The Owensboro Metropolitan Planning Commission
met in regular session at 5:30 p.m. on Thursday, November 14, 2019, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Larry Moore, Chairman
                  Lewis Jean, Vice Chairman
                  Brian Howard, Director
                  Terra Knight, Attorney
                  Angela Hardaway
                  Beverly McEnroe
                  Jay Velotta
                  Manuel Ball
                  Irvin Rogers
                  Larry Boswell

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CHAIRMAN: I'd like to call the November meeting of the Owensboro Metropolitan Planning Commission to order. Each meeting we start with a prayer and a pledge; and that honor this month goes to me.

(Invocation and Pledge of Allegiance.)

CHAIRMAN: We have a nice, full house this evening. I'm sure that some of you would like to speak and address this commission or this board. In doing so, we ask that there's certain guidelines that you follow. First of all, if you want to speak on any issue before this commission, please go to one of the podiums, state your name, and be sworn in by the board attorney. We ask
that you direct your questions to the chair who in turn
will try to find answers for you or get someone to find
those answers. We ask that you stay on topic. And,
finally, the most important one is we ask that you be
respectful. We want everyone to speak that wants to
speak, and you'll have your opportunity, but also you need
to stay on topic and not continue to repeat perhaps some
things that we've already heard. You do that and we'll
have a nice, smooth meeting.

First thing on the agenda, commissioners, you
should have received a copy of the last month's meeting.
It goes all the way back to September since we didn't meet
last month. Anyone have any changes, adjustments or
anything to those minutes?

Commissioner Boswell?

MR. BOSWELL: Thank you, Mr. Chairman.

In reviewing the minutes I just noticed a couple
of clarification items on the second page. One listed as
120 Lyddane Bridge Road. I think that should be 1120,
from the last meeting. And the one on the eighth order of
business relative to the Settles Road, I believe that also
indicated that the address in that application and that
part of the agenda was 2898, was an additional number.

Those may be confirmed by Mr. Howard.

CHAIRMAN: Mr. Howard?
MR. HOWARD: We'll certainly check them in the office. I don't have that in front of me.

MR. BOSWELL: Other than that, though, Mr. Chairman, that's all I have.

CHAIRMAN: With those possible changes, do we have a motion to approve?

MR. BOSWELL: Motion to approve.

CHAIRMAN: Motion to approve. Do we have a second?

MS. HARDAWAY: Second.

CHAIRMAN: Second. All those in favor of motion and second, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: All those opposed?

(No response.)

CHAIRMAN: Motion carries.

Mr. Howard?

MR. HOWARD: All right. The next group are the rezonings. We will note that the zoning changes heard tonight will become final 21 days after the meeting unless an appeal is filed. If an appeal is filed, we will forward the record of this meeting along with all the applicable materials to the appropriate legislative bodies for them to take final action.

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Ohio Valley Reporting
(270) 683-7383
GENERAL BUSINESS

ZONING CHANGES

ITEM 3

3211 Bold Forbes Way, 3655 Highway 54, 4.26 acres
Consider zoning change:
From B-4 General Business with conditions to B-4 General
Business without conditions.
Applicant: Newcomb Oil, LLC; Thomas N. Thompson & Thompson
Homes, Inc.

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

MS. EVANS: Melissa Evans.
(Melissa Evans sworn by attorney.)

MS. EVANS: The planning staff recommends
approval subject to the conditions and findings of fact
that follow:

Conditions:
1. Approval of a final development plan;
2. Post a bond with the KYTC for potential
roadway improvements pertaining to the access point on
Bold Forbes Way for a period of one year from the opening
of the fuel station.

Findings of Fact:
1. Staff recommends approval because the
proposal is in compliance with the communitys adopted
Comprehensive Plan;
2. The subject property is located in a
Business Plan Area where general business uses are appropriate in limited locations;

3. The proposal is a logical expansion of existing B-4 General Business zoning on the subject property as well as to the south, east and west;

4. At 4.26 acres, the proposal does not significantly increase the extent of the B-4 zoning in the vicinity since the zoning classification is already existing on the site; and,

5. With access limited to a single shared access point to Highway 54 and a single access point to Bold Forbes Way, as shown on the proposed final development plan, as well as the provisions from the KYTC to monitor the performance of the Bold Forbes Way access point, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

We'd like to enter the Staff Report into the record as Exhibit A.

And, also, as you all are aware from the Staff Report, there is quite a bit of history with this property and this is a little bit of a unique situation that we don't see every day, so I just kind of wanted to go over an outline of what that history has been thus far on the property so everybody is on the same page and we know
where we're at and what we're doing going forward.  

So at a September 11th, 1976 OMPC meeting, there was a request filed by Thompson Homes to rezone approximately 105 acres of property from agricultural to single family, multi family and commercial. This development was for this entire area which includes from the location where the Planet Fitness is located now all the way across the frontage of Highway 54 to the other side where that Waffle House used to be, and then everything north of that that includes the Thorobred East neighborhood which is combined with some single family and multi family zoning. So all of this was done as one project back to 1976. In 1976, there was about 10 acres of that land that was zoned for commercial purposes at that time. And at that meeting under oath the developer agreed to some self-imposed conditions that he suggested for the property, particularly pertaining to the commercial side of it. He said that there would be low key commercial type of uses in line with a convenience store, drug store, barber shop, and that there would not be liquor sales here at this location but this would be service facilities type of uses. When the motion was made, the developer agreed once again that there would be no liquor sales from this location. That motion was approved with a lot of, you know, talk from the
neighborhood like I'm sure we're going to hear again here tonight. But those were, again, self-imposed conditions that the developer had placed on that property. Obviously a lot has changed in that area since 1976, and so at this point they're coming back to the board, asking for those self-imposed conditions that were placed on that rezoning, for those to now be removed and that B-4 zoning to still stand with absolutely no conditions on it.

With that, I'll have a seat and see who else has anything to say.

CHAIRMAN: Thank you.

Is anyone in the audience representing the applicant?

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

MR. BOYENS: My name is Stephen Boyens. I live at 3323 Majestic Prince Drive.

CHAIRMAN: Excuse me. We're going to talk with the applicant first, if you don't mind.

MS. KNIGHT: Go ahead.

MR. SULLIVAN: Mike Sullivan, attorney for Newcomb Oil.

May it please the Commission, Mr. Chair. My name is Mike Sullivan. I'm an attorney here in Owensboro. I represent Newcomb Oil who is here tonight. Brad Miles
is a representative of Newcomb Oil. Of course Mr. Thompson is here as well who's an owner/co-applicant. Of course this application concerns 4.26 acres with the addresses of 3211 Bold Forbes Way and 3655 Highway 54. The 3211 Bold Forbes Way is what would be the Newcomb Oil site. It is the -- it's about 1.9 acres and it's the north -- I'm sorry -- southeast part of the property. So I'm getting old; I don't know if it's that blue part highlighted on the screen there or not. That's the building? So it's 54 and Bold Forbes Way; that corner is where this 1.9 acres is located. And it is already zoned B-4. It was zoned Business in 1976. They didn't have B-4 back then. I think it was called B-1. But when the classifications changed at some point it became B-4. So this property that Newcomb Oil is seeking to rezone along with the rest of the property except for a little sliver back in the southwest corner was zoned Business before a house was built in Thorobred East. So it was Business back then, and all this application is doing is keeping it in the same classification as it has been for over 50 years. The one issue are these voluntary conditions. I don't want to spend a lot of time on that issue. I don't think that when -- you know, Mr. Thompson actually said when he was here in 1976, one of the proposed uses could be a convenience store. And that's what Newcomb Oil is.
proposing to build there, is a convenience store. Mr. Thompson was specifically asked about a liquor store and said that there would not be a -- that he would not place a liquor store here. That's the words used right before the application was approved. When the commission voted, they didn't place any conditions on the rezoning.

When it went up to Daviess County Fiscal Court, which back then the process was that OMPC made a recommendation and then the fiscal court actually took the official action, there's no conditions placed on the rezoning by the fiscal court.

And I would just, again, I don't want to spend a lot of time on this issue, but I would like to file in the record the transcript of the September 11, '76 OMPC hearing and the Fiscal Court Order approving the rezoning. I'm not sure who I would tender this to.

So Newcomb Oil operates the Five Star convenience stores. So if you've been on New Hartford Road, you've seen one of their stores. If you've been on East Parrish Avenue, you've seen one of their stores. It's a high-quality development. That's a grounding philosophy of this company, and they intend for this to be a high-quality development.

So, as a staff mentioned, the proposed rezoning complies with the comprehensive plan and we ask that the
commission approve the application. I'm sure you're going
to hear a lot of things. There may be questions. I'll
come back up here or we'll have people answer questions as
you arise. But it's in compliance with the comprehensive
plan. There have been changes in this area since 1976
that justify removal of the conditions. From a legal
position, we don't think there are any conditions you need
to remove; but if you remove those conditions, it makes
the issue moot, and so we ask you to do that. We're here
to answer questions. Thank you.

CHAIRMAN: Anyone else like to speak to that or
just wait for questions?

(No response.)

CHAIRMAN: Okay. Anyone from the audience like
to speak on the issue?

Yes, sir.

MS. KNIGHT: Go ahead. State your name again
for the record.

MR. BOYENS: Sorry about that, Mr. Chairman. I
thought you were talking about the neighborhood. My name
is Steven Boyens. I live at 3323 Majestic Prince Drive.

(Steven Boyens sworn by attorney.)

MR. BOYENS: We are here, we have a petition
that we started in the neighborhood we would like to
present to the board. And as well, we want to -- we're
here to appeal the zoning change. We currently have conditions, and I guess their proposal is to change the B-4 General Business without conditions. Is that correct?

CHAIRMAN: Yes, sir.

MR. BOYENS: So I just want to put that up front, that that's why all the -- everybody that lives in Thorobred East, please raise your hand.

(Audience members comply.)

MR. BOYENS: So we've got quite a good crowd here tonight. I would like for everybody that wants to talk about the conditions, why we want to keep this B-4 zone with conditions in force. We don't want to waive the B-4 General Business without conditions.

CHAIRMAN: Thank you.

MR. BOYENS: Can I ask a couple questions about the Five Star?

CHAIRMAN: Certainly.

MR. BOYENS: As far as the planning and zoning, you guys are presenting your summary report, right, or the staff report?

CHAIRMAN: Yes.

MR. BOYENS: When was the planning and zoning done and when were the plans presented to the board for approval?

CHAIRMAN: Mr. Howard?
MR. HOWARD: So I guess I just want some clarification on what your terminology means. So, are you asking when the application was submitted?

MR. BOYENS: Yes.

MR. HOWARD: Okay. The application was submitted on October 24th, 2019.

MR. BOYENS: And you guys did not have a board or a meeting in October, correct?

MR. HOWARD: That's correct.

MR. BOYENS: And we were just notified. When was it put in the newspaper about the zoning change?

MR. HOWARD: The newspaper ad was published on November 11th. I'm sorry. November 1st of 2019.

MR. BOYENS: Can I also ask, when were the signs put in the land effective in the zoning change?

MR. HOWARD: That would have been the day before, so that would have been on Halloween.

MR. BOYENS: So would you agree that's a pretty short time frame to notify the public of the zoning change?

