GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION AGENDA APRIL 11, 2024 6:00 p.m.

I. COMMISSION BUSINESS

- A. Approval of March invoices
- B. Approval of March 14, 2024 minutes
- C. Approval of April 11, 2024 agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. OLD BUSINESS

A. PSP-2024-07 Cherry Blossom Village Tract 11B - POSTPONED

III. NEW BUSINESS

- A. FSP-2024-11 <u>Willoughby Property</u> Final Subdivision Plat to subdivide one 5.60-acre parcel from a 57.60-acre parcel, leaving a 52-acre remainder tract located at 604 Stonetown Road.
- B. FSP-2024-12 <u>Scallan Property</u> Final Subdivision Plat to subdivide a 75.7-acre farm into nine (9) parcels measuring from 5.1-acres to 13.6-acres located at 3613 Cynthiana Road.
- C. FSP-2024-13 Three Springs Campground POSTPONED
- D. PDP-2024-14 Sawyier Pointe Clubhouse POSTPONED
- E. PSP-2024-15/PDP-2024-16 Cherry Blossom Golf Townhomes Phase 7 POSTPONED
- F. PDP-2024-17 <u>Limestone Farms Distillery</u> Amended Preliminary Development Plan to add a 5,250 SF building with a 900 SF boiler house for equipment and a bottling line and a 16,000 SF Phase 2 Distillery building and parking lot added to a previously approved 16,000 SF Distillery with a 6,400 SF tasting room and accessory tanks, silos and exterior improvements on 30 acres located east of Paynes Depot Road and south of McClelland Circle, within the Georgetown USB.

IV. OTHER BUSINESS

- A. PUBLIC HEARING Comprehensive Plan Future Land Use Maps & Community Forum Chapter Review
- B. Election of Officers

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES March 14, 2024

The regular meeting was held in the Scott County Courthouse on March 14, 2024. The meeting was called to order by Chairman Charlie Mifflin at 6:00 p.m. Present were Commissioners James Stone, Dann Smith, Harold Dean Jessie, Duwan Garrett, David Vest, Brad Green, Mary Singer and Planners Elise Ketz and Rhett Shirley, Engineer Ben Krebs, and Attorney Charlie Perkins. There was/is one vacancy. Director Joe Kane was absent.

Motion by Smith, second by Jesse, to approve the February invoices. Motion carried.

Motion by Smith, second by Stone, to approve the February 8, 2024 minutes. Motion carried.

Motion by Vest, second by Smith, to approve the March agenda. Motion carried.

Postponements/Withdrawals

Chairman Mifflin stated that the application for Cherry Blossom Village Tract 11B (PSP-2024-07) has been postponed until the next regularly scheduled meeting.

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

Consent Agenda

A representative of Sanderson Property (FSP-2024-01) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Jesse, second by Smith, to approve the application. Motion carried unanimously.

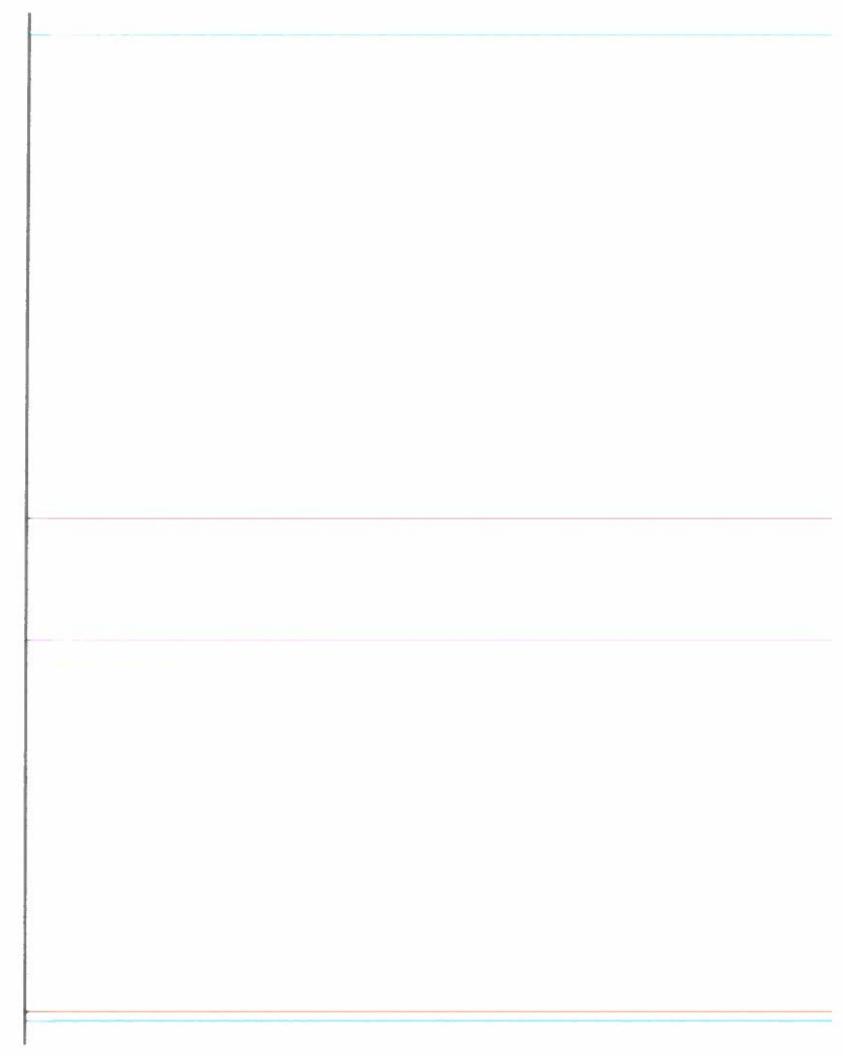
FSP-2024-08 <u>Koval Property</u> – Final Subdivision Plat to subdivide a 21.47-acre farm into three parcels with associated access easements located at 290 Carrick Pike.

Ms. Ketz stated the property is zoned A-1 and the parcels would range in size from 5 to 11 acres with access from Carrick Pike or Sterling Drive. She stated there are no variances requested with the application.

She stated this application was part of the Varellas property that was heard in May 2022.

She stated two of the lots are going to use a proposed easement and lot 6-A would still use the established access easement. She stated the proposed entrance for lots 6-B and 6-C would be from Sterling Drive through an existing parcel and along the property line. She stated the only special item





about the application is the use of an existing lot for access. She stated the application meets all requirements.

Yuriy & Nicole Koval, applicants, stated they understand the neighbor's concern about traffic. He stated parcel 6-A is intended for his son when he gets older. He stated the access through the Geary property will be his driveway and it will benefit both.

Chairman Mifflin questioned if the Koval's presently live on the property. They stated they do not, and it was clarified the existing residence is the Geary property on the plat.

Brian Geary, 121 Sterling Drive, stated he has lived there for 23 years, and it is his forever home. He stated he planted trees and built a pond that he lets people fish. He stated he has always wanted a road back to the pond. He stated he does not want the road against the property line.

Chairman Mifflin suspended the three-minute rule for the meeting.

Mr. Geary stated his understanding is that two fire hydrants will be added on the street if the application is approved. He stated the addition of two cars is not going to make a difference to the traffic.

Alex Martin, 117 Sterling Drive, stated he would prefer that the Carrick Pike entrance be used.

Lyndsey Martin, 117 Sterling Drive, stated she would prefer to not have a driveway right next to her property. She stated she is a realtor and is afraid of what could happen if approved to her home value. She states that could open the door for other lots to use the driveway. She presented a petition to the Commission against the access from Sterling Drive.

Tess Utterback, 106 Sterling Drive, stated she rides her horse every day with her daughter on Sterling Drive and does not want additional traffic. She stated her major concern would be construction traffic.

