The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, June 11, 2015, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Fred Reeves, Chairman
Larry Boswell, Vice Chairman
Steve Frey, Secretary
Brian Howard, Director
Terra Knight, Attorney
Ward Pedley
John Kazlauskas
Lewis Jean
Beverly McEnroe
Larry Moore
Irvin Rogers

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CHAIRMAN: Call the June 11, 2015 Owensboro Metropolitan Planning Commission meeting to order. We start each meeting with a prayer and pledge to the flag. This will be done by Mr. Lewis Jean this evening. If you would join us, please

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: The first item of business will be to consider the minutes of the May 14, 2015 meeting. Commissioners, all of you have received these in the mail. You've had a chance to review them. Are any additions or corrections to the minutes?
CHAIRMAN: If not I'll entertain a motion to approve the minutes.

MR. PEDLEY: Motion for approval.

CHAIRMAN: Motion by Mr. Pedley.

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

We have several zoning change applications tonight. I would like to remind everybody in the audience, if you wish to speak on any of these issues, and we invite all of you to speak if you would like on any issue, please come to the podium. You will be sworn in. Speak directly into the mike so we can get everything probably rerecorded.

Also, Commissioners, I would remind you to speak into your mikes so that they can be properly recorded.

At this time we're ready for Item Number 3.

MR. HOWARD: Under Zoning Changes I will note too that all zonings changes heard tonight will become final 21 days after the meeting unless an appeal is filed. If an appeal is filed, then we will forward
the record of the meeting to the appropriate legislative body for them to take final action. The appeal forms are available on our website, in the office and on the back table.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 3

800 Block of Leitchfield Road, 1.808 acres
Consider zoning change: From B-4 General Business to B-5 Business/Industrial
Applicant: Housing Authority of Owensboro

MS. KNIGHT: Please state your name for the record.

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION

Access to the site must comply with the requirements of the Access Management Manual and no more than one access point to Leitchfield Road shall be permitted.

FINDINGS OF FACT:

1. Staff recommends approval because the
The proposal is in compliance with the community's adopted Comprehensive Plan;

2. The subject property is located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;

3. The subject property lies within an existing area of mixed general business and light industrial uses;

4. The Comprehensive Plan provides for the continuance of mixed uses; and,

5. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.

MR. HILL: Staff request that the Staff Report be entered into the record as Exhibit A.

CHAIRMAN: Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you have any comments you would like to make?

APPLICANT REP: No.

CHAIRMAN: Anybody here would like to speak on behalf of the application or in opposition of the
application?

(NO RESPONSE)

CHAIRMAN: Any of the commissioners have any questions that you would like to ask?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion.

MR. ROGERS: Mr. Chairman, I make a motion for approval based on the Planning Staff Recommendation with the one Condition and Findings of Fact 1 through 5.

CHAIRMAN: Motion by Mr. Rogers.

MR. BOSWELL: Second.

CHAIRMAN: Second by Mr. Boswell. Questions or comments from the commission?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: This application is approved.

Thank you.

ITEM 4

507, 601 Plum Street & 1120, 1122 West 5th Street, 1.3 acres

Consider zoning change: From P-1 Professional/Service & R-1T Townhouse to P-1 Professional/Service

Applicant: Mount Calvary Baptist Church

PLANNING STAFF RECOMMENDATIONS

Ohio Valley Reporting
(270) 683-7383
The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION

No direct access shall be permitted to West Fifth Street. Access shall be limited to the existing Plum Street and alley access points only.

FINDINGS OF FACT:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;

2. The subject property is located in a Central Residential Plan Area where professional/service uses are appropriate in limited locations;

3. The proposed professional/service use conforms to the criteria for non-residential development;

4. This proposal is a logical expansion of existing P-1 zoning already on a subject property; and,

5. At 1.3 acres, the proposal is not a significant increase in P-1 Professional/Service zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
MR. HILL: We would request that the Staff Report be entered into the record as Exhibit B.

CHAIRMAN: Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to make any comments, sir?

APPLICANT REP: No. We're just in the process of building a new church.

CHAIRMAN: Would you step up to the podium and be sworn, please, if you don't mind.

MR. MITCHELL: My name is Olander Mitchell. I'm the chairman of the board of Mount Calvary.

(OLANDER MITCHELL SWORN BY ATTORNEY.)

CHAIRMAN: Sorry to be so formal, but it's required by law.

If you would like to make comments, please do.

MR. MITCHELL: We're in the process of wanting to build a new church on the property right there. We built that church in 2007 and we outgrew it. It's time for a larger and bigger church.

CHAIRMAN: Anything else?

MR. MITCHELL: No, sir.

CHAIRMAN: Anyone else wish to make any comments, have any opposition to it?
CHAIRMAN:  Any of the commissioners have any questions or concerns regarding this application?
(NO RESPONSE)

CHAIRMAN:  If not the chair will entertain a motion.