MR. HOWARD: I would tell you that we met all the requirements that the State statutes require for notification. They have minimum and maximum time frames in which people have to be notified, and we certainly met all of them.
MR. BOYENS: Another question is, has anyone looked at the current capacity traffic flow coming in and out of Thorobred East, the staff, your staff, or Newcomb Oil?

MR. HOWARD: We don't have traffic data or traffic counting capabilities, but they may have. We can get answers on that.

MR. BOYENS: Because the representative stated that, Item 6, limited to a single shared access to Highway 54 and single access to Bold Forbes Way as shown in the final development plan; but nobody here has seen but you guys, correct? I mean, we haven't seen the plans.

MR. HOWARD: It's in our office. It's a public record. Anybody is --

MR. BOYENS: But the short time frame is what I'm saying. Okay? But they're stating that it's not going to overburden the entrance and exits of our neighborhood with those two entrances and exits. I'm just trying to find out if anybody has done a traffic flow capacity in and out of Thorobred East, either your staff or Newcomb Oil, to give us that data?

MR. HOWARD: Since this Highway 54 is a State highway, we rely on input and feedback from them. We contacted the Madisonville office to get feedback. They knew what the proposal was. Based on that information,
they were okay with a shared drive on Highway 54 that
would be shared by this property and the Planet Fitness.
And they did have a potential concern about stacking on
Bold Forbes Way at the access point location. That's why
there is language in there that if it does become a
problem, they reserve the right within a year of opening
to require that it be reconfigured.

MR. BOYENS: The stacking was already there just
with the Planet Fitness and the daycare, businesses that
are there now. And Mr. Thompson, in '76, and all that
development, he never -- I don't think he ever got the
approval for a 24-hour convenience store or service
facility. I don't think that language is in there for a
24-hour convenience store. Just want to put that on the
record.

And I've got several people that would like to
stand, state their name and address and share their
concerns about how it's going to affect Thorobred East.

CHAIRMAN: Let me ask Mr. Sullivan. Any answer
or any questions about the traffic study?

MR. SULLIVAN: No. I was going to point out,
what Mr. Howard said is that the State has already weighed
in and is okay with this so long as they're monitoring
Bold Forbes Way for about a year. They're going to
require Newcomb Oil to post a bond; and if there's a need
to do a left turn lane or something on Bold Forbes Way
after a year of studying it, they'll require it.

I will say that when Mr. Thompson comes before
you or the OMPC in 1976 and it's rezoned Business, there's
no restriction on it being a 24-hour convenience store or
not. That's not a restriction placed on the property at
that time. I think, if I recall correctly, I'm a westside
boy, but I think I recall there was a Waffle House located
right in front of the subdivision that was open 24 hours a
day that would be across Bold Forbes Way from this lot.

CHAIRMAN: Has that answered your question about
the traffic?

MR. BOYENS: It helps, but it doesn't answer the
question. But I can get with Madisonville myself. That's
fine. Thank you.

CHAIRMAN: Thank you very much.

Next.

MS. CASEBIER: I am Sharon Casebier. I live on
Majestic Prince also. And my neighbors and myself got
together and - -

MS. KNIGHT: Ms. Casebier?

MS. CASEBIER: C-a-s-e-b-i-e-r.

(Sharon Casebier sworn by attorney.)

MS. CASEBIER: And when we got together we come
up with some interesting combinations. Number one, I live
really close to the daycare center across the street on Bold Forbes. I've seen traffic getting into there to drop their kiddos off stacked up onto Bold Forbes. Then they have to drop off their kiddos and hustle their heinies to get to work. Well, when you've got somebody else stopping and starting and going into the mini-mart, well, there goes more cluster on 54. And believe you me, it's there now. To go anywhere from my house to into the downtown area, I start out 45 minutes early and I do well to make it on time. That's how bad the traffic is, going and coming. As far as a mini-mart, within a mile and a half there's already four. I don't know why we need another one. But I'm not doing this job. 24/7 lighting, we've already got it. We don't need it worse. We're elderly people that live in the cottage area right there on Majestic Prince; and looking at a back end of a concrete or brick building, whatever is chosen, that's not pretty. There's deer that go through there which we enjoy since we're all elderly people. We get out and we look. I've seen kids playing over in that field. That's a good place for them to play whiffle ball. That won't happen anymore. But I can tell you what is going to be there. Drug dealers, felons, because it's rampant here in this town. And that's where they like to sell. Why? What goes there? Young kiddos. Easy target. It's a good
place to stake out when you want to do a break-in. Check
that out too. That happens. And as we all know, that's
rampant in Owensboro too. Not only in the city but in the
county. And then there's -- we've been told, well, we'll
put up some trees. Well, at 72, I don't want to be raking
somebody else's leaves. I do it now from the guy in the
back, but I do it. I don't want to rake it in the front
too. Big fence; who wants to look at a big fence? Now, I
realize my house is not a $200,000 home, but it's my home.
I take care of it and I maintain it by myself and I'm
proud of it. I'm proud of my neighbors because they are
conscientious too, and we pay a nice amount of taxes. I
don't want to see my property values go down; and that's
going to happen. That's all I have to say.

CHAIRMAN: Thank you.

Next.

MS. LEOHR: My name is Melissa Leohr, L-e-o-h-r.

(Melissa Leohr sworn by attorney.)

MS. LEOHR: And I also live on Majestic Prince
Drive. So I came here tonight as a mom to share my
concern for the potential rezoning of this property. We
have lived in our home for 17 years. My children have
grown up in the home. If this property is rezoned, it
will change our neighborhood completely and permanently.
Our neighborhood is currently peaceful and calm. That's
why we bought our house there. If this happens, I foresee bright lights shining directly into my children's bedrooms which face this property, and that's the truth. We have it already. I don't want more. I foresee constant traffic, constant noise. I work right beside a Five Star. I know what this is like. There may be additional traffic on the street, depending on the needs with the driveway situation.

In addition to these concerns we have to consider the effect that this will certainly have on our property value. Nobody wants to buy a house that faces the gas station. I realize that this rezoning has no impact on any of you all directly, but I want you to think about for a minute if it was your neighborhood, grandchildren's neighborhood. Just think about that. So, thank you.

CHAIRMAN: Thank you.

Anyone else?

Yes, sir.

MS. KNIGHT: State your name for the record.

MR. TAYLOR: William Taylor. I also live on Majestic Prince Drive.

(William Taylor sworn by attorney.)

MR. TAYLOR: First of all, thank you all for allowing us the opportunity to speak tonight. I, along
with the other neighborhood individuals here, we all have families. I brought my three-year-old daughter and my six-year-old son along with my wife with me tonight. Maybe even more, because I don't have the opportunity to bring my 14-year-old tonight. This summer she was allowed to ride her bike through the neighborhood for the first time and gave her a lot of freedom, gave her a sense of teenhood or near adulthood, which she's far from, but she absolutely loves doing that pretty much at her will. And this unfortunately could be the cease, the end of that in the near future.

The major thing that -- and I know what we're discussing tonight is not about the rezoning. It's the stipulations along with that. As Thompson stated in 1976, a low-key convenience store does not look like a convenience store today. Quite different. Although I wasn't around in '76, I can imagine it wasn't a Five Star. For a variety of reasons -- I'm going to state some facts here. For a variety of reasons convenience stores are often popular targets for a variety of crimes. The main dangers are that almost all convenience stores only have one person working night shift, and most of the transactions are in cash. Sold merchandise such as alcohol, lottery tickets and cigarettes on site.

Dr. Fellow Pamela Trainstein from Johns Hopkins
saying that the type of outlet that it is makes a
difference, with results showing that a greater access to
off-site outlets, meaning -- on-site outlets would be
restaurants selling alcohol and partaking on site. Off
site is where you buy, take off site. Off-site outlets
was associated with a 4.4 increase in violent crime,
compared to (inaudible) on-site. This convenience store
would be an example of an off-site outlet. Research
repeatedly shows that greater access to outlets is
associated with violent crime, Pamela says.

Reverend Eric Lee of Park Heights said the
academics documented that he and his neighbors witnessed
daily. People are just loitering and hanging around,
engaging in criminal activities, he said. If you have
children who have to walk through that, ride their bikes
through that, not only is there a probability of them
being offered drugs or alcohol, that element becomes
normalized in a child's mind. The normalization of
criminal activities should not be the standard that our
children must see every day.

And I know that holds very much true to
Owensboro and this community.

Crime data between 2012 and 2015 covering
offenses reported within 1500 feet of off-site outlets
report that in an area around the business there was an
increase in the number of assaults, drug offenses, number
of public intoxication arrests, and an increase in
vandalism in the first year of allowing alcohol sales.

Wrapping up, community interest should be - -
I'm sorry. Excuse me. Community interest should dictate
local policy and the potential benefit of reduced violence
outweigh any potential harm that the banning or limitation
of such sales would create.

Thank you for your time and I ask that you
please take our children, our neighborhood and community
in consideration when voting on this matter.

CHAIRMAN: Anyone else?
Yes, sir.

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

MR. HENDERSON: I'm Earl Henderson and I live on
Strike The Gold Court.
(Earl Henderson sworn by attorney.)

MR. HENDERSON: I'm not an accomplished speaker
like some of these folks. I'm just an ole country boy
that had a house built out there 28 years ago and I moved
in and it was just a quiet little country road then. We
had a Shell gas station. Had a grocery store. But how
it's boomed. You can't get up and down that road now.

But anyhow, let me - -
You're going to find out right quick that I'm a teetotaler. I don't believe in none of that stuff. I've seen what it can do. I've seen what it has done to my family. When I was a young man back in the fifties, Owensboro had a Blue Law that nothing, nothing was sold on Sunday. If you wanted a gallon of gas, you had to go to Gipes down on the corner of Fourth and Locust to get your gas. If you wanted a loaf of bread you had to go to Sikes' Market out on Triplett Street that had a tree growing up through the middle of it. Owensboro was a quiet, peaceful, happy town. But then we started changing and we got some people in office that I don't know if it was their belief, the way they was raised at home, their faith, I don't know what it was, but they started getting control of Owensboro. Commissioners, mayors, judge executives, big people, big people. And they started changing Owensboro quick. And before you know it, we had change coming to Owensboro. Restaurants started coming to Owensboro; and any of them that's any good wanted a bar. They got it. Hotels, motels wanted a bar. They got it. We built a Riverpark Center with taxpayers' money; and the first thing they done, socked a bar in there. We had our Bar-B-Q Festival. We put up a tent for drinking beer. We built a Civic Center. Got a bar in there. Built a Bluegrass Museum Hall of Fame. Got a bar in there. Our
town has gone to a drinking town. And you can't even go into a decent restaurant in this town to eat without passing a bar. You can't walk into a decent -- I can't even go to church where I want to go to church without walking past a bar to go back to where we have church.

Times has changed. Times has changed. We've gone to a city that used to be quiet. Kids could ride their bicycles at night out on the sidewalk, play in their yard, camp out in the backyard underneath the picnic table to now you don't let them out of your sight. You'd better watch them every second.

And the biggest part of that, I think, is alcohol. Yes, drugs has a lot to do with that, but alcohol has killed more people than wars, car wrecks, cancer put together. It's a killer. And you can't sit there and tell me we need another outlet for alcohol in this town. We don't, and you know we don't. You can't go into a grocery store without passing by the alcohol part. You can't go to Wal-Mart, anywhere without the alcohol part. And it's just gone rampant. Back in the fifties there was 12, so I was told, outlets for getting alcohol in Owensboro. And they had an alcoholic commissioner named Waylon Givens that controlled all of it. And to get a license to sell alcohol, buddy, you had to be ready to spend some money and buy one out that's already in
existence and then move it where you wanted it. But not
anymore. All you got to do is ask for it. You got it.
You got it.

