

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

AGENDA

October 13, 2022

6:00 p.m.

I. COMMISSION BUSINESS

- A. Approval of September invoices
- B. Approval of September 8, 2022 minutes
- C. Approval of October 13, 2022 agenda
- D. Items for postponement or withdrawal
- E. Consent Agenda

II. OLD BUSINESS

- A. PDP-2022-40 Living Waters Fellowship Addition – Preliminary Development Plan to construct two 3,000 SF buildings (6,000 SF total) for a proposed daycare and driveway located at 172 Gunnell Road.

III. NEW BUSINESS

- A. ZMA-2022-44 D-Crane Development – Zoning Map Amendment to change the zoning district from A-1 and I-1 located west side of Sims Pike north of Cherry Blossom Way in the Georgetown USB.
- B. FSP-2022-45 Mary Ann Ohnheiser Revocable Trust Property – Final Subdivision Plat to subdivide and consolidate two parcels totaling 50 acres into three lots measuring 12.84, 18.4, and 18.6 acres located on Muddy Ford Road.

IV. OTHER BUSINESS

- A. Text Amendment – Distillery Spirits Storage
- B. Text Amendment – RV Campgrounds
- C. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
September 8, 2022**

The regular meeting was held in the Scott County Courthouse on September 8, 2022. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Present also were Commissioners Charlie Mifflin, James Stone, Duwan Garrett, Rhett Shirley, David Vest, Dann Smith, and Director Joe Kane, Planners Matt Summers and Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins. Commissioners Mary Singer and Brad Green were absent.

Motion by Mifflin, second by Smith, to approve the August invoices. Motion carried.

Motion by Shirley, second by Smith, to approve the August 11, 2022 minutes. Motion carried.

Motion by Stone, second by Garrett, to approve the September agenda. Motion carried.

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

Postponements/Withdrawals

Chairman Sulski stated that the application for Living Waters Fellowship Addition (PDP-2022-40) is postponed until the next regularly scheduled meeting.

Consent Agenda

A representative of the Richards Property (FSP-2022-41) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Mifflin, second by Vest, to approve the applications. Motion carried unanimously.

A representative of the Oser Paint Addition (PDP-2022-42) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Vest, second by Garrett, to approve the applications. Motion carried unanimously.

A representative of the Dearing Development (PDP-2022-43) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Garrett, second by Vest, to approve the applications. Motion carried unanimously.

Steve Baker, Midwest Engineering, stated he will take the conditions of approval for the Oser Paint Addition and Dearing Development to the applicants for their signature.

Presentation on Buffers adjoining Agricultural Lands by Scott County Soil and Water Conservation District

Mr. Kane stated that Keith Tingle, Chairman of the Scott County Soil and Water Conservation District, and Debbie Osborne, Secretary of the Scott County Soil and Water Conservation District, will give a presentation.

Mr. Tingle stated they are trying to protect the farmers and the people who are buying homes in the county. He stated that the Scott County Soil and Water Conservation District has been in existence since 1941. He stated they are authorized by the state and sponsored by Fiscal Court.

He stated because of the growth, more farmlands will be lost into the Urban Service Bounday.

He stated farmers have concerns about the future of farming in the county and the lack of ordinances to protect farms adjacent to development.

He stated farmers have concerns about fencing and new developments. He stated they are recommending a non-climbing 6' high fence to be constructed and paid for by the developer.

He stated they are recommending an additional 50' setback from the farm property line on the residentially zoned property side to protect residents and farmers.

He stated they are recommending planting of non-toxic plants in the boundary area.

Chairman Sulski stated that Brad Green has joined the meeting.

Mr. Kane stated that the Commission had concern before about the 50' setback and double fences. He suggested calculating the space lost due to a buffer and giving it as a density bonus to the developer for the number of lots lost to offset the cost.

He suggested having the HOA take over care of the buffer area. He also suggested using the 50' foot area as an easement.

He stated encouraging native species plantings is already part of the ordinance. He suggested maybe it needs to be addressed more at the final development plan stage.

After further discussion, **Motion by Mifflin, second by Sulski, to recommend appointing three Planning Commission members to work with the Soil Conservations Board and Fiscal Court to meet and discuss buffer regulations.**

Mr. Kane stated that Mayor Tom Prather is to receive the Legacy Award at the Celebration of the Bluegrass sponsored by Bluegrass Tomorrow on Thursday October 6th. He stated the Planning Commission would like to sponsor an 8 guest table at the event.

Motion by Smith, second by Green, to approve buying a gold table sponsorship at the Bluegrass Tomorrow event to celebrate Mayor Prather.

Chairman Sulski adjourned the meeting.

Attest:

Mark Sulski, Chairman

Charlie Perkins, Secretary

**LIVING WATERS FELLOWSHIP ADDITION
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission
October 13, 2022**

FILE NUMBER: PDP-2022-40

PROPOSAL: Preliminary Development Plan to construct two connected 3,000 SF buildings (6,000 SF total) for a proposed daycare and driveway

LOCATION: 172 Gunnell Pike

APPLICANT: Rev. Darryl Gaunce
Living Waters Fellowship

ENGINEER: Jeff Garrison & Frank Culberson,
Thoroughbred Engineering



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Proposed Use	Daycare with driveway
Site Acreage	5.6 acres
Building Area	17,117 SF total (10,248 SF existing church, 929 SF existing accessory structures, and 3,000 SF (x2) proposed daycare building)
Building Coverage	7.04%
Max Building Coverage	20%
Parking Required	50 spaces
Parking Provided	50 spaces
Access	Gunnell Pike
Variances/Waivers	(1) Reduce ILA landscaping from 10% to 4.8% (2) Reduce tree canopy coverage from 13% to 5.38% (3) Waiver for gravel parking lot/storage area (4) Waiver for VUA perimeter landscaping around 3,996 SF drop off path

BACKGROUND:

The application before the Planning Commission is a Preliminary Development Plan to construct two connected 3,000 SF buildings (6,000 SF total) for a daycare, 3,996 SF drop off path, 3,000 SF outdoor playground area. The Project Site is near the intersection of Gunnell Pike and Cynthiana Road. The operations of the daycare program were approved as Conditional Use Permits in late 2021 and early 2022 (ref. S-2021-34 and S-2022-16).

	S-2021-34	S-2022-16
Request, per the Applicant	"We are looking to use our facilities as a childcare center in addition to its current function"	"Adding a new building for daycare + school adjacent to the church building"
Hours of Operation	7am-6pm	7am-6pm
Children Enrollment	15-20	15-20
		24 currently enrolled 80 max in new building
Employee Count	3-5	5 currently hired, 8 max in new building

The first application was approved by the Scott County BOA in October 2021. Due to the number of students and employees, Staff calculated 25 one-way trips for the morning (7am-9am) and 25 one-way trips for the evening (4pm-6pm) peak hour windows. Questions on parking, traffic, and how the children would be prevented from crossing into nearby working farms were raised by neighboring property owners. For children safety, Staff included a condition of approval that the site have a fenced in area outside be constructed prior to start of operations.

The second application was approved by the Scott County BOA in April 2022. The traffic counts remained the same as the enrollment values did not change. The conditions were identical to those of the previous application, with an additional condition of approval that requires the filing of a Preliminary and Final Development Plan with the Planning Commission office.

Staff believes that it is reasonable that the Planning Commission Board consider ordering the Applicant submit an Administrative Review of the CUP application. If the Planning Commission Board feels that it can decide on the development plan prior to BOA review, a motion may be made to approve or deny the application with a condition that the BOA hearing be scheduled within a certain timeframe. If the Planning Commission Board feels that it cannot decide on the development plan prior to BOA review, a motion may be made to postpone or continue the hearing for the development application until after the BOA hearing and require that it be scheduled within a certain timeframe.

PLAN REVIEW:**Setbacks and Building Standards:**

A-1 zoning setbacks are 50' from all property lines. The existing building and sheds follow the setback requirements. None of the existing structures are proposed to be relocated. The footprint of the existing structures covers 11,177 SF. The total proposed footprint will add 6,000 SF to the site, for a total site coverage of 17,177 SF, or 7.04% of the total lot area. Proposed building height is below the maximum for the zoning district and will be 13.5 feet at the highest peak.