MR. FREY:  Make a motion for approval based on Planning Staff Recommendations, and citing the one Condition, and Findings of Fact 1 through 5.

CHAIRMAN:  Motion by Mr. Frey.

MR. PEDLEY:  Second.

CHAIRMAN:  Second by Mr. Pedley.  Any questions or concerns?
(NO RESPONSE)

CHAIRMAN:  All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN:  Motion carries. Application is approved.

Thank you for coming this evening, sir. We appreciate it.

ITEM 5

2935 Highway 54 & 2100 Block of Highway 603, 191.349 acres
Consider zoning change: From A-U Urban Agriculture & B-4 General Business to B-4 General business, R-3MF Multi-Family Residential & P-1 Professional/Service Applicant: GW Development, Inc. & Gateway Lane, LLC

Ohio Valley Reporting
(270) 683-7383
MR. HOWARD: I'll make a couple of comments here before Mike reads the Staff Report.

Since they're proposing three separate zones, we prepared three separate Staff Reports for tonight. Mike is going to start with the B-4 application. We will hear those in consecutive order, but each individually since they're all separate components.

This is a large rezoning. It's one of the largest we've ever had. They prepared a traffic impact study, which our staff reviewed along with the city engineer's, Kevin Collignon, County Engineer Mark Brasher, the GRADD Transportation Planner Keith Harpole, and Kevin McClearn and his staff from the Kentucky Transportation Cabinet.

At the meeting tonight are Kevin Collignon, City Engineer, Mark Brasher, Daviess County Engineer, and then Kevin McClearn, the District Chief for District 2 from the Transportation Cabinet.

They're here to answer any transportation-related questions that may come up, and the applicant's transportation engineer, Mr. Hays, is here as well, along with their other representatives.

Just wanted to give a little bit of background as far as what we've done preparing for this before Mike reads the first Staff Report into the record for
the B-4 portion of this property.

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION

Written approval from the Kentucky Transportation Cabinet and City/County Engineer accepting this traffic impact study prior to the approval of the initial preliminary plat and fulfillment of all the recommended improvements as outlined in the traffic impact study by the developer.

FINDINGS OF FACT:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan.

2. Portions of the subject property are located in a Business Plan Area, where general business uses are appropriate in limited locations;

3. Portions of the subject property are located in an Urban Residential Plan Area, where general business uses are appropriate in very limited locations;

4. The use of the subject property as general business will be non-residential in nature;

5. The proposal is a logical expansion of
existing B-4 zoning directly to the south as well as elsewhere along the Highway 54 corridor;

6. Although this appears to be a rather large area to rezone, given the predominance of B-4 general business uses along the Highway 54 corridor, the proposal should not overburden the capacity of roadways and other necessary urban services that are available, or are planned to be improved, in the affected area based on the recommended improvements of the traffic impact study;

7. Preliminary plats and final development plans will be submitted and reviewed to ensure site design will comply with the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations;

8. The proposed internal street network within Gateway Commons will make this area major-street-oriented;

9. Previous versions of the Comprehensive Plan Land Use Map envision the subject property developing as a mixed-use or non-residential center;

and,

10. In the vicinity of the subject property along Highway 54 Heartland Crossing, Highland Pointe, Walmart and Woodlands Plaza have all developed as B-4 general businesses over the past 10-12 years.
MR. HILL: Staff request that the Staff Report be entered into the record as Exhibit C.

CHAIRMAN: Mr. Kamuf, I think you're representing the applicants?

MR. KAMUF: Yes, sir.

CHAIRMAN: We'll entertain your comments at this time.

MS. KNIGHT: Mr. Kamuf, you are sworn as an attorney.

MR. KAMUF: Thank you.

We have some exhibits. Instead of passing them out individually, I'll give each one of you a packet. If you will give one to the court reporter too, please.

I represent Gateway Land Company. The rezoning project is known as Gateway Commons. According to Mayor Ron Payne as stated in the Sunday edition of the OMI June 7th, the Gateway Commons will be the largest private development ever undertaken in Owensboro, $3.1 billion, and that's a lot of money and a lot of jobs.

The subject property, let's put that exhibit up. The subject property is located in Eastern Daviess County. As you can see, it's bounded on the northeast expressway on the north and west. The
property to be zoned -- Mr. Chairman, you want me to
say all three? What's going to be zoned, as far as
professional and also multi-family too, and then we
can switch it around later.

CHAIRMAN: That will be fine, Mr. Kamuf. That
will work.

MR. KAMUF: Zoning tract on A-U to B-4 is 150
acres. I might point out -- it also includes a 10
acre tract which was known as phase 2 of the Gateway
Commons. This is that Aldi tract over there on 54.
So there's a total of 160 acres.

As you can see right here on the Calumet
Trace, there is 21 acres to be zoned from A-U to
multi-family, and also there is a 9.2 acre tract
that's to be zoned professional.