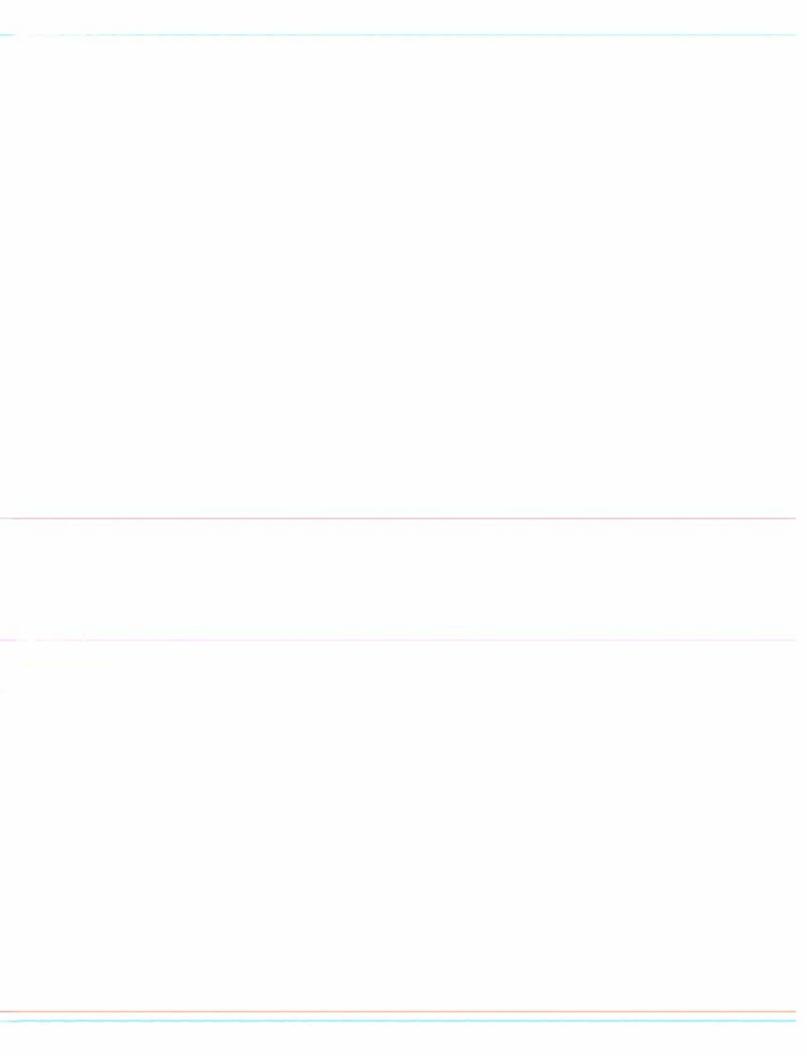
Rich Anderson, 100 Sterling Drive, stated this was not presented with the original plan and he considered it a material change to the existing Sterling Drive subdivision. He stated he was concerned about additional traffic and note 11 on the plat.

Kim Anderson, 100 Sterling Drive, stated approval could lead to additional families. She stated they built believing the cul-de-sac was final.

Ms. Ketz explained note 11 on the plat related to the Geary property.

Commissioner Jessie questioned the mention of new fire hydrants. Ms. Ketz stated her understanding is the Scott County Fire Department had already planned the additional fire hydrants regardless of the current application.

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Commissioner Jessie questioned why the access on Carrick Pike could not be used. Ms. Ketz explained that the access easement was at the maximum number of users. She stated there were two options for access. She stated they could either bring the Carrick Pike access to county road standards or find an additional access point.

Mr. Koval stated originally, he looked at improving the access off Carrick Pike, but the estimated cost was \$240,000.00 and was more than he could afford. He stated if he cannot get access from Sterling Drive then he will not be able to build on the property. He reiterated that he is willing to do whatever it takes to assure the neighbors that he is only building one house.

Mr. Anderson questioned if another driveway could be added along the driveway on Carrick Pike for access. Ms. Ketz stated there is room for another driveway but would require approval by the county road department.

Commissioner Green questioned when the property was purchased what the plan for access to the property was. Mr. Koval stated only one road allowed on the easement. He stated to add another road would require another additional easement.

Ms. Utterback stated in her experience as a realtor she does not understand why this problem was not discovered before the property was closed on. She questioned why the back parcel could not be sold instead of the front parcel since selling the front parcel would lose access from Carrick Pike.

Mr. Koval stated originally the road was \$120,000.00 but then adding the cost of the fire hydrants and the steep slope made it more than he could afford.

Commissioner Singer questioned if it is possible to have two driveways next to each other and if that is not possible what limitations could be placed to limit the neighbor's concerns of numbers of lots.

Mr. Krebs stated if the previous plat was changed, and stated that there could be the possibility of two driveways side by side. He stated Mr. Koval only has an access easement at this time.

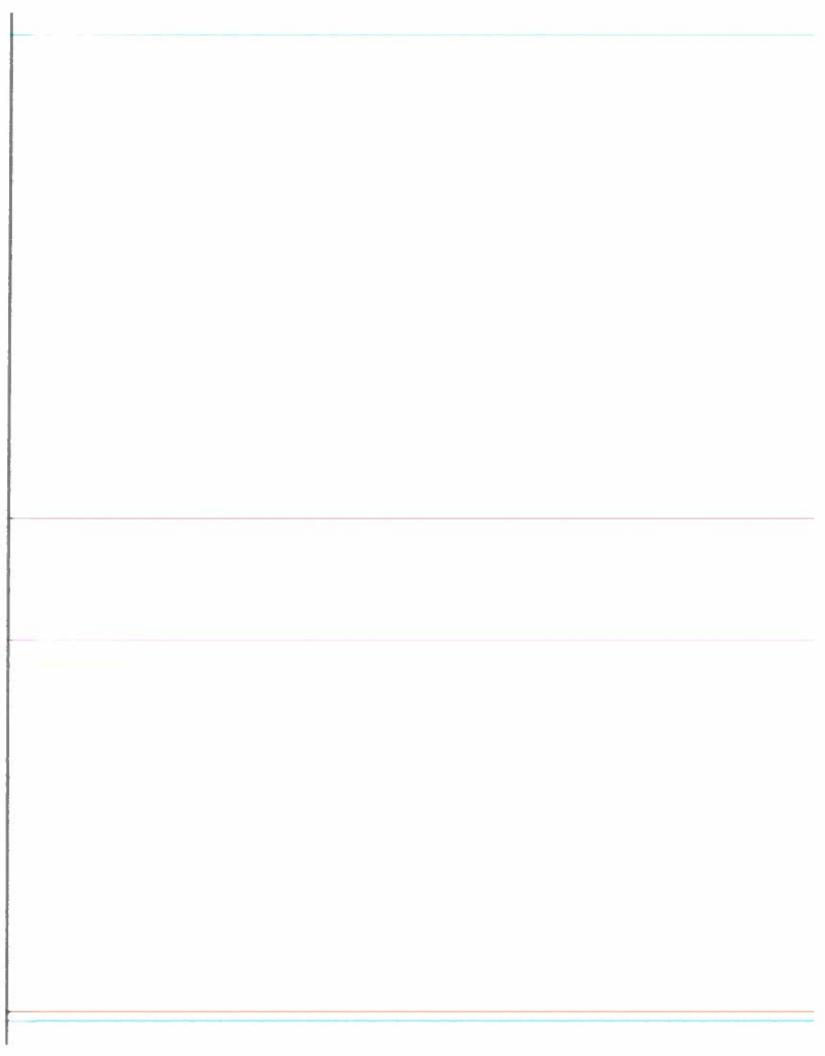
Attorney Perkins explained the requirements and limitations with an access.

Mr. Martin questioned the location of the driveway along his north side on property. Mr. Geary stated it will not go along the property line instead it would be the left side of the pond.

Milton Adams, 129 Sterling Drive, stated he bought the first lot of the development in 1997. He stated concern if a road is put through the Geary property of what might happen in the future. He stated Taylor Lane is an example of what could happen.

Attorney Perkins stated this would be a private easement not a public road. He stated Taylor Lane was a public road.

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Mr. Geary stated he plans to have a fence on either side of the driveway with a sign stating that it is a private drive.

Commissioner Green questioned the process of allowing divisions and easements. Attorney Perkins stated the Commission cannot deny anyone access to a public road or deny easements.

Commissioner Singer asked for clarification if two access easements could be side by side on Carrick Pike. Mr. Krebs stated to make changes to an existing easement, all owners using the access easement would have to agree to the change.