Vehicular Access & Pedestrian Circulation:

Driveways & Access: The Applicant is proposing no new entrances. A drop off path measuring 3,996 SF and 12.5 feet in width is proposed to serve the new structure will be added to the west side of the existing parking lot.

Parking Spaces: The proposed building will share and utilize the existing parking lot on site without expansion. There are fifty (50) parking spaces, which meets the minimum parking requirements for a worship space (1 space for every 3 seats in the main assembly area). The main assembly capacity is not changing as part of this development. Due to the differing days and hours of operation between the daycare program and congregational services, staff feels it reasonable to not require additional parking as part of this development plan.

Gravel Parking Lot Storage Area:

There is an approximately 7,700 SF gravel parking lot/storage with a church van and school bus parked on it. The lot is labelled on the plat as "existing gravel storage area". The lot was installed without a development plan on the site sometime between initial construction and now. Staff is unaware of a reason why outdoor storage area would be necessary for the operations of a church or daycare and interprets the area as a parking lot.

A development plan may request a waiver to include the installation of a gravel lot on a site. Requests are typically associated secondarily with an industrial or commercial use and on properties that are storing large equipment or truck trailer areas. Staff cautions against widescale installation of gravel lots for multiple reasons. Gravel lots easily fall into disrepair from long-term use and are prone to potholes and uneven surfaces. Stones migrate into roads and damage crops and plantings. Regular driving kicks up stones, dust, and debris which is a nuisance to adjoining properties and individuals using the lot.

In spite of concerns about long-term use of a gravel lot for parking, Staff is agreeable to it remaining on the property as long as it is maintained properly. It would have limited use as the Applicant has previously expressed that its function is for overflow parking and vehicle storage. It fits with the agricultural character. If the Planning Commission motions to approve its ongoing presence on the site, Staff requires that it adhere to all regulations related to parking lots, including but not limited to landscaping requirements, parking space size, and drive aisle standards.

Land Use Buffers and Landscaping:

Landscaping Requirements Purpose(s):

Plantings are required per the *Landscape and Land Use Buffers Ordinance* for the benefit of the landowner and surrounding properties. Plantings improve the appearance of VUAs, protect, promote, and preserve the aesthetic appeal, character, and value of the community, and reduce the negative impacts of sound and light associated with vehicular use on a property.

Property Perimeter Landscaping: Not required as adjoining agricultural properties.

VUA Perimeter Landscaping: Staff finds that the landscape plan for VUA Perimeter is non-compliant.

Standards: For VUA areas adjoining public or private street ROW or access road and/or those VUAs which face adjoining properties, a 5-foot-wide buffer area is required and must contain a 3-foot average height continuous planting, hedge, fence, or wall and 1 tree (either Group A or B) per 40-feet of linear boundary OFT.

Proposed Drop-Off Lane: On the submitted plat, there is a waiver requested for the property perimeter landscaping along the proposed 3,996 SF drop off path. Due to the location on the site, Staff determines that property perimeter landscaping is not required and that the requested waiver is null.

Existing Parking Lot VUAs: Current standards require a continuous planting of hedges and there is a gap in the hedge line along the south side of the existing parking lot that will need to be replaced.

Gravel Storage Area: As stated above, Staff interprets the gravel storage area as a parking lot. The VUA as sized would require VUA perimeter landscaping of 1 tree per 40 LF and a 3-foot hedge would be required around the VUA parallel to the Gunnell Pike frontage and abutting neighboring property to the north. Staff recommends against any request for VUA perimeter plantings to be waived, citing the benefits of plantings listed previously.

The plat submitted shows multiple utility lines along Gunnell Road, located beneath the gravel lot. If the gravel lot was constructed as per current regulations and procedures, the conflict between the lines and the gravel lot would not have been approved. In order to mediate this conflict with the utility easements and allow for the required VUA perimeter plantings, the gravel lot will need to be moved. Staff is against any request to waive the VUA perimeter landscaping based on this justification.

Interior Landscape Areas (ILAs): Staff finds that the landscape plan for ILAs is non-compliant.

Standards: For VUA greater than 6,000 SF plat requires ILAs equivalent of 10% of the VUA area, and that 1 tree be planted per 250 SF of interior island area.

Existing Parking Lot ILAs: Since the 2006 plan, 661 SF of ILA islands and 11 trees have been removed, equivalent to 30% of the total minimum island area required and 61% of the minimum trees required at the time of development (current regulation equivalent is 22% deficit on trees). The current application fails to include new plantings to replace these lost trees and areas, nor addresses the additional need for ILAs in the gravel parking area.

The Applicant has requested a variance to the parking lot landscaping requirements from 10% to 4.8%. In a previous meeting scheduled August 11, 2022, the Applicant testified as to circumstances that resulted in the islands and trees being removed. The Applicant stated that islands and trees make the site inaccessible for those who are mobility impaired, create additional work for church staff as they must clean up after and maintain the trees, that trees are often hit by drivers, and that the subsequent site grading of the parking lot has resulted in tree death from water runoff.

No documents were filed with the Planning Commission office to request the removals, nor were amended landscape plans prepared to address the deficits created. Staff does not endorse or support the action to remove site features without an amended plan being filed with the Planning Commission office.

All developments in the county are subject to the same regulations. Longstanding developments and sites have been able to mitigate the same issues as stated by the Applicant without the removal of offending features. If the plants within an island die or the island fall into disrepair, they must be replaced and repaired, not removed outright. If there are issues with island placement that impact the quality of life on site, it is the responsibility of the Applicant to arrange an appropriate alternative that adheres to local regulations.

The parking lot shows no improvements as part of this development plan and would therefore have to adhere to the 2006 landscape plan. Staff is agreeable to the Applicant proposing alternative locations for the deficits in ILA trees and required SF.

Gravel Storage Area: The uses on the gravel storage area are for parking of church vehicles. The size of the VUA is greater than 6,000 SF (measured at 7,700 SF) and per regulations is required to install ILA islands and trees. However, if the Planning Commission grants a variance to allow for gravel surface on the parking lot, it is recommended that a waiver be granted to the interior VUA landscaping. This waiver is not applicable to the VUA perimeter landscaping for the gravel lot or the ILA requirements for the paved lot.

Tree Canopy Requirements: Staff finds that the landscape plan for tree canopy is compliant.

Existing Site: At the time of the 2006 plan, there was no requirement for total tree canopy area for development. Since then, an ordinance has passed requiring between 10% and 15% of total site tree coverage, dependent on the percent of preserved tree canopy area. Based off of the preserved trees on the north of the property and the few remaining trees from the 2006 plan, Staff calculates the current tree canopy coverage to be 13,137 SF, or 5.38% of total site area.

The Applicant has requested a variance to the tree canopy from 13% to 5.38%. Staff does not support this variance request, citing the benefits of plantings stated at the beginning of this section.

	Existing - Total Site	Staff Recommendation - Adjusted Site
Acreage	5.6	3.5
Current Canopy (SF)	13,137 SF	13,137 SF
Current Coverage (%)	5.38%	8.6%
Applicable Standard - Minimum Total Coverage (%)	13%	11%
Applicable Standard - Minimum Total Canopy (SF)	31,712 SF	16,771 SF
Add'l Coverage Needed (%)	7.62%	2.40%
Add'l Canopy Needed (SF)	18,575 SF	3,659 SF

At the August 11, 2022 Planning Commission meeting, Staff proposed an alternative approach to calculating the percent of tree canopy needed for the site. The alternative is to base the percent required upon the portion of the property which is being altered, or in this instance 3.5 acres of the total 5.6 acre lot. This results in a current tree canopy percentage of 8.6%. In this instance, 11% site coverage must be attained, resulting in the additional planting of 3,659 SF of tree canopy, or 2.4% total site area.

The most recent version of the plan proposes five large trees to be planted south of the existing parking lot. When applying the adjusted site area of 3.5 acres, the minimum requirement has been satisfied, nullifying the need for the variance.

RECOMMENDATION:

Staff recommends **Approval** of the Preliminary Development Plan for to construct two connected 3,000 SF buildings (6,000 SF total) for a proposed daycare and driveway with the following waiver(s)/variance(s) and conditions of approval:

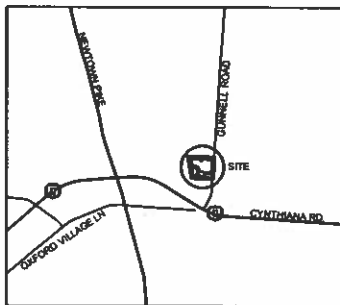
Waiver

1. Waiver for gravel parking lot/storage area
2. **If gravel parking lot/storage area is approved:** Waiver to the ILA, but not to the VUA perimeter, requirements for the gravel parking lot/storage area. Waiver/variances to VUA or ILA not applicable to the paved parking lot.

