

# Winchester/Clark County Planning Commission

## MINUTES

A meeting of the Winchester-Clark County Planning Commission was held at 7:00 p.m. on Tuesday, January 10, 2023, at the Central Baptist Church Sanctuary, Winchester, Kentucky, with Commission Vice-Chairman, Stefan Fink, presiding.

Those present were:

Christy Bush, Secretary  
Stefan Fink, Vice Chairman  
Bill Harp  
Terry Mynk, Treasurer  
Tim Nance  
Aaron Pelfrey  
Becky Watts  
Robert Jeffries, Planning Director  
Robert Gullette, Jr., Legal Counsel

The following Commissioner was absent, Shane Wiseman.

The meeting was called to order by Vice-Chairman, Stefan Fink at 7:00 PM.

The minutes of the meetings held on December 13, 2022, were presented. A motion was made by Mr. Harp to approve the minutes. After a second by Mrs. Watts the minutes were approved with unanimous vote.

The Treasurer's Report was presented with reconciliation reports and financial reports for December 2022 for review and approval by the Commissioners.

The following accounts were presented for approval:

Summers, McCary, and Sparks (Audit)	\$1500.00
The Winchester Sun (Advertising)	\$754.75

A motion was made by Mr. Mynk to approve the minutes. After a second by Mrs. Bush and with unanimous vote, the Treasurer's report was accepted into record and the accounts were approved to pay.

The public was invited to be heard on any matter not on the agenda.

Mr. John Rompff asked the Commissioners to discuss with staff the procedure for putting hearings on the agenda just to have them pulled before the meeting.

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A public hearing was held to review a Development Plan for an additional structure to be built at 226 & 228 Mutual Avenue (General Business Zoning) for a truck terminal and shop.

The applicant (Nexhat Emini) submitted a development plan application to remove a 3,000 square foot building and replace it with a 6,000 square foot building to be used in conjunction with the proposed truck terminal. Truck terminals and freight yards are listed as a permitted use within the General Business District. The existing office and storage structures on the site will remain on the property and be utilized for business purposes. The proposed building will be located to the rear of the site, behind the existing storage building. Landscaping has been proposed for the perimeter of the property, the existing gravel will remain, and four parking spaces are shown in front of the office building located closest to Mutual Avenue.

After presentation of the staff report, the floor was open for public comment.

The applicant (Nexhat Emini) was represented by Mr. John Rompff, legal counsel, and Mr. Robert Baldwin, engineer. The owner, Mr. Whitehead, was also available to answer questions.

There were no public comments or individuals in favor or opposition.

After review and comments by each member and discussion of the matter, Mr. Pelfrey made the following motion: I make a motion to approve the development plan for the property located at 226 and 228 Mutual Avenue based on the fact that the proposed use is permitted within the B-4 General Business District, the development plan was reviewed by the Technical Review Committee, and the plan adheres to the Development and Subdivision Regulations. After a second by Mr. Mynk and with unanimous vote the motion was carried out.

A public hearing was held to review a Final Development Plan and Final Subdivision Plat for the 22.91-acre property located at 299 Duclair Drive subdividing the single family zoned property into a total of 38 lots.

The applicant (John Wilson Properties LLC) submitted an application for a final development plan and final major subdivision plat for the 22.91-acre property addressed at 299 Duclair Drive. The property is zoned R-1C Single Family Residential. The proposal consists of 38 single family lots ranging from 0.27-acres to 2.32-acres in size. Prior to this application, the property was brought before the Planning Commission for a zoning map amendment (rezoning) during the February 2, 2021, Planning Commission meeting.

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After presentation of the staff report, the floor was open for public comment.

The applicant (John Wilson Properties LLC) was represented by Mr. John Rompff, legal counsel, and Mr. Brian Ward, engineer.

The floor was open for public comments.

The following citizens voiced concerns and asked questions:

Mr. Colton  
Mr. Dixon  
Mr. Means  
Mr. Considine  
Mrs. Powell

Mr. Rompff introduced the following documents into the record:

Drainage Memorandum  
Letter and Affidavit  
Restrictive Covenants  
Roadway Construction Cost Estimate

Mr. Brian Ward reviewed the drainage and stormwater detention basin with concerned citizens.

Mr. Ponders, Ponders Excavating, addressed blasting concerns.

After public comments and concerns, Mr. Rompff was afforded the opportunity to respond to the concerns and questions brought up at the hearing.

There were no comments in favor of the proposal and several individuals in opposition.

After review and comments by each member and discussion of the matter, Mr. Pelfrey made the following motion: I make a motion to approve the final development plan as presented and reviewed at the meeting based on the fact that the proposal meets the requirements as found in the Development and Subdivision Regulations and adheres to the motion made pertaining to the final development plan made at the February 2, 2021 meeting. After a second by Mrs. Watts and with unanimous vote the motion was carried out.

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Mr. Pelfrey made the following motion: I make a motion to approve the final subdivision plat for the 38 single family lots proposed and reviewed at the meeting for the property addressed at 299 Duclair Drive, based on the fact that the lot sizes presented meet and exceed the area and dimensional requirements found in the R-1C Single Family Zoning District, the proposal has been reviewed by the Technical Review Committee and found to meet Development and Subdivision Regulations, and the final plat includes a stub out street for future development towards the south of the property-as required in both motions accepted at the February 2, 2021 meeting and the May 10, 2022 meeting. After a second by Mr. Mynk and with unanimous vote the motion was carried out.

Mr. Pelfrey made a motion to accept the Roadway Construction Cost opinion developed by Palmer Engineering in the form of a letter of credit. After a second by Mr. Nance and with unanimous vote the motion was carried out.

Mr. Pelfrey made a motion to take the application for the property located at 310 Rolling Hills Lane off the table. After a second by Mrs. Watts the motion carried.

A public hearing was held to review documents pertaining to a storm water study for the development of the property located at 310 Rolling Hills Lane.

The applicants (Greg Riner & Scott Spicer) submitted a request to come back to the Planning Commission with documentation pertaining to a storm water study. During the November 1, 2022, Planning Commission meeting, the applicants submitted a zoning map amendment application to rezone the 2.025-acre property located at 310 Rolling Hills Lane from Agriculture (A-1) to General Business (B-4). After hearing from the public and reviewing the application, the Planning Commission motioned to forward a recommendation to the Fiscal Court to rezone the property. The Planning Commission motioned to table the development plan until a stormwater study was performed and presented to the Planning Commission.

After presentation of the staff report, the floor was open for public comment.

The applicants (Greg Riner & Scott Spicer) presented an Erosion Control/Water Diversion Plan document drafted by Tucker Goff (WWG Construction LLC).

Mr. Ron Rigney reviewed the presented document and informed the Planning Commission that this document did not meet the requirements of a stormwater study for proposed development.

There were no comments in favor of the request.

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After review and comments by each member and discussion of the matter, Mrs. Bush made the following motion: I make a motion to approve the development plan based on the fact that the applicants have chosen not to change the contours of the property located at 310 Rolling Hills Lane, only using gravel and no hard surfacing, resulting in the contours staying the same and the stormwater runoff not affected at the site, as well as including the addition of the easement as described in Article 13.312 of the Winchester/Clark County Zoning Ordinance, line #2 requiring one tree every 40 feet (or fraction thereof) plus a three foot average height continuous planting/hedge or fence. After a second by Mrs. Watts and with unanimous vote the motion was carried out.


In Staff Comments, Mr. Jeffries apprised the Commissioners on the Comprehensive Plan update.

Mrs. Watts made a motion to adjourn the meeting at 08:56 PM.

The next Planning Commission meeting will be held on Tuesday, February 7, 2023.

Prepared by:

Respectfully submitted,

  
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Kim Mathias, Recording Secretary

  
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Christy Bush, Secretary