All along the outside that you see, the first
tract that you see, this is the Wimsatt Court
addition. Next to it is the school. Then we have the
B-4 zoning. Next to that we have, this is owned by
the Kentucky, it's professional use owned by the State
of Kentucky. Then on down the road we have the
Wal-Mart property.

The subject property is a single tract of
ground containing 191 acres. Just a little bit about
the land use, I won't go into that, but just a
sentence or two. The 138.6 acres is in the urban residential land use area, and 52.7 acres within the business land area. I might say the proposed rezoning is compliance with the criteria as adopted by your Comprehensive Plan.

A comment on the Staff Report: As stated by the Planning Staff, approval of the subject property is subject only to one condition. Written approval by the Kentucky Department of Highways and the City/County Engineer; 1) accepting the impact study prior to the approval of the preliminary plat, and 2) fulfillment of the recommended improvements as outlined in the traffic impact study.

This traffic impact study was prepared by Bill Hayes. He's here. He's a traffic engineer out of Nashville. He's done a lot of work, local work in Owensboro. He helped us on the hospital when we got it rezoned. There was a rezoning, I think 12, 14 million, on apartments out on 54. He's here. Not only has he had a lot of expertise, he has a lot of knowledge about Owensboro. This is approximately about 300 pages.

We met with the county engineer, city engineer, Owensboro Metropolitan Planning, Department of Highways, and also GRADD, and they made some
changes. So this is the second edition that we have, as far as the traffic study.

The Kentucky Department of Cabinet and the City of Owensboro, and County Engineer, and GRADD, and OMPC Staff met and reviewed this traffic impact study. They met and discussed the results. The consensus of all of the experts that we had there from all the government, from the Staff of the Planning and Zoning Board and GRADD, was that the recommended improvements listed in the study would be acceptable to help mitigate any of traffic impact caused by the development.

The plans to develop, it's a mixed unit development. Contains five different areas. A large retail shopping, restaurants, various other commercial businesses, and multi-family residential and professional offices.

Gateway Commons is part of the City of Owensboro's proposed tax increment financing, which is called TIF. You've read about this in the paper. If you have any questions, the developer is here, Mr. Hayden. He can answer any questions that you have about the TIF.

The project is supposed to take approximately 20 years. Ed Ray, the assistant city manager and city
attorney stated on June 5, 2015 in the OMI, that the Gateway Commons is projected to generate more than $62 million in tax revenue the during 20 year period.

I might point out there's an interesting article. This is the last document that you have. It's the colored one. It's the last page. Very last one. It's not marked as an exhibit. Everybody should have one.

I've taken that article out of this Gold Business Owensboro. The firm that was hired by the City to set up TIF project and get it permitted by the state made these conclusions: Gateway Commons. What is the Gateway Commons Mixed-Use Development Project, located at the intersection of Highway 54 and the US-60 bypass (Pleasant Valley Road)? It means 2,200 estimated number of jobs annually over a 20 year period; 3.1 billion in total economic impact; 650 estimated number of residential units to be built; 835,600 estimated square feet of retail space; 45,500 estimated square feet of restaurant space; 55,000 square foot theater with a bowling alley.

The project planning on this project has taken place for many years. In 2007 the developer and the City of Owensboro applied for this project as a TIF project. However, since that time there has been many
changes over the area. The growth of the commercial area -- this will be Exhibit C to you. This growth area that you see along 54 is considered the fastest growing commercial area in Western Kentucky. The fastest growing commercial area in Western Kentucky, and it comes along in this particular way.

The commercial growth along this area has also required that the widening of Highway 54 at a later date. There's also been --

MR. HOWARD: Mr. Kamuf, if you don't mind. They're asking that you could speak into the microphone so they can pick you up for our massive TV audience.

CHAIRMAN: We don't want to miss any of your comments, Mr. Kamuf. They're stimulating.

MR. KAMUF: The other changes that have been made is that the Kentucky Transportation Cabinet designed, as you can see here, this is known as the US 60 expressway. It will be called the northeast expressway. This was finalized in 2014.

As you see, another key part of the traffic structure of this whole project is a road that comes from old Highway 60, the bypass that comes up on the bypass going in a southerly way and it comes out here, it's called 603. It comes across the expressway and
it will later intersect, and I'll point this out in a few minutes, it will later intersect at the Pleasant Valley Road and the Hayden Road.

Other changes, of course, we all know about the hospital up here, the medical hospital that we've had. There's been other changes in the area.

Put Phase 1 up there.

Now, in 2014 this area that we're showing is where the Aldi property is out on 54. It's a 12 acre tract. I think there was 12 acre adjacent to the 54 at the Alvey Park Drive. There was 14,000 square feet in this project that we see. It also included about 6,000 feet directly to the rear of that property. That was known as Phase 1. That was done, finalized, everything done, the buildings built, Aldi and that was in 2014.

