

GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION

AGENDA

December 8, 2022

6:00 p.m.

I. COMMISSION BUSINESS

- A. Approval of November invoices
- B. Approval of November 10, 2022 minutes
- C. Approval of December 8, 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 connected 3,000 sq. ft. buildings (6,000 sq. ft. total) for a proposed child daycare and meeting space located at 172 Gunnell Road.

III. NEW BUSINESS

- A. PSP-2022-52 Dearinger Tract 2 - Preliminary Subdivision Plat to subdivide a 2.15-acre tract into two commercial/industrial lots located at 900 East Main Street Extended.
- B. PDP-2022-53 Online Transport - Preliminary Development Plan for an 11,200 SF maintenance/office building and a 288,017 SF gravel storage area located at 656 Old Delaplain Road.

IV. OTHER BUSINESS

- A. Approval of 2023 Application Meeting Schedule Deadlines
- B. Update of Previously Approved Projects and Agenda Items

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
REGULAR MEETING
MINUTES
November 10, 2022**

The regular meeting was held in the Scott County Courthouse on November 10, 2022. The meeting was called to order by Chairman Mark Sulski at 6:00 p.m. Also present were Commissioners Charlie Mifflin, James Stone, Duwan Garrett, Rhett Shirley, Mary Singer, David Vest, Dann Smith, and Director Joe Kane, Planners Matt Summers and Elise Ketz, Engineer Ben Krebs, and Attorney Charlie Perkins. Commissioner Brad Green was absent.

Motion by Shirley, second by Stone, to approve the October invoices. Motion carried.

Motion by Smith, second by Garrett, to approve the October 13, 2022 minutes. Motion carried.

Motion by Singer, second by Mifflin, to approve the November agenda. Motion carried.

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

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

Ms. Ketz stated the property is 5.6 acres with access from Gunnell Road. She stated the applicant has requested 4 waivers regarding 3 for landscaping and one for the gravel parking lot/storage area.

She stated first there will be discussion about the use and if it is decided that the use was granted by the Board of Adjustments then the development plan will be discussed.

She presented a timeline of the background for the church from 2006 to the present.

She presented a map showing the neighbors that received notification for the application.

She presented a summary of the October 2021 Board of Adjustment application and the findings and then the April 2022 Board of Adjustment application and findings.

She stated after the August 2022 Planning Commission meeting the Board of Adjustment attorney, Charlie Perkins, issued a summary of findings regarding the Board of Adjustment decision. She read through each of the six findings.

She stated neighbors of the project site have consulted an attorney based on the conditional use permit approved and that they believe that a school was not part of the approval. She stated the neighbors object to preliminary development plan approval.

She stated the Planning Commission must decide that the Board of Adjustments approved the conditional use permit and if so, the Planning Commission can continue with the Preliminary Development Plan application. The board discussed and decided to proceed with hearing the application.

Ms. Ketz stated the application is for two 3,000 SF connected buildings, a drop-off lane, and an outdoor playground area.

She stated there is an issue with the gravel parking lot/storage area. She stated it was added without a development plan on the site. She stated if it remains it needs to adhere to the landscaping requirements. She stated that currently there is a deficit of 1,414 SF of landscaping and a deficit of 5 trees that need to be installed to meet the requirements.

She stated staff recommends approval with a waiver for the gravel parking lot/storage area and if approved, waiver for the interior landscaping but not to the paved parking lot. She stated condition of approval nine requires interior landscaping within the paved parking lot.

John Sosbe, representing applicant, stated the application filed did not include the language of expanding. He stated the BOA approved a new building for daycare and school. He stated during the BOA meeting the word school was mentioned several times and traffic was discussed. He stated the applicant does not have a problem meeting the conditions of approval.

Commissioner Singer asked to hear what actual motion was made by the BOA. Mr. Sosbe read the motion to approve the application at the April 7, 2022 BOA meeting.

Tom Garrison, 133 Gunnell Road, stated he has lived on Gunnell Road since the beginning of the subdivision. He stated the road was moved years earlier approximately 40' over and the water and fiber lines go under the gravel parking lot.

He stated at first it was just a church there, then the daycare was added. He stated the playground doesn't have fencing and kids are everywhere. He stated they have yard sales for the whole congregation. He stated the proposed buildings would be on top of the existing septic system. He stated he is concerned about the traffic and safety.

Tom Probst, 284 Gunnell Road, questioned if the Board of Adjustment meeting had the proper notice of a proposed school. Mr. Perkins clarified that the appeal time has lapsed, and it is hard to know what the BOA thought they were voting on. He stated it is difficult to decide if the notices had the proper wording and that neighbors understood it was for a school.

He stated he is concerned about the additional traffic and noise the school would create.

Stephen Price, Georgetown resident, stated by not mowing you can have natural tree growth. He also encouraged using dry earth sanitation.

Bill Parker, 177 Gunnell Road, questioned the height variance but Ms. Ketz stated that had been changed since the first plat was submitted. He stated he feels the school changes the area. He stated he requests that the gravel parking lot/storage area have the term storage area removed. He stated that limits of what Code Enforcement can regulate. He questioned if trees would be along the road to block this view. He stated he had measured the width of Gunnell Road, and it is 23' wide.

Rhonda Evans, 315 Gunnell Road, stated there is a problem with traffic but it is not from the church. She stated she has lived there for 37 years, and the road had been changed. She stated she does not like trees and bushes near roads since property owners do not care for the landscaping.

Mr. Sosbe stated there is a lot of traffic on Gunnell Road beside the church. He stated the maximum number of kids could be 80 but currently there are not that many enrolled. He stated in the BOA findings the staff did not find that the school would change the area and supported the application.

Eric Rowe, parishioner, stated the septic system is along the fence line and not in the front lot of the church.

Chairman Sulski questioned if the tree line along Gunnell Road would be far enough from the road to not cause a sight distance problem. Brent Combs, Thoroughbred Engineering, stated his understanding is that the trees would be along part of the gravel that is to be removed and they should be 15' from the edge of the road.

Commissioner Smith questioned if there are going to be two septic systems. Mr. Rowe stated both septic systems will be used. Mr. Garrison stated he had concern regarding the septic system.

Mr. Parker questioned will there be trees and shrubs along Gunnell. It was clarified an additional 5 trees will be planted.

Commissioner Singer asked for clarification about removing the term "storage area" for the gravel lot as requested by Mr. Parker. Chairman Sulski stated when a motion is made the storage area could be struck out, but parking lot be retained.

Mr. Probst questioned how adding the additional traffic does not cause change to the neighborhood.

Commissioner Singer stated her interpretation of the records of the BOA meeting show they were aware the application was for a school.

After further discussion, **Motion by Singer, second by Vest to recommend approval of the preliminary development plan (PDP-2022-40) subject to ten (10) conditions of approval and two (2) waivers with eliminating storage area under Waiver 2 and under Condition 9 requiring all interior landscaping within the paved parking lot to satisfy all landscaping requirements. Motion tied 4-4 with Shirley, Stone, Garrett, and Smith dissenting. Motion by Smith, second by Mifflin to continue application until the next regularly scheduled meeting.**

ZMA-2022-46 Joann Warner Property – Zoning Map Amendment to change the zoning district from A-1 to A-5 located at 6125 Cincinnati Road northeast of the intersection of Cincinnati Road (US 25) and Double Culvert Road (KY-620), east of I-75.

Chairman Sulski opened the public meeting.

Ms. Ketz stated this is to rezone only 5 acres of the total 125 acres of property. She stated the proposed cluster lot is on city sewer.

She stated in the 2017 Comprehensive Plan rural residential is allowed for dense residential areas of the county where the land is hillier and more difficult to farm. She stated it also coincides with the Community Form chapter in the Comprehensive Plan for property outside of the Urban Service Boundary to not have urban scale residential or commercial development. She stated the rezoning would maintain a maximum density for the property of one dwelling unit per 5 acres.