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.
6. The Final Development Plan shall have a specie specific Landscaping Plan in compliance with the *Landscaping & Land Use Buffers Ordinance*.
7. The Applicant shall replace the 661 SF of ILA and must locate within the existing paved parking lot in accordance with all regulations.
8. The Applicant shall satisfy all requirements set forth by the Scott County Fire Department.



VICINITY MAP
SCALE: 1" = 2000'

- LEGEND**
- PROP. WATER VALVE
 - PROP. FIRE HYDRANT
 - EX. UTILITY POLE
 - EX. OVERHEAD ELECTRIC
 - EX. FIBER OPTIC
 - EX. FIBER OPTIC BOX
 - EX. WATER LINE
 - EX. WATER METER
 - PROP. MAJOR CONTOUR
 - PROP. MINOR CONTOUR
 - EX. MAJOR CONTOUR
 - EX. MINOR CONTOUR

REQUESTED VARIANCES

- PARKING LOT LANDSCAPING: TO REDUCE THE PARKING INTERIOR LANDSCAPING FROM 10% TO 4.8%.

DESIGN ENGINEER

THOROUGHbred ENGINEERING
CONTACT: FRED EASTRIDGE, P.E.
P.O. BOX 481
LEXINGTON, KY 40588
PHONE: 859-785-0383

SITE DATA

PROPERTY INFORMATION:

PARCEL NUMBER: 206-20-023.000
STREET ADDRESS: 172 GUNNELL ROAD, GEORGETOWN, KY 40324
DEED BOOK: D.B. 377, PG. 163
PLAT REFERENCE: CAB. 11, SL. 285
LOT SIZE: 5.6 ACRES (243,936 SQ FT)

OWNER/DEVELOPER:

CHURCH OF GOD MOUNTAIN ASSEMBLY
LIVING WATER FELLOWSHIP TRUSTEES
172 GUNNELL RD
GEORGETOWN, KY 40324

PROJECT INFORMATION:

EXISTING SQUARE FOOTAGE: CHURCH: 11,248 SQ. FT.
ACCESSORY BLDGS. + 928.88 SQ. FT.
TOTAL: 11,101.88 SQ. FT.

EXISTING BUILDING LOT COVERAGE: 11,101.88 SQ. FT. / 243,936 SQ. FT. = 0.0455 (4.55%)
PROPOSED USE: PROPOSED DAYCARE WITH DRIVEWAY
PROPOSED BUILDING HEIGHT: 1 STORY @ 19' 2" TALL
PROPOSED SQUARE FOOTAGE: 6,000 SQ. FT. (3,000 SQ. FT. FOR EACH BUILDING)
3,000 SQ. FT. (PLAYGROUND AREA)
PROPOSED BUILDING LOT COVERAGE: 9,000 S.F. / 243,936 S.F. = 0.0369 (3.69%)
TOTAL LOT COVERAGE: 4.55% (EXISTING) + 3.69% (PROPOSED) = 8.24%

ZONING INFORMATION:

ZONING CLASSIFICATION: A-1 (AGRICULTURAL)
BUILDING SETBACKS:
TOTAL: 50'
SIDE: 50'
SIDE: 50'

PARKING INFORMATION:

PARKING REQUIREMENT (PLACE OF PUBLIC ASSEMBLY): ONE PARKING SPACE FOR EVERY THREE PERSONS BASED ON MAXIMUM CAPACITY
PARKING REQUIRED (PLACE OF PUBLIC ASSEMBLY): 150 SEATS/3 = 50 SPACES
ADA PARKING REQUIREMENT: ONE SPACE PER ONE TO 25 PARKING SPACES
PARKING PROVIDED (PLACE OF PUBLIC ASSEMBLY): 51 SPACES (49 STANDARD SPACES, 2 ADA SPACES)

LANDSCAPE DATA:

EXISTING V.U.A. (PARKING LOT): 23,285.43 SQ. FT.
PROPOSED V.U.A. (DRIVEWAY): 3,986.40 SQ. FT.
TOTAL V.U.A.: 27,281.93 SQ. FT.
EXISTING INTERIOR LANDSCAPE AREA: 1,874.39 SQ. FT.
PROPOSED INTERIOR LANDSCAPE AREA: 1,312.45 SQ. FT.
REQUIRED INTERIOR TREES: 1 TREE / 250 S.F. = 7 TREES
PROPOSED INTERIOR TREES: 7 TREES

TREE CANOPY:

SITE AREA: 152,460 S.F. (3.5 ACRES)
EX. TREE COVERAGE: 13,142 S.F. (8.62%)
TREE CANOPY REQUIRED: 16,771 S.F. (11%)
COVERAGE DEFICIT: 3,629 S.F. (2.38%)
EQUIVALENT ADDITIONAL TREES REQUIRED: (3,629 S.F.) (5 LARGE TREES)

FLOOD INFORMATION:

BASED ON AN INSPECTION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S INTERNET MAP SERVICE CENTER SITE, THE PROPERTY LIES WITHIN THE ZONE "X" AND NOT IN THE 100 YEAR FLOOD PLAIN. MAP: #21209C01500, EFFECTIVE DATE: DECEMBER 21, 2017

PURPOSE OF THIS AMENDED DEVELOPMENT PLAN:

THE PURPOSE OF THIS AMENDED PRELIMINARY DEVELOPMENT PLAN IS TO ADD A 6,000 S.F. BUILDING FOR A CHILD DAYCARE AND SCHOOL.

NOTE:

THE CHILD DAYCARE AND SCHOOL WILL SHARE THE EXISTING PARKING CURRENTLY SHOWN. THE HOURS OF OPERATION FOR THE DAYCARE SHALL BE MONDAY-FRIDAY. THE CHURCH OPERATES IN THE EVENINGS AND ON SUNDAYS.

GENERAL NOTES

- NO GRADING, STRIPPING, EXCAVATION, FILLING OR OTHER DISTURBANCE OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO APPROVAL OF AN EROSION CONTROL PLAN.
- NO BUILDING PERMITS SHALL BE ISSUED UNLESS AND UNTIL A FINAL DEVELOPMENT PLAN IS APPROVED BY THE PLANNING COMMISSION.
- THE DEVELOPMENT PLAN SHALL MEET THE CURRENT STORMWATER CONTROL AND WATER QUALITY CONTROL REGULATIONS.
- THE EXISTING POND SHALL BE USED FOR WATER QUALITY CONTROL.
- THE PARKING LOT AND LANDSCAPING IS SHOWN AS PER PREVIOUS APPROVED DEVELOPMENT PLAN.

CONDITIONAL USE PERMITS

- S-2021-34 CUP FOR DAYCARE OPERATIONS IN EXISTING WORSHIP SPACE.
- S-2022-16 AMENDED CUP TO EXPAND OPERATIONS TO THE NEW STRUCTURE.

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 NOTED OTHERWISE.