There will be three entrances to the subject property. One will be from 54. Another area will be from that area that we talked about, Highway 603, which is a multi-lane road coming from the bypass, the old bypass, across the interchange of the northeast south expressway. It will be at that point. Then the next intersection that we have at 603. This is important because the next intersection will be further back. What we're trying to show is along
Highway 54, this is where the roadway will go in a
northeast direction back to the Pleasant Valley Road
and Hayden Road.

We anticipate that the majority of the traffic
that comes to this unit and this project will come in
this particular area. This is the new northeast
expressway. Traffic will come off of the northeast
expressway and across the expressway and will end up
in this particular area.

This road here at Hayden Road, there will be
an intersection, a T-intersection that you see in this
particular area, but the majority of the traffic we
think will come from the expressway across 603 and
then it will be coming from the Hayden Road and it
will be coming at this intersection. So we have three
ways. We have the 54. We have the 603, and that will
be a major point. Then it will be the Calumet Trace.

At the present time the project on 54 includes
the construction of a new roadway from Highway 54
across Alvey Park Drive to a reconfigured
T-intersection at 603. That's in this area right
here. This road will go in this area, come out at 603
and Pleasant Valley. I'll call this road that goes
through the subject property the Hayden Road. We can
call it the Hayden/Pleasant Valley or whatever, but I
think it makes more sense for this road comes straight through and comes out on Highway 54.

It's an ongoing design as far as the intersection at Highway 54 with the highway department. They'll be taking care of the existing future concept and design of that area.

Now, the realignment of 603, let's talk just a little more about that. It extends -- this exhibit makes a better picture.

As I explained, this road comes from the old bypass. It will be extended through the property that we see here. The Kentucky Highway Department will make the final decision concerning the intersection that we see at this T.

Now, Calumet Trace, this is a configuration of Hayden Road coming through the subject property. Calumet Trace is kind of a limited access road that's coming through Downs Subdivision. When I say "limited access," that means the driveways don't go directly to the roadway.

To buffer this area we have 21.143 acres to be zoned R-3MF. That's this tract right here. Right below it is 9.6 acre tract that we intend to put professional. This works as a good buffer or a transition area in-between the residential and the B-4
The Calumet Trace at the present time has been stubbed off. The developer, whoever developed the Downs and also the engineers, recognized that some day this road would eventually be expanded. The Calumet Trace will go over and hit Hayden Road at this point that we see right here.

The roadway through the property will be from 54 all the way over to the Hayden Road T. It will all be built at the same time. I think that's a big factor that might be considered.

Now, Bill Hayes is here. He's, as I explained, a recognized "expert" in traffic engineer. We have Jason Baker from Bryant Engineering. We have the developer here. We're going to try to answer any questions that you have concerning the history. I hope I've just given you an overlay so you have an idea of where we are.

CHAIRMAN: Thank you, Mr. Kamuf. I appreciate it very much. I'm sure we'll be calling on you for some questions.

Is Mr. McClearn here?

MR. McCLEARN: Yes.

CHAIRMAN: Would you mind to step up to the mike and be sworn in. I have a question for you.
MS. KNIGHT: Please state your name.

MR. McCLEARN: Kevin McClearn.

(KEVIN McCLEARN SWORN BY ATTORNEY.)

CHAIRMAN: Mr. McClearn, I guess I'm going to let you speak for the city and county engineer. My assumption is that the traffic study that Mr. Kamuf is referring to is the one that all are in agreement, that this is a traffic study that we are working off of?

MR. McCLEARN: That's correct.

CHAIRMAN: It's not an independent one that didn't have your all's input?

MR. McCLEARN: We required it.

CHAIRMAN: I assumed you did. I wanted to clarify that was not one that the developer did independently. It was one required by you all.

MR. McCLEARN: Yes. We require the developer does get a traffic engineer to carry it out and follow the normal function, yes.

CHAIRMAN: I wanted to make sure that the audience and everybody knew that this was the official traffic study. Not one simply that's been prepared by the developer for their own purposes. That you all were involved.

MR. McCLEARN: Correct.
CHAIRMAN: Thank you very much. Appreciate that.

Just wanted to make that clear, Mr. Kamuf, because I didn't understand when it said it for sure. This is kind of a new one for us and a pretty big one for us.

Thank you, Mr. McClearn, very much.

Before we move on, is there anybody in the audience that wishes to speak in opposition to this application?

(NO RESPONSE)

CHAIRMAN: Commissioners, questions from you all?

Mr. Kazlauskas.

MR. KAZLAUSKAS: I want to commend the Staff on the study that they gave to us and the information they gave to us. It was most helpful. Mr. Kamuf brought up a point that I would like to address.

When I read this, common sense dictates to me that most of the traffic would be at intersection Number 7, that's Highway 54. You just made a statement that you believe that the majority of the traffic is going to be coming from the northeast side of Hayden.