So what's this for? To make the rich man's
dollar bill stretch into two regardless of how many it
kills, how many it hurts, how many it maims, how many
homes is broken up.

You know, out there on Bold Forbes Way and 54
where they're wanting to build this, right across the
highway is a little Baptist church over there that's been
there for years. I'm sure they don't want that place in
their face. And it will be right in their face.

You swing around just a little bit, at the
intersection of Bold Forbes Way and 54, people, if you
make that the main entrance in and out of this place,
you're going to kill a bunch of people. I've almost got
killed twice there myself. Go out there and stop in the
middle of 54 like you're going to turn in, and let these
cars go zooming past you running 60 and 70 mile an hour.
They ain't that far from you. I mean your heart will come
up in your mouth. If you don't get a stoplight in there
or do something, if you do this, some people is going to
get killed. Take my word for it.

You swing right on around a little bit further,
there's a daycare for children right in the face of this
1 place. Right in the face of it. You swing around just a
2 little bit further, there's Majestic Prince with these
3 people up on a ridge going to have to look straight down
4 in that place and hear the noise and hear the motors and
5 hear the screeching of tires and hear probably the
6 fighting outside. And you swing right on around a little
7 bit further, there's going to be a few more acres around
8 there. Is it going to be zoned to where a restaurant can
9 come in there with more alcohol or is there going to be
10 alcohol come into that?
11            No, I'll sit down. I've said enough. But I'm
12 opposed to it. It ain't right. And there's not one of
13 you all can tell me that the people out there will be
14 better off by having a gas station, grocery store, beer
15 joint out there. And what happens down the road if
16 Kentucky does like some of these other states, legalizes
17 marijuana? Are they going to get a little marijuana in
18 there? Then people can go in there and get their booze,
19 get their marijuana, go out and sit in the car and get
20 high, get drunk with these people all just looking
21 straight down on them and putting up with that.
22            I've had my say. Thank you. But there's one
23 more thing I'd like to ask you. Who is Hercules Oil
24 Company? Does Mr. Thompson own any of that or all of it?
25            CHAIRMAN: Hercules?
MR. HENDERSON: Uh-huh.

CHAIRMAN: Mr. Sullivan, any idea?

MR. SULLIVAN: I'm too young to remember. I don't know who owns Hercules. Newcomb Oil is the applicant for the Five Star station that we're talking about tonight. I don't know anything about Hercules.

MR. HENDERSON: Thank you. I'm sorry I took up your time.

CHAIRMAN: Thank you, sir.

MR. SULLIVAN: That's that fellow who used to own Diamond Lake that owned Hercules.

CHAIRMAN: Anyone else like to speak to the matter?

Yes, sir.

MS. KNIGHT: Sir, can you please state your name for the record?

MR. MATTINGLY: My name is Charles Mattingly. I live at 3300 Majestic Prince Drive.

(Charles Mattingly sworn by attorney.)

MR. MATTINGLY: I'd like to qualify my opening statement by saying that I am the oldest landlord in Thorobred East. I was the second person to buy property there, in 1976, when the subdivision was developed by Tommy Thompson. So I've got a lot of history about that. I've seen a lot of good things happening there over these
years, been very pleased to live in Thorobred East. We've had one or two bumps in the road in trying to get along with the developer in regard to activities that were initially promised when they were starting to develop that subdivision. I know there have been several references made to what it was intended to be. And all I have is a picture that was in the paper. I can present that to the commission if you would like, but I want to retain this. It shows a very nice looking little village, so to speak, in the front where the commercial area was. Somebody has already mentioned some of the statements that were made about a full-service grocery store and hardware store, dryclean store. That was started with the original store that was, I think, called Larry's Little Giant. Over time that went away; and for many, many years that building sat there empty. And now, we've got a very nice-looking fitness center that is well-maintained in that area. So I personally look at that as being a positive improvement, not negative.

But I want to remind this commission of a - - this is the second time that I've had to speak before the commission. There was another time back in 1996, I think it was, '97 maybe, where there was an effort to put a Burger King on this same property. And at that point in time the commission listened to the property owners like
you're doing now and a decision was made by them denying the Burger King property or the Burger King business to be placed on the same property that we're talking about today. And I've got several excerpts in there. This is from an attorney that was hired by a group of people there at Thorobred East to fight that Burger King development, and this is one statement that I want to read and I want to -- I want to present the question to the commission, what has changed? One thing has changed, you all are not the same commission that was here in 1996. I've looked through the names and I've compared the names with people that were here in '96, and none of you were here. I was. And many of the people in the audience were also here. So we know what decision was made by the Planning and Zoning Commission at that date regarding a commercial business called Burger King.

I'm going to read this one sentence here. The decision -- okay. All the way to "development plan may otherwise comply with requirements of the zoning ordinance. If it is found by the OMPC that there are potential substantial traffic problems relating to the development of the subject property, the plan may be disapproved. The decision of the OMPC on March 13, 1997 to disapprove the final development plan of applicants was based upon evidence that a fast food restaurant is a high
traffic generator, that there is existing bad traffic flow
at the intersection of Bold Forbes Way and Kentucky 54."

I don't think there's anybody in this room that
would disagree that a large gas station is going to be an
equally high traffic generator. That's why I, once again,
pose the question, what has changed? Today - - before I
do that, let me read one more sentence here.

This goes on to say that "to approve the
development plan would have an adverse effect on existing
traffic and would further potentially create a future
dangerous situation."

Now, the dangerous situation that they're
talking about, the traffic, which this gentleman just made
reference to. One of my objectives in talking or speaking
with you tonight would be to try to get you all to
courage the State. And I know it's not your decision.

It's the State's decision. The State has not done a good
job for the residents of Thorobred East since 1976. It
never has been a safe intersection. People are coming off
the top of that hill - - the speed limit, by the way, is
55 miles an hour. Nobody goes 55 miles an hour coming
down that hill. They're all going 65 to 70. When you get
to the area right directly in front of Ole South Bar-B-Q,
the speed limit is reduced to 45 miles an hour. That is
nothing but a high traffic area through there, and 45
miles an hour is too fast. We desperately need a traffic light at that intersection. And we tried years and years ago, back in the '90s, to get it. The State never would agree that there was sufficient traffic flow there to require a traffic light. Again, I pose the question, what has changed? Particularly in regard to traffic and the safety of the people that live in Thorobred East, their children, the school buses that drive in and out through that intersection every day, as well as the people that are going to and from work that are having to pass that intersection of Thorobred East and Highway 54. What has changed?

Today I drove down that little two-mile stretch that starts with the development of The Springs there on 54, right as you start to leave the main city limits, all the way out to Franey's store there at the Thruston Dermont Road intersection. That's just about two miles. Back when the subdivision was started, back in '76, I know Wal-Mart was not there at that time. I think Wal-Mart was put in around 2005. Not sure of that date, but it's somewhere near that. I'm not sure when some of these new subdivisions were built, but I know they've all came after Thorobred East. Thorobred East was the first major subdivision on Highway 54 just outside the city limits. We were the only subdivision and are today the only
subdivision out there that does not have a neighborhood association. We didn't have a need for that. That neighborhood association was developed by this commission after Thorobred East was started. So there were maybe — I can't think of a single restaurant that was out there at that time. And I go back even to 1996 when this commission determined that it was not proper to have that type of business at that intersection due to the potentially unsafe conditions that existed at that intersection.

Today, I counted the number of restaurants that are in that two-mile stretch right on 54. I counted 14 restaurants that serve alcohol. I bring alcohol up because it's already been discussed at this meeting. There are 24 restaurants in that two-mile section that do not serve alcohol. Typical McDonald's, Arby's, Taco Bell, places like that. There are four package liquor stores in that two-mile stretch. There's one bar. I think the name of it is Legends. That one bar is half a mile away from me, and in the summertime it irritates me at night because of the music they're playing. And I live a half a mile away.

There are currently three gas stations similar to the Five Star station that is proposed that currently serve alcohol. They don't serve alcohol. They sell malt
beverages. So it's not the hard liquor, but it's beer and wine. There are two that do not have any alcohol products at all.

So I get back to my point: What has changed? That's a large number of businesses, a large number of traffic, a large number of people that are in Lake Forest, that is in Woodlands, that's in Woodland Crossings, that's in Countryside, as well as the increased population that has developed around Whitesville and Fordsville that's using that access into the city limits every single day. What has changed is the traffic conditions in 1976 that was discussed in 1996 by this commission has multiplied probably tenfold. And the discussion earlier about traffic, at 5:00, it takes you 30 minutes to go those two miles. That's due to traffic lights and congestion.

So, back to my original point: What has changed? The safety and the concern of safety of everybody using that has changed dramatically due to the increased population, the increased business. And all this would do would be further aggravate that condition with more and more people using that single intersection to access this new business. Thank you.

CHAIRMAN: Thank you, Mr. Mattingly.

Mr. Sullivan, if you would. Question, please.

MR. SULLIVAN: Yes, sir.
CHAIRMAN: In the report it mentioned that the Kentucky Transportation Cabinet has reviewed this and said it's okay. They're going to study it for a year, and if there's a problem with traffic or increased traffic they're going to make that intersection right in, right out? Is that correct?

MR. SULLIVAN: That's what it says. And not only that, Newcomb Oil has to post a bond to guarantee that if there's work that needs to be done they've already posted the money to do the work. I don't know if you want me to address anything more at this point.

CHAIRMAN: Just whether or not that may help with the traffic getting in and out?

MR. SULLIVAN: And I've got some more things to say, but Mr. Miles, Brad Miles from Newcomb Oil may have some light to shed on it.

CHAIR: Mr. Miles?

MS. KNIGHT: State your name for the record.

MR. MILES: I'm Brad Miles with Newcomb Oil Company.

(Brad Miles sworn by attorney.)

MR. MILES: The KYTC, they recommended that our entrance onto Bold Forbes becomes a right in, right out, not Bold Forbes Way itself. So what they would do is, they're going to inspect it for a year and then after that
year or within that year if there's a problem then
they'll -- we got to pay to have that median, that
cement median that's next to the sign there, we'll pull
that median back to 54 so that cars can't make a left turn
into our entrance there. So that will keep people from --
if there is a problem, that will keep people from, you
know, traveling into our gas canopy there from Bold Forbes
Way. It would be impossible to.

So I just wanted to clarify that because I'm not
for sure everybody understands that.

CHAIRMAN: Thank you.

Yes, sir?

MR. QUISENBERRY: I've got a question

concerning --

CHAIRMAN: Sir, if you would --

MS. KNIGHT: Please state your name for the

record.

MR. QUISENBERRY: Carroll Quisenberry; and it's

Carroll with two R's and two L's.

(Carroll Quisenberry sworn by attorney.)

MR. QUISENBERRY: Mr. Miles, the question I

wanted to ask you was, you're talking about after a period

of time the island in the middle would be maybe extended

on out to 54 so people coming in from the east side of 54

couldn't turn in Thorobred East and then turn into Five
Star, correct?

