL = 38 STALLS
PROPOSED PARKING STALLS	40 STALLS
REQUIRED HANDICAP STALLS	2
PROPOSED HANDICAP STALLS	2
VEHICULAR USE AREA	±25100 SF
TOTAL IMPERVIOUS AREA	±32150 SF

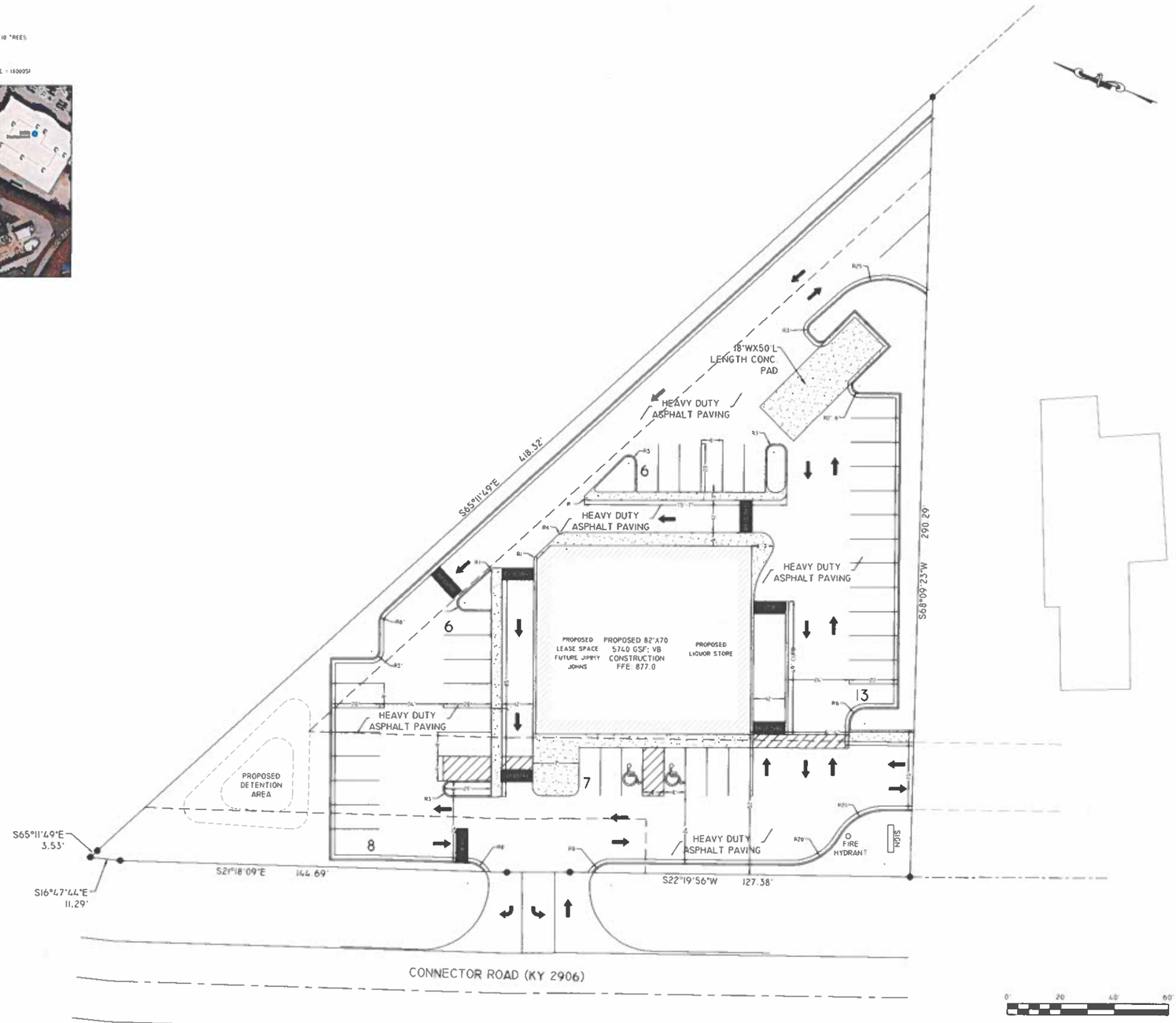
LANDSCAPE REQUIREMENTS

V.U.A.	±25,150 SF
INTERIOR AREA REQUIRED	2510 SF
INTERIOR AREA PROVIDED	±3153 SF
INTERIOR TREES REQUIRED	2510 SF * 1 TREE / 250 SF = 10 TREES
INTERIOR TREES PROVIDED	22

EXISTING CANOPY	0 SF
CANOPY REQUIRED	8975 SF
CANOPY PROVIDED	26 TREES @ 750 SF PER TREE = 18000SF



VICINITY MAP - NOT TO SCALE



UTILITY NOTE:
ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER, KENTUCKY 811 SAFELY (1.8.5.) (TOLL FREE PHONE NUMBER 1-800-752-6007) FORTY EIGHT HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATIONS OF EXISTING BELOW GRADE UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS AND WATER LINES). THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS.

TOPOGRAPHIC LEGEND

- EX. CONTOUR
- GAS LINE
- OVERHEAD COMMUNICATION LINE
- OVERHEAD ELECTRIC LINE
- STORM SEWER PIPE
- SANITARY SEWER PIPE
- WATER LINE
- UTILITY POLE
- LIGHT POLE
- UTILITY POLE ANCHOR
- CONTROL POINT
- GAS METER
- GAS VALVE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- STORM SEWER MANHOLE
- STORM SEWER INLET
- SANITARY SEWER MANHOLE
- CLEAN-OUT
- ELECTRIC BOX
- ELECTRIC METER
- TELEPHONE BOX
- SIGN
- BOLLARD
- AC UNIT

BOUNDARY LEGEND

- SURVEYED BOUNDARY LINE
- LINE OF EASEMENT
- CENTERLINE

OWNER:
PRAGNESH PATEL
2332 CROSS CREEK TRACE
LEXINGTON, KENTUCKY 40509
(M) 859.552.3377

CERTIFICATE OF PRELIMINARY PLAN APPROVAL

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

PLANNING COMMISSION SECRETARY DATE

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF THE DEVELOPMENT WITH ITS OWN (OUR) FREE AND GENERAL ALL STREETS ALLEYS WALKS PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS UNLESS OTHERWISE NOTED

OWNER DATE

BLUEGRASS PETROLEUM, LLC
PROPOSED LEASE SPACE

355 CONNECTOR ROAD
GEORGETOWN, KENTUCKY 40324

NO	REVISIONS	DATE
1		
2		
3		
4		

DRAFTING JT ENGINEER BDG
DATE: MAY 7, 2026
PROJECT NO.: 2026-034
SCALE: 1" = 30'

SHEET TITLE:
SITE PLAN

SHEET:
C.103

SITE INFORMATION

ZONE	B2
LOT AREA	±1.03 ACRES OR ±44,867 SF
LOT COVERAGE	41%
REQUIRED PARKING STALLS	5740 SF/150 SF PER STALL = 38 STALLS
PROPOSED PARKING STALLS	40 STALLS
REQUIRED HANDICAP STALLS	2
PROPOSED HANDICAP STALLS	2
VEHICULAR USE AREA	±25100 SF
TOTAL IMPERVIOUS AREA	±32150 SF

LANDSCAPE REQUIREMENTS

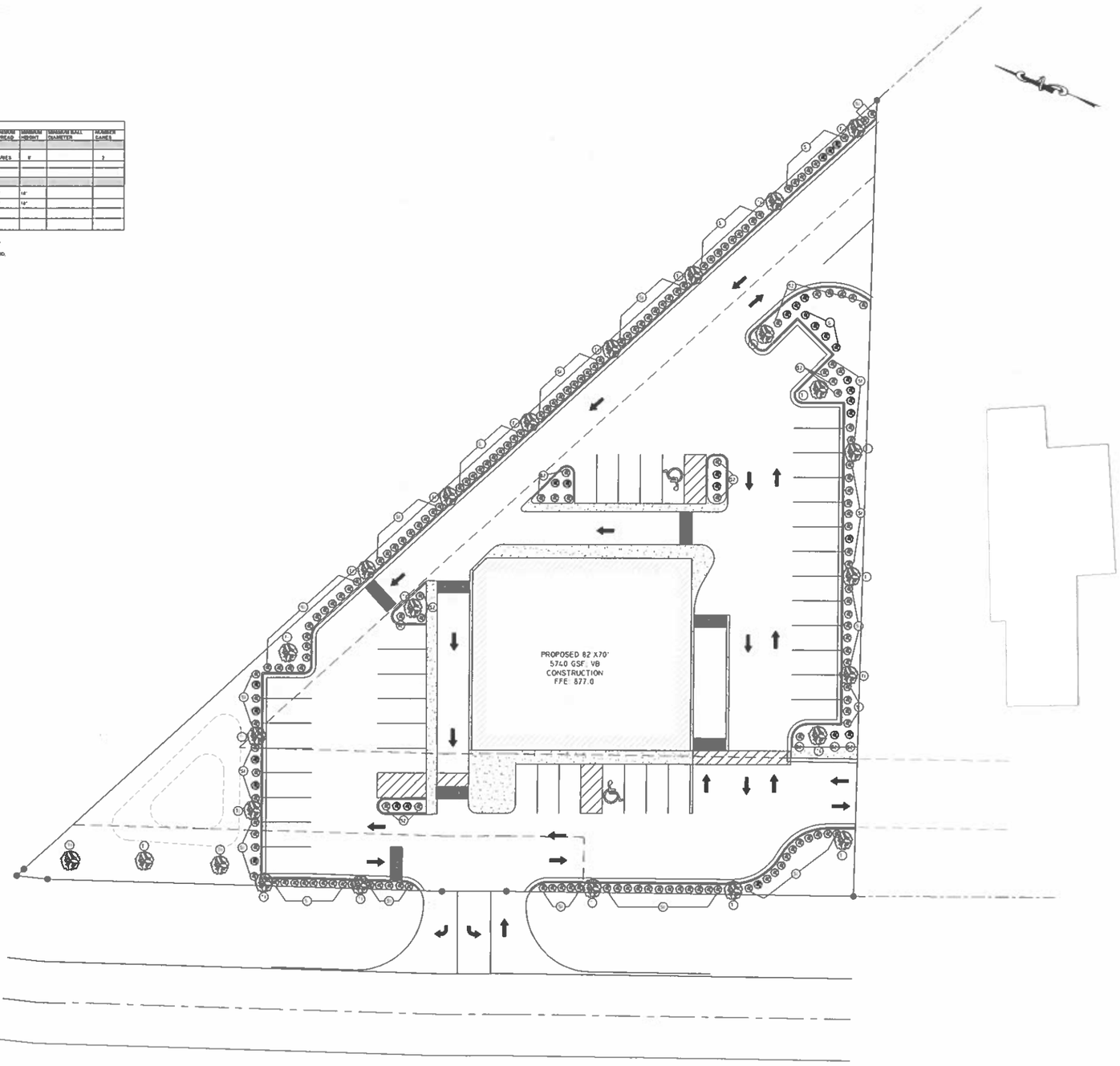
V.U.A.	±25,150 SF
INTERIOR AREA REQUIRED	2516 SF
INTERIOR AREA PROVIDED	±3150 SF
INTERIOR TREES REQUIRED	2516 SF ÷ 1 TREE / 250 SF = 10 TREES
INTERIOR TREES PROVIDED	22
EXISTING CANOPY	0 SF
CANOPY REQUIRED	8975 SF
CANOPY PROVIDED	24 TREES AT 750 SF PER TREE = 18000SF

PLANTING SCHEDULE

SYM	ABBREV.	QTY.	BOTANICAL NAME	COMMON NAME	MINIMUM CALIPER	MINIMUM SPREAD	MINIMUM HEIGHT	MINIMUM BALL DIAMETER	NUMBER GAMES
			TREES						
T	RED MAPLE	24	ACER RUBRUM	RED MAPLE	2"	VARIES	8'		2
			SHRUBS - PERENNIAL						
B	BUXUS	173	BOXUS 'WITH'	BOXWOOD - GREEN MTN.	24"	18"	18"		
S2	BUXUS	32	BOXUS 'DWARF'	BOXWOOD - DWARF	24"	18"	18"		

LANDSCAPE NOTES

1. ALL LANDSCAPE BEDS SHALL BE FINISHED WITH NO. 57 RIVER STONE WITH A BED WIDTH MIN. 36"
2. ALL TREE RING MULCH SHALL BE MIN. 3' DIAMETER AND SHALL BE MULCH
3. THE DETENTION BASIN AND ALL DISTURBED AREAS THAT ARE NOT MULCH OR STONE SHALL BE SOD.
4. LANDSCAPE CONTRACTOR SHALL PROVIDE WATERING CONTRACT UNTIL SOD IS ESTABLISHED.



TOPOGRAPHIC LEGEND

- EX. CONTOUR
- GAS LINE
- OVERHEAD COMMUNICATION LINE
- OVERHEAD ELECTRIC LINE
- STORM SEWER PIPE
- SANITARY SEWER PIPE
- WATER LINE
- UTILITY POLE
- LIGHT POLE
- UTILITY POLE ANCHOR
- CONTROL POINT
- GAS METER
- GAS VALVE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- STORM SEWER MANHOLE
- STORM SEWER INLET
- SANITARY SEWER MANHOLE
- CLEAN-OUT
- ELECTRIC BOX
- ELECTRIC METER
- TELEPHONE BOX
- SIGN
- BOLLARD
- AC UNIT

BOUNDARY LEGEND

- SURVEYED BOUNDARY LINE
- LINE OF EASEMENT
- CENTERLINE

OWNER:
PRAGNESH PATEL
2332 CROSS CREEK TRACE
LEXINGTON, KENTUCKY 40509
(M) 859 552 3377

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BLUEGRASS PETROLEUM, LLC
PROPOSED LEASE SPACE

355 CONNECTOR ROAD
GEORGETOWN, KENTUCKY 40324

NO	REVISIONS	DATE

DRAFTING: JT ENGINEER: BDG
DATE: MAY 7, 2026
PROJECT NO.: 2026-031
SCALE: 1" = 30'

SHEET TITLE
LANDSCAPE PLAN

SHEET
C.105

VUTEQ OUTDOOR AC UNIT ADDITION
PRELIMINARY DEVELOPMENT PLAN AMENDMENT

Staff Report for the Georgetown-Scott County Planning Commission
November 12, 2026

FILE NUMBER: **PDP 2025-63**

PROPOSAL: Amendment to an approved plan to include installation of an exterior Ground Mounted HVAC Unit (GMU) to be located along Lemons Mill Road.

LOCATION: 100 Carley Drive, Georgetown

OWNER: Vuteq Corporation

APPLICANT: Jordan Ellis

CONSULTANT: Lucas Garrett



STATISTICS:

Zone:	I-1 (Light Industrial)
Surrounding Zones:	I-1, R-2, R-3, B-2, B-4, A-1
Acreage:	24.32 acres
Direct Access:	Carley Drive
Arterial Access:	McClelland Circle (US-62)
Variances:	15-foot variance from an established 20-foot setback requirement along Lemons Mill Road.

BACKGROUND

The project site has frontage on Lemons Mill Road (north), McClelland Circle (east), Kaden Lane (south), and Carley Drive (west). The site is accessed from existing driveways off Carley Drive or Kaden Lane. The project site is zoned I-1 (Light Industrial), and the existing and proposed uses are permitted by right. Since 1987 the project site has developed incrementally, including at least ten (10) development plans for building additions and three (3) development plans for parking expansion.

In 2013, the existing 179,100 square foot building was expanded by 40,200 square feet on its eastern and northern sides (PDP-2013-07). At the time, a 14-foot variance to adjust the 50-foot front yard setback to 36 feet along Lemons Mill Road was approved by the Planning Commission, with Staff citing efficiency of manufacturing equipment use and indoor space of facility, and minor visual impact from view from Lemons Mill Road as the basis for the variance.

In 2016, a building expansion of 94,458 square feet to the east and southeast corner of the existing structure was approved by the Planning Commission (PDP-2016-39). The expansion included a variance for a 30-foot setback along Lemons Mill Road and a 36-foot setback along McClelland Circle, both approved by the Georgetown Board of Adjustments (G-2016-18). The initial request from the Applicant was for a variance to allow for a 2.6-foot setback from Lemons Mill Road and a variance to allow for a 9-foot setback from McClelland Circle.

In its recommendation of denial of that application, Staff opined that the proposal did not satisfy the KRS 100.243 findings necessary for granting a variance. More specifically, Staff posited that there were no special circumstances that existed on this site that do not exist on other sites in this area and that there are no unique circumstances to necessitate granting a building to be constructed on the edge of the right-of-way for Lemons Mill Road.

Staff further stated that a strict application of the provisions of the regulations would not deprive the Applicant of a reasonable use of the land, and that variances of this scale have not been granted in the surrounding area or in any industrially zoned properties in Georgetown. The request for these variances stemmed from the proposed development by the Applicant and was not the result of some drainage, topographical challenges, or other uncontrollable issue.

Following discussion at the July 5, 2016, GBOA meeting, it was unanimously agreed upon by the Board for the Applicant to return for a special meeting on July 18, 2016, with a revised application. The revised application reconfigured the building layout while maintaining the same proposed square footage but proposed a 30-foot setback from Lemons Mill Road and a 36-foot setback from McClelland Circle, both of which were approved.

A condition of that approval was that a brick veneer be used to cover the stem wall or that materials other than brick may be acceptable with approval from the Board of Adjustments. The Applicant afterward requested an alteration to this condition, and the Board approved for the stem wall to be prepared, rubbed, and coated with textured paint.

In 2024, two building bump out expansions – approximately 1,224 square feet and 3,015 square feet, respectively – were approved (PDP-2024-09), along with a variance for a 20-foot setback along Lemons Mill Road. Regarding the requested variance, Staff opined the following: "Given the current building position on the lot and internal layout, there are limited areas where the building can be expanded. The proposed locations allow for the greatest usability of the site and would not alter the character of the property. Staff is in support of this variance request given the incremental pattern of site development and current building footprint and uses."

In 2025, an application that was in compliance with all zoning and development regulations was ministerially approved (PDP-2025-63) for a 1,800 square foot expansion to the north side of the building, a 2,700 square foot expansion to the east side of the building, a 41,809 square foot expansion on the south side of the building, an expansion of the parking area, retaining walls, and a reconfiguration of the stormwater management plan.

In 2026, citing the need to address increasingly problematic interior heat generated from their manufacturing process, the Applicant inquired about the installation of five (5) Ground Mounted HVAC Units (GMU), four to be positioned along the northern wall of the main structure along Lemons Mill Road and one along the western wall along Carley Drive. Regarding the latter, despite a 25-foot setback line shown along Carley Drive on the 2025 application, no record of such approval was found, and the Applicant was recently granted a variance with the Georgetown Board of Adjustment to allow for the installation of that proposed GMU.

Regarding the four (4) proposed GMUs along Lemons Mill Road, three of them were to be placed within the previously established 20-foot setback along Lemons Mill Road, and their installation was approved as a minor development plan. This plan included a row of evergreen trees to screen these three units as well as the building bump out that was approved in 2024 (PDP-2024-09). Following this, an application for an additional 79,320 square-foot building expansion and increase in parking to the south has been under ministerial review (PDP-2026-31), and its determination is pending.

The remaining proposed GMU along Lemons Mill Road would require a variance for a 5-foot setback along that boundary. The Applicant has submitted an application, on which this staff report is written, for an amendment to the approved 2025 expansion plan (PDP-2025-63) to include the installation of the proposed GMU and the associated variance.

PLAN AMENDMENT REVIEW

Proposed Structure Details

The submitted amended plan proposes the installation of a *10-foot* wide, *30-foot* long, and *8-foot* tall GMU atop an approximately 32.5-foot by 60-foot (1,950 square feet) concrete pad. The unit is to be located adjacent to the building's exterior wall and is to be screened by a metal, louvered wall similar in shade to that of the building. This louvred wall would serve as the screening, as required for service structures, and would be 10 feet tall with the bottom two feet overlapping with the support structure.

As the GMU is to be placed on a 38% graded slope, support for the partially elevated structure is to be either a cement retaining wall and infill with a slab on top or piers with a structural steel I-beam support and tabletop slab. The street-side of the support structure is to be 12 feet above grade, and, in combination with the louvred wall, the total structure will rise 20 feet above the lowest grade facing the road. Submitted renderings of the proposed GMU include a few evergreen trees for the retaining wall and infill support and several evergreen trees for the pier support. The northeast corner of the proposed structure and its support system will be positioned 5 feet from the north property line.

Setback Requirements

The property is zoned I-1 (Light Industrial) and fronts along Carley Drive, Lemons Mill Road, and McLelland Circle. The required front yard setback in the I-1 zoning district is 50 feet. As previously noted, the property has received a variance for a 36-foot setback from McClelland Circle (PDP-2016-39) and three separate variances to move the setback along Lemons Mill Road from 50 feet to 36 feet (PDP-2013-07), then from that distance to 30 feet (PDP-2016-39), and then to 20 feet (PDP-2024-09).

Landscaping/ Screening

Change to Existing Development

Section 2.20 of the *Georgetown & Scott County Landscape & Land Use Buffer Ordinance* states that no building, structure, or vehicular use area (VUA) shall be expanded, moved, or reconstructed and no use shall be changed to another use or increased in intensity unless the minimum landscaping required by the provision of this Article is provided for the property.

Landscaping for Service Structures

Section 6.23 of the *Landscape Ordinance* identifies service structures to include propane tanks, dumpsters, air conditioning units and condensers, electrical transformers and other equipment or elements providing service to a building or a site. The section further specifies that all service structures shall be fully screened except when located in an industrial zone or when located more than 35' above the established grade (roof-top structures). Service structures in an industrial

zone shall be fully screened when located within 100' of any zones except industrial, or within 100' of a public right-of-way or private access easement. The proposed GMU is to sit within 100 feet of a public right-of-way and, therefore, must be fully screened.

The Applicant has proposed installation of a metal, louvered wall, which will fulfill the service structure screening requirements. The wall, however, will not screen either the cement retaining wall and infill or the alternative concrete piers with structural steel I-beam support for the slab. The Applicant has proposed in renderings of the project the inclusion of evergreen trees to help shield the support system from view.

Perimeter Landscaping Requirements
Section 6.12 of the *Landscape Ordinance* addresses property perimeter requirements and specifies that any double frontage lot along any freeway or arterial street not providing direct access to the property shall include a 10-foot (20-foot for residential zones) landscape buffer that includes the placement of a medium or large tree every 30 feet of the linear boundary plus a continuous 6-foot-high planting, hedge, wall, fence, or earth mound.

The *Subdivision and Development Regulations* define arterials as streets designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic. From its intersection with McClelland Circle westward to its transition into Clayton Avenue, Lemons Mill Road is owned and maintained by the City of Georgetown. Its posted speed limit is 35 miles per hour, its Annual Average Daily Traffic count is 2,404, and its width, excluding the right-turn lanes as it intersects with McClelland Circle, is approximately 40 feet, which is the required width for a non-residential collector road.

This section of Lemons Mill Road cannot be classified as an arterial street, and, thus, the perimeter landscaping requirements are not applicable to this application. If, however, the application were to be approved, the Planning Commission board could require this landscaping, or something similar, be installed for screening purposes.

VARIANCE STANDARDS
On July 12, 2026, the Georgetown City Council approved an amendment to the *Georgetown-Scott County Subdivision & Development Regulations*, establishing, thenceforth, that, within the jurisdiction of the City of Georgetown, under Section 1.9, the Planning Commission may grant variances from strict application of these Subdivision and Development Regulations solely in accordance to the procedures and findings required of the Board of Adjustment for zoning variances, as set forth in KRS 100.243 (City Ordinance 26-12).

The application for this plan amendment was submitted on July 1, 2026, prior to approval of zoning text amendment, and review of the requested variance is to be in accordance to Article I, Section 135 of the *Subdivision and Development Regulations*, which established that the Planning Commission may grant variances according to the following options:

A. Variances may be granted according to the same purposes, analysis, and findings required of the Board of Adjustment for zoning variances, as set forth in KRS 100.243;

   Kentucky Revised Statues 100.243 has established the following findings as necessary for granting variances:

   1. *Before any variance is granted, the board must find that the granting of the variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and*

will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:

a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*

b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*

c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*

2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*

B. Variances may be granted for the purpose of encouraging flexibility and economy in site design and/or providing for open space or protection of environmentally sensitive areas, if the intent and purpose of these regulations and the goals, objectives, and policies of the Comprehensive Plan are substantially met; or

C. Variances may be granted to accommodate physical conditions exceptional and unique to the property sought to be subdivided or developed, if the intent and purpose of these regulations and the Goals, Objectives, and Policies of the Comprehensive Plan are substantially met.

VARIANCE REQUEST

The requested amendment of the approved development plan (PDP-2025-63) is for the inclusion of 300 square foot GMU and associated 1,950 square foot concrete pad atop a support structure. A corner of the proposed support structure would rest 5 feet from the boundary line along Lemons Mill Road, and the Applicant is requesting a limited, project specific variance of 15-foot from the established 20-foot setback requirement along Lemons Mill Road.

In a narrative supporting the request, the Applicant addresses the increasingly and extremely hot working conditions in the building as a result of the addition of building square footage and process equipment to support Vuteq's business growth. The Applicant contends that the proposed GMU will address the concerns of extreme indoor temperatures around process equipment by improving the facility's indoor air quality and ensuring a safe and comfortable working environment. The Applicant has provided the following supportive information regarding the requested variance:

<u>Impact on Public Health, Safety, or Welfare</u>

The Applicant has stated that the addition of this ground mounted air conditioning unit would remain safely out of the right-of-way of Lemons Mill Road with the proposed setback variance as the edge of the unit would be located approximately 65 feet from the nearest edge of the eastbound right-turn lane on to McClelland Circle southbound. With this distance and the fact that this air conditioning unit poses no significant danger to its surroundings, it is believed it would have no impact on the safety of motorists upon Lemons Mill Road.

The proposed air conditioning unit would positively impact the health, safety, and welfare for the employees of the Vuteq facility as the proposed GMU would remove 150 nominal tons of heat

from the injection molding process, would introduce approximately 10,500 cubic feet per minute of fresh outside air into the facility, and would filter out harmful dust and particulates from the facility.

Impact on Essential Character of the General Vicinity

The Applicant contends that the addition of an industrial grade HVAC unit generally fits within the established physical appearance and land-use of an area that is zoned for industrial use and points to existing GMUs currently installed at Vuteq and neighboring facilities as examples. As stated above, the Applicant estimates that the proposed structure at the closest point to Lemons Mill Road will be approximately 65 feet from the asphalt.

By Staff estimates, this is approximately 10 feet closer to the two-lane street surface than the previously approved GMUs and the building bump out. The already approved GMUs, the building bump out, and the proposed GMU with this application are 1/3 to 1/2 the height of the main structure, and the line of similar-looking features create a proportional balance frontage appearance.

To alleviate any potential negative impacts on the character of the general vicinity the Applicant proposes to install a louvered screen wall around the perimeter of the HVAC unit to create a uniform surface to match the color of the existing building that allows proper airflow to the HVAC unit. The Applicant has provided renderings of what the proposed wall would look like as well as two options for supporting the unit: one as a cement retaining wall and infill with a slab on top and the other as piers with a structural steel I-beam support and tabletop slab.

Potential for Hazard or Nuisance to the Public

The Applicant asserts that there would be little to no noticeable audible nuisance produced above the existing noise consistent with an industrial park, that the louvered screen wall will reflect any produced noise back towards Vuteq's building, that the absence of sidewalks means most passersby will be in vehicles and will be shielded from ambient noise, and that any additional noise would likely go unnoticed altogether.

Potential for Unreasonable Circumvention of the Requirements of Zoning Regulations

The Applicant points out that the support structure on which the GMU would sit is larger than the unit itself (approximately 84% larger). Because of the significant dropoff in grade as one approaches Lemons Mill Road from the building, a larger platform is necessary in order to provide the required service clearance for the unit. On flatter ground, which is more typical for GMU placement, an oversized support structure would not be required. The Applicant asserts that the requested variance for a five-foot setback at this spot is the minimum necessary. Because of the steepness of the slope, further development in that direction is problematic and there are no further plans for such.

Special Circumstances

The Applicant has provided the following assertions in support of this application specifically respective to KRS 100.243:

1. The property has triple frontage which by default increases the minimum setbacks, reducing the buildable area on the property.

2. The injection molding process which creates the extreme heat within the building requires a high bay (tall structure) with an integrated overhead crane system to transport the large molds and other components required for operations. This high roof construction is unique to the area running parallel to Lemons Mill Road, including the location of the proposed GMU. This results in a scenario where the owner cannot simply relocate a portion of this

process to a different area of the building where HVAC equipment could be located without encroachment on setback boundaries.

3. Continued growth in business over the last 40 years has led to several building additions and areas of industrial production development. This, in turn, has created a scenario where feasible locations for support equipment such as this proposed GMU have become limited.

4. The existing, pre-engineered building structure is not designed to support the weight of this air conditioning unit, which, therefore, cannot be reasonably and safely placed on the roof. The building designer and manufacturer (Star Buildings) provided the following statement regarding the suitability of the structure to support heavy roof loads:

   > The current structure is not designed to support a 22,000# roof top unit. That much weight would need to be supported by additional columns underneath and would likely create ponding on the roof with a 1:12 roof pitch. Our best recommendation is [to] put the unit on the ground.

   The addition of columns with footings installed within the existing production floor is possible but is not a reasonable option due to the amount of work needed and the impact on production. This solution would involve cutting and removal of the existing slab, digging out and pouring concrete footings, erecting steel columns from floor to roof, as well as beam structures interconnecting the new columns.

   Structural modifications of this magnitude would have massive impacts on operations due to the injection molding equipment downtime required to complete the structural modifications. This impact would create an economic hardship ripple effect on not only Vuteq's operations but also TMMK's production capabilities.

5. There are no other feasible locations around the perimeter of this injection molding area to set the proposed GMU-07 on the ground.

   a. The northern portion of the building, alongside which the proposed GMU is to be placed, is a high-bay area in which a large portion of the injection molding process, which rejects significant amounts of heat, is located. Therefore, the proposed AC unit needs to be located nearby to provide cooling to this area of extreme process heat gain.

      In total, the Lemons Mill high bay area houses sixteen (16) injection mold machines. During operation, these machines have an average mold temperature of approximately 250 to 440°F, much of which is radiated into the room. Four (4) of the injection mold machines have been installed in the past 5 years, three (3) of which are located in the area in which the proposed GMU would be conditioning. Additionally, these new machines located in the GMU-07 area are the three largest of the sixteen (16) total machines and, therefore, dissipate the most heat into the surrounding space.

   b. To the west of the proposed location is an existing building bump out and service structures installed on the west side of that bump out, meaning locating this unit further west of the proposed location is not feasible. This building bump out to the west was built to house "re-grind" equipment which will allow Vuteq to re-use any defect parts by re-grinding them back into raw material form where it can then be added back into the process and used to create a successful and marketable part.

This re-grind investment introduces additional sustainability to Vuteq's process by reducing waste material. East of the proposed location would result in a more severe building setback encroachment scenario than is currently being presented and is much less developable due to the extreme grade changes. The opposite side (south) of this high-bay processing area is occupied by either existing building or access roadway with overhead/dock doors for facility shipping/receiving and therefore presents no opportunity for placing this unit.

Creation of Unnecessary Hardship on the Applicant

The Applicant contends that the unnecessary hardship stemming from the potential denial of this application is the lack of an air conditioning unit required to maintain a safe and reasonable working environment in this injection molding area. Denial of this application would result in denial of the proposed HVAC unit altogether. The denial has the potential to create a multi-level economic hardship.

1. Denial of this application creates a scenario where work around this injection molding area would be uncomfortable at best, but also potentially hazardous for employees when outdoor conditions are hot and the machines are experiencing high demand. The working environment in this area has become less than ideal and borderline dangerous at times, depending on outside weather conditions. Vuteq's Human Resources department has reported that from June 2026 thru August 2026 alone, they lost (29) employees, all of whom cited heat-related reasons for their departure. This trend is less than ideal, especially when the operations of the injection mold machines require skilled individuals who tend to accel after adequate experience in their roles.

   Excessive heat is not the only reason for employee turnover, but it has become a leading contributor. Providing an air conditioning solution to curb this issue creates an environment much better suited for prolonged success, starting with the team members themselves.

   Vuteq Human Resources' data projects a substantial growth in employees in the coming year, projecting increase from the current personnel count of 269 up to possibly 550. This outlook is favorable. Not addressing the heat issues within the building would make this goal much more difficult to achieve.

2. Denial of this application would not only negatively impact Vuteq's operations, it would also likely disrupt Vuteq's biggest and best customer, Toyota Motor Manufacturing KY. Vuteq has indicated that 63% of their production stays in Georgetown by way of TMMK. Any hardship experienced by Vuteq is sure to be felt by TMMK as well.

   Injection molding is Vuteq's principal production operation, and any steps taken to support the injection molding staff and processes at Vuteq also supports Toyota and its staffing.

3. In the Economic Growth chapter of the 2024 Comprehensive Plan, it recognizes that Scott County is a manufacturing-based economy and that growth comes primarily thru developing existing businesses and relationships in the county. The Applicant asserts that Vuteq is a prime example of this statement and is one of the pillars in which the county's economy rests. The Applicant believes that denial of this proposal would put undue strain on its contribution to the economic growth of the community in which it has thrived for nearly 40 years.

Additional Supporting Information

The Applicant states that the proposed approach to providing the cooling system needed is the only feasible one, outlining the ineffectiveness of other options, including the following:

1. Ventilations/Exhaust System: The ventilation of heated air from the inside of the building to the outside creates a pressure differential that would need to be addressed by bringing in external air to equalize the pressure. The introduced fresh air would need to be cooled, especially in the summer season, and dehumidified, which would require a larger HVAC system and more energy than the proposed system.

2. Chilled Water System: To effectively handle the required cooling load for the operation, this system, which would circulate chilled fluid to capture and remove heat from the building, would require more interior and exterior space than what is available on site.

3. Ground Source/Geothermal System: In this system, the ground serves as a steady-state thermal mass to and from which heat can be transferred via circulation of fluid as the transfer medium. As the operation requires consistent cooling and does not need any warming, the one-way transfer of heat to the thermal mass would increasingly reduce the effectiveness of the ground to serve as location that can accept additional heat.

ANALYSES OF VARIANCE STANDARDS

As stated above, the Planning Commission may grant variances from strict application of the *Subdivision and Development Regulations* either 1) in accordance with KRS 100.243, 2) to encourage flexibility and economy in site design or protection of open space, or 3) to accommodate unique physical characteristics of the property. Staff has considered each of these variance-granting options for the Planning Commission and presents the following analysis:

1) KRS 100.243

Staff offers the following analysis of Kentucky state statute for variances based on the standards set forth in that statute and the evidence presented by the Applicant. Staff offers two interpretive options of the evidence and a respective recommendation for each of those options for the Planning Commission to consider in its deliberation.

Kentucky Revised Statues 100.243 has established the following findings as necessary for granting variances:

1. *Before any variance is granted, the board must find that the granting of the variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*

Staff agrees with the Applicant's assertion that the requested variance for the installation of a GMU as proposed would not adversely affect public health, safety, or welfare and that it would not cause a hazard or nuisance to the public.

Staff also agrees with the Applicant that the proposed GMU generally fits within the general character of industrial sites but does contend that placement of the proposed GMU and its support structure five (5) feet from the property line will have a noticeable visual impact and would recommend measures beyond the proposed louvered screen wall to soften the visual effect. Of the two design options for the support structure, Staff would recommend the turndown slab with poured concrete pad as it may better blend with the surface of the stem wall

of the 2016 building addition. Staff would also recommend that landscaping – to include small trees, bushes, and native perennials – be planted and maintained along the base of the support structure's stem wall, where soil conditions allow, to provide varied texture and color to the proposed installation.

Regarding the potential for an unreasonable circumvention of the requirements of the zoning regulations, Staff agrees with the Applicant that the proposed action is not an attempt to unjustifiably bypass, subvert, or circumvent the established regulations and that the Applicant has followed the required process in seeking relief from the strict application of the regulations and that the relief sought is the minimum necessary. If the variance were to be approved, Staff would recommend that it be applicable only to the proposed action and that the five-foot setback would be applicable only to the GMU support structure as proposed.

a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*

Special circumstances include unique conditions specific to an applicant's property and are distinctive from other properties in the vicinity or in the same zone. These conditions may include an unusual shape, a unique topographic feature, or a specific historical or environmental constraint.

The Applicant property does not have an unusual shape or dramatically unique topographic features that may distinguish it from other industrial properties in the vicinity. It has shown distinction from other nearby properties in its rate of growth and of building expansions. As detailed earlier, the Applicant property has seen multiple building expansions that include a quickened pace in recent years (2013, 2016, 2024, 2025, and 2026). During these expansions, its building footprint has covered from 34% to 46% of the lot area depending on lot consolidations and respective building expansions. The maximum allowable building coverage of an industrial lot is 50%. Surrounding properties, which include Johnson Controls, United Talent, Minova USA, and International Crankshaft, have seen limited to no change in the last decade, and their estimated building coverages are, respectively, approximately 15%, 13%, 23%, and 34%.

As noted by the Applicant's narrative under Special Circumstances, outlined above, the property has triple frontage which, by default, increases the minimum setbacks, thus reducing the buildable area on the property. Regulations require in the Industrial Zone (I-1) a minimum front yard setback of 50 feet, a side yard setback of 12 feet, and a rear yard setback of 25 feet. The Applicant has addressed this constraint through multiple variance requests, most of which have been granted.

While the initial 2016 request of 2.6-foot and 9-foot setbacks was not approved, the altered request for 30-foot and 36-foot was. In its recommendation for the 2024 approval of a variance to move the setback along Lemons Mill Road from 30 feet to 20 feet, Staff wrote, "Given the current building position on the lot and internal layout, there are limited areas where the building can be expanded. The proposed locations allow for the greatest usability of the site and would not alter the character of the property. Staff is in support of this variance request given the incremental pattern of site development and current building footprint and uses."

Staff agrees with the Applicant that triple frontage of the project site and subsequent constraint on buildable area is unique in the vicinity and that other nearby industrial sites are not faced with that limitation. Given the additional distinctiveness of accelerated growth and expansion of this site, the Planning Commission Board may wish to consider whether this acceptably qualifies as special circumstances for the purpose of assessing the merits of this variance request.

b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*

Reasonable Use of Land

Reasonable use of land is a legal principle that dictates how an individual or entity may utilize their property or a shared resource without causing undue harm or infringing upon the rights of others. It involves a balancing act, where the permissibility of a particular action is judged based on factors such as the nature of the use, its impact on others, the necessity of the use, and the overall benefit or detriment it creates.

Staff contends that the existing use of the property is not causing undue harm or infringing on the rights of others, and, as stated above, Staff agrees with the applicant that the proposed GMU will not create a hazard or disrupt the general character of the site or neighborhood. Staff contends that a strict application of the provisions of the regulations would not deprive the Applicant of reasonable use of the land.

Unnecessary Hardship

According to USLegal.com, an unnecessary hardship is a term commonly used in zoning law to justify the granting of a variance from zoning regulations. The applicant must demonstrate that under applicable zoning regulations, the applicant is deprived of all economic use or benefit from the property in question and that the deprivation must be established by competent financial evidence. Evidence of unnecessary hardship generally includes the following:

- The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

As a response to growing demand for its products, Vuteq has enlarged its scale of operations, has expanded its facility, and has increased its production machinery in multiple phases. The injection molding process is a key component of its production, and the Applicant has commented on the challenges of high internal temperatures resulting from that process. These include the loss of trained personnel who have resigned because of the heat extremes at work and the need to install several industrial-sized HVAC units to mitigate the interior heat being created from Vuteq's production process. To keep up with market demand, Vuteq projects that its staffing needs will nearly double in the next year. The Applicant has expressed concern that unless the excess interior heat is adequately addressed, remaining competitive in a quickly expanding market threatens its continued financial viability. The Applicant has stated that more than half of its products supply TMMK, a major industrial and economic enterprise in Georgetown, and the Applicant has indicated that a disruption in that supply may affect that larger operation.