MR. KAMUF: That's correct.
MR. KAZLAUSKAS: As we all know, 54 is heavily traveled right now. Since we have Mr. McClearn here, what my concern is, is that 54 doesn't turn into New Circle Road like up in Lexington once this starts. Correct me if I'm wrong, but are there plans, does the state have plans to work on 54, widen it to make this intersection flow just a little quicker than it could? Again, I refer to New Circle Road that goes around Lexington where you wait for long periods of time to get through an intersection trying to get into one of these shopping centers.

I think this is great. I don't know the criteria that Mr. Kamuf used that says that most of the traffic is going to be coming from the north, Hayden Road, that's what you're referring to?

MR. KAMUF: Right. I Bill Hayes here. He made the traffic report. I think he can answer that in line.

MR. KAZLAUSKAS: I think that's important.

MR. McCLEARN: Yes. Kentucky 54 is an active design project and a highway plan that the Kentucky Department of Transportation is currently working on. Yes, we're going to improve and widen 54 in this area. Right now we have a plan for six lanes in the development area. So as our traffic engineers and
designers are working on that in tandem with us, they're aware of the development. They're aware of the traffic impact study, and we're planning accordingly.

Likewise, we're working with the developers himself and his staff and attempting to partner. We have had numerous meeting, and there will be others, so that we have the right design coming out of the development on 54 area, as well as other end as well, since the state road is involved over there.

We feel like we're going to give it the due diligence that it deserves so that we have the best analysis and the best plan and design for something that will fit a full build out.

MR. KAZLAUSKAS: Thank you.

MR. BOSWELL: As to tie in to what Commissioner Kazlauskas said. Is the design work on the 54 expansion, the six lanes, that's in the six year plan?

MR. McCLEARN: That's correct. What usually goes in the six year plan is design right-of-way, utilities and construction, with a year and moneys. We are well into the design phase and into the second half. We have had one public meeting and we're gearing up for another public meeting on the project.
So we're in the design phase that was in the six year plan.

We also have legitimate dollars for right-of-way in the highway plan and utilities in the highway plan.

Construction is in what I call an out year which is build bi-annual. We don't have reliable dollars yet for that, but that's largely okay because the legislature will meet again every two years when they talk about the budget. The highway plan is one of the items in the budget. So we've got time before we get to the build for them to input the appropriate dollars, and they're for construction, but we are actively working on design. I feel comfortable that the right-of-way dollars will continue to be there. We'll move into that when we're finished with design. Once that is concluded, we'll move right on into utilities relocation.

MR. BOSWELL: Would I also be -- this is an assumption on my part more than anything else. With that being said, that given what was discussed about the 603 and the Hayden Road being where the major traffic is coming from, this development is going to take a while before it actually is ongoing. It's quite possible that the 54 expansion could be in place
to help that traffic issue before all of this is developed out.

MR. McCLEARN: That is something that we continue to talk about because we want to be apprised of where they are. We're following our own schedule on 54, moving as quickly as we can. I'll let them state their time lines. Our time line for the 54 project is such that I would anticipate sometime in the year, later part of the year 2018, if things go well. We would be in the area of being ready to lead that project to construction. Again, late 2018, if things go well, lead to construction.

In the interim the improvements that need to be made because of the traffic associated with the development, some of that we're encompassing with our design because the project, 54 project was already there, but other improvements will be incumbent on the developer to make. They're aware of it. Recommendations came out of the traffic impact study. So I think some of the improvements will be by us, and then they'll be required to make some as well. That will be on both ends. Again, we continue to discuss and partner on those items.

MR. BOSWELL: Thank you.

CHAIRMAN: Any other questions from the
MR. KAZLAUSKAS: Just one other thing. If we get, I think it would help me and hopefully help everybody else, if we could have an explanation of the criteria that was used to determine that the majority of the traffic would be coming in from that northeast corridor instead of 54. Because the people in the community are familiar with 54 and they're going to be coming from Owensboro for the most part and from outside of the county. Right now I don't see why they would be coming in Hayden Road right there.

MR. KAMUF: We're talking about the northeast expressway. They'll be coming in that way, getting off at that intersection right there at the overpass of 603.

Bill Hayes is here and he can answer that question.

CHAIRMAN: Please. He would like him to come forward and address that issue for us.

MS. KNIGHT: Mr. Hayes, if you could state your full name for the record, please.

MR. HAYES: William Hayes.

(WILLIAM HAYES SWORN BY ATTORNEY.)

CHAIRMAN: Mr. Hayes, I assume you understand Mr. Kazlauskas' concern and maybe you can explain it,
MR. HAYES: Yes. Let me just explain a little bit of background.

We've been involved really all along the Kentucky 54 corridor in doing traffic impact studies. I've been before you various times in the past. I think the only major area out there we did not do was the Wal-Mart. It was already up and done when we got involved. We've been doing traffic counts out there, you know, analysis here for quite some time. Not just this one project.