Ms. Anderson stated that Mr. Koval knew the situation when he bought the property and should not use Sterling Drive as his access.

Ms. Martin stated that the Koval's poor planning was not fair to the residents of Sterling Drive.

Mr. Koval stated again they want to be a part of the community.

Mr. Anderson questioned if there is any other way of access besides Sterling Drive. Ms. Koval stated they have spent a year trying to find another solution for access.

Mr. Geary questioned if he has the right to add a driveway to the pond on his property. He stated the neighbors seem to want to limit the traffic on a public street.

After further discussion, Motion by Jessie, second by Green to deny the application (FSP-2024-08) due to a safety concern of traffic on Sterling Drive. Motion failed 2-6.

After further discussion, Motion by Singer, second by Vest to approve the Final Subdivision Plat (FSP-2024-08) subject to (5) conditions of approval. Motion carried 6-2 with Jessie and Green dissenting.

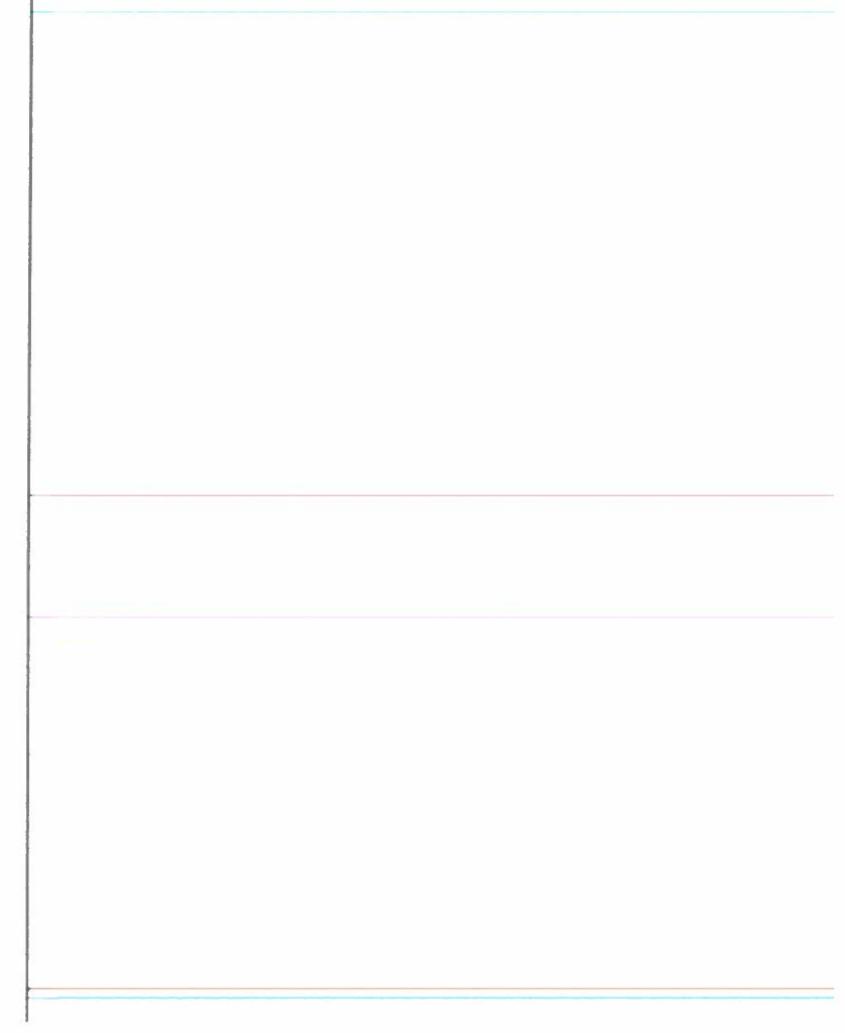
PDP-2024-09 <u>Vuteq Expansion</u> – Preliminary Development Plat to expand existing building by 4,200 sq. ft. across two areas located at 100 Carley Drive.

Ms. Ketz stated the current site is approximately 19.6 acres and zoned I-1. She stated it is part of the Georgetown Industrial Park. She stated the applicant has had several additions since it built first.

She stated the applicant has requested one variance to reduce the front yard setback from 50 feet to 20 feet for the two proposed additions.

She stated this expansion would require some grading and landscaping would have to be replaced.

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Steve Baker, Midwest Engineering, stated the applicant has won the contract for new part numbers for Toyota and will be adding some new machinery.

The question was asked if the expansion would add jobs. Mr. Baker stated eventually it may add up to 70 additional jobs.

After further discussion, Motion by Singer, second by Smith to approve the Preliminary Development Plan (PDP-2024-09) subject to (10) conditions of approval and (1) variance. Motion carried unanimously.

ZMA-2024-10 944 E. Main Street – Zone change request for property currently zoned C-1, B-5, and B-2 located at NW corner of East Main and McClelland Circle.

Chairman Mifflin opened the public hearing.

Ms. Ketz stated this is a 33.74-acre parcel. She stated the property was previously rezoned to B-2 and B-5. She stated in the last 6 months a development plan was presented for the corner lot and last month a subdivision plat was presented for 7 commercial lots. She stated the applicant is trying to correct the zoning for consistency with the proposed lot lines of the lots.

She stated the area is expected for commercial use. She stated the area designated as floodplain will remain C-1, but the rezoning will get rid of the split zoning B-2/B-5 on the proposed commercial lots. She stated the Comprehensive Plan also supports internal streets on the development plan.

Commissioner Singer questioned the definition of C-1 zoning. Mr. Krebs gave a brief explanation of the conservation zone. Chairman Mifflin questioned if anything could be built in C-1 zone. It was stated it is very limited and mostly recreational.

Martha Wilson, 407 Fountain Avenue, read a prepared statement requesting the area to not be developed.

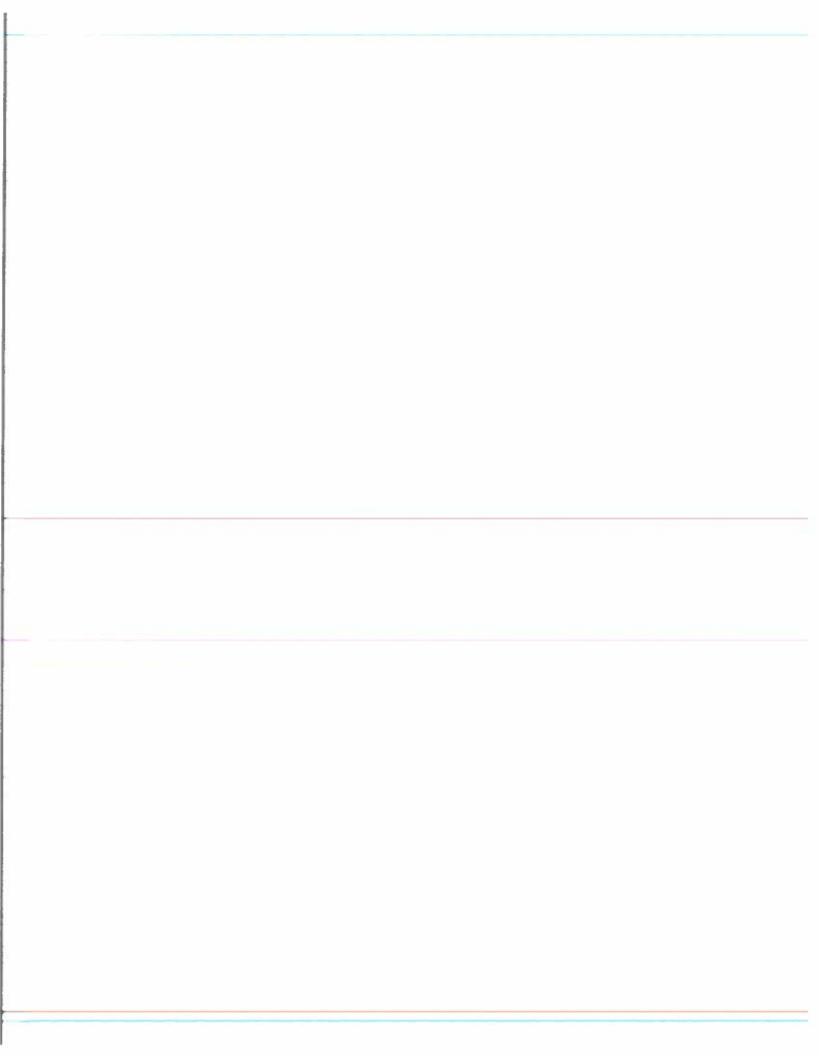
Chairman Mifflin closed the public hearing.

