

Winchester/Clark County Planning Commission

MINUTES

A meeting of the Winchester-Clark County Planning Commission was held at 7:00 p.m. on Tuesday, April 4, 2023, at the Central Baptist Church, Winchester, Kentucky, with Commission Chairman, Shane Wiseman, presiding.

Those present were:

Shane Wiseman, Chairman
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, Christy Bush.

The meeting was called to order by Chairman, Shane Wiseman at 7:00 PM.

The minutes of the meetings held on March 7, 2023, 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 March 2023 for review and approval by the Commissioners.

The following accounts were presented for approval:

The Winchester Sun (Advertising)	\$365.25
Ron Rigney (Engineering services for March)	\$450.00

A motion was made by Mr. Mynk to approve the report. After a second by Mr. Harp 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.

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A public hearing was held to review a Final Planned Development Project Plat consisting of Single Family and Highway Business use for the 61.29-acre property located at 1305 Irvine Road.

The applicant (Curtis M. Green) submitted a zoning map amendment application during the October 6, 2020, Planning Commission meeting. He was requesting to rezone the property located at 1305 Irvine Road from A-1 (Agricultural) to PD (Planned Development). At the time, the proposed development plan described three proposed sections of the farm being divided into business, Multi-Family, and Single-Family uses. His current proposal shows only Single-Family and Highway Business use. The Preliminary Development plan was approved during the October 6, 2020, Planning Commission meeting.

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

Mr. Brian Thomas, legal counsel for the applicant, presented information regarding the project and requested a waiver for the sidewalk requirement.

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

After review and comments by each member and discussion of the matter, Mr. Fink made the following motion: I make a motion to approve the Final Development Project plat for the proposed Single-Family and Highway Business use for the property located at 1305 Irvine Road, consisting of fifty (50) Single-Family lots and one (1) Highway Business lot because Mixed Use development was approved on the Preliminary plan and was found to be an appropriate use for the property and surrounding areas and waive the requirement for sidewalks. After a second by Mr. Pelfrey and with unanimous vote the motion was carried out.

A public hearing was held to amend the Planned Development Project Plat for the Deer Lawn/Royal Oaks Subdivision located at 300 Royal Oaks Drive and 2395 Paris Road.

The applicant (Deer Lawn Development, LLC) is proposing to develop the 365.77-acres into 438 Single-Family homes, eight (8) Duplex units/lots, and 48 Townhouse units/lots.

The applicant previously submitted an application for the October 6, 2020 Planning Commission meeting to expand the original Planned Development Project for Deer Lawn/Royal Oaks Subdivision to include new lot layouts. This application was denied because the new expansion included 16 apartment buildings that were not

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part of the original Planned Development Project, or a part of the amendments made in 1999 and 2000.

The developers submitted a new plan that was reviewed at the October 2022 Planning Commission meeting. The application was tabled to further investigate the concerns and issues presented at that meeting. The Planned Development Project amendment was subsequently denied at the November 2022 Planned Commission meeting.

Since the application was pulled from the agenda, the Developer's Engineer and Legal Counsel met with the Planning Commission's Legal Counsel and Staff to discuss resubmitting the Planned Development Project.

The Applicant has submitted a Planned Development Project for the entirety of the subdivision showing the development of each phase, including the vacant property located on Parcel 12 (Phase 5A). The project consists of 438 Single-Family homes, eight (8) Duplex units/lots, and 48 Townhouse units/lots. Parcel 12 (shown as Phase 5A on the plan) was previously identified as being developed for commercial use. The Applicant would like to develop the parcel with more duplex lots and townhomes like what already exists along Silverton Way and Pepperwood.

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

The applicant (Deerlawn Development, LLC) was represented by Mr. Chris Linden, legal counsel, and Mr. Brian Ward, engineer.

Mr. John Rompff, legal counsel for The Plantations at Royal Oaks Homeowner's Association presented information pertaining to a Planning & Enforcement Agreement and introduced the document into the minutes of the meeting.

There were no comments in favor of or opposition of the proposal.

After review and comments by each member and discussion of the matter, Mr. Fink made the following motion: I make a motion to approve the Preliminary Planned Development Project plat for the subdivision known as Deer Lawn Development/Royal Oaks located at 300 Royal Oaks Drive and 2395 Paris Road consisting of 438 Single-Family homes, eight (8) duplex units/lots, and 48 townhouse units/lots because the amendment to the overall subdivision is similar to the development plans and plats approved for Royal Oaks in the past and the proposed development for parcel 12 is more compatible to the area than the original plan for commercial use contingent on the execution of the agreement between Deerlawn Development, LLC and The Plantations Home Owner's

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Association incorporated into the minutes. After a second by Mr. Pelfrey and with unanimous vote the motion was carried out.

In Other business, the Commissioners reviewed a new bond request for Mallard Cove, Units 1-A, 1-B, and 1-C for \$190,000.00 and releasing the original bond for \$305,000.00.

After reviewing the request and discussion of the matter, Mr. Mynk made a motion to accept the request with a change to the bond amount of \$237,000.00 and release the original bond of \$305,000.00. After a second by Mr. Fink and with unanimous vote the motion was carried out.

In Staff Comments, Mr. Jeffries gave an update on a recent Comprehensive Plan workshop and let the Commissioners know of an upcoming workshop scheduled for April 18, 2023.

With no other business on the agenda, Mr. Fink made a motion to adjourn the meeting at 07:53 PM.

The next Planning Commission meeting will be held on Tuesday, May 2, 2023.

Prepared by:

Respectfully submitted,

Kim Mathias, Recording Secretary

Christy Bush, Secretary

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