We actually started the analysis on this site several years back in one of the earlier stages. One of the first things we did was to step back and look because this is going to be a regional project. This is not just going to be someone go in half a mile down the road to get something in one of these stores. People are going to make journeys, not just within the Owensboro Community, but even outside the metropolitan area in some cases.

So we looked at the 2010 census. Then we looked at the population projections that you have, Owensboro Metropolitan Planning Commission, and we took all of those things and looked at the location and what are the truck routes, what was the time
factor, and everything, and that was the means for
which we came up with the trip distribution. What
percentage would be coming from Kentucky 54. What
percentage would be coming from the new expressway,
Pleasant Valley Road, all of the different entry
points.

One of the things I may mention that probably
pushed a little bit more traffic than normal into that
interchange and to the Kentucky 603 area is the
development of the medical center. We were involved,
as you heard, in that traffic analysis. There's a lot
of medical offices moving to 54 and anticipated within
this development going to and from the hospital area.
Again, there's a lot of orientation to that
interchange at the new bypass and Kentucky 603.

Then at the same time, of course, you're going
to have the widening going on of 54 to address that
capacity. You're going to see, I think, a little
shift in the main focus, more to the north end of this
project.

CHAIRMAN: Mr. Hayes, could I maybe make an
analysis.

Would it kind of be like we all finally
discovered J.R. Miller Boulevard. Actually if I'm
coming from Frederica where I live, out in that area,
I might choose not to get off at 54, but to go to Pleasant Valley Road because everything is a right turn there to get into the development, right?

MR. HAYES: Yes. I think as people discover these routes and find, you know, particularly during peak hour situations, which is what our primary focus is on, that people tend to seek out the optimal route. Unfortunately, sometimes that becomes the new route and then that becomes the congested area. That's where we are as people. Anyway, I do think you will see that shift. That is a very good analysis.

CHAIRMAN: Mr. Kazlauskas.

MR. KAZLAUSKAS: I think my question has been answered. If it's easier to get on, if it's easier to get to the development through a new intersection, you know, rather than using this congested 54, that would be great.

MR. HAYES: One of the things we model is not just what happens to an individual intersection. We link all of the intersections together with our model programs and actually look at what is your travel time through a series of signals or other intersections to see what is the travel time, this route versus another one. That's one of the things we did early on. We had the data already. We had the benefit of having
all of these other studies so we could do that. We
knew we had to tie that down before we could go any
further in the study.

CHAIRMAN: Thank you, Mr. Hayes, very much.

Any other questions?

(NO RESPONSE)

CHAIRMAN: If not then the chair will a
entertain motion.

MR. BOSWELL: Motion for approval,

Mr. Chairman, based on the Planning Staff
Recommendations with the one condition and Findings of
Fact 1 through 10.

CHAIRMAN: We have a motion by Mr. Boswell.

MS. McENROE: Second.

CHAIRMAN: Second by Mrs. McEnroe. Any

further discussion or questions?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: I think we're ready to go to the

next parcel.

MR. HILL: This segment is for the P-1

Professional/Service portion of the development.

PLANNING STAFF RECOMMENDATION

The Planning Staff recommends approval subject
to the condition and findings of fact that follow:

CONDITION

Written approval from the Kentucky Transportation Cabinet and City/County Engineer accepting this traffic impact study prior to the approval of the initial preliminary plat and fulfillment of all the recommended improvements as outlined in the traffic impact study by the developer.

FINDINGS OF FACT

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;

2. The subject property is located in an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations;

3. The use of the subject property as professional/services will be non-residential in nature;

4. The proposal is a logical expansion of existing P-1 zoning to the southwest and B-4 zoning to the south and elsewhere in the vicinity;

5. At 9.623 acres, the proposal is not a significant increase in P-1 and B-4 zoning in the vicinity and should not overburden the capacity of
roadways and other necessary urban services that are available in the affected area;

6. The proposal internal street network within Gateway Commons will make the area major-street-oriented; and,

7. As professional offices, the site will serve as a buffer between the existing residences to the east and the proposed higher intensity commercial uses that are planned to the west.

MR. HILL: Staff request that the Staff Report be entered into the record as Exhibit D.

CHAIRMAN: Thank you.

Mr. Kamuf, do you choose to make additional remarks?

MR. KAMUF: My recommendation is that you incorporate the entire testimony that we just had and the arguments that we've had on the B-4, that we had in the first rezoning into the second rezoning as read by the Staff. I don't think you want to me start over. I represent Gateway Commons.

CHAIRMAN: I think we can stipulate that, Mr. Kamuf. Unless any commissioners disagree with me, we'll stipulate that.

MR. KAMUF: Thank you.

CHAIRMAN: Any commissioners object to that?
CHAIRMAN: I hear no objections so we'll stipulate to that, Mr. Kamuf.

MR. KAMUF: All right.

CHAIRMAN: Any questions or comments from the audience?

CHAIRMAN: Any commissioners have any questions or comments on this application?