- That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

As mentioned above, the Applicant property is distinct from other industrial properties in the vicinity due to its triple frontage and subsequent constraint on buildable areas. Locating the proposed GMU in a different location is impractical either because there are other existing essential features elsewhere in close proximity to the heat-producing process that cannot be moved or because placement on the roof would require considerable expense and disruption of production and is largely advised against by the building manufacture because of the additional problems that would be created from such a placement.

- That the requested variance, if granted, will not alter the essential character of the neighborhood; and

As outlined above, Staff believes that the proposed GMU and its support structure would not alter the essential character of the neighborhood.

- That the alleged hardship has not been self-created.

It appears that through the recent and continued building expansion, the Applicant has responded as nimbly as possible to expanding market demands for its products by focusing on increasing production without anticipating and planning for in an overall development plan for the effects of that increase in production.

> c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*

As stated above, Staff believes that the current circumstances in which the Applicant is requesting a variance for the placement of a GMU in order to address the interior heat effects of its increase in production is the result of action taken subsequent to adoption of zoning regulations, evidenced by the number of variances previously requested and granted.

2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought."*

The Applicant has not previously or willfully violated zoning regulations and has pursued legal means in seeking relief from strict application of regulations, and the Applicant is currently seeking legal means for relief from strict application of regulations.

Recommendation with Respect to KRS 100.243

1. If the Planning Commission Board were to adopt a rigid interpretation of the findings necessary by KRS 100.243 standards for the granting of a variance for this application, Staff would recommend **denial.**

While Staff finds that the proposed GMU and support structure would not create a public hazard or nuisance nor adversely impact the character of the neighborhood and that no circumvention of the law has been attempted, the special circumstances noted by the Applicant - the triple frontage and resultant limitation of buildable area - is not consistent with the typically applied constraint criteria of property shape, size, or environmental barrier. As stated above, Staff contends that a strict application of the provisions of the regulations would not deprive the Applicant of reasonable use of the land. Staff agrees with the Applicant that denial of the variance and the subsequent inability to install the proposed GMU in the proposed location would likely lead to economic challenges, but it would not rise to the level of depriving the applicant of all economic use or benefit from the property itself.

As noted in the initial variance request for 2.6-foot and 9-foot setbacks in the 2016 expansion, Staff then contended that circumstances of the site were not so unique and distinctive from other industrial sites in the vicinity as to merit the scale of such a proposed encroachment and the placement a building so close to a right-of-way. Staff also posited that a strict application of the provisions of the regulations would not deprive the Applicant of a reasonable use of the land and that the request for these variances stemmed from the proposed development by the Applicant and was not the result of some drainage, topographical challenges, or other uncontrollable issue.

2. If the Planning Commission Board were to adopt a more amenable interpretation of the findings necessary by KRS 100.243 standards for the granting of a variance for this application, Staff would recommend **approval.**

Regarding special circumstances unique to the property, Staff would note that the applicant has repeatedly had to address the constraint of limited buildable area due to triple frontage, in particular along Lemons Mill Road and that the requested variances have frequently been granted. Staff recognizes that denial of the requested variance may hinder the Applicant's ability to resolve the excessive interior heat issue, which is likely to result in production slowdown and economic stagnation or decline, which is likely to negatively impact downstream enterprises dependent on Vuteq's products.

More importantly, however, Staff recognizes the impact that the heat has on Vuteq's workforce. As asserted by Staff in Vuteq's successful application for a 25-foot variance along Carley Drive for the installation of a GMU (G-2026-23), a lack of cooling and air quality within a manufacturing facility is likely to create unsafe working conditions, particularly in the summer months. Staff posited that denial of the variance would in essence preclude the AC unit, and preclusion of the AC unit would create unreasonable, inconvenient, or potentially unsafe working conditions, and that these are a reasonable expectation for any industrial use.

2) Flexibility and Economy in Site Design

As stated in Article I, Section 135 of the Subdivision and Development Regulations, the Planning Commission may wish to consider the option of granting a variance for "the purpose of encouraging flexibility and economy in site design ... if the intent and purpose of these regulations and the goals, objectives, and policies of the Comprehensive Plan are substantially met."

With respect to the standards for encouraging flexibility and economy in site design, Staff offers the following analysis of the *Zoning Ordinance*, the *Subdivision, Development Regulations*, and *Landscape Ordinance*.

Zoning Ordinance

The stated purpose of the *Georgetown-Scott County Zoning Ordinance* is ... "to promote the general welfare by establishing and regulating zoning districts throughout Georgetown, Stamping Ground, Sadieville, and Scott County for the specific purposes detailed in the Kentucky Revised Statutes, Section 100.201. In establishing the zoning districts, this ordinance seeks the general welfare by designating sufficient space for all necessary uses of the land, by protecting the permitted uses in each district from the undesirable effects of conflicting uses, and by ensuring the stable value of all permitted development."

In its publication, *The Significance of the Setback* (Quattro 2021), the American Planning Association summarizes the long-held laws since ancient civilizations requiring spacing around buildings for many purposes, including sanitation (gutters and flow of waste), fire safety (following the 64 AD Great Fire of Rome, London's fire of 1666, Chicago 1871, Boston 1872), stormwater (storm drains and surface flow associated with increased density), and aesthetics (privacy gap, interaction with public realm, mitigation of sound, and role in quality of life). The article goes on to discuss the usefulness of vegetation-filled setback space in reducing the urban heat island effect, the ventilation of fumes and odors from industry and manufacturing, and in reducing concentration of pollution.

The front yard setback requirement in the I-1 zoning district is 50 feet. The site has received three previous variances to change the setback along Lemons Mill Road to 36 feet, 30 feet, and then

20 feet. Staff contends that the requested setback variance does necessarily violate the intent and purpose of the *Zoning Ordinance*.

The *Zoning Ordinance* includes the KRS 100.243 standards by which a variance request may be assessed, thus proving an opportunity for relief from the regulations. A provision of the stated intent of the ordinance includes "protecting the permitted uses in each district from the undesirable effects of conflicting uses". Staff believes that the proposed installation of the GMU and its support structure, which would require the requested variance, would not create any undesirable effects.

Subdivision and Development Regulations

The stated purpose and policy of the *Subdivision and Development Regulations* is "... to ensure the protection of public health, safety, and welfare. These regulations ensure that the Goals and Objectives of the Comprehensive Plan, insofar as they relate to subdivision and development, are substantially implemented."

The document does not provide specific comments on setback requirements that may be pertinent to this application. In lieu, the document is to ensure implementation of the Goals and Objectives of the Comprehensive Plan.

Comprehensive Plan

The *2024 Comprehensive Plan* addresses multiple elements in its vision, goal setting, and strategy recommendations. Of the eight elements addressed, Economic Development and Community Form offer the most pertinent perspectives on this issue.

The chapter on Economic Growth supports industrial activity in Georgetown and Scott County, one of its goals (EG 4) being the promotion of Scott County's image as a superior location for industrial development. While none of the stated goals or strategies of his section directly address the built form related to that activity, the Plan does state, "In promoting Economic Development in the County there is a realization that Scott County is a manufacturing-based economy and growth comes primarily thru developing existing businesses and relationships in the county." (page 296)

The chapter on Community Form covers land use and zoning as two general categories for classifying land and permitted uses. Land use classifications are used to describe the existing or future desired uses conducted on a property, regardless of its current zoning designation. Land use planning assesses and selects land uses in accordance with a vision for the future possibilities of development in neighborhoods, districts, cities, or any defined planning area. This includes the scientific, aesthetic, and orderly disposition of land, resources, facilities, and services with a view to securing the physical, economic and social efficiency, health and well-being of urban and rural communities.

A stated goal in this chapter is to (CF 2) maintain and enhance our built environment's form and character and to (CF 2.1) allow for flexibility in land uses and design patterns within projects that provide public amenities or other community benefits. Public amenities are shared facilities and services that enhance quality of life, accessibility, and social cohesion. These may include parks and green spaces as well as libraries and community centers. Community benefits are the positive social, economic and environmental impacts that enhance quality of life and foster social cohesion. These may include environmental improvements as well as affordable housing.

The purposes of land use planning and zoning, as described above, are to select and adopt best land-use options for the community; to – through the established design and development

standards – ensure prudent protections and order of resources, facilities, and services; and to secure physical and operational efficiencies as well as community health and well-being.

Recommendation with Respect to Flexibility and Economy in Site Design
In Staff's view, the requested variance is in keeping with the goals, objectives, and policies of the Comprehensive Plan. The Plan clearly supports the growth of local business, including industry, as well as promotion of job opportunities. While the proposed project does not include public amenities or benefits as described (parks, green space, libraries, community center, etc.) as an allowance for flexibility in design patterns, Staff contends that the project has limited to no adverse impact to the public and that it would provide economic and worker health benefit.

By these standards, Staff would recommend approval of the requested variance for the purpose of encouraging flexibility and economy in site design.

3) Unique Features of Property
The project site is a 24.323-acre rectangle on mostly level ground save for the northeastern and western boundaries. These slopes have been graded over time to accommodate various phases of development. There are no exceptional and unique physical features that would constrain development. Therefore, this cannot be a consideration for approval of variances.

FINDINGS

1. Located along Lemons Mill Road and McClelland Circle, the 24.32-acres project site is zoned I-1.
2. An application for building and parking expansions (PDP-2025-63) was ministerially approved.
3. The Applicant is requesting an amendment to that plan to include the installation of a Ground Mounted HVAC Unit (GMU) along Lemons Mill Road.
4. Placement of that GMU will require a variance to allow for a 5-foot setback along Lemons Mill Road. The amendment request includes a request for that variance.
5. The history of development on the site has included several variances that have moved the setback from Lemons Mill Road from 50 feet to 36 and subsequently to 30 feet and most recently (2024) to 20 feet.
6. The proposed GMU is to be screened by a metal, louvered wall similar in shade to that of the main building. This satisfies the screening requirement in accordance with the Landscape Ordinance.
7. As the GMU is to be placed on a 38% graded slope, it will be partially placed atop a cement retaining wall and infill with a slab on top or concrete piers with a structural steel I-beam support and tabletop slab.
8. Perimeter landscaping is not required by the Landscaping Ordinance, but Staff recommends, if the variance is approved, that such landscaping be included as a continuance of previously approved development plans along Lemons Mill Road.
9. The Applicant has provide a narrative addressing the assessment standards for KRS 100.243.

10. In accordance with Article I, Section 135 of the *Subdivision and Development Regulations*, the Planning Commission may grant variances from strict application of the Subdivision and Development Regulations according to the following:

    a. In accordance with KRS 100.243,

    b. To encourage flexibility and economy in site design if the intent and purpose of these regulations and the goals, objectives, and policies of the Comprehensive Plan are substantially met, or

    c. To accommodate exceptional unique physical characteristics of the property if the intent and purpose of these regulations and the goals, objectives, and policies of the Comprehensive Plan are substantially met.

11. With respect to KRS 100.243, if the Planning Commission Board were to adopt a rigid interpretation of the findings necessary, Staff would recommend denial. If the Planning Commission Board were to adopt a more amenable interpretation of the findings necessary, Staff would recommend approval of the requested variance.

12. With respect to encouraging flexibility and economy of design as an option for approving a variance if the intent and purpose of these regulations and the goals, objectives, and policies of the Comprehensive Plan are substantially met, Staff contends that the application meets the intent and purpose of the regulations and the goals, objectives, and policies of the Comprehensive Plan. Based on this assessment criteria, Staff would recommend approval.

13. With respect to unique features of the property, there are no exceptional and unique physical features that would constrain development. Therefore, this cannot be a consideration for approval of variances.

RECOMMENDATION

Regarding the standards for the consideration of variance as set forth by KRS 100.243:

If the Planning Commission Board were to adopt a rigid interpretation of the findings necessary, Staff would recommend **denial**.

If the Planning Commission Board were to adopt a more amenable interpretation of the findings necessary, Staff would recommend **approval**.

Regarding the standards for the consideration of variance for the purpose of encouraging flexibility and economy in site design, Staff would recommend **approval**.

Variance:

1. Variance to the front yard setback set back (north, facing Lemons Mill Road) from the previously established 20-foot setback to 5 feet, applicable exclusively for the proposed GMU HVAC unit.

Conditions of Approval:

1. All applicable conditions of approval of previous approvals.

2. All applicable requirements of the *Zoning Ordinance*, the *Subdivision, Development Regulations*, and *Landscape Ordinance*.

3. 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.

4. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual including a post-construction stormwater management BMP O&M agreement.

5. 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.

6. An inclusion of landscaping – to include small trees, bushes, and native perennials – be planted and maintained along the base of the support structure's stem wall, where soil conditions allow.

7. All requirements of applicable utility companies regarding service provision and easements.

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From: Josh Weber P.E., Ivey Mechanical Company, on behalf of Vuteq Corp.
Date: 10/28/2026
Subject: Outdoor AC Unit (GMU-07) Variance Request Support Narrative

The applicant/owner (Vuteq Corp.) is attempting to improve facility working conditions and indoor air quality for their employees by the proposed addition of a new ground mounted air conditioning unit (GMU-07) to serve a portion of their injection molding process area. Over the past few years, the owner and its' employees have experienced extremely hot working environments within their facility during summer months. This situation is a result of the addition of building square footage and process equipment to support Vuteq's growth in business. The proposed variance request is to accommodate the addition of one outdoor air conditioning unit (GMU-07) that would sit on a concrete pad or structural steel platform, located on the north side of the existing building facing Lemons Mill Road. This will address the concerns of extreme indoor temperatures around process equipment by improving the facility's indoor air quality, ensuring a safe and comfortable working environment. With the existing 20-foot building setback variance, there is no opportunity to locate this new equipment where it is needed along the north side of the existing building without encroachment. This narrative describes the many reasons why the proposed location is the only feasible option. The applicant recognizes the purpose of the zoning regulations and seeks a limited, project-specific variance rather than a general exemption from setback requirements.

The applicant would first like to systematically address KRS 100.243 in the order in which the statute is constructed.

Impact on Public Health, Safety, or Welfare:

The applicant believes the addition of this ground mounted air conditioning unit would remain safely out of the right-of-way of Lemons Mill Road with the proposed setback variance as the edge of the unit would be located ~65 feet from the nearest edge of the roadway. With this distance and the fact that this air conditioning unit poses no significant danger to its surroundings, it is believed it would have no impact of the safety of motorists upon Lemons Mill Road.

The applicant believes this proposed air conditioning unit would actually have a positive impact on public health, safety, and welfare particularly for the employees of the Vuteq facility. The proposed air conditioning unit would remove tremendous amounts of heat (150 nominal tons) that is currently being produced by the injection molding process. The unit will also introduce a significant amount of fresh outside air (~10,500 cubic feet per minute) while it is operating. The proposed unit will also be provided with a filtration section, removing dust and particulate that would otherwise potentially be airborne for employees to inhale. For these reasons, the applicant believes the proposed air conditioning unit would have a significant positive impact on the employees' health, safety, and wellbeing who are stationed within this area.

Impact on Essential Character of the General Vicinity:

First, the applicant believes the addition of an industrial grade HVAC unit generally fits within the established physical appearance and land-use of an area that is zoned for industrial use. To support this claim, there are examples of existing industrial grade HVAC units currently installed at Vuteq as well as at

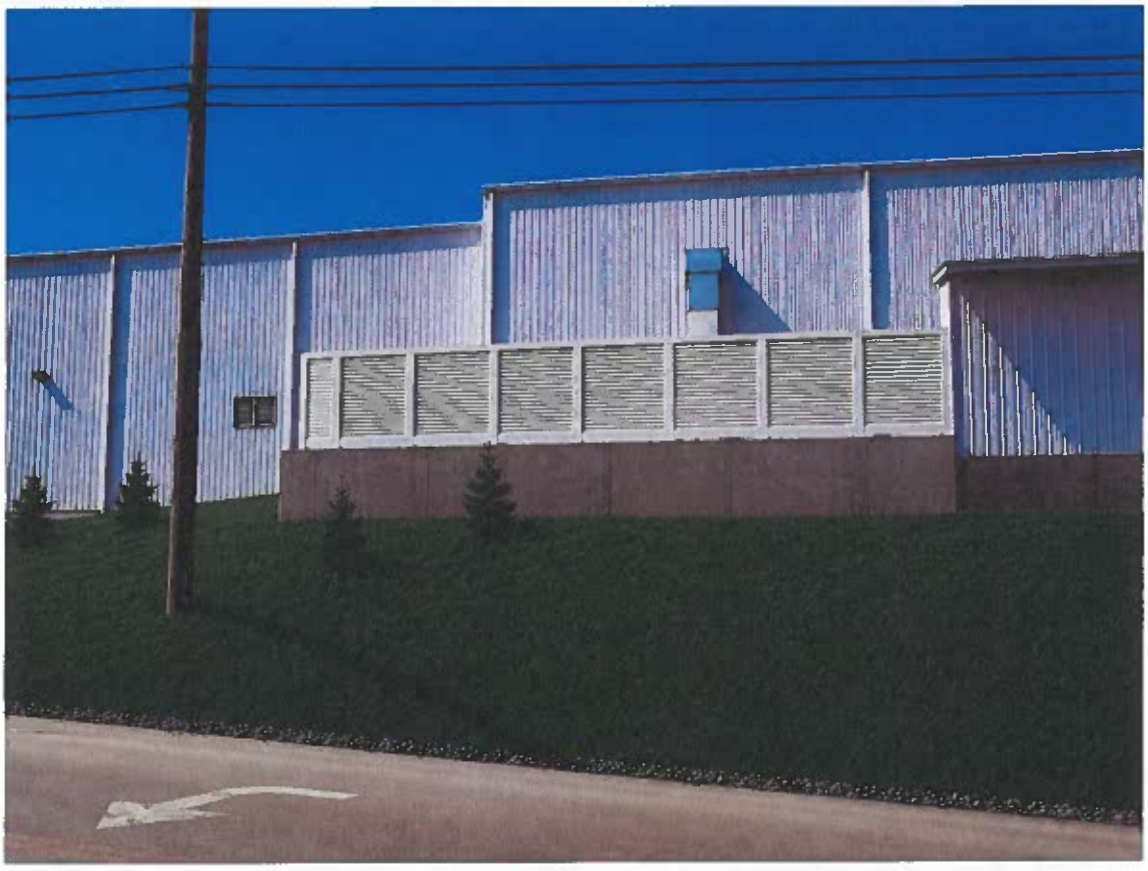
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neighboring facilities such as International Crankshaft, Inc. Process HVAC is a critical component of many industrial processes to create an environment suitable for the application. Within an area zoned for industrial use, equipment such as the unit being proposed here should be expected.

With that said, the applicant understands that although the space in which this unit would be located is zoned for industrial use, the neighboring area directly adjacent consists of a public right-of-way and beyond further, a plat of land currently zoned B-2. To alleviate any potential negative impacts on the character of the general vicinity and to satisfy the screening requirements within the local Landscape Ordinance of service structures located within 100' of a public right-of-way, we have included a louvered screen wall around the perimeter of the HVAC unit. This structure not only improves the appearance, creating a uniform surface to match the color of the existing building, but it is also designed to allow proper airflow to the HVAC unit as is required for it to function properly.

In an effort to provide a preliminary visual of the proposed ground mounted HVAC system, renderings have been generated and provided below. Please note the first image includes a turndown slab with poured concrete pad to set the unit on. This approach was our original design intent. Due to concerns with the existing grade in the area obtained by a recent site survey, the structural engineer has also provided an alternative approach which would utilize concrete piers with a structural steel I-beam support and tabletop to set the unit on. This design is presented in the second image. As the structural details are still being defined, both options are presented here for approval.

Rendering #1:



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Rendering #2:



Although these renderings are not completely representative of the final product, they are provided to give an idea of the proposed appearance.

Potential for Hazard or Nuisance to the Public:

As previously stated, this piece of equipment offers no significant danger to its surroundings, therefore there is little to no inherent hazard to the public created by the installation and operation of the proposed HVAC unit. In fact, this unit would significantly reduce the hazards presented to Vuteq's employees inherent to this injection molding area if left without sufficient air conditioning. See description of benefits this unit would provide for employees within the "Impact on Public Health, Safety, or Welfare" section.

When considering the level of nuisance this unit may impose, the applicant argues there would be little to no noticeable nuisance (sound) produced above the existing noise consistent with an industrial park. The same conclusion was made when this issue was discussed at the Technical Review meeting for this application. There are much more powerful sounds being produced across this industrial park than this HVAC unit is capable of producing and therefore, the additional noise would likely go unnoticed altogether. Furthermore, the inclusion of the louvered screen wall will help in reflecting what noise is produced back towards Vuteq's building, repeating this process until the majority of noise generated would be dissipated locally.

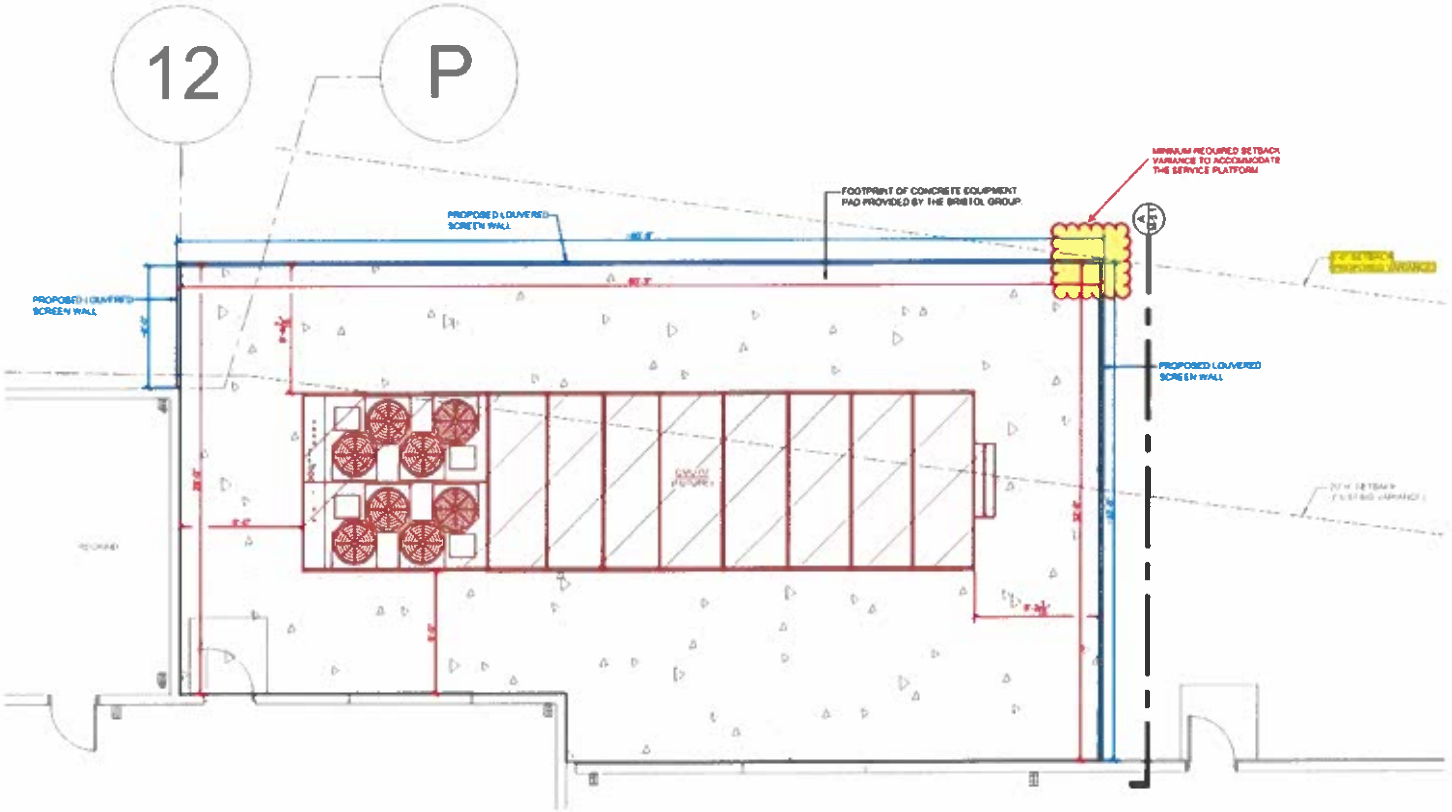
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Additionally, since there are no sidewalks along Lemons Mill Road or highway 62, virtually all community members going past this area are going to be inside a vehicle, further shielding them from any noise that may escape the louvered wall perimeter.

Potential for Unreasonable Circumvention of the Requirements of Zoning Regulations:

The applicant is requesting the minimum setback reduction necessary to install the proposed HVAC unit along with adequate support structure. As seen in the plans (sheet M-5.0) and below snapshot, the requested 5' setback variance is the minimum required to accommodate the most intrusive part of the proposed structure upon the routing of the setback line. As you can see, the size of the proposed structure is larger than the footprint of the HVAC unit itself. This is to include the required service clearances of the unit on the structure. This area of land is unique in that it has a significant drop off in grade as you approach Lemons Mill Road from the existing Vuteq building. In a more ordinary case with a flat piece of land, we would not need to build an oversized structure as service and maintenance could be completed from ground level. However, in our case, we need the entire service area as part of the proposed structure as to create a flat working area, level with the base of the HVAC unit. Furthermore, as you move closer to highway 62 from the proposed GMU-07 location, the grade becomes steeper and steeper and therefore less and less developable. As a result, there are no current plans of further development in this area beyond the proposed GMU-07. Although this is a unique case which results in a more impactful setback variance, it is clear that the 5' requested is the minimum required.



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Special Circumstances:

The special circumstances which justify this application under KRS 100.243 are as follows:

1. The property has triple frontage which by default increases the minimum setbacks, reducing the buildable area on the property.
2. The injection molding process which creates the extreme heat within the building requires a high bay (tall structure) with integrated overhead crane system. The high roof clearances and crane operations are required to transport the large molds and other components required to operate the injection molding machines and produce the products. These molds and components are far too large and heavy to maneuver them without the additional overhead clearance and crane operation. This high roof construction is unique to (2) areas of the existing building, the area running parallel with Lemons Mill Road and the location of the proposed GMU-07 being one of them. This results in a scenario where the owner cannot simply relocate a portion of this process to a different area of the building where HVAC equipment could be located without encroachment on setback boundaries.
3. Due to the growth in business and Vuteq's continued commitment to serve its customers and community over the past nearly 40-years, the facility has seen several building additions and areas of industrial production development. The additions of building structure over the years have been strategic and essential in keeping up with the pace of market demands and customer request but has in turn created a scenario where feasible locations for support equipment such as this proposed GMU has become limited.
4. The existing building structure (being a pre-engineered metal building) is not designed to support the weight of this air conditioning unit and therefore cannot reasonably and safely be placed on the existing roof structure. Statement from the pre-engineered metal building designer and manufacturer (Star Buildings) was obtained and is as follows: "The current structure is not designed to support a 22,000# roof top unit. That much weight would need to be supported by additional columns underneath and would likely create ponding on the roof with a 1:12 roof pitch. Our best recommendation is put the unit on the ground" (See email from Carrie Schafer dated 10/26/26). Although the addition of columns with footings installed within the existing production floor is possible, it is certainly not a feasible option. This solution would involve cutting and removal of the existing slab, digging out and pouring concrete footings, erecting steel columns from floor to roof, as well as beam structures interconnecting the new columns. As is seen in the images below, depicting this production space, structural modifications of this magnitude would have massive impacts on operations due to the injection molding equipment downtime required to complete the structural modifications. This impact would create an economic hardship ripple effect on not only Vuteq's operations but also TMMK's production capabilities. See "Creation of Unnecessary Hardship on the Applicant" section for further discussion on Vuteq's relationship with Toyota Motor Manufacturing, KY.

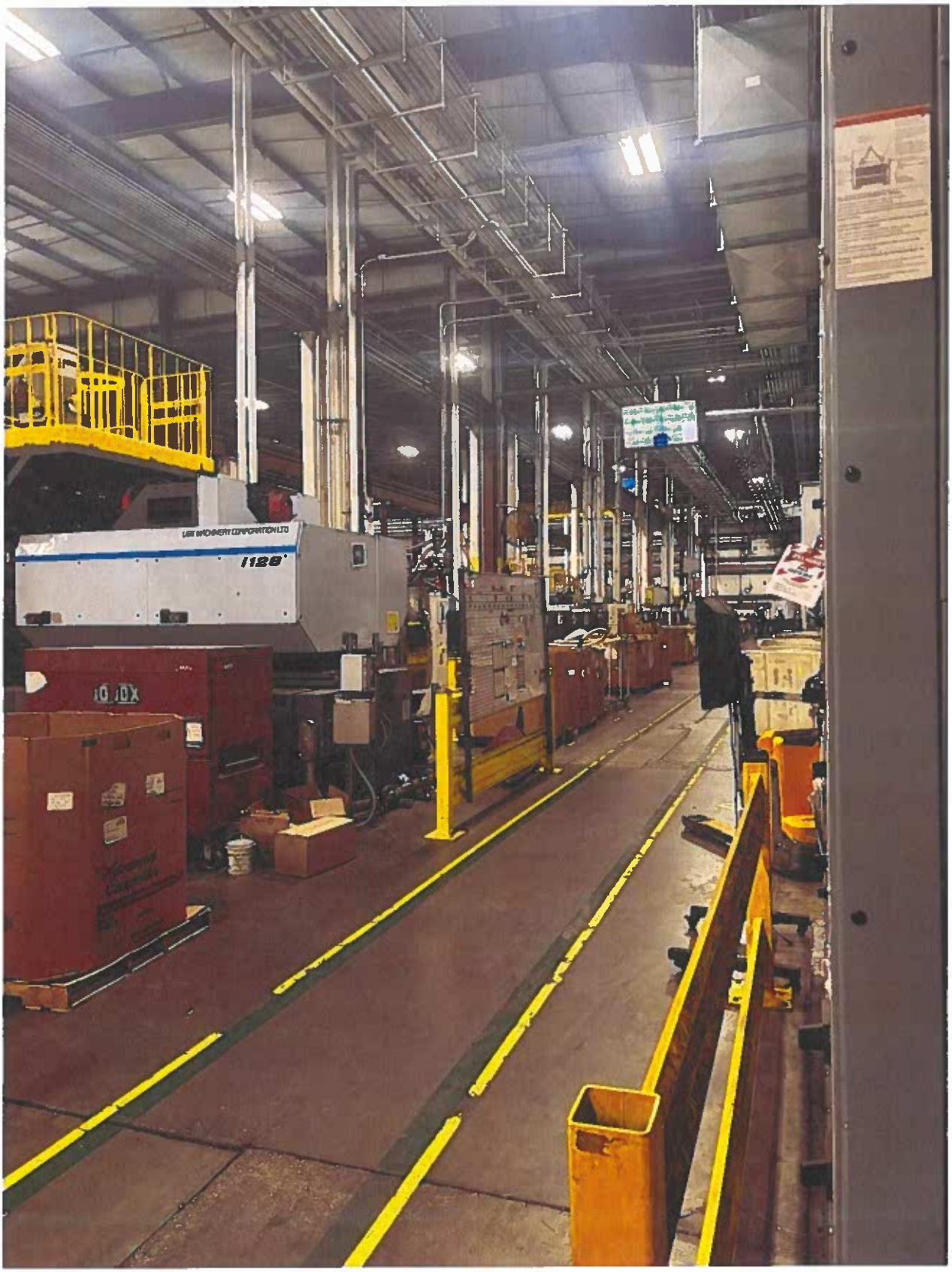
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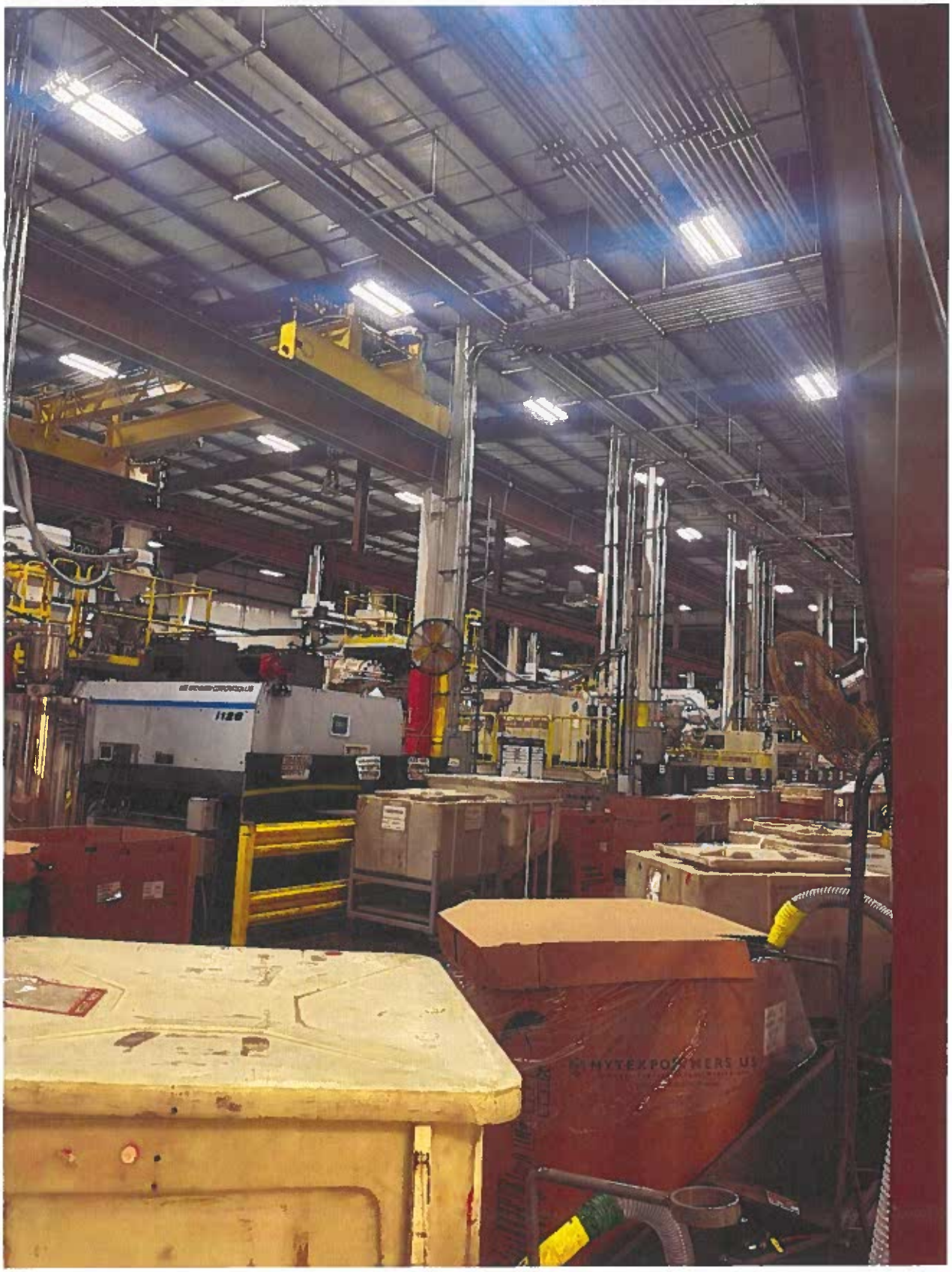
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5. There are no other feasible locations around the perimeter of this injection molding area to set the proposed GMU-07 on the ground.
    a. As previously mentioned, the portion of the building along the northern property boundary is a high-bay area in which a large portion of the injection molding process is located. This process equipment rejects significant amounts of heat into the space and therefore the proposed AC unit needs to be located nearby to provide cooling to this area of extreme process heat gain. In total, the Lemons Mill high bay area houses qty. (16) injection mold machines. During operation, these machines have an average mold temperature of ~250-440°F, much of which is radiated into the room off the mold itself or from the parts after they have been formed. Four of the (16) machines have been installed in the past 5 years, three of which are located in the area in which the proposed ground mounted unit (GMU-07) would be conditioning. Additionally, these (3) new machines located in the GMU-07 area are the three largest of the (16) total machines and therefore dissipate the most heat into the surrounding space. With the addition of these machines, the working environment in this area has become less than ideal and borderline dangerous at times, depending on outside weather conditions.
    b. To the west of the proposed location is an existing building bump out, with additional ground mounted air conditioning equipment installed on the west side of said building bump out, meaning locating this unit further west of the proposed location is not feasible. This building bump out to the west was built to house "re-grind" equipment which will allow Vuteq to re-use any defect parts by re-grinding them back into raw material form where it can then be added back into the process and used to create a successful and marketable part. This re-grind investment introduces additional sustainability to Vuteq's process by reducing waste material. East of the proposed location would result in a more severe building setback encroachment scenario than what is currently being presented and is much less developable due to the extreme grade changes. The opposite side (south) of this high-bay processing area is occupied by either existing building or access roadway with overhead/dock doors for facility shipping/receiving and therefore presents no opportunity for placing this unit.

Creation of Unnecessary Hardship on the Applicant:

The unnecessary hardship stemming from the potential denial of this application is the lack of an air conditioning unit required to maintain a safe and reasonable working environment in this injection molding area. Denial of this application would result in denial of the proposed HVAC unit altogether.

The denial has the potential to create a multi-level economic hardship.

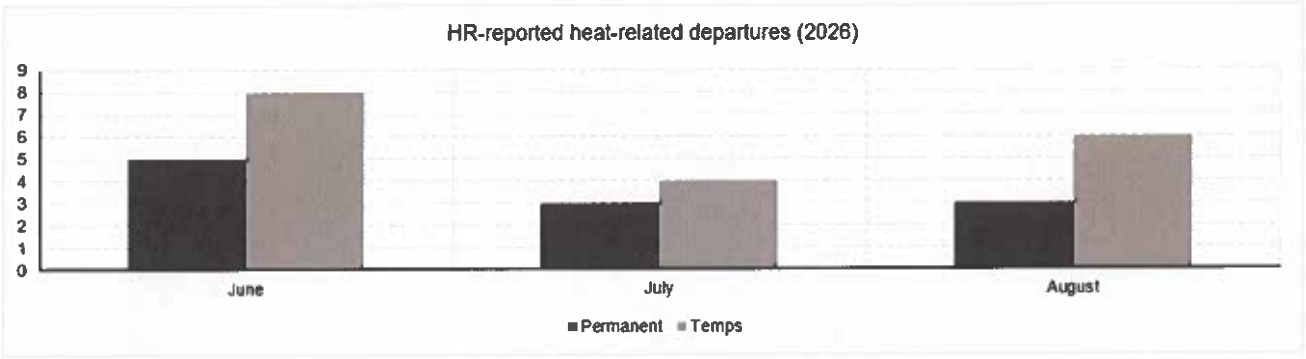
1. Denial of this application creates a scenario where work around this injection molding area would be uncomfortable at best, but also potentially hazardous for employees when outdoor conditions are hot and the machines are experiencing high demand. This leads to the problematic situation of unhappy employees and ultimately retention issues. Vuteq has been working diligently towards solving this issue over the past several years. GMU-07 is the solution to these issues in this critical portion of the injection molding area. Vuteq's Human Resources department has reported that from

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June 2026 thru August 2026 alone, they lost (29) employees all of whom sited heat-related reasons for their departure. See image of charts provided by Vuteq HR below.

Heat-related departures — HR report

2026 month	Permanent	Temps	Total
June	5	8	13
July	3	4	7
August	3	6	9
Total	**11**	**18**	**29**



This trend is less than ideal, especially when the operations of the injection mold machines require skilled individuals who tend to accel after adequate experience in their roles. Heat is not the only reason for employee turnover, but it has become a leading contributor and providing an air conditioning solution to curb this issue creates an environment much better suited for prolonged success, starting with the team members themselves.

