

**SPECIAL MEETING
GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
AGENDA
AUGUST 13, 2020
6:00 p.m.**

I. COMMISSION BUSINESS

- A. Approval of July invoices
- B. Approval of July 9, 2020 minutes
- C. Approval of August agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. OLD BUSINESS

- A. FSP-2020-10 Hunt Property - Final Subdivision Plat to subdivide a 25-acre lot into 3 lots located on Cincinnati Pike.
- B. FSP-2020-13 Snowball Trust Property Amended – Final Subdivision Plat to subdivide one 5.8-acre lot amend the property lines for an existing 5.0-acre lot, leaving a remainder tract of roughly 26 acres located at 4476 Frankfort Road (US 460).
- C. FSP-2020-24 Mitchell Property – POSTPONED

III. NEW BUSINESS

- A. FSP-2020-31 Graves Property – Final Subdivision Plat to subdivide a parent tract of 33.942 acres into three new tracts located on the east side of Graves Road and north of Sebree Road.
- B. FSP-2020-32 Broughton Property – Final Subdivision Plat to subdivide a parent tract of 16.53 acres into two new tracts of 7.85 and 8.69 acres located southwest side of Long Lick Pike and west of Walnut Creek Estates.
- C. FSP-2020-33 Baker Property – Final Subdivision Plat to subdivide one five-acre tract from a parent tract of 58.93 acres located south side of Cynthiana Road (US 62) east of Oxford.
- D. PDP-2020-34 Bourbon 30 & ESI – Preliminary Development Plan to construct a 13,360 square foot industrial building with 8,000 square foot industrial area located northeast corner of Corporate Boulevard and Enterprise Way in Lanes Run Business Park.
- E. PDP-2020-35 Liberty Baptist Church Expansion – Preliminary Development Plan to construct a 1,300 square foot addition to an existing church located at 100 Hillside Drive.

IV. OTHER BUSINESS

- A. Small Cell Towers Ordinance – PUBLIC HEARING
- B. Proposed Development Fee Increase – Engineering Review and Inspection
- C. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
SPECIAL MEETING
MINUTES
July 9, 2020**

The special meeting was held online via Zoom on July 9, 2020. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present were Commissioners James Stone, Steve Smith, Regina Mizell, Mary Singer, David Vest, and Charlie Mifflin, Director Joe Kane, Engineer Ben Krebs, and Attorney Charlie Perkins. Absent was Commissioners Byron Moran and Duwan Garrett.

Motion by Stone, second by Smith, to approve the June invoices. Motion carried.

Motion by Mizell, second by Smith, to approve the June 11, 2020 minutes. Motion carried.

Motion by Mifflin, second by Mizell, to approve the July agenda. Motion carried.

All those intending to speak before the Commission were sworn in by Mr. Perkins individually prior to their comments and questions.

Postponements/Withdrawals

Chairman Sulski stated that the applications for Snowball Trust Property Amended (FSP-2020-13) and Mitchell Property (FSP-2020-24) have been postponed until the next regular scheduled meeting.

Consent Agenda

A representative of the Willoughby Property application (FSP-2020-26) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mizell, second by Smith, to approve the application. Motion carried.

A representative of Humphrey Property application (FSP-2020-27) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Smith, second by Singer, to approve the application. Motion carried.

A representative of Dearing – 944 E. Main Street applications (PSP-2020-28 and PDP-2020-29) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mizell, second by Smith, to approve the application. Motion carried.

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

Mr. Kane stated that the application is to divide the lot into three lots and to reshape the preserved area. He stated the preserved area was a parcel reserved for a cluster subdivision that was abandoned in 2017. He stated it was approved in 2001 and was known as Phase 2. He stated 26, 1-acre lots were platted. He continued going through the history of Cedar Hills up until 2017 when a new owner requested vacating the Preliminary Plat approval for Phase II-A.

He stated 3.634 acres of preserved area from the cluster development will be part of the 25 acres. He stated it was included in the 8.639 acre proposed lot.

Commissioner Smith questioned if Mr. Murphy had spoken to Mr. Kane about the application. He stated he had spoken to him a few times.

Mr. Kane stated he also had received an email from Karl and Sherri Eldridge expressing their concern with the application.

Redford Hunt, property owner, stated that he was shocked by some of the comments from the neighbors. He stated his desire is for his kids to be able to build on the lots.

Keith Winstead, Thoroughbred Engineering, stated that Brent Combs of Thoroughbred Engineering was unable to sign into the meeting. He stated Mr. Combs and Mr. Hunts are communicating throughout the meeting.

Michael Murphy, neighbor, questioned which plat was the plat that was revoked in 2017. He stated he does not understand how the plat was revoked and how the easement had changed that went through his property. Mr. Kane stated the Preliminary Plat was revoked in 2010 which revoked the cluster subdivision.

Mr. Murphy questioned how Alan Handleman could change the lots instead of the developer since his lots were last sold. Mr. Kane stated the easement is still on the current proposed plat and is to access lot 63.

Mr. Murphy stated the Final Subdivision Plat has changed since he brought his property and he thinks the property was intended to remain preserved area. Mr. Kane stated that the property was probably intended to remain preserved area. Commissioner Smith stated the original developer no longer owns the property.

Mr. Kane stated that the Final Subdivision Plat was not revoked but the Preliminary Plat approval. He stated since the cluster development stopped, the preserved area is no longer needed.

Mr. Murphy stated that he does not understand how Mr. Handleman could revoke the plat when the developer still owns property in the middle. Mr. Kane stated that Mr. Murphy's lots did not change.

Mr. Kane stated maybe the access easement needs to be reviewed further. He stated in the cluster regulations you can have cluster lots and 5-acre lots.

Mr. Perkins stated that since there is no Phase 2 then you do not need the preserved area. He stated revoking the plat gave the property owners the same rights as others.

Mr. Murphy questioned again if the plat could be revoked when the developer still owns some of the property. Mr. Perkins stated the developer waived his right when he sold the property.

Melody Moran, 109 Summeridge Road, stated that she has multiple concerns with the application. She stated that when Mr. Hunt bought the property, she was told by the Planning Commission that houses could never be built there.

She questioned what is the purpose of a preserved area. Mr. Kane stated that cluster subdivisions originally developed to preserve farmland. He stated allowing the smaller lots helps preserve open space.

Ms. Moran stated that the 94 acres is far away from the cluster lots and has no benefit to them. She stated that Mr. Hunt assured the homeowners the 25 acres would just be a place for his kids to enjoy and would not be developed.

Mr. Perkins stated that there is not a guarantee that preserved area will border any specific lot.

Ms. Moran stated that she does not support the relocation of the 1.92 acres of preserved land and the division of the 25 acres.

Commissioner Smith stated that this situation has happened before.

Mr. Perkins stated he can think of maybe two final development plats that were revoked.

Ms. Moran stated her husband led a petition so that Mr. Hunt would not have to fence his 25-acre lot. She stated that meeting is when she was told by the Planning Commission that the lot would never be built on.

Mr. Perkins stated that could have been a mistake but once the plat was revoked, the Planning Commission cannot enforce that.

Mr. Murphy questioned what property rights he has.

Commissioner Mifflin questioned Mr. Murphy what he thinks Mr. Hunt is going to do with the property. Mr. Murphy stated he is not sure.

Mr. Murphy questioned what Mr. Hunt and himself can do with their properties. Mr. Kane stated that Mr. Murphy can go to the office and discuss his options with staff.

Commissioner Mifflin questioned the access easement on the plat. Mr. Kane stated it needs to be researched further.

Chairman Sulski stated that maybe the application needs to be postponed until the easement issue can be figured out.

Mr. Hunt stated that the easement was his and that he is giving it to Mr. Handleman.

Chairman Sulski questioned if the access easement is for lot 62 or lot 63. Mr. Kane stated it may be mislabeled on the new plat.

Chairman Sulski questioned if the access easement goes through the middle of Mr. Murphy's property. Mr. Hunt stated that the easement is on the property line of different tracts of Mr. Murphy's property.

Mr. Murphy stated the access easement goes through the center of his 15-acre lot. Chairman Sulski questioned Mr. Murphy if the access easement existed when he bought his property. He stated the easement was on his plat before he bought the property and that it stated access for tract 62.

Chairman Sulski questioned the legality of the access easement now stating access for tract 63. Mr. Kane and Mr. Perkins stated the plat needed to be corrected to allow access for tract 62.

Mr. Murphy stated again his concern over the easement. Mr. Perkins stated the access easement was existing.

Chairman Sulski stated he does have concern about the access easement and if it had changed. Mr. Perkins stated the access easement looks the same to him.

After further discussion, **Motion by Mifflin, second by Smith, to continue the application until the next regularly scheduled meeting. Motion carried.**

PDP-2020-30 Firestone Complete Auto Care – Preliminary Development Plan for a 6,262 square feet commercial building located at 111 Marketplace Circle.

Mr. Kane stated the lot has triple frontage which has caused some setback issues. He stated the lot also has some rock issues. He stated the applicant has requested a variance to move the building to the east to reduce construction costs.

He states the property is zoned B-2 and has 50-foot setbacks on all sides. He stated the applicant has requested a 7-foot setback along Lusby Path.

He stated the applicant is requesting a variance for landscaping along McClelland Circle and a variance to use small trees due to the location of the waterline.

He stated there is concern regarding the dumpster location. He stated the neighboring property owner does not like the location of the dumpster but that it may be possible to relocate the dumpster.

He stated the application does meet the parking and other landscape requirements.

Chris Hardy, CEI Engineering, stated the applicant prefers to leave the dumpster in the current location but would add additional landscaping to screen the dumpster.

David Lusby, neighbor, stated he has a couple of concerns regarding the application. He stated the dumpster location concerns him. Mr. Hardy stated because of the store operations moving the dumpster to the other side would not work for the business.

Mr. Lusby questioned if the building layout could be flipped. Commissioner Mifflin stated that he also wondered if the building could be flipped.

Radoslav Nedkov, CEI Engineering, stated a truck could not maneuver the parking lot if the dumpster is moved to the side south of the building. He stated the enclosure around the dumpster will be brick like the building.

Chairman Sulski questioned if all the lots on that side of Marketplace Circle dumpsters locate facing the street. Mr. Kane stated the dumpsters are located on the north side of the lot. Mr. Nedkov stated the opening of the dumpster would be facing the west.

Chairman Sulski questioned if there could be a gate to hide the dumpster. Mr. Nedkov stated the applicant would be willing to screen the dumpster in order to reach an agreement.

Mr. Lusby questioned if the dumpster enclosure could be brick and have a top on top of it to screen it. Mr. Nedkov stated that is more of an architectural feature.

Bob Gage, developer, stated the exterior of the dumpster will match the exterior of the building. He stated it would have brick, a top, a wooden gate and will have landscape around it.

He stated flipping the building would not showcase the building to the McClelland Circle traffic that they are trying to attract.

Mr. Lusby stated that he feels flipping the building would make the showroom closer to the busy intersection. He stated moving the signage location could be done.

Mr. Gage stated that the dumpster could be moved more to the west to help with sightline at the intersection.

Chairman Sulski questioned Mr. Lusby if he is more concerned about sight distance or appearance. Mr. Lusby stated that he is concerned with both. He asked if the dumpster could be moved closer to the building. Mr. Gage stated that the dumpster could be moved 10-foot to the west.

Mr. Lusby questioned if that end of the building could be made more architecturally pleasing. Mr. Gage stated that he could add a couple of awnings but there is also a lot of landscaping on that side of the building.

Mr. Lusby questioned if the two trees at the intersection of Marketplace Circle and Lusby Path could be smaller. Mr. Gage stated he has no problem changing the trees.

Mr. Lusby questioned if he could recommend the types of trees and shrubs to be used and if it could be on record that the applicant will add two more awnings to the end of the building. Mr. Gage stated if two awnings are recommended by the Planning Commission then he would add that. Mr. Gage questioned Mr. Kane if he approved of the changes requested by Mr. Lusby. Mr. Kane stated he approved of the changes.

Mr. Lusby stated he sold the lot to Brent Rice who has developed the other lots. He stated his understanding is that Mr. Rice is not developing this lot. Mr. Lusby requested that black posts be used for stop-signs and handicapped parking signs at the development. Mr. Gage confirmed that the applicant needs to match the other developments and he did not see that being an issue.

Mr. Lusby questioned the direction of the lights. Mr. Gage stated that they are down lights. Mr. Lusby questioned if more lights could be added to the end of the building. Mr. Gage stated typically they have one light over the door. Mr. Lusby requested if two up/down lights could be installed. Mr. Gage stated Firestone is a national chain and he would have to check with their vendor about the lights.

Mr. Gage questioned if the Planning Commission approved of the requests by Mr. Lusby. He stated he wanted to confirm the requests to make sure he had everything. He stated his list included black posts for stop-signs and handicapped signs, an additional light on the north side preferable an up/down light, two awnings on the north side of the building, two less dense trees on the north corner of the property, and evergreen shrubs around the dumpster location.

Commissioner Smith questioned if an agreement had been reached about the location of the dumpster. Mr. Lusby stated he will only support the development if the dumpster is moved 10-foot to the west and Mr. Gage agreed to move the dumpster.

Mr. Lusby questioned if there will be landscaping between the buildings. It was stated that a shared paved access drive is between the two properties.

After further discussion, **Motion by Stone, second by Singer, to approve the Preliminary Development Plan (PDP-2020-30) subject to eight (8) conditions of approval and four (4) variances. Motion carried.**

Future In-Person Meeting Options

Options were discussed to again start meetings in person. After further discussion, it was decided that the August meeting will be a Zoom meeting and September's meeting will be discussed at that time.

HB 55 Hours

Mr. Kane stated that some of the Commissioners are needing HB 55 training hours. He stated that he will get a list of webcasts together and send out to the Commissioners for them to complete their training hours.

The meeting was then adjourned.

Attest:

Mark Sulski, Chairman

Charlie Perkins, Secretary

**HUNT PROPERTY
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission
August 13, 2020**

FILE NUMBER: FSP-2020-10

PROPOSAL: Final Subdivision Plat to subdivide a 25-acre lot into 3 lots.

LOCATION: Cincinnati Pike

OWNER: Redford C. Hunt

CONSULTANT: Brent Combs
Thoroughbred Engineering



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	25.00 acres (Tract 62A: 11.350 acres; Tract 62B: 5.0 acres, Tract 62C: 8.639 acres)
Access	Cincinnati Pike (US 25)
Variances/Waivers	1. Waiver to reshape the preserved area, while keeping it unsubdivided.

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to subdivide a 25-acre lot into three (3) lots.

In June 2017, the Planning Commission approved a request to revoke the preliminary approval for future phases of Cedar Hills. The smaller cluster lots for these future phases had never been developed, but preserved areas for these future phases had already been platted and sold prematurely. This 2017 action by the Planning Commission allowed areas that had been prematurely labeled as preserved to shed that restriction and regain their dwelling credits.

The Project Site contains 3.634 acres of preserved area from Phase 2 of the Cedar Hills cluster development. This acreage shall remain preserved because Phase 2 of Cedar Hills was platted. The other 21.366 acres of property that makes up the Project Site was labeled as 'preserved acreage' prematurely for future phases of Cedar Hills (see plat Cabinet 10, Slide 338). The Project Site currently has 4 dwelling credits (see plat Cabinet 12, Slide 311).

Plat Review:

The proposed subdivision meets all planning requirements including setbacks, lot size, and certifications. The Applicant will need to demonstrate to Planning Commission staff that KYTC has approved the proposed entrances prior to the Final Plat being recorded.

The Applicant is requesting a waiver from the Planning Commission with this application. The 3.634 acres of preserved area from Phase 2 of Cedar Hills is proposed to be rearranged by this application. The Applicant is proposing to keep the preserved area as contiguous and unsubdivided but is requesting the Planning Commission's approval to rearrange the preserved area to allow for a better building site on Tract 62C. Staff recommends approval of this waiver as it fits the requirements of the Ordinance, while allowing the Applicant a reasonable use of the property.

Updates for the August Meeting:

Staff has re-examined the previous applications before the Planning Commission regarding this property and other phases of Cedar Hills. Staff found no evidence that:

1. The 2017 revocation of the preliminary approval for Phase 2A did not change any preliminary approvals for the property owned by Mr. Murphy at the end of Summeridge Road.
2. The proposed plat in this application will not have any impact on Mr. Handleman's access to his roughly 94.8-acre property. For reference, see the Deed of Correction filed in Deed Book 387, Page 353.
3. By revoking the preliminary approval of Phase 2A of the Cedar Hills development, all land that had been set aside as either preserved, or shown as future cluster lots (not 5-acre lots) for Phase 2A has reverted to property with all the allowances and restrictions of agriculturally zoned property.

Staff has spoken with the Applicant regarding the 30' access easement that was created by the plat at Cabinet 10, Slide 338 extending from Summeridge Road to the Applicant's property. The Applicant is willing to abandon his property's use of the access easement if the proposed lots are granted access from US 25 by KYTC.

The proposed plat still meets all the requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*. The plat does require a waiver regarding reshaping the 3.634 acres of preserved area, but even this proposed action meets the requirements of the local regulations.

RECOMMENDATION:

Staff recommends **approval** of the Final Subdivision Plat to subdivide a 25-acre lot into 3 lots with the following waiver and conditions of approval:

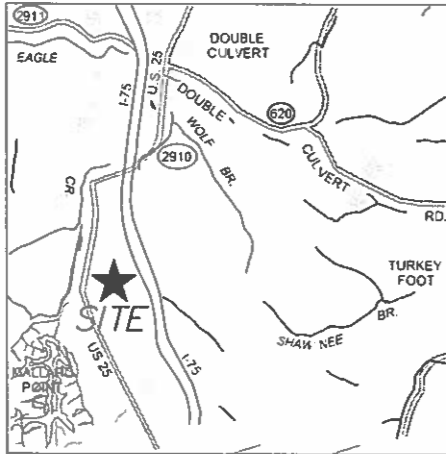
Waiver:

1. Waiver to reshape the preserved area, while keeping it Unsubdivided.

Conditions of Approval:

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

2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.
5. The Applicant shall submit proof to the Planning Commission Engineer that the proposed entrances were approved by KYTC prior to recording the plat.
6. The Applicant shall abandon/revoke the 30' access easement that had been created to provide access to the Project Site if KYTC approves entrances to the proposed lots from US 25.



VICINITY MAP

CERTIFICATE OF OWNERSHIP

I DO HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND I ADOPT THIS PLAN OF SUBDIVISION OF MY OWN FREE CONSENT.

REFORD C. HUNT DATE _____

CERTIFICATION OF PRELIMINARY PLAT APPROVAL

I HEREBY CERTIFY THAT THE PRELIMINARY SUBDIVISION PLAT 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 WRITES OF THE PLANNING COMMISSION. UPON CERTIFICATION OF THE COMMISSION ENGINEER OF THE APPROVAL OF THE WATER QUALITY PROTECTION PLAN AND ALL CONSTRUCTION PLANS, CONSTRUCTION MAY BEGIN.

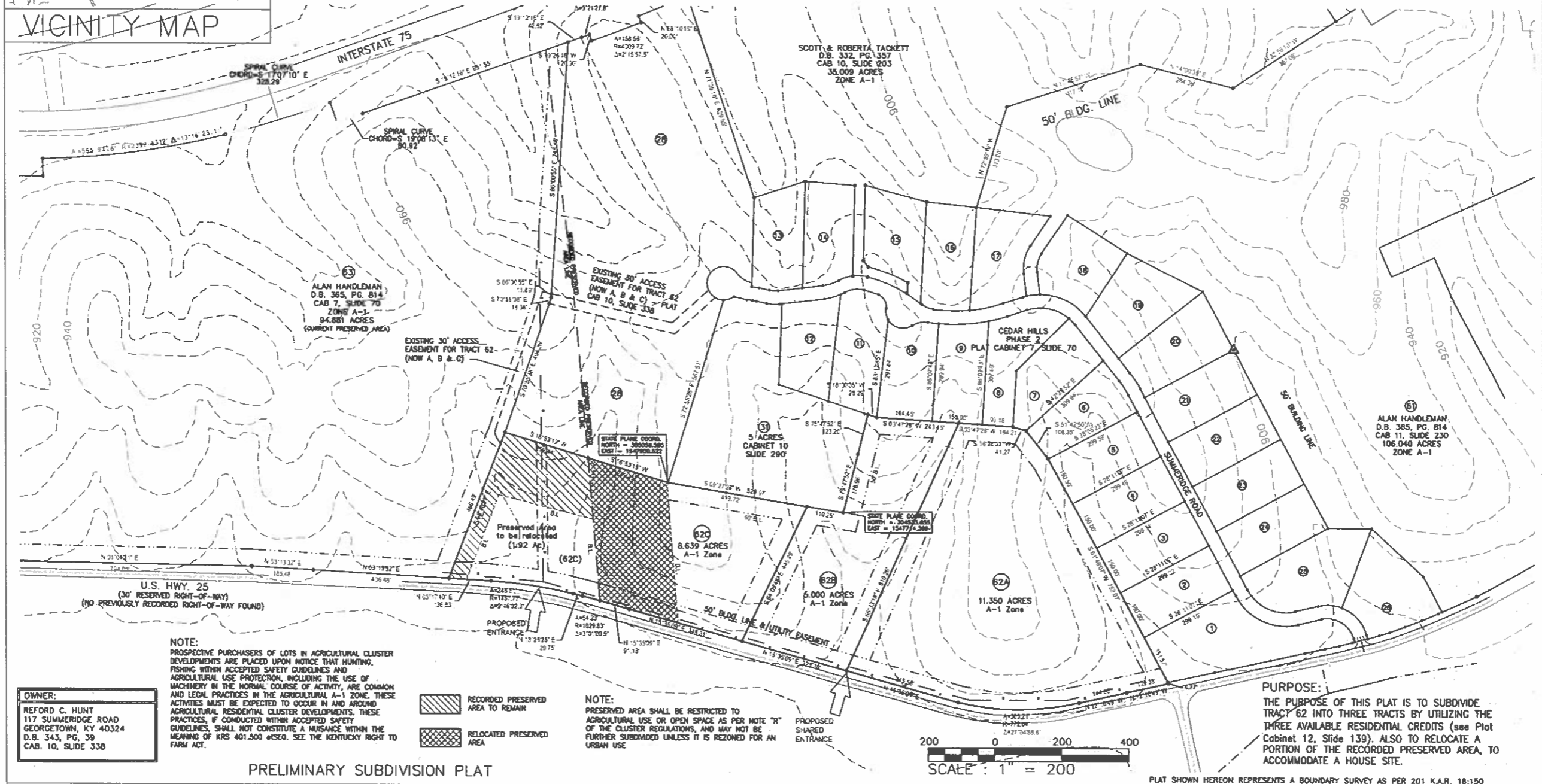
_____, (P.A.#) 20____

CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COM.

NOTES:

- 1) PRESERVED AREAS SHALL NOT BE FURTHER SUBDIVIDED.
- 2) ANY FURTHER DIVISION OF THE PROPERTIES SHOWN HEREON WILL REQUIRE REVIEW AND APPROVAL OF THE GEORGETOWN SCOTT COUNTY PLANNING COMMISSION.
- 3) PROPERTY IS SUBJECT TO ANY EASEMENTS OF RECORD NOT SHOWN HEREON.
- 4) D.B. 177, PG. 441 CREATES A 20' UTILITY EASEMENT CENTERED ON UNDERGROUND FIBER OPTIC LINES. (NOT PLATABLE)
- 5) LOT 63 AND A PORTION OF LOT 62 PROVIDE THE PRESERVED AREA FOR LOTS 1-26.
- 6) TRACT 62 WAS APPORTIONED FOUR DWELLING CREDITS BY P.A.T. CABINET 12, SLIDE 314.
- 7) THE BUILDING SETBACK LINE DESIGNATION ALONG THE PRESERVED AREA APPLIES TO RESIDENCES ONLY. ACCESSORY AND AGRICULTURAL BUILDINGS ARE ALLOWED IN THE PRESERVED AREA.

LEGEND	
■	1/2" DIA. IRON BAR WITH CAP 'TEI 3993'
▲	1/2" DIA. IRON BAR WITH CAP 'TEI 2402'
○	MONUMENTATION (IF ANY) AS NOTED.
●	IRON BAR WITH I.D. CAP '2536'
★	1/2" DIA. IRON BAR WITH I.D. CAP '3993'



OWNER:
REFORD C. HUNT
117 SUMMERIDGE ROAD
GEORGETOWN, KY 40324
D.B. 343, PG. 39
CAB. 10, SLIDE 338

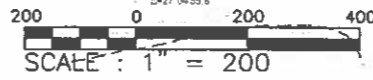
NOTE:
PROSPECTIVE PURCHASERS OF LOTS IN AGRICULTURAL CLUSTER DEVELOPMENTS ARE PLACED UPON NOTICE THAT HUNTING, FISHING WITHIN ACCEPTED SAFETY GUIDELINES AND AGRICULTURAL USE PROTECTION, INCLUDING THE USE OF MACHINERY IN THE NORMAL COURSE OF ACTIVITY, ARE COMMON AND LEGAL PRACTICES IN THE AGRICULTURAL A-1 ZONE. THESE ACTIVITIES MUST BE EXPECTED TO OCCUR IN AND AROUND AGRICULTURAL RESIDENTIAL CLUSTER DEVELOPMENTS. THESE PRACTICES, IF CONDUCTED WITHIN ACCEPTED SAFETY GUIDELINES, SHALL NOT CONSTITUTE A NUISANCE WITHIN THE MEANING OF KRS 401.200 @SEQ. SEE THE KENTUCKY RIGHT TO FARM ACT.

RECORDED PRESERVED AREA TO REMAIN
RELOCATED PRESERVED AREA

NOTE:
PRESERVED AREA SHALL BE RESTRICTED TO AGRICULTURAL USE OR OPEN SPACE AS PER NOTE 'R' OF THE CLUSTER REGULATIONS, AND MAY NOT BE FURTHER SUBDIVIDED UNLESS IT IS ZONED FOR AN URBAN USE.

PROPOSED SHARED ENTRANCE

PURPOSE:
THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE TRACT 62 INTO THREE TRACTS BY UTILIZING THE THREE AVAILABLE RESIDENTIAL CREDITS (see Plot Cabinet 12, Slide 139). ALSO TO RELOCATE A PORTION OF THE RECORDED PRESERVED AREA, TO ACCOMMODATE A HOUSE SITE.



PLAT SHOWN HEREON REPRESENTS A BOUNDARY SURVEY AS PER 201 K.A.R. 18:150

CEDAR HILLS SUBDIVISION
LOT 62 - HUNT PROPERTY
U.S. HWY 25, SCOTT COUNTY, KENTUCKY

SCALE: 1" = 200'	DATE: 1-16-20
REVISED: 7-29-20	DRAWN BY: ABC
CAD NAME: Amended Preserved Areas.dwg	JOB NUMBER



THOROUGHBRD ENGINEERING
P.O. BOX 481 LEXINGTON, KY 40588
(502) 863-1756
CIVIL DESIGN, LAND SURVEYING,
GEOTECHNICAL ENGINEERING, DRILLING SERVICES,
IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
CM-CI-CONSTRUCTION SERVICES

**SNOWBALL TRUST PROPERTY
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission
AUGUST 13, 2020**

FILE NUMBER: FSP-2020-13

PROPOSAL: Final Subdivision Plat to subdivide one 5.8-acre lot amend the property lines for an existing 5.0-acre lot, leaving a remainder tract of roughly 26 acres.

LOCATION: 4476 Frankfort Road (US 460)

OWNER: Snowball Trust
Alvin Humphries, Trustee

CONSULTANT: Jared Stevens
Stevens Land Surveying



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Site Acreage	Tract 3: 5.01 acres; Tract 5: 5.83 acres, Remainder Tract: 26 acres)
Access	Frankfort Road
Variations/Waivers	None

BACKGROUND:
The application before the Planning Commission is a Final Subdivision Plat to subdivide one 5.83-acre lot and amend the property lines for previously recorded Tract 3 leaving a remainder of roughly 26 acres. The proposed plat also releases the previously approved 30' access & utility easement extending from Frankfort Road across the remainder to provide access to previously platted Tracts 2 & 3 (Plat Cabinet 12, Slide 287). The plat proposes a new 30' access & utility easement from Frankfort Road, extending across the remainder property that would provide access to Tracts 2, 3, and 5.

Plat Review:
The proposed plat meets the setbacks, lot size, and width requirements.

The access shown to Tract 5 presents an issue. Tract 5 would utilize the same access easement as previously recorded Tracts 2 & 3. The access easement & the access to Frankfort Road crosses the remaining 26-acre property. This would leave 4 tracts/lots as having access to the easement. The Subdivision & Development Regulations only allow a maximum of three (3) lots to have access to an access easement/driveway. The proposed plat includes a note stating, "The remaining Humphries Property shall not be able to utilize the entrance off US 460 associated with this easement." Staff does not believe this to be a viable note that could be enforced once the plat is recorded and properties are sold. The access easement, regardless of any notes on the plat, provides access to 4 lots as currently drawn. It defies logic that a property would have a road entrance and driveway that the owner was not allowed to use. The Applicant was made aware of this issue at the March 10th TRC meeting and in the TRC letter dated March 12th.

The restriction on the number of lots that can use an access easement or driveway stems from a public safety and service issue. Private driveways such as this are not typically constructed in a manner that is easy for emergency services to utilize. There usually are not cul-de-sacs or loops back out to public streets for larger vehicles such as firetrucks to turnaround. These access easements make it difficult for emergency services, Post Office, or other delivery companies to find the lots and homes.

RECOMMENDATION:

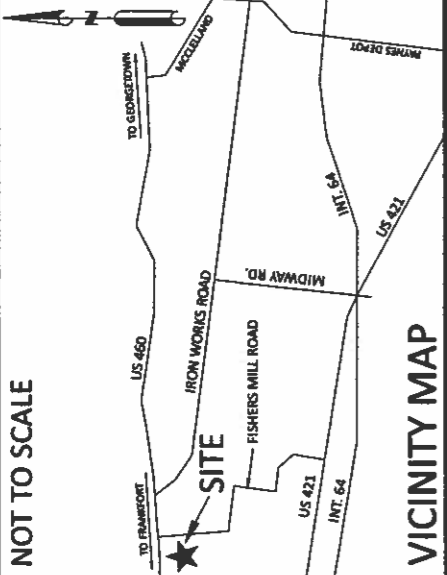
Staff recommends **denial** of the Final Subdivision Plat. The plat does not meet the requirements of the Subdivision & Development Regulations regarding the number of lots that may have access to an access easement/driveway. This issue can be corrected by altering the accesses for one or more of the 5 acres lots that have been created/proposed or by proposing to bring a part of the access easement up to County road standards.

Should the Planning Commission approve the application, staff recommends including the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.

NOT TO SCALE



SURVEY NOTES:
 COMPLETED: OCTOBER 28, 2019
 CLASS OF SURVEY: RURAL
 BY COUNTY: SCOTT
 GPS EQUIPMENT USED: TOPCON HIPER LITE+ (L1/L2), RTK
 RELATIVE POSITIONAL ACCURACY: DOES NOT EXCEED 0.10" + 200
 BEARINGS AND DISTANCES ARE NOT BASED ON AN ADJUSTED
 TRANSVERSE
 HORIZONTAL DATUM: NAD 83
 VERTICAL DATUM: NAVD 88
 GEOID MODEL: G
 BASIS OF BEARINGS: GRID (Y SINGLE ZONE)
 THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND
 COMPLES WITH 201 KAR. 18.150
 ALL MONUMENTS ARE ESTABLISHED BY GPS UNLESS OTHERWISE
 NOTED.
 ANY MONUMENT WITH A "X" SYMBOL IN THE DESCRIPTION WAS
 RECORDED BY GPS REPORTS TAKEN FROM GPS ESTABLISHED
 CONTROL POINTS.
 THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE
 SEARCH AND MAY NOT DISCLOSE ALL INFORMATION DISCLOSED IN
 AN ACCURATE AND CURRENT TITLE REPORT.
 THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND
 BUILDINGS, ROADS, PONDS AND OTHER TOPOGRAPHIC
 INFORMATION MAY BE BASED ON AERIAL IMAGERY.
 THE REMAINING PORTION OF THE PARENT TRACT WAS NOT
 SURVEYED. THE AREA DEPICTED AS REMAINING IS BASED OFF OF
 THE AREA LISTED IN THE SOURCE DEED.

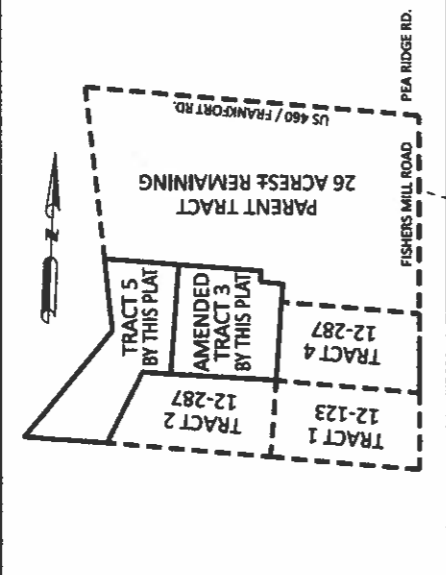
ACCESS EASEMENT NOTE:
 THE ACCESS AND UTILITY EASEMENT AS SHOWN HEREON IS
 FOR THE BENEFIT OF TRACT 2, AMENDED TRACT 3 AND
 TRACT 5 OF THE SNOWBALL TRUST PROPERTY. THE
 REMAINING SNOWBALL TRUST PROPERTY SHALL NOT HAVE
 ACCESS TO ROADWAY AT THIS LOCATION.

SITE STATISTICS
 "A-1" AGRICULTURAL DISTRICT
 TOTAL AREA: 372 ACRES
 NUMBER OF LOTS CREATED: 1
 BUILDING SETBACKS: 50' ALL SIDES

SURVEY FOR:
 SNOWBALL TRUST
 BILLY & MARY GRUBBS, TRUSTEE
 4476 FRANKFORT ROAD
 GEORGETOWN, KY 40324

JOHN F. BOOTH
 CARMITTA BOOTH
 130 THISTLE WAY
 GEORGETOWN, KY 40324

Note:
 Any further subdivision will
 require review and approval by
 the Planning Commission.



CERTIFICATION OF THE PROVISION OF WATER ONLY
 I hereby certify that Georgetown Municipal Water & Sewer Services (GWSS) has the capacity within the water distribution system to supply Amended Tract 3 and Tract 5 of the Snowball Trust Property with water services. Provision of services will be contingent upon the review and approval of all construction plans and specifications for the water distribution system by the developer without reimbursement, built to GWSS approved specifications and approval by GWSS of the as-built improvements and hereby dedicated to GWSS.

CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES
 I hereby certify that Kentucky Utility Services (KUS) has the capacity to supply Amended Tract 3 and Tract 5 of the Snowball Trust Property with water and sewer services. Provision of services will be contingent upon the review and approval of all construction plans and specifications for the water distribution system by the developer without reimbursement, built to KUS approved specifications and approval by KUS of the as-built improvements and hereby dedicated to KUS.

CERTIFICATION OF GAS DEPARTMENT APPROVAL
 I hereby certify that the development plan or subdivision plat shown has been reviewed and found to comply with the gas department requirements set forth in the Subdivision and Development Regulations.

CERTIFICATION OF PRELIMINARY PLAT APPROVAL
 I hereby certify that the preliminary subdivision plat shown hereon has been found to comply with the Subdivision and Development Regulations for preliminary subdivision plats. If any as are noted in the minutes of the Planning Commission, upon certification of the Commission Engineer of the approval of the water quality protection plan and all construction plans, construction may begin.

CERTIFICATE OF ACCURACY
 I hereby certify that the plat shown and described hereon is a true and correct survey to the accuracy required by the Georgetown-Scott County Planning Commission and that the monuments have been placed as shown herein to the specifications of the Planning Commission or other authorized officer.

Statement of Easement
 I hereby certify that there are no recorded or accrued utility and drainage easements being terminated by this subdivision.

Private Street/Access Easement Maintenance Note
 The owner/owners of this property and any successors in title agree to assume full liability and responsibility for construction, maintenance, reconstruction, snow removal, clearing or any other needs related to the private street/access easement shown on this development plan/plat. This agreement releases the City of Georgetown/City of Stamping Ground/City of Sallieville/Scott County government from any such responsibilities. If the owner/owners require the private street/road to be paved, the full extent of reconstruction required to comply with City/County standards prior to dedication and acceptance and all conditions outlined in SECTION 4, D. have been met.

Owner
 David B. Gayle Enardinger
 4488 FRANKFORT RD.
 GEORGETOWN, KY 40324

Owner
 Timothy & Amy Fyffe
 4492 FRANKFORT RD.
 DEED BOOK 287 PAGE 732

Owner
 David B. Gayle Enardinger
 4488 FRANKFORT RD.
 GEORGETOWN, KY 40324

LEGEND

- These standard symbols will be found in the drawing.
- BOUNDARY LINE
- UTILITY LINE
- BUILDING LINE
- UTILITY ESMT
- PIN MONUMENT FOUND (IPF)
- PIN MONUMENT SET (IPS)
- POWER POLE
- REFERENCE MONUMENT
- MEANDER POINT
- EASEMENT CORNER

UNLESS OTHERWISE NOTED, ANY MONUMENT REFERRED TO AS A PIN MONUMENT SHALL BE A PLASTIC CAP IDENTIFIER, INSCRIBED "STEVENS, PLS 3839". ANY MONUMENT REFERRED TO AS A REFERENCE MONUMENT IS A 5/8" DIAMETER STEEL REBAR, EIGHTEEN INCHES IN LENGTH WITH A PLASTIC CAP IDENTIFIER, INSCRIBED "REFERENCE, PLS 3839".

CERTIFICATION OF THE APPROVAL OF PRIVATE NEW DRAINAGE SYSTEMS
 I hereby certify that the private sewage disposal system installed, or proposed to be installed in the development entitled "Amended Tract 3 and Tract 5 of the Snowball Trust Property" has been approved by the Health Department of the Kentucky State Health Department and hereby is approved as shown.

CERTIFICATION OF OWNERSHIP AND DEDICATION
 I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plat of the development as shown on this development plan/plat. I (we) warrant that the same is true and correct and that I (we) have the right to make the same a public use as shown, in accordance with the Georgetown-Scott County Subdivision and Development Regulations, unless otherwise noted.

PRIVATE STREET/ACCESS EASEMENT MAINTENANCE NOTE
 The owner/owners of this property and any successors in title agree to assume full liability and responsibility for construction, maintenance, reconstruction, snow removal, clearing or any other needs related to the private street/access easement shown on this development plan/plat. This agreement releases the City of Georgetown/City of Stamping Ground/City of Sallieville/Scott County government from any such responsibilities. If the owner/owners require the private street/road to be paved, the full extent of reconstruction required to comply with City/County standards prior to dedication and acceptance and all conditions outlined in SECTION 4, D. have been met.

NOTE FOR LOTS WHOSE ACCESS IS PROVIDED BY AN ACCESS EASEMENT/DRIVEWAY:
 "THE DRIVEWAY (OR ACCESS EASEMENT) SHOWN ON THIS PLAT MAY SERVE A MAXIMUM OF THREE (3) LOTS."

"FURTHER SUBDIVISION OF LOTS WITH ACCESS TO THIS DRIVEWAY (OR ACCESS EASEMENT) MUST BE APPROVED BY THE PLANNING COMMISSION AND CAN REQUIRE IMPROVEMENT TO PUBLIC STREET STANDARDS, INCLUDING AN APPROVED ROAD NAME IN ACCORDANCE WITH THE STREET NAME AND NUMBERING GUIDE."

DAVID B. GAYLE ENARDINGER
 4488 FRANKFORT RD.
 GEORGETOWN, KY 40324

TIMOTHY & AMY FYFFE
 4492 FRANKFORT RD.
 DEED BOOK 287 PAGE 732

DAVID B. GAYLE ENARDINGER
 4488 FRANKFORT RD.
 GEORGETOWN, KY 40324

APPROVED ENTRANCE PERMIT # 07-2019-0069A

APPROVED ENTRANCE PERMIT # 07-2019-0069A

APPROVED ENTRANCE PERMIT # 07-2019-0069A

APPROVED ENTRANCE PERMIT # 07-2019-0069A

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APPROVED ENTRANCE PERMIT # 07-2019-0069A

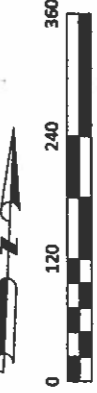
MINOR SUBDIVISION PLAT

AMENDED TRACT 3 OF THE BOOTH PROPERTY & TRACT 5 OF THE SNOWBALL TRUST PROPERTY
 4476 FRANKFORT ROAD DEED BOOK 395 PAGE 771
 GEORGETOWN, SCOTT COUNTY, KENTUCKY

PROJECT: 18-1185 (AMENDED T3 & T5)
 SCALE: 1" = 120'

DESIGNED BY	NAME	DATE
DESIGNED BY	STEVENS	4/27/20
DRAWN BY	STEVENS	4/27/20
CHECKED BY	STEVENS	4/27/20
AS BUILT		

FLOOD PLAIN NOTE:
 ACCORDING TO FLOOD INSURANCE RATE MAP 2102090375D FOR SCOTT COUNTY, KENTUCKY, DATED DECEMBER 21, 2017, THE SUBJECT PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD AREA.



- PURPOSE OF PLAN:**
- TO DIVIDE PARCEL 3A (0.44 ACRES) FROM PARCEL 3 AS SHOWN ON PLAT OF RECORD IN PLAT CABINET 12, SLIDE 287.
 - TO DIVIDE PARCEL 5 FROM THE SNOWBALL TRUST PROPERTY AS DESCRIBED IN DEED BOOK 395 PAGE 771, PARCEL 3A AS DESCRIBED IN ITEM 1 WILL BECOME A PART OF TRACT 5.
 - TO DIVIDE PARCEL 3B (0.44 ACRES) FROM THE SNOWBALL TRUST PROPERTY.
 - TO CONSOLIDATE PARCEL 3B WITH TRACT 3 AS SHOWN ON PLAT OF RECORD IN PLAT CABINET 12, SLIDE 287 TO CREATE AMENDED TRACT 3 AS SHOWN HEREON.
 - TO RELEASE THE 30' INGRESS, EGRESS AND UTILITY EASEMENT AS SHOWN ON THE PLAT OF RECORD IN PLAT CABINET 12, SLIDE 287. SAID EASEMENT LEADS FROM US460 - FRANKFORT ROAD TO THE NORTH SIDE OF TRACT 2.
 - TO CREATE A 30' INGRESS, EGRESS AND UTILITY EASEMENT FROM US 460 - FRANKFORT ROAD TO THE NORTH SIDE OF TRACT 2. SAID EASEMENT SHALL SERVE TRACT 2, AMENDED TRACT 3 AND TRACT 5. THE REMAINING SNOWBALL TRUST PROPERTY SHALL NOT HAVE ROADWAY ACCESS AT THIS LOCATION.

JARED D. STEVENS LAND SURVEYING

493 MEMORINEE TRAIL
 FRANKFORT, KENTUCKY

PHONE 859/230-2529
 EMAIL: jared@jdsurvey.com

GRAVES PROPERTY FINAL SUBDIVISION PLAT

Staff Report to the Georgetown-Scott County Planning Commission August 13, 2020

FILE NUMBER: FSP-2020-31

PROPOSAL: Final Subdivision Plat to subdivide a parent tract of 33.942 acres into three new tracts.

LOCATION: East side of Graves Road north of Sebree Road

OWNER: Norman Graves

SURVEYOR: Gary Roland, CAM
Surveying



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1 (Agricultural)
Site Acreage	33.942 acres (Tract 1: 15.057 ac; Tract 2 10.906 ac; Tract 3 7.979 ac;)
Access	Graves Road
Variances/Waivers	None

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to subdivide three tracts, that vary in size but are all larger than 5 acres, from a parent tract of 33.942 acres. The Project Site is zoned A-1 (Agricultural).

Plat Review:

The proposed subdivision meets all A-1 zoning requirements. The A-1 zoning district requires new tracts to be a minimum 5-acres in size, 250' wide at the building line, with 50-foot front, side and rear yard setbacks. The three proposed new tracts have frontage along Graves Road, and the three proposed new entrances off Graves Road have sufficient separation (250' +/-). Site distance will need to be verified by the county engineer and the entrance locations approved.

RECOMMENDATION:

Staff recommends **approval** of the Final Subdivision Plat to subdivide the Graves Property into three tracts with the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Final entrance locations for the new tracts shall be approved by the Planning Commission Engineer.
3. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
4. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
5. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.



VICINITY MAP
NOT TO SCALE

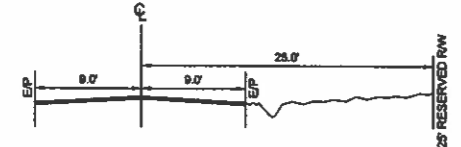
SURVEY NOTES

-ALL IRON PIN (SET) ARE #5 X 18" REBAR W/ I.D. CAP.
-MERIDIAN OF SURVEY IS GRID NORTH, BASED ON KENTUCKY SINGLE ZONE COORDINATE DATA COMPILED FROM GPS READINGS TAKEN DURING THE SURVEY.

THIS FIELD SURVEY COMPLIES WITH 201 KAR 18:150 AND WAS DONE WITH A HIPER V RTK GPS HAVING A RELATIVE POSITIONAL ACCURACY OF 0.05' OR BETTER. THIS IS A CLASS A URBAN SURVEY. ALL WORK WAS PERFORMED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THREE TRACTS FROM THE PARENT TRACT.
2. FURTHER SUBDIVISION OF THIS PROPERTY WILL REQUIRE REVIEW AND APPROVAL BY THE GEORGETOWN-SCOTT COUNTY JOINT PLANNING COMMISSION.
3. CURRENT ZONING OF THE PROPERTY IS AGRICULTURAL (A-1).
4. NEW ENTRANCES SHALL MEET SCOTT COUNTY SEPARATION AND SIGHT DISTANCE REQUIREMENTS AND MUST BE APPROVED BY THE PLANNING COMMISSION ENGINEER AND SCOTT COUNTY ROAD SUPERVISOR.
5. NO PREVIOUSLY ESTABLISHED ACCESS EASEMENTS, UTILITY EASEMENTS, OR DRAINAGE EASEMENTS ARE ELIMINATED OR OTHERWISE ALTERED BY THIS DIVISION.

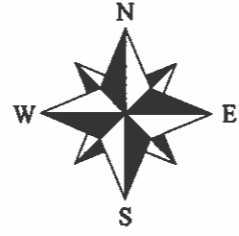


TYPICAL SECTION
GRAVES ROAD
NOT TO SCALE

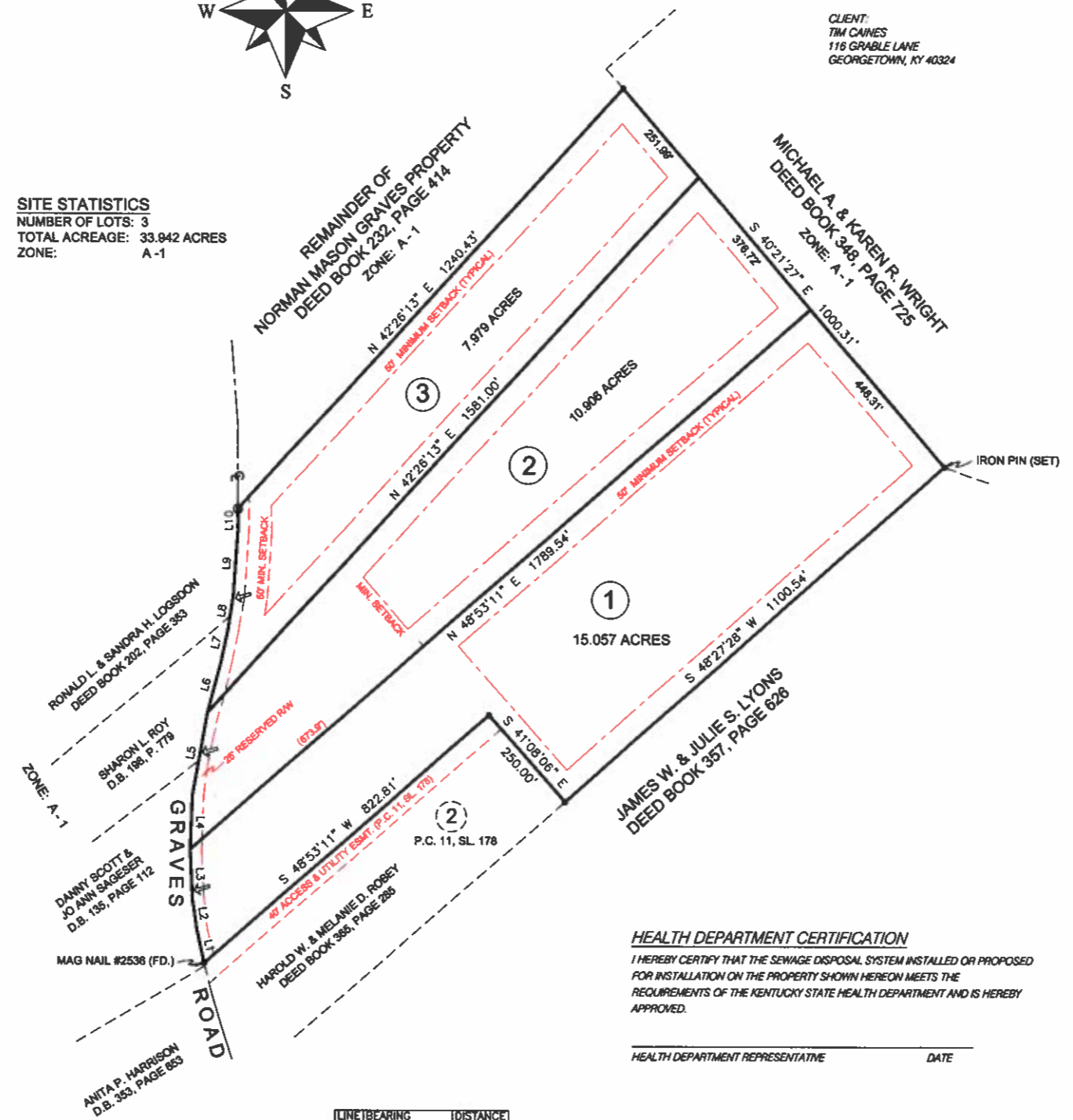


LEGEND

- #6 X 18" REBAR w/ I.D. CAP (SET)
- ⊙ MAG NAIL w/ I.D. WABBER (SET)
- ← PROPOSED ENTRANCE



SITE STATISTICS
NUMBER OF LOTS: 3
TOTAL ACREAGE: 33.942 ACRES
ZONE: A-1



OWNER / CLIENT INFORMATION

OWNER:
NORMAN MASON GRAVES
197 EAST HONAKER ROAD
STAMPING GROUND, KY 40378
DEED BOOK 232, PAGE 414

CLIENT:
TIM CAINES
116 GRABLE LANE
GEORGETOWN, KY 40324

OWNERS CERTIFICATION

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT OF THE DEVELOPMENT WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED.

NORMAN MASON GRAVES _____ DATE _____

CERTIFICATE OF ACCURACY

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

GARY ROLAND, PLS _____ DATE _____

CERTIFICATION OF UTILITY EASEMENT AGREEMENT

EASEMENTS GRANT AND CONVEY TO THE OWEN ELECTRIC COOPERATIVE, INC., SOUTH CENTRAL BELL, GEORGETOWN MUNICIPAL WATER & SEWER (GMWS), THEIR SUCCESSORS, ASSIGNS, AND LESSEES, THE RIGHT TO TRIM OR REMOVE ANY AND ALL TREES, STRUCTURES, AND OBSTACLES LOCATED ON THE EASEMENTS OR IN SUCH PROXIMITY THERETO THAT IN FALLING THEY MIGHT INTERFERE WITH OPERATION AND MAINTENANCE OF SAID FACILITY. NO BUILDING OR OTHER STRUCTURE SHALL BE ERRECTED, AND NO LANDFILL OR EXCAVATION OR OTHER CHANGE OF GRADE SHALL BE PERFORMED, UPON THE SAID EASEMENT AFTER INSTALLATION OF FACILITIES. THE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED TO USERS OF THE UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REINFORCE FACILITIES WITHIN SAID EASEMENTS. ALL LOT LINES NOT HAVING AN EASEMENT INDICATED WILL HAVE 5' EASEMENTS ON THEM.

NORMAN MASON GRAVES _____ DATE _____

CERTIFICATION OF WATER & SEWER SERVICES

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

GENERAL MANAGER, GMWS _____ DATE _____

CERTIFICATION OF AVAILABILITY OF ELECTRIC SERVICES

I HEREBY CERTIFY THAT OWEN ELECTRIC COOPERATIVE, INC. SHALL SUPPLY THE SUBJECT PROPERTY WITH ELECTRIC SERVICES AND THAT THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEET THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS.

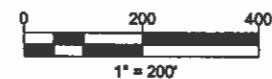
OWEN ELECTRIC COOPERATIVE, INC. _____ DATE _____

HEALTH DEPARTMENT CERTIFICATION

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

HEALTH DEPARTMENT REPRESENTATIVE _____ DATE _____

LINE	BEARING	DISTANCE
L1	N 12°13'34" W	73.78
L2	N 08°17'53" W	67.94
L3	N 02°40'21" W	108.30
L4	N 02°27'22" E	118.59
L5	N 10°17'19" E	118.41
L6	N 15°00'33" E	118.65
L7	N 11°59'48" E	171.49
L8	N 08°51'26" E	171.30
L9	N 04°09'17" E	138.56
L10	N 00°01'47" E	150.19



FINAL RECORD PLAT
NORMAN MASON GRAVES PROPERTY
GRAVES ROAD
STAMPING GROUND, SCOTT COUNTY, KENTUCKY
JULY 2020

BROUGHTON PROPERTY FINAL SUBDIVISION PLAT

Staff Report to the Georgetown-Scott County Planning Commission August 13, 2020

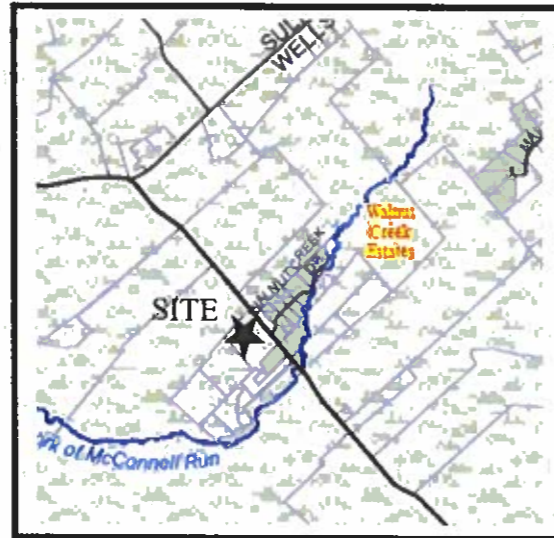
FILE NUMBER: FSP-2020-32

PROPOSAL: Final Subdivision Plat to subdivide a parent tract of 16.53 acres into two new tracts of 7.85 and 8.69 acres.

LOCATION: Southwest side of Long Lick Pike west of Walnut Creek Estates

OWNER: Roscoe Broughton

SURVEYOR: Gary Roland, C.A.M.
Surveying



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1 (Agricultural)
Site Acreage	16.53 acres (Tract 1-A: 7.85 ac; Tract 1-B 8.69 ac;
Access	Long Lick Pike
Variances/Waivers	None

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to subdivide a parent tract of 16.533 acres into two tracts, that vary in size but are all larger than 5 acres. The parent tract acreage also includes a small parcel identified as parcel A, plat cabinet 8, slide 208, that will be consolidated with the new tract 1-B. The Project Site is zoned A-1 (Agricultural).

Plat Review:

The proposed subdivision meets all A-1 zoning requirements. The A-1 zoning district requires new tracts to be a minimum 5-acres in size, 250' wide at the building line, with 50-foot front, side and rear yard setbacks. There is a 40' drainage easement that crosses both Tracts 1-A and 1-B, and a 20' access easement that crosses Tract 1-A from the existing entrance. Plat should note the number of tracts this access easement serves. If the maintenance agreement language on the plat is new, all users of the access must sign the plat establishing the new access and maintenance agreement.

If the access and maintenance agreement is already in place, the plat can repeat the language and reference the plat or deed book and page location where it is recorded. The two proposed

new tracts have frontage along Long Lick Pike (state Highway 32), and will utilize an existing entrance for Tract 1-A and a proposed new entrance aligned with Walnut Creek Drive for Tract 1-B. The two driveways have sufficient separation (350' +/-). Approval of the new entrance onto Long Lick Pike (Hwy 32) will be required by KYTC District 7, prior to Final Plat approval.

RECOMMENDATION:

Staff recommends **approval** of the Final Subdivision Plat to subdivide the Humphrey Property into four tracts with the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. Approval of new entrance for Tract 1-B by the KYTC.
3. Access easement thru Tract 1-A shall serve no more than 3 tracts. Access and Maintenance agreement shall appear on plat along with standard private easement language.
4. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
5. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
6. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.



VICINITY MAP
NOT TO SCALE



ACCESS EASEMENT NOTES:

1. THE ACCESS EASEMENT SHOWN ON THIS PLAT MAY SERVE A MAXIMUM OF THREE LOTS.
2. THE ACCESS EASEMENT IS NOT A PUBLIC ROAD AND WILL NOT BE MAINTAINED BY SCOTT COUNTY.
3. FURTHER SUBDIVISION OF LOTS WITH ACCESS TO THIS ACCESS EASEMENT MUST BE APPROVED BY THE PLANNING COMMISSION AND CAN REQUIRE IMPROVEMENT TO PUBLIC STREET STANDARDS.

ACCESS EASEMENT MAINTENANCE*:

MAINTENANCE OF THE ACCESS EASEMENT SHALL BE SHARED BY THE OWNERS OF THE THREE TRACTS AS FOLLOWS:
MAINTENANCE ACROSS TRACT 1 TO BE SHARED EQUALLY BY THE OWNERS OF TRACT 1, TRACT 2, AND TRACT 3. MAINTENANCE ACROSS TRACT 2 TO BE SHARED EQUALLY BY THE OWNERS OF TRACT 2 AND TRACT 3.

*PER MINOR SUBDIVISION PLAT OF THE BROUGHTON PROPERTY RECORDED AT PLAT CABINET 7, SLIDE 360.

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE ONE TRACT INTO TWO TRACTS.
2. FURTHER SUBDIVISION OF THIS PROPERTY WILL REQUIRE REVIEW AND APPROVAL BY THE GEORGETOWN-SCOTT COUNTY JOINT PLANNING COMMISSION.
3. CURRENT ZONING OF THE PROPERTY IS AGRICULTURAL (A-1).
4. NEW ENTRANCES FROM STATE MAINTAINED ROADS WILL REQUIRE A KYDOT ENTRANCE PERMIT.
5. NO PREVIOUSLY ESTABLISHED ACCESS EASEMENTS, UTILITY EASEMENTS, OR DRAINAGE EASEMENTS ARE ELIMINATED OR OTHERWISE ALTERED BY THIS DIVISION.

SURVEY NOTES

-ALL IRON PIN (SET) ARE #5 X 18" REBAR W/ I.D. CAP.
-MERIDIAN OF SURVEY IS GRID NORTH, BASED ON KENTUCKY SINGLE ZONE COORDINATE DATA COMPILED FROM GPS READINGS TAKEN DURING THE SURVEY.
-SURVEY WAS PERFORMED IN JULY OF 2020

THIS FIELD SURVEY COMPLIES WITH 201 KAR 18:150 AND WAS DONE WITH A HIPER V RTK GPS HAVING A RELATIVE POSITIONAL ACCURACY OF 0.05' OR BETTER. THIS IS A CLASS A 'URBAN' SURVEY. ALL WORK WAS PERFORMED UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SITE STATISTICS
NUMBER OF LOTS: 2
TOTAL ACREAGE: 16.533 ACRES
ZONE: A-1

OWNERS CERTIFICATION

WE CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT OF THE DEVELOPMENT WITH OUR FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED.

ROSCOE BROUGHTON DATE

CERTIFICATE OF ACCURACY

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

GARY ROLAND, PLS DATE

CERTIFICATION OF UTILITY EASEMENT AGREEMENT

EASEMENTS GRANT AND CONVEY TO THE OWEN ELECTRIC COOPERATIVE, INC., SOUTH CENTRAL BELL, GEORGETOWN MUNICIPAL WATER & SEWER SERVICE (GMWSS), THEIR SUCCESSORS, ASSIGNS, AND LESSEES, THE RIGHT TO TRIM OR REMOVE ANY AND ALL TREES, STRUCTURES, AND OBSTACLES LOCATED ON THE EASEMENTS OR IN SUCH PROXIMITY THERETO THAT IN FALLING THEY MIGHT INTERFERE WITH OPERATION AND MAINTENANCE OF SAID FACILITY. NO BUILDING OR OTHER STRUCTURE SHALL BE ERRECTED, AND NO LANDFILL OR EXCAVATION OR OTHER CHANGE OF GRADE SHALL BE PERFORMED, UPON THE SAID EASEMENT AFTER INSTALLATION OF FACILITIES. THE RIGHT OF INGRESS AND EGRESS IS HEREBY GRANTED TO USERS OF THE UTILITY EASEMENT AS REQUIRED TO CONSTRUCT, OPERATE, MAINTAIN AND REINFORCE FACILITIES WITHIN SAID EASEMENTS. ALL LOT LINES NOT HAVING AN EASEMENT INDICATED WILL HAVE 5' EASEMENTS ON THEM.

ROSCOE BROUGHTON DATE

CERTIFICATION OF WATER & SEWER SERVICES

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

GENERAL MANAGER, GMWSS DATE

CERTIFICATION OF AVAILABILITY OF ELECTRIC SERVICES

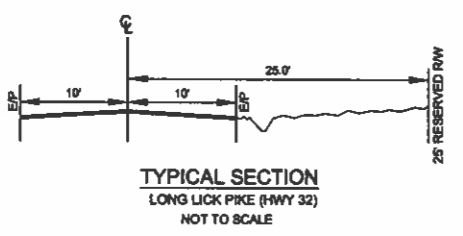
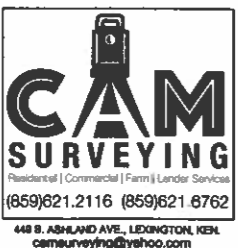
I HEREBY CERTIFY THAT OWEN ELECTRIC COOPERATIVE, INC. SHALL SUPPLY THE SUBJECT PROPERTY WITH ELECTRIC SERVICES AND THAT THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEET THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS.

OWEN ELECTRIC COOPERATIVE, INC. DATE

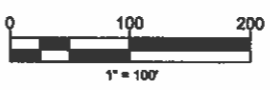
OWNER / CLIENT INFORMATION

OWNER:
ROSCOE BROUGHTON
2588 LONG LICK PIKE
GEORGETOWN, KY 40324
DEED BOOK 272, PAGE 375

CLIENT:
DONNA WOESTE
2588 LONG LICK PIKE
GEORGETOWN, KY 40324



TYPICAL SECTION
LONG LICK PIKE (HWY 32)
NOT TO SCALE



FINAL RECORD PLAT
BROUGHTON PROPERTY
2588 LONG LICK PIKE
PLAT CABINET 7, SLIDE 360
SCOTT COUNTY, KENTUCKY
JULY 2020

BAKER PROPERTY FINAL SUBDIVISION PLAT

Staff Report to the Georgetown-Scott County Planning Commission August 13, 2020

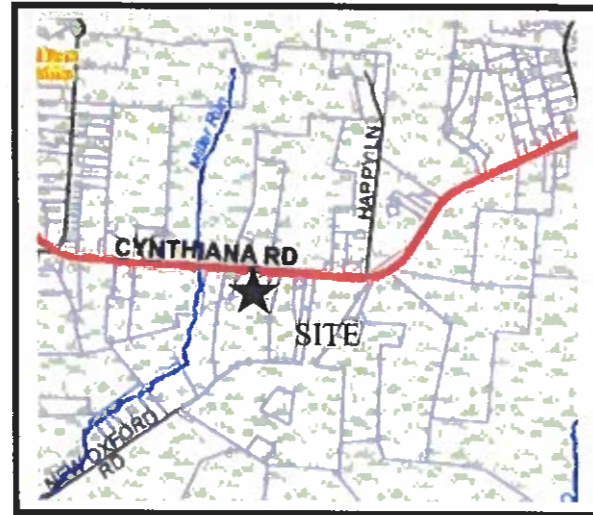
FILE NUMBER: FSP-2020-33

PROPOSAL: Final Subdivision Plat to subdivide one five-acre tract from a parent tract of 58.93 acres.

LOCATION: South side of Cynthiana Road (US 62) east of Oxford

OWNER: Amy Graves and John Baker

SURVEYOR: Justin Drury, AIM3D Surveying



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1 (Agricultural)
Site Acreage	58.93 acres (Lot 1: 5.00 ac; Remainder 53.93 ac;)
Access	Cynthiana Road
Variances/Waivers	None

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat request to subdivide one five-acre tract from a parent tract of 58.93 acres. The Project Site is zoned A-1 (Agricultural).

Plat Review:

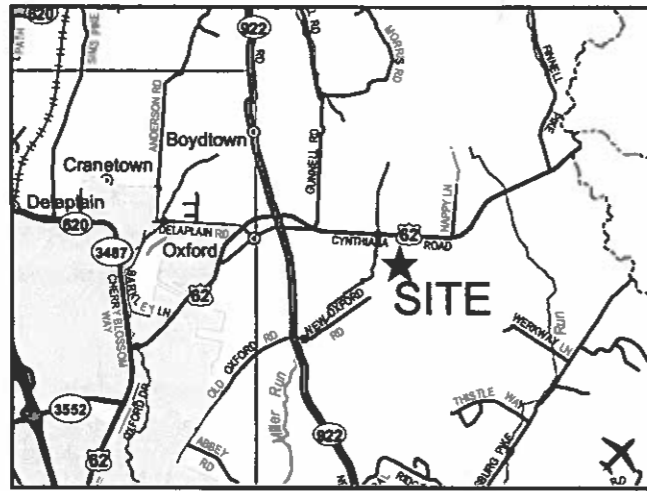
The proposed subdivision meets all A-1 zoning requirements. The A-1 zoning district requires new tracts to be a minimum 5-acres in size, 250' wide at the building line, with 50-foot front, side and rear yard setbacks. The proposed new tract has frontage along Cynthiana Road. The proposed new entrance will utilize the entrance for 3223 Cynthiana and this plat will create a shared access and maintenance agreement for the shared portion of the driveway.

RECOMMENDATION:

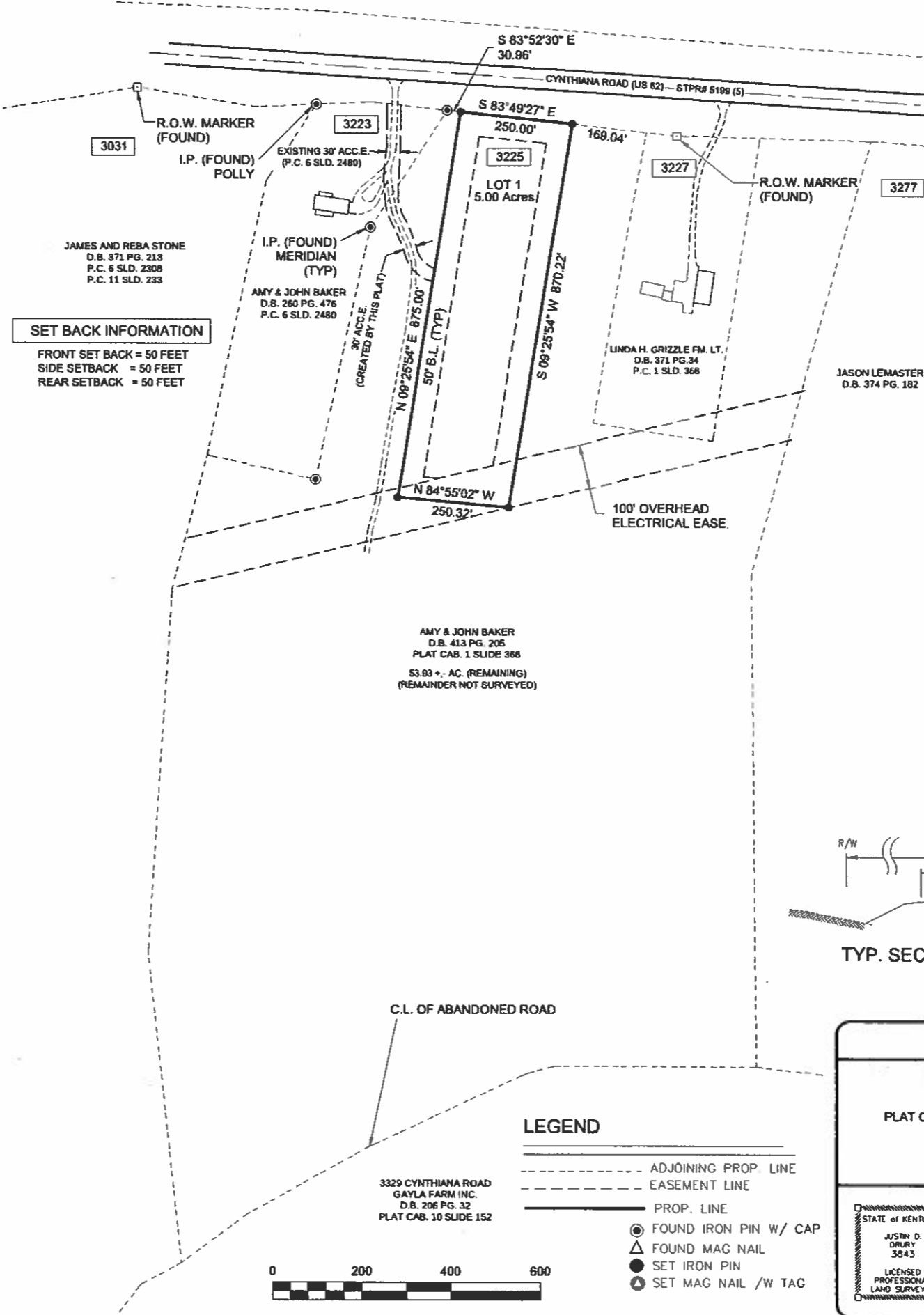
Staff recommends **Approval** of the Final Subdivision Plat to subdivide the Baker Property into two tracts with the following conditions of approval:

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
2. A shared access and maintenance agreement shall be required as part of this plat or through a separate agreement prior to Final Plat approval.
3. Any revisions or amendments to the approved Preliminary Subdivision Plat shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
4. Prior to (as part of) the Final Subdivision Plat approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plat.
5. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.



VICINITY MAP N.T.S.



OWNER'S CERTIFICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT/PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT, ESTABLISH MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED.

OWNER SIGNATURE _____ DATE _____

OWNER : AMY GRAVES AND JOHN W. BAKER
3223 CYNTHIANA ROAD
SCOTT COUNTY KENTUCKY, 40324

CERTIFICATION OF THE APPROVAL OF PRIVATE SEWERAGE SYSTEMS

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

DATE _____

(COUNTY HEALTH DEPT. OFFICIAL)

PURPOSE

THE PURPOSE OF THIS PLAT SUBDIVIDE LOT 1, FROM THE PARENT TRACT, AS SHOWN.

GENERAL SURVEY NOTES

-THIS SURVEY, WAS PERFORMED BY "RTK" GPS SURVEY METHODS, USING TOPCON HIPER V, DUAL FREQUENCY RECEIVERS, IN A BASE AND ROVER CONFIGURATION. HORIZONTAL DATUM USED WAS, NAD83, GEOID MODEL USED, WAS GEOID 12B. ALL SPECIFIC CONNECTIONS BETWEEN REDUNDANT OBSERVATIONS FOR FOUND AND SET CORNERS, AND SURVEY CONTROL POINTS, COLLECTED OVER THE COURSE OF THE SURVEY, MAINTAINED A RELATIVE POSITIONAL ACCURACY OF 0.03' + 100 PPM AT A 98% CONFIDENCE LEVEL, BEFORE FAILURE.

-THE BASIS OF BEARINGS FOR THIS SURVEY IS KENTUCKY STATE PLANE SINGLE ZONE (NAD83), DETERMINED BY A GPS SURVEY USING C.O.R.S. STATION KYDOT VRS NETWORK, GEOID MODEL 12B.

-ALL SET PROPERTY CORNERS, HAVE BEEN MARKED WITH 5/8" IRON PINS WITH PLASTIC IDENTIFICATION CAPS STAMPED "DRURY 3843" OR MAG NAILS SET WITH ALUMINUM DISCS STAMPED "DRURY 3843" AS NOTED.

-THE SURVEY AS SHOWN HEREON IS AN RURAL CLASS SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.

-THIS PLAT OF SURVEY REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.

SET BACK INFORMATION

FRONT SET BACK = 50 FEET
SIDE SETBACK = 50 FEET
REAR SETBACK = 50 FEET

LEGEND

- ADJOINING PROP. LINE
- EASEMENT LINE
- PROP. LINE
- FOUND IRON PIN W/ CAP
- ▲ FOUND MAG NAIL
- SET IRON PIN
- ▲ SET MAG NAIL /W TAG



CERTIFICATION OF PROVISION OF WATER SERVICE

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

DATE _____

GENERAL MANAGER _____

CERTIFICATE OF ACCURACY

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

DATE _____

JUSTIN D. DRURY P.L.S. 3843

CERTIFICATE OF AVAILABILITY OF UTILITY SERVICES

I HEREBY CERTIFY THAT _____ SHALL SUPPLY THE GILLISPIE PROPERTY WITH ELECTRIC / GAS / TELEPHONE SERVICES AND THAT THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEET THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS.

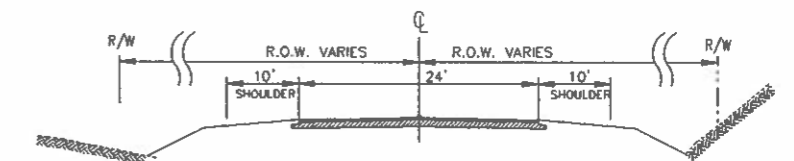
DATE _____

COMPANY REP. _____ (TITLE)

GENERAL NOTES

- ANY NEW ENTRANCES OFF US 62 (CYNTHIANA ROAD), WILL REQUIRE APPROVAL FROM KYTC.

- ANY FURTHER SUBDIVISION OF THE PROPERTY WILL REQUIRE APPROVAL FROM THE PLANNING COMMISSION.



TYP. SECTION - US 62 (CYNTHIANA ROAD) N.T.S.

FINAL RECORD MINOR SUBDIVISION PLAT

BAKER PROPERTY
CYNTHIANA ROAD
PLAT CAB. 1 SLD. 368, PLAT CAB. 6 SLIDE 2411, PLAT CAB. 6 SLIDE 2480
D.B. 413 PAGE 205

SCOTT COUNTY, KENTUCKY

	SCALE	DATE	
	ADJUSTMENTS	OWC. NAME	
	REVISION #	.CRD FILE	
	DRAWN BY	CHECKED BY	
	1" = 200'	5-28-20	
	KYSP-N	3223CYNTH	
	1	3223CYNTH	
	JDD		

266 E. SHORT STREET (SUITE 140)
LEXINGTON, KENTUCKY 40507
OFFICE: 858-268-1044
EMAIL: JUSTIN@AIM3D.US

**BOURBON 30 & ESI
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission
August 13, 2020**

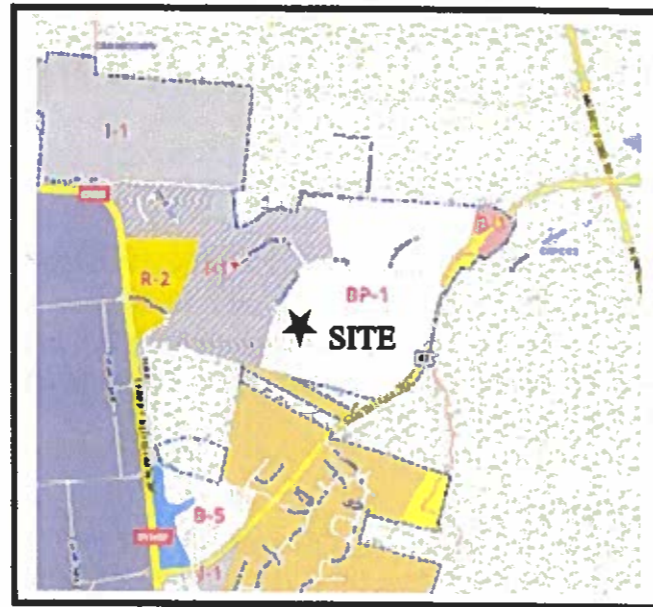
FILE NUMBER: PDP-2020-34

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

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

APPLICANT: Logan Davis

ENGINEER: Geisler Domigan Engineers, PLLC



STATISTICS:

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

BACKGROUND:

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

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

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

Final Development Plan Review:

Setbacks and Building Standards:

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

Front: 50-foot

Side: 20-foot

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

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

Site Layout:

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

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

Land Use Buffers and Landscaping:

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

Business Park Authority:

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

Stormwater:

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

Sanitary Sewer:

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

RECOMMENDATION:

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

Conditions of Approval:

1. No outdoor storage of materials is permitted. The applicant shall be responsible for providing landscaping area and landscaping which meets the minimum requirements of the Landscape and Land Use Buffer Ordinance on the Final Development Plan. A specie-specific landscape plan shall be included with the Final Development Plan.
2. All building design requirements of the Business Park Authority.
3. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan.
4. Lighting fixtures shall meet the BP-1 standards.
5. All applicable requirements of the Georgetown Fire Department.
6. All applicable requirements of Georgetown Municipal Water and Sewer Service and/or WEDCO Health Department.
7. Future building expansion up to 8,000 SF will be allowed through staff approval of an Amended Final Development Plan.
8. All applicable requirements of the *Subdivision & Development Regulations*.
9. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
10. Prior to any building construction, a Final Development Plan, including all required site construction plans, shall be approved by the Planning Commission staff. Prior to any preliminary site work, erosion control, grading and stormwater management plans shall be reviewed and approved by the Planning Commission Engineer and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.

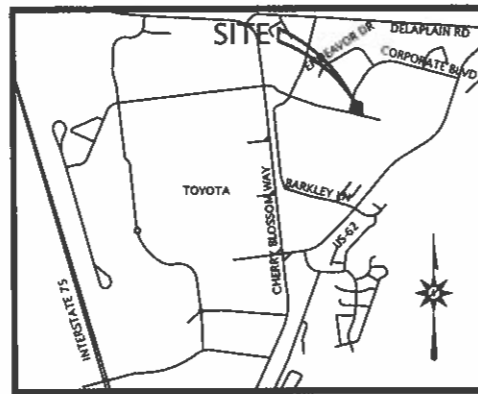
PROJECT INFORMATION

OWNER/DEVELOPER

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

CIVIL ENGINEER

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



VICINITY MAP
N.T.S.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND DO ADOPT THIS PLAT/PLAN OF THE DEVELOPMENT WITH OUR FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALL YS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN, IN ACCORDANCE WITH THE GEORGETOWN-SCOTT COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS, UNLESS OTHERWISE NOTED.

1. SITE SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THIS PLAN. ANY DEVIATION FROM THE PLAN, INCLUDING LANDSCAPING, SHALL FIRST BE APPROVED BY THE PLANNING DIRECTOR AND THE COMMISSION ENGINEER. MAJOR MODIFICATIONS OF THE PLAN SHALL FIRST BE APPROVED BY THE PLANNING COMMISSION.
2. STORM DRAINAGE FACILITIES, INCLUDING RETENTION BASINS, SHALL BE MAINTAINED FOR PROPER FUNCTIONING FREE OF ANY DEBRIS, SILT, OR TRASH.
3. A CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED AND THE BUILDINGS SHALL NOT BE OCCUPIED UNTIL ALL SITE IMPROVEMENTS SHOWN ON THE FINAL DEVELOPMENT PLAN AND LISTED IN THESE CONDITIONS ARE EITHER INSTALLED, OR A BOND OR IRREVOCABLE LETTER OF CREDIT IS SUBMITTED TO THE PLANNING DIRECTOR FOR 125% OF THE COST OF THE WORK REMAINING TO BE DONE, AS SUBSTANTIATED BY COST ESTIMATES APPROVED BY THE PLANNING DIRECTOR. LANDSCAPING MUST BE CERTIFIED AS COMPLETE BY THE LANDSCAPE INSPECTOR OR BONDED AS DESCRIBED ABOVE.
4. THERE SHALL BE NO GRADING OR CONSTRUCTION UNTIL THE FINAL DEVELOPMENT PLAN HAS BEEN APPROVED AND SIGNED BY THE PLANNING COMMISSION, EXCEPT AS CONSTRUCTION DRAWINGS ARE APPROVED BY THE PLANNING DIRECTOR FOR SITE DEVELOPMENT. THE BUILDING PERMIT SHALL NOT BE ISSUED UNTIL THE FINAL DEVELOPMENT PLAN IS APPROVED AND SIGNED.

OWNER

DATE

7-29-20

CERTIFICATION OF AVAILABLE CAPACITY FOR SEWER SERVICE ONLY

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

GENERAL MANAGER

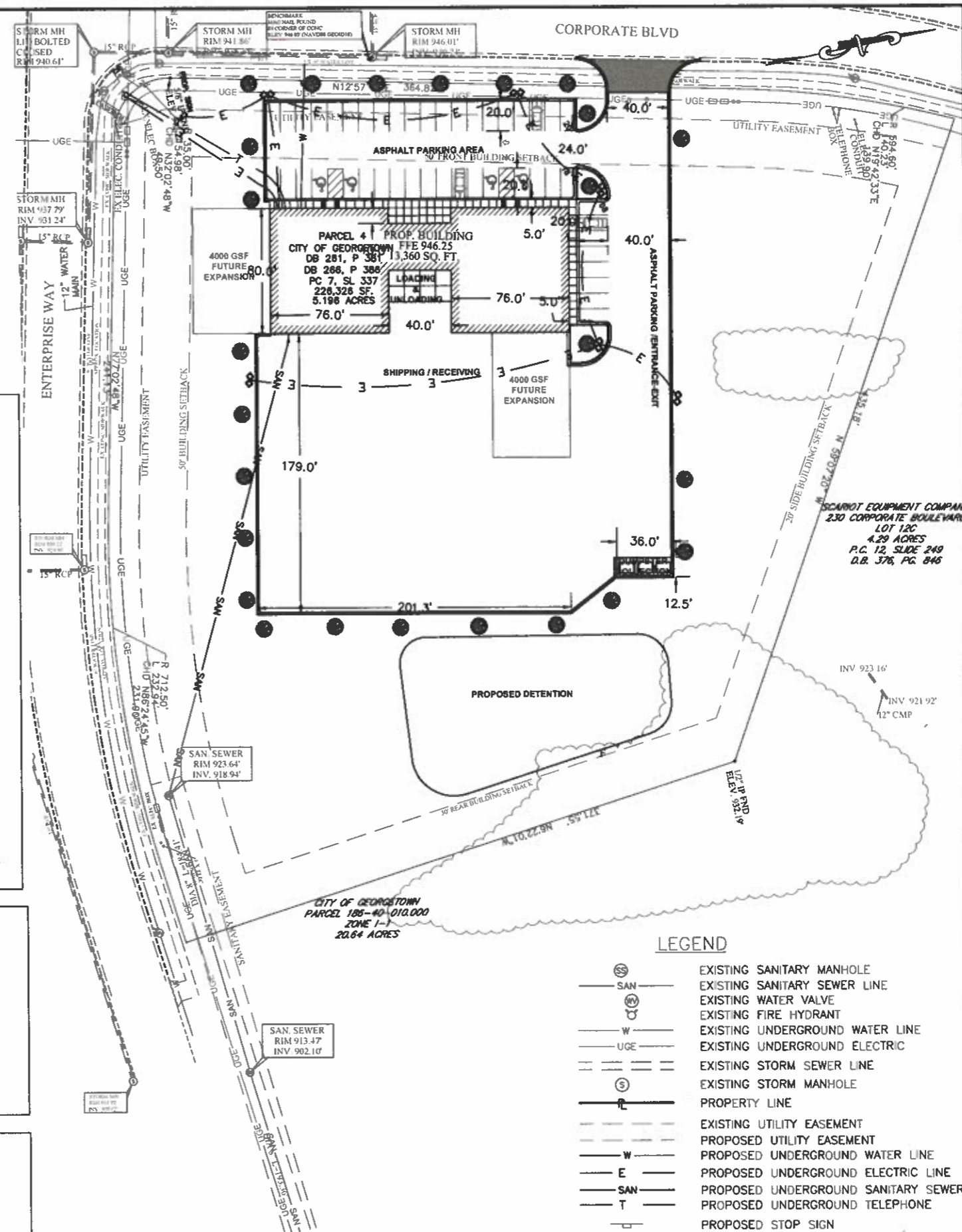
DATE

CERTIFICATION OF PRELIMINARY PLAN APPROVAL

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

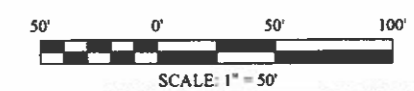
CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMM.

DATE



LEGEND

- ⊙ SAN EXISTING SANITARY MANHOLE
- SAN EXISTING SANITARY SEWER LINE
- ⊙ W EXISTING WATER VALVE
- ⊙ F EXISTING FIRE HYDRANT
- W EXISTING UNDERGROUND WATER LINE
- UGE EXISTING UNDERGROUND ELECTRIC
- SSS EXISTING STORM SEWER LINE
- ⊙ S EXISTING STORM MANHOLE
- P PROPERTY LINE
- UGE EXISTING UTILITY EASEMENT
- W PROPOSED UTILITY EASEMENT
- W PROPOSED UNDERGROUND WATER LINE
- E PROPOSED UNDERGROUND ELECTRIC LINE
- SAN PROPOSED UNDERGROUND SANITARY SEWER
- T PROPOSED UNDERGROUND TELEPHONE
- ⊙ PROPOSED STOP SIGN
- ⊙ PROPOSED LIGHT POLE



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

DATE:	JUNE 2020
SCALE:	1"=50'
DRAWN BY:	MGD
CHECKED BY:	MGD
JOB NUMBER:	20-0114

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

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

SHEET NO.
PDP-1

**LIBERTY BAPTIST CHURCH
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission
August 13, 2020**

FILE NUMBER: PDP-2020-35

PROPOSAL: Preliminary Development Plan to construct a 1,300 square foot addition to an existing church.

LOCATION: 100 Hillside Drive

APPLICANT: Liberty Baptist Fellowship, LLC

ENGINEER: Steve Baker, Midwest Engineering



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zones	R-2, R-3 (Medium and High Density Residential) B-1 (Neighborhood Commercial)
Proposed Use	Church addition for classroom space
Site Acreage	1.22 acres
Building Area	3,232 total SF (1,300 additional SF proposed)
Max. Building coverage	20%
Building Coverage	6.1%
Parking Required	27 spaces
Parking Provided	38 spaces (2 handicap accessible)
Access	Hillside Drive via West Main Street
Variances/Waivers	Reduce building setback from 50' to 20'

BACKGROUND:
The application before the Planning Commission is a Preliminary Development Plan to construct a 1,300-square foot addition to the back of an existing church. The Project Site is in western Georgetown, south of the Georgetown Municipal Water and Sewer building on Hillside Drive. The property is a county remnant in the city limits and is zoned A-1 (Agricultural). Surrounding land is zoned R-2, R-3 (Residential and B-1 (Neighborhood Commercial). Church facilities are permitted with a Conditional Use Permit in the A-1 District.

The Applicant is proposing the addition for additional classroom space for Sunday school and a kitchen area to serve the congregation. The classroom space will also be used as a multi-purpose room and will not be used as part of a daily-use school or childcare center.

Preliminary Development Plan Review:

Setbacks and Building Standards:

A-1 zoning setbacks are 50' on all property lines. The existing building and shed are lawfully non-conforming in regards to the northern property line and appear to be 25'-30' from the northern property line currently. The building addition is proposed 20' from the side property line. A variance is required to reduce the side setback to 20'. The shed is proposed to be relocated on site as shown on the plan. Staff is in support of the setback variance on the northern property line, adjacent to the water company parking lot.

The footprint of the proposed structure will cover 3,232 square feet, or 6.1% of the lot area, which is under the 20% maximum building ground coverage allowed in the A-1 District.

Vehicular Access & Pedestrian Circulation:

Driveways & Access: The Applicant is proposing no new entrances and will continue to utilize the existing parking lot with no expansion.

Parking Spaces: The proposed number of parking spaces meets the minimum parking requirements. The standard for a church is 1 space for every 3 seats in the main assembly area. The main assembly capacity is not changing, the addition will only add more multi-purpose area for Sunday school and general use and a non-commercial kitchen area. The required parking is twenty-seven (27) spaces and the Preliminary Development Plan is showing thirty-eight (38) existing spaces.

Land Use Buffers and Landscaping:

The proposed addition is less than a 50% expansion to the existing footprint. The existing parking lot will continue to serve the church and will not be expanded. Therefore no additional VUA landscaping or parking lot construction is required.

Stormwater: A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer meeting all requirements of the Georgetown Stormwater Manual prior to approval of the Final Development Plan. The proposed addition is in an area that is already paved, so there will be no additional impervious surface added.

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

RECOMMENDATION:

Staff recommends **Approval** of the Preliminary Development Plan for a 1,300-square foot church addition, with the following variance and conditions of approval:

Variance

1. Reduce the sideyard building setback for the addition from 50' to 20'.

Conditions of Approval:

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

2. A Final Stormwater Management Plan must be submitted and approved by the Planning Commission Engineer prior to approval of the Final Development Plan. Development must meet all requirements of the Georgetown Stormwater Manual.
3. Prior to (as part of) the Final Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
4. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
5. This Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406 section A of the Subdivision and Development Regulations.



CERTIFICATION OF PRELIMINARY PLAN APPROVAL

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

_____, 20____
 Chairman, Georgetown-Scott County Planning Comm.

CERTIFICATION OF FIRE DEPARTMENT APPROVAL

I hereby certify that the development plan shown hereon has been reviewed and found to comply with the Georgetown Fire Department regulations, including any conditions of approval or exceptions, noted hereon.

_____, 20____
 (Signature and Title of Fire Dept. representative)

CERTIFICATION OF WATER & SEWER SERVICES

I hereby certify that Georgetown Municipal Water & Sewer Services (GMWSS) has the capacity within the water distribution system/sewer collection system to supply _____ with water services/sewerage disposal services. Provision of services will be contingent upon the review and approval of all on-site and off-site plans and specifications for the proposed system. Construction of the water distribution system/sewer collection system to be built at the cost of the developer without reimbursement, built to GMWSS approved specifications and approved by GMWSS of the as-built improvements and hereby dedicated to GMWSS.

_____, Date
 General Manager

CERTIFICATION OF OWNERSHIP AND DEDICATION

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

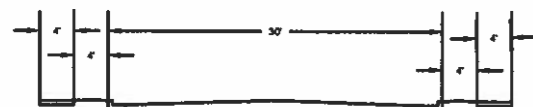
_____, (date), 20____
 (owner or owners)

GENERAL NOTES:

1. THIS DEVELOPMENT PLAN MAY BE AMENDED WITH THE APPROVAL OF THE PLANNING COMMISSION.
2. A DIGITAL SUBMITTAL IS REQUIRED, AND WILL BE PROVIDED AT THE TIME OF FINAL DEVELOPMENT PLAN.
3. ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS. SLOPES EXCEEDING 4:1 SHALL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SOD IN ORDER TO PREVENT EROSION.
4. THIS PRELIMINARY PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED ON A RECORDED FINAL SUBDIVISION PLAT.
5. THE PURPOSE OF THIS PLAN IS TO SHOW BUILDINGS, PARKING, AND ACCESS ON THIS PROPERTY.

BUILDING SETBACK VARIANCE:

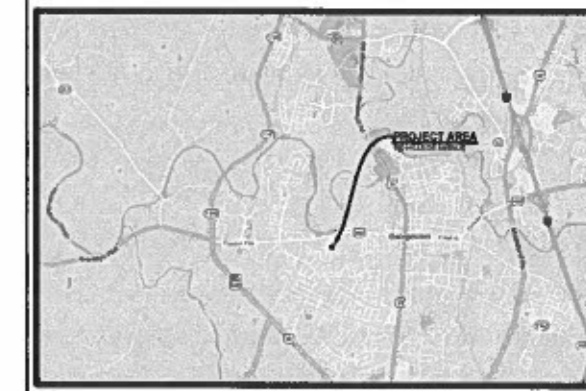
A building setback variance of 20' is requested for the northern property line as shown.



TYPICAL SECTION A-A
 HILLSIDE DRIVE

PLAN LEGEND:

- 1000.0- EXISTING CONTOUR ELEVATION
- 1000.0- PROPOSED CONTOUR ELEVATION



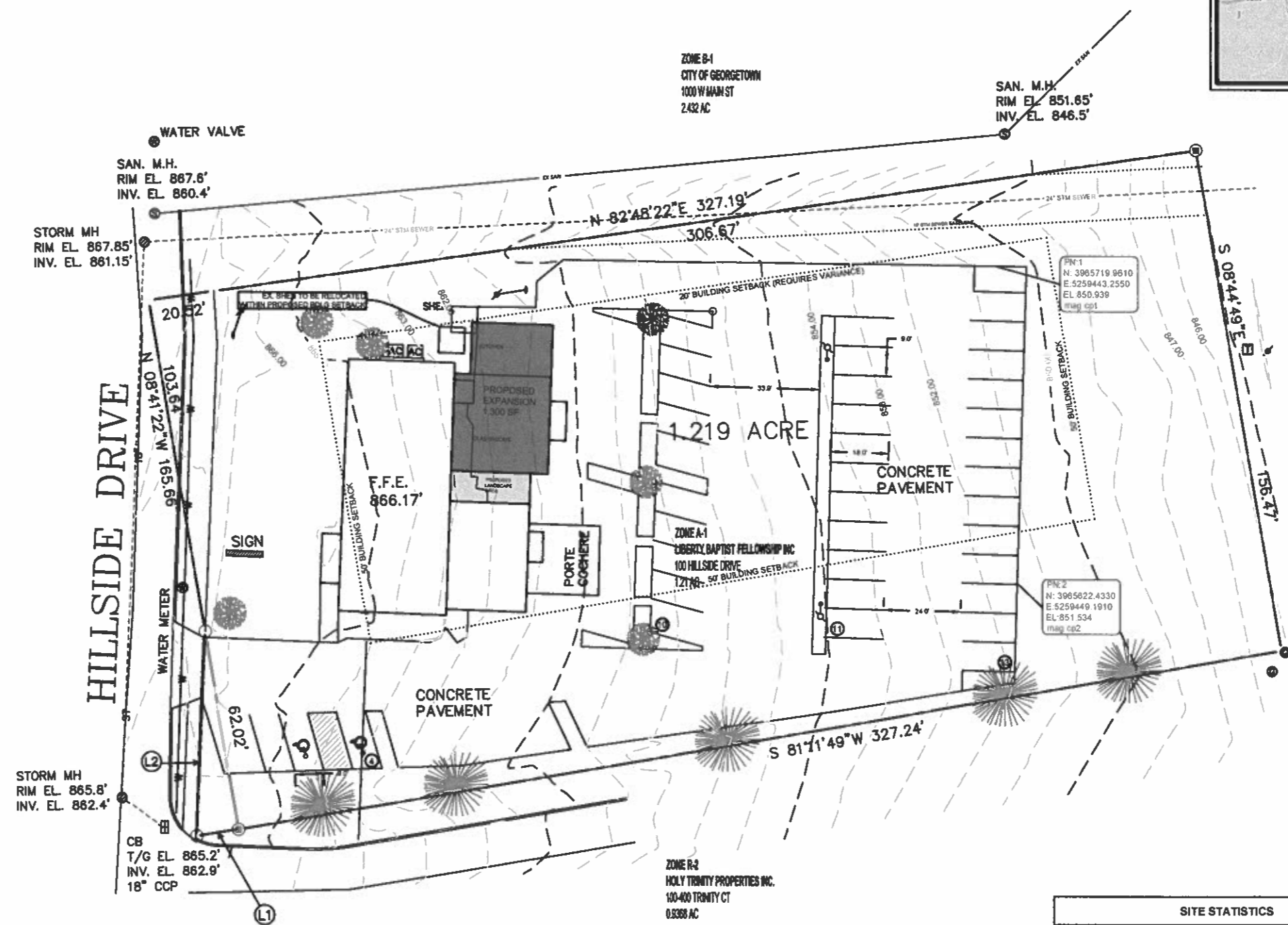
VICINITY MAP:
 N.T.S.

PROPERTY OWNER

100 Hillside Avenue
 Liberty Baptist Fellowship, LLC
 280 W Jefferson St
 Georgetown, KY 40324

SOURCE OF TITLE

CB / PAGE 348 / 750



COURSE	BEARING	DISTANCE
L1	S 81°45'28"W	13.02'
L2	N 03°19'22"E	63.30'

ZONE R-2
 HANSON PLACE SUBDIVISION
 101 GRANDSTAND DR
 1.60 AC

ZONE R-3
 HOLY TRINITY PROPERTIES INC.
 100-400 TRINITY CT
 0.3368 AC

SITE STATISTICS		
ZONE	A-1	A-1
AREA	1.21 AC	1.21 AC
USE	CHURCH	CHURCH
TOTAL BUILDING AREA (SF)	3,232	4,532
LOT COVERAGE	8.13%	8.60%
PARKING REQUIREMENTS		
TOTAL PARKING PROVIDED	38	38
TOTAL PARKING REQUIRED (1 space per 3 seats)	27	27
HANDICAP PARKING REQ.	2	2
VEHICULAR USE AREA (V.U.A.)	24,960 SF	23,568 SF
INTERIOR LANDSCAPE REQ (10%)	2,486 SF	2,357 SF
INTERIOR TREES PROVIDED	9	9
INTERIOR LANDSCAPE AREA PROV	1,140 SF	1,140 SF

PURPOSE OF PLAN:

The purpose of this plan is to depict a proposed 1,300 SF building addition, including 2 classrooms and a kitchen.



ARTICLE 2: SMALL CELL TOWERS

SECTION 2.55 DEFINITIONS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

regulations.

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

SECTION 2.554 PROCESSING OF APPLICATION:

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

An applicant claiming to be injured or aggrieved by any final action of the Planning Commission shall appeal from the final action to the circuit court of the county in which the property is located. Such appeal shall be taken within thirty

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

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

- A. **NON-TOWER SMALL CELL SYSTEM LOCATIONS:** No administrative review by

Staff is required for antennas locating on existing telecommunications structures, water towers, buildings, Utility Poles (as defined by this regulation) or other existing structures. These non-tower locations must adhere to all other applicable federal, state, and local zoning codes, building codes or permits.

B. NEW SMALL CELL SYSTEM TOWER LOCATIONS IN ALL ZONING DISTRICTS: The regulations in this subsection apply to all new Small Cell System Towers.

1. Temporary, mobile or wheeled cellular antenna towers shall not be permitted.
2. New Small Cell Towers shall not exceed the maximum building height for the zoning district within which they are located. A height that is in excess of what is permitted within the zoning district may be approved by staff if it integrates stealth technology that better meets the objectives of these regulations.
3. New Small Cell Towers shall be designed and constructed to accommodate a minimum of two (2) service providers.
4. New Small Cell Towers may be located on public or private non-residential land or within a public Right-of-Way provided it does not interfere with other utilities, functionality of sidewalks, visibility, or other matters of public safety.
5. New Small Cell Towers shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the Stealth Technology, such as a design intended to look like a street light pole.
6. New Small Cell Towers shall not include advertisements and may only display information required by a federal, state, or local agency. Such display shall not exceed one (1) square foot in area, unless required by state or federal regulations, or unless a larger display is integral to the Stealth Technology. Such display shall not exceed the width of the pole, unless a wider sign is integral to the Stealth Technology such as a design which integrates a decorative banner.
7. If a new Small Cell Tower is located in an area with primarily Underground Utilities, or where no adjacent Overhead Utility lines exist, it shall not utilize Overhead Utility lines.
8. In instances where an antenna is proposed to be constructed within a historic or commercial district with established public or private design control measures, regulations in subsection 2.555, C., shall be followed.

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

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

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

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

corner, intersection or along a lot line.

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

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

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

external cabling.

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

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

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

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

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

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

APPENDIX A

SUMMARY OF AMENDMENTS

SUMMARY OF AMENDMENTS

DATE ADOPTED BY

New regulations adopted

GSCPC _____



Georgetown-Scott County Planning Commission
Planning · Engineering · GIS

June 8, 2020

To: Joe Kane – Director

From: Ben Krebs – Engineer *BK*

RE: Proposed Development Fee Increase - Engineering Review and Inspection (R&I)

The information and proposal below is the result of recent discussions of proposed development fee increases to balance income from year to year and to better assess commercial fees based on project size. The proposed Engineering R&I change is to increase the fee for commercial development and Grading/BMP Plan Only Review to \$500/acre (current minimum fee) + \$100/acre (over 1.0 acre) for disturbed area part of a new development project. This fee would not change how the subdivision construction is currently charged and would only affect commercial developments that are larger than 1 acre in size.

Background Info

The purpose of the Engineering R&I Fee is to generate income to offset the cost of Engineering construction plan review and multiple inspections required throughout the duration of a project. These inspections are necessary to satisfy EPA Phase II Stormwater requirements and to provide general quality control checks for site work.

The last Engineering R&I fee increase occurred in 2009 which significantly increased the fee for subdivision construction to 0.5% of the total cost of public infrastructure items (road and storm sewer construction) which account for the majority of inspection time throughout the life of a project which may last for several years. As part of this change, multiple surrounding communities were researched and the fee was justified by the amount of time spent reviewing and inspecting subdivision (public infrastructure) construction. This fee increase resulted in several thousand dollars being charged for a large subdivision and did receive some initial complaints but seemed to be accepted as reasonable after explanation and is not even questioned at this time. The other part of the change in 2009 was to get rid of the tiered acreage and resulted in the minimum \$500 fee being charged (decrease in fees) to all commercial projects that only have private infrastructure being installed. This proposal is to reverse this change and add back the tiered fee based on development size.

For reference, the following is a summary of Engineering R&I fees charged (tracked) in past years;
2008 Total Fees = \$11,000 (last active year prior to recession)
2009 Total Fees = \$6,500 (limited new construction due to recession)

Engineering R&I Fees Collected

	2017	2018	2019
Total Fees Collected per year	\$35,664	\$37,094	\$11,086
Commercial (Private) \$500/ea			
Total Projects	10	20	14
Total Acres	10	96	57
Total Fees	\$4,500	\$9,500	\$7,000
\$ / acre	\$450	\$99	\$123
Public (Subdivisions) 0.5%			
Total Projects	7	8	3
Total Acres	430	120	17
Total Fees	\$31,164	\$27,594	\$4,086
\$ / acre	\$72.47	\$229.95	\$240.35

Projected Fees at \$500 Min + \$100/Ac (over 1 Ac)

	2017	2018	2019
Commercial (Private) \$500/ea			
Total Projects	10	20	14
Total Acres	10	96	57
Actual Fees Collected	\$4,500	\$9,500	\$7,000
Projected Fees with Tiered Increase	\$5,000	\$17,600	\$11,300
Projected Total Fees for Comparison	\$36,164	\$45,194	\$15,386
Projected % Increase	1.4%	21.8%	38.8%