MR. MILES: Yes.

MR. QUISENBERRY: I'm the one that talked to you.

MR. MILES: Are you talking to me? Who are you talking to?

MR. QUISENBERRY: No. The gentleman in the blue shirt that just spoke.

MR. SULLIVAN: Jim Riney is the engineer doing the work on the project, and he might be best able to answer your questions. So Jim is going to come up and answer.

MR. QUISENBERRY: Okay. Well, I've spoken with -- I think I talked with you last week.

MR. RINEY: Yes, sir.

MR. QUISENBERRY: Okay.

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

MR. RINEY: Jim Riney.

(Jim Riney sworn by attorney.)

MR. RINEY: Just to paint a better mental picture for you, because there was a little confusion when the Highway Department was trying to describe. A picture is worth a thousand words. Visualize as you come in off of 54 there's a median there with a sign. Then there's a
curb cut or an entrance where you turn into the drive that goes back to Planet Fitness. And then north of that is a little bulldozed median that branches out into more of an island with trees. That bulldozed median that's north of the entrance into Planet Fitness, what you see today, will be extended toward 54. There's nothing going into 54. And the function of that is, the Highway Department sees that, is it cuts off that entrance so traffic coming in, moving north on Bold Forbes Way off of 54 cannot turn into that drive that's been there for years. Back to Ace Hardware, whatever it was. They would have to come on up into the subdivision and come in the back entrance. So that's what they're talking about doing so that you couldn't turn left and come into where Five Star would be.

I don't think that's in the best interest of the public and the traffic count may not warrant it.

But let me go ahead and add to that, the entrance, from an engineering perspective, the primary entrance is going to be off Highway 54. There's an entrance there now that goes into Planet Fitness. It's going to be relocated as a shared entrance between Planet Fitness and the Five Star. It will be wide enough for traffic to come in, have a turn lane, so forth. That will be the primary entrance. Just like - I'm a west county boy - on West Parrish Avenue, there's the entrance people
use off of West Parrish Avenue. The secondary entrance is
the side road out there, whatever it is. I can't
remember. Parrish Plaza Drive, much like Bold Forbes.
And then there's another entrance in the rear that would
help the subdivision get in and out to minimize traffic
there. My point is that that median that would be
extended is the north side of that driveway, just so
everybody has the right mental picture, because it was
confusing when the Highway Department first started
talking about it. So I don't know if I've helped you, but
I've tried to make a mental picture for you.

CHAIRMAN: Actually, to get into this facility
you actually have two ways or three ways?

MR. RINEY: Three, sir.

CHAIRMAN: Off of 54, there's two off of 54, and
there's one in the back?

MR. RINEY: Well, Bold Forbes, I guess, is off
54, yes; the main entrance which is shared with Planet
Fitness and Five Star; and then there's a Majestic Prince
entrance.

CHAIRMAN: Did that answer any questions that
you may have had?

MR. QUISENBERRY: Not really. I mean, I heard
what he said, but I didn't realize there was an entrance
off of Majestic Prince into the thing. They're saying
there's not. And I own property on Plaudit Place which backs up to the property that's being sold. And I've gone around the back of the apartment that we own there. I live in Thorobred East. And I've gone around the back of that, those apartments there, and come back around on Plaudit Place. I don't remember seeing an entrance in there to Planet Fitness. There is none. Now, the part you was talking about bringing the extension from where the trees are in the median out, well, back out to Bold Forbes, unless there was an entrance back over toward Majestic Prince, the people coming that go out to 54, there's a lot of people in Thorobred East use Planet Fitness and they go in there off of Bold Forbes, right straight in. And the gentleman I talked to in Bardstown last week when I called him -- you're the gentleman, right?

MR. MILES: Yes, sir.

MR. QUISENBERRY: He said they're going to move the entryway - the gentleman just spoke - on 54 east up to near the end of the parking lot on the east side of Planet Fitness and bring that entrance there; and then people from Bold Forbes, if they wanted to go to Planet Fitness, they could go through their property. But if they closed that off for people turning, say they come down 54 east into that, they're not able to turn into Planet Fitness.
They'd have to go down. So people, if they block that off, people that go from Thorobred East out to 54 in there, instead of coming right back out to Bold Forbes the way they do now, they'd have to cross two lanes of westbound traffic to go 100 yards to turn back into their subdivision which makes it even more dangerous.

CHAIRMAN: Thank you.

MR. QUISENBERRY: Like I say, your people, any of you all live out 54, Thorobred East, Lake Forest area? I don't see any members of the commission.

You do?

MR. BALL: I do.

MR. QUISENBERRY: Raise your hand. Thank you. But it's a mess. One of the big problems is, we have -- the more traffic lights you put in, the more you congest traffic. And there's no control over the traffic lights out there except the State, from Leitchfield Road all the way out, except the one at The Springs. That's the only traffic light that was not controlled by the State. I talked to them a few months ago. And I know traffic can be done a lot better if somebody would look at it and see. It would save a lot of headaches for a lot of people. Save a lot of congestion. It'd save a lot of anger. If people, somebody -- you've got these monitors up here. If somebody was monitoring the traffic in
Owensboro -- you know how bad it used to be out Frederica Street. Take you 15 to 20 minutes going from the old Texas Gas building out to Ritzy's one day. Traffic lights, traffic lights, traffic lights. Nobody can move. It's amazing how bad 54 is, even at lunch hour. I don't know where everybody comes from, but they're there because I live out there. Sometimes I go home for dinner when I have an opportunity. But it's a mess out there the way things are now. And the more we have out there, the more congestion there is, the more trouble you have for accidents.

I just want to say one other thing. I'm with you about alcohol. I wish they'd do alcohol like they done tobacco because it kills so many people. And I know the word liquor was brought up. I know liquor is considered different than beer. What do people usually start on? They start on beer. Just like small drugs and then go to the powerful drugs and it kills so many people.

My wife and I got married on Friday the 13th, 1971. Been 48 years. Anita Huff was our flower girl. July of 1976, on Highway 69 -- her dad lived behind me my whole life, a place in Hancock County. I knew their whole family. Went to school with my buddy's wife. She was in my brother's class. But they was going to a ballgame at Vastwood. Her husband's buddy worked at NSA. He was
going to get off work and meet them there. Going around the corner where Highway 69 goes in toward Hawesville, they have what they call -- well, 65 now. A guy come around there in a truck. Dorothy, the mother, four kids, buddy's sister Virginia, and one little girl by the name of Edge. There was five kids in the car. All of them was killed but the little girl, Edge girl, sitting in the back. Alcohol was involved. I mean alcohol is a bad drug and we don't need more of it in our community. Thank you.

CHAIRMAN: Thank you.

Mr. Riney, if you would, I notice, I can see two entrances. I don't see an entrance off of Majestic Prince Court.

MR. RINEY: If whoever is operating the A/V, if you could look, this is the proposed plan. Is that on your all's screen?

CHAIRMAN: It is now.

MR. RINEY: It's a little unusual, but if the chairman would allow me the privilege of walking up to the monitor so I can help the neighborhood folks understand.

The primary entrance that I'm speaking of -- of course I think everybody recognizes that this is Highway 54, towards the bottom. The existing entrance is over here to the left, but the proposed entrance is outlined in red and that's going to be the shared entrance to Planet
Fitness and Five Star. Then of course the entrance we're talking about on Bold Forbes would stay the same, where it goes back. The other proposed entrance is outlined in red off of Majestic Prince. So you don't see that today, I understand, but that's the proposed entrance for the traffic flow to go in the neighborhood so they can come in. This is the main entrance, the secondary entrance. So hopefully, Mr. Chairman, that makes a little bit more sense. It's not there today; we can't see it today. But in Jim's mind, I can see it.

CHAIRMAN: Anyone else?

Yes?

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

MR. GRAY: Jordan Gray.

(Jordan Gray sworn by attorney.)

MR. GRAY: I live on Man O War Loop. Just to paint what I would call a better picture, there's already four entrances to Planet Fitness and it's a nightmare, so I don't have a lot of faith in whoever is about to develop whatever.

And for Newcomb Oil, I am kind of just curious, do you plan on selling diesel fuel?

MR. MILES: We don't plan on having an isolated diesel canopy like we do at our West Parrish store here in
Owensboro and our New Hartford store in Owensboro. You know, we have just a gas, we call it a gas canopy. We're showing, I think, eight gas pumps; and we haven't decided yet whether one or two of those will be diesel, but they're mostly for, you know, diesel trucks like duallys and RVs and stuff like that. It won't have an isolated truck canopy basically.

MR. GRAY: So you don't plan on having any revenue from tractor-trailers?

MR. MILES: That's not our goal at this site. It's just -- the site is not big enough, basically.

MR. GRAY: Okay. Also, has Newcomb Oil ever developed a fueling station in a front yard before?

MR. MILES: We've developed them in lots very similar to this one before, yes, that's zoned properly and that's on a main highway. Yes, we have, on a site just like this.

MR. GRAY: And the residents, were they very welcoming to that?

MR. MILES: To be honest --

MR. GRAY: Because I can't think of anywhere in Owensboro where someone has to walk out their front door and look at a fueling station.

MR. MILES: I mean we're here today to get it rezoned. And it's zoned B-4 right now, and it's on the
road. It's on the main trawfare. And that's our
intentions.

MR. GRAY: Okay. Well, I got another general
statement. I don't think in the '70s, the way that the
development of the neighborhood went, there was a plan to
have homes facing a commercial property where you walk out
your front door and face a commercial property. I'd like
to think that whoever started Thompson Homes, started
their development, that wasn't in sight, where you
wouldn't have homes facing what I would call a future
commercial development.

CHAIRMAN: Thank you, sir.

Next?

Yes, step up.

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

MR. MORRIS: Lance Morris.

(Lance Morris sworn by attorney.)

MR. MORRIS: Actually, I have a couple
questions. Forgive me, I'm a little bit nervous. I don't
do this very much.

CHAIRMAN: That's two of us.

MR. MORRIS: What was the date of the last
traffic study that was specific to Thorobred East or the
area directly related?
CHAIRMAN: Do we have, Brian, do we have information along those lines?

MR. HOWARD: I don't know.

CHAIRMAN: Can't answer the question.

MR. MORRIS: Does the gentleman, call him a lawyer, do you have that?

CHAIRMAN: Mr. Sullivan, do you have an answer for that?

MR. SULLIVAN: No.

CHAIRMAN: We don't have an answer for you.

MR. MORRIS: My second question: Has this change already been decided/voted on; and if not, what would it take to stop this change as stated?

CHAIRMAN: To answer, it hasn't been voted it. It will be voted on tonight. To get it to not pass, these commissioners would have to vote it down.

MR. MORRIS: A majority of the commissioners?

CHAIRMAN: Yes.

MR. MORRIS: Okay. Thank you.

CHAIRMAN: Next?

MR. THOMPSON: My name is Andy Thompson.

(Andy Thompson sworn by attorney.)

MR. THOMPSON: I've lived in Thorobred East, on Buchanan Court, for 22 years. I've raised or still are raising two kids there. I'd like to say that whenever you
drive through our neighborhood there's not a time that you
can't see a person walking with their family, walking
pets, kids riding bicycles. This proposed change with
your entrances is not really going to slow down anything
in Thorobred East. I think people have failed to remember
that we still have Normandy Heights entrance also which
also directs traffic through Thorobred East at the Bold
Forbes entrance and exit. So I would like to bring that
up, that this is not just going to slow down that but it's
also going to bring in added traffic off of Thruston
Dermont Road that people haven't thought about. There's
also it's not very well lit back there, there's low crime.
There's no need for street lights right now, but that's
all I got to say.

CHAIRMAN: Thank you.
Next?
MS. KNIGHT: Please state your name for the
record.

MS. BIRKETT: Rebecca Gayle Birkett.
MS. KNIGHT: Can you spell the last name?
MS. BIRKETT: Birkett, B-i-r-k-e-t-t.
MS. KNIGHT: Thank you.
(Rebecca Birkett sworn by attorney.)
MS. BIRKETT: This is kind of new to me. I
never really took debate in school. And basically I
actually live in the back of the neighborhood. I live in Hillgail Court. I am in probably the most secluded area. I live next to a field, have a couple of neighbors next to me. We all get along great. I've loved that neighborhood. I've actually lived in that neighborhood since I was three years old. I rode my bike there. I walked through back yards at night by myself and I never was afraid. Never. My parents never had any fear that I wasn't going to make it home. My friends and I went far away from our houses. We'd ride our bikes from Normandy Heights all the way to Thorobred East and all the way back.

I've delivered mail there. I've delivered mail all over the east side of Owensboro. I've seen traffic change just by the 54 development. I delivered mail for four years; actually, right before Planet Fitness came in and then right as it came in as well. Just from that, people have started taking our neighborhood as a shortcut to get from 54 to Thruston Dermont Road. It's gotten worse because people have realized that they can go through the neighborhood. That has also caused people to ignore the 25-mile-an-hour signs, to almost hit children. I've witnessed it in my little mail truck. They almost hit the mail truck which parked on the side of the road, blinking lights. People don't pay attention when they go
through there. They don't think these are people's homes. They think this is the fastest way for me to get where I need to go. That's all people are concerned about anymore, is how can I get there fast.

Actually, just from the children's, the little daycare center there, I've seen people come from 54 and they flip around and they drive through the wrong way to get back out. That's almost caused several accidents there. I don't want more people going in there and doing the exact same thing to try to get out or some parent who just dropped their child off to be headed out that way and somebody who just got gas and is looking down at a receipt or something to turn off and hit somebody else.

Accidents have happened at Planet Fitness too. There have been a lot of accidents just coming out of Planet Fitness onto 54. That shows you how little people are paying attention, even when you're hyped up on adrenaline and you're supposed to be able to see things more because you're in fight or flight.

In 1977, I was only six years old, so I had -- or in 1997, I was only six years old, so I had nothing to do with any of the fight on Burger King. But what I will say is that I still agree with the foundations that were set then. I still agree with the foundations that were set at the beginning because what is to say that if we
take the bans away for the alcohol that somebody doesn't
go out of business and then, oh, somebody moves in; oh,
there's no ban on liquor; let's go ahead and start selling
liquor here. Even if we lift that now and they don't sell
liquor, what's to stop somebody else from coming in there
and doing that?

Our neighborhood is a family neighborhood. I
personally have had a goal of raising children in that
neighborhood since I was, what, eight. I said I was going
to buy our old house and I was going to live there.

I have delivered mail in The Downs. And I know
this sounds like this has nothing to do with anything, but
since the development on 54 The Downs has also become a
shortcut to get places. The people that I have talked to
there while I was delivering my mail have also spoken of
how they loved their neighborhood and then all of the
sudden it was taken over by people just driving through;
45, 55, 60, trying to get where they want to go. They
don't care.

I'm a bus driver now, so I'm concerned about the
children. I've seen people blow stop signs and it's not
necessarily been the people in the neighborhoods. It's
been the people driving through the neighborhoods to get
where they want to go because they don't see that as their
children. They see that as, okay, the bus stopped. Some
kid is going to get out. Not my kid. Not my problem.

My mother actually had an experience of trying to get from our house to The Springs, and it took her 20 minutes. That is uncalled for. For me, in the morning when I get up at 4:45, I can get from our house all the way to the bus garage in 12 minutes. That is without traffic. In the afternoon, I have to leave 25 minutes before I start and I'm still lucky if I get there on time.

I'm proud of my big small town. I cannot agree with turning one of our best neighborhoods into a gas station just with some homes behind it. What I would like to suggest is that, if this is forced through, all entrances to our neighborhood be closed off and no traffic be allowed to go through because once one person finds out that there is a way to get to Thruston Dermont that doesn't already know it, 25 people will go through. And when those 25 people tell those other 25 people, it will just explode. We will not be safe. I can't -- I don't even want my nephew and my niece to be walking down Bold Forbes for fear that someone will come over that curve going too fast up that hill or down that hill.

Thank you for listening. And I know we may not have much sway here, but thank you.

CHAIRMAN: Thank you.

Anyone else?
Yes?

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

MR. HIGH: My name is Derek High. I live on Shut Out Court in Thorobred East.

(Derek High sworn by attorney.)

MR. HIGH: I appreciate the opportunity to address the commission. I'm mainly just here to kind of come forth and express my opinion of the whole matter. I'm not really well prepared. You'll have to forgive me. I didn't bring any pre-prepared speeches or anything like that. I'm just going to kind of speak my mind.

I've only lived in Thorobred East for slightly over a year now. My wife and I bought our first home in September or August of last year sometime. And, you know, this was after we had moved back to Owensboro after a couple of years living in Bowling Green. One of the reasons that we left Bowling Green was actually traffic related. It was almost impossible to get anywhere around town in less than 30 minutes because, well, you couldn't drive 10 yards without hitting a red light. And I'm seeing a similar progression on Highway 54 for the future. I originally had moved to Owensboro in 2011, so I've been in this area for quite some time.

In regards to the development of that particular
parcel of land, I'm not going to stand up here and say that it should never be developed. I'm fairly in support of urban development. I have no problem with that. However, we're talking specifically about conditions to the zoning, you know, in terms of allowing sale of alcohol and I think that is rather significant. You know, we should be considering the implications of that. My opinion of that matter is that, you know, we shouldn't be removing those conditions but perhaps even strengthening them. Because, like I said, one of the reasons we moved into Thorobred East was because it was a neighborhood that, driving by it every day for many years, always caught my eye. It was very attractive. It was excellent appeal from Highway 54. And I think that's one of, you know, it's a first impression a lot of people have of Thorobred East when passing by. You know, take myself and my wife as an example. We decided to move into the neighborhood based off of that first impression. So to sour that image to the public by covering up the front of it with -- you know, I'm going to say it. Gas stations are unattractive. I don't care how nice they are. They're unattractive. So covering up the face of our neighborhood with a fueling station I think would result in maybe not huge but some reduction in property value over time, and that would -- that could be made much
worse of course if the conditions resulting from this
particular development were to worsen with regards to
traffic. Yes, I know that a lot of people try to turn
left out of Bold Forbes Way on to 54 in the mornings.
That's not an easy feat.

So I don't know if it's proposed -- I haven't
looked into this too much. I've only known about this for
a few days. I don't know if it's proposed to put in a
traffic light at that intersection. I'm guessing that's
what the year-long monitoring would entail. But how about
the entrance to Planet Fitness? I'm assuming that's going
to be made larger; or is that going to stay the same?

MR. SULLIVAN: I think, according to the plan,
it's actually off 54 there will be a joint access and it
will actually be moved east up 54. So this, what you see
up here --

MR. HIGH: Is that the current?
MR. SULLIVAN: No. That's the --
MR. MILES: Here's the current entrance and
here's the proposed entrance. So we're going to --
they're going to remove that one and move it to here.

MR. HIGH: So I'm assuming that the exit from
that particular entrance is going to be a stop sign; or is
it going to be a traffic light?
MR. MILES: At that entrance?
MR. HIGH: Yes.

MR. SULLIVAN: It's like any entrance out of a private business; only a stop sign there, but there won't be a light. They'll have to yield to the 54 traffic.

MR. HIGH: Okay. And as difficult as that is to take a left turn onto Highway 54 across the minimum of two lanes of traffic going into the eastbound closest lane, that would probably drive a lot of people to exit that parking lot from the proposed rear entrance onto Majestic Prince Drive. I'm sure that fellow neighbors on Majestic Prince aren't too thrilled about that one.

So not only will we have congestion behind this property as well as on the side of it if there's a problem and that median has to be extended. You know, the traffic could make that stretch of road from 54 on up to Majestic Prince rather dangerous in general due to the increase in vehicles that have to sit and wait just to make a turn.

A few of us here have discussed the stipulation on alcohol sales. And my opinion on the alcohol sales is that this establishment is right in front of a residential neighborhood and this residential neighborhood, a lot of younger couples moving into it, you know, myself and my wife included. There are going to be children in this neighborhood for the foreseeable future, indefinite amount of time, as well as there being a daycare center right
there. I don't think it is appropriate to allow the sale of alcohol so close to a residential neighborhood and a daycare center. That's just my opinion. I don't agree with that. I think that if this land were to be developed —— which, again, I'm going to say again, I agree with development. I have no problem with that. However, whatever goes there I feel needs to be friendly to a residential neighborhood because, again, it's right there in front. It has to be attractive and it has to meet certain requirements that we are not going to have a problem with.

I plan on staying in the neighborhood as long as I can. You know, I bought my home there with the intention of not leaving. You know, this isn't a starter home for me. I plan on staying a resident of Thorobred East for the rest of my life hopefully. And I think it would be a shame to see it take a turn, especially if some of these scenarios play out where the convenience store becomes a site for drug dealing and all of that. Nobody likes that. And I understand those concerns. I have them myself. I do worry about that. So, with that, I just want to say, I appreciate you hearing me out.

CHAIRMAN: Thank you. Let me preface the next one. If you want to speak on this subject, if you can, perhaps something different that hasn't already been
addressed. I think we know enough about alcohol, traffic.

So, yes, sir.

MR. KELLY: Kenneth Kelly.

(Kenneth Kelly sworn by attorney.)

MR. KELLY: When you're talking about the traffic, the safety, I live right on Majestic Prince. Now, if you bring a street there, an outlet, you're going to take it right back to Bold Forbes, it's got no place to go. I mean, you don't have an outlet down the other way. So when you come, what they're talking about, that outlet, you can't come in off of Bold Forbes, you're going to have to come in off of 54 and you're going to have to exit off of Majestic Prince. And in the mornings these Five Stars or any convenience store is packed with customers. And you're going to back -- I mean, I've driven the school bus out there and gone into this daycare.

And another thing that you haven't talked about is they just broke ground for Daviess County Middle School to go on Commonwealth. Now, what do you think that's going to do with traffic? I mean, I don't have an objection about -- I don't drink, but I don't have an objection about alcohol because you can get alcohol anywhere. But my thing is the safety with the traffic.

If you would just, people would just look at that. That one entrance, real quick, off of 54, when you're going to
go to Ralph Avenue, there ain't no telling how many head-on collisions people getting in this turning lane and people getting to come to Planet Fitness. Now, if you're going to start putting people going to Five Star, you're going to have traffic backed up to Wal-Mart. And that's just my concern, is the safety of it. And with the new school going in, that's going to even triple the traffic out there. And that's all I got to say. Thank you.

CHAIRMAN: Thank you.

Anyone else?

Yes, sir?

MR. MORRIS: My name is Lance Morris, and I do.

MS. KNIGHT: You've been previously sworn.

MR. MORRIS: Thank you for answering the questions earlier. It is not my intention to embarrass anybody in this at all. I do have two questions and a statement.

How many — and you choose whether or not you want to raise your hand. How many of you all have come out to east 54 and watched the traffic early in the morning? I come out every morning a little bit before 7:00 or so and I watch the traffic coming from the east end on 54. Reasonably high rate of speed. Yes, that can be taken care of. However, I notice there's a lot of traffic that comes in there and as it gets down to Wimsatt Ohio Valley Reporting (270) 683-7383
Court, it backs up. Backed up bad enough that they
actually had to put a sign on the road, literally painted
on the road, "Don't block Wimsatt Court."

Okay. So, came from Lexington. I think I know
what bad traffic looks like. One of the things, no one
knows when the date of the last traffic study was done.
Should a vote be taken without knowing how old the last
study was done since so very much change has occurred
shall we say in the recent past? Might it seem more than
a little hurried, possibly a little careless, if you pass
this without knowing how old that study is? Without
knowing, it may well be 10 years or more old. That's it.

CHAIRMAN: Thank you. Thank you very much.

Time for another one?

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

MR. BURKLOW: Jimmy Burklow.

(Jimmy Burklow sworn by attorney.)

MR. BURKLOW: Well, I was talking about this.

They're going to bring that exit out and it's going to be
right in front of my house when they come over on Majestic
Prince there. And also, nobody has ever mentioned
anything about the safety on 54. We sit there at night
and ambulances fly up and down 54 all night long. We've
had high as four and five ambulances go by; and nobody has
ever said anything about there's one person already got
killed right there going in to Planet Fitness. They tried
to miss traffic, went down in that ditch, and killed him
right there. I mean, nobody has ever mentioned all that.
And we also have animals going across. There's deer that
goes across there. There's been three been hit since
September, just this year. And the fire trucks are always
going up and down through there too, and they have to
dodge all this traffic. It's getting worse. And police,
they're having to dodge all this traffic and everything.
I mean, it's terrible out there. That's all I've got to
say.

CHAIRMAN: Appreciate it.
Any new information that we need to hear?
We've got one right here. Go ahead.

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

MS. FARREN: My name is Doris Farren.
(Doris Farren sworn by attorney.)

MS. FARREN: I haven't lived in Thorobred East
as long as Mr. Henderson and Mr. Mattingly have, but I
have been there 32 years. I've enjoyed it. It's a nice
subdivision. It's a clean subdivision. It's a family
subdivision.

I look at your maps, and thing that disturbs me
the most - and maybe I am wrong, which we all have been
before - are you closing the entrance there on Bold
Forbes? So, in other words, you're going to have one
there going into your business and then there's also you
can turn and go into Thorobred East on Bold Forbes from
54; or is that being closed?

MR. SULLIVAN: Bold Forbes is not being closed.
I don't know if that's your question.
MS. FARREN: That is.
MR. SULLIVAN: Bold Forbes remains open.
MS. FARREN: It will remain open to 54 or will
remain open to - -
MR. SULLIVAN: You will be able to -- Bold
Forbes is going to remain open. You can go from 54 down
Bold Forbes to Thorobred East.
MS. FARREN: Because if you look at your little
map up there, it actually looks like that Bold Forbes on
the right and this entrance here is for your service
station.
MR. MILES: Off 54, yes, ma'am.
MS. FARRON: Off 54. And then over there is
Bold Forbes coming onto 54. And it will continue to come
off of there, so you're going to have two places really
close together.
CHAIRMAN: Excuse me. If you would, speak into

Ohio Valley Reporting
(270) 683-7383
the mic so we can record it.

MS. FARREN: I'm sorry.

CHAIRMAN: That's okay.

MS. FARREN: I'm trying to look at this thing too.

So what I'm trying to say, Mr. Moore, is it looks -- the way that looks, it looks like you can go in off of 54 and to their business. That's one entrance.

Okay?

CHAIRMAN: Okay.

MS. FARREN: Then it also looks like you have to go around there to get to Bold Forbes to get back into the rest of our subdivision. I might be wrong. Now then, they say Bold Forbes will stay open.

CHAIRMAN: It will stay open. You can go back to the subdivision. You can turn left into the convenience store or into Planet Fitness.

MS. FARREN: Okay. Like there's a street there now?

CHAIRMAN: Uh-huh.

MS. FARREN: The thing about it is, they're right about the traffic. When I went there, there was only a two-lane drive out through there. I am for business. I am for development. I always have been. And Mr. Thompson knows that for a fact because he knows me
personally. But the thing that bothers me the most is no
one -- like these gentlemen have already said, there
hasn't been a study for a long time. When I went there,
there was no Wal-Mart. There was no anything else. No
Kohl's. Nothing. Absolutely nothing. It was two lanes.
It's now four lanes and a turning signal. You're lucky if
the traffic is not backed up all the way to Ole South and
Planet Fitness half of the time. It's bad. It really is.
And I enjoy getting out and going behind my
subdivision, seeing things, but I'm scared to death. I am
truly scared to death because I -- there was a kid killed
right over there at Planet Fitness with all this traffic.
Big accident over there. There's more than anyone can
really believe until you live there. I bet you that if
the people from down the road there, from Lake Forest was
going to have all this in their front door, this place
would be packed. We are a small subdivision, but we are a
family subdivision. We look after each other. We look
after you on this board, which I know you from Owensboro
High School. I know him.

How are you, Manuel?

MR. BALL: Good.

MS. FARREN: But it don't take away the
smallness and inconsistency of a good subdivision that was
developed many years ago probably not by Tommy but by
Bill, his dad, who I respected more than anyone will ever know. But don't take away that for something so large that it's going to have such an impact on so many people that it's going to be dangerous. And I thank you for letting me speak.

CHAIRMAN: Thank you.

MR. HENDERSON: Earl Henderson.

CHAIRMAN: Mr. Henderson?

MR. HENDERSON: There's one other quick thing. We've all addressed everything on this side of 54. Let's go over on the other side. You go out Bold Forbes and stop at 54. Right straight across 54, there's a big, nice brick home up there on the hill and there's probably three to five hundred foot of road frontage on 54 that goes with that home. And I think there's a big farm right behind it that goes with that home. There's a big cornfield back there. Some day, somebody is going to want to develop that and they're going to buy it. Then, what on Earth are you going to do? They're going to bulldoze that hill down. They're going to put a subdivision back there. They're going to put a shopping mall back in there. They're going to put no-telling-what directly across the street, across 54, from us. Bold Forbes. Think about that. If a gas station is already built, what are you going to do then? Thank you.
CHAIRMAN: Thank you, Mr. Henderson.

Anything else?

Yes, ma'am?

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

MS. TAYLOR: I'm Kathy Taylor. Live on Strike The Gold Court.

(Kathy Taylor sworn by attorney.)

MS. TAYLOR: I just have another thing that I wanted to address. If you build this gas station and for some reason it goes out of business, then we're going to have this building there like we do where the Waffle House is; because I live right by that, and it's a nightmare. People congregate. I've had the sheriff's department out there. So then if that happens, I don't want to be negative, but if that was to happen, then we're going to have that building to deal with. And then we have a strip mall left when you turn left. They can't fill it. It's empty buildings up there. So now you want to put another one. So it's just something else to think about because - and another thing is, how can we appeal this? How can we keep this from happening, all this from happening?

CHAIRMAN: Is that a question that you're asking?

MS. TAYLOR: That's a question. Because you
already got a vote on it, but do we have a vote on it?

CHAIRMAN: What we have to do is to consider all
the information that we've received from you guys, all the
information we've received from the staff, and then make
hopefully a wise decision moving forward.

MS. TAYLOR: I'd appreciate if you really,
really consider our subdivision because it is a nice
place.

CHAIRMAN: Thank you.

Yes, sir?

MR. MERKLEY: Yes. My name is Tim Merkley and I
live at 3707 Strike The Gold Court.

(Tim Merkley sworn by attorney.)

MR. MERKLEY: My concern is -- you know, I
agree with everybody here about the traffic problems. My
main concern is we've got a daycare center that is going
to be right across from this. And maybe some people has
mentioned this, I don't know. Robberies. Gas stations,
convenience stores are robbed every day. You got to think
about what's going to happen when someone robs that gas
station. You got a daycare center over here. You got
little kids from infants to 12 years old at that daycare
center. You got to worry about their safety. So I just
want you all to consider that, please, because I love my
subdivision and I'd hate to see this happen. I really
1  would. Thank you.
2  
3  CHAIRMAN: Thank you.
4  Anyone else with any new information?
5  Yes, sir?
6  
7  MS. KNIGHT: Please state your name for the
8  record.
9  
10  MR. GOFF: Tim Goff.
11  (Tim Goff sworn by attorney.)
12  
13  MR. GOFF: I'm just going to make the point
14  about the daycare there. Currently some of the families
15  come out of the neighborhood to drop their kids off and
16  they come down, rather than go around the island that's
17  there, they go down the wrong way on the incoming street
18  and turn into the daycare. Now, if the State comes back
19  and puts a wall in there a year from now, and we don't
20  know now, but if they do that, what are the parents going
21  to do? Go all the way up 54 and do a U-turn to come back
22  and drop their kids off? That's going to make it be even
23  more traffic and more of a mess. They'll have no other
24  option because the entrance to the daycare is past
25  Majestic Prince coming into Bold Forbes, so that would
26  block them off there. I think voting on this now, not
27  knowing what the State is going to do -- I think the wall
28  will go in because it's much closer here to 54 than the
29  one down at Fairview Drive. I would think for sure the
State is probably going to put a wall in there which will cut off the neighbors coming out of the subdivision and dropping their kids off because they'll have to come all the way to 54 and do a U-turn and come back in. That's just going to clog things up even more.

CHAIRMAN: Thank you, sir.

Anyone else?

Any of the commissioners have any questions or concerns?

Commissioner Ball?

MR. BALL: So, a couple of questions. One, just to clarify, the zoning of this property today is B-4, and a convenience store can be located at this property currently. The only condition is alcohol sales. Is that correct?

CHAIRMAN: Mr. Howard?

MR. HOWARD: You're correct. The property is zoned B-4 General Business right now. You know, what we looked at, I mean, it's difficult for us because when the property was rezoned in 1976, we then have to, you know, read the transcript and get in the mind of what happened then. But, you know, Mr. Thompson stated on the record, we were talking about something along the lines of say a convenience store, a drug store, barber shop, this kind of stuff. So, you know, the fact that a convenience store
was specifically mentioned would lend us to believe that, yes, a convenience store could be located there. But went on to say, there will be no liquor here. So, you know, that's where the question came in on our part.

MR. BALL: Second question. Am I still up? Is that okay, Mr. Moore?

CHAIRMAN: Yes, sir.

MR. BALL: Just to be clear, I know we've had a lot of concerns about traffic. I mean, that's obviously something that we're all concerned about as well, is traffic; but we do not have any control over traffic, whether it be on Highway 54 or into the community. That is something that is dictated by the State, and we have put a note in the findings of fact that even though it is not a traffic study, in essence the Kentucky State, I think Kentucky Department of Transportation will be studying the traffic in this area to see if it is adequate. Is that correct?

MR. HOWARD: That is right. The State did not require a traffic impact study for this. Like I said earlier, this is a state road. If they -- we asked them to review it, to provide comment. They did that; and the information that they provided to us is included in the Staff Report. So, yeah, I mean, but that's what we rely on. You know, the question was asked about when the last
time a traffic study was done. So the Highway 54 corridor has been studied immensely over the years as all of these developments out Highway 54 have taken place. But when was the last one done? Probably for the Gateway Commons development that looked at the whole corridor. I know the State looks at those and does analyses, but we don't drive them. We don't tell the State to do a study. They do it, they look at it, they analyze it. So, yeah, I mean, but with the fact that there's a corridor project planned for Highway 54 and things like that, I know the State looks at this rather very carefully.

MR. BALL: But the State did not require a traffic impact study?

MR. HOWARD: That is correct.

MR. BALL: Which if they were concerned, in theory, if they were concerned about this as many other projects we've seen here in the past, they would have required a traffic impact study?

MR. HOWARD: Right. That would be our assumption. You know, we rely on them. We had comments from Taylor Franklin with the KYTC District 2 office down in Madisonville.

MR. BALL: I guess the third thing I've got is just an observation. We've heard a lot about alcohol sales and how terrible they are. And I'm not here to
debate that one way or the other. This is the -- this is
the precinct that earlier this year actually was voted
wet; is that correct?

MR. HOWARD: I believe there was a vote out
there, yes. I mean we're not involved in that in any way,
shape or form. But, yeah, from my recollection of reading
the paper, yes, there was a wet/dry vote out in this area.

MR. BALL: I guess, based on my research, it
looks like there was about 537 voters in that precinct and
66 took part in that vote that actually did -- it
actually was voted wet.

I think that's all I've got.

CHAIRMAN: Thank you, Commissioner.

Anybody else?

Commissioner Boswell.

MR. BOSWELL: Thank you, Mr. Chairman. I've got
probably numerous questions, as Commissioner Ball had,
probably of the applicant I think at this point. I'm not
sure who would like to speak for the applicant.

Mr. Sullivan may be able to address some of these.

The first thing, I'd like to commend all the
folks who came. I think this is what our democracy is all
about, and I'm happy to see everyone here expressing their
feelings and telling the commissioners what they think and
how they feel about this. So thank you very much for
In looking at the information from the 1976 meeting and the minutes, it appeared to me that there was a good bit of discussion before the vote was taken around the topography around the areas; the size, the density, things of that nature. I noted there was a voluntary statement made by Mr. Thompson or Mr. Thompson's father I'm sure at that time, about withdrawing the -- making sure there was no alcohol. There was some other discussion that he alluded to as far as the density in the area that was addressed by Director Anderson at that time. A couple different options that the Director Anderson actually presented before the vote. But those were the only two things that I saw that really were part of that original 1976 minutes. It looked like that they were voluntary conditions that were made. I didn't really get a sense of the density side of it. It looked like that was sort of open-ended as far as that meeting was concerned. Not knowing what fiscal court did whenever they reviewed this, I'm not really at a point where I can address that, but to me it looks like if those were the conditions that were part of the vote, which it appeared to be on what I have, when this migrated into a B-4, after it went from B-1 to B-4, years ago, it doesn't seem to me that those conditions would be a stopgap one way or the
other, if they were in or not on. I mean, is that what I'm seeing here, that those conditions that I see really didn't make much of a difference as far as what would be put in there?

MR. SULLIVAN: Well, maybe Ms. Knight can give you her legal opinion on that.

MR. HOWARD: I'm not a hundred percent sure I'm exactly following what you're saying either, though. Can you --

MR. BOSWELL: I'm just trying to get a sense of -- we're looking at B-4 without conditions. That doesn't seem to me those conditions were really all that much of a stopgap about what could be put in there at that point in time. If it's B-4 today, and if that convenience store would be allowed as B-4, I'm not sure where the conditions one way or the other make much of a difference.

MS. KNIGHT: I'll take a stab at this if I understand what you're asking. A lot of times in these hearings, due to concerns of the neighbors or whatever the case may be, it's before this commission and the applicant is asked about agreeing to certain conditions on a zone. They're not something that the commission necessarily places themselves but that are agreed to. Once those are agreed to and placed on the property, they stay with the property. I guess your question is, it was B-1 back then.
Now it's B-4. Is that where --

MR. BOSWELL: Yeah. B-1 then. It's B-4. If the conditions that were there, unless the fiscal court information shows something different, to me, doesn't seem like it would make much of a difference today versus then.

MS. KNIGHT: Well, I think the B-1 classification then is the B-4 classification now.


MS. KNIGHT: So I don't know that that makes much of a difference as far as --

MR. BOSWELL: Exactly. I guess that's what I'm trying to get --

MR. HOWARD: So the zoning nomenclature changed in 1979, I believe. And you used to have an R-1 and an R-2, and it changed to R-1A and things like that. So the way that the different zones were named changed. But as our legal counsel is saying, though, if there was a condition placed on it at any point, I think her opinion, our opinion would be that that stays with that property even through just a nominal change, the change of the name of the district.

MR. BOSWELL: All right. Thank you. That sort of answers, I guess, part of the confusion that I've got.

If you could bring up that site map again. I have a question concerning, in looking at this site map,
the two areas in blue, one would be the gas pump canopy at first on the entrance; the second one would be the actual building itself, the store, convenience store?

MR. SULLIVAN: Yes, sir.

MR. BOSWELL: Okay. The entrance off of 54, is that the entrance that's being proposed that's in red, coming off of 54?

MR. SULLIVAN: Okay. I'll pull a Mr. Riney. May I approach?

MS. KNIGHT: Absolutely.

MR. SULLIVAN: That is a new entrance. There's an existing entrance right here that will be closed. This will be shared by Planet Fitness and the Five Star. I will also point out that actually you can get to this, so you know all the access points, you could actually turn into I think it's Commonwealth Court and get over here. And there's actually another entrance kind of to the west of Planet Fitness that somebody could turn into and get to the Five Star and still would be --

MR. BOSWELL: Ole South is the one you're referring to.

MR. SULLIVAN: Right. So there's actually three off 54 that you could turn into to get to the Five Star and Bold Forbes.

MR. BOSWELL: So theoretically that alleviates
some of the problem off of Bold Forbes.

MR. SULLIVAN: Those are all access points that could be used, is all I wanted to point out.

MR. BOSWELL: Thank you.

The other question that I'm curious about is actually around the how far back does that -- does that store, is it going to be near or would it be near the parking lot for Planet Fitness?

MR. SULLIVAN: I'll defer to somebody else because I'm not exactly sure. If it would please the commission, after Jim comes up and talks about this, Jim has some information on traffic studies out on Highway 54 that I would like him to tell you all about.

MR. RINEY: Can the A/V go back to the -- okay.

Commissioner Boswell, the blue is the store, you see. Then the green is the grass there, stormwater retention. And then just to the west of that is the parking lot, existing parking lot for Planet Fitness; and it will remain the existing parking lot for Planet Fitness.

MR. BOSWELL: Thank you. I couldn't tell. This was so small, I couldn't tell for sure where the Planet Fitness was at and the parking lot was at. Thank you.

MR. RINEY: If it please the commission, the other comment that I've got, I can't speak for the Highway
Department, but I know the planning office is aware, we're aware, the State Highway Department has done an extensive study, traffic study, traffic impact and so forth in preparation for the upgrade of Highway 54. A lot of the concerns you heard from the citizens tonight in the neighborhood were all founded or the basis for this upgrade for Highway 54. Our firm today is working on utility relocation for the upgrade of Highway 54 for water and sewer. The plan that was developed, we received that about sometime in 2018. That was just prior to the State wrapping up their study. They had a public hearing. I know that the planning office staff was aware of that. I didn't bring any of the information tonight, so I cannot quote you a number, but the five-lane improvement that you see out there today has been in the newspaper and so forth. It's designed for a seven- to eight-lane improvement. It got cut by this administration's funding pinch, but the study has been done. The folks on this commission know how the Highway Department does business and that they do a very thorough job. It's a contemporary study. It showed the warrants for the extra lanes. It did not show warrants for traffic lights. I know the neighborhood is concerned about traffic, but the Highway Department has to have warrants in order to justify traffic synchronization. And that's one item they talked
about during the public hearing was there weren't enough warrants for this location. But there were enough warrants to design the thoroughfare and the intersecting roads; and the plan that they provided to us to do redesign for relocation of the utilities does not change anything on the Bold Forbes entrance. And they've looked at that in conjunction with this application -- not the application but the plan that the Highway Department reviewed. And as someone stated here, one of the Highway Department personnel suggested an option of posting a bond. And their statement to me last week was they didn't feel that it rose to the level of having a traffic study; this would just be a safeguard. I think, quite candidly, they had the same opinion that I did, that there probably won't need to be that median extended south, but because we're dealing with engineers who try to move traffic, want to make sure they do everything for the public safety, they wanted to have a safeguard. So that's where this bond criteria came from. But they did not require a traffic study for the situation, and I think that was based on the more recent traffic study that was probably wrapped up in 2017, 2018, but I do not have a date on that. I don't know if Brian has any information. It's too much water under the bridge for me. It's a contemporary traffic study and it is the basis for the
widening of Highway 54 whenever the funding is available. That's in the pipeline.

CHAIRMAN: Thank you.

Any other commissioners?

MR. ROGERS: I have a question. Kind of a play on words here where Mr. Thompson said that he would not have a liquor store. A convenience store cannot sell liquor, correct? It can sell beer. It's kind of a play on words.

MR. SULLIVAN: That's one question I can answer. They are different licenses. You have to -- if you have a liquor store, that is the license that allows you to sell distilled spirits and wine by the package. It's called a quota retail package license. If you are just selling beer, it's a different license called beer/malt beverage package license. So there are different licenses involved.

The only thing I want to say about what happened in '76 is that there are pages upon pages. This was not a quick discussion. There are pages upon pages of back and forth and questions and things of that nature that occurred during that hearing. And at the very end the question was, "Are you going to put a liquor store there?" And the answer from Mr. Thompson was, "No." And again, it was specifically referenced liquor store.
Now, I will also say, and I think Ms. Knight would tell you all, if you're passing a motion, that if you're going to put conditions on a property that are legally binding on a property, it should be in your motion, and you do that. You do that again and again. That was not done in this instance. And of course it was a recommendation at that time, and when it went up to fiscal court there were no conditions placed on it when fiscal court approved it. But those are just legal arguments for another day that hopefully will never have to be made.

CHAIRMAN: Thank you, sir.

Commissioner Jean, do you have a --

MR. JEAN: I do. My question is for Director Howard. I think it's kind of been asked before. But if we were to deny this application, the applicant could do everything except sell liquor there; they could do all this under a B-4?

MR. HOWARD: That has been our opinion and our stance on it. Of course, as Mr. Sullivan just said, they have a differing opinion on that and that's why this application came. But, yeah, I mean, our feeling was, reading through the pages and pages of the transcript and recognizing that there was a lawsuit on the Burger King and everything else, since they specifically mentioned
convenience store, that, yes, I mean, we would -- it's zoned commercial. We would view that that is a potential land use that could go there.

CHAIRMAN: Commissioner Boswell?

MR. BOSWELL: Thank you, Mr. Chairman.