After further discussion, Motion by Smith, second by Stone to recommend approval of the rezoning request (ZMA-2024-10) on the basis of staff recommendation that it complies with the comprehensive plan. Motion carried unanimously.

Approval of FY 24-25 Draft Budget

Chairman Mifflin stated that Mr. Kane presented the draft budget for FY 24-25 at workshop.

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Motion by Singer, second by Smith	, to approve the Fiscal `	Year 2024-2025 proposed	draft budget.
Motion carried unanimously.			

Election of Officers

Motion by Jessie, second by Stone, to approve Charlie Mifflin as Chairman and Duwan Garrett, Dann Smith, Mary Singer, Charlie Mifflin and David Vest to Executive Committee. Silent vote for Vice Chair ended in a tie between Harold Jessie and Mary Singer. Attorney Perkins suggested revoting next month when another commissioner has joined the board.

Chairman Mifflin adjourned the	meeting.
Attest:	Charlie Mifflin, Chairman
Charlie Perkins, Secretary	

WILLOUGHBY PROPERTY FINAL SUBDIVISION PLAT

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

FILE NUMBER: FSP-2024-11

PROPOSAL: Final Subdivision Plat

to divide one 5.60 acre parcel from a 57.60 acre parcel, leaving a 52 acre remainder

tract.

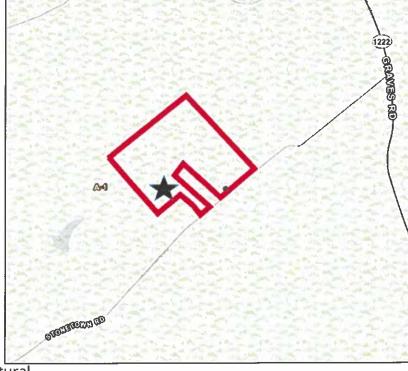
LOCATION: 604 Stonetown Road,

Stamping Ground

OWNER: Jackie and Rachel

Willoughby

CONSULTANT: Darnell Engineering



STATISTICS:

Zone: A-1 Agricultural

Surrounding Zone: A-1
Proposed Lot Acreage: 5.60 Acres
Access (Direct): Stonetown Road
Access (Arterial): Graves Road (KY-1222)

Variances/Waivers: 1. Variance to the separation distance between entrances of two

adjacent five-to-ten-acre parcels from 300 feet to 190 feet.

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to subdivide one new 5.60 acre rural lot from an existing 57.60 acre parcel located at 604 Stonetown Road. This application is considered a major subdivision as the Project Site was subdivided from a 69 acre parent tract in 2016 (Plat Cabinet 12, Slide 10) and any further subdivisions require Planning Commission Board review and approval.

FSP-2024-11, Willoughby Property, Page 1 of 2

Plat Review:

The proposed plat shows the appropriate setbacks, lot size, and width requirements. Parcel 4 (Remainder) will use the existing entrance off of Stonetown Road. Parcel 3 (Project Site) is proposed to have a new entrance on Stonetown Road at the newly created frontage. The proposed entrance does not meet the current driveway separation requirements defined in our subdivision and development regulations, which state:

Article X – subsection "Q" - Every 2 adjacent five (5) to ten (10) acre lots in one subdivision in A-1 zoned areas shall have shared access, direct adjacent access, or access separation of at least **300 feet**.

The newly created parcel will have approximately 208 feet of frontage along Stonetown Road. Being that the proposed entrance is located roughly 190 feet from an existing driveway to the southwest, and 240 feet from another existing access to the northeast, staff does not see the opportunity for a new, compliant entrance to be established. A variance is required for the entrance location due to it being closer than 300 feet from each adjacent parcel's entrance. There is a sight distance greater than 250 feet north and south of the entrance along Stonetown Road, and given this sight distance, Staff recommends in favor of granting this variance. Any new entrance onto Stonetown Road will require Scott County Road Department approval.

This section of Stonetown Road is approximately 16 feet wide, with drainage ditches along each side. As such, any new entrance onto Stonetown Road should include a drainage culvert.

There are areas of drainage passing though the proposed building site in the northern and western areas of the parcel. These appear to combine with other drainage areas off site which collect in a pond on a property on the opposite side of Stonetown Road. Staff recommends limited disturbance in these areas, but do not see them as major enough to constitute a limitation in the conditions of approval.

RECOMMENDATION:

Staff recommends **Approval** of the Final Subdivision Plat. If the Planning Commission approves the application, staff recommends including the following waivers, variances, and conditions of approval:

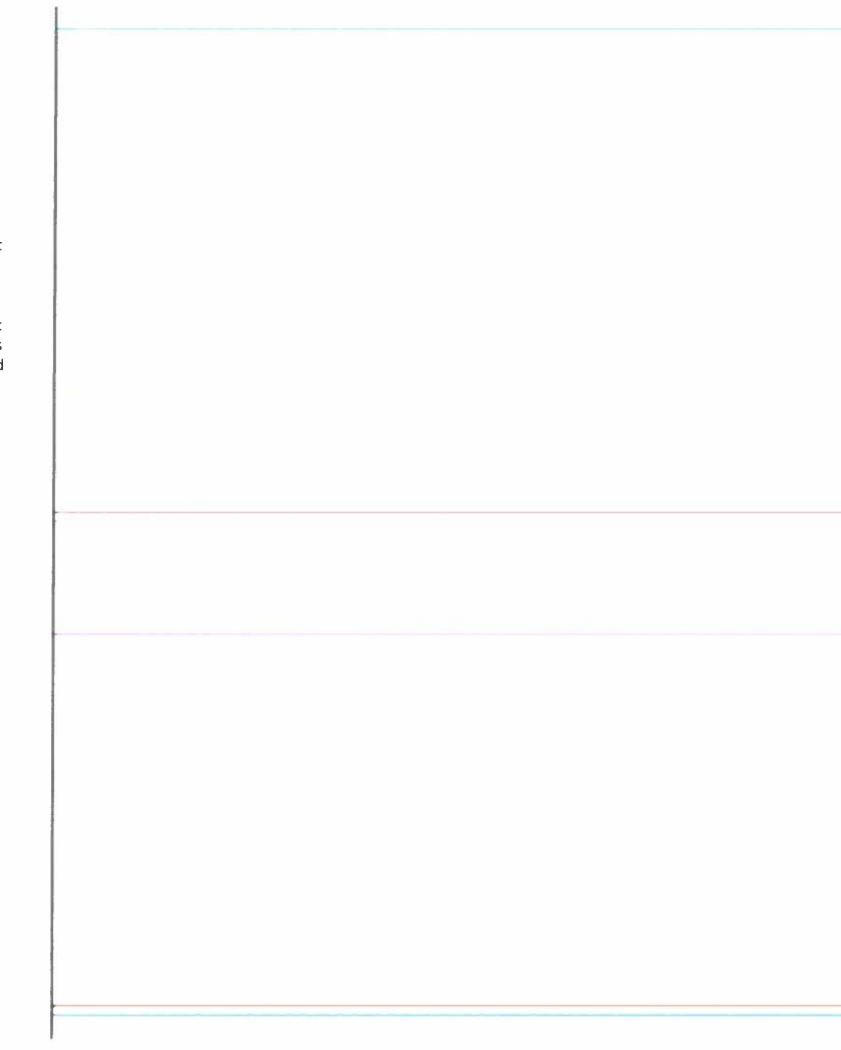
Variance:

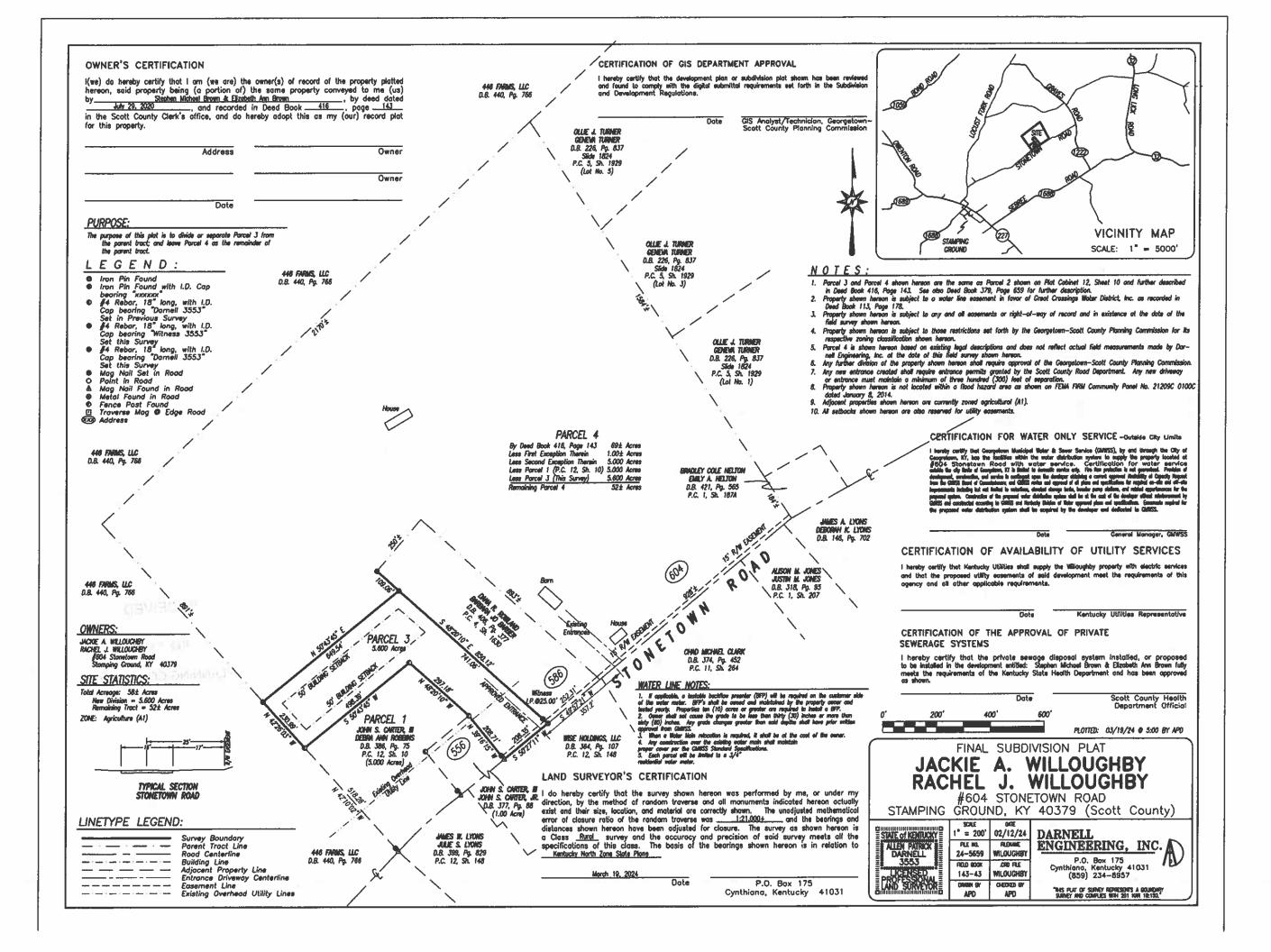
1. Variance to the separation distance between entrances of two adjacent five-to-ten-acre parcels from 300 feet to 190 feet.

Conditions of Approval:

- 1. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 2. Any revisions or amendments to the approved Final 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 Final Subdivision Plat approval is valid for two years, subject to the requirements of Article 306 section A of the *Subdivision and Development Regulations*.
- 5. Any new entrance onto Stonetown Road will require Scott County Road Department approval.

FSP-2024-11, Willoughby Property, Page 2 of 2





SCALLAN PROPERTY FINAL SUBDIVISION PLAT

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

FILE NUMBER: FSP-2024-12

PROPOSAL: Final

Subdivision
Plat to
subdivide a
75.7-acre farm
into nine (9)
parcels
measuring
from 5.1-acres
to 13.6-acres

LOCATION:

3613 Cynthiana Road 3451-3725 Cynthiana Rd (Proposed Parcel

Addresses)

OWNER: Pamela Scallan

(Revocable Trust)

CONSULTANT: Pat McLafferty

STATISTICS:

Zone: A-1 (Agricultural)

Surrounding Zone: A-1

Existing Farm Acreage: 75.738 acres

Proposed Subdivision Acreage: Four (4) Tracts measuring 10.025 to 10.138 ac

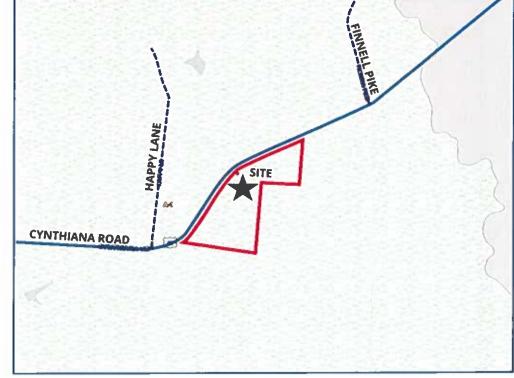
Four (4) Tracts measuring 5.109 to 6.031 ac One (1) Tract measuring 13.611 ac

Cypthiana Boad (US 62)

Access (Direct): Cynthiana Road [US-62]
Access (Arterial): Cynthiana Raod [US-62]

North/East of Happy Lane, West of Finnell Pike

Variances/Waivers: n/a





BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to subdivide a 75.73-acre farm into nine total tracts ranging from 5.109 acres (Tract 6) to 13.611 acres (Tract 7). This application is considered a major subdivision and is required to be reviewed by the Planning Commission because the proposed subdivision would result in greater than four new lots formed.

A rezoning of the entirety or a portion of the property to the A-5 zoning district is not required as the proposed 5-to-10-acre tracts are not contiguous. Any further subdivision would require rezoning first to the A-5 zone.

Plat Review:

The proposed subdivision meets the requirements in the *Subdivision and Development Regulations*. All tracts show the required 50-foot setbacks on all property lines and have at least 250 feet of width at the building line. The Health Department will need to conduct a site evaluation for Tracts 5, 6, 8, and 9 to certify that an on-site septic system is feasible.

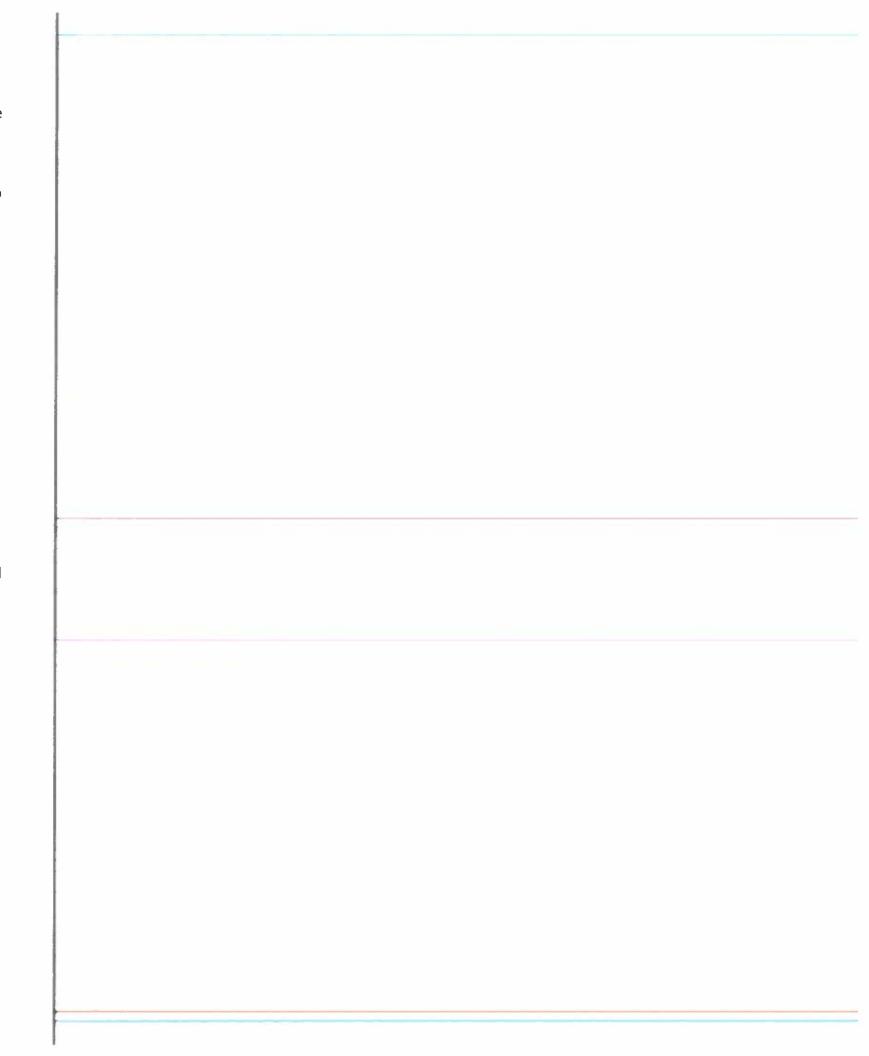
Access:

The plat shows four shared entrances and one single-user entrance. Given the large number of potential users, the final plat needs to clearly identify which tracts correspond to which entrance, and the maintenance responsibilities for the entrances and driveways.

Tracts 1 and 2 (10.138 acres and 10.136 acres, respectively) will share use of the southernmost entrance off Cynthiana Road [KYDOT Permit 07-204-00129] ("Entrance A"). Entrance A is located approximately 302 feet north of an existing entrance to an adjoining parcel. Tracts 3 and 4 (10.084 acres and 10.025 acres, respectively) will use an entrance presently being used to access an existing barn on the property ("Entrance B"). Entrance B is located approximately 700 feet north of Entrance A, or 1,000 feet north of the southern adjoining parcel. Tracts 5 and 6 (5.259 and 5.109, respectively) will share use of a proposed entrance off Cynthiana Road [KYDOT 07-204-00131] ("Entrance C"). Entrance C is located approximately 440 feet south of an existing entrance and pass-way to the Ricketts Property, or 535 feet north of Entrance B. Tract 7 (13.611 acres) contains the existing house and outbuildings will use the existing driveway. Tract 7 also contains an existing 13-foot-wide pass-way along its proposed property line with Tract 6 that is used to access the Ricketts Property.

Tracts 8 and 9 (5.342 acres and 6.031 acres, respectively) will share use of an existing entrance to Cynthiana Road. Aerial imagery shows two existing paved stubs, one which is 258 feet from the northernmost property line ("Access #1") and one which is 165 feet from the same ("Access #2"), or 93 feet east of Access #1. The plat does not make a distinction on which entrance Tracts 8 and 9 will use. Furthermore, the aerial imagery shows tire treads from the edge of pavement to the northern adjoining property, suggesting that an informal or recorded agreement may have been made between the Applicant (or previous owner) and the northern property owner. The final subdivision plat needs to address the multiple access points and potential users of the stubs. Regardless of which paved stub Tracts 8 and 9 use, there is greater than 300 feet of separation between driveways to the west and east.

FSP-2024-12, 3613 Cynthiana Road – Scallan Property, Page 2 of 3



Drainage:

The plat shows a 20-foot-wide drainage easement for Cherry Run through Tract 7. There are additional natural drainage paths which cross property lines that need to be shown on the final plat.

RECOMMENDATION:

Staff recommends **approval** of the Final Subdivision Plat. If the Planning Commission approves the application, staff recommends including the following waivers, variances, and conditions of approval:

Conditions of Approval:

- 1. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 2. Any revisions or amendments to the approved Preliminary 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 final plat shall clearly identify and outline users and maintenance for any existing and proposed entrances, driveways, and pass-ways.
- 6. Any further subdivision of the resulting tracts will require rezoning to the A-5 district.



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TYPICAL US 62 10' 24' 10' 24' 10' SURVEYOR NOTES: SURVEYOR NOTES: ZONING-A-1 ALL SETBACKS (FRONT, SIDE & REAR) ARE 50 FEET WITH A MINIMUM LOT WITH AT BUILDING SETBACK OF 250 FEET. PURPOSE STATEMENT THE INTENT OF THE OWNER IS TO SUBDIVIDE TRACT 1 OF DB. 391, PG. 29 INTO THREE TRACTS AND TRACT 2 OF DB. 391, FG. 29 INTO THREE TRACTS. FURTHER SUBDIVISION REQUIRES REVIEW AND APPROVAL FROM THE GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION. NO GREATER THAN THREE TRACTS MAY USE ONE UNIMPROVED DRIVEWAY THIS PROPERTY IS NOT IN THE FLOODZONE - MAP 21209C0150D CERTIFICATION OF AVAILABILITY OF UTILITY SERVICES I HEREBY CERTIFY THAT COLUMBING AS OF KY, INC SHALL SUPPLY THE SCALLAN LAND DIVISION WITH ELECTRIC SERVICE & THAT THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEET THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS	MALLABILITY OF UTILITY SERV JEGRASS ENERGY SHALL SI TH ELECTRIC SERVICE & THA O DEVELOPMENT MEET THE THER APPLICABLE REQUIRE T	TRACT 3 10.00° S 79*59/17* TRACT 3 10.00° S 82*355/1* TRACT 4 TRACT 4 TRACT 4 TRACT 4 TRACT 4 TRACT 4 TRACT 3 10.00° S 80*26*02* S 80*26*00* S 80*26*02* S 80	N 80 08:37 W CERTIFICATE OF ACCURACY I HEREBY CERTEY THAT THE PLAN SHOWN AN IS A TRUE AND CORRECT SURVEY TO THE ACC THE GEORGETOWN-SCOTT COUNTY PLANNING THE GEORGETOWN-SCOTT COUNTY PLANNING THE MOUNMENTS HAVE BEEN PLACED AS SHOWN SPECIFICATIONS OF THE PLANNING COMMISS OFFICES.
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LIMESTONE FARMS

AMENDED PRELIMINARY DEVELOPMENT PLAN

Staff Report to the Georgetown-Scott County Planning Commission

April 11, 2024

FILE NUMBER: PDP-2024-11

Amended Preliminary PROPOSAL:

> Development Plan to add a 5,250 SF building with a 900 SF boiler house for equipment and a bottling line and a 16,000 SF Phase 2 Distillery building and parking lot added to a previously approved 16,000 SF Distillery with a 6,400 SF tasting room and accessory tanks, silos and

30 acres.

East of Paynes Depot Road LOCATION:

and south of McClelland

exterior improvements on

Circle, within the Georgetown USB

Darrin Dillow APPLICANT:

Thoroughbred Engineering **DESIGNER:**

STATISTICS:

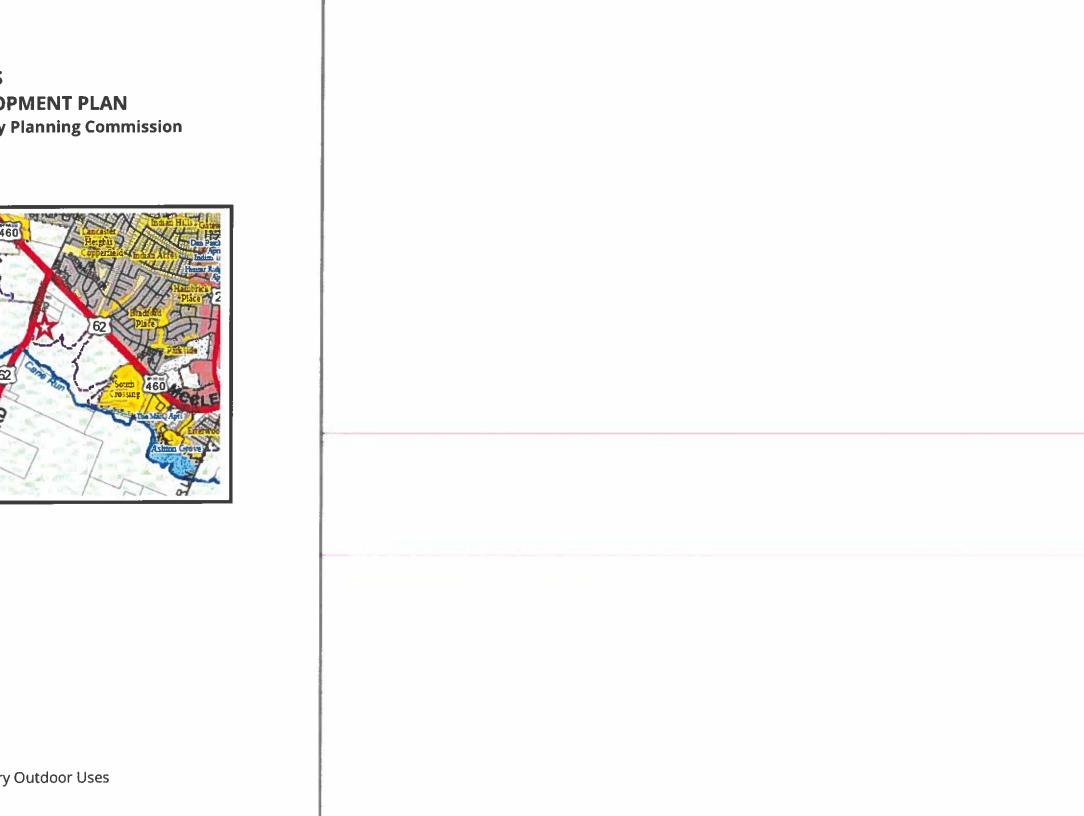
B-5 Planned Commercial Park Current Zone

Surrounding Zones A-1, (Agricultural)

Distillery, Tasting Room and Accessory Outdoor Uses Proposed Use

Site Acreage 30 acres





Building Area Phase 1: 16,000 SF, Distillery; 8,435 SF Tasting Room; 5,250 SF Bottling

Building; 900 SF Boiler House; 30,585 SF Total

Phase 2: 16,000 SF Operations Building; 900 SF Boiler House; 47,485 SF Total

Max. Building coverage

50% **Building Coverage**

8.4% (Disturbed Area)

Building Height

60' Distillery, 20' Tasting Room

Parking Required

52 spaces (1 space per 2 employees + 1 space per truck; plus, additional 1

space per 150 SF Retail/Tasting Room)

Parking Provided

77 spaces (71 standard auto, 3 handicap, 3 bus spaces)

New Street Required

No

Water/Sewer Availability

Yes/Yes (Required)

Access

Paynes Depot Road (US 62) and McClelland Circle (US 62/460)

Variances/Waivers

Previously approved: 1. Reduce Tree Canopy to developed area only;

2. Maximum area in Interior VUA;

New Required for Phase 2:

3. Reduce perimeter setback for Phase 2 Distillery Building on property from

100' to 80'

BACKGROUND:

The application being considered is an Amended Distillery Preliminary Development Plan on a 30-acre lot, subdivided from a larger 206-acre farm east of Paynes Depot Road and south of the McClelland Circle bypass and north of Cane Run Creek within the Georgetown Urban Service Boundary. The subject property was zoned B-5 (Planned Commercial Park) and annexed by the City of Georgetown in February 2024. Any recommendation on the Preliminary Development Plan will be contingent on approval of utility availability to the property, including public water and sewer and approval of any state and federal permits for the Distillery.

The property is moderately sloped and drains south to Cane Run Creek. No floodplain is present on the proposed 30-acre lot or in the immediate area of the Distillery site.

The Preliminary Development Plan (PDP) was previously approved in February 2024 after the rezoning recommendation by the Planning Commission. The approved PDP shows a 16,000 square foot Distillery Building, 35-feet tall with four grain silos and accessory structures and driveways around the Distillery Building. A 6,400 SF Tasting Room, outdoor patio area, walking path and event and viewing area is shown south of the Distillery Building with a large parking area south of the Tasting Room The site entrance was shown from an existing entrance on Paynes Depot Road and site traffic was to be routed south along a frontage road before splitting on the project site, with Distillery traffic routed around the Distillery Building to a turnaround and loading dock behind the Distillery Building. Automobile and bus traffic was to continue to a large parking area south of the Tasting Room.

The proposed Amended Preliminary Development Plan retains the same general layout but adds a new 5250 SF Bottling Building, a 900 SF Boiler House and a loading dock east of the Distillery Building. The

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Amended Plan also adds a new employee parking lot near the main entrance and increases the size of the Tasting Room building from 6,000 to 8,000 SF and modifies slightly the Tasting Room parking lot and walking path and outdoor event space configuration.

The Amended Development Plan also proposes a phasing plan, with phase 1 being the build out of the majority of the site and phase 2 being the addition of a 16,000 SF Operations Building and a 900 SF Boiler House in the location shown on the plan.

Traffic Study

A Traffic Study was not warranted, based on the applicants stated peak traffic generation for the proposed use being under the threshold of 100 peak hour trips. The access to the subject property is from a state road (Paynes Depot Road, US 62). The Kentucky Transportation Cabinet will require an encroachment permit for construction within the state ROW. An improved connection to Paynes Depot Road (US 62) offsite and onsite to acceptable City of Georgetown commercial/industrial standards shall be required as part of Final Development Plan approval. The Amended Plan also does not meet the minimum threshold of 100 peak hour trips to warrant a Traffic Study. However, planning staff is still recommending improvements be required at the entrance and to the project site to improve the access road to minimum city street standards.

Preliminary Development Plan Review:

Setbacks and Building Standards:

The B-5 zone district requires the following standard setbacks:

Front: 25 feet; 50 feet when fronting on a state route.

Side: 10 feet;

Rear: 20 feet; 30 feet where serviced from the rear.

Periphery Boundary: 50'; 100' where adjacent to residential or agricultural district.

The proposed Distillery received zoning and Preliminary Development Plan approval in December of 2023 and February 2024. The applicant is returning for approval of an Amended Development Plan to modify and add vehicle parking and to add a 50' x 105' bottling building and a 30' x 30' boiler building interior to the site in order to add space for a bottling line on property and to approve a phasing plan and preliminary approval of phase 2 buildings.

The proposed building locations for the Distillery and Tasting Room and the Bottling Building and other accessory structures on the Amended Preliminary Development Plan meet the required B-5 building setbacks, with the exception of the new phase 2 Operations Building, which is shown 82' from the property line. There is an existing residence on the property that is proposed to be used as a security/maintenance building. This residence is 43' from the property line and does not meet the required 100' perimeter setback for the B-5 zone. This structure is grandfathered and is considered lawfully non-conforming. A barn in the area of the Phase 2 Operations Building is proposed to be demolished once Distillery construction is complete. The phase 2, 16,000 SF Operation Building will need a setback variance. The existing house/security building will be grandfathered as far as the setback. The new 900 SF boiler Building meets minimum building setback requirements. The footprint of the proposed structures, including the phase 2 buildings will cover approximately 8.4% of the disturbed lot

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area, under the 50% maximum building ground coverage allowed. The Distillery Building is proposed to be 60' tall the maximum height allowed in the B-5 zone.

The applicant is proposing a Distillery operation staffed twenty-four hours a day, seven days a week with maintenance and management personnel. Production at the Distillery will occur six days per week, with two shifts per day operating production. Transportation of equipment, supplies and raw materials into the Distillery and transportation of completed product out of the Distillery site will be done by commercial truck.

The Distillery will require water and sewer service from Georgetown Municipal Water and Sewer. The applicant has indicated that there will be no long-term storage of bourbon barrels or aging of distilled liquids on site. Therefore, no Barrel storage warehouse structures. They are asking for temporary storage of barrels from production for up to 90 days on site, prior to shipping.