OWNER OR OWNERS _____ DATE _____

COMMISSION'S CERTIFICATION

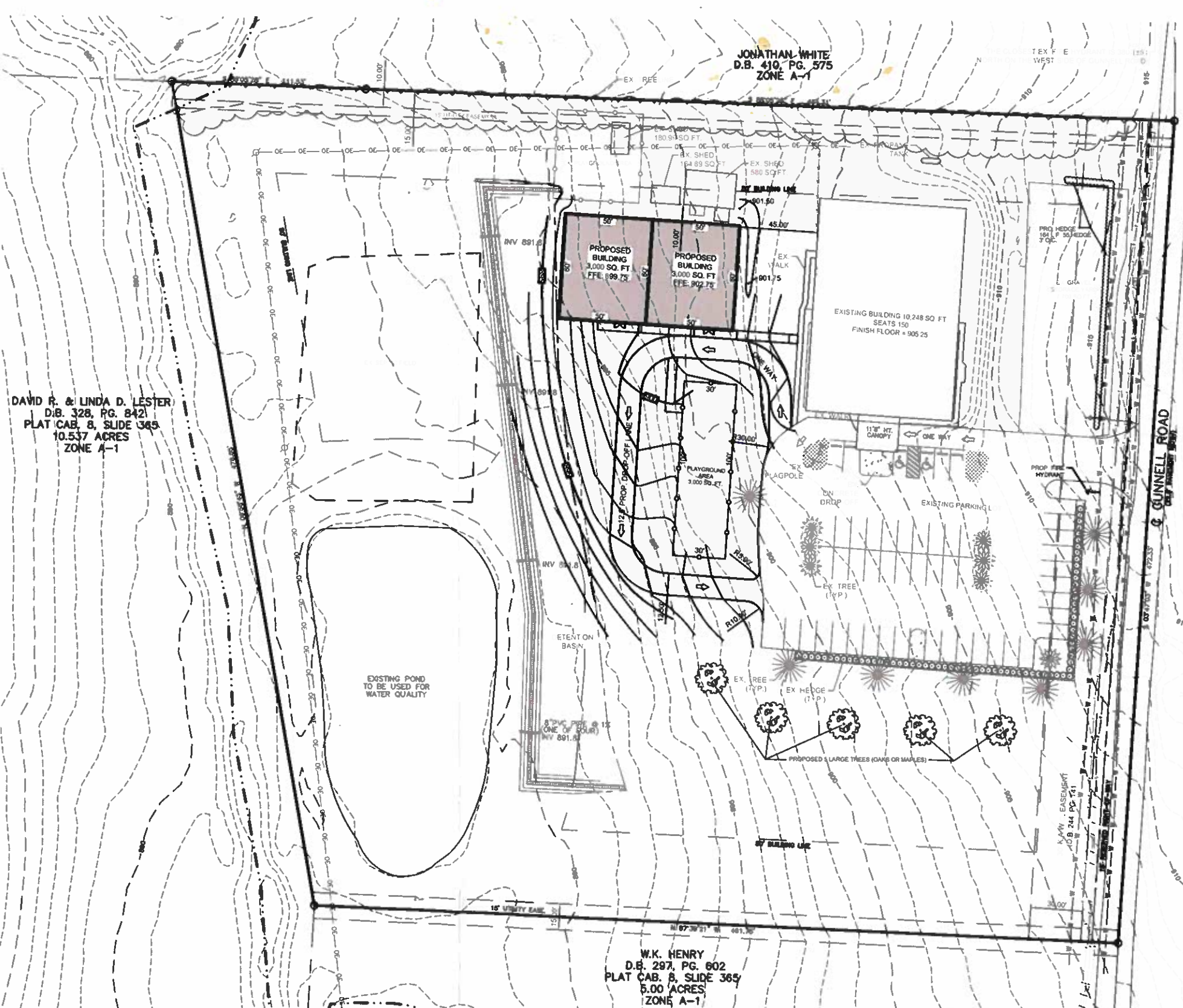
I HEREBY CERTIFY THAT THE PRELIMINARY DEVELOPMENT PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL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

CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COMM. _____ DATE _____

DAVID R. & LINDA D. LESTER
D.B. 328, PG. 842
PLAT CAB. 8, SLIDE 345
10.537 ACRES
ZONE A-1

W.K. HENRY
D.B. 297, PG. 602
PLAT CAB. 8, SLIDE 365
5.00 ACRES
ZONE A-1

JONATHAN WHITE
D.B. 410, PG. 575
ZONE A-1

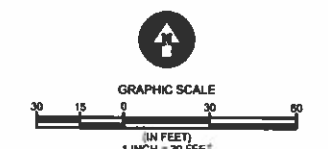


P.O. BOX 481 LEXINGTON, KY 40588
(859) 785-0383
CIVIL DESIGN, LAND SURVEYING,
GEOTECHNICAL ENGINEERING, DRILLING SERVICES,
IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
CM-CEI-CONSTRUCTION SERVICES

THOROUGHbred
DESIGN | ENGINEER | CONSTRUCTOR

**AMENDED
PRELIMINARY DEVELOPMENT PLAN
LIVING WATERS FELLOWSHIP**
172 GUNNELL ROAD, GEORGETOWN, SCOTT COUNTY, KY 40324

PROJECT NO	220252	Drawn by	POC
DATE	07-01-2022	REVIEWED BY	FRE
ISSUED FOR REVIEW			
REVISION	DATE		
LANDSCAPING	08/15/2022		



D-CRANE DEVELOPMENT ZONING MAP AMENDMENT

Staff Report to the Georgetown-Scott County Planning Commission OCTOBER 13, 2022

FILE NUMBER: ZMA-2022-44

PROPOSAL: Zoning Map Amendment to change the zoning district from A-1 and I-1.

LOCATION: West Side of Sims Pike north of Cherry Blossom Way in the Georgetown USB

APPLICANT: Rob Domaschko

CONTACT: Steve Baker, Midwest Engineering



STATISTICS:

Current Zone	A-1 (Agricultural)
Proposed Zone	I-1 (Light Industrial)
Surrounding Zone(s)	A-1
Site Acreage	10 acres
Access	Sims Pike

BACKGROUND:

The Project Site is a 10-acre parcel, recently subdivided from a larger farm on Sims Pike approximately ½ mile north of Cherry Blossom Way and within the Georgetown Urban Service Boundary (USB). The property is abutting Georgetown City Limits on the southwest. Access is from Sims Road, a county-maintained roadway, with approximately 18-foot pavement width.

Land Use policies in the adopted Comprehensive Plan recommend all new urban scale development be annexed into the relevant municipality when the site is inside the USB and adjoining city limits. There are utilities available to the area. Georgetown Sewer Plant #2 is within 2 miles of the property, but there is currently no sewer service available in the area. There is an underground high-voltage electric line along

Sims Road running from the methane-fueled generator at the Central Kentucky Landfill on Double Culvert Road to the Toyota plant.

The surrounding area is a mixture of land uses including rural-residential, lawfully non-conforming industrial and agricultural uses.

Concept Plan Review:

The Concept Plan provided shows a single entrance serving an employee parking and storage lot and a proposed 10,000 square foot pre-engineered metal building. If the zone change is approved a Preliminary and Final Development Plan will be required to be approved for the site prior to construction.

The site layout appears to be acceptable, but will be reviewed in more detail at the Preliminary Development Plan stage, if the zone change is approved. It was noted at the Technical Review Committee meeting, that the entrance may require tree/vegetation removal along the road, to allow for adequate site distance.

LEGAL CONSIDERATIONS:

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

Section 100.213 Findings necessary for proposed map amendment - Reconsideration.

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

- a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;*
- b. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.*

Part 1: In analyzing whether the Comprehensive Plan supports the Zoning Map Amendment, staff looks primarily at the Future Land Use Map and the adopted Goals & Objectives of the plan for guidance. The Comprehensive Plan's Future Land Use (FLU) Map shows the subject property having a Light-Industrial designation. This designation supports the proposed expansion of the lot with a Light-Industrial use.

While the Future Land Use Map's designation is an important factor, it is also important to ensure that the proposed Zoning Map Amendment will fit in with the character of the surrounding area. Any zone changes or development of property in this area should follow growth and land use policies of the Comprehensive Plan and have adequate infrastructure in place or planned for construction, to support the use proposed. Other Goals and Objectives of the Comprehensive Plan that are supportive of the rezoning include the following:

Objective CF 1.1 calls for management of the Urban Service Boundary (USB) and City Annexation to maximize the efficiency of city transportation and services. The Project Site is within the USB and planned for Light Industrial use. Staff does recommend eventual annexation of the project site prior to development.

Objective EG 4.2 Retain adequate acreage and locations for industrial development. This objective would be met by moving this property towards a shovel ready position as land available for industrial use, in line with the long-term plan for area.

Based on the analysis above, staff finds that this application is in agreement with the Comprehensive Plan, Future Land Use Map, but the area lacks the infrastructure to support large scale industrial uses. Specifically, the existing road that provides access to the site Sims Pike, currently does not meet the minimum width and design specifications for an industrial road. The subdivision regulations require that new Industrial roads be 24' minimum pavement width with minimum 2' shoulders or 28' curb and gutter section.

The site is in an area that is planned for future industrial growth, but the sewer infrastructure is insufficient and the road is not designed for heavy truck traffic. It is recommended that a plan for the widening of Sims Road and a plan for the extension of public sewer into this area be in place prior to large scale industrial rezoning of property in this area.