She stated staff does agree that the application meets the first part of the requirements for rezoning as stated in KRS 100.213.

She stated the site would have to meet the A-5 zoning and Rural Cluster Regulations. She stated staff have some concerns about the lot, but they can be addressed at the Final Subdivision Plat stage.

Michelle McCall, representing applicant, stated she had submitted a letter to staff stating the family's plan for the farm.

Commissioner Mifflin questioned if the applicant is agreeable to adding landscaping. Ms. McCall stated the sewer and water line run along US 25 and adding trees in that location would have to be addressed with the utilities. She stated she agrees to meet the landscaping requirements.

Chairman Sulski closed the public meeting.

After further discussion, **Motion by Mifflin, second by Singer to recommend approval of the rezoning request (ZMA-2022-46) on the basis that it complies with the comprehensive plan. Motion carried unanimously.**

PDP-2022-48 Scooter's Coffee – Preliminary Development Plan to construct a 664 SF drive-thru only coffee kiosk/shop located at 112 Edwards Avenue.

Ms. Ketz stated the project is zoned B-2 and is 0.41 acres with direct access from Edwards Avenue.

She stated there are eight requested variances. She stated one variance is for the front yard setback. She stated three variances are requested for the VUA landscaping, hedge/fence requirement, and to allow smaller tree species in the property perimeter on the south property line.

She stated due to the narrowness of the lot, the front yard setback along Edward Avenue would need the variance to reduce it to 16.09 feet.

She stated that the applicant requested a waiver to the property perimeter and buffer requirement and to the tree species type along the south property line.

She stated that the applicant requested a waiver to the VUA perimeter tree planting and buffer requirement along the south property line.

She stated that the applicant requested a waiver to the VUA perimeter tree planting requirement along the entirety of the east property line (employee parking and drive thru fulfillment area).

She stated that the applicant requested a waiver to the VUA perimeter tree planting and buffer requirement along the west property line.

She stated that the applicant requested a waiver to the VUA perimeter tree planting requirement along the north property line.

She stated that staff supported all waivers requests besides the VUA buffer requirement along the east property line (drive-thru fulfillment line only) and the VUA buffer requirement along the west property line.

Brad Piening, representing applicant, stated the lot narrowness has created the need for so many variances. He did state the applicant would like to request fencing instead of plantings along the west property line.

Chairman Sulski questioned if something could be modified so that a 6' privacy fence would not have to be installed along Wendy's. Mr. Piening stated Wendy's has been contacted to see if an arrangement could be made to put bushes on Wendy's property but Scooter's maintain the landscape.

After no further discussion, **Upon motion by Smith, second by Singer, the Board unanimously approved the application, subject to the Staff Report, including the recommended waivers, variances, and conditions of approval. Further, in the event applicant and the adjoining property owner on the west side of applicant (Wendy's) agree to placement of a sufficient landscape buffer**

on that adjacent property, the Board authorizes Staff to approve that buffer and to strike waiver #6 from the Staff Report's recommended "Waivers and/or Variances." Absent such an agreement, this approval stands subject to waiver #6."

PSP-2022-49 US 62 Partners - Preliminary Subdivision Plat to consolidate 4 lots then subdivide the combined area into 9 lots located NW corner of Lexington Road (US 25) and McClelland Circle.

Mr. Summers stated the area is B-2 zoning. He stated the total area of the site is approximately 10.44 acres. He stated access is from Lexington Road (US 25), Lusby Path and American Path.

He stated four variances have been requested to reduce the setbacks.

He stated the proposed plat would consolidate 4 lots then subdivide into 9 total lots.

He stated as part of the plan American Path would be extended to Lexington Road and a new street Prather Path would be created to connect Lusby Path and American Path.

He stated by creating double and triple frontage lots it causes the request of variances. He stated the applicant requested a variance for Parcel 5 to reduce the setback to 5 feet from American Path. He stated Parcel 2 requests to reduce the setback to 25 feet from Lusby Path. He stated Parcels, 2,3, and 4 request to reduce the setback along Prather Path to 15 foot and Parcels 4, 6, 7, and 8 along American Path request to reduce the setback to 25 feet. These variances allow the lots to be developed as drawn on the approved Preliminary Development Plans.

Chris Mischel, Palmer Engineering, stated he is available to answer any questions.

After no further discussion, **Motion by Garrett, second by Mifflin to recommend approval of the Preliminary Subdivision Plat (PSP-2022-49) subject to six (6) conditions of approval and four (4) variances. Motion carried unanimously.**

PDP-2022-51 Abbey at Old Oxford Townhomes - Preliminary Development Plan for 115 townhomes located on parcel # 208-10-008.001.

Mr. Summers stated the property is zoned R-1C PUD. He stated the site is approximately 16 acres and the access is from Herndon Boulevard. He stated this site was approved in 2016 for the layout of the neighborhood.

He stated the main differences in the plan is a reduction of units and the addition of garages and driveways to more of the units.

He stated the berm is still the same as the 2016 plan. He stated to screen the multi-family from single-family there will be a 6-foot fence and trees spaced every 40 feet.

He stated currently there is only one access from Herndon Boulevard but expects a connection to the Mintwood Development be made that would meet the requirements for additional access.

Nick Nicholson, representing Ball Homes, stated the applicant agrees to the conditions of approval. He stated this plan improved lot size and the units.

Ericka Gilbert, 102 Box Grove Court, stated she has concern about the additional traffic townhomes would bring to Old Oxford Road. She stated Eastern Elementary cannot handle additional students. She stated Ball Homes does not currently keep green space maintained. She stated the neighborhood would like a new traffic study completed and single-family homes instead of townhomes.

Alan Moore, 104 Mellifont Place, stated he has concern about the wetland area if the townhomes are built. He stated Old Oxford Road is dangerous and additional townhomes would make it worse.

Deearnest Thomas, 215 Rhodes Lane, questioned if a traffic study was done and was it sent to the city.

Roy Cornett, 126 E. Main Street Suite 3, stated the city is working on extending Lexus Way which would help the traffic.

Mr. Kane clarified traffic studies referenced. He stated the city has widened Old Oxford Road some and has funding to repave and restripe the road in the future.

Ben Krebs, Commission Engineer, stated there have been numerous traffic studies done for Old Oxford Road and applications for grants submitted to get funding to improve the road.

Mr. Moore stated the neighborhood is requesting time to get the improvements completed before more homes are built.

Ms. Gilbert questioned Mr. Krebs when he drove the road last. He stated he was on the road today. She stated she does not agree that improvements have been made and the road is still unsafe.

Tom Gatlin, 102 Castle Acre Way, stated the road has not been improved. He stated he does not understand where the other entrance will be located. He questioned if the townhomes will be owned or rented.

Mr. Krebs clarified that he did not say the road was safe but that the road had improvements made. He clarified that there is money allocated to resurface the road.

Kelli Adkins, 104 Castle Acre Way, stated that the construction equipment is coming from the surrounding development. She stated she is concerned about the traffic and oversized vehicles you meet with no place to get over.

Ms. Gilbert stated there is other traffic besides just construction traffic that is on the road.

Tom Adkins, 104 Castle Acre Way, stated the money allocated for road improvement is not enough.

Commissioner Smith left the meeting.

Mr. Price stated the Planning Commission should consider pedestrianism for the town.

Mr. Nicholson stated Ball Homes purchased the property and the original number of units has been reduced to compromise with the neighbors and the units have been improved. He stated improvements to Old Oxford are on the preliminary development plan. He stated the units will be Ball Homes rentals.

Chairman Sulski stated in his neighborhood the green space is maintained by the HOA. Mr. Nicholson stated the green space should be maintained by Ball Homes.

Mr. Adkins stated that Ball Homes does not maintain the current green space and how will they maintain rental units. He stated he has had enough trouble trying to get Ball Homes to finish punch list items for his home.

Ms. Adkins questioned if the rentals would be Section 8.

Julie Ruiz, 177 Dunmore Lane, stated she has called Ball Homes numerous times about the lot next to her and eventually called Code Enforcement. She stated she has talked to HOA and was told Ball Homes still owns the lot.

Mr. Gatlin stated he called Code Enforcement to get the model home lot maintained.

Ms. Gilbert questioned if the Planning Commission could dictate when the road would be improved.

Mr. Nicholson stated he will make a phone call about the maintenance.

Ms. Adkins questioned the mixed use called for in the Comprehensive Plan. She also questioned where does her HOA fees go since the green spaces are not maintained by the HOA.

Mr. Adkins stated his HOA account shows the fees paid for mowing. He stated the money allocated for road improvements will not be enough.

Mr. Cornett stated he owns three Ball Homes houses.

Mr. Thomas stated the area will be developed.

Mr. Moore stated that Ball Homes needs to be slowed down until the roads are improved.

Amanda Ray, resident, questioned when City Council meetings are held.

Commissioner Shirley stated the Planning Commission does have sympathy for the neighbors.

After no further discussion, **Motion by Singer, second by Stone to recommend approval of the Preliminary Development Plan (PDP-2022-51) subject to eight (8) conditions of approval. Motion carried with Commissioner Mifflin abstaining.**

Distillery Warehousing Text Amendment

Chairman Sulski opened the public meeting.

Mr. Kane stated this is a text amendment to add distillery warehousing in the A-1 zoning as a conditional use. He stated there are a minimum of 10 requirements that must be met.

He stated there is a distillery moving into the business park which will have a need for warehousing. He stated historically they were located near water sources and in many other counties in the A-1 zone. He stated the text amendment was modeled on other counties ordinances, that allow them as Conditional Uses in rural areas.

He stated he did talk to local distilleries as requested last month by the Planning Commission and stated they had comments with requirements 1, 5, and 9 in the proposed text amendment. He stated they wanted a clarification of the parcel size being 100 acres and if easements would be considered part of the acreage. He stated they requested that setbacks be set at 200 feet instead of 250 feet to be consistent with setbacks in other county ordinances. He stated they also requested clarification on the density requirement.

Chairman Sulski questioned why a distillery would not be put in a A-1 zone due to the black mold that gets on surrounding buildings.

Commissioner Mifflin questioned why fire protection is necessary. Mr. Kane stated this was part of the Fire Departments recommendations and is meant to protect from fire spreading in case of an accidental fire on site.

Mr. Price stated he thinks the Planning Commission should not support the liquor industry.

Mr. Cornett questioned how far the black mold travels from a distillery. Mr. Kane stated he has looked at studies but has not obtained a clear answer.

Chairman Sulski closed the public meeting.

After further discussion, **Motion by Singer, second by Shirley to recommend approval of the Distillery Spirits Storage Text Amendment. Motion carried unanimously.**

2022 Comprehensive Plan – Goals & Objectives

Chairman Sulski opened the public hearing.

Mr. Summers stated the Planning Commission has held open house and had public meetings to get the public's input on the Goals and Objectives. He stated the Steering Committee recommended approval of the Goals and Objectives at the September meeting. He stated this Comprehensive Plan has 9 proposed elements compared to the 7 elements from the 2016 Comprehensive Plan.

Mr. Summers went through the goals for each chapter of community form, infrastructure, public facilities, heritage, housing, human services, environment, economic growth, and transportation.

Chairman Sulski closed the public hearing.

After further discussion, **Motion by Singer, second by Mifflin, to recommend approval of the 2022 Comprehensive Plan – Goals and Objectives. Motion carried unanimously.**

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
December 8, 2022**

FILE NUMBER: PDP-2022-40

PROPOSAL: Preliminary Development Plan to construct two connected 3,000 sq. ft. buildings (6,000 sq. ft. total) for a proposed child daycare and meeting space

LOCATION: 172 Gunnell Pike



APPLICANT: Rev. Darryl Gaunce,
Living Waters Fellowship &
John Sosbe, Cook Watkins PSC

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 sq. ft. total (10,248 sq. ft. existing church, 929 sq. ft. existing accessory structures, and 3,000 sq. ft. (x2) proposed daycare building)
Building Coverage	7.04%

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 sq. ft. drop off path

BACKGROUND:

The application before the Planning Commission is a Preliminary Development Plan to construct two connected 3,000 sq. ft. buildings (6,000 sq. ft. total) for a daycare, 3,996 sq. ft. drop off path, 3,000 sq. ft. 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.

PRELIMINARY DEVELOPMENT PLAN REVIEW:

Setbacks & 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 sq. ft. The total proposed footprint will add 6,000 sq. ft. to the site, for a total site coverage of 17,177 sq. ft., 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 & Circulation

The Applicant is proposing no new entrances. A drop off path measuring 3,996 sq. ft. 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. On the submitted plat, there is a waiver requested for the property perimeter landscaping along the proposed 3,996 sq. ft. 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.

Parking

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 sq. ft. 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. 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 (1): 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.

As stated above, Staff interprets the gravel storage area as a parking lot. The gravel parking lot has a portion of it bordering the ROW for Gunnell Road. The VUA as sized would require VUA perimeter landscaping of 1 tree per 40 LF and a 3-foot-tall buffer would be required. The buffer would reduce the noise and light pollution from activities on the subject property, amongst other benefits to landscape trees and buffers listed above. Staff recommends against any request for VUA perimeter landscaping to be waived.

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.

Standards (2): For VUA along the perimeter of an adjoining properties, a 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. The width of the buffer varies, dependent upon the location of the VUA:

- a. A 5-foot-wide buffer area is required to the edge of paving where vehicles overhang.
- b. A 4-foot-wide buffer area is required from edge of paving.
- c. A 3-foot-wide buffer area (that prohibits any vehicular overhang) is required for other areas, on the boundary of a portion of VUA that faces adjacent property.

There are areas along the existing parking lot along the south side that is missing its 3-foot-buffer. The buffer must be replaced. Staff does not support a waiver to this requirement as circumnavigation of the regulations would result in an inconsistent sight line and allow for noise and light pollution onto adjoining properties.

The gravel parking lot has been identified as requiring VUA perimeter landscaping. The applicable buffer area is 5 feet (Item A) and must be located along the adjoining property line to the north. The plat shows no trees nor does the 3-foot-tall buffer span the entire length of the

boundary. Staff recommends against any request for VUA perimeter plantings to be waived, citing the benefits of plantings listed previously.

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

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

Since the 2006 plan, 661 sq. ft. of ILA and 11 ILA trees have been removed from the existing 51 spot parking lot, equivalent to 30% of the total minimum island area required and 61% of the minimum trees required at the time of development. 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.

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 sq. ft. (measured at 7,700 sq. ft.) and per regulations is required to install ILA islands and trees. However, if the Planning Commission grants a waiver 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 sq. ft., 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 (sq. ft.)	13,137 sq. ft.	13,137 sq. ft.
Current Coverage (%)	5.38%	8.6%
Applicable Standard - Minimum Total Coverage (%)	13%	11%
Applicable Standard - Minimum Total Canopy (sq. ft.)	31,712 sq. ft.	16,771 sq. ft.
Add'l Coverage Needed (%)	7.62%	2.40%
Add'l Canopy Needed (sq. ft.)	18,575 sq. ft.	3,659 sq. ft.

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 sq. ft. 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.

Stormwater Management Plan

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

Lighting

A photometric plan will need to be submitted and reviewed as part of the Final Development Plan review if the lighting will be altered. Staff recommends that all exterior lighting should be designed to minimize off-site impacts and maintain the agricultural character.

Signs

All signs will need to comply with the Zoning Ordinance.

RECOMMENDATION:

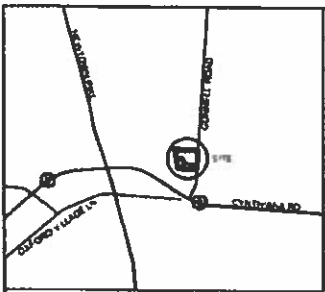
Staff recommends **Approval** of the Preliminary Development Plan for to construct two connected 3,000 sq. ft. buildings (6,000 sq. ft. total) for a proposed daycare and driveway with the following waiver(s)/variance(s) and conditions of approval:

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. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
3. 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.
4. 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.
5. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
6. The Final Development Plan shall include a photometric plan.
7. 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.
8. The Final Development Plan shall have a specie specific Landscaping Plan in compliance with the *Landscaping & Land Use Buffers Ordinance*.
9. The Applicant shall replace the 661 sq. ft. of ILA and must locate within the existing paved parking lot in accordance with all regulations.
10. The Applicant shall satisfy all requirements set forth by the Scott County Fire Department.



VICINITY MAP
SCALE: 1" = 2000'

- LEGEND**
- PROPOSED WATER VALVE
 - PROPOSED FIRE HYDRANT
 - EXISTING UTILITY POLE
 - EXISTING OVERHEAD ELECTRIC
 - EXISTING FIBER OPTIC BOX
 - EXISTING WATER LINE
 - EXISTING WATER METER
 - PROPOSED MAJOR CONTOUR
 - EXISTING MAJOR CONTOUR
 - EXISTING MINOR CONTOUR

REQUESTED VARIANCES

PARKING LOT LANDSCAPING TO REDUCE THE PARKING INTERIOR OR LANDSCAPING FROM 10% TO 4.5%

DESIGN ENGINEER

THOROUGHBRED ENGINEERING
CONTACT: FRED EASTRIDGE, P.E.
P.O. BOX 481
LEXINGTON, KY 40588
PHONE: 859/85-0383

SITE DATA

PROPERTY INFORMATION

PARCEL NUMBER: 204-20-021-200
STREET ADDRESS: 172 GUNNELL ROAD, GEORGETOWN, KY 40324
DEED BOOK: D 3 317 PG. 63
PLAT REFERENCE: CAB 11 S, 235
LOT SIZE: 9.4 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: 11,101.38 SQ. FT.
ACCESSORY BLDGS.: 2,928.88 SQ. FT.
TOTAL: 14,030.26 SQ. FT.

EXISTING BUILDING LOT COVERAGE: 11,101.38 SQ. FT. / 243,936 SQ. FT. = 0.0455 (4.55%)
PROPOSED USE: PROPOSED DAYCARE WITH DRIVEWAY
PROPOSED BUILDING HEIGHT: 1 STORY @ 15' 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: 6,000 SQ. FT. / 243,936 SQ. FT. = 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 SEASIDE SPACES
ADA PARKING REQUIREMENT: ONE SPACE PER ONE HUNDRED TWENTY FIVE (125) PARKING SPACES
PARKING PROVIDED (PLACE OF PUBLIC ASSEMBLY): 51 SPACES (41 STANDARD SPACES, 10 ADA SPACES)

LANDSCAPE DATA

EXISTING V.U.A. (PARKING LOT): 23,265.43 SQ. FT.
PROPOSED V.U.A. (DRIVEWAY): 3,998.40 SQ. FT.
TOTAL V.U.A.: 27,263.83 SQ. FT.
EXISTING INTERIOR LANDSCAPE AREA: 1,874.39 SQ. FT.
PROPOSED INTERIOR LANDSCAPE AREA: 1,372.45 SQ. FT.
REQUIRED INTERIOR TREES: 1 TREE (250 SQ. FT.) = 7 TREES
PROPOSED INTERIOR TREES: 7 TREES

TREE CANOPY

SITE AREA: 152,480 SQ. FT. (3.5 ACRES)
EXISTING TREE COVERAGE: 13,742 SQ. FT. (8.97%)
TREE CANOPY REQUIRED: 19,771 SQ. FT. (12.94%)
COVERAGE DEFICIT: 3,629 SQ. FT. (2.38%)
EQUIVALENT ADDITIONAL TREES REQUIRED: 11.8183 = 12 LARGE TREES

FLOOD INFORMATION

BASED ON AN INSPECTION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S INTERNET MAP SERVICE CENTER SITE, THE PROPERTY IS WITHIN THE ZONE X AND NOT IN THE 100-YEAR FLOOD PLAIN MAP #21200C1500 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 SQ. FT. 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 SHALL BE AS PER PREVIOUS APPROVED DEVELOPMENT PLAN.

CONDITIONAL USE PERMITS

- S-2021-34 CUP FOR DAYCARE OPERATIONS AND EXISTING WORSHIP SPACE.
- S-2022-18 AMENDED CUP TO EXPAND OPERATIONS TO THE NEW STRUCTURE.

OWNER'S CERTIFICATION

WE HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT. I (WE) ESTABLISH VARIANCES, 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

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 COMMISSION _____

DATE _____

DAVID R. & LINDA O. LESTER
D.B. 328, PG. 842
PLAT CAB. 8, SLIDE 365
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. 419, PG. 575
ZONE A-1

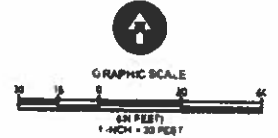
P.O. BOX 481, LEXINGTON, KY 40588
(859) 785-0383
CIVIL DESIGN, LAND SURVEYING,
GEO-TECHNICAL ENGINEERING, DRILLING SERVICES,
IBC SPECIAL INSPECTIONS, MATERIAL TESTING,
CM-CEC CONSTRUCTION SERVICES



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

220252	PDC
07-01-2022	PRE
ISSUED FOR REVIEW	
LANDSCAPING NO.	08/15/2022

PDP



**DEARINGER TRACT 2
PRELIMINARY SUBDIVISION PLAT**

**Staff Report to the Georgetown-Scott County Planning Commission
December 8, 2022**

FILE NUMBER: PSP-2022-52

PROPOSAL: Preliminary Subdivision Plat to subdivide a 2.15-acre tract into two commercial/industrial lots.

LOCATION: 900 East Main Street Extended

OWNER: Dearinger Excavating, LLC

CONSULTANT: Steve Baker
Midwest Engineering, Inc.



STATISTICS:

Zone	B-5 (Planned Commercial)
Surrounding Zones	B-5, I-1, C-1
Site Acreage	1.19 acres and .96 acres (2.15 acre total)
Access	Wells Avenue, via East Main Extended
Setbacks	25' front, 10' side, 20' rear
Variations/Waivers	None. Variance to the perimeter setback in the B-5 District from 50' to 25' approved with Development Plan

BACKGROUND:

The Project Site is a 2.15-acre parent tract, zoned B-5, that contains a 2,400 square foot industrial shop building on the south side of the lot. The existing building is used by a contracting/excavating company. The purpose of the subdivision is to split the lot roughly in half and create two lots (Tracts 2A and 2B), one for a new building and business on the 1.19-acre, Tract 2B, with the existing business to remain on the .96-acre, Tract 2A. The lot is accessed via a private street with other industrial/utility users on adjoining lots sharing the access. A Preliminary Development Plan was approved for the new Tract 2B in September 2022. The proposal at that time was to construct an additional shop building on the north end of the existing 2.15-acre lot and then split the lot at a later date. The applicant is seeking approval for the lot split now.

PLAT REVIEW:

The proposed lots will both be accessed from Wells Avenue, a private street. They will share in the future maintenance of Wells Avenue. The maintenance agreement shall be shown or referenced on the final plat. The lots meet the minimum lot size, width and setbacks for the B-5 District. The B-5 District does have a 50' perimeter setback. The applicant received a variance to reduce the perimeter setback from 50' to 10' as part of the previous Preliminary Development Plan approval.

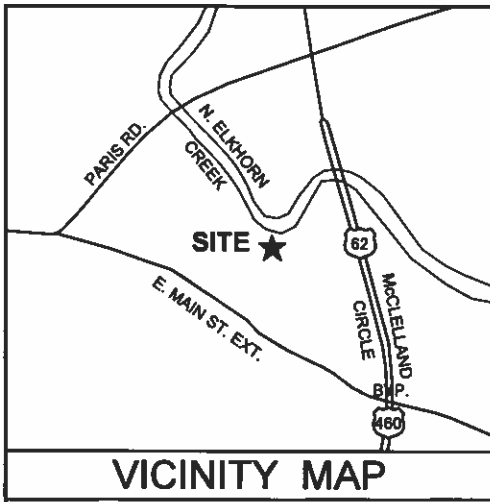
There will be some stormwater infrastructure that crosses over Tract 2B from Tract 2A. The applicant will need to provide a storm sewer easement centered over the storm line crossing Tract 2B. All utilities providers will be required to sign the final plat. GMWSS has stated they will need to approve the availability of water and sewer and verify that proper easements are shown prior to signing final plat.

RECOMMENDATION:

Staff recommends **approval** of the Preliminary Subdivision Plat to split a 2.15-acre parcel into two lots one 1.19-acres and one .96-acres, with 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 Development Plan approval, the applicant shall provide the Planning Commission staff (GIS division) with a digital copy of the approved plan.
4. This Preliminary Subdivision Plat approval is valid for two years, subject to the requirements of Article 406 section A of the *Subdivision and Development Regulations*.



PROPERTY OWNER
 DEARINGER EXCAVATING, LLC
 ATTN: RICHARD E. DEARINGER, JR.
 166 CARRIAGE LANE
 GEORGETOWN, KY 40324

PROPERTY LOCATION
 900 E. MAIN ST. EXT.
 GEORGETOWN, KY 40324
 DB 419, PG 447
 PLAT CABINET 12, SLIDE 346

Site Statistics
 Parcel Number: 190-30-050.002
 Zoning: B-5
 Setback Dimensions:
 Front - 50'
 Side - 10'
 Rear - 20'

PURPOSE
 PURPOSE OF THIS PLAT IS TO SUBDIVIDE TRACT 2 AS SHOWN ON PLAT CABINET 12, SLIDE 346, INTO TRACT 2A & 2B.

LEGEND

- = PROPERTY CORNER AS NOTED
- = SET 1/2" IRON BAR W/ CAP "LS 3870"
- ▲ = SET MAG NAIL
- = PROPERTY BOUNDARY LINE
- - - = ADJOINERS APPR. BOUNDARY
- · - · = BUILDING SETBACK LINE
- · - · - · = FEMA FLOOD ZONE

CERTIFICATE OF OWNERSHIP & DEDICATION

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

OWNER OR OWNERS _____ DATE _____

ACCESS EASEMENT & MAINTENANCE AGREEMENT NOTE

WE HEREBY GRANT TRACTS 2A & 2B A 25' ACCESS EASEMENT OVER WELLS AVENUE, A PRIVATE ROAD, FOR USE AS INGRESS AND EGRESS TO EAST MAIN STREET. THE BUYER OF TRACT 2, BY SIGNING BELOW, AGREES TO SHARE IN MAINTENANCE OF WELLS AVENUE, AS MUTUALLY AGREED BETWEEN PARTIES. THE EASEMENT RUNS WITH THE LANDS OF TRACTS 2A & 2B. SEE PREVIOUS AGREEMENT IN PLAT CABINET 12, SLIDE 346.

DATE _____ HAMILTON, HINKLE AND RUTH
 By: Richard Hamilton

DATE _____ RICHARD DEARINGER

CERTIFICATE OF THE AVAILABILITY OF UTILITY SERVICES

I HEREBY CERTIFY THAT: KENTUCKY UTILITIES COMPANY AT&T SHALL SUPPLY THE TRACT 2B WITH ELECTRIC/GAS/TELEPHONE SERVICES AND THE PROPOSED UTILITY EASEMENTS OF SAID DEVELOPMENT MEETS WITH THE REQUIREMENTS OF THIS AGENCY AND ALL OTHER APPLICABLE REQUIREMENTS.

ELECTRIC Co. REPRESENTATIVE _____ DATE _____

TELEPHONE REPRESENTATIVE _____ DATE _____

CERTIFICATE OF ACCURACY

I DO HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY SCOTT COUNTY/GEORGETOWN PLANNING AND ZONING COMMISSION, FOR AN URBAN CLASS SURVEY, AND THE MONUMENTS ARE AS SHOWN. METHOD OF SURVEY WAS CONDUCTED BY GPS "RTK" (REAL TIME KINEMATIC) POSITIONAL ACCURACY IS LESS THAN +/-0.10"/200 PPM. THE HORIZONTAL DATUM IS NAD 1983. THE BEARINGS SHOWN HEREON ARE BASED ON THE KENTUCKY NORTH ZONE STATE PLANE COORDINATE SYSTEM DERIVED FROM A GPS SURVEY. THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE NOT BASED ON AN ADJUSTED SURVEY. ALL PROPERTY CORNERS INDICATED HAVE BEEN MONUMENTED WITH AN IRON PIN (1" LENGTH, 1/2" DIAMETER) AND CAP STAMPED #3870 UNLESS OTHERWISE NOTED HEREON.

SURVEYOR _____ DATE 07-22-2022

KEITH G. WINSTEAD, PLS 3870
 THOROUGHbred ENGINEERING
 110 EAST MAIN STREET, SUITE 208
 GEORGETOWN, KY 40324

SURVEY NOTES

SURVEY PERFORMED BY:
 THOROUGHbred

ENGINEERING EQUIPMENT:
 TRIMBLE R10 GNSS RECEIVER

COORDINATE SYSTEM
 KY NORTH BASE NAD 83
 VERTICAL BASED ON NAVD88

SURVEYOR NOTES

- ANY FURTHER DIVISION OF THE PROPERTIES SHOWN HEREON WILL REQUIRE REVIEW AND APPROVAL OF "GSCPC" THE GEORGETOWN SCOTT COUNTY PLANNING COMMISSION.
- PROPERTY IS SUBJECT TO ANY EASEMENTS OF RECORD NOT SHOWN HEREON.
- FLOOD MAP # 21209C0183D EFFECTIVE 12/21/2017. MAJORITY OF SITE IS LOCATED IN ZONE X, AREA AT MINIMAL HAZARD RISK, WITH A PORTION ALONG EAST PROPERTY LINE IN ZONE AE.

ADDITIONAL NOTE

PROPERTY OWNERSHIP INFORMATION PROVIDED HEREIN IS BASED ON INFORMATION OBTAINED FROM READILY AVAILABLE SOURCES (I.E., SCOTT COUNTY CLERK (DB 419, PG 447 AND PC 12, SL 346), SCOTT COUNTY PVA, ETC.). THEREFORE, NO WARRANTY IS PROVIDED REGARDING THE ACCURACY OF OWNERSHIP INFORMATION OR THE APPROXIMATE GRAPHICAL REPRESENTATIONS OF SUCH (ADJOINING PROPERTY LINES INCLUDING EASEMENTS ETC).

DEARINGER EXCAVATING, LLC

DB 419, PG 447
 PC 12, SL 346

TRACT 2A	0.96 AC
TRACT 2B	1.19 AC
TOTAL	2.15 AC

NALLY & GIBSON GEO, INC.
 DB 130, PG 715
 PVA #190-30-035.000

Line #	Length	Direction
L1	39.78'	N 02°06'04" E
L2	58.12'	N 01°36'37" W
L3	43.22'	N 05°32'04" W
L4	28.88'	N 35°00'26" W
L5	32.82'	N 37°49'08" W
L6	15.71'	N 09°09'48" E
L7	26.49'	S 25°17'48" W

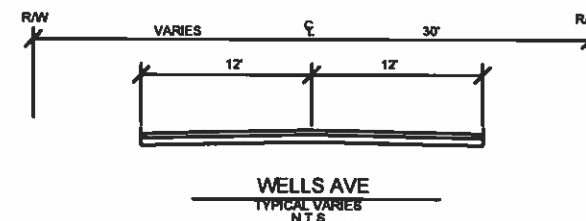
BELL SOUTH TELECOMMUNICATIONS
 DB 245, PG 146
 PVA # 181-10-001.000

DRAKE & DITARDI PARTNERSHIP
 C/O PHILIP DRAKE
 WB 6, PG 350
 PC 12, SL 346
 PVA #190-30-050.000

CERTIFICATION OF UTILITY EASEMENT DESCRIPTION

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

OWNER _____ DATE _____

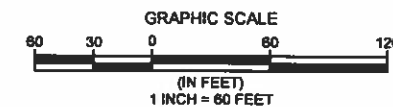


PRIVATE STREET/ACCESS EASEMENT MAINTENANCE NOTE

THE OWNER/OWNERS OF THIS PROPERTY AND ANY SUCCESSORS IN TITLE AGREE TO ASSUME FULL LIABILITY AND RESPONSIBILITY FOR CONSTRUCTION, MAINTENANCE, RECONSTRUCTION, SNOW REMOVAL, CLEANING OR ANY OTHER NEEDS RELATED TO THE PRIVATE STREET/ACCESS EASEMENT SHOWN ON THIS DEVELOPMENT PLAN/PLAT. THIS AGREEMENT RELIEVES THE CITY OF GEORGETOWN/CITY OF STAMPA/CITY OF SADIVILLE/SCOTT COUNTY GOVERNMENT FROM ANY SUCH RESPONSIBILITIES. IF THE OWNER/OWNERS REQUEST THAT THE PRIVATE STREET/ACCESS EASEMENT BE DEDICATED AS PUBLIC STREETS, THE OWNER/OWNERS BEAR THE FULL EXPENSE OF ANY RECONSTRUCTION REQUIRED TO COMPLY WITH CITY/COUNTY STANDARDS PRIOR TO DEDICATION AND ACCEPTANCE AND ALL CONDITIONS OUTLINED IN SECTION 4, D. HAVE BEEN MET.

OWNER _____

OWNER _____



GENERAL MANAGER _____ DATE _____

THOROUGHbred ENGINEERING
 P.O. BOX 48021, GEORGETOWN, KY 40508
 CIVIL DESIGN, LAND SURVEYING, GEOTECHNICAL ENGINEERING, DRILLING SERVICES, IBC SPECIAL INSPECTIONS, MATERIAL TESTING, CM-CA-CONSTRUCTION SERVICES

THOROUGHbred
 DESIGN | ENGINEER | CONSTRUCT

MINOR SUBDIVISION PLAT
DEARINGER EXCAVATION, LLC
900 E. MAIN ST. EXT.
 GEORGETOWN, SCOTT COUNTY, KENTUCKY 40324

PROJECT NO.	200148	Drawn BY	CLG
DATE	07-11-22	REVIEWED BY	KGW
900 E Main Street Subdivision Tract 2 Plat.dwg			
REVISION	DATE		
1	11/22/2022		

PLAT SHOWN HEREON REPRESENTS A BOUNDARY SURVEY AND COMPLIES WITH 201 KAR 18:150.

**ONLINE TRANSPORT
PRELIMINARY DEVELOPMENT PLAN**

**Staff Report to the Georgetown-Scott County Planning Commission
DECEMBER 8, 2022**

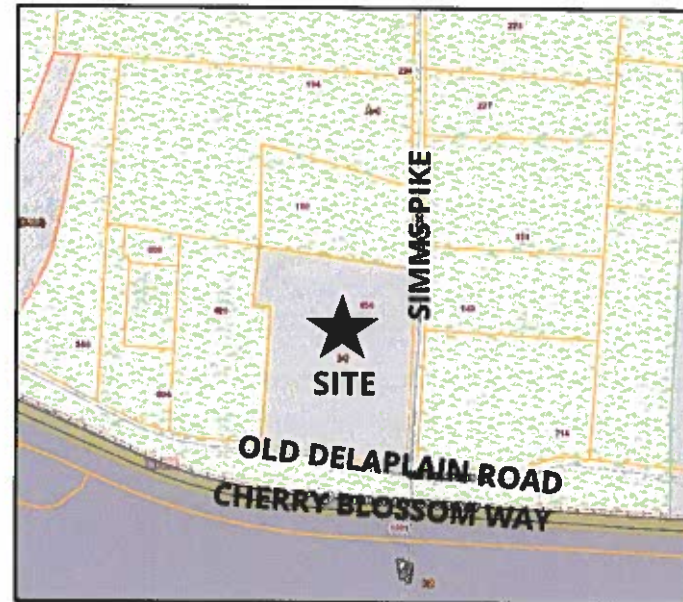
FILE NUMBER: PDP-2022-53

PROPOSAL: Preliminary Development Plan for an 11,200 SF maintenance/office building and a 288,017 SF gravel storage area.

LOCATION: 656 Old Delaplain Road

OWNER: KCKY1

CONSULTANT: Adam Bender-Saunders, PE
CMW, Inc.



STATISTICS:

Zone	I-1 (Light Industrial)
Surrounding Zone(s)	A-1 & I-2 (across RoW to the south)
Site Acreage (Net)	9.95 Acres
Building Height	20 feet
Proposed Building Size	11,200 Square Feet
Proposed Parking	12 spaces (1 ADA Accessible)
Truck/Trailer Parking	288,017 Square Feet (graveled)
Access	Old Delaplain Road
Variations/Waivers	1. Waiver to allow the use of gravel for trailer storage and limited truck parking. 2. Variance to reduce the number of interior VUA trees required from 15 to 10.

BACKGROUND:

The Applicant is seeking approval of a site plan to construct an 11,200 building for office and vehicle maintenance uses. The site received preliminary approval for a different layout in November of 2016, but the preliminary approval expired per Article 406 Section A of the *Subdivision & Development Regulations* (Sunset Clause). The proposed use is permitted in the I-1 zoning district.

At the time the staff report was written, staff had not yet received a completed compliance form indicating the applicant and property owner were complying with requirements of local regulatory

agencies. If staff does not receive a completed copy of this form, this application will not be heard by the Planning Commission.

There is substantial evidence from aerial imagery indicating that the Applicant's development/uses of adjoining properties have expanded over the years without going through appropriate plan review and permitting. Staff expects all future possible expansions of the Applicant's use of this and other sites to go through proper approval processes **prior** to any future expansion of development or uses.

PLAN REVIEW:

The Project Site is a double frontage lot at the northwest corner of the intersection of Old Delaplain Road and Simms Pike. The Development Plan shows a proposed building located on the northern side of the site, with a driveway coming off Old Delaplain Road to the south. The driveway also connects to the adjoining property to the west. A stormwater detention basin is proposed in the southwest corner of the property. The proposed building meets the setback & building height requirements in the *Zoning Ordinance*. The Project Site will have a chain link security fence surrounding the perimeter with gates at all paved driveway entrances.

Access:

Vehicular access to the site is proposed from Old Delaplain Road. The Development Plan shows a 34 ft. wide asphalt driveway coming off Old Delaplain Road narrowing down to 24 ft. providing the primary access to the building and continuing to the adjoining property to the west. The plan also shows an adequate paved area around the building and parking spaces. These paved areas will handle most of the daily traffic in and out of the project site. All gated entrances will need to allow for Fire Department Access.

The two frontage roads are rural in character (no sidewalks or curb & gutter) and do not have any sidewalks. Staff does not recommend the addition of sidewalks to either road at this time. The development plan indicates Sims Road has a right of way width of 50 feet along the property's frontage. This should be sufficient width to accommodate future upgrades to Sims Road in the future.

Stormwater Management / Grading:

As of the writing of the staff report, a revised preliminary grading plan has not been submitted to staff for review. Planning Commission staff has spoken with the Applicant's consultant and there is agreement that any grading of the Project Site would need to avoid adverse impacts on Simms Pike.

Landscaping:

Section 6.12: Property Perimeter Requirements

Row 9 of the table requires a 15 ft. wide landscaping buffer between I-1 property and any agriculturally zoned property. This buffer area is required to have 1 tree per 40 feet of linear boundary plus a continuous row of 6 ft. hedge or a 6 ft. fence, wall, or earth mound. The Applicant is proposing to keep the existing tree lines between the Project Site and the adjoining A-1 zoned properties to the north and west. The Applicant, as the owner of these adjoining properties, could waive this screening requirement with a written request.

Section 6.13: Vehicular Use Area Perimeter Requirements

The Preliminary Development Plan meets the requirements for VUA perimeter landscaping. Staff has recommended to the Applicant clearing out some of the undergrowth along the road right of way and providing a continuous 3 ft. tall shrub row. Staff will review the Final Development Plan to ensure compliance with these requirements.

Section 6.22: Interior Landscaping for Vehicular Use Areas

The Applicant is meeting the requirement for the amount of VUA landscaped area but is requesting a variance to reduce the number of required trees. The Applicant requests a reduction in the number of trees required from 15 to 10. The number of trees required is inflated by the long driveway needed for this site. Staff supports this variance.

Section 6.2215: Minimum Canopy Requirements

The Preliminary Development Plan meets the requirements for canopy coverage.

RECOMMENDATION:

Staff recommends **approval** of the Preliminary Development Plan. Should the Planning Commission approve the application, staff recommends including the following waivers/variances and conditions of approval:

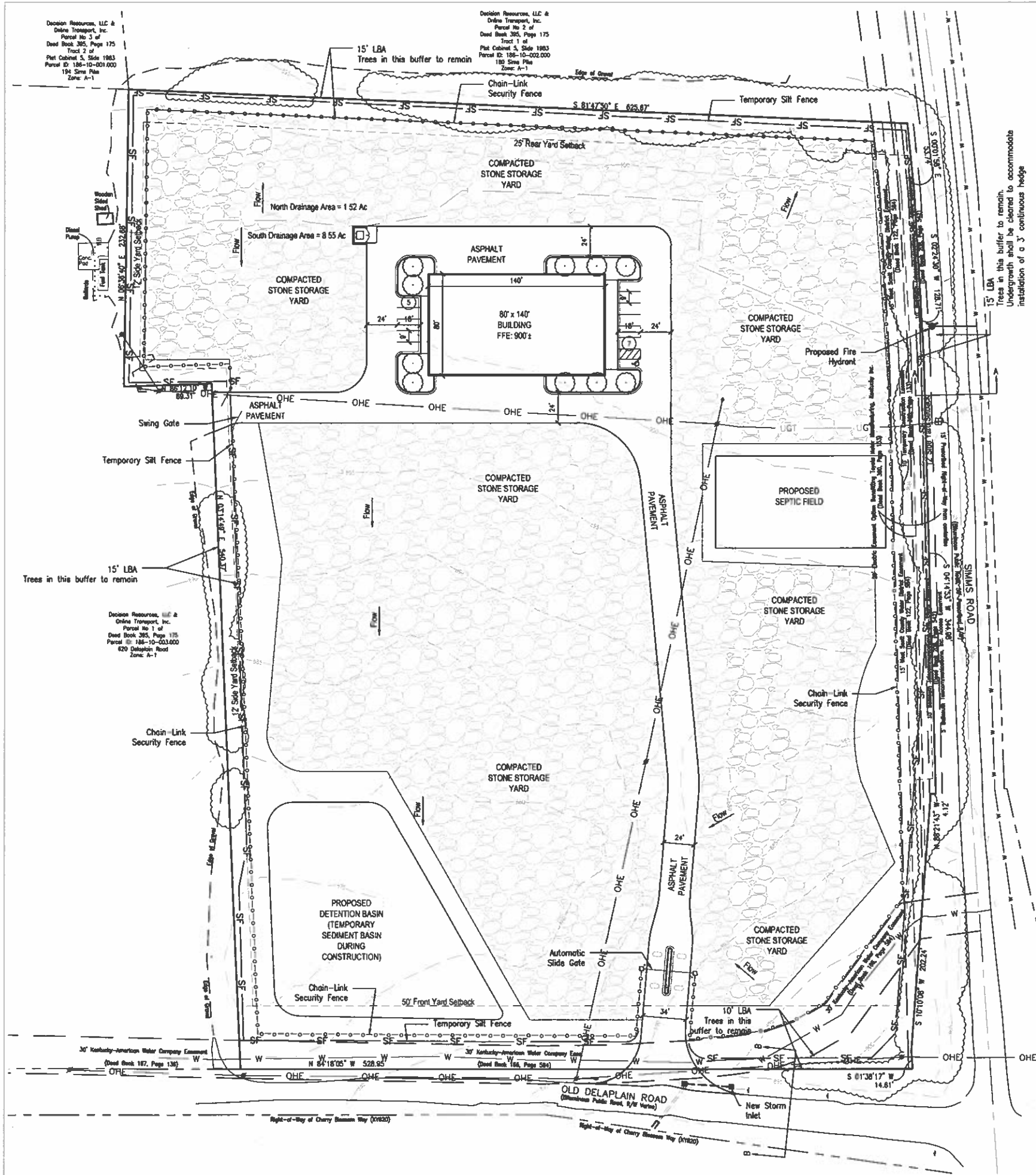
Waiver/Variance:

1. Waiver to allow the use of gravel for trailer storage and limited truck parking.
2. Variance to reduce the number of interior VUA trees required from 15 to 10.

Conditions of Approval:

1. Prior to approval of the Final Development Plan, the Project Site must be annexed into the City of Georgetown.
2. All applicable requirements of the *Zoning Ordinance* and *Subdivision & Development Regulations*.
3. Any revisions or amendments to the approved Preliminary Development Plan shall be reviewed and approved by the Planning Commission staff (minor) or by the Planning Commission (major).
4. 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.
5. Prior to any construction or grading, a Final Development Plan, including all required construction plans, shall be approved by the Planning Commission staff and the applicant shall schedule a Pre-Construction Meeting with the Planning Commission Engineering Department to review construction policies and to establish inspection schedules. This includes a Grading Permit with fee and a Land Disturbance Permit with erosion control surety.
6. The Final Development Plan shall comply with all stormwater management requirements according to the current Stormwater Manual including a post-construction stormwater management BMP O&M agreement.
7. The Final Development Plan shall comply with all requirements of the guidelines in the Dry Run Watershed BMP Study that are applicable to this site.
8. 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*.
9. The Final Development Plan shall have a specie specific Landscaping Plan in compliance with the *Landscaping & Land Use Buffers Ordinance*.

10. Further development (placement of gravel, expansion of storage areas, new buildings, etc.) of the adjoining properties used by the Applicant are prohibited unless they first receive Preliminary and Final Development Plan approval from the Planning Commission.



Trees in this buffer to remain. Undergrowth shall be cleared to accommodate installation of a 3' continuous hedge

CERTIFICATION OF PRELIMINARY PLAN APPROVAL

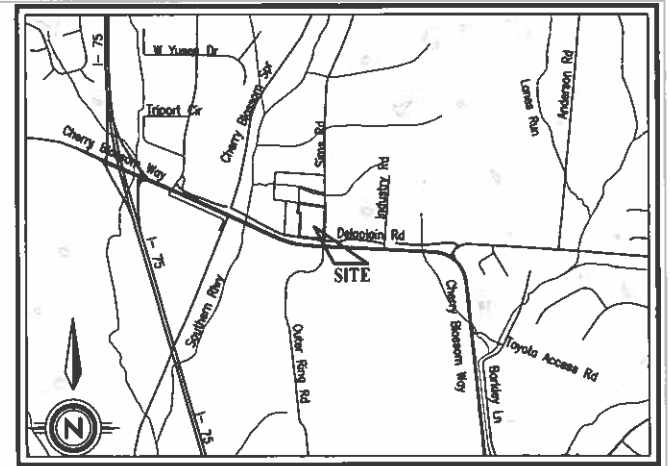
I HEREBY CERTIFY THAT THE PRELIMINARY DEVELOPMENT PLAN SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR GEORGETOWN AND SCOTT COUNTY, KENTUCKY, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION. THIS APPROVAL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

CHAIRMAN, GEORGETOWN-SCOTT COUNTY PLANNING COM. DATE _____

CERTIFICATION OF OWNERSHIP AND DEDICATION

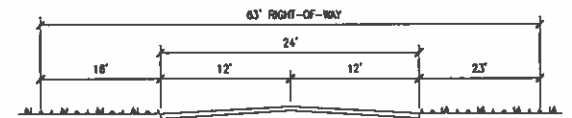
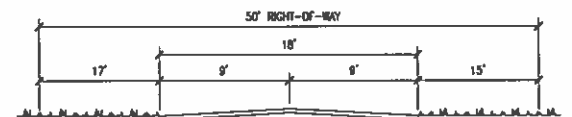
I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN/PLAN OF THE DEVELOPMENT WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, YARDS, PARKS, AND OTHER OPEN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

OWNER DATE _____



VICINITY MAP SCALE: 1"=3,000'

PURPOSE OF PLAN
THE PURPOSE OF THIS PLAN IS TO SHOW THE SIZE AND LOCATION OF A NEW OFFICE AND MAINTENANCE BUILDING, GRAVEL STORAGE AREA, AND ASSOCIATED PARKING AND CIRCULATION.

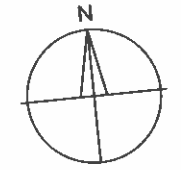


PROPERTY OWNER	
KCKY1 6311 STONER DR GREENFIELD, IN 46140 (317) 894-2159	
SITE STATISTICS	
656 Old Delaplain Road	
Gross Area	10.44 Acres
Net Area	10.07 Acres
RW Area	0.37 Acres
Lot Zoning	I-1 (Light Industrial)
Street Frontage:	
Old Delaplain Road	528.95'
Sims Road	757.25'
Total Frontage:	1,286.20'
Parking Required	11,200 sf (1 / 1,000 sf)
Parking Provided	11 Spaces
Accessories	1 Space
Total	12 Spaces
Building Area:	11,200 sf
Building Height:	20 Feet
Building Coverage:	2.55%
Gravel Storage Area	289,017 sf
Vehicle Use Area (VUA):	36,961 sf
Interior Landscaping Required:	3,697 sf
Interior Landscaping Provided:	3,706 sf
Interior Trees Required	15 Trees (1 / 250 sf)
Interior Trees Provided:	10 Trees
Perimeter Buffer (North, East and West)	15 Feet
Perimeter Buffer (South):	10 Feet
Existing Tree Canopy to Remain:	22,894 sf (5.2%)

- NOTES:
1. THIS DEVELOPMENT PLAN MAY NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAN.
 2. THE SITE IS NOT WITHIN THE ROYAL SPRINGS AQUIFER RECHARGE AREA.
 3. IF ANY WORK IS PROPOSED IN THE US 620 RIGHT OF WAY, A KYTC ENCROACHMENT PERMIT IS REQUIRED.
 4. ACCORDING TO THE KENTUCKY GEOLOGIC MAP SERVICE, THERE ARE NO KNOWN SINKHOLES ON THIS SITE.
 5. NO PART OF THIS PROPERTY IS WITHIN A FLOOD ZONE PER FEMA MAP NUMBER 21200C01200, REVISION DATE: 12/21/2017.
 6. THIS DEVELOPMENT IS ANTICIPATED TO GENERATE LESS THAN 100 PEAK HOUR TRIPS. THE MAXIMUM NUMBER OF PEAK HOUR TRIPS IS CALCULATED USING THE ITE COMMON TRIP GENERATION RATE FOR WAREHOUSING. THE TOTAL BUILDING AREA AND GRAVEL STORAGE AREA IS USED: ((11,200 SF + 289,017 SF) X 0.19 TRIPS / 1,000 SF = 57 TRIPS.
 7. A CONSENT TO ANNEXATION SHALL BE FILED WITH THE CITY OF GEORGETOWN.
 8. A VARIANCE IS REQUESTED TO ALLOW A GRAVEL STORAGE AREA FOR THE USE OF STORING TRUCKS.
 9. A VARIANCE IS REQUESTED TO REDUCE THE REQUIRED INTERIOR TREES FROM 15 TREES TO 10 TREES.

PREPARED ON: NOVEMBER 1, 2022
REVISION 1: NOVEMBER 23, 2022

PRELIMINARY DEVELOPMENT PLAN FOR ONLINE TRANSPORT
656 OLD DELAPLAIN ROAD
GEORGETOWN, SCOTT COUNTY, KENTUCKY



0 40 80
SCALE: 1"=40'

Architecture Interior Design Engineering Landscape Architecture
CMW
The Space of Ideas
249 East Main Street
Suite 100
Lexington, Kentucky 40507
(859) 254-6623
www.cmwaec.com

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION
APPLICATION DEADLINES
2023**

FILING DEADLINE	TECHNICAL REVIEW ** MEETING **	CORRECTIONS DEADLINE*	PLANNING COMMISSIONER ** WORKSHOP **	PLANNING COMMISSION ** MEETING **
December 1, 2022	December 13, 2022	December 28, 2022	January 9, 2023	January 12, 2023
January 3, 2023	January 10, 2023	January 25, 2023	February 6, 2023	February 9, 2023
February 1, 2023	February 7, 2023	February 22, 2023	March 6, 2023	March 9, 2023
March 1, 2023	March 14, 2023	March 29, 2023	April 10, 2023	April 13, 2023
April 3, 2023	April 11, 2023	April 26, 2023	May 8, 2023	May 11, 2023
May 1, 2023	May 9, 2023	May 24, 2023	June 5, 2023	June 8, 2023
June 1, 2023	June 13, 2023	June 28, 2023	July 10, 2023	July 13, 2023
July 3, 2023	July 11, 2023	July 26, 2023	August 7, 2023	August 10, 2023
August 1, 2023	August 15, 2023	August 30, 2023	September 11, 2023	September 14, 2023
September 1, 2023	September 12, 2023	September 27, 2023	October 9, 2023	October 12, 2023
October 2, 2023	October 10, 2023	October 25, 2023	November 6, 2023	November 9, 2023
November 1, 2023	November 14, 2023	November 29, 2023	December 11, 2023	December 14, 2023
December 1, 2023	December 12, 2023	December 27, 2023	January 8, 2024	January 11, 2024

* Deadline to file revised plans and information for Planning Commission Meeting.

** Developer must attend this meeting to discuss appeal of staff recommendation(s).

Dates in bold italics have been moved from their regular scheduled dates due to observed holidays.

Meeting Times: Planning Commission Meeting 6:00 p.m.; Commissioner's Workshop 4:30 p.m.; TRC-Varies
(All times are tentative and subject to change; please contact the Commission office for further information.)