

**MINUTES**

A meeting of the Winchester-Clark County Planning Commission was held at 7:00 p.m. on Tuesday, February 7, 2017, in the Fiscal Courtroom, Clark County Courthouse, Winchester, Kentucky, with Commission Chairman, Larry Disney, presiding.

Those present were:

- Larry Disney, Chairman
- George Chalfant
- Sarah Glenn
- Mark Mayer
- Terry Mynk
- Tim Nance
- Matthew Terry
- Robert Jeffries, Planning Director
- Kim Mathias, Recording Secretary

Mr. Dwain Wheeler and Mr. Henry Rosenthal were absent.

The minutes of the meeting held on January 3, 2017, were presented. Upon motion of Mr. Terry, seconded by Mr. Chalfant, and unanimous vote, the minutes were approved.

The Treasurer’s Report and the following accounts were presented:

Ron Rigney – engineering services (January 2017)	\$ 250.00
Taylor Siefker Williams Design Group (Comprehensive Plan)	\$ 11316.00
City of Winchester (reimbursement)	\$ 151.32
Rosemont Property (reimbursement/overpayment)	\$ 50.00

The financial reports from January 2017 were submitted for review and approval by the Commissioners. The bank statement had not arrived prior to the meeting and will be reviewed at the next scheduled meeting in March.

Upon motion of Mr. Chalfant, seconded by Mr. Mynk, and unanimous vote, the reports were accepted and the accounts were approved and ordered paid.

The public was invited to be heard for any matters not on the agenda. There were no public comments.

A public hearing was held on a text amendment to update Article 6.13 of the Zoning Ordinance to include radio and television transmitting towers as a conditional use in the agricultural zoning district. The following language was proposed, *“Commercial radio and television transmitting towers (except those regulated by the Public Service Commission) and housing for related equipment”*.

Mrs. Ann Barker, 5450 Mt. Sterling Road, Winchester asked about the process involved for an applicant requesting a tower. Mr. Robert Baldwin, 116 S. Highland Street, Winchester also made a comment regarding the use of towers.

There were no comments in favor or opposition.

After close of the hearing and comments by each member and discussion of the matter, Mr. Terry made the following motion: I make a motion to forward a recommendation to approve the proposed text amendment for Article 6.13 of the City of Winchester/Clark County Zoning Ordinance pertaining to conditional uses in an Agricultural Zoning District to both the City Commission and County Fiscal Court. After second by Mr. Chalfant, with unanimous vote the text amendment was approved.

A public hearing was held on a preliminary plat for a proposed Commercial Planned Development project to be located in a Planned Development district at 1830 Bypass Road. The applicant submitted a preliminary plat for a commercial planned development project consisting of two lots to be used for commercial purposes and one vacant lot.

Mr. Frank White and Mr. Robert Baldwin were present to answer questions on behalf of the owners, George S. Brooks and Elizabeth C (Brooks) Bulleit.

Mr. Larry Todd Denham spoke in favor of the proposal. There were no comments in opposition.

After close of the hearing and comments by each member and discussion of the matter, Mrs. Glenn made the following motion: I make a motion to approve the preliminary plat for the proposed Commercial Planned Development Project to be located at 1830 Bypass Road, based on the fact that the use is compatible to the surrounding area and the future land use map. The approval is contingent upon the dimension and area requirements for B-3 (Highway Business) district being applied to this project and listed on the final plat, including the 25 foot variance. After second by Mr. Terry, with unanimous vote the preliminary plat was approved.

A public hearing was held on a zoning map amendment rezoning a 7.092 acre parcel from A-1 (Agricultural) to B-3 (Highway Business) district located at 6735 Mt. Sterling Road. The applicant/owner, Sarah M. Boston Fourth B. Trust, is requesting a zoning map amendment in order to operate a storage facility consisting of 27 mini-warehouses on the property. The property is currently zoned A-1 (Agricultural) and the proposed use is not an approved use for the zoning district.

After presentation of the staff report by Robert Jeffries, Planning Director, Mr. Disney invited the public to comment in favor or opposition of the zoning map amendment.

Mr. John Rompf, Jr., Attorney, entered a "Proposed findings in support of zone change" document into the records. After being sworn in Mr. Robert Baldwin, engineer, answered questions presented by Mr. Rompf regarding the current zoning classification, the property's lack of suitability for any agricultural use, and details related to the proposed storage facility.

The Commission then heard from those in opposition of the proposal. The following residents expressed various concerns about rezoning, including increased traffic on an already hazardous road, if approved could something else go there if the owner sold, decreased value of surrounding properties, disruption of serene country setting by need for security lighting, and the potential increase in crime/theft:

Ms. Cora Heffner, 300 Goose Creek Rd., Winchester  
Mr. Kevin Parido, 6950 Mt. Sterling Rd., Winchester  
Mr. Rob Parido, 303 Skylark Rd., Winchester

Ms. Ann Barker, 5450 Mt. Sterling Rd., Winchester  
Mr. Donald Reese, 6266 Mt. Sterling Rd., Winchester  
Ms. Karen Epperson, 6600 Mt. Sterling Rd., Winchester  
Ms. Sarabeth Parido, 6950 Mt. Sterling Rd., Winchester  
Mr. Randy Epperson, 6600 Mt. Sterling Rd., Winchester  
Mr. Brooks Barker, 6533 Mt. Sterling Rd., Winchester  
Mr. Bently Moberly, 5624 Mt. Sterling Rd., Winchester

The owner, Ms. Sarah M. Boston, made a statement in favor of the zoning map amendment and offered to have the facility open during daylight hours only. Mr. John Rompf, Jr. delivered a final argument to the commissioners before the close of hearing.

There were no additional comments in favor of the proposal.

After close of the hearing and comments by each member and discussion of the matter, Mr. Mayer made the following motion: I make a motion to forward a recommendation to the Fiscal Court to deny the request for a zoning map amendment rezoning the property located at 6735 Mt. Sterling Road from A-1 (Agricultural) to B-3 (Highway Business), based on the fact that the request is not in line with the future land use map or the goals pertaining to rural commercial development found in the current Comprehensive Plan. After second by Mr. Terry, with unanimous vote the zoning map amendment was denied.

A public hearing was held on a text amendment to update Article 6.141 of the Zoning Ordinance to include Planned Development projects consisting of nursing homes, extended care, retirement, rehabilitation, and independent or dependent living facilities as a special use in the agricultural zoning district.

After presentation of the proposed language consisting of two suggested options by Robert Jeffries, Planning Director, Mr. Disney invited public comment in favor or opposition of the proposed text amendment update.

The following individuals expressed favor with the proposed language:

Mr. Randall Green, Sunrise Children's Services, 1080 Shaketown Rd., Danville  
Mr. Robert Baldwin, 116 S. Highland St., Winchester  
Ms. Phyllis Abbott, Lady Veterans Connect, 269 W. Main St., Lexington  
Ms. Wanda Martin, Lady Veterans Connect, 124 Quail Ridge Rd., Winchester  
Ms. Lanny Evans, DAR/Lady Veterans Connect, 207 Hampton Avenue, Winchester  
Ms. Amy Brown, Bob Brown House, 507 Rogers Rd., Lexington  
Ms. Jo Gawthrop, Bob Brown House, 507 Rogers Rd., Lexington  
Mr. Jerry Joiner, 588 Flanagan Station Road, Winchester

There were no individuals who commented in opposition of the proposed text amendment.

After close of the hearing and comments by each member and discussion of the matter, Mr. Chalfant made the following motion: I make a motion to forward a recommendation to approve the proposed text amendment for Article 6.141 of the City of Winchester/Clark County Zoning Ordinance pertaining to special uses in an Agricultural Zoning District to option 2 which reads as follows "*Planned Development Projects consisting of nursing homes, convalescent or extended care facilities, retirement homes, rest homes,*

*rehabilitation facilities, care centers, and independent or dependent living facilities*” to both the City Commission and Fiscal Court. After second by Mr. Nance, roll was called. Roll call – Terry Mynk, no, George Chalfant, yes, Tim Nance, yes, Matthew Terry, yes, Mark Mayer, no, Sarah Glenn, no, Larry Disney, yes. Motion carried 4-3.

There were no staff or commissioner comments.

The next Planning Commission meeting will be held on Tuesday, March 7, 2017. There being no further business, the meeting was adjourned.

Prepared by:

Respectfully submitted,

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Kim Mathias, Recording Secretary

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Mark Mayer, Secretary