FINDINGS:

1. The Zoning Map Amendment meets the findings necessary described in KRS 100.213. The site does not currently meet the sufficiency of infrastructure standard, Section 165 of the Subdivision and Development Regulations which states, "The Planning Commission may deny approval of any proposed development for which infrastructure sufficient to serve the needs generated by the proposed development is neither available nor planned to be constructed as part of the proposal or as part of the capital improvement plan of the providing agency."

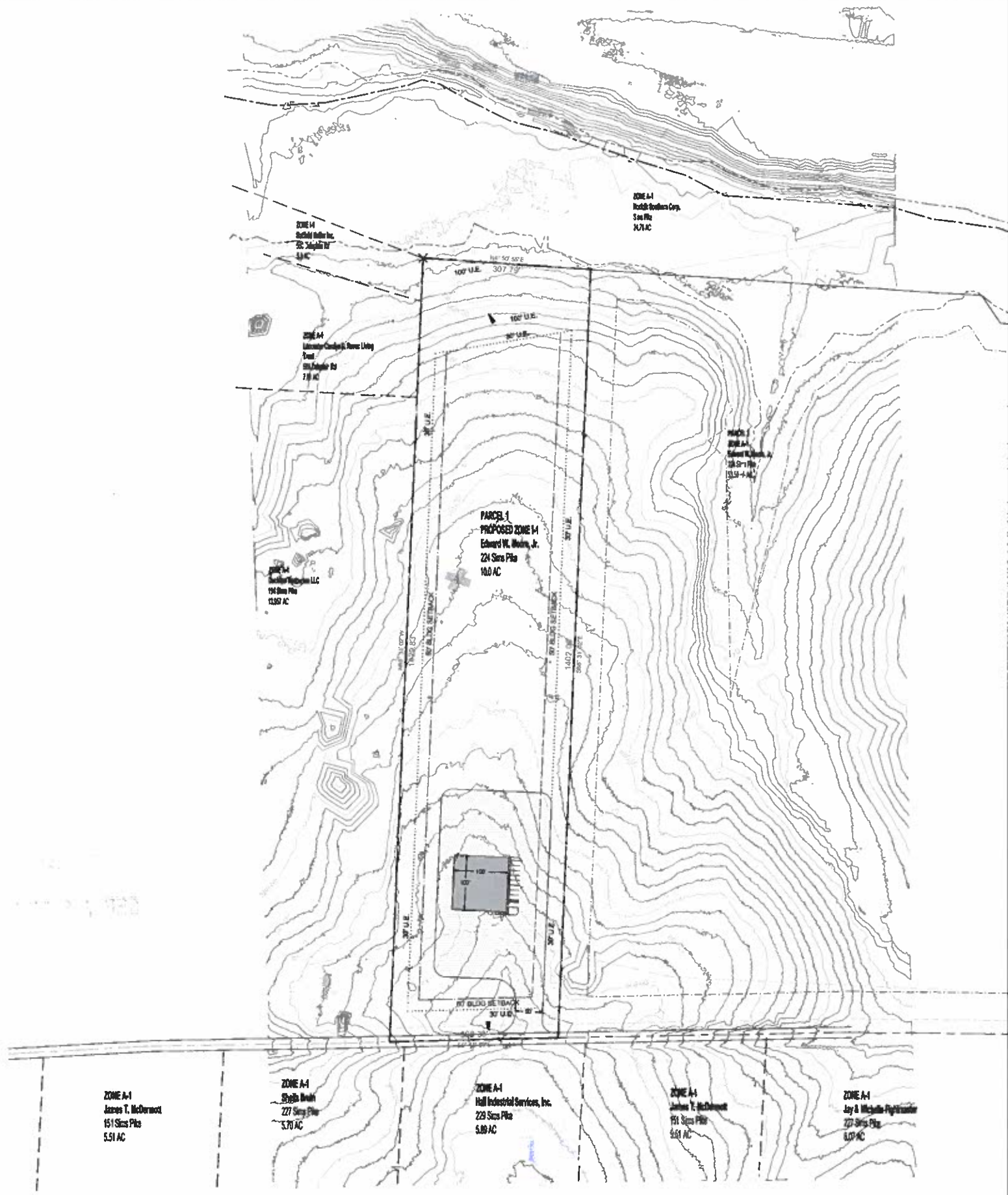
RECOMMENDATION:

Based on the findings above, staff recommends the Planning Commission recommend **Denial** of the application to Georgetown City Council. Should the Planning Commission recommend Approval, staff suggests adding the following conditions of approval.

Conditions of Approval:

1. All applicable requirements of the *Zoning Ordinance and Subdivision & Development Regulations*.
2. The Applicant shall agree to be annexed into the City of Georgetown, concurrent with the zone change approval.
3. The Applicant shall agree to participate in the upgrade of Sims Road to Industrial Road standards from the project entrance to Cherry Blossom Way. An agreement establishing the proportional share of the cost to be borne by the applicant shall be completed prior to Final Development Plan approval.

C:\Users\jmc\Documents\Projects\2219 D Crane Development\Geoplotter_VTC\A02219_Sheet 1 - 22.mxd

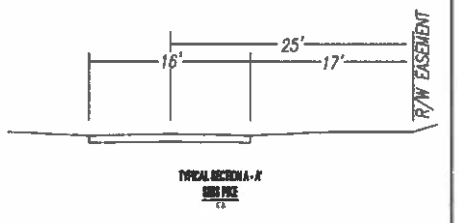


PURPOSE

1. THE PURPOSE OF THIS PLAN AND ASSOCIATED ZONE CHANGE IS TO FACILITATE THE "D CRANE DEVELOPMENT". THE PROJECT INCLUDES THE CONSTRUCTION OF A 10,000 SF PRE-ENGINEERED METAL BUILDING AND ASSOCIATED PARKING AND ACCESS PAVEMENT TO BE UTILIZED BY D. CRANE RENTAL SERVICE.



VICINITY MAP
N.T.S.



	EXISTING	PROPOSED	
		PARCEL 1	PARCEL 2
ZONE	A-1	M	A-1
AREA	63.5 (+/-) AC	10.00 AC	53.5 (+/-) AC
TOTAL BUILDING AREA (SF)	0	10,000 SF	
LOT COVERAGE	0	2.3%	
TOTAL PARKING PROVIDED	0	8	
HANDICAP PARKING PROV.	0	1	
VEHICULAR USE AREA (V.U.A.)	0	64,500 SF	

PROPERTY OWNER
224 SIMS PIKE, GEORGETOWN, KY 40324
EDWARD W. MOORE, JR.
158 NEWTOWN PIKE
GEORGETOWN, KY 40324

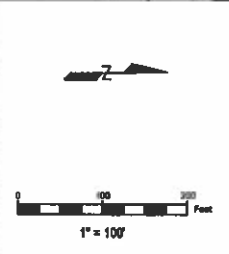
SOURCE OF TITLE
DB / PAGE 382 / 587
CABINET / SLIDE

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.
6. GROUNDWATER RECHARGE STORM WATER QUALITY, AND DETENTION WILL BE ADDRESSED AT THE FINAL DEVELOPMENT STAGE.



D CRANE DEVELOPMENT
224 SIMS PIKE
GEORGETOWN, KY 40324
CONCEPTUAL SITE LAYOUT PLAN



**MARY ANN OHNHEISER REVOCABLE TRUST PROPERTY
FINAL SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission
October 13, 2022**

FILE NUMBER: FSP-2022-45

PROPOSAL: Final Subdivision Plat to subdivide and consolidate two parcels totaling 50 acres into three lots measuring 12.84, 18.4, and 18.6 acres

LOCATION: Muddy Ford Road (Parcels # 205-20-001.000 & 205-20-003.001)

OWNER: Mary Ann Ohnheiser

CONSULTANT: Kevin Endris Endris Engineering



STATISTICS:

Zone	A-1 (Agricultural)
Surrounding Zone(s)	A-1
Proposed Lot Acreage	50 ac (Total); Lot #1: 12.84 ac, Lot #2: 18.44, Lot #3/Remainder: 18.63 ac
Access	Muddy Ford Road (KY-922)
Variiances/Waivers	None

BACKGROUND:

The application before the Planning Commission is a Final Subdivision Plat to consolidate and subdivide two parcels totaling 50 acres into three lots. The Project Site was previously subdivided in 2005.