CHAIRMAN: If not the chair will entertain a motion.

MR. ROGERS: Mr. Chairman, I make a motion for approval based on the Planning Staff Recommendation with the one condition and the Findings of Facts 1 through 7.

CHAIRMAN: We have a motion by Mr. Rogers.

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. Any other questions or comments?

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application passes.

MR. HILL: This is for the R-3MF Multi-Family
Residential portion of the development.

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION

Written approval from the Kentucky Transportation Cabinet and City/County Engineer accepting this traffic impact study prior to the approval of the initial preliminary plat and fulfillment of all the recommended improvements as outlined in the traffic impact study by the developer.

FINDINGS OF FACT

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;

2. The subject property is located in an Urban Residential Plan Area, where urban mid-density residential uses are appropriate in limited locations;

3. The use of the subject property as urban mid-density residential will add to the variety of housing types available in the community;

4. The existing sanitary sewer system in this area will be expanded to serve the proposal; and,

5. The proposed internal street network within Gateway Commons will make this area
major-street-oriented.

MR. HILL: Staff request that the Staff Report be entered into the record as Exhibit E.

CHAIRMAN: Mr. Kamuf, do you have any comments you would like to make?

MR. KAMUF: Mr. Chairman, recommend that you incorporate the entire testimony that we had in the first rezoning into the third rezoning.

CHAIRMAN: Any commissioners have any objection to that?

(NO RESPONSE)

CHAIRMAN: Then that will be stipulated in our discussion.

Anybody in the audience wishing to speak to this issue?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions you would like to ask?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion.

MR. PEDLEY: Mr. Chairman, I make a motion for approval based on Planning Staff Recommendation with Condition 1 and Findings of Fact 1 through 5.

CHAIRMAN: Motion by Mr. Pedley.
MR. FREY: Second.

CHAIRMAN: Second by Mr. Frey. Questions or comments?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved.

MR. KAMUF: Thank you, Ms. McEnroe and members of the board.

CHAIRMAN: Mr. Hayden, I think we would be remiss if we didn't thank you for taking on this project. If it were not for folks like you to fully invest their skin, this community would not grow. We appreciate it very, very much. I assure you anything the Planning Commission and their Staff can do to help you as you move forward, feel free to call on them and we'll do anything we can to expedite it. Thank you again.

MR. KAMUF: Mr. Chairman, we met many times with the Staff and they have been very considerate, very confident, and worked with us as much as we could. It's a big project. Hard to get together. Any time we asked for a meeting with them, they were always there. I think you can find out from the Staff Report it was very comprehensive and to the point. We
thank the Staff.

CHAIRMAN: The next item on the agenda, Mr. Howard.

MR. HOWARD: I would just like to thank too Kevin McClearn, Kevin Collignon and Mark Brasher, the engineers, the public engineers that came tonight to answer any questions that came up. We really appreciate them taking time out to come.

FINAL DEVELOPMENT PLANS

ITEM 6

Dollar General - 5400 Highway 144, 1.14 acres
Consider approval of a final development plan.
Applicant: Susan A. Cox Development, LLC & Joseph Taylor

MR. HOWARD: As you can remember, this was part of a rezoning or the result of a rezoning that we heard a couple of months back. There was a question on access. We had made a recommendation that it be off of the corner, off of Old 144. That doesn't work as result of the analysis that the applicant has done. So a compromise has been worked out. Since there wasn't sufficient access spacing along 144, what they've done is basically put in an access point that will serve that entire property. So it will serve the Dollar General, but then it's also open to any future development that may take place on that site.
Again, I think we're able to achieve the requirements of the access management manual while still getting access to 144 that should serve the Dollar General well.

It's been reviewed by the Planning Staff and Engineering Staff and it's in order and it's ready for your consideration.

CHAIRMAN: Anybody here representing the applicant?

APPLICANT RE: Yes.

CHAIRMAN: Do you wish to make a comment?

APPLICANT REP: I'm here if you have any questions.

CHAIRMAN: Thank you very much.

Anyone in the audience that has a question about this?

(NO RESPONSE)

CHAIRMAN: Commissioners, do you have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion.

MR. KAZLAUSKAS: Move for approval.

CHAIRMAN: Motion by Mr. Kazlauskas.

MR. BOSWELL: Second.
CHAIRMAN: Second by Mr. Boswell. Questions or comments?
(NO RESPONSE)
CHAIRMAN: All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: The application is approved.