Vuteq Human Resources' data is also projecting a substantial growth in employees in the year 2027. See chart below.

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2027 planning period	Lower projection	Midpoint projection	Upper projection
Opening (assumed)	269	269	269
Jan 2027	288	290	292
Feb 2027	308	312	316
Mar 2027	327	333	339
Apr 2027	346	354	363
May 2027	365	376	386
Jun 2027	385	397	410
Jul 2027	404	418	433
Aug 2027	423	440	456
Sep 2027	442	461	480
Oct 2027	462	482	503
Nov 2027	481	504	527
Dec 2027	**500**	**525**	**550**

A goal of increasing the number of employees is a positive indicator for any business and is certain to improve the quality of the surrounding community. This outlook is great. However, without addressing the heat issues within the building, this goal would become much more difficult to achieve.

2. Not only would the denial of this application have an impact on Vuteq, it would also likely create economic hardship on Vuteq's biggest and best customer, Toyota Motor Manufacturing KY. Vuteq KY's leadership has indicated that 63% of their product produced stays in Georgetown by way of TMMK. This is a significant amount of product supporting TMMK's operation right down the road. Any hardship experienced by Vuteq is sure to be felt by TMMK as well. Although Vuteq participates in a few other automobile component processes, injection molding is its' heartbeat. Any steps taken to support the injection molding staff and processes at Vuteq is also an effort to support the nearly 10,000 folks employed by Toyota and ultimately Georgetown's community as a whole.
3. One of only twelve sections of Georgetown-Scott County's Comprehensive Plan is "Economic Growth", clearly this is a focus and of utmost importance. Within the economic growth element section, it is stated, "In promoting economic development in the county there is a realization that Scott County is a manufacturing-based economy and growth comes primarily thru developing existing businesses and relationships in the county." Vuteq is a prime example of this statement, and one of the pillars in which the county's economy rests. The applicant believes that denial of this proposal would put undue strain on its' contribution to the economical growth of the community in which it has thrived for nearly 40 years.

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Additional Supporting Information:

It is important to note that Ivey Mechanical and Vuteq Corp. have reviewed this problem and associated solution from all angles and have identified the proposed ground mounted AC unit approach as the only feasible option. Below is a list of the alternative systems/solutions considered, along with a brief description and summary as to why the approach will not be successful in this application.

1. Ventilation/Exhaust System: Since the majority of the heat is being produced within the space by the process equipment, it makes sense to consider the idea of immediately capturing this waste heat from the machine via ductwork and removing it from the building via a forced fan system to the outdoors. In this context, this "process exhaust" air is the medium capturing the waste heat from the process equipment and removing it from the building. This air that is being removed from the building ("process exhaust") also needs to be "made up" or supplied into the building to offset the negative pressure introduced by the forced fan process exhaust system. Therein lies the problem. Since the goal is to air condition the entire facility, conditioned (cooled) outside air would have to be provided as our make-up. Conditioning 100% outside air requires tremendous amounts of energy and cooling capacity as the system not only needs to reduce the dry bulb temperature of the air (sensible energy) but also spends extra energy removing water vapor from humid summer air to a comfortable moisture level before delivering it to the space. For this reason, not only would the costs be higher, but the physical size of the HVAC equipment would be larger than the proposed GMU and therefore would result in the need for a more severe variance.
2. Chilled Water System: A typical chilled water system would consist of chiller(s), chilled water pump(s), buffer tank(s), water treatment skid, glycol fill skid, hydronic specialties, air handlers (consisting of blowers, motors, filters, and chilled water coils), and chilled water system supply and return piping to interconnect the components listed. In this system, the water/glycol mixture would be used as the medium which would capture the heat from the space and remove it outdoors via the chiller(s)'. This system would be a fine approach if there was more real estate available (both indoor and outdoor). Unfortunately, a chilled water system sized to handle the cooling load required would require a larger space than what is available, therefore it is not feasible for this application.
3. Ground Source/Geothermal System: The basic idea of a geothermal system includes the use of a water/glycol solution as the medium to capture heat from the building and transfer it to the ground (heat sink). The opposite is true for heating demands within the building, heat is captured from the ground and transferred to the building. The system would include underground wells/piping, pumps, buffer tank(s), glycol fill skid, hydronic specialties, ground source heat pumps, and supply and return piping to interconnect the components listed. The problem with a geothermal system in this case is the continuous need for cooling. Geothermal systems are sustainable solutions only when the heating/cooling load is cyclical. Heat needs to be transferred into the ground, and heat needs to be transferred out of the ground to offset and maintain a consistent ground loop temperature. In our case, the manufacturing process produces heat year-round, therefore cooling will always be in demand. A geothermal system's lifetime will be cut significantly short in our case as the underground wells will be overwhelmed with heat, never offset by a cyclical heating/cooling load. For this reason, a geothermal system is not feasible for this application.

Vuteq

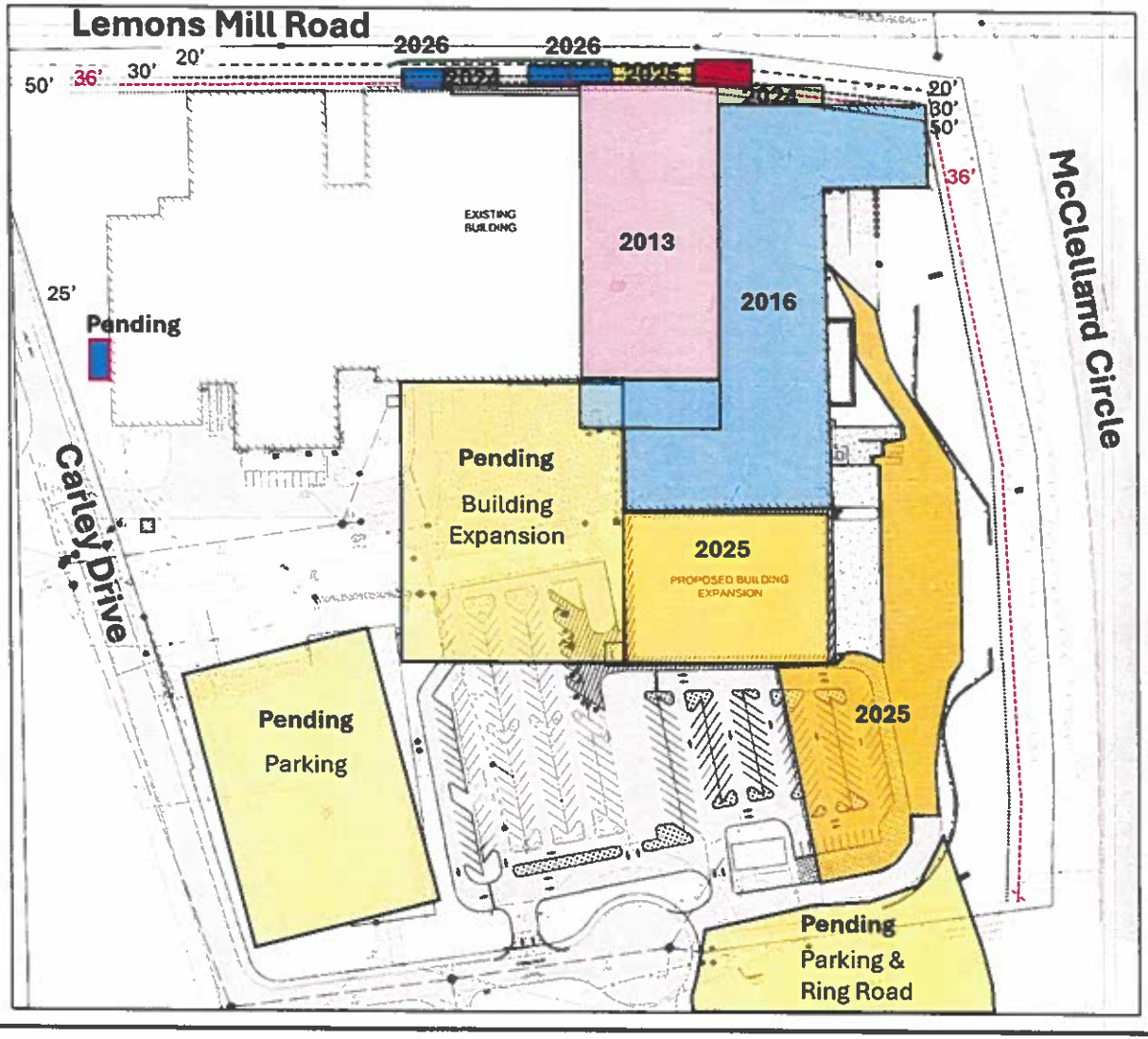
Stages of Development

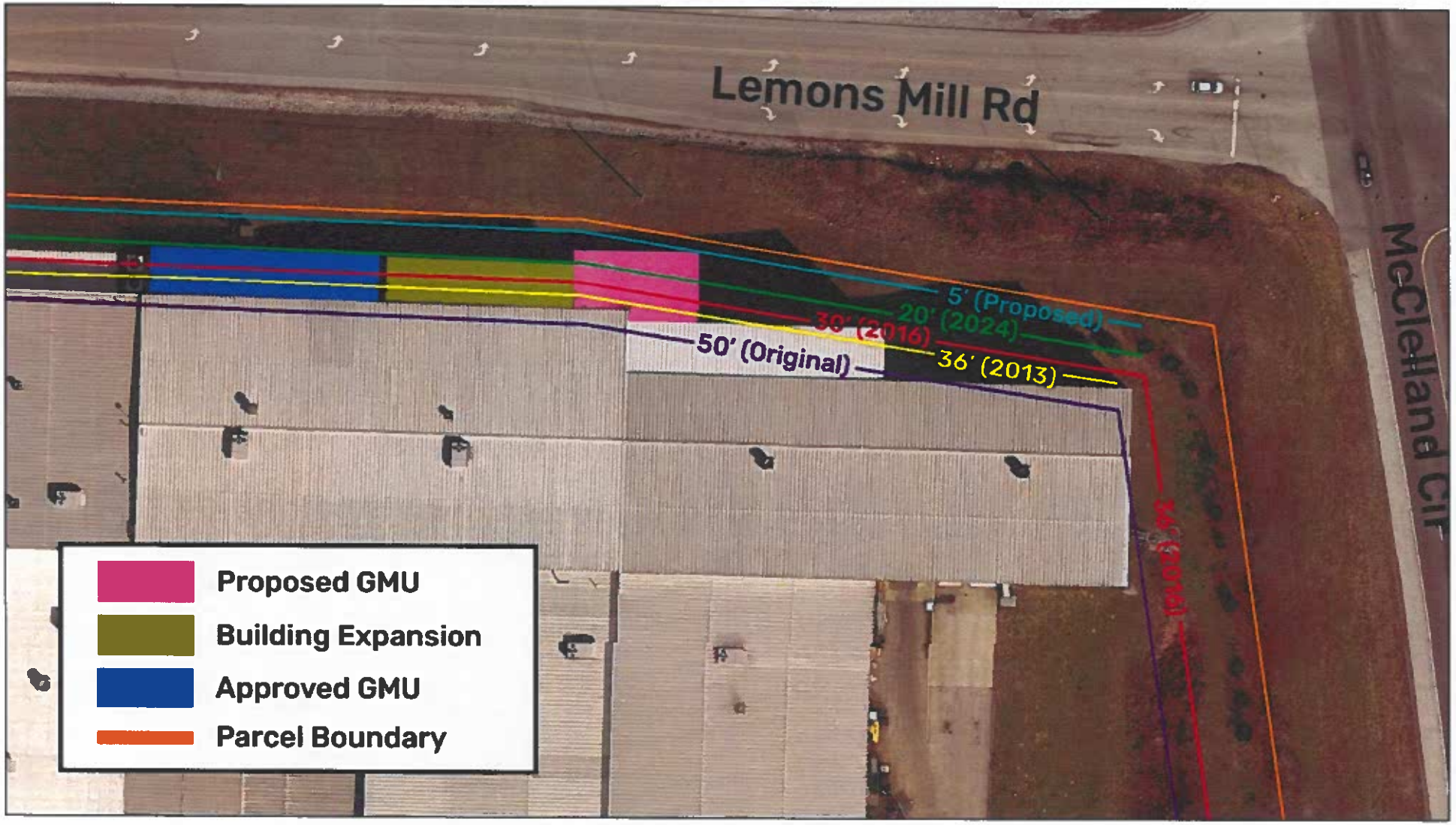
- PDP 2013-07 - Var. to 36' LM
- PDP 2016-39 – Var. to 30' LM, 36' Mc
- PDP 2024-09 - Var. to 20' LM
- PDP 2025-63
- GMU - Minor Development - Approved
- *GMU – G-2026-23 – Var to 25' C*
- *PDP 2026-31*
- *PDP 2025-63 Amended – Var. 5' LM*

Setback Lines

- 50 feet
- 36 feet
- 30 feet
- 20 feet

LM = Lemons Mill Road
Mc = McClelland Circle
C = Carley Drive




Lemons Mill Rd
McClelland Cir
5' (Proposed)
20' (2024)
30' (2016)
50' (Original)
36' (2013)
Proposed GMU
Building Expansion
Approved GMU
Parcel Boundary

EXISTING 30' SETBACK

PROPOSED 5' VARIANCE SETBACK

GMJ-01 ADDITION, SEE SHEET C-2.1 FOR GRADING AND EPSC PLAN

ROYAL SPRINGS AQUIFER BOUNDARY

PROPOSED 25' VARIANCE SETBACK

EXISTING 25' SETBACK

GMJ-1 ADDITION, SEE SHEET C-2.1 FOR GRADING AND EPSC PLAN

GMJ-01 ADDITION

42" CMP

12" PVC

12" CONC

15" CPP

8" PVC

12" CPP

MATCHLINE: SHEET C-2.3

MATCHLINE: SHEET C-2.1

1" = 30'

MATCHLINE: SHEET C-2.3

MATCHLINE: SHEET C-2.2

SITE

VICINITY MAP
N.T.S

RELATED CASE: PDP-25-063

Kentucky 811
Know what's below. 811 before you dig.

NOTE
UNDERGROUND UTILITIES ARE PLOTTED FROM A COMPILATION OF AVAILABLE RECORD INFORMATION AND SURFACE INDICATIONS OF UNDERGROUND STRUCTURES AND MAY NOT BE INCLUSIVE. PRECISE LOCATIONS AND THE EXISTENCE OR NON EXISTENCE OF UNDERGROUND UTILITIES CANNOT BE VERIFIED. PLEASE NOTIFY THE KENTUCKY UTILITY PROTECTION SERVICE AT 811 OR 1-800-752-5544 BEFORE ANY PERIOD OF EXCAVATION OR CONSTRUCTION ACTIVITY

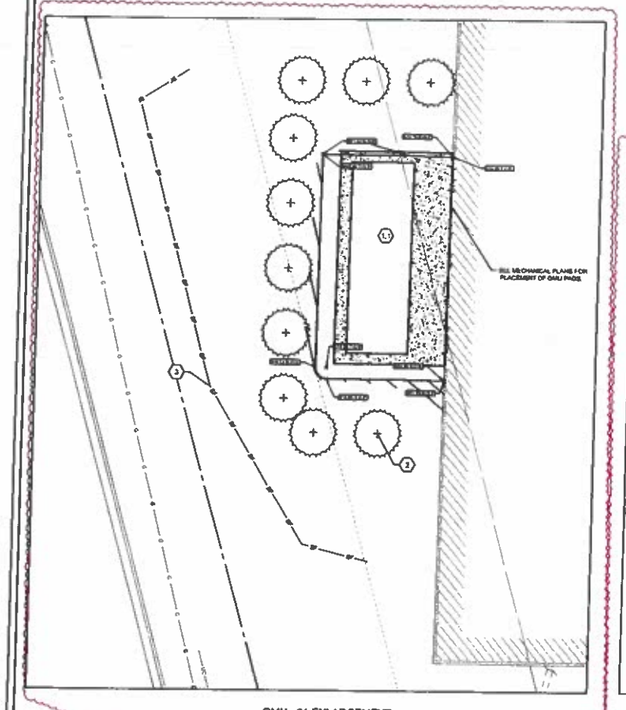
KLEINGERS GROUP

DATE | DESCRIPTION

WAREHOUSE EXPANSION
VUTEQ CORPORATION
GEORGETOWN, KENTUCKY

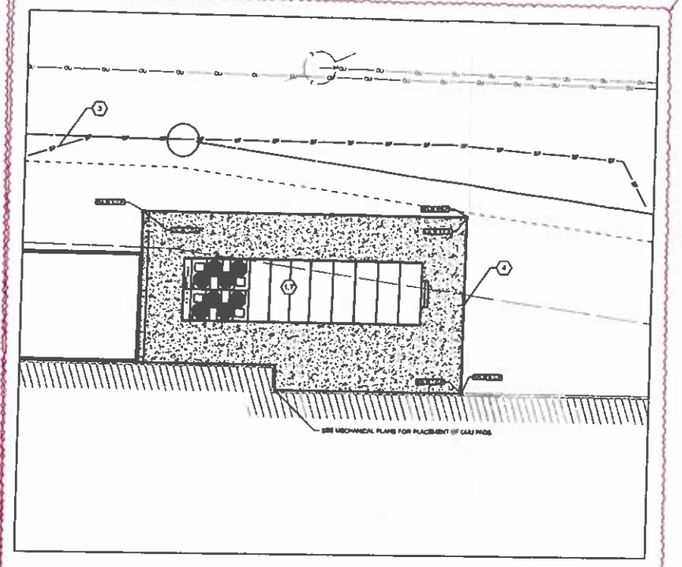
LOCATION PLAN - GMJ ADDITION

C-2.3



GMU - 01 ENLARGEMENT

1" = 10'

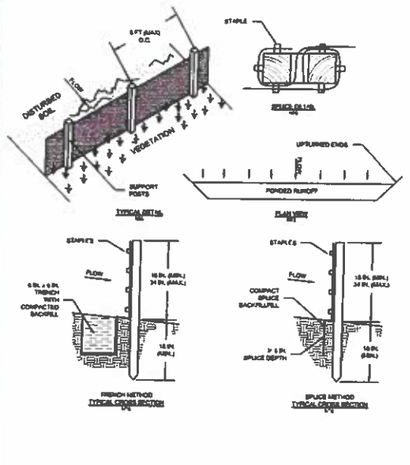


GMU - 07 ENLARGEMENT

1" = 10'

KEYNOTES

1. GROUND MOUNTED AIR CONDITIONING UNIT (GMU). SEE MECHANICAL PLANS FOR DETAILS ON GMU-S AND PAD DIMENSIONS. SEE STRUCTURAL PLANS FOR CONCRETE PAD SECTION.
2. ORIENTAL ARBORVITAE, SPACED 12' ON CENTER. SEE DETAIL THIS SHEET.
3. SILT FENCE. SEE DETAIL THIS SHEET.
4. LOUVERED SCREENING WALL. SEE M5.0 AND M.5.1 FOR DETAILS.



SILT FENCE DETAIL
N.T.S.

SCOPE

FURNISH ALL MATERIALS, LABOR, AND EQUIPMENT NECESSARY FOR CONSTRUCTING SILT FENCE IN ACCORDANCE WITH THE CONSTRUCTION DRAWINGS AND THESE SPECIFICATIONS. SILT FENCE SHALL BE INSTALLED AND OPERATIONAL BEFORE UPSLOPE LAND DISTURBANCE BEGINS.

MATERIALS

1. SUPPORT POSTS SHALL BE 3-INCH BY 3-INCH WOOD POSTS OF SOUND QUALITY OR EQUIVALENT.
2. GEOTEXTILE FABRIC SHALL MEET THE MINIMUM CRITERIA LISTED BY TABLE BELOW.

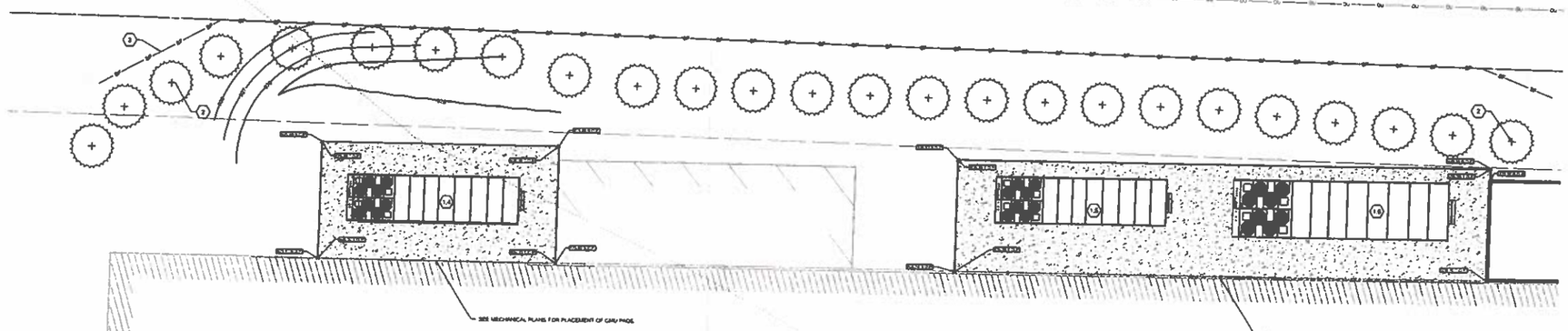
FABRIC PROPERTIES	VALUES	TEST METHODS
POLYMER TYPE	100% PP	ASTM D 4491
FILAMENT DENSITY (FILAMENTS / IN)	40 MIN (MD) / 20 MIN (CD)	ASTM D 3787
MIN. ELONGATION (MD / CD)	50 / 50	ASTM D 4632
MINIMUM TENSILE STRENGTH	90 LB	ASTM D 4632
MINIMUM PUNCTURE STRENGTH	50 LB	ASTM D 4833
APPARENT OPENING SIZE (AOS)	#30 (0.6 MM)	ASTM D 4751
PERMITTIVITY	1 PER SEC MIN	ASTM D 4491

INSTALLATION

1. THE ABOVE-GROUND HEIGHT OF THE SILT FENCE SHOULD BE 16 INCHES, BUT NO MORE THAN 24 INCHES. A HIGHER SILT FENCE MAY NOT WITHSTAND THE WEIGHT OF WATER AND SEDIMENT BEHIND IT AND IS NOT RECOMMENDED.
2. SUPPORT POSTS SHALL BE PLACED ON THE DOWNSLOPE SIDE OF THE GEOFENCE AT A MAXIMUM SPACING OF 6 FEET (10 FEET FOR WIRE-SUPPORTED SILT FENCE) AND DRIVEN A MINIMUM OF 16 INCHES INTO THE SOIL OR ADEQUATELY SECURED TO PREVENT OVERTURNING OF THE SILT FENCE. WHERE BEDROCK OR BURIED UTILITIES PREVENT 16 INCH GROUND PENETRATION.
3. FASTEN THE GEOTEXTILE TO THE UPSLOPE SIDE OF POSTS WITH A MINIMUM OF FOUR STAPLES PER POST, SUCH THAT IT REMAINS SECURE AND TAUT BUT DOES NOT RIP.
4. THE BOTTOM 8 TO 13 INCHES OF GEOTEXTILE SHALL BE BURIED BY A "J" CONFIGURATION IN A TRENCH A MINIMUM OF 6 INCHES WIDE AND 6 INCHES DEEP OR SLICED 8 TO 13 INCHES DEEP. A MINIMUM OF 6 INCHES OF GEOTEXTILE MUST BE BELOW THE GROUND SURFACE. COMPACT SOIL ON BOTH SIDES OF THE FABRIC. OFFSETTING THE TRENCH 6 INCHES UPSTREAM FROM THE SILT FENCE IS RECOMMENDED TO IMPROVE THE STABILITY OF THE SUPPORT STAKES.
5. INSTALL SILT FENCE IN CONTINUOUS SEGMENTS WITH UP LIMITED SAGS, WHERE NECESSARY. SPLICES SHALL BE MADE BY OVERLAPPING GEOTEXTILE MATERIALS AROUND SUPPORT POSTS TO PROVIDE A SECURE AND WATERTIGHT JOINT.

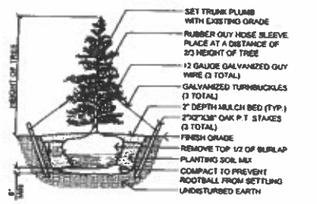
MAINTENANCE AND REMOVAL

1. INSPECT SILT FENCE AFTER EACH 0.50-INCH OR GREATER RAIN EVENT AND AT LEAST DAILY DURING MULTI-DAY RAIN EVENTS. INSPECTIONS DURING RAIN EVENTS WILL ASSESS FUNCTIONING PERFORMANCE. IF BYPASS OCCURS DURING 0.50 INCHES OF RAIN OR LESS, CHANGE THE LAYOUT OR REPLACE THE SILT FENCE WITH A SEDIMENT TRAP AS NECESSARY.
2. SILT FENCE THAT DOES NOT DRAIN FREE IN 48 HOURS OR LESS IS CLOGGED AND NEEDS TO BE REPLACED.
3. REMOVE SEDIMENT WHEN THE DEPOSIT REACHES APPROXIMATELY ONE-HALF OF THE HEIGHT OF THE SILT FENCE. IF SEDIMENT ACCUMULATES BEYOND THIS LEVEL, THE FABRIC WILL LIKELY BE CLOGGED AND NEED TO BE REPLACED.
4. REPAIR DAMAGED SILT FENCE UPON DISCOVERY.



GMU:04-06 ENLARGEMENT

1" = 10'



EVERGREEN TREE PLANTING
N.T.S.

Kentucky 811

Know what's below. 811 before you dig.

NOTE
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RELATED CASE: PDP-25-063

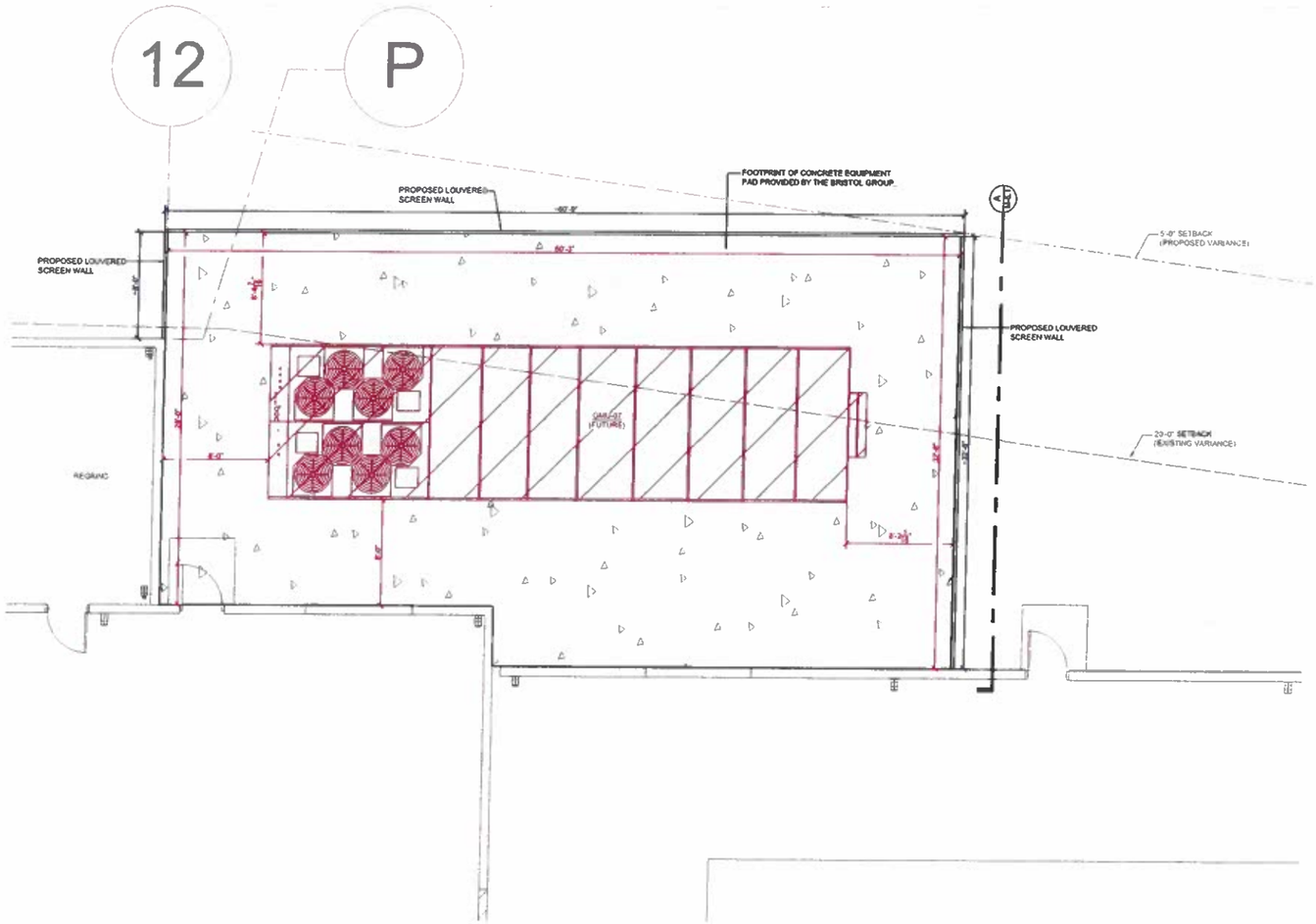
KLEINGERS GROUP

DATE	DESCRIPTION

WAREHOUSE EXPANSION
VUTEQ CORPORATION
GEORGETOWN, KENTUCKY

LOCATION PLAN - GMU ADDITION ENLARGMENT

C-2.4



1 ENLARGED HVAC PLAN - GMU-07
SCALE: 1/4"=1'-0"

HVAC LEGEND	
GMU	GROUND MOUNTED HVAC UNIT
	COLOR OF EQUIPMENT
	COLOR OF UNIT LOCATION DIMENSIONS
	COLOR OF PROPOSED LOUVERED SCREEN WALLS

REV	DATE	ISSUED FOR	BY

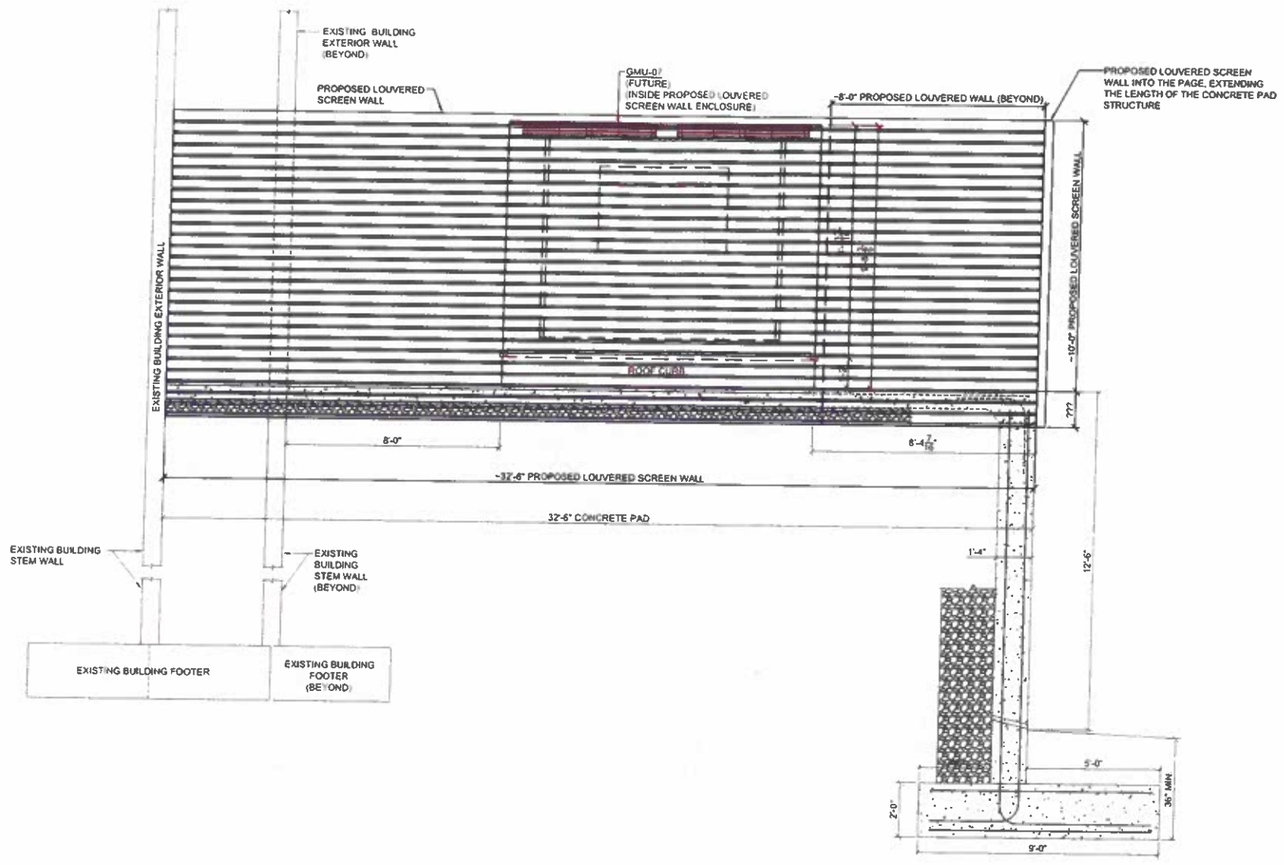
IVEY MECHANICAL
1053 MANCHESTER ST.
LEXINGTON, KY. 40508
PH: (859)-254-6872 FAX: (859)-231-8224

NOTES:
ALL GENERAL ARRANGEMENTS AND PLANS INDICATED ON THESE DRAWINGS ARE DIAGRAMMATIC. THE EXACT LOCATION OF ALL EQUIPMENT, PIPING, DUCTWORK, ETC. SHALL BE DETERMINED AT THE JOB SITE AND SHALL BE INSTALLED IN THE BEST POSSIBLE MANNER TO CONFORM WITH THE BUILDING CONSTRUCTION.

ENLARGED HVAC PLAN - GMU-07

PLANT COOLING - PHASE 1
VUTEQ CORPORATION
GEORGETOWN, KENTUCKY

drawn by: JR/IVEY
approved by: JW(9850)
date: 6/30/2026
sheet no.
M-5.0



1 GMU-07 ELEVATION - SECTION "A"
SCALE: 1/2"=1'-0"

HVAC LEGEND	
GMU	GROUND MOUNTED HVAC UNIT
	COLOR OF EQUIPMENT
	COLOR OF PROPOSED LOUVERED SCREEN WALLS

REV.	DATE	ISSUED FOR	BY

IVEY MECHANICAL
1903 MANCHESTER ST.
LEXINGTON, KY 40508
PH: (859)-254-8878 FAX: (859)-231-8224

NOTICE:
ALL DESIGNS, ARRANGEMENTS AND DRAWINGS REPRESENTED BY THIS DRAWING ARE THE PROPERTY OF IVEY MECHANICAL AND WERE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIED PROJECT.

GMU-07 ELEVATION - SECTION "A"

PLANT COOLING - PHASE 1
VUTEQ CORPORATION
GEORGETOWN, KENTUCKY

drawn by: JRIVEY
approved by: JWI9850
date: 5/30/2026
sheet no.
M-5.1

ICAST-Infrastructure Precast Inc.
ZONING MAP AMENDMENT

Staff Report to the Georgetown-Scott County Planning Commission
November 12th, 2026

FILE NUMBER: **ZMA-2026-43**

PROPOSAL: Zoning Map Amendment from B-2 (Highway Commercial) to I-2 (Heavy Industrial District)

LOCATION: 112 Triport Circle

PARCEL ID: 161-40-005.000

OWNER: Infrastructure Precast Inc., doing business as ICAST

CONSULTANT: Thoroughbred Engineering



STATISTICS:

Total Site Acreage:	15.65-acres
Existing Zone:	B-2 (Highway Commercial)
Proposed Zone:	I-2 (Heavy Industrial District) and C-1 (Conservation District)
Surrounding Zone(s):	I-1 : (North, East) B-2: (South, East, South-West) A-1: (West, beyond I-75)
Existing Use:	Outdoor storage and non-retail sales of precast concrete products (Conditional Use Permit, March 2026)
Proposed Use:	Precast Conceret manufacturing, aggregate bins and cement silo, out-door staging area/storage of finished products
Access (Direct):	Triport Circle (Private Street)
Access (Arterial):	Cherry Blossom Way (KY-620)/ Interstate 75 (I-75)
Future Land Use (2024):	Industrial, Creek corridor along the stream and floodplain

BACKGROUND:

The subject property is approximately 15.65-acre parcel located at the western end of the Triport Circle, between the eastern right-of-way of Interstate 75 and the established industrial and commercial area along Triport Road. The property is within the Urban Service Boundary just north of the Georgetown city limits. It is currently zoned B-2 (Highway Commercial). The surrounding area is predominantly zoned I-1 (Light Industrial) to the north and east within the Delaplain/Triport industrial area, with B-2 (Highway

Commercial) properties to the south and southeast near the Interstate 75 and Cherry Blossom Way interchange. The property has frontage on Interstate 75 but no direct access to it.

Infrastructure Precast, Inc. (ICAST), is a family-owned precast infrastructure concrete and pipe manufacturer and is an approved supplier for the transportation departments of Kentucky, Tennessee, Indiana, Ohio, West Virginia, and serves customers within a 600-mile radius of its home facility.

The Applicant requests I-2 (Heavy Industrial) zoning for the developable portion of the property and C-1 (Conservation) zoning for the stream and floodplain corridor in order to develop and operate a facility to manufacture and storage of precast concrete products on site.

HISTORY:
In March 2026, the Scott County Board of Adjustment approved a Conditional Use Permit allowing outdoor storage and non-retail sales of precast concrete products on the property under its existing B-2 zoning. Under that approval, manufacturing occurs off-site and the subject property functions only as a storage and distribution location with no on site manufacturing or processing.

The Applicant states that the application responds to growing demand for ICAST products. The application would establish on-site manufacturing and would expand both the nature and the intensity of the operations beyond what the Conditional Use Permit allows in the B-2 zoning district.

CONCEPT PLAN & USE OVERVIEW:

Use Review:
The Applicant is requesting a rezoning from B-2 (Highway Commercial) to I-2 (Heavy Industrial) and C-1 (Conservation). The concept plan shows an 11,520-square-foot manufacturing and office building, a cement silo, a loading area, and two gravel staging areas totaling approximately 243,856 square feet.

The Applicant states that the operation includes indoor manufacturing as well as exterior raw material storage, heavy equipment movement, truck loading, product storage, and distribution. Cement, aggregate, and water would be mixed inside the proposed building and placed into molds for curing and finishing. Aggregate materials (sand and stone) would be stored in exterior bins, and cement would be stored in an on-site silo and augured into the building. Finished concrete products would be moved by heavy equipment to outdoor staging areas for storage, sale and delivery to off-site customers.

Triport Circle requires major roadway repairs to accommodate the proposed heavy equipment and truck traffic. Although sanitary sewer infrastructure is adjacent to the site, treatment capacity restrictions prevent new connections, and the proposed septic system remains subject to WEDCO approval.

Concrete and Process Water Management:
The Applicant has described a contained system for managing concrete waste and wash water on site. Leftover concrete would be reused or formed into solid blocks rather than discarded. Wash water from equipment cleaning would be collected in impermeable settling basins, where solids would settle out and the cleaner water would be recycled back into production. Dried solids would be periodically removed and hauled off-site. The Applicant states that the system would be fully contained and that no process water would be discharged to the stream.