Plat Review:

The proposed plat shows the appropriate setbacks and the proposed lot meets the lot size and width requirements. The plat shows all appropriate certifications from utility providers.

Access:

Muddy Ford Road is a state managed route and requires KYTC District #7 approval. The lots are proposed to share an entrance through Lot #1, approximately 90 feet from the south property line. The location will be approximately 360 feet from the nearest existing entrance to the south.

Staff cautions against approving the entrance at this location as it is the lowest point of the curve and that there are heavy pockets of vegetation and a thick wood plank fence which reduce the visibility for passing motorists and property owners.

The Applicant has removed some of the undergrowth which has resulted in improved visibility to the north. However, given that the road approaching to the south has a steeper slope and faster downhill speeds, Staff does not believe that the visibility to the south has improved. Even though the sight distance has improved with the vegetation removal, Staff does not recommend approval without additional safety measures for motorists and property owners. There is an existing fence that could be moved or replaced with one that allows for greater visibility (ie. woven wire) and further vegetation that could be removed.

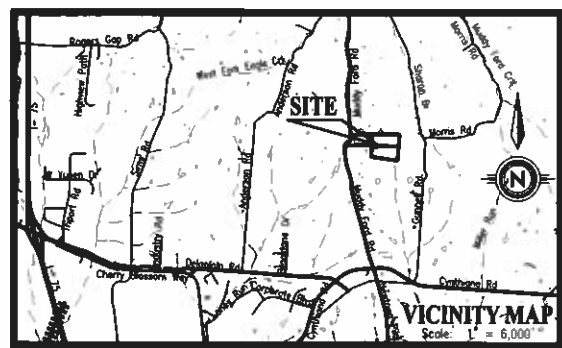
Staff recommends moving the entrance location approximately 50 feet to the north, or about 140 feet from the south property line. At this location there is a slight rise and straightening in the road. This placement would address the issues with visibility to the south and would slightly reduce visibility to the north; but given that traffic would be expected to be slower due to uphill slopes would prove to be a safer alternative.

RECOMMENDATION:

Staff recommends **Approval** of the Final Subdivision Plat. If the Planning Commission approves 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*.
5. The Applicant must apply for a KYTC permit to change the location of the entrance.



CERTIFICATION OF GIS DEPARTMENT APPROVAL

I hereby certify that the development plan or subdivision plot shown has been reviewed and found to comply with the digital submittal requirements set forth in the Subdivision and Development Regulations.

GIS Analyst/Technician, Georgetown-Scott County Planning Commission

SITE STATISTICS

TOTAL AREA: 50.3349 Acres 2,192,587.5 Sq Feet
 ZONING: AGRICULTURAL (A-1)
 NO. OF LOTS: 2 (BEFORE), 3 (AFTER)

Parcel 1:	4.3012 Acres	187,359.0 Sq Feet
Parcel 2:	8.2755 Acres	360,481.8 Sq Feet
Parcel 3:	0.2695 Acres	11,737.3 Sq Feet
LOT 1:	12.8461 Acres	559,578.1 Sq Feet
Parcel 4:	0.3911 Acres	17,037.2 Sq Feet
Parcel 5:	18.0483 Acres	786,184.6 Sq Feet
LOT 2:	18.4394 Acres	803,221.8 Sq Feet
Parcel 6:	18.6328 Acres	811,644.6 Sq Feet
LOT 3:	18.6328 Acres	811,644.6 Sq Feet

R/W Dedication to Muddy Ford Road: 0.4165 Acre 18,142.9 Sq Feet



PROPERTY LINE TABLE

LINE BEARINGS	DISTANCE
L1 N 10°21'18" E	25.77'
L2 N 21°49'41" E	54.22'
L3 N 32°18'35" E	60.24'
L4 N 37°04'18" E	49.25'
L5 N 48°22'34" E	37.21'
L6 N 66°36'07" E	47.75'
L7 N 76°11'50" E	46.76'
L8 N 65°38'14" E	45.17'
L9 N 45°57'37" E	52.19'
L10 N 28°49'30" E	53.31'
L11 N 15°02'32" E	57.36'
L12 N 02°32'14" E	73.24'
L13 N 06°35'49" W	62.50'
L14 N 12°24'52" W	28.82'

CERTIFICATION OF UTILITY EASEMENT DESCRIPTION

Easements grant and convey to Kentucky Utilities Company, AT&T, Kentucky American Water Company, Columbia Gas of Kentucky, Inc., Georgetown Municipal Water & Sewer Service (GMSS), their successors, assigns, and lessees the right to construct, operate, maintain, repair, remove & reinforce facilities and 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 erected, and no land/road 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 lots lines not having an easement indicated will have 5' easements on them.

OWNER: The Mary Ann Ohnheiser Revocable Trust
 By: Mary Ann Ohnheiser

CERTIFICATION OF AVAILABILITY OF TELEPHONE SERVICES

I hereby certify that AT&T shall supply Lots 1, 2 and 3 The Mary Ann Ohnheiser Revocable Trust property with telephone services and that the proposed utility easements of said development meet the requirements of this agency and all other applicable requirements.

Representative - AT&T DATE

CERTIFICATION OF AVAILABILITY OF ELECTRIC SERVICES

I hereby certify that Bluegrass Energy shall supply Lots 1, 2 and 3 The Mary Ann Ohnheiser Revocable Trust with electric services and that the proposed utility easements of said development meet the requirements of this agency and all other applicable requirements.

Representative - Bluegrass Energy DATE

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 Lots 1, 2 and 3 The Mary Ann Ohnheiser Revocable Trust 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.

General Manager - Kentucky American Water Company DATE

ACCESS EASEMENT LINE TABLE

LINE BEARINGS	DISTANCE
L15 S 80°42'48" E	120.77'
L16 N 82°37'58" E	107.05'
L17 S 38°29'41" E	21.70'
L18 N 76°57'29" E	86.18'
L19 N 87°42'18" E	110.21'
L20 S 22°36'10" E	87.96'
L21 S 88°36'31" E	165.37'



ORIGIN OF BEARINGS AND COORDINATES

The bearings and coordinates shown herein are based on Kentucky State Plane Grid North, North American Datum of 1983 (NAD 83 2011). Particularly, the bearings are based on a GNSS survey to the site utilizing a Carlson Br-7 GNSS receiver and the KYTC CORS network.

METHOD OF SURVEY

This ground survey was prepared using a Trimble S6 robotic total station. The State Plane Coordinates shown were derived from a real-time GNSS Survey using a Carlson Br-7 GNSS receiver and the KYTC CORS network.