COMBINED DEVELOPMENT PLANS/MAJOR SUBDIVISIONS

ITEM 7

Whispering Meadows, Section 4, 37.989 acres
Consider approval of an amended combined final
development plan/major subdivision preliminary plat.
Applicant: Jagoe Land Corporation

MR. HOWARD: Mr. Chairman and Commissioners,
this plat has been reviewed by the Planning Staff and
Engineering Staff. It's found to be in order. It's
consistent with the previously approved plan with some
minor modifications to the lot numbers, but we're fine
with it and it's ready for your consideration for
approval.
CHAIRMAN: Thank you.
Is anybody here representing the applicant?
APPLICANT REP: Yes.
CHAIRMAN: You wish to make any comments?
APPLICANT REP: No.
CHAIRMAN: Anybody here in opposition to this?
(NO RESPONSE)
CHAIRMAN: Questions or comments from the commission?

(NO RESPONSE)

CHAIRMAN: The chair will entertain a motion.

MR. PEDLEY: Motion for approval.

CHAIRMAN: Motion by Mr. Pedley.

MS. McENROE: Second.

CHAIRMAN: Second by Mrs. McEnroe. Questions or concerns?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Thank you.

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NEW BUSINESS

ITEM 8

Consider approval of the FY 2016 OMPC budget and salary chart

MR. HOWARD: Each of you were mailed a copy of the proposed salary chart and budget for the next fiscal year. It's very similar to what you've seen in the past. We are not proposing any capital improvement this year. We're not buying any new vehicles or anything like that. We propose your typical rates for the Staff across the board. We're
actually saving a little bit of money this year on
salaries with some retirements. I think it's in
pretty good shape and we certainly be glad to answer
any questions that you may have or hear any comments.
CHAIRMAN: Everyone received this in your
packet. I don't know if you have any questions or
comments that you would like to address to Mr. Howard.
I have looked at it. Any of you have any concerns or
questions you would like to address?
(NO RESPONSE)
CHAIRMAN: Then I would entertain a motion.
MR. MOORE: Move to approve.
CHAIRMAN: Motion by Mr. Moore.
MR. FREY: Second.
CHAIRMAN: Second by Mr. Frey. Questions or
comments?
(NO RESPONSE)
CHAIRMAN: All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: The budget is approved.

ITEM 9
Consider approval of April 2015 financial statements
CHAIRMAN: All of you received a copy of the
financial statements. Again, I would like for us to
consider that.
Questions or comments about the financial statement?

(NO RESPONSE)

CHAIRMAN: Hearing none I will entertain a motion.

MR. KAZLAUSKAS: So move.

CHAIRMAN: Motion by Mr. Kazlauskas.

MR. BOSWELL: Second.

CHAIRMAN: Second by Mr. Boswell. Questions or concerns?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The financial statements are approved.

ITEM 10

Comments by the Chairman

CHAIRMAN: The chair has no comments at this time.

ITEM 11

Comments by the Planning Commissioners

CHAIRMAN: Planning commissioners, do you have any comments you would like to make this evening?

MR. ROGERS: Mr. Chairman, I would just like to commend the Staff for a great job on this Highway.
54 project. You can tell that it took a lot of hard
work to get it all together.

CHAIRMAN: Mr. Rogers, I think that is a
comment well made. I know they worked hard and this
is an enormous project. Our Staff gathered folks
together when necessary, made sure everybody's minds
were met and got a good project. I'd like to echo
that, as I'm sure the other commissioners would.

Any other comments?

(NO RESPONSE)

ITEM 12

Comments by the Director

CHAIRMAN: Mr. Howard, I think you have
something.

MR. HOWARD: Yes. I have one comment and then
a brief presentation.

Last month at the Planning Commission meeting
we noted that the state, the Kentucky Planning
Association Chapter was holding a meeting here in
Owensboro. I just wanted to kind of follow up on that
since we talked about it and mentioned it last month.

We had over 100 planners, commissioners,
attorneys, landscape architects that were in town for
the conference. By in large every single person that
attended had very positive comments about Owensboro,
how well the conference was run, the facilities, the hotel. It was a great success. I think there were people that made comments like, we need to add Owensboro to our regular rotation instead of always going to Louisville, and Lexington, and Northern Kentucky and places like that. They wanted to add Owensboro. We were very pleased with the outcome of that and just wanted to pass that along.

CHAIRMAN: Some of us attended some of the sessions. I'd like to commend, Brian, you did a nice presentation.

Melissa, you did a wonderful presentation. Had a lot of good discussion. We appreciate you all doing that, making that contribution, and seeing this community and this commission recognized. We appreciate that very, very much.

MR. HOWARD: We were very happy with it.

Then lastly David Appleby left our board earlier this year after being on for many, many years. When he left the board he was the longest standing member that was still on. He had been on for a long time. We have a plaque I want to present to him.

(PRESENTATION TO DAVID APPLEBY.)

CHAIRMAN: Thank you very much.

We need one final motion.
MR. FREY: Motion to adjourn.

MS. McENROE: Second.

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: See you next month. Thank you.

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STATE OF KENTUCKY )
COUNTY OF DAVIESS )

I, LYNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 47 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 20th day of July, 2015.

LYNETTE KOLLER FUCHS
NOTARY ID 524564
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES: DECEMBER 16, 2018
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY