

MINUTES

A meeting of the Winchester-Clark County Planning Commission was held at 7:00 p.m. on Tuesday, November 10, 2020, in the City Commission Chambers of City Hall, Winchester, Kentucky and via Zoom virtual courtroom, with Commission Chairman, Dwain Wheeler, presiding.

Those present were:

Dwain Wheeler, Chairperson
Stefan Fink, Secretary
Sarah Glenn, Treasurer
Terry Mynk
Tim Nance
Christopher Thacker
Shane Wiseman, Vice Chairperson
Robert Jeffries, Planning Director
Bill Dykeman, Legal Counsel
Kim Mathias, Recording Secretary

Mr. Aaron Pelfrey was absent.

The meeting was called to order by Chairperson, Dwain Wheeler at 7:00 PM.

The minutes of the meeting held on October 6, 2020 were presented. A motion was made by Mr. Wiseman to approve the minutes as presented. After second by Mr. Fink the minutes were approved as presented with unanimous vote.

The Treasurer's Report was presented with a reconciliation report and financial reports for October 2020 for review and approval by the Commissioners.

The following accounts were presented for approval:

Ron Rigney (engineering services)	\$390.00
City of Winchester (reimbursement for CE)	\$69.00
The Chapman Printing Co (office supplies)	\$125.86

Upon motion by Mr. Fink, second by Mrs. Glenn, and with unanimous vote, the Treasurer's report was accepted into record and accounts were approved to pay.

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

Mr. Steve Berryman thanked the Commission for the opportunity to serve on a special committee regarding a Solar Ordinance draft text. He said the meeting was not successful and suggested the committee be disbanded.

Mr. Wheeler expressed clarification on what the committee was supposed to be. He then addressed the Commissioners and made the following motion: I make a motion to disband the special committee. After second by Mr. Wiseman and with unanimous vote the motion carried.

Ms. Adriana Wills and Mr. Will Mayer made comments regarding the Solar Ordinance draft text and suggested the Comprehensive Plan committee reconvene to address this topic.

A public hearing was held to review a Zoning Map Amendment rezoning 1.35 acres of the property addressed at 601 Flanagan Station Road, and located directly behind Benton's RV Storage, from Agricultural (A-1) to Highway Business District (B-3).

The applicants (Mr. Jeremy Benton and Mrs. Rhonda Benton) submitted a zoning map amendment application to rezone the 1.35 acres of the property located behind their business. The property is a part of the 41 acre farm addressed at 601 Flanagan Station Road. The additional property would allow Benton's RV and Boat Storage to expand their business. No additional road frontage would be obtained. The new expansion would take place along the west property line.

The future land use map identifies the farm located at 601 Flanagan Station Road as being anticipated for Commercial Use, as shown on the Future Land Use Map. The proposed zoning map amendment, rezoning the 1.35 acres to B-3 Highway Business would be in agreement with the future land use map, as identified in the Winchester/Clark County Comprehensive Plan.

After presentation of the staff report, the applicants (Mr. Jeremy Benton and Mrs. Rhonda Benton) and Mr. John Hendricks (Attorney) were sworn in to answer questions about the request.

Mr. Benton indicated that they had not yet purchased the land and Mrs. Benton said that they intend to consolidate all three properties. Mr. Hendricks requested that the Commissioners waive the requirement for a development plan.

The floor was then open for public comment. There were no comments in favor or opposition.

After review and comments by each member and discussion of the matter, Mr. Thacker made the following motion: I make a motion to forward a recommendation to the Clark County Fiscal Court to approve a zoning map amendment rezoning the 1.35 acre property addressed at 601 Flanagan Station Road and located directly behind Benton's RV & Boat Storage, based on the fact that the proposal is found to be in agreement with the Winchester/Clark County Comprehensive Plan, and is anticipated for commercial use in the Rural Future Land Use Map, and the adjoining property found along Flanagan Station Road is zoned B-3 Highway Business. The approval is contingent upon the approval of the certified plat identifying the 1/35 acre parcel for rezoning and consolidation into the Benton's RV & Storage property and is also contingent on the filing of a signed property affidavit being submitted to the Planning & Zoning office by close of business on November 13, 2020. After second by Mr. Wiseman and with unanimous vote the motion carried.

Mr. Thacker made the following motion: I make a motion to approve the request to waive the preliminary and final development plan requirement for the proposed rezoning and expansion of Benton's RV & Boat Storage based on the fact that the site plan submitted accurately describes the proposed use of the sit and the Planning Commission finds that the proposal has a minimum impact on the neighborhood and surrounding properties. After second by Mr. Fink and with unanimous vote the motion carried.

A public hearing was held to review a Development Plan Amendment. The applicant (Danimer Scientific Kentucky, Inc) is requesting an amendment to the development plan that was approved previously on March 3, 2020. The development plan consists of 3 additional buildings to be located at 605 Rolling Hills Lane.

The subject property consists of 14.65 acres, the area on the parcel where the new buildings are proposed is surrounded by I-1 zoned land, the parcel itself is adjacent to B-4 Zoned property on the East side of the property (across Rolling Hills Lane). Winchester Soccer Road runs through the parcel, it is privately owned and maintained. The structures range in size from 23 feet to 84 feet in height. There is not a height restriction or building setback requirement in the Light Industrial Zoning District.

Interior landscaping requirements will need to addressed and regulations for interior landscaping will need to be adhered to.

After presentation of the staff report, the applicant's representative (Mr. David Mazzei) was sworn in to answer questions about the requested amendment.

The floor was then open for public comment. There were no comments 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 amendment to the Development Plan for the property located at 605 Rolling Hills Lane, based on the fact that the plan was reviewed and revised by the Technical Review Committee, and is found to meet the requirements listed in the Winchester/Clark County Subdivision and Development. Applicant must meet all landscaping requirements. After second by Mr. Wiseman and with unanimous vote the motion carried.

In Other Business, Mr. Jeffries and Mr. Wheeler attended HB55 continuing education. Mr. Jeffries updated the Commissioners regarding future continuing education. He is working with Mr. David Pike to set something up for Winchester in December.

Mr. Jeffries mentioned a letter of intent regarding the next audit.

Mr. Thacker addressed the Commissioners requesting to discuss some personnel issues. Mr. Thacker made the following motion: I would propose a move into Closed Executive Session pursuant to KRS 61, 810 and potentially subsection C. After second by Mr. Wiseman and with unanimous vote the Commissioners went into closed executive session.

Upon return to open session Mr. Thacker made the following motions: I make a motion, directed to staff, that we direct the Planning Director to send the proposed agenda and staff report for each regular commission meeting to Legal Counsel for the Commission by email, copying that email to the Chairman of the Commission, prior to public notice being given for the meeting, and that Counsel for the Commission then confirm review of the proposed agenda and staff report for compliance with all legal requirements necessary for the Commission's proper consideration of the proposed items on the agenda, again by email back to Staff and, copying the Chairman; and then only upon final approval by the Chairman after receipt of Counsel's email should the agenda be set and public notice be given and the agenda sent to the rest of the Commission. After second by Mr. Nance and with unanimous vote the motion carried.

I make a motion to direct staff, the Director of Planning, to prepare a draft request for proposal ("RFP") for legal services, similar to what we do for CPA's each year, with the intent that such a RFP would be issued annually, for consideration by the Commissioners at our next regular meeting; and that the draft include identification

of the expectations of Counsel, which will include the attendance at all Commission meetings, review of the agenda items for each monthly meeting the agenda is set or notices, and also being available for consultation on legal issues with the Commission and with the Staff between meetings. The request should reflect that current budgeted amount for these services is a retainer of \$760/monthly or \$5160/annually. After second by Mr. Nance and with unanimous vote the motion carried.

There being no other business, Mr. Fink motioned to adjourn the meeting. After second by Mr. Nance and with unanimous vote the meeting was adjourned at 8:59 PM.

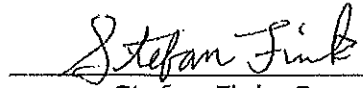
The next Planning Commission meeting will be held on Tuesday, December 1, 2020.

Prepared by:

Respectfully submitted,



Kim Mathias, Recording Secretary



Stefan Fink, Secretary