FEMA FLOOD HAZARD AREA

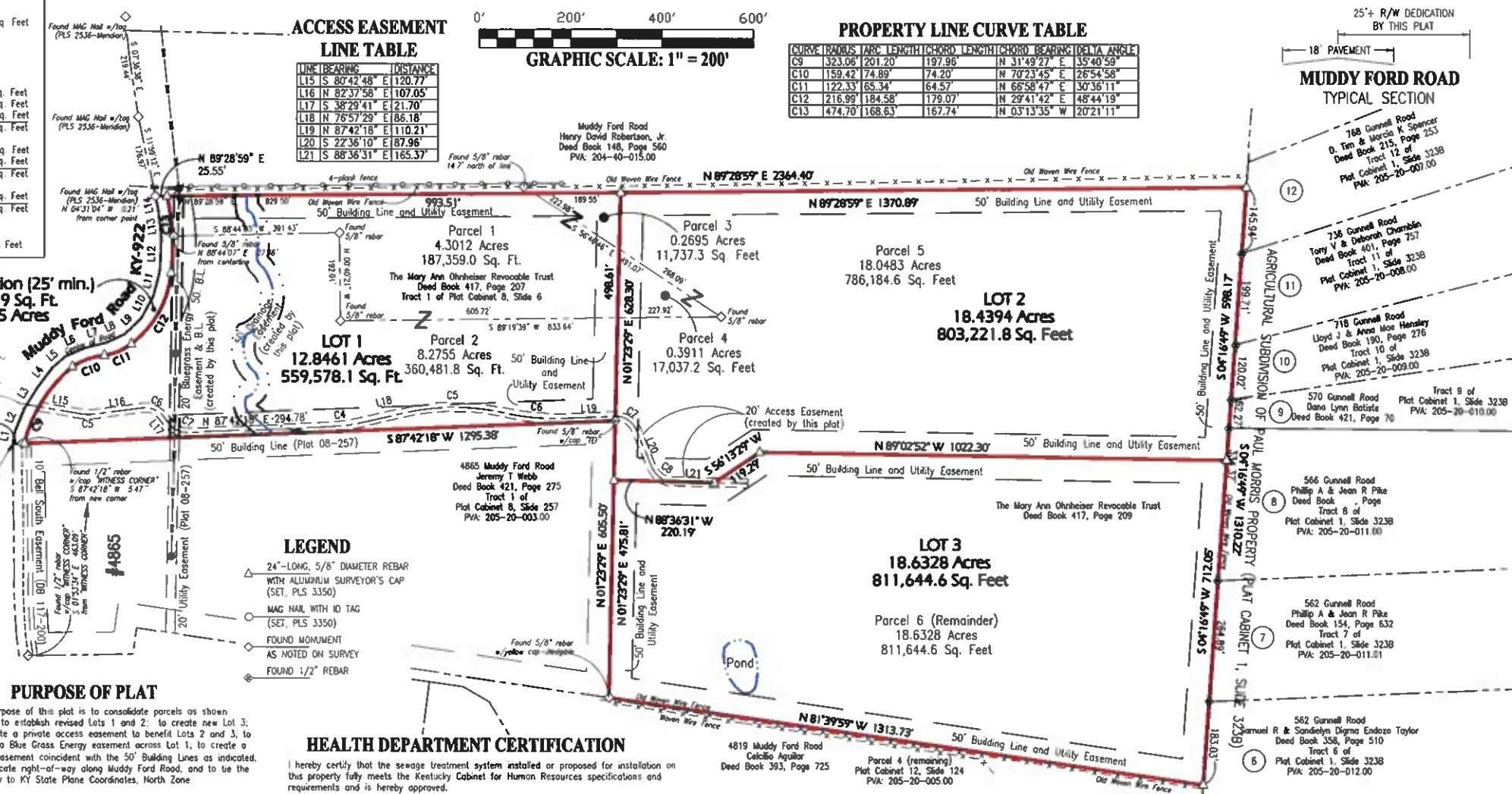
Based on an inspection of the Federal Emergency Management Agency's map number 21209C01200 and 21209C01500 with a date of identification of December 21, 2017 for community number 210207 (Scott County, Kentucky), which is the current Flood Insurance Rate Map (FIRM) for the community in which the subject property lies, no portion of the property lies in a flood hazard area, and is designated as lying within Zone 'X' unshaded, areas determined to be outside the 0.2% annual chance floodplain.

ACCESS EASEMENT CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00'	29.07'	28.96'	S 89°02'25" E	16°39'15"
C2	50.00'	51.38'	49.15'	S 67°55'51" E	56°52'22"
C3	50.00'	46.95'	45.24'	S 65°23'41" E	53°48'02"
C4	500.00'	93.78'	93.65'	N 82°19'53" E	10°44'49"
C5	497.67'	224.16'	222.27'	N 89°45'35" E	25°47'46"
C6	500.00'	130.25'	129.88'	S 84°49'56" E	14°35'52"
C7	50.00'	60.82'	57.14'	S 57°26'56" E	69°41'32"
C8	50.00'	57.60'	54.47'	S 55°36'21" E	68°00'21"

PROPERTY LINE CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C9	323.06'	201.20'	197.96'	N 31°49'27" E	35°40'58"
C10	159.42'	74.89'	74.20'	N 70°23'45" E	26°54'58"
C11	122.33'	65.34'	64.57'	N 66°58'47" E	30°36'11"
C12	216.99'	184.58'	179.07'	N 29°41'42" E	48°44'19"
C13	474.70'	168.63'	167.74'	N 03°13'35" W	20°21'11"



LEGEND

- 24" LONG, 5/8" DIAMETER REBAR WITH ALUMINUM SURVEYOR'S CAP (SET, PLS 3350)
- MAG NAIL WITH ID TAG (SET, PLS 3350)
- FOUND MONUMENT AS NOTED ON SURVEY
- FOUND 1/2" REBAR

HEALTH DEPARTMENT CERTIFICATION

I hereby certify that the sewage treatment system installed or proposed for installation on this property fully meets the Kentucky Cabinet for Human Resources specifications and requirements and is hereby approved.

Authorized Representative - Scott County Health Department DATE

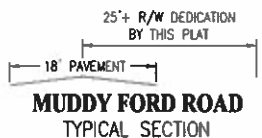
CERTIFICATION OF OWNERSHIP AND DEDICATION

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

OWNER: The Mary Ann Ohnheiser Revocable Trust
 By: Mary Ann Ohnheiser

ZONING INFORMATION

Zoning Classification: Zone - Agricultural (A-1)
 Maximum height of buildings - Two (2) stories Or 30 feet
 Minimum lot area - 5 Acres (served by sanitary sewer or without sanitary service)
 Maximum building ground coverage of lot - 20%
 Minimum lot width at building line - 250 feet
 Setbacks:
 Minimum Front Yard - 50 feet
 Minimum Side Yard - 50 feet
 Minimum Rear Yard - 50 feet



- NOTES**
- The property shown herein is subject to all easements and right-of-way recorded or unrecorded.
 - The documents referred to by deed book and page on this plot are recorded in the Office of the Clerk of Scott County, Kentucky.
 - Any further subdivision will require review and approval by the Planning Commission.
 - A portion of this property was previously shown on plat recorded in Plat Cabinet 8, Side 006.
 - This plat represents a boundary survey and complies with 201 KAR 18:150.
 - The access easement created herein is not a public road and will not be maintained by Scott County. Maintenance of the Access Easement shall be shared equally by the owners of Lots 1, 2 and 3 or as defined by an agreement executed between all the lot owners.
 - No more than three (3) lots may use the access easement created and shown herein.
 - The existing entrance onto Muddy Ford Road has been in existence for more than three years and does not require any additional permitting from Kentucky Transportation Cabinet per KYTC, District 7 Permit Engineer, Robert Boier.

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described herein 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.



Kevin M. Phillips, PLS # 3350
 Date

771 Enterprise Drive
 Lexington, KY 40510
 Phone: 859-253-1425
 Fax: 859-233-1436
 email: mail@endris.com

ENDRIS
 engineering
 Land Surveying • Layout • GPS

FINAL SUBDIVISION & CONSOLIDATION PLAT
The Mary Ann Ohnheiser Revocable Trust property
Lots 1, 2 and 3
 Muddy Ford Road
 Georgetown, Scott County, Kentucky

Survey
 Concluding
 Mar. 31, 2022

JOB NUMBER
4625
 DRAWING DATE
Sept. 7, 2022
 FILE:
 4625 Muddy Ford - Plat
 SCALE:
1"=200'
FSP-2022-45

Text Amendment- Distillery Spirits Storage

Section 2.1 - Definitions

Distillery Spirits Storage Facility- Structure used to store wooden barrels containing distilled spirits in a rack or palletized system. Limited to a maximum of 40,000 square feet in size and 60 feet in height.

Distillery Spirits: Beverages obtained by the distillation from wine, fermented fruit or plant juice or from starch material that has been first brewed, having an alcohol content higher than that of beer or wine.

Section 4.1 A-1 DISTRICT

Section 4.12 CONDITIONAL USES

L. Distilled Spirits Storage, in Unincorporated Area of Scott County

Prior to approval of a conditional use permit hereunder, the Board of Adjustment must consider the impact of the proposed use upon surrounding properties and ensure that the character of the area is protected. This type of establishment shall not be considered as altering the agricultural or residential character of a particular area and shall not be justification for zoning map amendments to Distilled Spirits Storage sites or adjoining properties.

Any conditional use permit issued hereunder must meet the mandatory requirements for approval set out in KRS 100.237, Section 2.33 of this Ordinance, as well as the following mandatory requirements:

- (1) the site shall be a minimum of 100 contiguous acres in size, including all land parcels proposed for the use and controlled by the applicant, whether leased or owned by the applicant.
- (2) the construction type shall be limited to pallet or rack supported structures protected throughout by an automatic fire suppression sprinkler system per NFPA standards for rack storage, occupancy and building spacing. Sprinklers in each building to be connected to a common Fire Department Connection (FDC) located at the public street (outside the perimeter) with a hydrant within 50 feet of the FDC. Fire hydrants shall be installed inside the perimeter of developed site spaced at a maximum of 300 feet.
- (3) at the time of the filing of any application for a Building Permit, the Developer shall be responsible for demonstrating public water lines and hydrants shall be available to the site sufficient to provide fire protection per county fire department standards.
- (4) the maximum size of any single structure shall be 40,000 square feet, excluding stairwells and open docks, and shall not exceed 60 feet in height;

(5) All structures shall be setback a minimum of 250 feet from property lines at the perimeter of the site; adjacent to all residential districts or uses.

(6) Applicant shall demonstrate that they have an adequate containment system to prevent release of the product into the groundwater or surface water in the event of a building collapse.

(7) At least 25 percent of the property shall be dedicated to agricultural uses as defined by KRS 100 and/or preserved as a conservation area;

(8) Measures must be taken to ensure that all Distilled Spirit Storage in the Unincorporated Area of Scott County is undertaken in a manner which minimizes increased traffic congestion on existing streets, roads and intersections. All developments shall be located with primary access on at least a collector road/street with a pavement width of at least 20 feet and should be improved with shoulders at least three feet in width;

(9) The warehouse density shall be limited to one (1) per ten (10) acres of land area; Driveway spacing between buildings shall be adequate for access by fire apparatus, a minimum of 25 feet width (exclusive of parking areas). Two points of access shall be provided from a public street with a minimum gate width of 20 feet.

(10) The warehouses should be effectively screened from adjoining residential areas by utilizing natural topography and/or tree-lines first and if not practical to screen from any adjoining residential areas by new plantings, berms or grading to create an effective year-round screen.

Text Amendments

Section 2.1 - Definitions

Agricultural Use, Recreational: An outdoor recreational use, i.e., fishing, boating, hunting, riding, etc., involving a tract of real estate in excess of 250 acres which incorporates part-time residential use, e.g., hunting or fishing lodges which are not primary dwellings for the occupants. This also includes lots of 20 acres or larger to be developed as a RV Campground (as defined in this ordinance).

RV Campground (also: Mobile Home Camp, ~~also~~ Trailer Camp, and Overnight Camping Area): An area designed exclusively for the accommodation of overnight and other temporary lodging where the traveler or transient usually provides his own accommodations (in a travel trailer, van, camper, or other mobile vehicle, etc.). This definition does not include camping areas designed exclusively for tent or other primitive camping.

Section 2.51.1

For the purposes of these regulations, four basic types of mobile homes development have been defined. They are: (1) mobile homes parks; (2) mobile home subdivisions; (3) RV Campgrounds ~~mobile home camps (or trailer parks)~~; and (4) a mobile home on a single lot...

Section 2.51.1 (A) Mobile Home Parks and Mobile Home Subdivisions: May be permitted as a conditional use only in R-2 and R-3 districts. ~~Mobile home camping areas~~ RV Campgrounds may be permitted in the A-1R district or by conditional use in B-2 district, ~~or as accessory uses in recreational areas.~~ All mobile home parks shall be subject to the standards of development established in the Subdivision Regulations...

When the Enforcement Officer has determined the application for mobile home parks or ~~trailer camps~~ RV Campgrounds complete, including payment of fees, the application is sent to the Board of Adjustment and/or Planning Commission who shall proceed to consider the application in accordance with state and local regulations, ~~the same manner as set forth in Paragraph 2.33 and in KRS 100.217 through 100.263.~~

Section 2.51.1 (D) (2) RV Campgrounds ~~Mobile Home Camps (or camping areas for trailers)~~ are permitted in the A-1R zoning district or as a conditional use ~~only~~ in the B-2 district ~~or as conditional accessory uses in major recreational areas.~~

- a. The same application, unless changes were granted, that is submitted to the Board of Adjustment and/or Planning Commission, shall be submitted to the Department of Health for their consideration.
- b. The minimum lot for each trailer is 3,000 square feet.

- c. RV Campground developments should reserve 10% of the gross acreage useable open space. Open space(s) should be located centrally, and each campsite should be located within 1,320 feet of an open space. Campsites should have pedestrian facilities allowing off-road access to open spaces. Open spaces should contain diverse recreation amenities to serve the patrons of the development. Adequate open space and recreation areas shall be provided in accessible locations.
- d. Accessory commercial uses are permitted, but no closer than 100 feet from the nearest trailer or camping lot.
- e. The layout and lot arrangement shall provide maximum privacy for campsites from adjoining properties and roads. This may be achieved through landscaping, natural features, radial or alternative lot arrangements, etc.
- f. The surface of the parking area shall be improved, either paved or (8") compacted gravel or as approved by the Board Planning Commission or Planning Commission Director.
- g. All roads shall be improved as approved by the Board Planning Commission or Planning Commission Director.
- h. All lots and streets shall be properly drained.
- i. RV Campground development shall not exceed a maximum density of 10 RV sites per gross acre when serve by public sewer.

Section 4.11 (E) - Permitted Uses in the A-1R Zone

Section 4.11 (E) (3) Dwellings within the development, including part-time recreational dwellings and a full-time caretaker's residence, shall not be permitted on tracts of less than five acres each unless as part of a RV Campground served by public sewer:

Section 4.11 (E) (6) It is recognized that an Agricultural Recreational development can adversely impact surrounding properties and public facilities. Examples of adverse impacts include, but are not limited to noise, odor, light, light flashes, traffic, etc. Because of these potential impacts, the Commission shall review any proposed Agricultural Recreational development for impacts and impose such reasonable conditions of approval as are necessary to alleviate any adverse impact on surrounding areas and public facilities. Adverse impact on surrounding areas which cannot be alleviated through reasonable conditions of approval shall be grounds for the Commission's denial of a requested zone classification change to A-1R.

Section 4.11 (E) (7) RV Campgrounds of 20 acres or larger are permitted in the A-1R zoning district.

- a. RV Campgrounds shall have a maximum density of ten (10) units (or campsites) per gross acre when served by public sewer. RV Campgrounds not on public sewer shall have a maximum density of one (1) unit per five (5)

gross acres. The calculation of maximum density for the development shall include all permanent or temporary residences of caretakers.

- b. Setbacks for RV Campground structures and campsites shall be 50 feet from all property lines; except along U.S. Routes where the setback shall be 100 feet from the right-of-way except however U.S. 25 from Delaplain north and U.S. 62 from Oxford east where the minimum setback is 50 feet.
- c. Public sanitary sewer is required for all RV Campgrounds with a density greater than one (1) unit or campsite per five (5) acres.
- d. RV Campgrounds must be able to be served by municipal water.
- e. RV Campgrounds must be able to have adequate water pressure and flow rates for fire protection. In addition, fire hydrants shall be installed when requested by the local fire department.
- f. Fencing: RV Campgrounds must provide fencing along boundaries with A-1 zoned property with diamond mesh wire or equivalent with 16 ft. plank on top, and post spacing 8-ft. on center. The required fence may not be bonded. Fencing may be waived by the Planning Commission or Planning Commission Director with the written concurrence of the adjoining property owner.
- g. Landscaping: Establish a 50-ft. preservation easement by plat along the boundaries with non - A-1R zoned property. Such an easement will prohibit the removal or disturbance of existing vegetation unless demonstrated to be invasive, sick, or dead. This easement shall contain any required fencing. It shall also contain the following tree lines:
 - i. A double row of evergreen/deciduous trees spaced 40 ft. on centers. The ratio of evergreens and deciduous shall not exceed 2:1. Where the campground abuts a public road, the trees shall be 30 ft. on center. The tree plantings may be waived by the Planning Commission or Planning Commission Director where existing tree lines provide adequate screening.
 - ii. All landscaping shall exclude any species that may be deemed harmful to livestock.

Section 4.22 - Conservation District Conditional Uses

Section 4.22 Conditional Uses

- B. Public and private camps and campgrounds excluding RV Campgrounds.
- C. Residential or seasonal dwellings provided that all Health Department requirements are met, and the lot size is not less than one acre in size.

Section 4.422 - Highway Commercial District Conditional Uses

Section 4.422 Conditional Uses

- F. RV Campgrounds Trailer Camps