- **Staff Analysis:** The information provided is conceptual. Basin location and capacity, process water handling, stormwater runoff, and any required Kentucky Division of Water (KDOW) approvals will be evaluated during the Preliminary and Final Development Plan stages.

Per the Definitions in the Zoning Ordinance:
*"**Industry**: The processing of products or raw materials. The two categories of industry are defined according to the following performance standards.*

a. ***Heavy Industry**: Those industries whose processing operations result in the outdoor storage or processing of materials or products, the emissions of any atmospheric pollution, visible light flashes or glare, odors, or noise or vibration which may be heard or felt off the premises or those industries which constitute a fire, explosion, or other hazard detrimental to the health and welfare of the community or adjacent property owners.*
b. ***Light Industry**: Those industries whose processing operations result in none of the above conditions."*

After review of the proposed use, Staff therefore finds that the proposed use would be considered heavy industry, and a rezone to I-2 (Heavy Industrial) district is needed to facilitate the use as described.

KRS 100.213:
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

1. *Before any map amendment is granted, the planning commission [. . .] must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:*
   a. *That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*
   b. *That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*
2. *The planning commission, legislative body, or fiscal court may adopt provisions which prohibit for a period of two (2) years, the reconsideration of a denied map amendment or the consideration of a map amendment identical to a denied map amendment.*

In reviewing the proposed zone change, staff has considered both the text of the comprehensive plan as well as the adopted future land use map.

Future Land Use Map:
The 2024 Future Land Use Map shows the subject property designated as Industrial. The description of the land use, per the Comprehensive Plan, states that Industrial land use category,

*".....includes the **processing of products or raw materials.** The associated zoning districts are intended to provide concentrated areas of high-quality employment facilities within the Urban Service*

*Boundaries for uses **including light and heavy manufacturing**, warehousing and distribution, trucking, indoor, screened, **and outdoor storage**, and a wide range of other service operations. Areas planned for industrial uses should be designed in a campus or park-type setting with an emphasis on internal connection and access."* (Page 71)

The 2024 Future Land Use Map depicts the floodplain area to the east on the property for preserved Creek Corridor. Per the Comprehensive Plan, Creek Corridor land use category,

*".....includes the 1% annual **flood chance areas** within the Urban Service Boundaries. Over time, it is expected that as property develops, the land in the **Creek Corridor should be officially designated for conservation.** To support long-term community goals for the protection of our waterways and riparian areas, these **areas should not be developed** except for public uses such as trails, greenways, or ribbon parks."* (Page 71)

- **Staff Analysis:** The requested I-2 (Heavy Industrial) and C-1 (Conservation) districts correspond to the Industrial and Creek Corridor designations on the Future Land Use Map. The Industrial category specifically anticipates heavy manufacturing and outdoor storage, both of which are central to the proposed operation.
- The property also sits within the established Delaplain/Triport industrial area, adjoining I-1 (Light Industrial) properties to the north and east. This location allows traffic to reach the interstate without travelling through residential areas.
- Staff finds that building and site design will be further evaluated at the development plan stage.

Comprehensive Plan Text

The Comprehensive Plan provides guidance for consideration of zone change requests by identifying community goals and objectives & long-term development patterns affecting Scott County. It is important to note, as a guiding document, the comprehensive plan may advance seemingly contradictory goals simultaneously. It is the duty of the Planning Commission to consider the entirety of the comprehensive plan and weigh individual goals as they relate to specific proposals and determine when a proposal is supported by the Comprehensive Plan. For this review Staff has highlighted a portion of the land use analysis section focused on industrial development as well as specific goals related to economic development, environmental protections, and infrastructure.

Land Use Analysis

The comprehensive plan provides the following analysis on the future needs of industrial land in the Georgetown Urban Service Boundary,

"There are about 2,082 acres of industrially zoned land (I-1 & I-2) in Georgetown, with approximately 363 acres of this being undeveloped. If we create a benchmark, similar to that created in our analysis of developed commercial land, we can estimate how much industrial development we will need per thousand people. For 2020, this benchmark is about 45.2 acres of developed industrial land per thousand persons.

	2020 - 2025	2025 - 2030	2030 - 2035	2035 - 2040
Population Added	3,860	4,262	4,705	5,195
Industrial Acres per Thousand People	45.2	45.2	45.2	45.2
Acres of Developed Industrial Land Needed	174.5	192.6	214.1	234.8

Table 4: Industrially Zoned Land Needed to Support Georgetown's Projected Population Growth 2020-2040
Georgetown-Scott County 2024 Comprehensive Plan, page 54 of 394

To maintain the current benchmark of 45.2 acres of developed land per thousand people, the city would need to add about 367.1 acres of developed industrial land by 2030. Given there are only about 363 acres of undeveloped land zoned for industrial development, it would be prudent for the city to ensure additional land is available within the Urban Service Boundary for future industrial development expected by 2030."

- **Staff Analysis:** Rezoning the approximately 15.65-acre subject property would add industrially zoned land within the Urban Service Boundary and contribute toward the projected 20230 need. The request also makes use of a property already planned for industrial use rather than requiring the expansion of industrial zoning into areas not designated for it.

Economic Development: **Goal EG 1** encourages diversification of the Scott County economy. **Goal EG 4** promotes Scott County as a superior location for industrial development with **Objective 4.2** supporting retaining adequate acreage for industrial uses.

- **Staff Analysis:** The proposed precast concrete manufacturing facility would expand the County's industrial base and support the construction and infrastructure sectors and may provide employment opportunities that draw on the skilled industrial workforce already present in Scott County. In this respect, the proposed use supports Goals EG 1 and EG 4.

Environmental Protection: **Objective EN 1.1** encourages the protection of creek conservation corridors through zoning and riparian buffers, and **Objective EN 1.2** promotes the preservation and restoration of streams, floodplains, and riparian areas. **Objective EN 2.3** requires the proper use, location, and disposal of hazardous materials to protect water quality. **Goal EN 3** calls for the protection of environmentally sensitive areas, **Objective EN 3.1** discourages development of areas with a concentration of sensitive resources, and **Objective EN 3.2** requires rezoning of creek conservation corridors to C-1 when adjoining property is proposed for development.

- **Staff Analysis:** The Applicant's request to rezone the stream and floodplain corridor to C-1 (Conservation) supports Objectives EN 1.1 and EN 3.2 and would help preserve the creek corridor.
- Access to the site requires crossing the creek and floodplain, and the Applicant proposes a contained, impermeable process-water system with no discharge to the stream, which supports Objective EN 2.3. The crossing, system design, and required KDOW approvals will be reviewed at the development plan stage.
- Staff finds the request consistent with the Environmental Protection goals and objectives, provided these items are adequately addressed during development plan review.

Infrastructure and Public Facilities: **Objective IF 1.1** calls for reliable wastewater treatment and stormwater management, **Objective IF 1.3** calls for adequate public sewer capacity, and **Objective IF**

1.4 requires stormwater infrastructure to be environmentally safe. **Objective PF 1.3** directs the Planning Commission to consider service levels when reviewing new development.

- **Staff Analysis:** Local Regulations require developed lands within the Urban Service Boundary to connect to the public sewer. However, public sewer treatment capacity is currently unavailable to the site, and the proposed septic system would be limited to domestic wastewater. Stormwater infrastructure design and review is not required at this time, but should this site be developed, it would need to meet all applicable stormwater requirements.

Transportation and Community Form: **Objective TR 1.3** seeks to protect the integrity of existing roads through ongoing maintenance, and **Objective CF 1.3** calls for safe, economical mobility and accessibility for citizens and goods.

- **Staff Analysis**: The sole access to the site is Triport Circle, a private street that is not maintained by Scott County that in need of repair. Neighboring property owners have indicated that Scott County will not accept the street for public maintenance until the entire loop is brought up to County standards. The Concept Plan acknowledges that the property owner may be asked to contribute to roadway improvements and maintenance costs.
- The Applicant has indicated that it is coordinating with the adjoining property owners towards road improvements. Staff finds the zone change can be supported, provided that a plan for the improvement and long-term maintenance of Triport Circle is submitted and approved with the Preliminary Development Plan.

Concluding Staff Analysis: Overall, the 2024 Comprehensive Plan supports the continued growth of Georgetown's industrial economy, and the Future Land Use Map designates the developable portion of the property as Industrial. The proposed precast concrete operation is generally supported by the Plan's industrial and economic-development goals, and the proposed C-1 (Conservation) area aligns with the Creek Corridor designation.

The issues identified in this report, including the creek and floodplain crossing, process water management, wastewater, stormwater, and the condition of Triport Circle, relate to how the site is developed rather than whether industrial zoning is appropriate for it. Each can be addressed through agency review and the Preliminary and Final Development Plan process, and the recommended conditions of approval tie the certification of the development plans to their resolution.

Staff therefore supports the requested zone change. Approval of the zone change does not constitute approval of the development as shown on the Concept Plan; the Preliminary and Final Development Plans will not be approved until the required details, agreements, and agency approvals have been provided.

Analysis of Legal Considerations:
Section 100.213 Findings necessary for proposed map amendment

1. ***Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, ...***

- **Staff Analysis:** Based on the above review, the request is consistent with the Future Land Use Map designations of the Industrial and Creek Corridor and is supported by the Comprehensive Plan's goals and objectives. Infrastructure and transportation objectives can be met through the conditions

of approval during the development plan stage. Staff therefore finds that the request is in agreement with the Comprehensive Plan and meets this criterion.

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;

- **Staff Analysis:** The existing B-2 zoning is inappropriate because the property is designated Industrial on the Future Land Use Map, has no direct interstate access for commercial use, and adjoins established industrial properties. The proposed I-2 and C-1 zoning is appropriate because it continues that industrial pattern and permanently protects the creek corridor.

(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.

- **Staff Analysis:** Staff does not find any major changes in the area that were not anticipated by the Comprehensive Plan.

FINDINGS:

1. The 15.65-acre subject property is zoned B-2 (Highway Commercial) and is approved for a Conditional Use Permit from March 2026 for precast concrete outdoor storage and non-retail sales. However, no development plan has been filed yet to indicate active operations.
2. The property is located at the western end of Triport Circle, a private street in need of major repair, approximately 750 feet from the Interstate 75 and Cherry Blossom Way interchange, with no direct access to Interstate 75.
3. Surrounding land uses include I-1 (Light Industrial) properties to the north and east, highway commercial uses to the south and southeast, and agricultural land to the west beyond Interstate 75.
4. The 2024 Future Land Use Map designates the developable portion of the property as Industrial and the stream and floodplain as Creek Corridor. The proposed I-2 and C-1 districts generally correspond to those designations.
5. The proposed operation includes outdoor storage of materials and products. After review of the definitions in the zoning ordinance, the proposed use aligns with I-2 (Heavy Industrial) district.
6. Access to the site requires a crossing of a creek and FEMA floodplain within the Dry Run watershed.
7. Public sewer capacity is unavailable to the site, and Triport Circle requires improvement to support heavy truck traffic. These items will be addressed at the development plan stage.
8. The requested I-2 (Heavy Industrial) and C-1 (Conservation) zones are in agreement with the 2024 Comprehensive Plan.
9. Based on the above, Staff finds that the request meets the criteria of KRS 100.213.

RECOMMENDATION

Based on the findings that the requested zone change is in agreement with the adopted 2024 Comprehensive Plan, Staff recommends **Approval** of the zone change request at 112 Triport Circle, Georgetown, KY, subject to the following conditions:

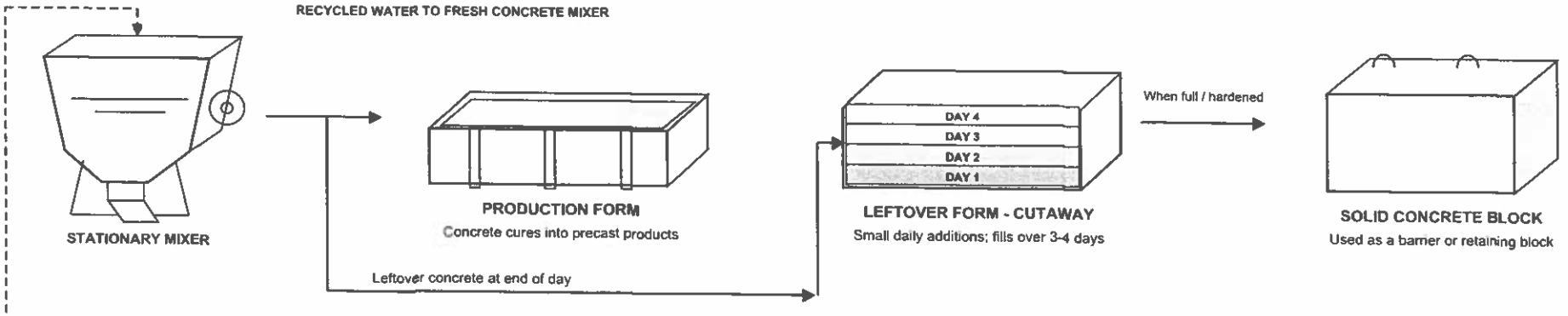
Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision and Development Regulations*.
2. The Applicant shall return to the Planning Commission for Preliminary Development Plan and Final Development Plans approvals prior to construction.
3. All areas within the floodplain shall be rezoned to C-1 conservation.
4. If the applicant does not progress to Preliminary or Final Development Plat/Plan approval within 3 years of Zoning Map Amendment approval, the Planning Commission may initiate a rezoning of the property back to B-2 (Highway Commercial) or some other appropriate zone.

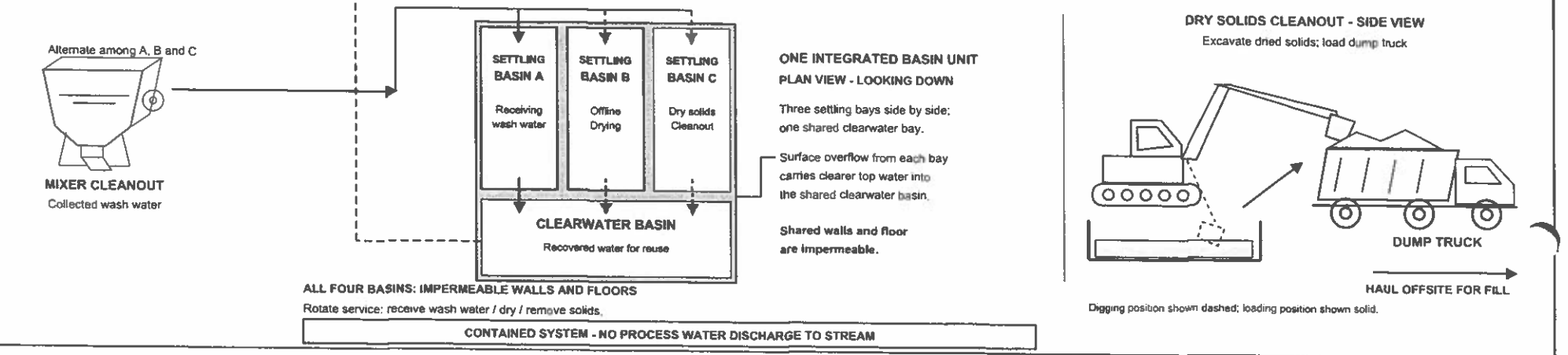
PRECAST CONCRETE - ILLUSTRATED PROCESS DRAWING

Material handling and mixer wash water containment | Planning / zoning review

01 FRESH CONCRETE: ALL CONCRETE IS PLACED IN FORMS



02 WASH WATER REUSE AND SOLIDS REMOVAL



NOTES

1. One integrated unit: three alternating settling bays and a full-width clearwater bay. Operating roles shown are illustrative.
2. Schematic only. Impermeable boundaries shown; construction, capacities and transfer details are not specified.

DRAWING TITLE	PURPOSE	SCALE	DRAWING / REV.
CONCRETE AND WASH WATER HANDLING	PLANNING / ZONING	NOT TO SCALE	P-02 / 3

PLOT DATE: 9/23/2026 1:26 PM



VICINITY MAP

SCALE: 1"=2000'

FLOOD INFORMATION:

BASED ON AN INSPECTION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S INTERNET MAP SERVICE CENTER SITE, THE PROPERTY LIES PARTIALLY WITHIN ZONE "X" AND PARTIALLY WITHIN ZONE A IN THE 100 YEAR FLOOD PLAIN.

MAP: #21209C0120D, EFFECTIVE DATE: DECEMBER 21, 2017

NOTES:

1. TRIPORT CIRCLE IS A PRIVATE STREET. PROPERTY OWNER MAY BE REQUESTED BY OTHER USERS TO CONTRIBUTE TO ROADWAY IMPROVEMENTS AND/ OR MAINTENANCE COSTS.
2. A CONDITIONAL USE PERMIT WAS APPROVED FOR AN OUTDOOR STORAGE FACILITY AND NON-RETAIL SALES OF PRE-CAST CONCRETE PRODUCTS ON 4/5/2026.
3. PDP SHALL NOT BE CERTIFIED PRIOR TO WEDCO APPROVAL OF SEPTIC SYSTEM.
4. THIS AREA FALLS WITHIN THE DRY RUN WATERSHED AND IS SUBJECT O ADDITIONAL RECOMMENDATIONS FROM THE DRY RUN BMP PLAN INCLUDING UPDATING THE WATERSHED MODEL TO CHECK FOR DOWNSTREAM IMPACTS
5. ACCESS TO THE SITE REQUIRES CROSSING THE FLOODPLAIN WHICH WILL REQUIRE KYDOW APPROVAL AND LIKELY SOME FORM OF LARGE BOX CULVERT OR BRIDGE.
6. PROJECT IS NOT IN THE GMWSS SERVICE SYSTEM.
7. COORDINATE WITH GMWSS REGARDING PROPOSED GRADE CHANGES OVER THE EXISTING GMWSS SANITARY SEWER FORCE MAIN.

SITE DATA

PROPERTY INFORMATION:

STREET ADDRESS:	112 TRIPORT CIRCLE, GEORGETOWN, KY 40324
DEED BOOK:	D.B. 449, PG. 653
NUMBER OF LOTS:	1
LOT SIZE:	15.68 ACRES (683,140.1 S.F.)

OWNER

VVG REAL ESTATE HOLDINGS LLC

DEVELOPER:

JONATHAN ROSS
INFRASTRUCTURE PRECAST, INC
981 W 7TH ST
BEAVER DAM, KY 42320

DESIGN ENGINEER:

THOROUGHBRED ENGINEERING
CONTACT: DANIEL REHNER
P.O. BOX 481
LEXINGTON, KY 40588
PHONE: 859-785-0383

PROJECT INFORMATION:

PROPOSED USE:	INDUSTRIAL MANUFACTURING & STORAGE
MAXIMUM BUILDING HEIGHT:	75'-0"
PROPOSED BUILDING HEIGHT:	20'-0"
PROPOSED SQUARE FOOTAGE:	11,520 S.F.
MAXIMUM BUILDING LOT COVERAGE:	50%
PROPOSED BUILDING LOT COVERAGE:	1.69%
TOTAL IMPERVIOUS AREA:	42,186 S.F.

ZONING INFORMATION:

ZONING CLASSIFICATION:	I-2 (HEAVY INDUSTRIAL)
BUILDING SETBACKS:	FRONT: 50' SIDE: 12' REAR: 25'

PARKING INFORMATION:

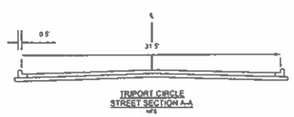
PARKING REQUIRED:	**INDUSTRIAL PLANT PER ORDINANCE:** ONE PARKING SPACE FOR EVERY TWO EMPLOYEES AT MAXIMUM EMPLOYMENT ON A SINGLE SHIFT PLUS ONE SPACE FOR EVERY TRUCK OPERATED BY THE PLANT = **10-15 SPACES** **MANUFACTURING INDUSTRIAL PER SUB REGS:** TWO SPACES FOR EACH THREE EMPLOYEES ON A MAJOR EMPLOYMENT SHIFT = **7 SPACES**
ADA PARKING REQUIREMENT:	ONE SPACE PER 25 PARKING SPACES
PARKING PROVIDED:	15 PARKING SPACES (14 STANDARD, 1 ADA)

LANDSCAPE DATA:

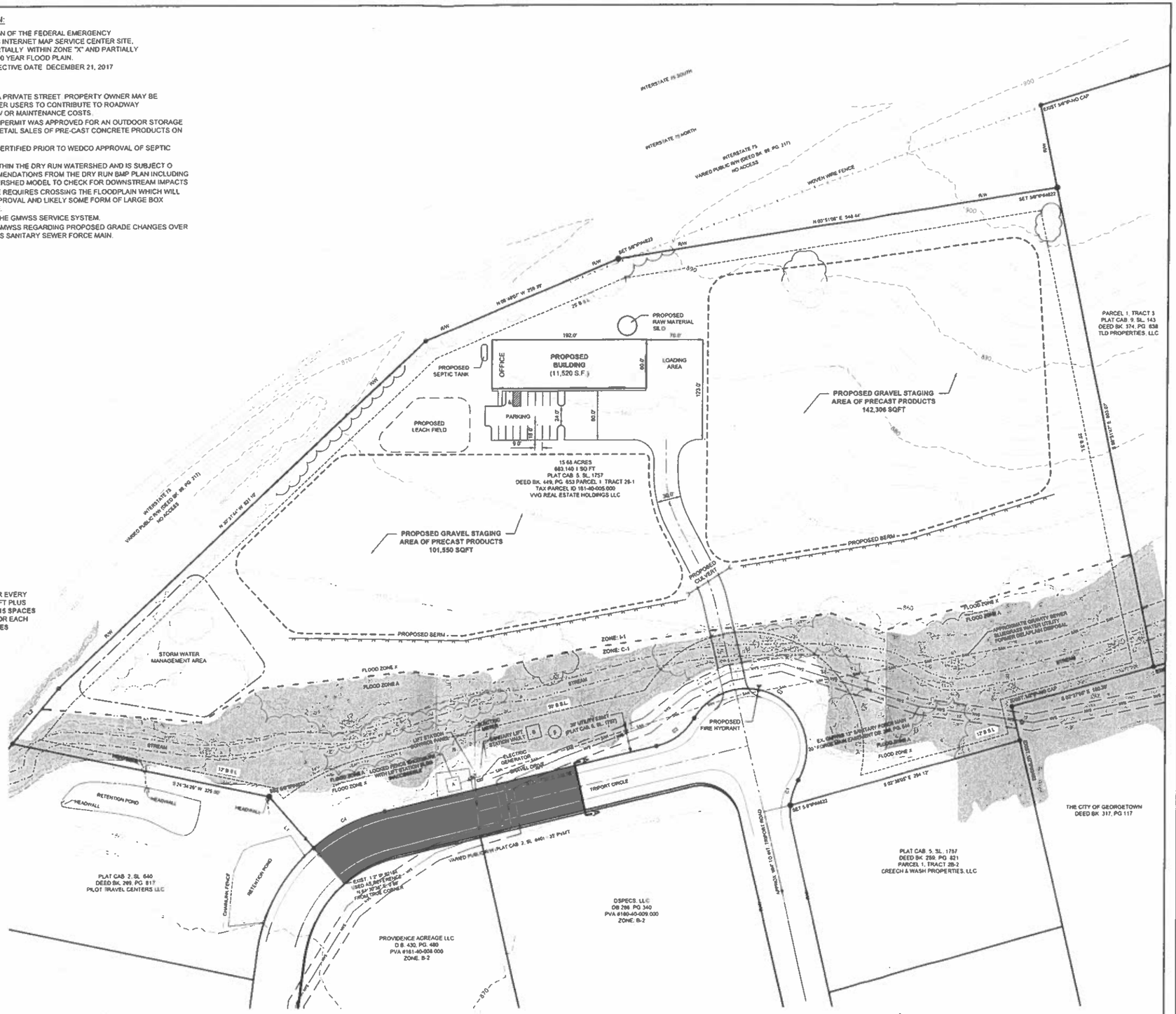
VEHICULAR USE AREA (V.U.A.):	29,900 S.F.
INTERIOR LANDSCAPE AREA REQUIRED:	2,990 S.F. (10%)
INTERIOR LANDSCAPE AREA PROVIDED:	781 S.F.
REQUIRED INTERIOR TREES:	1 TREE / 250 S.F. = 12 TREES

TREE CANOPY:

SITE AREA:	683,192.96 S.F. (15.68 ACRES)
EXISTING TREE CANOPY:	157,718 S.F. (23.08%)
PRESERVED TREE CANOPY:	138,635 S.F.
NEW TREE CANOPY REQUIRED:	0 S.F. (0%)



TRIPORT CIRCLE
STREET SECTION A-A
NTS



1409 N. FORBES RD.
LEXINGTON, KY 40511
(859) 785-0383
CIVIL DESIGN, LAND SURVEYING,
ARCHITECTURAL, GEOTECHNICAL ENGINEERING,
IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
STRUCTURAL ENGINEERING

THOROUGHBRED
DESIGN | ENGINEER | CONSTRUCT

ZMA CONCEPT PLAN

ICAST GEORGETOWN

112 TRIPORT CIRCLE, GEORGETOWN, SCOTT COUNTY, KENTUCKY

PROJECT NO: 260234	DRAWN BY: DPS
DATE: 9/1/2026	REVIEW BY: DJR

FOR REVIEW

NO.	REVISION	DATE
1	TRAC CORRECTIONS	9/23/26

NOT FOR CONSTRUCTION - REFERENCE ONLY

C-1.0

C:\RTC360 DROPBOX\THOROUGHBRED ENGINEERING\ACTIVE PROJECTS\ICAST GEORGETOWN\CIVIL\CONCEPT PLAN\CAD\ZMA_CONCEPT PLAN.DWG

MERIDIAN POINT
ZONING MAP AMENDMENT

Staff Report to the Georgetown-Scott County Planning Commission
November 12, 2026

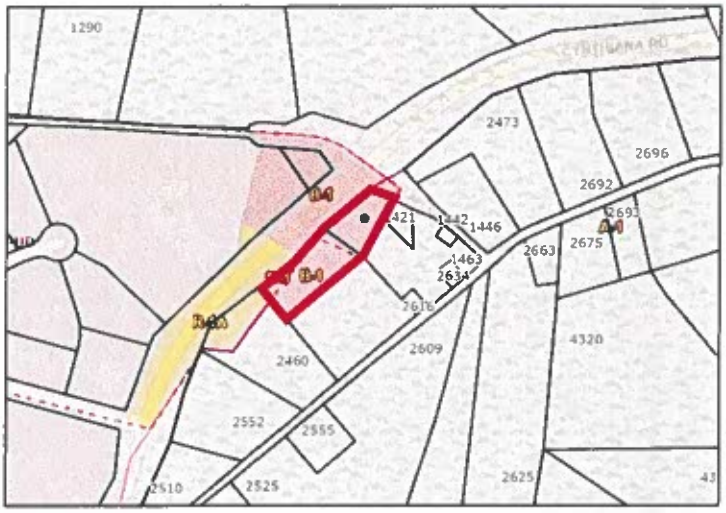
FILE NUMBER: **ZMA-2026-44**

PROPOSAL Zoning map amendment from B-1 (Neighborhood Commercial) to R-3 (High Density Residential)

LOCATION 2463 & 2467 Cynthiana Road
206-30-011.000 & 206-30-014.000

OWNER Doug and Doris Smith

APPLICANT Spire Development Inc.



STATISTICS

Total Site Acreage:	3.648 ac
Existing Zone:	B-1 (Neighborhood Commercial)
Proposed Zone:	R-3 (High Density Residential)
Surrounding Zone(s):	B-1, A-1
Proposed Use:	58 unit, age restricted residential
Access:	Cynthiana Road to Delaplain Road
Arterial Access:	Cynthiana Road
Future Land Use (2024):	Low Density Residential

SITE CHARACTERISTICS

The project site is a 3.648-acre, property located along Cynthiana Road near its intersection with Delaplain Road. Its current zoning is B-1 Neighborhood Commercial and the applicant is requesting that it be rezoned to be R-3 High Density Residential. It is currently undeveloped vacant land.

The property is bordered by A-1 district along its eastern and southern borders, and B-1 to the west. Nearby uses include the Lanes Run Business Park, a church, agricultural uses, and low-density residential uses.

CONCEPT PLAN REVIEW

Use Review

The applicant is proposing 58 residential units at a density of 15.9 dwelling units per gross acre, just under the 16 units per gross acre maximum of the R-3 zone within Georgetown city limits. The applicant states that these will be age restricted units.

Access and Circulation

The concept plan shows one access point from Delaplain Road. Staff has concerns with this proposed access location and its proximity to US-62. Staff has requested a traffic safety analysis for this intersection. Pending further analysis, the entrance may be best suited directly accessing US-62.

Parking is provided at a rate of approximately 1.8 spaces per unit for a total of 104 spaces. Parking for multi-family scenarios is evaluated based on the number of bedrooms per unit. This data has not been provided at this time and would need to be evaluated at the time of Preliminary Development Plan submittal.

Traffic

A full traffic study is required when a use exceeds 100 trips in a peak hour period. As proposed, this use does not meet the threshold for a full traffic study. Data provided by the applicant states that AM peak hour trips will be a maximum of 17, with a maximum of 18 trips in the PM peak hour. These trip counts are based on the 58 dwelling units being age restricted in their entirety (ITE Land Use Code 252 – Senior Adult Housing–Multifamily).

However, one must consider the entire potential lifespan and use of the property after receiving the requested R-3 zoning. The same number of traditional apartments without age restriction would be expected to generate 32 trips in the AM peak hour, and 39 trips in the PM peak hour. Still not enough to warrant a traffic study, but considerably more trips than the use currently proposed.

Locational Concerns

The *Zoning Ordinance* states: "This zone (R-3) should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population." This property is located on the northeastern boundary of the city limits of Georgetown. There are no nearby commercial uses to serve a high-density residential development, as nearby uses include low density residential, agricultural, and industrial.

Most notably, this location is outside of the 4-minute response time radius for Emergency Services. The nearest fire station is Scott County Fire Station 1, which is 3.8 miles away from the project site.

When referencing a rural-to-urban land use transect, development practices would place these high-density style developments closer to other urban uses, with intensity of development decreasing as you move away from the urban core. That is not the case here, as the applicant proposes an "island" of high-density development among low intensity uses.

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

1. *Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:*
    a. *That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*

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

2. *The planning commission, legislative body, or fiscal court may adopt provisions which prohibit for a period of two (2) years, the reconsideration of a denied map amendment or the consideration of a map amendment identical to a denied map amendment.*

Comprehensive Plan

When changes to zoning are desired, the Planning Commission uses the Comprehensive Plan and Future Land Use map to determine whether the desired zone change and proposed land use fit within the community vision, and whether or not the change supports the appropriate land use mix for the long-term benefit of the community. In addition to the content of this plan, the Commission also considers the appropriateness of the existing and desired zoning designations, and if there have been any unanticipated changes of a physical, social, or economic nature in the area involved since this plan was created.

Future Land Use Map

The Comprehensive Plan specifies that the Future Land Use (FLU) describes the proposed future use of the property, regardless of the current zoning designation. Created through staff research and community input, the FLU map proposes the best land use mix for the long-term benefit of the community. It is intended to be combined with the related text of this Comprehensive Plan, including the goals, objectives, policies, and recommendations. It also reflects existing land use deemed likely to be long-term.

The 2024 Future Land Use Map shows the subject property designated as Low Density Residential. The description of the land use, per the Comprehensive Plan, states that the Low Density Residential land use category,

> ... allows residential uses as well as home occupations. Home occupations include small-scale businesses, and institutions that will not detract from the basic residential integrity of a neighborhood. New low density residential growth will only occur within cities and Urban Service Boundaries. Low density residential uses include single-family homes, duplexes, limited townhome development, and some appropriately scaled walkable Missing Middle housing.

The development proposed does not align with the Comprehensive Plan's description of Low Density Residential, as only apartment units are proposed, and at a density approaching the maximum of the R-3 zone (16 units per acre maximum, 15.9 units per acre proposed). Conversely, the maximum density allowed by the R-1C Single Family Residential zone, a low-density zone, is 4.4 units per acre.

Goals & Objectives

The 2024 Comprehensive Plan identifies various goals and objectives for new development. However, this application appears to be deficient in meeting these expectations.

For example, in the Community Form chapter:

> CF 1.2 "Plan for higher-density residential uses in areas that have multiple transportation connections to commercial areas and community facilities."

This development is outside of service areas for local public transit and removed from supporting commercial uses. High-density residential uses are most successful when located near public facilities and consumer services.

In the Public Facilities Chapter:

> PF 1 "Ensure adequate public facilities and services are available to meet the needs of businesses and residents."
>
> PF 1.3 "The Planning Commission should consider access to public facilities and service levels when reviewing new development. New development should not reduce the service levels for existing residents."

This development has no immediate access to public facilities or services and is outside of the 4-minute response time radius for Emergency Services.

In the Housing chapter:

> HO 3.2 "Ensure existing public services can support new developments."

This development may add stress to the existing emergency services network, as it places a high-density development for aged individuals outside of typical response areas.

In the Heritage chapter:

> HE 1.2: "Implement policy measures to protect historic resources, incentivize preservation, and enhance the form of surrounding areas, such as downtowns, historic sites, districts, and landmarks."

The area of Oxford has traditionally been agricultural in nature, with low density residential uses accompanying. The addition of a high-density residential development would not be in keeping with this character.

Analysis of Legal Considerations

Section 100.213 Findings necessary for proposed map amendment

1. *Before any map amendment is granted, the planning commission . . . must find that the map amendment is in agreement with the adopted comprehensive plan, ...*

Staff finds that the proposed rezoning of the subject property from B-1 to R-3 is not in agreement with the Comprehensive Plan.

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

Also, the proposed R-3 zone is not compatible with the Future Land Use map, which designates this property as Low Density Residential. Thus, the proposed zoning classification is inappropriate.

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

There have been no major changes of an economic, physical, or social nature not anticipated in the Comprehensive Plan.

Staff finds that the application does not meet the requirements of KRS 100.213.

Findings:

1. The applicant has requested to rezone the subject property from B-1 (Neighborhood Commercial) to R-3 (High Density Residential).
2. KRS 100.213 specifies that consideration of a ZMA must be based on agreement with the Comprehensive Plan.
3. Staff finds that the proposed rezoning is not in agreement with the Comprehensive Plan.
4. Staff also finds that the proposed rezoning is not in agreement with the Future Land Use (FLU) map, which envisions this property as Low Density Residential.
5. Staff finds that the application does not meet the requirements of KRS 100.213.

RECOMMENDATION:

Staff recommends **denial** of the zone change request from B-1 to R-3 for the 3.648-acre property addressed 2467 Cynthiana Road (206-30-014.000). If the Commission recommends approval of this application, staff recommends the following conditions be attached:

1. All applicable requirements of the *Zoning Ordinance*, *Subdivision and Development Regulations*, and *Landscape Ordinance*.

Spire Development, Inc.
330 West Spring Street, Suite 430 | Columbus, Ohio 43215 | (614) 350-0391

Georgetown-Scott County Planning Commission
230 East Main Street
Georgetown, Kentucky 40324

October 29, 2026

LETTER OF JUSTIFICATION

Case No.:	ZMA-2026-44
Applicant:	Spire Development, Inc.
Property:	2467 Cynthiana Road, Georgetown, KY
Parcels:	206-30-011.000; 206-30-014.000
RE:	Zone Change Application (B-1 to R-3) – Meridian Point

Dear Commission Members:

Please be advised I am writing on behalf of the applicant, Spire Development, Inc. (the "Applicant"), which is applying for a zone change for the real property located at 2467 Cynthiana Road, Georgetown, Kentucky, identified as parcel numbers 206-30-011.000 and 206-30-014.000 (the "Property"). The Property, which is located within the city of Georgetown and the Urban Service Boundary, is currently zoned B-1 (Neighborhood Commercial). We respectfully request that the Property be rezoned to R-3 (High Density Residential) to permit Meridian Point, a 58-unit affordable independent living rental community for senior adults (the "Project"). Please allow the contents of this letter to serve as justification in support of the Applicant's request. As more particularly explained below, the request is in full compliance with, and meets the goals of, the 2024 Georgetown-Scott County Comprehensive Plan (the "Comprehensive Plan") and the August 2025 Georgetown-Scott County Housing Needs Assessment (the "HNA").

I. The Property and the Project

The Property consists of 3.648 +/- acres fronting Cynthiana Road (US-62) within the City of Georgetown. It is vacant and undeveloped, and contains no floodplain, sink holes, steep slopes, or wetlands. The Comprehensive Plan identifies the Property as Site HH and changed its Future Land Use designation from "Commercial & Rural Residential" in 2017 to "Low-Density Residential" in 2024 and reports a population of only 21 people within a quarter mile of the site (Comprehensive Plan, p. 350). The existing B-1 commercial zoning is therefore no longer consistent with the Comprehensive Plan, and it has not resulted in development of the Property. The proposed rezoning to permit senior adult residential is more compatible with the residential future land use.

The Project consists of one three-story, elevator-served building containing 58 one- and two-bedroom apartments, a density of 15.9 units per acre, within the 16 units per acre permitted in the R-3 district. All households in this independent living community will be headed by a person aged 55 or older. All 58 units will be income- and rent-restricted under the federal Housing Tax Credit ("HTC") program, governed by the Internal Revenue Code and administered by the Kentucky Housing Corporation: 57 units for households at or below 60% of Area Median Income ("AMI") and one unit at or below 50% of AMI. Seven units will be built for residents with mobility impairments and two for residents with hearing or visual impairments. On-site amenities include management, a community room, an exercise room, a social services office and a community laundry, and residents will have access to Bluegrass Community Action Partnership programs including transit, utility assistance, homecare case management services and a home meal delivery program for qualifying individuals. The building will be secured with controlled-access entry and security cameras. The Property sits across Cynthiana Road from the Georgetown campus of Bluegrass Community and Technical College and near the Lanes Run Business Park and Toyota Georgetown. Public water is available, and public sewer will be extended across Cynthiana Road at the Applicant's cost. The Project represents approximately $15 million of investment financed with federal HTC equity, Kentucky Housing Corporation HOME funds, and private debt, and requires no City or County funds or land. The Applicant has served as majority developer on 54 awarded HTC developments totaling more than 2,700 units across eight states, and the Project will be professionally managed by RLJ Management Co., which has 40 years of housing experience.

II. Comprehensive Plan and Housing Needs Assessment

The Comprehensive Plan's Housing mission is a community "where affordable housing is available, accessible, and kept in good condition" (Comprehensive Plan, p. 210). The HNA, prepared after the Comprehensive Plan and consistent with it, quantifies the needs the Comprehensive Plan identifies (HNA, p. 6). The Project responds to each of these documented needs as follows.

A. Affordable Rental Housing. The Comprehensive Plan finds that median rent rose 40.3% from 2011 to 2021 while median family income rose only 22.9%, and that the share of units renting for $1,000 or less fell from 77.3% to 50.4% (Comprehensive Plan, p. 214). Goal Housing Objective ("HO") 1 calls for "a full spectrum of quality housing options for all

residents," and HO 1.1 calls for "the expansion of affordable and middle-income housing opportunities throughout the community" (Comprehensive Plan, p. 227). The HNA confirms that rents rose 53% against income growth of 33%, that 37% of Scott County renters and 38% of Georgetown renters are cost-burdened, and that apartment vacancy is just 2.1% (HNA, pp. 22–23, 30). It concludes that the County needs at least 1,755 new rental units priced below market (HNA, p. 34). The Project complies by adding 58 permanently rent-restricted units, outside the downtown area where the Comprehensive Plan notes that affordable units are already clustered (Comprehensive Plan, p. 217).

B. Housing for Older Adults. The Comprehensive Plan projects that more than 18% of residents will be 65 or older by 2040, and HO 4.2 directs the community to "[i]ncrease availability and flexibility of housing options for elderly residents" (Comprehensive Plan, pp. 229, 235). The HNA finds that households over 55 grew by 46% between 2012 and 2022, the fastest of any age group, and that more than 4,000 low-income renter households are aged 55 or older (HNA, pp. 13, 36). Retirement or senior housing received the highest level of community support of any housing type, at 78.9% (HNA, p. 63). The Project complies by dedicating the entire community to households aged 55 and older.

C. Accessibility and Aging in Place. The Comprehensive Plan recognizes that older residents needing step-free housing "often have incredibly limited options" and may be "operating on a fixed income" (Comprehensive Plan, p. 215). Goals HO 4 and HO 4.3 encourage aging in place, universal design and ADA accessibility in new development (Comprehensive Plan, p. 229). The HNA likewise identifies "a need for aging-in-place and universal design housing" (HNA, p. 13). The Project complies through its elevator-served step-free design plus nine units built to federal mobility or sensory accessibility standards.

D. Smaller Units. The Comprehensive Plan notes only 861 studio or one-bedroom rental units for 12,180 one- or two-person households and identifies new small units as an opportunity to improve affordability (Comprehensive Plan, p. 221). The HNA finds that 64% of future rental units affordable at or below 50% of AMI should be studio, one- or two-bedroom units (HNA, p. 38). Seventy-one percent (71%) of the units in the Project are one-bedroom with the balance being two-bedroom.

E. Location, Compact Development and Infrastructure. The Comprehensive Plan calls for housing connected to transportation, jobs and services, for compact development under HO 1.4, and for adequate public services under HO 3.2 (Comprehensive Plan, pp. 208, 227–228). The HNA recommends expanding residential zones close to job centers, including the R-3 district, and states that senior housing should connect to amenities and services (HNA, pp. 18–19, 40). The Project complies by placing compact, single-building housing near major employers, a community college campus and senior services.

F. Overcoming Financial Barriers. Goal HO 2 seeks to "[d]ecrease financial barriers to affordable housing," noting that such housing requires incentives to attract developers (Comprehensive Plan, p. 228). The HNA directs the community to use the HTC program and development partners, and its Implementation Matrix calls for a 9% HTC senior development of 48 or more units targeting seniors at 60% of AMI (HNA, pp. 35, 76). The Project is precisely such a development, delivered without local subsidy.

As such, this zone change request not only complies with the Comprehensive Plan but also advances Goals HO 1, HO 1.1, HO 1.4, HO 2, HO 3.2, HO 4, HO 4.2 and HO 4.3 and the recommendations of the HNA. The Applicant's request should therefore be approved because "the map amendment is in agreement with the adopted comprehensive plan." *See* KRS 100.213(1). Further, because the Comprehensive Plan has redesignated the Property for residential use, the existing B-1 classification is inappropriate and the proposed R-3 classification is more appropriate. *See* KRS 100.213(1)(a).

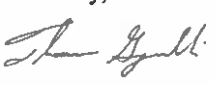
III. Development

The Applicant submitted a concept plan with its application to depict the proposed layout. Prior to construction, the Applicant will seek all required development plan approvals and will comply with applicable access, parking, buffering, landscaping, utility and stormwater requirements. At this time, the Commission is only being asked to rezone the Property in accordance with the guidance of the Comprehensive Plan, and it will retain additional oversight when those filings are made.

IV. Conclusion

In conclusion, the Applicant appreciates this Commission's consideration and respectfully requests that the Commission approve the zone change application filed herein.

Sincerely,



Thomas Grywalski
President, Spire Development, Inc.

Blue Grass Community Action PARTNERSHIP

Helping People. Changing Lives.

Serving Anderson, Boyle, Franklin, Garrard, Jessamine, Lincoln, Mercer, Scott and Woodford Counties.

November 3, 2026

Rhett Shirley
Development Services Bldg.
230 E Main St
Georgetown, KY 40324

RE: Support for Meridian Point Rezoning – ZMA-2026-44

Dear Mr. Shirley,

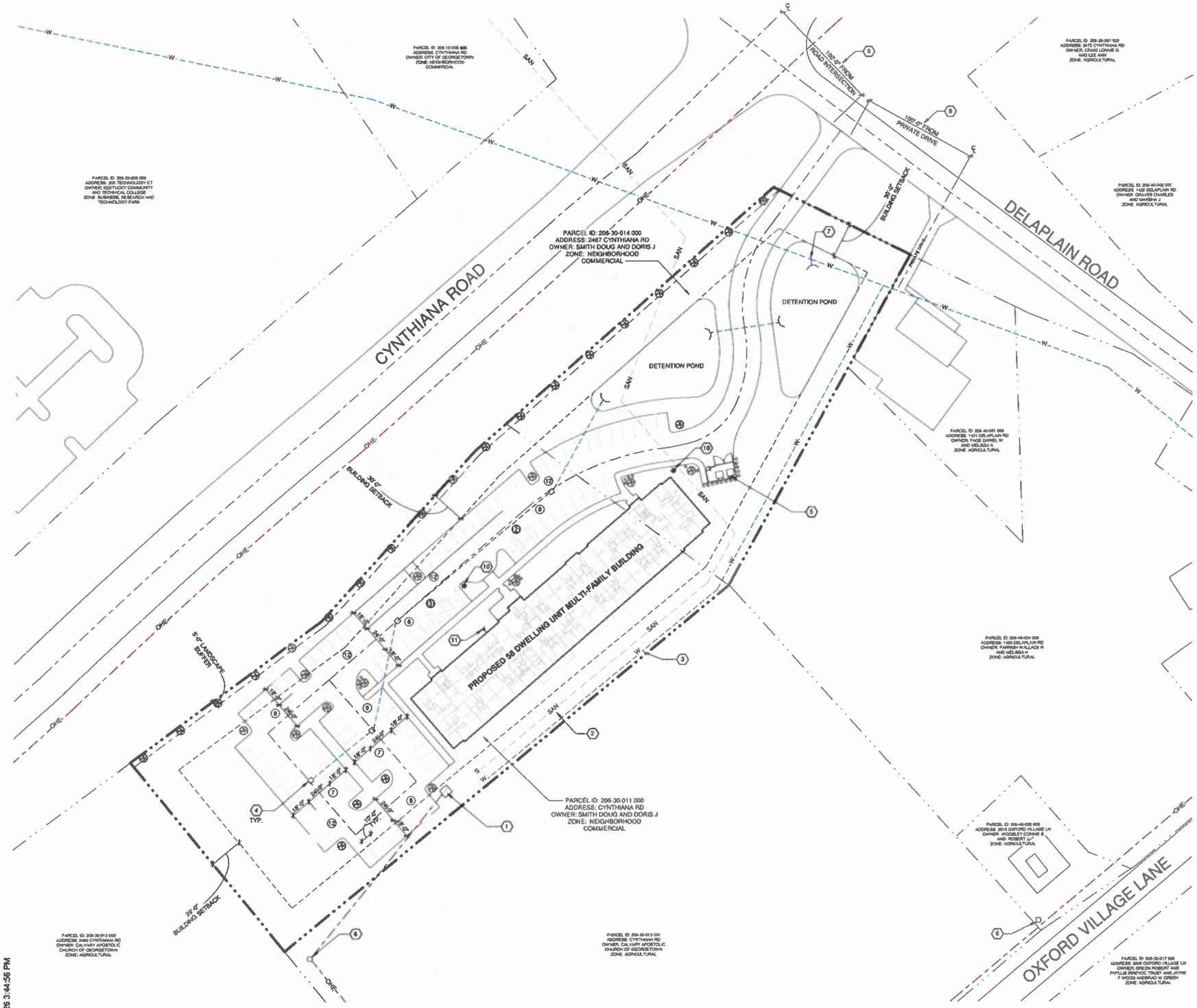
On behalf of Blue Grass Community Action Partnership, I am writing to express our support for the proposed rezoning for Meridian Point (ZMA-2026-44), a proposed 58-unit affordable housing community for adults aged 55 and older in Georgetown.

We recognize the importance of expanding affordable housing options for older adults in Georgetown and Scott County. We believe Meridian Point would help address this need and respectfully encourage the Planning Commission to approve the rezoning request.

Thank you for your consideration.

Sincerely,

Troy Roberts
Executive Director
Blue Grass Community Action Partnership, Inc.



SITE SUMMARY

ACREAGE	SQ.FT	TOTAL DWELLING UNITS (DU)	DU/ACREAGE
3.648	49,634	58	15.9

ACTUAL HEIGHT (FT)	MAX HEIGHT (FT)	FRONT YARD (FT)	SIDE YARD (ONE)(FT)	SIDE YARD (BOTH)(FT)	REAR YARD (FT)
34	50*	30	25+4	25+4	25

*R-3 MAXIMUM BUILDING HEIGHT IS 30'-0" BUT MAY INCREASE TO 50'-0" GIVEN THAT SIDE YARDS INCREASE BY THE AMOUNT CONGRUENT TO THE BUILDING HEIGHT ABOVE 30'-0"

SITE PLAN GENERAL NOTES

A. THIS SITE PLAN SHOWS A PROPOSED THREE STORY, FIFTY-EIGHT (58) UNIT MULTI-FAMILY APARTMENT BUILDING FOCUSED ON PROVIDING QUALITY HOUSING FOR THE 55+ COMMUNITY AND HAS BEEN PREPARED FOR THE PRELIMINARY APPLICATION FOR THE KHC LOW INCOME HOUSING TAX CREDIT PROGRAM. THIS SITE PLAN SHOWS THE OVERALL BUILDING LOCATION, ADJACENT WALKS, BUILDING ENTRANCES, PARKING LAYOUT AND GENERAL SITE CONTEXT.
B. THE EXISTING CONTOURS ARE PROVIDED TO SHOW THE INTENT OF THE BUILDING PLACEMENT TO USE THE EXISTING LAY OF THE LAND. GRADING PLANS WILL BE PROVIDED IN THE FINAL PLANS.
C. REFERENCE THE BUILDING PLANS FOR THE OVERALL BUILDING DIMENSIONS, AMENITIES AND DWELLING UNIT LAYOUT.
D. SIDEWALKS SHALL BE CONSTRUCTED FROM CAST IN PLACE CONCRETE AND PROVIDE AN ACCESSIBLE ROUTE THROUGHOUT THE SITE TO A PUBLIC WAY. DRIVES AND PARKING LOT SHALL BE PAVED WITH ASPHALT PER THE LOCAL JURISDICTION REQUIREMENTS.
E. ALL BUILDING MATERIALS SHALL COMPLY WITH THE KHC MINIMUM DESIGN REQUIREMENTS AND THE LOCAL JURISDICTIONS ZONING ORDINANCE.
F. PARKING STALLS REPRESENTED ARE SHOWN AS 180 SQ. FT.

SITE PLAN CODED NOTES

1	PROPOSED LOCATION OF ELECTRICAL TRANSFORMER.
2	PROPOSED SANITARY LINE LOCATION, TO BE COORDINATED WITH LOCAL UTILITY AUTHORITY.
3	PROPOSED WATER LINE LOCATION, TO BE COORDINATED WITH LOCAL UTILITY AUTHORITY.
4	PROPOSED CATCH BASIN LOCATIONS, TO TIE INTO DETENTION POND AND BACK TO MUNICIPAL WATER LINES.
5	PROPOSED SCREENED TRASH ENCLOSURE.
6	EXPECTED EXISTING 3-PHASE POWER POLE.
7	COORDINATE FINAL STORM CONNECTION W/ CITY ENGINEERING.
8	NEW ACCESS DRIVE CENTERLINE TO BE MINIMUM 100'-0" AWAY FROM CENTERLINE OF PRIVATE DRIVE.
9	NEW ACCESS DRIVE CENTERLINE TO BE MINIMUM 100'-0" AWAY FROM CENTERLINE OF ROAD INTERSECTION.
10	PROPOSED FIRE HYDRANT LOCATION.
11	PROPOSED FIRE DEPARTMENT CONNECTION LOCATION.

PARKING COUNT

PARKING SPACE TYPE	QTY
CAR	
CAR ACCESSIBLE PARKING SPACES	5
CAR PARKING SPACES	99
	104
TOTAL PARKING SPACES	104

R/A
Reed Architecture
500 W. WATERWORKS BLVD SUITE 5
COLUMBUS, OHIO 43215 614.467.8778

KYLE M ARTAR REGISTERED ARCHITECT 9/2/26

MERIDIAN POINT, KY

2467 CYNTHIANA RD
GEORGETOWN, KY

PROJECT NUMBER
SD1042

ISSUANCE
PRELIMINARY SET 08.13.26

ARCHITECTURAL SITE PLAN

AS1.01

10/8/2026 3:44:56 PM

1 AS1.01 ARCHITECTURAL SITE PLAN
1" = 40'-0"



SITE SUMMARY

ACREAGE	SQ FT	TOTAL DWELLING UNITS (DU)	ACREAGE
3.648	49,634	58	15.9

ACTUAL HEIGHT (FT)	MAX HEIGHT (FT)	FRONT YARD (FT)	SIDE YARD (ONE)(FT)	SIDE YARD (BOTH)(FT)	REAR YARD (FT)
34	50*	30	25+4	25+4	25

*PERMAX MUM BUILDING HEIGHT IS 50'-0" BUT MAY INCREASE TO 56'-0" GIVEN THAT SIDE YARDS INCREASE BY THE AMOUNT CONSTRUENT TO THE BUILDING HEIGHT ABOVE 20'-0"

SITE PLAN GENERAL NOTES

A. THIS SITE PLAN SHOWS A PROPOSED THREE STORY, FIFTY-EIGHT (58) UNIT MULTI-FAMILY APARTMENT BUILDING FOCUSED ON PROVIDING QUALITY HOUSING FOR THE 55+ COMMUNITY AND HAS BEEN PREPARED FOR THE PRELIMINARY APPLICATION FOR THE KHC LOW INCOME HOUSING TAX CREDIT PROGRAM. THIS SITE PLAN SHOWS THE OVERALL BUILDING LOCATION, ADJACENT WALKS, BUILDING ENTRANCES, PARKING LAYOUT AND GENERAL SITE CONTEXT.
B. THE EXISTING CONTOURS ARE PROVIDED TO SHOW THE INTENT OF THE BUILDING PLACEMENT TO USE THE EXISTING LAY OF THE LAND. GRADING PLANS WILL BE PROVIDED IN THE FINAL PLANS.
C. REFERENCE THE BUILDING PLANS FOR THE OVERALL BUILDING DIMENSIONS, AMENITIES AND DWELLING UNIT LAYOUT.
D. SIDEWALKS SHALL BE CONSTRUCTED FROM CAST IN PLACE CONCRETE AND PROVIDE AN ACCESSIBLE ROUTE THROUGHOUT THE SITE TO A PUBLIC WAY. DRIVES AND PARKING LOT SHALL BE PAVED WITH ASPHALT PER THE LOCAL JURISDICTION REQUIREMENTS.
E. ALL BUILDING MATERIALS SHALL COMPLY WITH THE KHC MINIMUM DESIGN REQUIREMENTS AND THE LOCAL JURISDICTIONS ZONING ORDINANCE.
F. PARKING STALLS REPRESENTED ARE SHOWN AS 180 SQ. FT.

SITE PLAN CODED NOTES

1. PROPOSED LOCATION OF ELECTRICAL TRANSFORMER.
2. PROPOSED SANITARY LINE LOCATION. TO BE COORDINATED WITH LOCAL UTILITY AUTHORITY.
3. PROPOSED WATER LINE LOCATION. TO BE COORDINATED WITH LOCAL UTILITY AUTHORITY.
4. PROPOSED CATCH BASIN LOCATIONS. TO TIE INTO DETENTION POND AND BACK TO MUNICIPAL WATER LINES.
5. PROPOSED SCREENED TRASH ENCLOSURE.
6. EXPECTED EXISTING 3-PHASE POWER POLE.
7. COORDINATE FINAL STORM CONNECTION W/ CITY ENGINEERING.
8. NEW ACCESS DRIVE CENTERLINE TO BE MINIMUM 100'-0" AWAY FROM CENTERLINE OF PRIVATE DRIVE.
9. NEW ACCESS DRIVE CENTERLINE TO BE MINIMUM 100'-0" AWAY FROM CENTERLINE OF ROAD INTERSECTION.
10. PROPOSED FIRE HYDRANT LOCATION.
11. PROPOSED FIRE DEPARTMENT CONNECTION LOCATION.

PARKING COUNT

PARKING SPACE TYPE	QTY
CAR	
CAR ACCESSIBLE PARKING SPACES	5
CAR PARKING SPACES	99
	104
TOTAL PARKING SPACES	104

R/A
Reed Architecture
589 W. NATIONWIDE BLVD. SUITE B
COLUMBUS, OHIO 43215 614.487.8770

KYLE M ARTAR — REGISTERED — STATE OF KENTUCKY — ARCHITECT
9/2/26

MERIDIAN POINT, KY
2467 CYNTHIANA RD
GEORGETOWN, KY

PROJECT NUMBER
SDI042

ISSUANCE
PRELIMINARY SET 08.13.26

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1 AS1.01 ARCHITECTURAL SITE PLAN
1" = 40'-0"

ARCHITECTURAL SITE PLAN

AS1.01

793A LEMONS MILL ROAD (160 Driving Academy)
PRELIMINARY DEVELOPMENT PLAN

Staff Report to the Georgetown-Scott County Planning Commission
November 12th, 2026



FILE NUMBER: **PDP-2026-0048**

PROPOSAL: Preliminary plan for infill development of an existing site; land use as a Commercial Drivers' Licensing school.

LOCATION: 793A Lemons Mill Road.

OWNER: Lemons Mill Partners, LLC.

APPLICANT: 160 Driving Academy.

CONSULTANT: Palmer Engineering (Garrett Ward).

STATISTICS:

Site Acreage:	5.3 acres.
Existing Zone:	I-1 (Light Industrial).
Surrounding Zone(s):	I-1, R-2, A-1.
Existing Use:	Outdoor storage (Conditional).
Proposed Use:	Educational facility (Conditional).
Access:	Existing entrance upon Lemons Mill Road.
Arterial Access:	McClelland Circle.

WAIVERS/VARANCES REQUESTED:

The Applicant has requested one variance from the provisions of local zoning regulations.

1. To reduce the minimum required interior landscaping for vehicular use areas from 15,116 square feet to 2,343 square feet.

CONTEXT:

Garrett Ward of Palmer Engineering, on behalf of 160 Driving Academy and Lemons Mill Partners, LLC (hereinafter referred to as "Applicant") has filed a Preliminary Development Plan application for the property addressed 793A Lemons Mill Road (hereinafter referred to as "Project Site").

Project Site was legally created in 1988 (Plat Cabinet 02, Slide 696). It is a 5.3-acre, industrially zoned lot on the east side of the Norfolk Southern railroad line. It is in the vicinity of Georgetown College East Campus, Georgetown Church of the Nazarene, the Georgetown Industrial Park, as well as other industrial businesses such as Vuteq, Adient US, and International Crankshaft. There is no identified floodplain or Karst terrain upon the Project Site.

Historically, the Project Site was used alongside its sister tract (793B Lemons Mill Road) for industrial manufacturing by Pioneer Plating, LLC. At some point during previous ownership, there was a leak of the chemical agent Trichloroethene upon the property, and as such the Environmental Protection Agency designated it as a Brownfield site (EPA, "Detailed Facility Report").

A Brownfield site is defined as "'...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant'" (EPA, "Sites Eligible for Brownfields Funding").

Current owners previously undertook a redevelopment project upon the Brownfield site. A Property Management plan, including mitigation efforts, was approved by the Kentucky Environment Cabinet in 2024. Redevelopment and mitigation efforts included the demolition of existing industrial buildings, as well as the use of large concrete building pads to provide an impervious cap. The cap prevents human contact with contaminants, or the spread of said contaminants to watersheds or other properties (Uconn, "Capping at Brownfield Sites"). Environmental covenants for the property dictate mitigation of contaminants. Brownfield regulation is done at the federal and state level.

Following cleanup, the Project Site received approvals for an outdoor storage area (PDP-2025-10 & G-2025-08). The use of the Project Site today is outdoor storage.

PLAN REVIEW:

The development plan is somewhat unique in that it primarily regards the infill of existing site conditions. Existing conditions include around 40 to 50 storage containers, a 12,000 square foot parking lot, an 87,383 square foot concrete building pad, and a 36,150 square foot paved area. Proposal would repurpose these existing conditions for the new use, improving site features to meet regulations where needed. The proposed plan depicts the following changes or additions for the Project Site:

1. The removal of all existing conex storage containers.
2. Addition of a 960 square foot (20x48') classroom building.
3. Addition of ADA-compliant spaces to the existing parking lot.
4. 1,766 square feet of new concrete surfacing.
5. Widening of existing private street from 20 feet to 24 feet.
6. Addition of a 50-foot wide entrance apron from existing concrete pad to existing private street.
7. Installation of new landscaping, including 72 new medium-to-large trees.

What follows is a more detailed summary of the proposal.

Land Use:
Project Site would be used as an educational facility for those in pursuit of their Commercial Drivers' License. Educational facilities are a conditional use in all zones. In September of this year, the Applicant received a Conditional Use Permit from the Georgetown Board of Adjustment for this use, under the case number G-2026-36. For as long as the use permit remains valid, the proposed use is allowable for this property. As commercial driving, in general, is industrial in nature, the proposal is consistent with the I-1 zoning of the site.

Comprehensive Plan:
The Goals and Objectives of the *Comprehensive Plan* would clearly support this proposal:

- "Community Form 3.6: Encourage the redevelopment of brownfields and grayfields within urban areas."
- "Human Services 1.1: Increase access to physical and online locations of learning."
- "Environment 5.1: Encourage the rehabilitation of existing structures where possible [may also be applicable to infill of developed sites]."
- "Economic Growth 4.1: Support and assist local educational efforts to produce an adequate-sized available and skilled labor pool."

This proposal would provide for the adaptive reuse of an existing Brownfield site, while also providing new vocational training opportunities for citizens of Georgetown or Scott County. It would align with the guiding provisions of the *Comprehensive Plan*.

Traffic Generation:
A full traffic study would not be warranted. Conditions of the use permit mandated that class sizes would not exceed 20 students; as such, anticipated peak traffic generation resulting from this proposal is minimal. With limited class sizes, the traffic scale of this use is less than the traffic that would be generated by other permitted land uses in the Light Industrial zone (such as shipping or warehousing).

As part of legally required protocol for commercial driver's license training, students and teachers would be driving semi-trucks in and out of the Project Site for training exercises. At time of conditional use permit review, the Board of Adjustment applied a condition stating that training exercises will not turn left onto Lemons Mill, due to concerns about the curvature and width of westbound Lemons Mill Road. Proposed plan sets depict a sign posted at the exit to this effect. Eastbound Lemons Mill and the existing entrance are both wide enough to safely accommodate exercises of this nature.

General Site Layout:
This proposal would repurpose existing site conditions to create a campus-like development; different facets of the land use would take place in different portions of the property, as they would be segregated by landscaping or drive aisles. The north portion of the site would provide student and faculty parking, as well as a new front office building. The center portion of the site would be an open vehicular use area, utilizing the existing building pad for semi-truck parking and a training yard for instructional exercises. The southernmost portion would consist of some additional training area, as well as a wide turnaround berth for on-site semi-trucks.

Access:
Road dimensions are acceptable for this use. As noted on engineering drawings, the section of Lemons Mill from which ingress and egress exist is 24 feet wide. The Project Site has an existing 24-foot-wide entrance onto the road from the property's northeast corner.

Private Streets:
Moving south from the entrance, there is an existing 20-foot-wide interior private street, with gravel shoulders, which serves both the Project Site as well as its sister lot (793B Lemons Mill Road). Proposal includes the widening of this private street to 24 feet.

This private street would give ingress to different parts of the campus from two different entrances. The northern parking lot is accessed via a first entrance upon the private street, whereas the southern training yard areas would be accessed from a newly proposed entrance apron. This new entrance apron would be 50 feet wide, allowing clear interior access to the southern training yards without the need to drive over gravel surfacing.

Vehicular Use Area:
The plan notes 151,160 square feet of vehicular use area for the entire campus, most of which is pre-existing concrete or asphalt. This consists of the existing 87,383 square foot concrete pad, the existing 36,150 square feet of asphalt, and an existing 13,656 square foot north parking lot. The remainder consists of added concrete fill, the new entrance apron, and the existing private street and proposed widenings thereof.

Surface types of existing vehicular use area vary because of Brownfield mitigation. Impervious surfaces (in this case the vehicular use area) are an engineered control that provide a "cap," preventing human contact with contaminated soil, or the spread of contaminated materials (Uconn, "Capping at Brownfield Sites").

Parking:
Because the proposed land use is unique, zoning regulations do not provide a clearly applicable minimum parking provision. At time of conditional use permit hearing, the Board of Adjustment applied the following parking provision: "One space per student of the largest class size upon the site at any one time, plus one space per staff member to be on-site during the largest shift, with the addition of one additional space per every training vehicle located upon the site" (G-2026-35). Proposed plan meets the provision, with 20 parking spaces to the north, and 7 truck spaces to the west of the building pad. Two handicap-accessible parking spaces would also be added to the proposed front office building, making the site ADA compliant.

Interior Landscaped Area (for Vehicular Use Areas):
With 151, 160 square feet of vehicular use area, the *Landscape Ordinance* would require 15,116 (10%) square feet of interior landscaping. Proposal depicts the installation of 2,167 square feet of interior landscaping, due to the site constraints resulting from infill. A variance been requested, which is analyzed in more detail in the "Variance Analysis" section.

Canopy Coverage:
Per the *Landscape Ordinance* (section 6.2215), the minimum canopy coverage requirement for the Project Site would be 9% (20,712 square feet). Submitted plans depict the installation of 21%, or 49,300 square feet of tree canopy for the entire site, over double the minimum provision. The intent of doubling canopy provisions is to compensate for the reduced interior landscaping.

Screening and Buffering:
The *Landscape Ordinance* (6.12) would make few provisions for boundary screening upon this property; there is very little legally required screening that will need to be installed.

The one exception is that additional screening will be required to the northwest boundary of the property, where the site abuts a residential zone. This screening is shown upon the landscape plan in the form of a line of additional trees, a row of continuous shrub plantings, as well as a 6-foot-tall fence, thereby satisfying screening mandates.

The surplus of proposed tree canopy also provides natural screening upon other boundaries, in places where it is not legally required.

VARIANCE ANALYSIS:
The *Landscape Ordinance* requires that for every 100 square feet of vehicular use area on a property, 10 square feet of interior landscaped area must be provided in the form of islands or peninsulas (6.22). With 151,160 square feet of vehicular use area, this proposal would require 15,116 square feet of interior landscaping. A variance request has been filed to reduce this requirement to 2,343 square feet.

Application material states that this variance is intended to allow for the repurposing of pre-existing site conditions, claiming the majority of this vehicular use area is already in place, and therefore should not be removed or further altered. Letter also states that if the minimum interior landscaping requirements were to be literally enforced, the site conditions resulting therefrom would restrict the intended use of the site for driver training exercises. Justification posits that it would be impractical to strictly enforce interior landscaping installation for an infill proposal.

Application material goes on to state that the Project Site is an identified Brownfield site; that the existing building pad provides an "impervious cap" mitigating the effect of the Brownfield contaminants; and that to require installation of interior landscaping within or upon the concrete pad would reduce the effectiveness of this cap by breaking ground to plant vegetation.

With this variance, interior landscaping would still be provided for the northern parking lot area, whereas the requirement would be omitted for the building pad and existing asphalt to the south of the site. In places where interior landscaping would be omitted, additional tree canopy would serve in in its stead to offset heat absorption or water runoff from impervious vehicular use area.

KRS 100.243:
When considering variances within the City of Georgetown, the Commission must consider the request in relation to the provisions of Kentucky Revised Statute, as follows:

KRS 100.243 Findings necessary for granting variances.

1. *Before any variance is granted, the board must find that the granting of the variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
    a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
    b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*

c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*

2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought.*

The requirements of the statute are analyzed as follows.

Potential Effect on Public Health, Safety, or Welfare? (1.):
Staff finds that the variance in question would not negatively affect public health, safety, or welfare. While interior landscaping is intended to benefit public health by preventing heat absorption on surfaces like blacktop or concrete, the proposal as a whole would provide double the minimum tree canopy requirement, thereby performing the same intended function. This variance would also prevent the need for any alterations to existing impervious Brownfield contaminant caps, which may benefit public health or safety by reducing the risk of contaminant spread.

Potential Effect on Character? (1.):
The appreciable change in character would be the interior landscaping, or lack thereof. Under current conditions, vehicular use areas on the Project Site do not meet interior landscaping requirements, and this variance would legally allow for continuance of a pre-existing condition, which does not appreciably alter the character of the Project Site, or the surrounding area.

The holistic proposal would improve the character of the Project Site, as it depicts the installation of 72 additional trees, with 250 square feet of coverage each, covering over 47,800 square feet of the site. Adaptive reuse of a Brownfield site would also improve the area's character.

Potential Hazard or Nuisance? (1.):
There would be no hazard or nuisance arising from the variance, for the same reasons outlined in the "Health, Safety, and Welfare," section.

Would the Variance Create Unreasonable Circumvention? (1.):
Under state law, variances cannot directly contradict regulations or reduce said regulations to an unreasonable degree. This variance would reduce the interior landscaping requirement by 12,773 square feet, however the application provides more than double the minimum canopy requirement, providing an extra 28, 588 of tree canopy coverage. Staff finds that the additional tree canopy coverage clearly offsets the reduction in interior landscaping. The amount of trees proposed would serve the same function as interior landscaping, offsetting heat absorption and absorbing water runoff. As such, Staff finds that the variance would not create unreasonable circumvention,

Are There Special Circumstances for the Property in Question? (1.a.):
Staff finds that there are three unique circumstances for the Project Site from which this variance request arises.

First, this proposal is an adaptive reuse of existing site conditions, and therefore must work within existing restraints, including the large building pad and asphalt area. Infill redevelopment makes the proposal unique, and the restraints of infill should be accommodated where possible.

Second, Project Site is an identified Brownfield. As noted in earlier analysis, an effective way to mitigate the contaminants within a Brownfield is to place impervious caps over the contaminated soil. This prevents human contact with contaminants, and prevents the spread of said contaminants onto other properties (or water sources). To break ground for the installation of over 15,000 square feet of interior landscaping islands within these impervious caps could create hardship or hazard.

Third, the land use in question is a unique conditional use for which interior landscaping metrics may not directly account. The vehicular use area(s) would become a training yard for student drivers, and therefore would differ in nature from typical vehicular use areas; a training yard requires more space for training exercises such as turning, parking, backing, docking, inspections, etc. Requiring the installation of interior landscaping within said training areas would unnecessarily restrict the use of the space.

Would Denial of the Variance Deny Reasonable Use, or Create Unnecessary Hardship? (1.b.):
Staff finds that denial of the variance would deprive the intended operation of the proposed use. Requiring additional landscaping islands or peninsulas would restrict the navigable space within training yards upon the property. Similarly, it would create unnecessary hardship to require the implementation of over 15,000 square feet of interior landscaping for the adaptive reuse of an existing site; this hardship would be magnified by the fact that the property is a Brownfield, and that the installation of interior landscaping could complicate contaminant mitigation.

Variance #1 Findings:

1. The *Landscape Ordinance* would require 15,116 square feet of interior landscaping for this proposal.
2. Application requests to reduce this requirement to 2,343 square feet.
3. The variance would not adversely affect public health, safety, or welfare or create hazard or nuisance.
4. The variance would not negatively alter the character of the area; proposal as a whole would likely improve character, with the installation of 72 additional trees to create green space.
5. The variance would not unreasonably circumvent landscaping regulations, because proposed tree canopy would cover 21% of the site. The amount of additional tree canopy numerically exceeds the reduction in interior landscaping.
6. There are three unique circumstances from which the variance arises:
    a. the proposal is infill development/adaptive reuse of an existing site;
    b. the Project Site is a Brownfield site with additional constraints;
    c. the proposed driving school requires more open, easily navigable training yards.
7. Denial of the variance would create hardship by unreasonably restricting the amount of available training area.
8. Denial also may create hardship in terms of Brownfield mitigation.
9. There are no willful violations on the part of the Applicant.

General Findings:

1. The Project Site is a 5.3-acre property, zoned I-1 Light Industrial.
2. Proposal is for a driving school for those in pursuit of their Commercial Driver's License; proposal is redevelopment of existing site conditions.
3. Project Site is a Brownfield, designated by the EPA.
4. Educational Facilities such as this use are a conditional use in the I-1 Light Industrial Zoning district.

5. The Applicant received a conditional use permit for this proposed use in September of this year.
6. While the Brownfield Site designation does exist, applicable EPA and other federal or state regulations pertaining to it are outside of the Commission's jurisdiction.
7. The proposed development plan meets most regulations, though one variance to reduce interior landscaping is requested.
8. All findings listed for variance #1, to reduce the required interior landscaping for vehicular use areas from 15,116 square feet to 2,343 square feet.

RECOMMENDATION:

Given findings and analysis, Staff recommends **approval** of PDP-2026-0048 for the infill redevelopment of the 5.3-acre property addressed 793A Lemons Mill Road for a CDL educational facility.

Variances:

1. To reduce the interior landscaping requirements from 15,115 square feet to 2,343 square feet.

Conditions of Approval:

1. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
2. All applicable requirements of the *Zoning Ordinance*, *Subdivision and Development Regulations*, and the *Landscape and Land Use Buffer Ordinance*.
3. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
5. 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.
6. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual including a post-construction stormwater management BMP O&M agreement.
7. A photometric plan shall be submitted and approved as part of the Final Development Plan. The Applicant shall direct lighting away from adjoining property and not have any off-site impact.
8. A species-specific landscape plan shall be included with the Final Development Plan indicating all trees to be preserved during construction and meeting all provisions of the Planting Manual and Landscape Ordinance, including species types.
9. All conditions of the Conditional Use Permit, numbered G-2026-35.
10. Total site canopy shall exceed 33,485 square feet of coverage (typical minimum + square footage of interior landscaping reduction) at time of tree maturity.

11. All requirements of the appropriate utility providers.
12. Any and all applicable federal requirements of the EPA, or the CERCLA, as it pertains to this specific redevelopment of the identified Brownfield site.
13. Any and all applicable state requirements of the Kentucky Energy and Environment Cabinet, or Kentucky Revised Statute Chapter 224.1-400 in relation to Brownfield designation.
14. Applicant or property owner shall update the Kentucky Energy and Environmental Cabinet with details of this redevelopment of the Brownfield site.
15. Applicant shall meet all requirements of the Royal Springs Watershed Committee.

Works Cited (External Sources):

Environmental Protection Agency (EPA), "Detailed Facility Report." Pioneer Plating, LLC: 793 Lemons Mill Rd., Georgetown, KY 40324. Enforcement and Compliance History Online. https://echo.epa.gov/detailed-facility-report?fid=110000746738.

Environmental Protection Agency (EPA), "Information on Sites Eligible for Brownfields Funding under CERCLA § 104(K)." *Brownfields and Land Revitalization*. https://www.epa.gov/brownfields/information-sites-eligible-brownfields-funding-under-cercla-ss-104k#1.

University of Connecticut (Uconn), "Capping at Brownfield Sites." https://tab-program.media.uconn.edu/wp-content/uploads/sites/3361/2025/12/Capping.pdf.

PDP 2026-0048-160 Driving Academy Facilities
Requested Variance

Variance 1: Request a reduction of the required ILA from 15,116 square feet to 2,343 square feet for the VUA.

Justification:

A. The granting of this variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause hazard or a nuisance to the public, and will not allow unreasonable circumvention of the requirements of the zoning regulations. The proposed development makes use of the existing concrete building pad and existing asphalt loading dock area for truck driver training areas. Very little modification to the site is being proposed except for updates required by current regulations and ordinances.

B. The ILS requirement for the existing concrete pad and rear asphalt area renders the site useless for the proposed use of a truck driving academy. It is clearly not practical to incorporate interior landscaping within the truck driving academy training area.

C. This is a Brownfield Site and it is strongly recommended that the impervious cap not be cut into and removed which would be required for interior landscaping.

D. The Royal Springs Aquifer Committee previously requests no removal of existing pavements. We anticipate similar recommendations for this Royal Springs Aquifer review.

E. The tree canopy provided has been increased from 10% (required) to 20% to compensate for the reduced ILA. Additionally, a 9-feet wide landscape strip is being cut out of the existing asphalt paving for additional perimeter landscape area and tree placement.

Andy Beshear
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
300 Sower Boulevard
Frankfort, Kentucky 40601
Phone: (502) 564-2150
Fax: 502-564-4245

Rebecca Goodman
SECRETARY

Anthony R. Hatton
COMMISSIONER

June 6, 2024

Jacob Cassidy (Partner)
Lemons Mill Partners, LLC;
PoorLogis, LLC;
Lusby Development Company, Inc.;
Welch Real Estate Holdings, LLC
1890 Star Shoot Parkway, Suite 170-165
Lexington, Kentucky 40509

Re: **NOTIFICATION OF CONCURRENCE**
BROWNFIELD REDEVELOPMENT PROGRAM
Agency Interest Number (AI #): 39864
Former Pioneer Plating, LLC Property
793A Lemons Mill Road
Lexington, Kentucky
Fayette County

Dear Mr. Cassady:

The Division of Waste Management is in receipt of your Brownfield Redevelopment Program application and Property Management Plan received February 14th, 2024 and warranty deed received June 5th, 2024 verifying that you have taken legal title to the property. The Division of Waste Management finds that the application is administratively complete and that the conditions of KRS 224.1-415(2)(a) have been certified to be true. Based on the data and information provided to date, and a review of the Property Management Plan and warranty deed indicating ownership, the Division of Waste Management concurs that the intended future use and management of the property will not interfere with remediation of the release as required by the cabinet, increase impacts of the release on human health or the environment, or expose the public and environment to unacceptable harm as required by KRS 224.1-415(2)(b).

Therefore, in accordance with KRS 224.1-415(2), you are not liable for performing characterization, correcting the effects of the release on the environment, or performing corrective action of any release or suspected release included in your certification.

The Property Management Plan is intended to ensure that property use is protective given the available information and the recognized environmental conditions identified. There are two scenarios under which you may propose or be required to amend the Property Management Plan:

1. You intend to change the usage of the property through expansion, reuse, or redevelopment, or

2. There is a discovery of new information that requires modification of the Property Management Plan to ensure that property use is protective.

Should these conditions be met, you must notify and work with the Division of Waste Management to ensure that the Property Management Plan remains protective of human health and the environment, or is amended based on the new information to ensure it is protective.

Upon issuance of this Notification of Concurrence, you will be responsible for conducting and documenting annual inspections of all engineering and institutional controls identified in the Property Management Plan to ensure that property use remains protective of human health and the environment. The property for which this Notification of Concurrence applies will also be subject to periodic auditing by the Division of Waste Management to verify compliance with the Property Management Plan.

Failure to adhere to the approved Property Management Plan may result in the revocation of this Notification of Concurrence. If, by any means, the Division of Waste Management discovers that you have provided false information in your certification, this Notification of Concurrence will be withdrawn as required by KRS 224.1-415 (3). In no way does this Notification of Concurrence alter any other legal obligations you would be subject to pursuant to any local, state, or federal law.

The Commonwealth of Kentucky is committed to the safe and productive reuse of properties on which releases have occurred or there is the perceived presence of releases. If we can provide any further service to help bring this property to productive reuse or if you have any questions regarding this letter, please contact us at 502-782-2200.

Sincerely,

Clifford Hall, P.G.
Registered Geologist Branch Manager
Superfund Branch
Division of Waste Management

CLH/jb

ec: Clifford.Hall@ky.gov;
Nathan.Hancock@ky.gov

Georgetown Board of Adjustment
September 8, 2026, Minutes

The meeting was called to order at 5:30 p.m. All members were present. There continues to be a one-person vacancy. Shirley, Carper, Ketz, Tusam, and Smith were present as Staff.

Upon motion by Schwartz, second by Allen, the Board unanimously approved the August 3, 2026, minutes. The Board Attorney administered the Oath to those signed in to speak.

Old Applications: None

New Applications:

a. **G-2026-34**: **Kassie Bennett**, Georgetown, KY 40324, requested a Conditional Use Permit (CUP) for a private school located at 209 West Jefferson Street, Georgetown, KY 40324. The property is zoned B-3. The applicable provisions are KRS 100.111, KRS 100.234, and Zoning Ordinance §2.33. 1.f. Notices were given. Staff recommended approval.

Noah presented the application, background, recommended findings, and conditions of approval. This use is a conditional use in this zone. Based on the recommended findings, Noah recommended approval with conditions, including the submission of a development plan. He advised the Board the proposed use would not adversely impact the area and would provide an essential service to the community. This school would share the former church building with the existing daycare separated by a firewall.

Noah advised applicant must file a development plan, which would apply to traffic, sufficiency of infrastructure, to ensure this use creates no hazard or nuisance, and provides for parking. Gravel would not be an acceptable surface. The staff report includes justification for the recommended findings and conclusions.

Upon Motion by Allen, second by Schwartz, the Board unanimously approved the application, subject to the staff report.

b. **G-2026-36: 160 Driving Academy, 5990 W Touhy Ave., Niles, Illinois, 60714,** Nicole Harpster, Real Estate Specialist, 160 Driving Academy, requested a Conditional Use Permit (CUP) for a commercial driver's license educational facility at 793A Lemons Mill Road, Georgetown, KY 40324. The property is zoned I-1, Light Industrial. The applicable provisions are KRS 100.111, KRS 100.234, and Zoning Ordinance §2.33. Notices were given. Staff recommended approval.

Property owners: Lemons Mill Partners, LLC, Poorlogis, LLC, Lusby Development Co., Inc., Welch Real Estate Holdings LLC. Contact person is Nicole Harpster.

Noah presented the application, gave background, recommended findings, and conditions of approval. This use is listed in the Zoning Ordinance as a conditional use. Based on the findings, Noah recommended approval with conditions, including the submission of a development plan. He advised the Board the proposed use would not adversely impact the area and would provide a necessary service to community. The staff report includes justification for the recommended findings and conclusions.

Upon Motion by Emerson, second by Allen, the Board unanimously approved the application, subject to the Staff report.

There being no further business, the meeting was adjourned.

Approved:

Jeremy Emerson, Chair

Attested:

Charlie Perkins, Board Attorney, and
Recording Secretary

Georgetown-Scott County Planning Commission
Planning · Engineering · GIS

Reference Case No. G-2026-35

September 9th, 2026

160 Driving Academy (and designated owners/affiants)
5990 West Touhy Avenue
Niles, IL, 60714

Subject: Case No. G-2026-35

Dear Applicant,

At the regularly meeting scheduled on September 8th, 2026, the Georgetown Board of Adjustment **approved** the conditional use permit request for a CDL educational facility upon the property addressed 793A Lemons Mill Road. The Board saw it fit to apply the following conditions.

Conditions of Approval:

1. This property is subject to all requirements of the *Georgetown – Scott County Zoning Ordinance, Subdivision and Development Regulations* and *Landscape and Land Use Buffer Ordinance*.
2. The Applicant shall comply with all requirements of other federal, state, and local regulatory entities and shall provide copies to the Board of Adjustment of all permits issued on behalf of the Applicant as a result of this approval including, but not limited to, business-related certifications, licenses, regulatory permits, and any recertification when required.
3. The conditional use permit shall become null and void upon transfer of ownership of the site.
4. The applicant shall submit a development plan for this proposed use to the Planning Commission.
5. Prior to initiating the proposed use, the Applicant shall provide the Board of Adjustment with finalized maps of all driving routes which students would use in field tests and the routes shown upon these maps shall meet the approved conditions.
6. No training field test for students operating a semi-truck shall make a left turn out of the project site onto westbound Lemons Mill Road. A sign shall be posted at the exit point to this effect.
7. All potential requirements of the Kentucky Transportation Cabinet.

8. The semi-trucks to be located on site, when parked thereupon, shall be screened from Lemons Mill Road and from adjoining properties of different zones pursuant to the requirements of the *Landscape and Land Use Buffer Ordinance*.
9. The Applicant shall return to the Board prior to any expansion or change in use of the Project Site as proposed.
10. Hours of operation shall be limited from 7AM to 5PM, Monday-Friday.
11. At time of development plan submittal, the Applicant shall provide exact traffic counts, and a traffic study may be required.
12. All provisions of KRS 189 § 221-222, if applicable.
13. The number of students and staff to be on-site at any one time shall not exceed 20, as previously stated by the Applicant.
14. The storage crates currently located upon the Project Site shall be removed prior to operations.

If you have any questions, please feel free to email, or call at (502) 867-3701. The next step in this zoning process would be development plan review.

Sincerely,

noah smith

Noah Smith
Planner I
GSCPC

811
Know what's below.
Call before you dig.

160 DRIVING ACADEMY
LEMONS MILL PARTNERS
PRELIMINARY DEVELOPMENT PLANS
GEORGETOWN, SCOTT COUNTY, KENTUCKY
NOVEMBER 2026

CERTIFICATION OF PRELIMINARY PLAN APPROVAL

I hereby certify that the preliminary development plan shown hereon has been found to comply with the Subdivision and Development Regulations for Georgetown and Scott County, Kentucky, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission. This approval does not constitute approval to begin construction or obtaining building permits.

_____ (date), 20 ___ Director, Georgetown-Scott County Planning Commission

CERTIFICATION OF OWNERSHIP AND DEDICATION

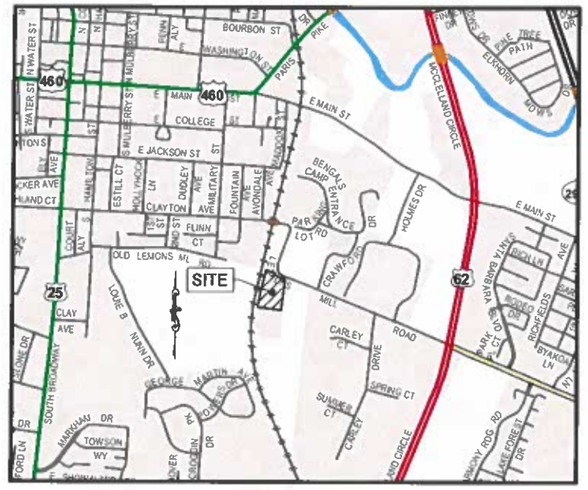
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan/plat of the development with my (our) free consent, establish the minimum building restriction lines, and dedicate all street, alleys, walks, parks, and other open spaces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

1. Site shall be constructed and maintained in accordance with this plan. Any deviation from the plan, including landscaping, shall first be approved by the Planning Director and the Commission Engineer. Major modifications of the plan shall first be approved by the Planning Commission.
2. Storm drainage facilities, including retention basins, shall be maintained for proper functioning free of any debris, silt, or trash.
3. A Certificate of Occupancy shall not be issued and the buildings shall not be occupied until all site improvements shown on the Final Development Plan and listed in these conditions are either installed, or a bond or irrevocable letter of credit is submitted to the Planning Director for 125% of the cost of the work remaining to be done, as substantiated by cost estimates approved by the Planning Director. Landscaping must be certified as complete by the Landscape Inspector or bonded as described above.
4. There shall be no grading or construction until the Final Development Plan has been approved and signed by the Planning Commission, except as construction drawings are approved by the Planning Director for the site development. The building permit shall not be issued until the Final Development Plan is approved and signed.

_____ (signature of owner or owners) _____ (signature of owner or owners)

_____ (signature of owner or owners) _____ (signature of owner or owners)

_____ (signature of owner or owners) _____ (signature of owner or owners)



VICINITY MAP
NOT TO SCALE

OWNER/DEVELOPER:
LEMONS MILL PARTNERS &
POORLOGIS & LUSBY DEVELOPMENT
& WELCH REAL ESTATE
270 S LIMESTONE
LEXINGTON, KY 40508-2568

ENGINEER:
PALMER ENGINEERING
400 SHOPPERS DRIVE
P.O. BOX 747
WINCHESTER, KENTUCKY 40392
PHONE: (859) 744-1218
CONTACT: BRIAN WARD, PE, PLS

SURVEYOR:
PALMER ENGINEERING
400 SHOPPERS DRIVE
PO BOX 747
WINCHESTER, KENTUCKY 40392
PHONE: (859) 744-1218
CONTACT: JAMES MAYO, PLS

INDEX OF SHEETS:

C-0.0 COVER
C-1.0 PRELIMINARY DEVELOPMENT PLAN
C-2.0 PDP UTILITY PLAN
C-3.0 PDP LANDSCAPING PLAN
C-3.0 PDP DRAINAGE PLAN

EDITION: REGULATORY SUBMITTAL

DATE | REVISION DESCRIPTION

PRELIMINARY DEVELOPMENT PLANS COVER
160 DRIVING ACADEMY
LEMONS MILL PARTNERS
793A LEMONS MILL ROAD
GEORGETOWN, SCOTT COUNTY, KENTUCKY

Palmer ENGINEERING
PALMER ENGINEERING
400 SHOPPERS DRIVE
P.O. BOX 0747
WINCHESTER, KY 40391
(859) 744-1218

JOB NUMBER: 12756.01 | DATE: 11/04/2026 | DRAWN: CEH
SHEET: C-0.0 | SCALE: NTS | CHECKED: GDW

PRELIMINARY DEVELOPMENT PLAN NOTES:

1. The shown site is to be used for a training/ educational facility for those in pursuit of a Commercial Drivers' License (CDL). A 20'x 48' building will be constructed to act as an office/ classroom for the site. The shown permanent improvements have been required by the regulatory governing agencies. The only equipment that shall be stored on site are the trucks/ trailers used for training.
2. All work/construction shall meet or exceed the standards, regulations, and specifications of all regulatory agencies having jurisdiction.
3. All landscaping shown on these plans are proposed trees and shrubs.
4. A KYTC permit is not required on this project.
5. The shown site is a Brownfield Site.
6. The site is located within the Royal Springs Aquifer Recharge area and the development has been reviewed by the Wellhead Protection Committee for recommendation to the PC Board with the following conditions which are required per these plans:
   - 6.1. A sign posted, facing the road near the entrance, bearing the contents provided by the committee;
   - 6.2. If water quality is required, a curb around the training area in the rear that will treat the water runoff
   - 6.3. No disturbance of removal of the existing pavement.
7. A sign shall be placed at the entrance for the Royal Springs Aquifer Recharge area.
8. The proposed layout plan has been shown in these plans.
9. Proposed surface for all shown areas is existing concrete, existing asphalt, and a proposed concrete slab, as labeled.
10. Circulation throughout the site is expected to be of minimal impact. A parking area has been provided near where the office/ classroom is located and is only expected to be used by the students and instructors. Loading/Unloading/turnaround areas have been provided to allow adequate room for AASHTO WB-67 turnarounds without impacting the access road while also providing storage area.
11. D.B. 447, PG. 588 is a Brownfield Property and all excavations to be performed in accordance to the guidelines and at risk.
12. Access (Entrance) easement for benefit of property conveyed in DB 453 PG 842.
13. No training field test for students operating a semi-truck shall make a left turn out of the project site onto westbound Lemons Mill Road. A sign shall be posted at the exit point to this effect.
14. Variance Requests: Reduce VUA Requirement

SCOPE OF OPERATIONS:

This operation will house a training/ educational facility for those in pursuit of a Commercial Drivers' Licenses (CDL). This site is noted for the Light Industrial designation as listed in the Zoning Ordinance, in its current state, the Project Site is a storage yard for vacant containers. The Applicant has stated that these containers would be removed prior to the implementation of this land use.

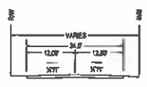
There are 7 parking spaces available for tractor/ trailers to be stored on site at any one time.

The number of students and staff to be on site at any one time shall not exceed 20.

SITE STATISTICS:

7834 LEMONS MILL ROAD

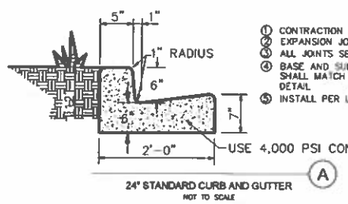
TOTAL ACREAGE	5.283+/-
ZONING	I-1
FRONT SETBACK REQUIREMENT (MAIN STRUCTURE)	50'
REAR SETBACK REQUIREMENT (MAIN STRUCTURE)	25'
SIDE SETBACK REQUIREMENT (MAIN STRUCTURE)	12'
MAX. BUILDING HEIGHT	75'
MIN. LOT AREA (WITH SANITARY)	7,500 SF
MAX. BUILDING COVERAGE	50%
MIN. LOT WIDTH AT BUILDING LINE	60'
TOTAL PROPOSED BUILDING SQUARE FOOTAGE	960 SF
TOTAL PROPOSED CONCRETE SQUARE FOOTAGE	1,788 SF
TOTAL PROPOSED STANDARD PARKING SPACES	20 SPACES
TOTAL REQUIRED STANDARD PARKING SPACES	20 SPACES
TOTAL PROPOSED TRUCK PARKING SPACES	7 SPACES
TOTAL REQUIRED TRUCK PARKING SPACES	7 SPACES
TOTAL PROPOSED ADA PARKING SPACES	2 SPACES
TOTAL REQUIRED ADA PARKING SPACES	2 SPACES



TYPICAL SECTION
LEMONS MILL ROAD
NOT TO SCALE

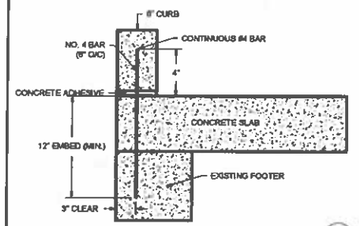


TYPICAL SECTION
PRIVATE ROAD AT ENTRANCE
NOT TO SCALE



24" STANDARD CURB AND GUTTER (A)
NOT TO SCALE

① CONTRACTION JOINTS 10' O/C
② EXPANSION JOINTS 100' O/C
③ ALL JOINTS SEALED PER SPEC
④ BASE AND SUBGRADE REQUIREMENTS SHALL MATCH ADJACENT PAVEMENT DETAIL
⑤ INSTALL PER LFUCG STANDARD DRAWINGS



6" CURB ON SLAB (B)
NOT TO SCALE



CONCRETE SLAB ADDITIONAL DETAIL (C)
NOT TO SCALE

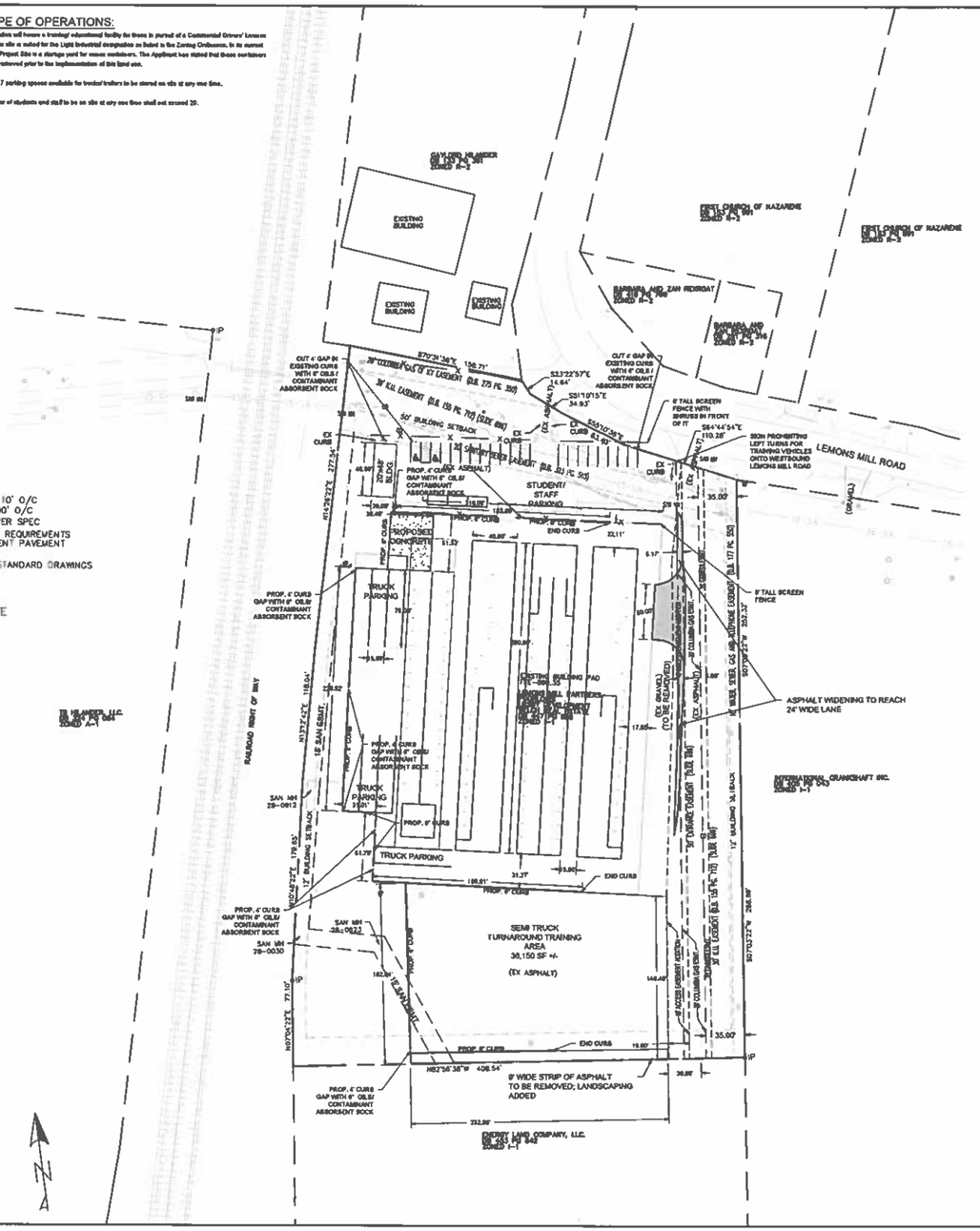
LEGEND

- PROPERTY LINE
- EXISTING RAILROAD
- EXISTING EASEMENT
- EXISTING BUILDING SETBACK
- ADJOINING PROPERTY BOUNDARY
- CONCRETE SLAB ADDITION

811 Know what's below. Call before you dig.

1"=50'-0"

50 25 0 50'



N

ENGINEER: PALMER ENGINEERING 408 SHOPPERS DRIVE PO BOX 747 WINCHESTER, KENTUCKY 40392 PHONE: (859) 744-1219 CONTACT: BRIAN HIBARD, PE, PLS	OWNER/DEVELOPER: LEMONS MILL PARTNERS & POORLOOS & LUSSY DEVELOPMENT & WELCH REAL ESTATE 370 S LIMESTONE LEXINGTON, KY 40586-2546
SURVEYOR: PALMER ENGINEERING 408 SHOPPERS DRIVE PO BOX 747 WINCHESTER, KENTUCKY 40392 PHONE: (859) 744-1219 CONTACT: JAMES MAYO, PLS	

DATE	REVISION DESCRIPTION

PRELIMINARY DEVELOPMENT PLAN

180 DRIVING ACADEMY
LEMONS MILL PARTNERS
7934 LEMONS MILL ROAD
GEORGETOWN, SCOTT COUNTY, KENTUCKY

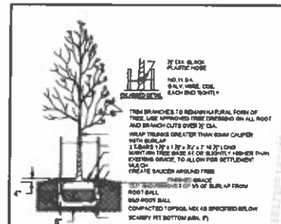
Palmer ENGINEERING
PALMER ENGINEERING
408 SHOPPERS DRIVE
P.O. BOX 0747
WINCHESTER, KY 40391
(859) 744-1219

JOB NUMBER: 12738.01 | DATE: 11/04/2025 | DRAWN: CEH
SHEET: C-1.0 | SCALE: 1"=50' | CHECKED: GDW

UTILITY NOTES:

1. LOCATION OF SITE UTILITIES SHALL BE VERIFIED BY ALL CONTRACTORS BY CONTACTING THE UTILITY COMPANY PROVIDING THE SERVICE, ADDITIONALLY UTILITIES ON THE DESIGN PLANS BASED ON ALTA SURVEY COMPLETED ON 11/27/2023.
2. ALL CONSTRUCTION MUST CONFORM TO CITY, COUNTY AND STATE STANDARDS.
3. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE PROJECT DOCUMENTS AND DETAILS.
4. THE CONTRACTOR SHALL HAVE APPROVAL OF ALL GOVERNING AGENCIES AND PROVIDERS HAVING JURISDICTION OVER THE SYSTEM PRIOR TO INSTALLATION.
5. ALL CONTRACTORS ARE RESPONSIBLE FOR ANY DAMAGE TO EXISTING STRUCTURES AND/OR UTILITIES DURING CONSTRUCTION.
6. THE CONTRACTOR SHALL PROVIDE A 2-FT x 2-FT x 6-IN THICK CONCRETE APRON AROUND THE PROPOSED GATE VALVE.
7. ALL TRENCHING, PIPE LAYING, AND BACKFILLING SHALL BE IN ACCORDANCE WITH FEDERAL OSHA REGULATIONS.
8. ALL WATER AND SEWER CONSTRUCTION ACTIVITY IS TO BE DONE IN ACCORDANCE WITH GWWSS DETAILS AND SPECIFICATIONS.
9. UNLESS OTHERWISE SPECIFIED, NO 90 DEGREE BENDS SHALL BE USED IN THE WATER LINE INSTALLATION. THE CONTRACTOR SHALL MINIMIZE THE USE OF VERTICAL BENDS.
10. THRUST BLOCKS SHALL BE PROVIDED ON WATER LINES AT ALL BENDS AND TEES UNLESS OTHERWISE RESTRAINED.
11. ALL PROPOSED UTILITY CROSSINGS SHALL BE VERIFIED BY ANY CONTRACTOR DOING WORK. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 18-IN SEPARATION AT NO COST TO THE OWNER.
12. CONTRACTOR SHALL PERFORM ALL NECESSARY TESTING ON WATER LINE PER LOCAL UTILITY REQUIREMENTS. WATER CONNECTION SHALL BE MADE UNDER THE SUPERVISION OF GWWSS. SITE CONTRACTOR SHALL MAINTAIN EXISTING WATER AND SEWER SERVICE TO EXISTING CUSTOMERS AT ALL TIMES.
13. A MINIMUM OF 30" OF COVER SHALL BE MAINTAINED ON ALL UTILITIES, UNLESS OTHERWISE NOTED.
14. FINAL FIRE HYDRANT LOCATION WILL BE COORDINATED WITH THE FIRE DEPARTMENT PRIOR TO SUBMITTAL OF THE FINAL DEVELOPMENT / CONSTRUCTION PLANS.
15. MANHOLE LIDS TO BE REPLACED WITH CORRECT LABELS. ALL ABANDONED PIPE TO BE CAPPED.
16. ABANDONED SANITARY LINES TO BE END CAPPED WITH CONCRETE.
17. DB 447 PG 586 IS A BROWNSFIELD PROPERTY AND ALL EXCAVATIONS TO BE PERFORMED IN ACCORDANCE WITH THE GUIDELINES AND AT RISK.

LEMONS MILL ROAD
EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
PROPOSED WATER SERVICE
EXISTING 2 INCH WATER METER AND BACKFLOW PREVENTER TO BE RELOCATED AFTER NEW WATER LINE IS TESTED AND APPROVED
PROPOSED CHE
PROPOSED 6" SAN. SEWER LATERAL
UTILIZE EXISTING SANITARY CLEANOUT FOR 6" SAN. SERVICE LATERAL CONNECTION
STUDENT/ STAFF PARKING
PROPOSED CONCRETE
TRUCK PARKING
TRUCK PARKING
TRUCK PARKING
ACTIVE SAN MH EX. FH
SAN MH IN ASPHALT
SAN LINE SL 409 FT MH TO MH
CONNECT TO EXISTING 16" WATER MAIN WITH A 16"x6" TAPPING SLEEVE AND 6" GATE VALVE
16" PVC SANITARY INSTALLED 2009
ASPHALT WIDENING TO REACH 24' WIDE LANE
INSTALL 568 L.F. OF 8" PVC SCH-21 WATER MAIN
8" PVC SANITARY SEWER
INSTALL FIRE HYDRANT ASSEMBLY
INSTALL 2" ARV
EXISTING 8" GRAVITY LINE UPSTREAM END 66.4' CLEANOUT (HAS BEEN BURIED OFF OR COVERED BY CLEARING/GRUBBING CONTRACTOR) CLEANOUT NEEDS EXTENDED TO GRADE AND MADE ACCESSIBLE, ADD CONCRETE RING
SEMI TRUCK TURNAROUND TRAINING AREA
36,150 SF +/-
(EX. ASPHALT)
EXISTING SAN MH 28-0822 HAS AN "ELECTRIC" LID CASTING WAS KNOCKED OFF DURING SITE CLEARING TRUCK NOW FULL OF ROCKS 6" PVC LATERAL FROM NORTH NEEDS CAPPED
EXISTING SAN MH 28-0822 (DOGHOUSE STYLE) BRICK WALL AND CONE 3' BARBE CHAIN LINK FENCE LATERALS NEED CAPPED TO PREVENT INFILTRATION LID HAS BEEN BURIED BY SITE CLEARING CONTRACTOR
SAN MH 28-0822
SAN MH 28-0830
8" VITRIFIED CLAY PIPE
8" SAN LINE UPSTREAM MH HAS "STORM" LID
9' WIDE STRIP OF ASPHALT TO BE REMOVED; LANDSCAPING ADDED
4" GATE VALVE
6X6 TEE 6X6 REDUCER 6
INSTALL 6X2 SADDLE AND 2 INCH THREADED GATE VALVE. EXISTING 2 INCH METER TO BE RELOCATED HERE AFTER ALL TESTING IS APPROVED. COORDINATE WITH GWWSS.
INSTALL FIRE HYDRANT ASSEMBLY
INSTALL 6" GATE VALVE
AUTOMATIC FLUSHING ASSEMBLY (SOLAR)
LATERAL 1.2CFS FROM 4 PIPE MANHOLES CAPPED TO PREVENT INFILTRATION
LATERAL 1.1 FROM DOWNSTREAM SAN H (EM CAPPED TO PREVENT INFILTRATION
32' FROM DOWNSTREAM SAN MH NEEDS CAPPED TO PREVENT INFILTRATION
EXISTING BUILDING PAD FF=886.33
EXISTING BUILDING TO BE REMOVED (TO BE REMOVED BY OTHERS)
EXISTING BUILDING TO BE REMOVED
EXISTING BUILDING TO BE REMOVED
MH ON ABANDONED SEWER WAS REMOVED 6" CLEANOUT ADDED FOR LATERAL CONNECTION
20' WIDE BLDG SETBACK
30' BUILDING SETBACK
30' ALL EASEMENT
EX CURB
EX SIDEWALK
EX ASPHALT
15" PVC SANITARY INSTALLED 2009
20' WIDE BLDG
S88°54'36"W 408.54'
N82°54'36"E 408.54'
N14°29'23"E 277.54'
N13°57'22"E 118.84'
N13°57'22"E 179.45'
N14°29'23"E 71.10'
S22°22'53"E 14.64'
S31°10'15"E 34.82'
S64°44'54"E 10.28'
S07°05'28"W 266.87'
S07°05'28"W 253.37'
S07°05'28"W 13.50'
S07°05'28"W 177.60'
S07°05'28"W 339.74



SPECIFICATIONS:
1. TOPSOIL MIX, SEE SPEC.
2. DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKE.
3. WATER THOROUGHLY AFTER INSTALLATION.
4. REMOVE TREE RINGS AND STAKES TWO YEARS AFTER INSTALLATION.
5. PROVIDE DRAINAGE FOR PLANTING PIT IN IMPERVIOUS SOIL.
6. ALL TREES MUST BE TAGGED AND APPROVED BY CONSULTANT WITHIN 14 DAYS AFTER TOWER CLOSING.

TREE PLANTING DETAIL

811 Know what's below. Call before you dig.

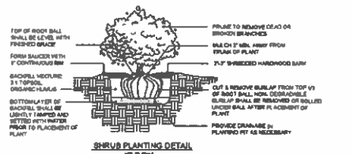
1"=50'-0"

50 25 0 50'

OWNER/DEVELOPER:
LEMONS MILL PARTNERS & FOORLOOS & LUBBY DEVELOPMENT & NELON REAL ESTATE
270 S LIMESTONE
LEXINGTON, KY 40508-3565

ENGINEER:
PALMER ENGINEERING
400 SHOPPERS DRIVE
PO BOX 747
WINCHESTER, KENTUCKY 40392 PHONE: (859) 744-1218
CONTACT: BRIAN WARD, PE, PLS

SURVEYOR:
PALMER ENGINEERING
400 SHOPPERS DRIVE
PO BOX 747
WINCHESTER, KENTUCKY 40392 PHONE: (859) 744-1218
CONTACT: BRIAN WARD, PE, PLS



SHRUB PLANTING DETAIL

LANDSCAPE NOTES:

1. ALL LANDSCAPING MUST MEET THE REQUIREMENTS OF THE SCOTT COUNTY ZONING ORDINANCE.
2. ALL PLANTS SHALL BE HEALTHY, VIGOROUS MATERIALS FREE FROM DISEASE AND PESTS AND THAT COMPLY WITH THE LATEST EDITION OF THE PUBLICATION ANSI Z60 AMERICAN STANDARD FOR NURSERY STOCK BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
3. ALL PLANTS SHALL BE BALLED AND BURLAPPED AS INDICATED ON THE PLANT LIST. ALL TREES SHALL BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED. ALL TREES MUST BE GUYED OR STAKED.
4. THE CONTRACTOR SHALL PREPARE A CULTIVATED BED AROUND EACH GROUP OF SHRUBS AND/OR GROUND COVER BEDS, THE SAME SHAPE AND SIZE AS SHOWN ON THE PLAN. THE ENTIRE BED SHALL BE MULCHED. A CRISP, WELL DEFINED EDGE SHALL BE DEVELOPED BETWEEN ANY SHRUB &/OR GROUND COVER BED AND THE ADJOINING LAWN AREA.
5. UNLESS OTHERWISE INDICATED, 2"-3" NATURAL DYE-FREE SHREDDED BARK MULCH SHALL BE USED IN ALL SHRUB AND/OR GROUND COVER BEDS AND AROUND ALL TREES PLANTED WITHIN OR BEYOND THE CONFINES OF THE PLANTING BEDS. THE TOP OF ALL AREAS OF SHREDDED BARK MULCH SHALL BE AT GRADE OF ADJACENT CURB, WALK, OR EDGE OF PAVEMENT.
6. TREES TO BE PLANTED ALONG LEMONS MILL ROAD, IN ACCORDANCE TO THIS PLAN, TO SOFTEN THE VIEW.
7. 6' SCREENING FENCE WITH SHRUBS PROPOSED TO SCREEN FROM THE EXISTING RESIDENTIAL ZONE AND PARTIALLY SCREEN FROM THE ROAD.

PLANT LIST:

QUANTITY (PROPOSED)	SCIENTIFIC NAME	COMMON NAME	SIZE REQUIREMENTS (AT PLANTING)	REMARKS / INSTRUCTIONS
22	Acer Rubrum	RED MAPLE	2" DIA. (MIN)	Plant as shown on plan. Clear trunk at least 5 ft above the ground.
29	Acer saccharum	SUGAR MAPLE	2" DIA. (MIN)	Plant as shown on plan. Clear trunk at least 5 ft above the ground.
21	Picea abies	NORWAY SPRUCE	2" DIA. (MIN)	Plant as shown on plan. Clear trunk at least 5 ft above the ground.
98	Ilex cornuta Carissa	CHINESE HOLLY	HEIGHT - 36" WIDTH - 24"-36"	Plant 32" O.C.

NOTE: THE TREES AND SHRUBS ABOVE REPRESENT ACCEPTABLE PLANT VARIETIES PER THE LFUCG PLANTING MANUAL. ANY APPROVED PLANT MATERIAL IN THE PLANTING MANUAL FOR THE GIVEN PURPOSE MAY BE SUBSTITUTED. THE SUBSTITUTES MUST MEET THE SAME REQUIREMENTS AS THOSE LISTED ABOVE. FOR EXAMPLE, A COLORADO SPRUCE (ANOTHER LARGE TREE) IS NOT ACCEPTABLE FOR USE AS A VUA PERIMETER TREE.

LEGEND

- PROPERTY BOUNDARY
- RED MAPLE
- SUGAR MAPLE
- NORWAY SPRUCE
- PROPOSED SHRUB
- FENCE

INTERIOR LANDSCAPE REQUIREMENTS:

VEHICLE USAGE AREA (VUA):	151,160 SF
MIN. INTERIOR LANDSCAPING (10% VUA)	15,116 SF
ACTUAL INTERIOR LANDSCAPING ^:	2,167 SF
REQUIRED NUMBER OF INTERIOR TREES: (1 PER 350 S.F. OF REQUIRED INTERIOR LANDSCAPING)	9 TREES
ACTUAL NUMBER OF INTERIOR TREES:	20 TREES

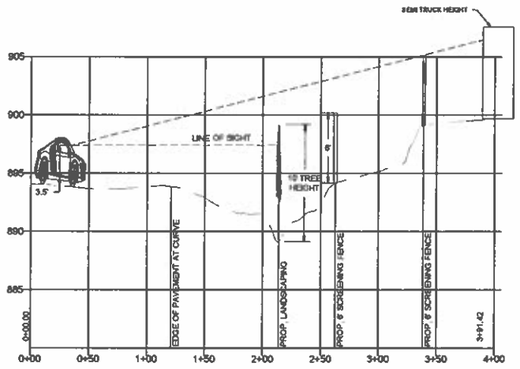
VUA PERIMETER LANDSCAPE REQUIREMENTS:

MIN. REQUIRED VUA PERIMETER TREES:	1 PER 40'
VUA PERIMETER TREES PROVIDED	8

CANOPY REQUIREMENTS:

EXISTING TREE CANOPY:	1% OF PARCEL AREA (1,500 SF)
REQUIRED TREE CANOPY:	9% OF PARCEL AREA (20,712 SF)
PROPOSED TREE CANOPY:	47,800 SF
TOTAL TREE CANOPY:	21% OF PARCEL AREA (49,300 SF)

^ - ACCOUNTED FOR MAX. ILA AREAS OF 350 SF



LINE OF SITE PROFILE
SCALE: 1" = 50' HORZ.
1" = 5' VERT.

DATE	REVISION DESCRIPTION

PDP LANDSCAPING PLAN

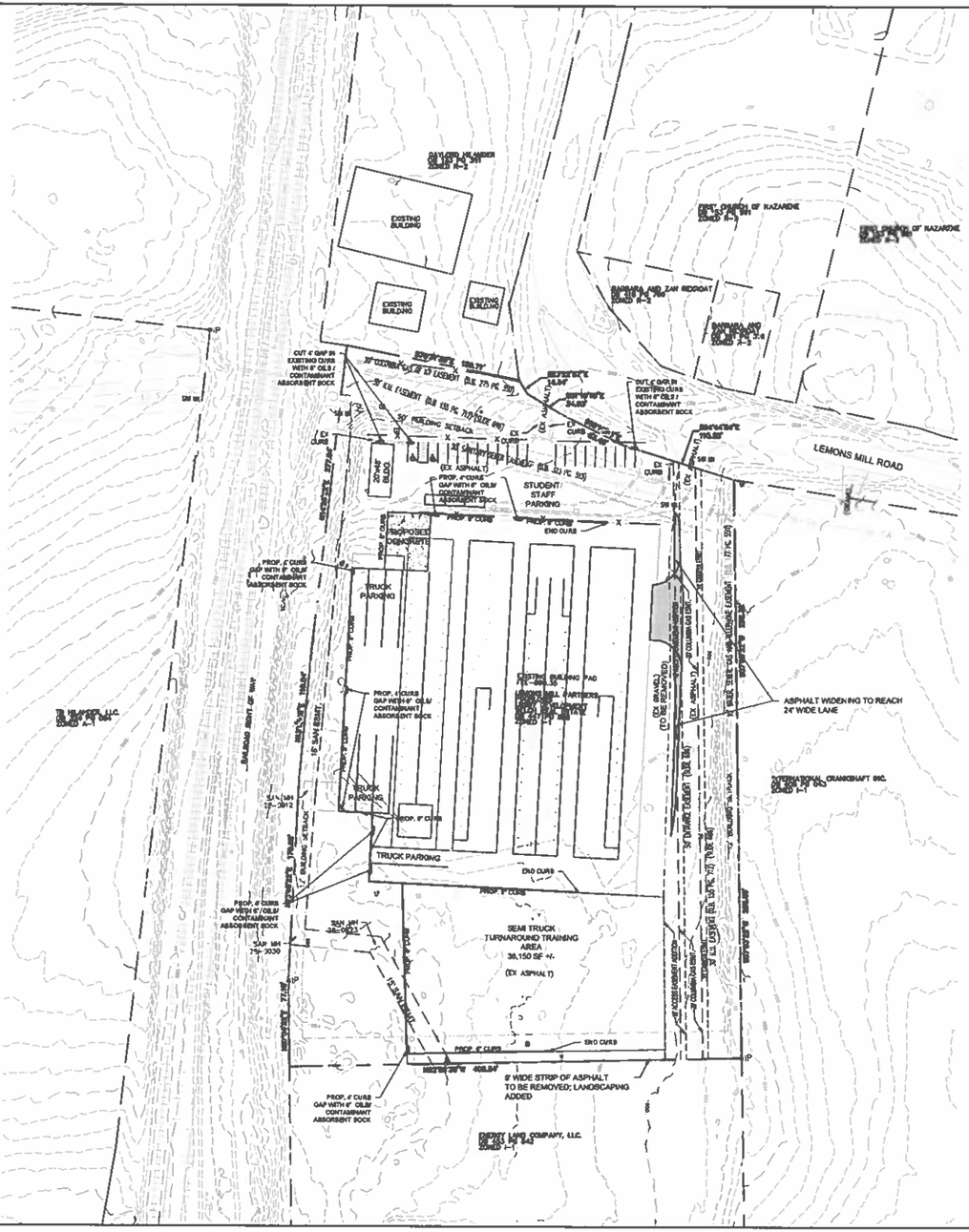
160 DRIVING ACADEMY
LEMONS MILL PARTNERS
793A LEMONS MILL ROAD
GEORGETOWN, SCOTT COUNTY, KENTUCKY

Palmer ENGINEERING
PALMER ENGINEERING
400 SHOPPERS DRIVE
P.O. BOX 0747
WINCHESTER, KY 40391
(859) 744-1218

JOB NUMBER: 12736.01	DATE: 11/04/2020	DRAWN: CEH
SHEET: C-3.0	SCALE: 1"=50'	CHECKED: GDW

DRAINAGE PLAN NOTES:

1. The shown site is to be used for a training/ educational facility for those in pursuit of a Commercial Drivers' License (CDL). A 20'x 48' building will be constructed to act as an office/ classroom for the site. The shown permanent improvements have been required by the regulatory governing agencies. The only equipment that shall be stored on site are the trucks/ trailers used for training.
2. All work/construction shall meet or exceed the standards, regulations, and specifications of all regulatory agencies having jurisdiction.
3. All proposed curb cuts shall be protected with 6" cills/contaminant absorbent sock.
4. All proposed curb will be attached to existing pavement using concrete adhesives.


EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
FIRST CHURCH OF NAZARENE
FIRST CHURCH OF NAZARENE
BARBARA ANN ZAN REDBOAT
BARBARA ANN ZAN REDBOAT
CUT 6' GAP IN EXISTING CURB WITH 6" CBLS / CONTAINMENT ABSORBENT SOCK
30' ROW
30' ROW
30' ROW

CANEWOOD RETAIL CENTER AMENDED PRELIMINARY DEVELOPMENT PLAN

Staff Report for the Georgetown-Scott County Planning Commission
November 12, 2026

FILE NUMBER: **PDP-2026-58**

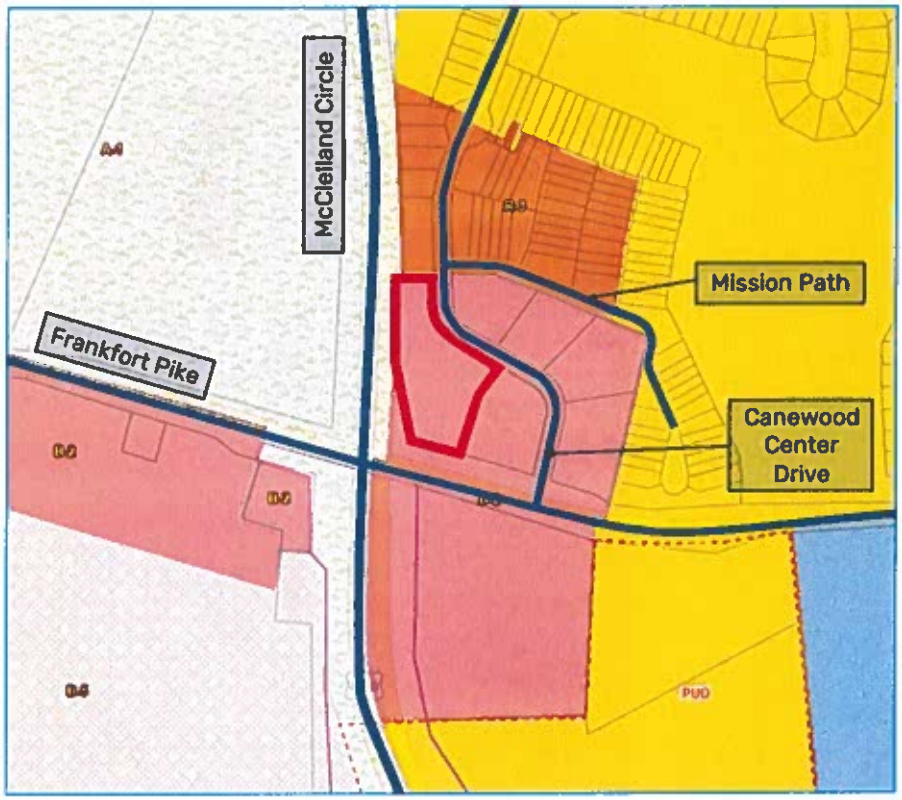
PROPOSAL: Amended Preliminary Development Plan for parking addition for approved development plan

LOCATION: 107 Canewood Center Drive

OWNER: Landmark Development Corporation

APPLICANT: Matt Welch

CONSULTANT: Brian Ward, Palmer Engineering



STATISTICS:

Existing Zone:	B-2 (Highway Commercial)
Surrounding Zones:	B-2: East & South R-3 (High Density Residential): North A-1 (Agricultural): West
Site Area:	1.939 ac
Proposed Development:	Multi-Tenant Commercial Building Parking Addition
Access (Direct):	Canewood Center Drive
Access (Nearest Arterial):	Frankfort Pike [US-460]

BACKGROUND:

The Project Site is a 1.939-acre, B-2 zoned parcel located northeast of the intersection of Frankfort Pike and McClelland Circle located off Canewood Center Drive. The proposed use of the site as a multi-tenant office and/or commercial building is by-right in the B-2 zoning district. The surrounding area consists of several commercial single-tenant and multi-tenant developments as well as the Canewood Villas & Townhomes. The site is, by definition, double frontage with access onto Canewood Center Drive, a 31-to-33-foot-wide, privately maintained road.

In February 2026, the Project Site received ministerial approval for a 7,200 square foot multi-tenant retail and commercial building with 48 parking spaces and one driveway onto Canewood Center Drive. The approved site development met all requirements of the *Subdivision & Development Regulations*, *Zoning Ordinance*, and *Landscape & Land Use Buffers Ordinance*, and as such was approved by Staff pursuant to KRS 100.275.

SITE PLAN REVIEW

Access, Circulation, and Parking

The current application seeks to increase the volume of parking on the site by 8 additional spaces, bringing the total number of parking spaces on the property up to 56 spaces. No additions are proposed to the building area. The addition includes a one-way access measuring 13 feet in width and second driveway approximately 145 feet north of the previously approved driveway.

The approved development plan satisfies the minimum requirement for parking as articulated by the *Subdivision & Development Regulations* Article X.10.2.2 which states that general commercial land uses between 0 and 10,000 SF shall have 1 space per 250 gross square foot, equivalent to 30 spaces on the property, 2 of which being designated for ADA use. However, the request for the location of the 8 additional parking spaces does conflict with the adopted regulations. Per the *Subdivision & Development Regulations*, Article X.10.1.17 state that "Non-residential uses … [with] accesses on opposing sides of the street shall either be opposite each other (+/-5.0 feet) or at least 100 feet from center line to center line". A variance is necessitated due to the proposed driveway's proximity to an existing driveway, Mission Path, which is approximately 50 feet north of the proposed driveway.

When reviewing variance applications, the Board is guided by KRS 100.243, which lists the findings necessary for granting variances:

KRS 100.243 Findings necessary for granting variances.

1. *Before any variance is granted, the board must find that the granting of the variance will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:*
    a. *The requested variance arises from special circumstances which do not generally apply to land in the vicinity, or in the same zone;*
    b. *The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*
    c. *The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulations from which relief is sought.*
2. *The board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought.*

In a supplemental letter, the Applicant states that the driveway facing Mission Path would be exit only, and that it would be principally used by those 8 spaces. The 8 spaces would be served by a one-lane accessway which is connected to the 48- space parking lot which surrounds the approved building.

The lot faces several design challenges due to existing infrastructure, the Applicant states. There are overhead utility easements long McClelland Circle which reduce western buildability, water and sewer service lines to a pump station maintained by GMWSS directly north of the property line, and a regional stormwater management system serving the roadways and neighborhoods surrounding the Project Site. The Applicant expressed that the proposed driveway location is the only feasible location which allows for the additional parking spaces needed by the tenants under these conditions.

Staff finds that the requested variance satisfies the statutory requirements set forth in KRS 100.243. The lot is a unique shape with several utility easements and lines which must be designed around to ensure their function and serviceability. Denial of the request would reduce the viability of the site as there is very limited area for development on the property. The conditions of the Project Site are not a result of actions of the applicant as the property had utility easements and systems established prior to the proposed development and Staff finds that there is no evidence of violation of the adopted regulations.

The standards for separation are intended to reduce vehicle-on-vehicle conflicts on local roadways. Increased driveway separation or intersection alignment ensures motorists turning into the site or onto main roadways have sufficient time to accelerate or stop. Where not feasible due to infrastructure and property lines, it is the responsibility of the Commission to determine the appropriateness of the requested variance.

After reviewing the request, staff finds that the requested variance is the minimum relief necessary for commercial functions on the property. The proposed driveway is approximately 50 feet from the center of Mission Path and 20 feet from the northern property line. There is no way to align the driveway and Mission Path to satisfy the +/-5.0 feet separation requirement outlined in the *Regulations* due to the property line. If the driveway were to be moved closer to the property line, it would impact road geometry and the pump station access. Further distance between them would impact existing stormwater management systems and utilities which serve the adjoining neighborhood and commercial developments. Reconfiguration and/or relocation of those systems would have negative impacts to both the Applicant and the surrounding neighborhood. The proposed location provides the most feasible option for traffic safety and infrastructure management. Staff therefore finds that, based upon the review above, approval of the variance would not adversely impact public health, safety or welfare nor cause hazard or nuisance as the variance allows for the safest operation of existing systems and utilities in the vicinity.

Landscape & Land Use Buffers

Section 6.12: Property Perimeter Requirements

The *Landscape & Land Use Buffers Ordinance* requires a 10-foot-wide buffer area between double frontage lots and any non-accessing arterial or freeway, and for those areas to be populated with 1 tree per 30 feet of linear boundary plus a 6-foot-tall continuous buffer. This regulation is applicable along the west and south boundary of the property. There exist some mature trees along this boundary that satisfy this requirement, but there are potential areas where an additional tree or buffer needs to be installed or repaired.

Section 6.13: Vehicular Use Area Perimeter Requirements

The *Landscape & Land Use Buffers Ordinance* requires a 3 to 5-foot-wide buffer area between a vehicular use area (VUA) and an adjoining property, and for those areas to be populated with 1 tree per 40 feet of linear boundary plus a 3-foot-tall continuous buffer. This regulation is applicable along all

boundaries of the parking lot and the final landscape plan will be checked for compliance with the regulation.

Section 6.22: Interior Landscaping for Vehicular Use Areas

The *Landscape & Land Use Buffers Ordinance* requires an interior landscaped area 10% the size of the VUA and for those areas to be populated with 1 tree per 250 square feet of interior landscaped area. The plan shows 30,374 SF of VUA, equivalent to 3,038 SF of ILA with 13 ILA trees required for the property. The plan indicates that 3,250 SF of ILA and 13 ILA trees are proposed, satisfying the requirement for interior landscaped areas.

Lighting

Per the *Zoning Ordinance*, exterior illumination shall be directed away from adjoining properties. The photometric plan shall be reviewed in detail as part of the Final Development Plan review.

FINDINGS

1. The application is an amendment to a ministerially approved Preliminary Development Plan for a 1.939-acre B-2 zoned property located off Canewood Center Drive. The previously approved plan was for one 7,200 square foot multi-tenant commercial building with 48 parking spaces and associated landscaping.
2. The requested amendment is to add an additional 8 parking spaces which are accessed from the ministerially approved parking lot on the property. As part of the request, the Applicant is seeking a variance to the separation between driveway requirements from 100 feet of separation to 50 feet of separation.
3. Staff finds that the requested variance satisfies KRS 100.243. The Project Site has several existing overhead and underground utility easements which run along the western property line which need to be avoided so as to not impact utility service. After review, Staff finds that the request is the minimum relief necessary for commercial operations on the property.

RECOMMENDATION:

Staff recommends **approval** of the Preliminary Development Plan amendment for 8 additional parking spaces as part of the Canewood Retail Center commercial development located at 107 Canewood Center Drive with the following variance(s) and conditions of approval:

Variance(s):

1. Variance to the separation between opposing driveways from 100 feet to 50 feet.

Conditions of Approval:

2. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
3. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff.
4. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.
5. 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.
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. A photometric plan shall be submitted and approved as part of the Final Development Plan. The Applicant shall direct lighting away from adjoining property and not have any off-site impact.
8. A species-specific landscape plan shall be included with the Final Development Plan indicating all trees to be preserved during construction as applicable.
9. All requirements of the Georgetown Fire Department regarding fire hydrant locations and emergency vehicle accessibility.
10. All requirements of applicable utility companies regarding service provision and easements.

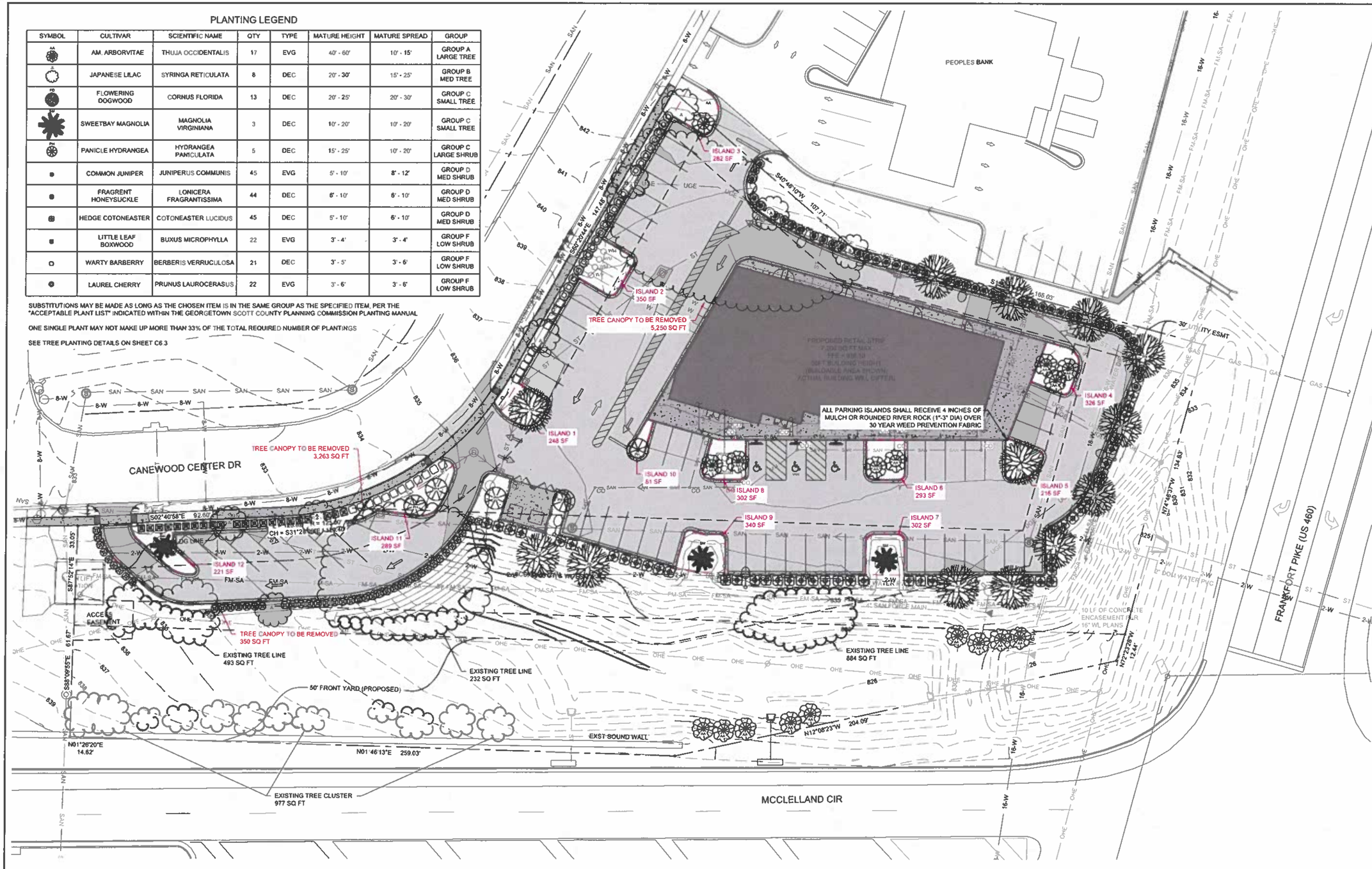
PLANTING LEGEND

SYMBOL	CULTIVAR	SCIENTIFIC NAME	QTY	TYPE	MATURE HEIGHT	MATURE SPREAD	GROUP
AA	AM. ARBORVITAE	THUJA OCCIDENTALIS	17	EVG	40' - 60'	10' - 15'	GROUP A LARGE TREE
JL	JAPANESE LILAC	SYRINGA RETICULATA	8	DEC	20' - 30'	15' - 25'	GROUP B MED TREE
FD	FLOWERING DOGWOOD	CORNUS FLORIDA	13	DEC	20' - 25'	20' - 30'	GROUP C SMALL TREE
SM	SWEETBAY MAGNOLIA	MAGNOLIA VIRGINIANA	3	DEC	10' - 20'	10' - 20'	GROUP C SMALL TREE
PH	PANICLE HYDRANGEA	HYDRANGEA PANICULATA	5	DEC	15' - 25'	10' - 20'	GROUP C LARGE SHRUB
CJ	COMMON JUNIPER	JUNIPERUS COMMUNIS	45	EVG	5' - 10'	8' - 12'	GROUP D MED SHRUB
FH	FRAGRENT HONEYSUCKLE	LONICERA FRAGRANTISSIMA	44	DEC	6' - 10'	6' - 10'	GROUP D MED SHRUB
HC	HEDGE COTONEASTER	COTONEASTER LUCIDUS	45	DEC	5' - 10'	6' - 10'	GROUP D MED SHRUB
LB	LITTLE LEAF BOXWOOD	BUXUS MICROPHYLLA	22	EVG	3' - 4'	3' - 4'	GROUP F LOW SHRUB
WB	WARTY BARBERRY	BERBERIS VERRUCULOSA	21	DEC	3' - 5'	3' - 6'	GROUP F LOW SHRUB
LC	LAUREL CHERRY	PRUNUS LAUROCERASUS	22	EVG	3' - 6'	3' - 6'	GROUP F LOW SHRUB

SUBSTITUTIONS MAY BE MADE AS LONG AS THE CHOSEN ITEM IS IN THE SAME GROUP AS THE SPECIFIED ITEM, PER THE "ACCEPTABLE PLANT LIST" INDICATED WITHIN THE GEORGETOWN SCOTT COUNTY PLANNING COMMISSION PLANTING MANUAL

ONE SINGLE PLANT MAY NOT MAKE UP MORE THAN 33% OF THE TOTAL REQUIRED NUMBER OF PLANTINGS

SEE TREE PLANTING DETAILS ON SHEET C6.3



LANDSCAPING STATISTICS

TREE CANOPY STATISTICS:
- EXISTING TREE CANOPY ..... 11,449 SQ FT (13.5% OF PARCEL)
- TREE CANOPY TO BE REMOVED ..... 8,863 SQ FT
- TREE CANOPY PRESERVED ..... 2,586 SQ FT (3.1% OF PARCEL)

- TOTAL TREE CANOPY REQUIRED ..... 24.0% (20,400 SQ FT) [INTERPOLATED]
- NEW TREE CANOPY REQUIRED ..... 20.9% (17,814 SQ FT) [INTERPOLATED]
- NEW TREE CANOPY PROVIDED ..... 12,750 GROUP A TREES
  - + 3,200 GROUP B
  - + 2,100 GROUP C
  - + 2,586 EXISTING
  - TOTAL = 20,636 SF (24.3% OF PARCEL)

VEHICULAR USE AREA STATISTICS:
- VEHICULAR USE AREA ..... 30,374 SQ FT
- INTERIOR ISLANDS REQUIRED ..... 3,038 SQ FT (10%)
- INTERIOR ISLANDS PROVIDED ..... 3,250 SQ FT (11%)
- INTERIOR TREES REQUIRED ..... 1 FOR EACH 250 SF OF ILA = 13 TREES
- INTERIOR TREES PROVIDED 13

20 10 0 20'
SCALE: 1"=20'-0"

GARRETT O'BRIAN WARD
22007
LICENSED PROFESSIONAL ENGINEER
STATE OF KENTUCKY
10/23/2026

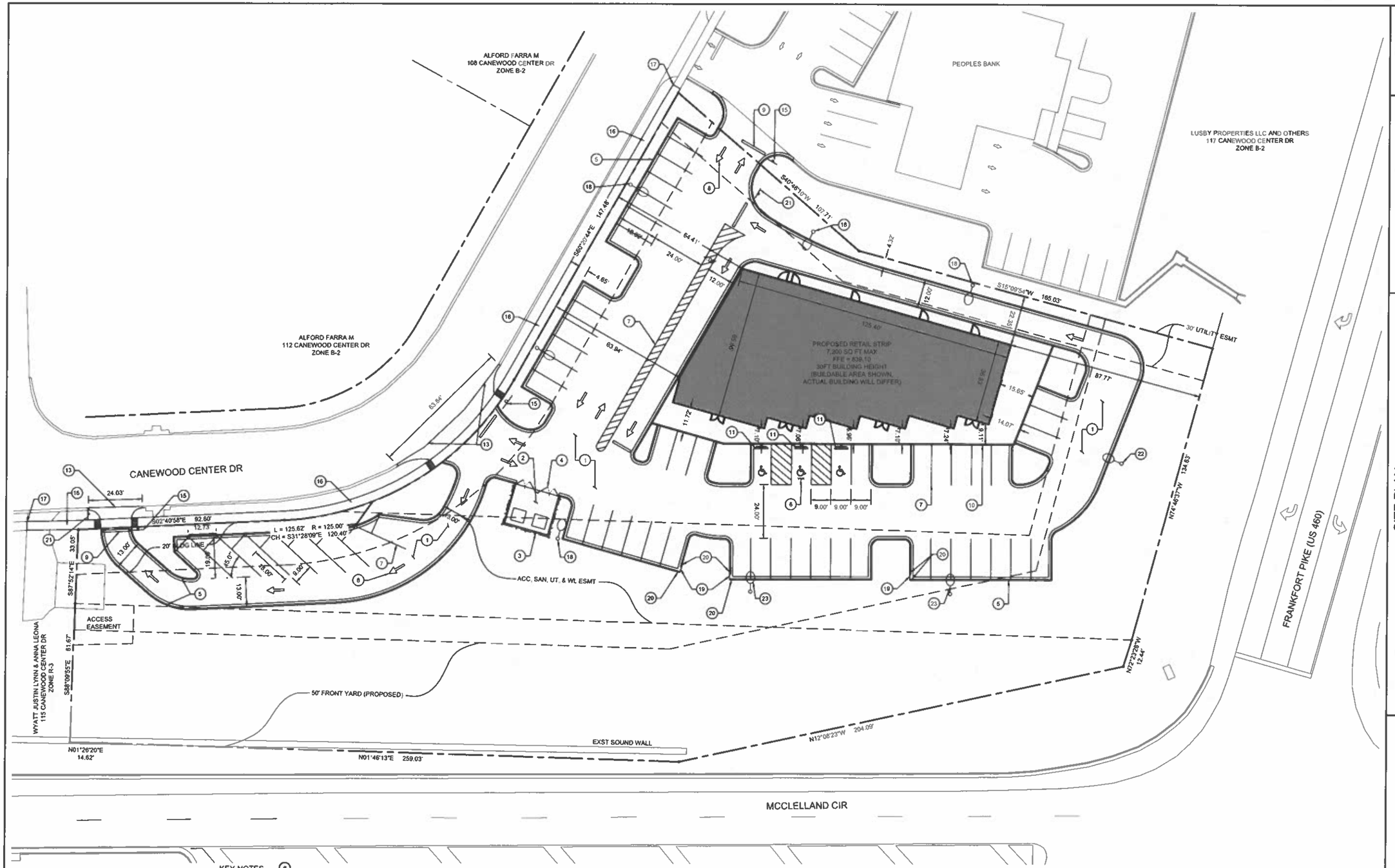
DATE	REVISION DESCRIPTION

LANDSCAPING PLAN

CANEWOOD RETAIL CENTER
LANDMARK PROPERTY GROUP
107 CANEWOOD CENTER DR
GEORGETOWN, KY 40324

Palmer ENGINEERING
PALMER ENGINEERING
1040 MONARCH ST
SUITE 210
LEXINGTON, KY 40513
(859) 389-9293

JOB NUMBER: 13074	DATE: 10/23/2026	DRAWN: GJR
SHEET: C-5.0	SCALE: 1" = 20'	CHECKED: BW



KEY NOTES

1. LIGHT DUTY ASPHALT PAVEMENT PER DETAIL 1/C6.0.
2. DUMPSTER PAD PER DETAIL 4/C6.0.
3. 8' TALL WOOD SCREENING FENCE PER DETAIL 1/C6.2.
4. DOUBLE SWING GATE, PER DETAIL 1/C6.2.
5. CURB PER DETAIL 5/C6.0.
6. HANDICAP PARKING PER DETAIL 6/C6.0.
7. 4" WIDE WHITE TRAFFIC PAINT STRIPE, TYP.
8. WHITE TRAFFIC PAINT ARROW, TYP.
9. 2' WIDE TRAFFIC STOP BAR, LENGTH PER PLAN. WHITE TRAFFIC PAINT.
10. INTEGRAL SIDEWALK PER DETAIL 3/C6.0.
11. CONCRETE WHEEL STOP BLOCK, TYP.
12. OMIT.
13. CONCRETE COMMERCIAL ENTRANCE W/THRU SIDEWALK & DETECTABLE WARNINGS.
14. OMIT.
15. 24"x24" STOP SIGN PER MUTCD.
16. CONCRETE SIDEWALK PER DETAIL 10/C6.0.
17. TIE PROPOSED SIDEWALK TO EXISTING SIDEWALK.
18. PROPOSED SITE LIGHTING. SEE PHOTOMETRIC PLAN.
19. 2' WIDE CURB CUT.
20. 2' CURB TAPER.
21. DO NOT ENTER SIGN PER MUTCD.
22. PROPOSED SITE LIGHTING SHIFTED TO AVOID EXISTING FORCE MAIN. SEE UTILITY PLAN SHEET C4.0.
23. PROPOSED SITE LIGHTING SHIFTED TO AVOID EXISTING DOMESTIC WATERLINE. SEE UTILITY SHEET C4.0.

STATE OF KENTUCKY
GARRETT O'BRIAN WARD
22007
LICENSED PROFESSIONAL ENGINEER
10/23/2026

DATE	REVISION DESCRIPTION

SITE PLAN

CANEWOOD RETAIL CENTER
LANDMARK PROPERTY GROUP
107 CANEWOOD CENTER DR
GEORGETOWN, KY 40324

Palmer ENGINEERING
PALMER ENGINEERING
1900 MONARCH ST
SUITE 210
LEXINGTON, KY 40513
(859) 389-9293

JOB NUMBER: 13074
SHEET: C-1.0
DATE: 10/22/2026
SCALE: 1" = 20'
DRAWN: GJR
CHECKED: BW

DATE	REVISION DESCRIPTION
2020-01-05	(REV.1) PDP INITIAL SUBMISSION
2020-01-28	(REV.1) PDP SECOND SUBMISSION
2020-02-18	(REV.2) PLANNING COMMENTS

SITE PLAN

CANEWOOD RETAIL CENTER
LANDMARK PROPERTY GROUP
107 CANEWOOD CENTER DR
GEORGETOWN, KY 40324

Palmer ENGINEERING
PALMER ENGINEERING
1005 BONAPARTE ST
SUITE 101
LEXINGTON, KY 40513
(859) 368-8293

JOB NUMBER: 19074 | DATE: 02/18/2020 | DRAWN: GJR
SHEET: C-1.0 | SCALE: 1" = 20' | CHECKED: BW

PLANTING LEGEND

SYMBOL	CULTIVAR	SCIENTIFIC NAME	QTY	TYPE	MATURE HEIGHT	MATURE SPREAD	GROUP
	SUGAR MAPLE OR REDPOINTE RED MAPLE	ACER SACCHARUM	2	DEC	60' - 75'	50' - 60'	GROUP A LARGE TREE
	WHITE PINE	PINUS STROBUS	5	EVG	50' - 80'	20' - 40'	GROUP A LARGE TREE
	AM. ARBORVITAE	THUJA OCCIDENTALIS	24	EVG	40' - 60'	10' - 15'	GROUP A LARGE TREE
	JAPANESE LILAC	SYRINGA RETICULATA	3	DEC	20' - 30'	15' - 25'	GROUP B MED TREE
	FLOWERING DOGWOOD	CORNUS FLORIDA	8	DEC	20' - 25'	20' - 30'	GROUP C SMALL TREE
	PANICLE HYDRANGEA	HYDRANGEA PANICULATA	1	DEC	15' - 25'	10' - 20'	GROUP C LARGE SHRUB
	LITTLE LEAF BOXWOOD	BUXUS MICROPHYLLA	60	EVG	3' - 4'	3' - 4'	GROUP F LOW SHRUB

SUBSTITUTIONS MAY BE MADE AS LONG AS THE CHOSEN ITEM IS IN THE SAME GROUP AS THE SPECIFIED ITEM, PER THE "ACCEPTABLE PLANT LIST" INDICATED WITHIN THE GEORGETOWN SCOTT COUNTY PLANNING COMMISSION PLANTING MANUAL

ONE SINGLE PLANT MAY NOT MAKE UP MORE THAN 33% OF THE TOTAL REQUIRED NUMBER OF PLANTINGS

PEOPLE'S BANK

PRESERVED TREE LINE
941 SQ FT

TREE CANOPY TO BE REMOVED
5,250 SQ FT

ALL PARKING ISLANDS SHALL RECEIVE 4 INCHES OF MULCH OR ROUNDED RIVER ROCK (1"-3" DIA) OVER 30 YEAR WEED PREVENTION FABRIC

ISLAND 1 248 SF
ISLAND 2 350 SF
ISLAND 3 282 SF
ISLAND 4 326 SF
ISLAND 5 216 SF
ISLAND 7 302 SF
ISLAND 8 293 SF
ISLAND 9 302 SF
ISLAND 9 340 SF
ISLAND 10 91 SF
ISLAND 11 179 SF

CANEWOOD CENTER DR

MCCLELLAND CIR

FRANKFORT PIKE (US 460)

EXISTING TREE LINE
843 SQ FT

EXISTING TREE LINE
3,485 SQ FT

EXISTING TREE LINE
684 SQ FT

EXISTING TREE CLUSTER
977 SQ FT

50' FRONT YARD (PROPOSED)

20' BLDG LINE

ACCESS EASEMENT

LANDSCAPING STATISTICS

TREE CANOPY STATISTICS:
- EXISTING TREE CANOPY ..... 12,390 SQ FT (14.8% OF PARCEL)
- TREE CANOPY TO BE REMOVED ..... 5,250 SQ FT
- TREE CANOPY PRESERVED ..... 7,140 SQ FT (8.4% OF PARCEL)

TOTAL TREE CANOPY REQUIRED ..... 22.31% (18,844 SQ FT) [INTERPOLATED]
NEW TREE CANOPY REQUIRED ..... 13.86% (11,707 SQ FT) [INTERPOLATED]
NEW TREE CANOPY PROVIDED ..... 23,250 GROUP A TREES
+ 1,200 GROUP B
+ 700 GROUP C
+ 7,140 EXISTING
TOTAL = 32,290 SF (38.1% OF PARCEL)

VEHICULAR USE AREA STATISTICS:
- VEHICULAR USE AREA ..... 28,172 SQ FT
- INTERIOR ISLANDS REQUIRED ..... 2,818 SQ FT (10%)
- INTERIOR ISLANDS PROVIDED ..... 2,919 SQ FT (10%)
- INTERIOR TREES REQUIRED ..... 1 FOR EACH 250 SF OF ULA = 12 TREES
- INTERIOR TREES PROVIDED 12

SCALE: 1"=20'-0"

DATE	REVISION DESCRIPTION
2025-01-06	REV. 1	PDP INITIAL SUBMISSION
2025-01-28	REV. 2	PDP SECOND SUBMISSION
2025-02-18	REV. 3	PLANNING COMMENTS

LANDSCAPING PLAN

CANEWOOD RETAIL CENTER
LANDMARK PROPERTY GROUP
107 CANEWOOD CENTER DR
GEORGETOWN, KY 40324

PALMER ENGINEERING
1040 MONARCH ST
SUITE 150
LEXINGTON, KY 40513
(859) 389-6293

JOB NUMBER: 13074 | DRAWN: GJR
DATE: 02/18/2025 | CHECKED: BW
SHEET C-5.0 | SCALE 1" = 20'

Farm Stand Ordinance - Draft

Section A.

Article II, Section 2.1 of the Georgetown-Scott County Zoning Ordinance, entitled "Definitions," is hereby amended to modify the definition of Agricultural Uses and add a definition of "Farm Stand," to be codified consistent with the numbering system and formatting of the Zoning Ordinance and to read as follows:

ARTICLE II

2.1 DEFINITIONS

- **AGRICULTURAL USES:** Agricultural use means the use of a tract of at least five (5) contiguous acres, within Scott County, for the production, storage, or sales, of agricultural or horticultural crops; including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provisions for dwellings for persons and their families who are engaged in the above agricultural use on the tract.
- **AGRICULTURAL POINT OF SALE.** A designated location on agricultural land used to facilitate the sale of agricultural products grown or produced on site. The Board of Adjustment has the authority to distinguish an "Agricultural Point of Sale" from a "Farm Stand". (For the purposes of this Definition, an Agricultural Point of Sale shall not constitute development and shall not be required to obtain a development plan and is allowed in all agricultural zones.)
- **FARM STAND (Major).** A temporary or permanent structure, with or without electricity, used for the retail sale of agricultural products primarily grown, raised, or produced on the farm upon which the stand is located. A Farm Stand, both major and minor, does not include a restaurant, event venue, processing facility, or general retail establishment (For the purposes of this Definition, Farm Stands, both major and minor, meeting the requirements of Section 2.5.18 shall not constitute development and shall not be required to obtain a development plan, but the property owner must submit documentation, to the Planning Commission, that the farm stand meets said requirements upon request.)

DRAFT

- **FARM STAND (MINOR).** A temporary display, used for the retail sale of agricultural products primarily grown, raised, or produced on the farm upon which the stand is located. A Farm Stand, both major and minor, does not include a restaurant, event venue, processing facility, or general retail establishment (For the purposes of this Definition, Farm Stands, both major and minor, meeting the requirements of Section 2.5.18 shall not constitute development and shall not be required to obtain a development plan, but the property owner must submit documentation, to the Planning Commission, that the farm stand meets said requirements upon request.)

Section B.

Article IV, Section 4.1.1 of the Georgetown-Scott County Zoning Ordinance, entitled "Agricultural (1-1"), under "1. Permitted uses" is hereby amended, to be codified consistent with the numbering system and formatting of the Zoning Ordinance and to read as follows:

ARTICLE IV

ZONING DISTRICT REGULATIONS

4.1 AGRICULTURAL DISTRICTS A-1, A-1S AND A-1R

1. Permitted uses
   a. Agricultural uses including farm dwellings and storage of farm products.
   b. Accessory buildings.
   c. Residential single-family detached dwellings, in accordance with Section 2. 1.
   d. Farm Stands (Major & Minor)

Section C.

Article II, Section 2.5 of the Georgetown-Scott County Zoning Ordinance, entitled "Specific Use Regulations", is hereby amended, to be codified consistent with the numbering system and formatting of the Zoning Ordinance and to read as follows:

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2.5.18 FARM STANDS

Major.

a. The Farm Stand shall be located on property actively devoted to agricultural use, and shall be no closer than 50' to any parcel not owned by the subject property's owner;

b. Sales shall consist of agricultural products primarily grown, raised, or produced by the owner or operator of the farm, or by farms under common ownership or management;

c. Any signage associated with a farm stand shall not exceed 32 sq. ft. in area or 6 feet in height;

d. The enclosed floor area of the Farm Stand shall not exceed one thousand (1000) square feet, and any outdoor display area shall not exceed one thousand (1,000) square feet;

e. Off-street parking shall be provided on the subject property, no closer than 50' from the nearest parcel line not owned by the subject property's owner, exempting parcel lines abutting public right of way; and shall not interfere with the safe movement of traffic on adjacent public roads;

f. The Farm Stand shall comply with all applicable sight-distance and driveway access requirements; and

g. Any required permits from the Kentucky Department for Public Health or other regulatory agencies shall be obtained.

Minor.

a. The Farm Stand shall be located on property actively devoted to agricultural use, and shall be no closer than 50' to any parcel not owned by the subject property's owner, exempting parcel lines abutting public right of way;

b. Sales shall consist of agricultural products primarily grown, raised, or produced by the owner or operator of the farm, or by farms under common ownership or management;

c. Any signage associated with a farm stand shall not exceed 32 sq. ft. in area or 6 feet in height;

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d. The cumulative display area of the Farm Stand cannot exceed 120 sq. ft;

e. Off-street parking shall be provided on the subject property, and shall not interfere with the safe movement of traffic on adjacent public roads;

f. The Farm Stand shall comply with all applicable sight-distance and driveway access requirements; and

g. Any required permits from the Kentucky Department for Public Health or other regulatory agencies shall be obtained.

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Data Centers Ordinance - Draft

ARTICLE II

2.1 DEFINITIONS

- **Carbon Usage Effectiveness (CUE)** means $\frac{\text{Total } CO_2 \text{ emissions (kg)}}{\text{IT energy consumed (kWh)}}$
- **Commission** means the Georgetown – Scott County Planning Commission.
- **Community Benefits Agreement** means contract that ensures local communities receive tangible benefits, such as job creation and infrastructure improvements, in exchange for hosting these facilities.
- **Data** means any information, whether digital, electronic, optical or quantum, that can be collected, stored, processed, or transmitted.
- **Data Center** means a facility used primarily for the storage, management, processing, or transmission of data and includes, but is not limited to, buildings designed to accommodate computer servers, storage systems, or specialized computing hardware. A Data Center includes a Data Center principal use/structure, any Data Center accessory use/structure, and Data Center energy system. Examples of these facilities and uses include (but are not limited to) crypto processing, commercial cryptocurrency mining (bitcoin mining), and artificial intelligence training and/or processing. Data Centers are not facilities designed to facilitate the ordinary or incidental use of cloud-based computing, data storage, software, or other information technology services by a business, government entity, or organization.
- **Data Center Principal Use/Structure** means any structure or building that is used primarily for the storage, management, processing, or transmission of data which includes, but not limited to, any building designed or used to accommodate and house computer servers, storage systems, or specialized computing hardware.
- **Data Center Accessory Use/Structure** means any structure or building that supports the operation of a Data Center, is located on the same tract or assemblage of adjacent parcels and is developed either as a unified development of or in further support of a Data Center. The category includes but is not limited to administrative, logistical, fiber optic, storage, and security buildings or structures; air handlers; process water and non-contact cooling water and wastewater management and treatment facilities; water holding facilities; pump stations; water towers; environmental controls (e.g., air conditioning or cooling towers, fire suppression, and related equipment), water cooling and storage facilities, security features, and any other associated electric, gas, water, wastewater, and stormwater infrastructure to support operations at the property.

- **Data Center Energy Systems** means energy generation and storage systems, including electrical generators or engines, electric substations, back-up power generators, battery energy storage systems (BESS), used or intended to be used as sources of electrical power during normal operations, or as back-up temporary power when the main source of power is interrupted; electric transmission and distribution lines; and pipelines. The category shall not include utility service facilities exempted under KRS 100.324. Information concerning such utility service facilities to be sited or extended on private property in support of a Data Center shall be provided to the Planning Administrator as part of any application.
- **Data Processing** means the conversion of raw, unorganized data into meaningful, usable information through a structured sequence ofoperations, including collection, preparation, transformation and storage. Data processing does not include crypto processing, commercial cryptocurrency mining (bitcoin mining), artificial intelligence training and/or processing, and other similar uses.
- **Farmland of Statewide Importance** means a map unit identified by the Natural Resources Conservation Service identifying soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods.
- **Noise level** means the maximum sound pressure level measured in both A-weighted decibels (dBA) and C-weighted decibels (dBC) at the property line.
- **Power Unit Effectiveness (PUE)** means $\frac{\text{Total Facility Energy (kWh)}}{\text{IT Energy (kWh)}}$ when both units are measured over the same period.
- **Prime Farmland** means a map unit identified by the Natural Resources Conservation Service of the United States Department of Agriculture as having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses.
- **Waste Heat** means heat generated as a byproduct of data center operations
- **Water Unit Effectiveness (WUE)** means $\frac{\text{Water Consumed (L)}}{\text{Energy Consumed (kWh)}}$ when both units are measured over the same period.

2.5 SPECIFIC USE REGULATIONS

2.5.XX DATA CENTER ORDINANCE

1. **Purpose**
   a. This ordinance shall facilitate appropriate location, development, construction, installation, and decommissioning of Data Centers in unincorporated Scott County in

a predictable manner that promotes and protects the safety, health, and welfare of the community.

b. This Ordinance and the standards and requirements established herein are intended to define and regulate Data Centers in order to minimize impact on adjacent and surrounding properties; to ensure compatibility with other adjacent and surrounding land uses; to protect environmental resources, and to assure that the correlative rights of landowners and lessors owning or leasing and hosting Data Centers are balanced with those of neighboring land and communities; and to assure that the location, construction, operation, and decommissioning of Data Centers are undertaken in a manner that integrates the use into the surrounding built and natural environment.

c. The appropriate location, construction, and operation of Data Centers considers, avoids to the extent possible, minimizes, and mitigates any unavoidable adverse impacts to residential properties; neighborhoods; commercial areas; community and institutional buildings; land, air, and water resources; prime and productive agricultural lands; forests and woodlands; threatened and endangered species and critical habitat; and historic, natural, and sensitive lands. Standards and planning requirements are established to ensure that the use and enjoyment of lands located adjacent to and in the proximity of the Data Centers are fully safeguarded.

d. The requirements of this Ordinance are intended to be supplemental to any safety, health, or environmental requirements of federal, state, or local laws, and regulations.