The main concerns regarding off-site impacts are related to long term storage of bourbon barrels. Long term storage of aging bourbon has been shown to cause surface staining of structures in the immediate vicinity, due to off-gassing from evaporation of distilled products. Since there will be no long-term bourbon barrel storage, and the site is ¼ mile from the closest residential neighborhood, this should not be a significant issue. The distillation process is regulated by the KY Environmental Cabinet and requires an air quality permit. Traffic impacts and visual impacts can be regulated thru conditions of approval and existing landscape and buffer regulations in the Zoning Ordinance. Adequate Fire protection and utility availability will be conditioned by requiring utility and city fire department sign off on the Final Development Plan. The Final Development Plan must meet the standards and requirements of the Utility providers and Georgetown Fire Department.

Vehicular Access & Pedestrian Circulation:

Driveways & Access: One access point to the Project Site is shown from a public street, Paynes Depot Road. The access road from the Paynes Depot Road intersection to the project site will need to be widened to an acceptable City of Georgetown commercial road standard.

Parking Spaces: The parking requirement metric being used is a combination of one space per two employees and one space per truck for the industrial distillery use and the commercial retail store standard of 1 space per 150 SF of building for the tasting room and event space, for a total of 52 spaces required. The applicant is proposing 77 spaces, including 74 standard spaces, 3 handicap spaces and 3 bus spaces. The applicant is adding a 28-space parking lot near the Distillery Area entrance in the Amended Development Plan for employee parking. Safe sidewalk connection from the employee parking lot to the employment areas should be provided. There is sufficient area on site to meet minimum parking requirements. There is sufficient additional area on the lot for parking expansion if necessary.

Sidewalks: Internally, the Applicant is proposing sidewalks from the parking lot to the tasting room and in a walking path along the perimeter of the site connecting the tasting room, patio and fire pit and event and viewing area. Staff recommends that these sidewalks and walking paths be hard surface and ADA compliant. These sidewalks should be sufficient to provide pedestrian circulation to employment areas and around the public areas of the site.

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

Property Perimeter Requirements; Section 6.12:

• The B-5 zone requires a landscaping buffer between the Project Site and the adjoining agriculturally zoned property. The buffer can be waived with written approval of the adjoining property owner. If not waived, a 6-foot high no climb fence wire fence and a 50' landscape buffer is required with a tree planted every 40' or the protection of an equivalent existing tree line is required within the landscape buffer. The northern boundary is proposed to be buffered by preserving the existing treeline within a 50' landscape buffer. The proposed new parking lot and any driveways shall be installed outside the 50' buffer.

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

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

Interior Landscaping for Vehicle Use Areas; Section 6.22:

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

The Applicant was previously approved for a variance to Section 6.22 to waive of the maximum area in one island that can be counted towards the interior landscape island area requirement. Staff supported granting the variance since the applicants are providing large contiguous areas of landscape island greater than the maximum of 1,500 SF and are providing overall interior islands greatly exceeding what is required.

Section 6.14: Minimum Canopy Requirements

The applicant previously received a waiver to the 24% canopy coverage requirement for the whole 30-acre lot in lieu of providing the canopy for only the disturbed area. Staff supported the variance, since the site is currently pasture and half the site will remain undeveloped. A specie-specific final landscape plan will be required on the Final Development Plan. No plants deemed harmful to livestock shall be allowed in the perimeter buffer area plantings.

<u>Stormwater</u>: 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.

<u>Utilities:</u> The applicant will be responsible for all off-site improvements necessary to bring all utilities and water and sewer to the property, sized for the use proposed. Adequate fire protection shall be provided and Georgetown Fire Department shall approve the Final Development Plan.

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

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

Conclusion:

The Amended Preliminary Development Plan as submitted meets the general requirements and intent of the B-5 District. Planning staff is recommending the following additional items as conditions of approval to mitigate any potential impacts. The applicant should widen the access road to an acceptable City of Georgetown standard from the access at Paynes Depot Road to the project site. In addition, an encroachment permit is required from KYTC for all work in state ROW.

RECOMMENDATION:

Staff recommends approval of the Amended Preliminary Development Plan for Limestone Distillery, with the following previously granted variances and conditions of approval:

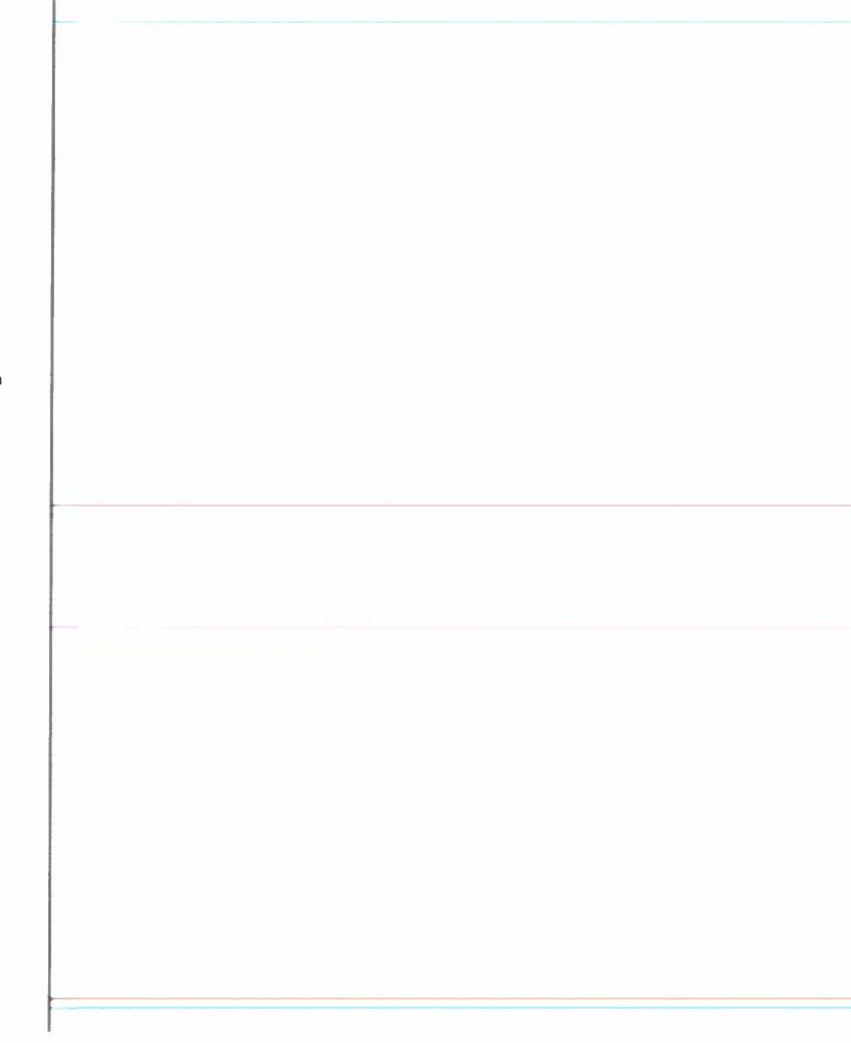
Variances:

1. Approval of reduction of the perimeter setback from 100' to 80' for future Phase 2 Operations Building.

Conditions of Approval:

- 1. All previous approvals of ZMA 2023-55 and PDP 2023-57.
- 2. All onsite and offsite road improvements from the site to the US 62 intersection shall be the responsibility of the applicant. The applicant shall be responsible for improving the existing frontage road from the US 62 entrance to the project site to an acceptable City of Georgetown Industrial/Commercial Road standard.
- 3. The applicant shall comply with all requirements of GMWSS regarding sewer and water availability.
- 4. The applicant shall comply with all requirements of Georgetown Fire Department including but not limited to access for fire protection and hydrant placement.
- 5. A photometric plan shall be submitted along with the Final Development Plan showing no off-site lighting impacts.
- 6. The applicant shall comply with all local, state and federal requirements regarding permitting and operation of the Distillery.
- 7. 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.
- 8. 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.
- 9. All applicable requirements of the Zoning Ordinance and Subdivision & Development Regulations.
- 10. 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

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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.

11. The Preliminary Development Plan approval is valid for two years, subject to the requirements of Article 406, section A, of the *Subdivision and Development Regulations*.

12. A final specie-specific landscape plan shall be provided along with the Final Development Plan.