2. Applicability

a. Data Centers are a defined land use in the Georgetown – Scott County Zoning Ordinance. This article applies to the siting, development, and construction of any new Data Centers after the effective date of this ordinance.

b. These standards apply to all developments that meet such a definition in unincorporated Scott County.

3. Permitted Uses

a. A Data Center shall only be allowed in the I-2 Heavy Industrial Zoning District designed for such use and as a conditional use upon:

i. Application for a zoning map amendment to reclassify the property on which the Data Center will be located as "I-2 Heavy Industrial" and

ii. Issuance of a Conditional Use Permit by the Board of Adjustment and

iii. Approval of both a preliminary and final development plan by the Commission and

iv. A Community Benefits Agreement between the developer and County that shall contain, at a minimum, sections detailing the following

1. The hiring of local workers/contractors during the construction phase of development
2. Any funding for community projects
3. Any enhancements to local public infrastructure

4. General Requirements Relating to Location of Data Centers

a. No Data Center shall be located:

i. On a parcel smaller than 50 acres.

ii. On lands with slopes over 20% or which are prone to flooding, or soil, or geologic instability.

iii. Where the disposal or release of any hazardous substance, pollutant, or contaminant from a Data Center could affect karst terrain.

iv. Where the structure or facility will restrict the flow of a 100-year flood, reduce the temporary storage capacity of the floodplain, or be placed in a manner likely to increase flood frequency, velocity, or heights so as to pose a risk or hazard to human health, property, wildlife, or land or water resources.

v. In wetlands or within 50 feet of the boundary of any wetland.

vi. On parcels containing more than 0% prime farmland, or farmland of state importance.

vii. Where such facilities may cause or contribute to the taking of a threatened or endangered species or adversely affect critical habitat.

viii. South of the Georgetown Southern Greenbelt Reserve Area as defined and identified in the 2024 (or most recently adopted) Comprehensive Plan.

ix. Within 1,500 feet from all schools, childcare facilities, religious assembly facilities, public parks, or public recreational facilities

5. General Requirements Applicable to Data Centers

These standards apply to all Data Centers.

a. **Setbacks:** Data Center principal, accessory, and energy systems structures or facilities, smokestacks, and emission points, other than transmission and distribution powerlines, pipelines delivering electricity or natural gas to the property, other utility lines, and ingress/egress for road and rail traffic, shall be located:

i. At least 500 feet from all outer perimeter property lines of the Data Center regardless of the zoning classification of the adjacent property. These setbacks shall not apply to property lines that are interior to a Data Center site.

ii. At least 1500 feet from the boundary of any Residential, Commercial, or Agricultural District.

iii. Any emission point or exhaust stack from a data center energy system whether for primary or backup power, shall be required to be at least one thousand (1,000) feet from the property boundary of any adjacent property and two thousand (2,000) feet from any Sensitive Use or the boundary of any Residential, Commercial or Agricultural District.

iv. Where necessary to comply with the noise limits provided in Subsection H of this Section at the exterior perimeter property boundary, due to site configuration, topography, and projected equipment noise, the Commission may require greater setback distance.

b. **Structure Height, Lot Coverage, And Impervious Surface**

i. Maximum Building Height, Lot Coverage, and Impervious Surface shall be defined by the standards applicable to the I-2 Heavy Industrial zoning classification or under general design standards.

c. **Design Standards**: A Data Center shall be designed and constructed with these considerations.

i. All principal and accessory structures and energy systems associated with a Data Center shall be arranged, designed, and constructed to be harmonious and compatible with the site and with the surrounding properties. In general, Data Centers that visually approximate commercial office buildings are encouraged. Data Center Accessory Use(s)/Structure(s) shall be located to the side or rear of the Data Center Principal Structure.

ii. Buildings shall be sited and oriented to minimize visual impacts of the bulk of the building when examined on a line-of-sight basis from adjacent public streets.

iii. Provide safe and convenient vehicular access to the site, including sufficient on-site queuing areas at security gates and delivery, loading/unloading, and staging areas.

iv. Accommodate adequate parking at a minimum of one (1) space per employee on the largest shift and three (3) visitor spaces.

v. Incorporate appropriate erosion control/stormwater management practices.

vi. House the equipment used in any Data Center in a metered, electrically grounded, and pre-engineered metal-encased structure with a fire rating designed to resist an internal electrical fire for at least thirty (30) minutes. The containment space shall contain baffles that automatically close in the event of fire, independent of a possible electric system failure.

vii. All building façades that face existing and/or planned public roads or face property zoned for residential use shall include these design features:

1. A change in façade surface to include building material, pattern, texture, color, accent materials at least every 150 horizontal linear feet.
2. Windows, doors, or similar fenestration, i.e. faux windows which shall be distributed both horizontally and vertically and comprise at least 30% of the façades.
3. At least one main entrance that projects or is recessed from the main building plane and is differentiated from the remainder of the building façade by a change in building material.
4. The main entrance of the building shall incorporate plantings a minimum of 50% of the length of the façade that must include a mix of evergreens, deciduous shrubs, grasses, or ferns. These plantings are in addition to any required buffers or landscaping requirements.
5. All loading and unloading areas, including overhead doors, shall be oriented towards the side or rear property lines away from public roadways. Loading docks are not permitted in the front or street side yards and shall not be oriented towards the front property line.
6. Varied materials, colors, and textures, particularly earthtones, are encouraged to create a high-quality and non-obtrusive design.

viii. All buildings must be constructed to minimize glare or reflection on adjacent properties and roadways and shall use appropriate textured glass, antireflective coating, and screening. Data Center equipment may be ground mounted or roof top mounted.

ix. All ground mounted equipment, including generators, fuel storage tanks, and utility substations, are prohibited from the front yard. Ground mounted equipment shall be located on a side farthest from any type of residential zone use and are not permitted adjacent to any property with a Zoning District permitting residential use, an existing residential development, or residentially used property.

d. **Emergency Contact Information.**

i. Each Data Center shall provide 24-hour emergency contact signage visible at each access entrance. Signs shall include the company name (if applicable), the owner, operator, and/or representative's name, the telephone number, and the corresponding local power company's name and telephone number.

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e. **Lighting**

i. For the lighting of horizontal surfaces, such as, but not limited to, parking areas, roadways, vehicular and pedestrian passage areas, loading docks, building entrances, sidewalks, bicycle paths, and site entrances, luminaires shall be aimed down, and shall meet Illuminating Engineering Society of North America (IESNA) full cut-off/fully shielded criteria.

ii. For the lighting of non-horizontal surfaces, such as, but not limited to, facades, landscaping, and signs, luminaires shall be shielded and shall be installed and aimed to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward, or onto a public roadway.

iii. The illumination measured line-of-sight and from any point on any external perimeter property line shall at no time exceed 0.1 footcandle.

iv. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily using such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle, and luminaire placement.

v. Luminaires shall not be mounted more than 20 feet above the finished grade of the surface being illuminated. No pole-mounted lighting on the roof shall be permitted.

vi. Lighting for parking areas and vehicular traffic ways shall be automatically extinguished nightly within ½ hour of the close of the facility. When after-hours site safety/security lighting is proposed, such lighting shall not exceed 25% of the number of fixtures required or permitted for illumination during regular business hours. Where there is reduced but continued onsite activity throughout the night that requires site-wide even illumination, the use of dimming circuitry to lower illumination levels by at least 50% after 11 PM or after regular business hours, whichever is earlier, or the use of motion sensor control, shall be permitted.

f. **Buffering/Screening/Landscaping**

i. The setback area required under Section 5 A. of this Ordinance shall serve as a buffer zone between the Data Center and the outer property boundary.

ii. No Data Center structures or facilities may be constructed within the setback areas, provided that within the first hundred feet of the setback area measured from the outer perimeter of the Data Center at the beginning of the

setback area, parking areas may be constructed and interior surface roads may be located.

iii. Any parking or roads constructed within the setback areas shall be bermed and vegetated to shield off-site areas from glare and other visual impacts associated with the interior vehicular travel and parking. Any landscape buffer shall include an earthen berm with a minimum height of eight (8) feet and a grade no steeper than 2:1.

iv. Except as provided in subsections 2 and 3, no impervious surface is permitted within any landscape buffer except for access roads and sidewalks.

v. All Data Center accessory structures and buildings and Data Center Energy Systems shall be fully screened on all sides from all existing and planned public roads as well as adjoining properties, utilizing a mixture of screening materials, berms, and landscaping. Screening can be accomplished using any combination of existing vegetation, a newly planted vegetative screen, fence, screen wall, panel, parapet wall, or other opaque screen. Screening is not required where the principal building itself serves to effectively screen an accessory structure or building or energy system from adjacent roads and properties. A species of trees or shrubs shall be used that ensures visibility through the screening is blocked by at least eighty (80) percent throughout the entire year. The effective screening height of the trees or shrubs shall be at least four (4) feet in height at the time of planting. The landscape buffer shall be a minimum of twenty-five (25) feet in width and may be part of the minimum setback area.

vi. Plantings shall be provided in the setback area, as screening, at the main entrance of any Data Center primary building, in parking lots, and along the façade of the proposed Data Center.

vii. The owner and operator of any Data Center shall have an affirmative and continuing duty to ensure that all buffering/screening standards and requirements are maintained on an ongoing basis.

g. **Perimeter Security Fencing**: Fencing may be considered for security purposes but is not needed for land use compatibility if appropriate and effective screening, buffering, and landscaping are provided.

i. Fences shall not exceed ten (10) feet in height above ground.

ii. Chain-link, slatted-insert, and barbed or razor wire fencing is not allowed along public streets or external perimeter property lines.

iii. Permitted fence materials include aluminum and iron.

iv. Video and/or audio surveillance shall be restricted to within external perimeter property lines and public right-of-way adjacent to or abutting the Data Center property.

h. **Noise**

i. All Data Centers shall meet the following minimum standards:

ii. Noise from operations, including primary and accessory structures and uses and energy systems, shall not exceed 30 dBA or 50 dBC between 10:00 p.m. and 7:00 a.m., and shall not exceed 40 dBA or 60 dBC at any other times at any external perimeter property line.

1. In addition to the decibel limits in paragraph 1, operations shall not generate vibration, oscillation, or infrasound that causes perceptible resonance within any buildings or adverse impacts on the human body, including but not limited to dizziness, headaches, nausea, sleep disturbance, or other recognized health effects. Compliance shall be determined based on standards issued by ANSI and ISO for human exposure to whole-body and low-frequency vibration (e.g., ISO 2631 and ANSI S2.71) and shall be measured and compliance determined at any external perimeter property line.

iii. The locations of the noise measuring equipment for the pre-construction noise analysis shall be shown on the submitted site plan. The points of measurement shall be at all external perimeter property lines at locations most susceptible to noise from applicable proposed equipment.

iv. The maximum sound levels identified herein do not apply to emergency alerts; emergency work to provide electricity, water, or other public utilities when public health or safety is involved; snow removal; or road repair. Maximum sound levels do apply to testing or routine operation of emergency equipment for backup or primary power generation and to other situations that do not involve public health or safety.

v. A Noise Assessment, Monitoring, and Mitigation plan shall accompany any conditional use permit application and shall include:

1. Assessment of baseline ambient levels of noise before construction, measured in all directions at the external perimeter property lines on which the Data Center is proposed to be located and any related activity is proposed to be conducted;

2. Assessment of all noise projected to be associated with the proposed Data Center (including all structures, facilities, and energy systems)

before and after incorporation of noise minimization and abatement measures to control and minimize all exterior noise (including high, mid- and low-frequency) generated by the Data Center, including but not limited to exhaust vents, cooling equipment, chiller fans, and on-site power generation.

3. An Acoustical Study prepared by a qualified noise consultant showing:
    a. Expected daytime and nighttime sound levels, including generator noise and other equipment noise, indoors and outdoors at multiple distances and at the external perimeter property lines,
    b. Include both A-weighted (dBA) and C-weighted (dBC) measurements, with full frequency spectra to identify low-frequency and tonal components,
    c. Provide sound level projections and modeling for multiple distances from the facility, with measurements taken both outdoors and indoors of nearby dwellings,
    d. Conduct testing during nighttime and early morning hours, when cooler air and atmospheric conditions may increase sound propagation, and
    e. Recommend specific mitigation measures (e.g., barriers, enclosures, mufflers, alternative cooling technologies) to ensure compliance with the noise standards of this Ordinance.
4. A vibration study shall also be submitted if any mechanical equipment or cooling infrastructure is installed within 2,000 feet of the boundary of any Residential, Commercial, or Agricultural District.
5. Design of Noise Monitoring, Minimization, and Mitigation Plan including real-time continuous monitoring and analysis of noise data sufficient to demonstrate compliance with the applicable standards over time and to identify patterns, trends, and potential areas of improvement; and use of frequency analysis to identify and address low-frequency tones associated with cooling fans or other equipment.
6. Incorporation of measures sufficient to avoid off-site nuisance conditions from all frequencies of noise, at all hours of the day and night, and conform to the required limits at the property lines of the Data Center. Measures may include, but not be limited to, acoustic barriers or shrouds, higher efficiency/lower speed fans, or other noise

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reduction devices sufficient to assure that the noise levels measured at the perimeter property boundary for the Data Center conform to the required levels and to prevent nuisance conditions.

7. All required noise analyses shall be designed and conducted by a certified/ licensed acoustical engineer. The points of measurement shall be on each external perimeter property line at locations selected as those most 14 susceptible to noise from applicable proposed equipment. Any noise analysis shall include the date, time, and duration of measurements taken and shall be taken at various times of the day and night.

8. The County shall require the applicant to conduct post-construction during operation compliance testing within six months of commencement of operation, using the same methodology, to verify actual sound levels and the effectiveness of mitigation measures. Where any noise analysis post-construction and during operation identifies greater than maximum permissible sound levels at any perimeter property boundary, the applicant shall be required to develop and submit for review and approval such measures, including relocation of equipment, reorientation, and other mitigation measures, as are needed to bring the modeled noise level to below acceptable limits.

    a. The County may, at any time thereafter, conduct such compliance testing, and where any noise analysis identifies greater than maximum permissible sound levels at any perimeter property boundary, the County will supply the operator with notice of its findings and allow the operator 15 days to cure the exceedance and submit evidence of this cure to the County. If after 15 days, the operator has not cured the exceedance or submitted evidence of the cure, the Board of Adjustment shall schedule a public hearing to consider the suspension or revocation of the conditional use permit.

g. **Utility And Infrastructure**: An application for a conditional use permit shall contain a Utility and Infrastructure Plan, which shall include:

    i. A Site Plan showing all structures and facilities to be used or constructed to support the Data Center operations, including all water, wastewater, electric, natural gas, and other infrastructure, and public utility service facilities.

    ii. Identification and description of any existing or proposed transmission lines and other facilities that would be required in order to connect the proposed

facilities to the grid, and any permits or other approvals needed to support such construction.

iii. Identification of any existing or proposed pipelines or gas transmission lines and other facilities that would be required in order to deliver natural gas or other gas or liquids to the facilities for use in heating or power generation.

iv. A description of any power sources proposed to be constructed or sited and operated, including emissions profile, noise, copies of applications for any required state or federal air permits. Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or other energy generating systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved only in accordance with any zoning regulations that allow and are applicable to such use.

v. Information concerning any proposed grid interconnection.

vi. Documentation, including written verification from the applicable service providers, demonstrating that:

1. Public utility capacity and related electrical infrastructure sufficient in size and capacity is or will be made available to ensure that the power requirements of the proposed project can safely be accommodated without adverse effect on the availability, reliability, quality, cost, or safety of the electric service to other customers;
2. Any system designed for cooling and operation of the facility (whether by electricity, water, or other means) will meet all applicable standards of this ordinance as well as state and federal law;
3. Water, stormwater, and wastewater management and treatment capacity sufficient in size and capacity is or will be made available to ensure that the requirements of the proposed project can be safely accommodated without adverse effects on the availability, reliability, quality, cost, or safety of the water, wastewater, and stormwater management and treatment services to other customers; and
4. Any enhancements or improvements required in order for such utility services to continue to be available without adverse effect or additional cost to existing customers will be in place before operation of the proposed project.

vii. A description of the processes that will be used for management of all water, wastewater including equipment cooling, humidity maintenance, process, and

sanitary wastewater, and stormwater run-on and run-off, in accordance with all local state, and federal requirements.

viii. Demonstration that for any proposed battery storage or storage of any other device or group of devices capable of storing energy for supply at a later time, whether the energy is stored for use on-site or off-site, compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards, and include fire suppression systems designed specifically for battery storage.

ix. Proposed improvements or alternatives to minimize the need for additional transmission lines and the designated power provider. The use of sustainable alternatives for on-site water or power generation, such as solar panels, rooftop cisterns, small-scale wind turbines, or other renewable energy sources which shall offset at least 25% of total power usage and 10% water usage is required.

h. **Generator and Testing Requirements**

i. Backup power generation using diesel fuel, natural gas, or Battery Energy Storage Systems are allowed for use at a Data Center. Gas or battery storage is preferred over diesel due to emissions concerns.

ii. Backup diesel generators shall be a minimum of Tier IV (or the highest Environmental Protection Association industry standard available at the time of application) which meet all applicable local, state, and federal emission and performance standards to minimize adverse effects from the generator emissions.

iii. Except for generator testing or commissioning activities, generator use shall be limited to backup and emergency use only when the primary source of electricity is interrupted or unavailable. Continuous generator use outside of power outages or interruptions is prohibited.

iv. Generators shall be tested no more than once per week per unit, and only during the hours of 12 P.M. to 5 P.M. Monday through Friday.

v. If diesel fuel is used for a back-up generator, the application shall include information demonstrating that the fuel will be delivered during non-peak daytime hours, that storage of the fuel will conform to all applicable fire and safety standards, and that the storage vessel is equipped with secondary containment to contain any release.

i. **Cooling Requirements**

i. All liquid cooled equipment must be designed to utilize a closed-loop system.

ii. Water shall not be used as the primary liquid for any liquid cooling system.

iii. Water used for liquid cooling systems must come from a public or semi-public water system and not from any type of private well system.

iv. Water discharge shall only happen after treatment and only in accordance with all applicable local, state, and federal water pretreatment, discharge permit requirements and in conformity with state water quality standards.

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j. **Water Management**: An application for a conditional use permit for a Data Center shall include a Water and Wastewater Management Plan, which shall include:

   i. Projected daily and peak water demand;

   ii. The source(s) of the water supply, including certification from any public or semipublic water supplier that it will supply the daily and peak water need and that the demand can be met without adverse effect on the availability, quality of service, potability of the water, or other qualitative or quantitative impacts on existing customers;

   iii. Certification that the Data Center site is not located within a wellhead protection planning area;

   iv. Provide documentation that the Data Center design and equipment incorporates best available technology and best practices to minimize water waste, maximize efficiency of water use, and to reclaim and recycle water to the extent possible;

   v. Provide documentation that any improvements to the water or wastewater utility infrastructure needed to serve the proposed Data Center will be paid by the applicant;

   vi. Documentation demonstrating cooling system designs that do not discharge to the wastewater or stormwater systems without treatment, or which use non-water-based cooling that does not require discharge.

k. **Waste Heat**

   i. No person, firm, or corporation shall cause, permit, allow, or maintain any artificial or mechanical source of heat, radiant energy, or exhaust that creates a condition of thermal discomfort, hazard, or damage to persons, animals, vegetation, or property beyond the external perimeter property lines of the Data Center.

   ii. Thermal discharge, venting, or exhaust from any equipment, machinery, or operation shall not raise the ambient temperature at any external perimeter property line above naturally occurring conditions when measured at a height of 4 feet above ground level.

   iii. Outdoor equipment and energy systems must be equipped with shielding, insulation, or dispersion devices to minimize radiant heat impacts.

   iv. Exhaust from heating, ventilation, air conditioning, or industrial equipment shall be directed and diffused in such a manner as to prevent concentrated heat exposure to anywhere outside of Data Center, neighboring properties, or public rights-of-way.

v. Rooftop or wall-mounted heat exhaust systems shall be equipped with baffles, louvers, or dispersal devices to prevent heat plumes from causing discomfort or damage to adjacent buildings or damage to vegetation.

l. **Low Impact and Energy Efficiency**: Data Centers are required to implement low-impact development practices in site design and energy efficiency, such as, but not limited to, the following:

i. Site Design. Select sites to:

a. Minimize land disturbance,

b. Maximize tree preservation,

c. Minimize impervious surfaces, and

d. Minimize potential nuisance impacts (noise, glare, vibration, etc.) on adjacent properties, public roadways, and the vicinity.

ii. Energy/Resource Efficiency.

a. Orient buildings to take advantage of passive cooling and daylight opportunities

b. Utilize alternative energy sources (solar, wind, hydro, etc.) as much as possible

c. Provide an energy storage system to monitor and regulate usage of alternative energy for usage during off-peak hours

d. Utilize reclaimed water for cooling, if available

e. Encourage systems that limit the use of finite natural resources and their disposal

f. Incorporate water-efficient landscape materials

g. Utilize LED exterior/interior lighting

h. Provide 100% coverage of required Vehicle Use Area (VUA) with an approved Solar Energy System (SES), exempting driveways, access roads, and required landscaping areas.

i. Provide 100% coverage of rooftop area with an approved Solar Energy System (SES). This requirement may be reduced to 80% coverage if an applicant can demonstrate an incompatibility between the required SES and other rooftop mounted equipment.

j. Implement energy management best practices and carbon reduction techniques such as, but not limited to, those promoted through the

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U.S. Department of Energy's Better Buildings initiative and U.S. Green Building Council's LEED certification system.

m. **Avoidance Of Nuisance**

i. Any use or activity producing emissions, fugitive dust, smoke, glare, exhaust, heat, or humidity in any form shall be designed, located, and carried on in such a manner that it is not perceptible at or beyond the external perimeter property line and does not exceed any standards established by this ordinance or local, state, or federal law or regulation.

n. **Energy & Water Efficiency**

i. Data Centers are required to meet the following PUE, WUE, and CUE levels based on total peak power demand as measured in Megawatts:

Data Center Efficiency Requirements

	PUE	WUE	CUE
Less Than 25 Megawatts	1.5	1.5	0.75
25 to less than 50 Megawatts	1.4	1	0.6
50 to less than 75 Megawatts	1.3	0.5	0.5
75 to less than 100 Megawatts	1.2	0.25	0.4
100 Megawatts and Above	1.1	0.25	0.3

6. **Conditional Use Permit Application Requirements**

a. The application for a conditional use permit for a Data Center shall include:

i. A proposed site development plan identifying:

a. The zoning classification for all lands within 1 mile of the external perimeter property lines of the proposed Data Center site;

b. The legal boundaries of each separate parcel comprising the proposed site;

c. Proposed access route(s) and access control to the site;

d. The location of proposed improvements including but not limited to the Data Center Principal Structure, Data Center Accessory Use(s)/Structure(s), Data Center Energy Systems, parking, lighting,

screening/buffering, perimeter fencing, and all ground-mounted equipment and utility infrastructure;

e. The location and use of internal roads, and any tram or railways;

f. Existing or proposed utilities providing electric, gas, water, and wastewater service the facility;

g. Evidence of compliance with all applicable setback requirements;

h. Location of the 100-year floodplain, wetlands, public rights-of-way, and cultural and historic resources on the proposed Data Center site and within 500 feet of the external perimeter property lines.

ii. An evaluation of the compatibility of the facility with scenic surroundings;

iii. A traffic study assessing the impact of the facility construction and operation on road and rail traffic to and within the facility;

iv. An appraisal of the potential changes in property values and land use for property owners within one (1) mile of the facility resulting from the location, construction, and operation of the proposed facility;

v. Description of potential for fire or explosion, and certification from local fire department and emergency response agencies of the capacity to address and respond to any emergency situation regarding the Data Center and associated energy systems, including fuel delivery and storage;

vi. A Utility and Infrastructure Plan meeting the requirements of Section 5 I;

vii. List all other permits and authorizations needed for construction and operation of the Data Center and include copies or links to the applications;

viii. A Noise Assessment, Monitoring, and Mitigation Plan meeting the requirements of Section 5 H;

ix. Waste Management Plan which shall identify all categories of solid waste, electronic waste, hazardous materials, and other refuse generated by the facility, including packaging, cooling system by-products, and equipment replacement materials, and shall identify the manner in which the wastes will be stored, collected, processed, recycled, and disposed;

x. An assessment of all anticipated emissions from the construction and operation of the facility, including transportation;

xi. An assessment of all water usage (including a calculation of Water Unit Effectiveness) and wastewater generation and characterization, and plans for management of wastewater and stormwater; and

xii. An assessment of all electrical usage including a calculation of Power Unit Effectiveness.

xiii. A decommissioning plan, prepared by a registered professional engineer, containing the following:

a. The estimated decommissioning timeframe and cost of removal of all structures, foundations, conduit, equipment, and interconnection facilities, and roads;

b. The manner in which the Data Center will be decommissioned, including provision and a timetable for the removal of all structures, foundations, conduit, equipment, and interconnection facilities and for the revegetation and restoration of the property to its original condition or preparation of the site in a condition compatible with the prior zoning of the parcel(s); and

c. A performance bond, letter of credit, or other financial assurance payable to the Commission, sufficient to assure that decommissioning of the site can be achieved by a third party in the event that the applicant defaults in that obligation, which financial assurance shall be provided prior to commencement of construction.

7. Application Criteria

a. All applications for data centers shall adhere to all requirements and procedures set forth in the *Subdivision & Development Regulations.*

b. A Concept Plan for the overall development shall be required at the time of zone change application to the Georgetown – Scott County Planning Commission.

8. Severability

a. If any section, subsection, or other portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, sub-section, or portion thereof shall be deemed a separate provision of this article, and such holding shall not affect the validity of the remaining portions of this chapter.

ARTICLE IV

ZONING DISTRICT REGULATIONS

4.6 HEAVY INDUSTRIAL DISTRICT (I-2)

4.61 PERMITTED USES

1. Extraction, storing and processing of minerals or raw materials.

2. Those uses as permitted in Light Industrial Districts.

4.62 ACCESSORY STRUCTURES AND USES PERMITTED

1. Signs identifying the industrial activity on the same premises.
2. Dwelling unit (conventional) for caretaker or watchmen employed by the industrial firm.
3. Accessory buildings.

4.63 CONDITIONAL USES

1. As permitted in Light Industrial Districts.
2. Data Centers as defined in 2.5.XX

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List of all Active Projects/Status

Application	Project Name	Type	Status
Minor	137 Scotland Dr - Clearing	DEV-C	Under Construction
2024-25	150 Mt Vernon Dr - Parking addition	DEV-C	No Activity
2025-26	214 Colony Blvd - Townhomes	DEV-R	Under Review
2017-33	American Mini (Self-Storage_1047 Paris Pike)-Ph I	DEV-C	No Activity
2017-20	Amerson - Schoolhouse Road Unit 1	DEV-C	Approved/Bonded
2017-20	Amerson Commercial Grading and Site Work	DEV-C	Approved/Bonded
2018-43	Amerson North Townhomes	DEV-R	Under Construction
2025-02	Baptist Healthcare MOB - 115 Amerson Way	DEV-C	Final Inspection
2025-03	Bluegrass Baptist - 2085 Ironworks Road	DEV-C	Under Review
2024-62	Bluegrass Storage - 3036 Paris Pike	DEV-C	No Activity
2003-35	Buffalo Springs (Phase 2) Stamping Ground	RES	Approved/Bonded
2026-05	Canewood Retail - 107 Canewood Center	DEV-C	Under Construction
2021-10	Cherry Blossom Subdivision - Phase 9	RES	Approved/Bonded
2024-43	Cherry Blossom Village, Phase 10 (11-D)	RES	Under Review
2025-09	Country Boy Brewing - Hiview - 6325 Cinc	DEV-C	Under Construction
2018-32	Crossings at Wyndamere (Ph4) - Conner Path	DEV-C	No Activity
2026-13	Cyron Holdings (Delaplain) - Additional Parking	DEV-C	Under Construction
2023-21	Dan Cummins Auto - 215 Connector Rd	DEV-C	Approved/Bonded
2024-06	Drake & Ditardi (944 E Main) - Site Grading	DEV-C	Complete
2023-56	Fairfield Inn Update - 200 Tiger Way	DEV-C	Final Inspection
2011-29	Falls Creek Drive extension	DEV-C	Approved/Bonded
2021-11	Falls Creek Phase 2 (Res) Townhomes	DEV-R	Under Construction
2021-04	Falls Creek Residential - Phase 2	RES	Dedication/Final Work
2025-55	Flex Space - 944 E Main	IND	Under Construction
2017-43	Fox Run - Phase 2	RES	Dedication/Final Work
2021-06	Georgetown Auto Sales - 136 Darby Dr	DEV-C	No Activity
2026-08	Georgetown Commons - Chase Bank (Tract 2H)	DEV-C	Under Review
2026-26	Georgetown Commons - Panda Express (Tract 2D)	DEV-C	Under Review
2024-48	Georgetown Commons - Phase 1 (Tract 2 Build-out)	DEV-C	Under Construction
2024-48	Georgetown Commons - Phase 2 (Tract 1A) - Target	DEV-C	Under Construction

Application	Project Name	Type	Status
2024-47	Georgetown Commons - Subdivision Infrastructure	DEV-C	Under Construction
2024-48	Georgetown Commons - Tract 3 - Lynx Apartments	DEV-R	Under Review
2026-06	Georgetown Commons (Tract 5) Reserve@Crest&Clay	DEV-C	Under Review
2025-46	Geospecialties - Sadieville	DEV-C	Under Construction
2023-36	Grace Christian Church - Gymnasium	DEV-C	Final Inspection
2019-39	Harbor Village Unit 1, Phase 3C	RES	Approved/Bonded
2026-17	Heartland Dental - Elkhorn Village Outlot #5	DEV-C	Under Review
2023-50	Hucks Market - 1000 Lemons Mill	DEV-C	Final Inspection
2026-37	Jeff Wellman_171 Corporate Blvd	IND	Under Review
2018-52	Jimmy Johns - 121 Southgate Dr	DEV-C	Approved/Bonded
2018-15	Landmark (South, Kelley-Owen) Parking Exp	DEV-C	Final Inspection
2025-10	Lemons Mill Shipping Containers - 793 Lemons Mill	DEV-C	No Activity
Util	LGE & KU Substation - Pavilion Dr	DEV-C	Under Construction
2023-57	Limestone Farms Distillery - 1438 Paynes Depot	DEV-C	No Activity
2026-15	LivSmart Hotel - 400 Outlet Center	DEV-C	Under Review
2024-46	Marketplace-460 & McClelland (Publix)	DEV-C	Under Construction
2006-28	McClelland Springs Ph IIB & IIC	RES	No Activity
2006-30	McClelland Springs Ph IIB & IIC Section A (Delong)	RES	Approved/Bonded
2002-62	Minnfield Townhomes 1 & 2 - Barbara Blvd	DEV-R	No Activity
2009-20	Morgan Property	DEV-C	No Activity
2017-14	Morgan Property (Tract 2) 2017	DEV-C	No Activity
2024-56	New Vista CMHC - Artis Way	DEV-C	Under Construction
2023-38	Online Transport Storage-656 Old Delaplain	DEV-C	Final Inspection
SCS	Oxford Elementary School - 2425 Cynthiana Rd	DEV-C	Under Construction
2026-14	Parkview Medical West - American Path	DEV-C	Under Review
2021-44	Penn Alley Townhomes - Tivoli Path Bldg 1	DEV-R	Complete
2025-11	Penn Alley Townhomes (Buildings B)	DEV-R	Under Construction
2017-24	Pinnacle At Mallard Point	RES	Approved/Bonded
2004-51	Pleasant Valley Phase 5 (Remainder)	RES	Under Review
2004-51	Pleasant Valley Phase 5-A	RES	Approved/Bonded
2004-51	Pleasant Valley Phase 5B & 5C	RES	Approved/Bonded
2018-57	Price Farm (Abbey) Ph 3 Unit 2A, 2B, 2C, 2D	RES	Warranty Period

Application	Project Name	Type	Status
2022-51	Price Farm (Abbey) Townhomes - Herndon Blvd	DEV-R	Under Construction
2018-57	Price Farm(Abbey) Phase 4	RES	Under Construction
2023-33	Pure Air KY - 117 Eastside Dr	DEV-C	Under Construction
2021-42	R&L Carriers - Cherry Blossom Spur	DEV-C	Final Inspection
2022-21	Redwood (Townhomes at Old Oxford) (Charles)	DEV-R	Under Construction
2022-21	Redwood Commercial - Old Oxford (Finley)	DEV-R	Approved/Bonded
2024-34	Rumpke Parking & Storage - 225 W Yusen	DEV-C	Final Inspection
2007-43	Scott Co Safe Storage Phase 2	DEV-C	Under Review
2022-14	Singer Property - Phase 1 (822 Cinc Pike)	RES	No Activity
2023-48	South Crossing Subdiv - Phase 2, Units 2A-2C	RES	Approved/Bonded
2023-48	South Crossing Subdiv - Phase 2, Units 2D & 2E	RES	Approved/Bonded
2026-39	SPC Container Storage - 170 Industry Rd	DEV-C	Under Review
2024-57	St Francis & St John New Parish Life at Cardome	DEV-C	Final Inspection
2017-47	Stamping Ground Church of God - 2811 SG Rd	DEV-C	Under Construction
2018-38	Sutton Place Remaining - Phase 4	RES	No Activity
2005-22	Thoroughbred Acres Unit 11(Commercial Subdivision)	DEV-C	Approved/Bonded
2025-38	TMMK - Fire Security Bldg - Gate 7	DEV-C	Under Review
Minor	TMMK - Paint Reborn 2 - SW1-Parking and Roadwor	DEV-C	Complete
2025-58	TMMK Paint Reborn SW4 - Northwest Trailer Yard	DEV-C	Final Inspection
2023-51	Triport Circle (Motor Pool) Truck Wash	DEV-C	Approved/Bonded
2026-10	UK Federal Credit Union-124 Braeburn	DEV-C	Under Review
2021-20	Village at Lanes Run - Ph 3, Sect 2 (Briggs)	RES	Dedication/Final Work
2021-20	Village at Lanes Run - Ph 3, Sect 3 (2B) (Briggs)	RES	Dedication/Final Work
2004-26	Village at Lanes Run - Phase 3, Sect 1A (Charles)	RES	Warranty Period
2004-26	Village at Lanes Run - Phase 3, Sect 1B (Charles)	RES	Warranty Period
2022-05	Village at Lanes Run - Phase 4, Sect 1	RES	Approved/Bonded
2025-18	Village at Lanes Run - Phase 4, Sect 2A	RES	Approved/Bonded
2025-18	Village at Lanes Run - Phase 4, Sect 3-5	RES	Under Construction
2023-34	Village at Lemons Mill Lot 4 (Phase 1) Artis Way	RES	Under Review
2023-34	Village at Lemons Mill(Welch) - Infrastructure	DEV-C	Approved/Bonded
2026-31	Vuteq 2026 - Warehouse and South Parking Exp	DEV-C	Under Review
2025-63	Vuteq 2026 Building/Parking Expansion	DEV-C	Under Construction

Application	Project Name	Type	Status
2011-03	Ward Hall Unit 2B - 460W (Ball)	RES	Under Review
2025-67	Woodland Park - Phases 3 Apartments	RES	Under Review
2018-05	Woodland Park (Betty Yancey) Phase 2	RES	Warranty Period

Total Number of Active Projects: 97

GSCPC Active Subdivision Projects

Status	Application number	Project Name
Under Construction	Number of Projects:	2
	2018-57	Price Farm(Abbey) Phase 4
	2025-18	Village at Lanes Run - Phase 4, Sect 3-5
Dedication/Final Work	Number of Projects:	4
	2021-04	Falls Creek Residential - Phase 2
	2017-43	Fox Run - Phase 2
	2021-20	Village at Lanes Run - Ph 3, Sect 2 (Briggs)
	2021-20	Village at Lanes Run - Ph 3, Sect 3 (2B) (Briggs)
Approved/Bonded	Number of Projects:	11
	2003-35	Buffalo Springs (Phase 2) Stamping Ground
	2021-10	Cherry Blossom Subdivision - Phase 9
	2019-39	Harbor Village Unit 1, Phase 3C
	2006-30	McClelland Springs Ph IIB & IIC Section A (Delong)
	2017-24	Pinnacle At Mallard Point
	2004-51	Pleasant Valley Phase 5-A
	2004-51	Pleasant Valley Phase 5B & 5C
	2023-48	South Crossing Subdiv - Phase 2, Units 2A-2C
	2023-48	South Crossing Subdiv - Phase 2, Units 2D & 2E
	2022-05	Village at Lanes Run - Phase 4, Sect 1
	2025-18	Village at Lanes Run - Phase 4, Sect 2A

GSCPC Active Development Projects

Status	Application number	Project Name	Type
Under Construction		**Number of Projects: 21**	
	Minor	137 Scotland Dr - Clearing	DEV-C
	2018-43	Amerson North Townhomes	DEV-R
	2026-05	Canewood Retail - 107 Canewood Center	DEV-C
	2025-09	Country Boy Brewing - Hiview - 6325 Cinc	DEV-C
	2026-13	Cyron Holdings (Delaplain) - Additional Parking	DEV-C
	2021-11	Falls Creek Phase 2 (Res) Townhomes	DEV-R
	2025-55	Flex Space - 944 E Main	IND
	2024-48	Georgetown Commons - Phase 1 (Tract 2 Build-out)	DEV-C
	2024-48	Georgetown Commons - Phase 2 (Tract 1A) - Target	DEV-C
	2024-47	Georgetown Commons - Subdivision Infrastructure	DEV-C
	2025-46	Geospecialties - Sadieville	DEV-C
	Util	LGE & KU Substation - Pavilion Dr	DEV-C
	2024-46	Marketplace-460 & McClelland (Publix)	DEV-C
	2024-56	New Vista CMHC - Artis Way	DEV-C
	SCS	Oxford Elementary School - 2425 Cynthiana Rd	DEV-C
	2025-11	Penn Alley Townhomes (Buildings B)	DEV-R
	2022-51	Price Farm (Abbey) Townhomes - Herndon Blvd	DEV-R
	2023-33	Pure Air KY - 117 Eastside Dr	DEV-C
	2022-21	Redwood (Townhomes at Old Oxford) (Charles)	DEV-R
	2017-47	Stamping Ground Church of God - 2811 SG Rd	DEV-C
	2025-63	Vuteq 2026 Building/Parking Expansion	DEV-C
Final Inspection		**Number of Projects: 10**	
	2025-02	Baptist Healthcare MOB - 115 Amerson Way	DEV-C
	2023-56	Fairfield Inn Update - 200 Tiger Way	DEV-C
	2023-36	Grace Christian Church - Gymnasium	DEV-C
	2023-50	Hucks Market - 1000 Lemons Mill	DEV-C
	2018-15	Landmark (South, Kelley-Owen) Parking Exp	DEV-C
	2023-38	Online Transport Storage-656 Old Delaplain	DEV-C
	2021-42	R&L Carriers - Cherry Blossom Spur	DEV-C
	2024-34	Rumpke Parking & Storage - 225 W Yusen	DEV-C
	2024-57	St Francis & St John New Parish Life at Cardome	DEV-C
	2025-58	TMMK Paint Reborn SW4 - Northwest Trailer Yard	DEV-C