I guess my question is, is there any consideration for getting both of those types of licenses if this were to pass or be built?

MR. SULLIVAN: No. Nobody is trying to get a quota retail liquor license to sell anything other than beer.

MR. MILES: Beer.

MR. SULLIVAN: Just beer.

MR. BOSWELL: And this would be, you know, like probably any walk-in would be at some of these other --

MR. SULLIVAN: Like Franey's right up the road. Like Franey's. Like Walgreens down the street, yeah.

MR. BOSWELL: Okay. And there would be nothing else on this property except for this Five Star?

MR. SULLIVAN: Correct. Well, this 1.9 acres. There's another lot that's in the application. The Five Star is proposed on the 1.9 acres, which is on the corner of Bold Forbes.

MR. BOSWELL: But the other, is the other also a B-4?
MR. HOWARD: Yes.

MR. SULLIVAN: Well, technically there is a sliver back in the northwest corner for -- I think up there you can see it's like a rectangle kind of going that way. That is zoned multi family. And so because all the property, even though I think there's a 50-foot-wide drainage or public utility easement back in that strip that probably you can't do any development on anyway, but because it was part of this property, that part is not B-4. But that's just in the very rear northwest corner of the property.

MR. BOSWELL: Thank you, Mr. Sullivan.

CHAIRMAN: Anything else? Anyone else? Yes, sir?

MR. SULLIVAN: I didn't say a whole lot at the beginning and I'm not going to say a whole lot now, but I did want to sum up some of the issues that were presented. Of course we appreciate all the neighbors' concerns and understand them, and they did a very good job of presenting them, but I think the highlights, I think, are that this is a B-4 zone already. The only issue is the conditions and whether or not to lift those conditions. And I think that what was mentioned -- and there's issues about traffic, and you heard about the traffic study and you've heard Kentucky Transportation Cabinet's
recommendation on that, so you have that, but I think you
also have to appreciate that convenience stores are not –
– they don't generate more traffic. They may generate
traffic into that area, but people don't come driving down
Highway 54 to go to the Five Star out near Thorobred East.
It's going to be people who are in the area already. So
we don't think that this will drive more traffic to 54,
although it certainly will impact people that are pulling
into this area.

I think that what was mentioned earlier is that,
you know, what's changed, and what's changed since '76 and
what's changed since '97. Well, that's just it.
Everybody has noted how much things have changed on
Highway 54. It's the new Frederica Street, you might say.
It's almost replacing Frederica Street. That's where all
the development is going now. And it's because of those
changes of a social and economic character, you know,
that's part of the reason that would justify lifting this
condition, because it's not the place it was back in '76.
Again, this is a convenience store that will sell gas,
food, soft drinks and numerous other items. And I do
think, this is what Mr. Ball pointed out in regard to sale
of beer here, there was a wet/dry vote in this precinct
and the vote was to go wet and to actually legally permit
this.
My client is a responsible corporate citizen. They operate their businesses responsibly. If there is crime on that property then they're not going to tolerate a crime being committed on the property. They're going to abide by their liquor licenses when they sell liquor there. So this is a legal business and they'll stick to the law.

And so, in conclusion, we'd ask you to approve the application based on the findings set forth by the staff in its report as well as finding there have been social and economic changes in this area since 1976 including the location of restaurants, liquor stores, gas stations that are selling beer all through this area that would support approving the application. Thank you very much.

CHAIRMAN: Thank you.

Anyone else before we ask for a vote?

(No response.)

CHAIRMAN: Okay. Seeing none, the Chair is ready for a motion.

Commissioner Ball?

MR. BALL: I would like to make a motion to approve this application based on the planning staff recommendation, Conditions 1 and 2, and Findings of Fact 1 through 5.
CHAIRMAN: We have a motion for approval. Do we have a second?

Commissioner Boswell?

MR. BOSWELL: Second.

CHAIRMAN: Second by Commissioner Boswell.

Any questions about the motion and/or second?

(No response.)

CHAIRMAN: Seeing none, Chair is ready for a vote. All those in favor of the motion, please indicate by raising your right hand.

(Board members Rogers, McEnroe, Ball, Knight, Howard, Moore, Jean, Velotta, and Boswell responded aye.)

CHAIRMAN: All those opposed, like sign.

(Board member Hardaway responded nay.)

CHAIRMAN: Motion carries.

Again, we want to thank everyone for coming tonight. If you want to stay for the rest of it, feel free to do so.

ITEM 4

Portion of 6264 Old Highway 54 & Portion of 6320 Old Highway 54, 10.835 acres

Consider zoning change:
From B-4 General Business & R-1A Single Family Residential
to B-4 General Business & A-U Urban Agriculture
Applicant: Michael W. & Marlene Hamilton; Grace Chapel

MS. KNIGHT: State your name for the record.
MR. PEDLEY: Trey Pedley.

(Trey Pedley sworn by attorney.)

MR. PEDLEY: The planning staff recommends approval subject to the conditions and findings of fact that follow:

Conditions:

1. Obtain Approval of a Minor Subdivision Plat that will consolidate the entirety of the B-4 General Business Zone to one parcel and will consolidate the entirety of the A-U Urban Agriculture zone to a separate parcel; and

2. Obtain Approval of an Amended Final Development Plan for the B-4 General Business operation.

Findings of Fact:

1. Staff recommends approval of the B-4 General Business zone because the proposal is in compliance with the community's adopted Comprehensive Plan;

2. The subject properties are located in a Rural Community Plan Area where General Business Uses are appropriate in limited locations;

3. The proposed use in conjunction with the B-4 General Business zoning, a nursery, is non-residential in nature;

4. The proposed B-4 General Business zone is a
logical expansion of the existing B-4 General Business zoning to the north, including on the subject property;

5. The proposal to rezone 0.834 acres to B-4 General Business will not significantly increase the extent of general business 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. While the Rural Large-lot Residential use, as classified with the area proposed to be rezoned to A-U Urban Agriculture, is not generally recommended in the Rural Community Plan Area, the proposed zoning is more appropriate than the existing R-1A Single Family Residential zone; and,

7. The subject area that is proposed to be zoned A-U Urban Agriculture is a 10-acre, land-locked area that has historically been utilized agriculturally.

We'd like to enter the Staff Report into the record as Exhibit B.

CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

Mr. Riney, would you like to make any statements?

(No response.)
CHAIRMAN: Thank you.

Anyone on the commission have any questions about the application?

(No response.)

CHAIRMAN: Seeing none, the Chair is ready for a motion.

MR. JEAN: I'd like to make a motion to approve this application based on the site visit, Staff Report, Conditions 1 and 2, and Findings of Fact 1 through 7.

CHAIRMAN: Thank you, Commissioner Jean.

Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Seconded by Commissioner McEnroe.

Any questions about the motion and/or second?

(No response.)

CHAIRMAN: Seeing none, the Chair is ready for a vote. All those in favor, raise your right hand.

(All board members present responded aye.)

CHAIRMAN: All those opposed?

(No response.)

CHAIRMAN: Motion carries.

ITEM 5

3900 West Parrish Avenue, 3.572 acres
Consider zoning change:
From I-1 Light Industrial to B-4 General Business
Applicant: Owensboro Recreation Real Estate II, LLC
MS. EVANS: The planning staff recommends approval subject to the condition and findings of fact that follow:

Condition Access to West Parrish Avenue shall be limited to the existing shared access easement as approved in 2011.

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 Business Plan Area where general business uses are appropriate in limited locations;
3. The proposal is a logical expansion of existing B-4 General Business zoning to the west and east;
4. At 3.572 acres, the proposal does not significantly increase the extent of general business zoning in the vicinity; and,
5. With access limited to the existing shared access easement, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

I’d like to enter the Staff Report into the record as Exhibit C.
CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

(No response.)

CHAIRMAN: Still nothing? Okay.

Any commissioners have any questions, concerns?

(No response.)

CHAIRMAN: Seeing none, the Chair is ready for a motion.

Commissioner Rogers?

MR. ROGERS: Mr. Chairman, I make a motion for approval based on the planning staff's recommendation with the one condition and the Findings of Fact 1 through 5.

CHAIRMAN: We have a motion. Do we have a second?

MR. VELOTTA: Second.

CHAIRMAN: Seconded by Commissioner Velotta.

All those in favor of the motion, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: All those opposed?

(No response.)

CHAIRMAN: Motion carries.
ITEM 6

1600 Triplett Street, 0.41 acres
Consider zoning change:
From I-1 Light Industrial to B-4 General Business
Applicant: A N E D, LLC; Holly Stavis

MS. EVANS: The planning staff recommends
approval subject to the conditions and findings of fact
that follow:

Conditions:
1. Access shall be limited to East 16th Street
and the rear alley. No access to Triplett Street shall be
permitted; and,
2. Parking that backs into the right-of-way
along East 16th Street shall be removed.

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
Business Plan Area where general business uses are
appropriate in limited locations;
3. The proposal is a logical expansion of
existing B-4 General Business zoning to the east;
4. At 0.41 acres, the proposal does not
significantly increase the extent of general business
zoning in the vicinity; and,
5. If parking requirements can be met, the
proposal should not overburden the capacity of roadways
and other necessary urban services that are available in
the affected area.
Like to enter the Staff Report into the record
as Exhibit D.
CHAIRMAN: Thank you.
Anyone in the audience representing the
applicant?
(No response.)
CHAIRMAN: Any commissioners have any questions
or concerns?
(No response.)
CHAIRMAN: Seeing none, Chair is ready for a
motion.
Mr. Boswell?
MR. BOSWELL: Thank you, Mr. Chairman.
I make a motion to approve based on the planning
staff recommendations and Conditions 1 and 2 and Findings
of Fact 1 through 5.
CHAIRMAN: We have a motion. Do we have a
second for that motion?
MR. ROGERS: Second.
CHAIRMAN: Commissioner Rogers.
All those in favor of the motion and the second,
please indicate by raising your right hand.  
(All board members present responded aye.)  
CHAIRMAN: All those opposed?  
(No response.)  
CHAIRMAN: Motion carries.

ITEM 7

6705 & 6745 Highway 144, 15.84 acres
Consider zoning change:
From R-1A Single Family Residential & A-U Urban Agriculture to A-U Urban Agriculture
Applicant: Donald W. Davis; Cheryl Ann Embry

MR. PEDLEY: The planning staff recommends approval subject to the findings of fact that follow:

Findings of Fact:
1. Staff recommends approval because the subject properties are located within a Rural Community Plan Area where Rural Small-lot Residential uses, such as the proposal at 6745 Highway 144, are appropriate in general locations and are in compliance with the communitys adopted comprehensive plan;

2. While Rural Large-lot Residential Uses, such as the proposal at 6705 Highway 144, are not generally recommended within a Rural Community Plan Area, the proposed A-U Urban Agriculture zoning classification is more appropriate than the existing split-zoning on the...
subject property;
3. Both subject properties front along a public road, Highway 144;
4. Both subject properties are large enough in size to assure satisfactory operation of conventional septic systems;
5. Both subject properties have historically been utilized residentially and agriculturally, in accordance with the proposed A-U zone; and
6. The proposed A-U Urban Agriculture zone is a logical expansion of the A-U zone located on the subject property.
We'd like to enter the Staff Report into the record as Exhibit E.
CHAIRMAN: Thank you.
Anyone in the audience representing the applicant?
Do you want to make a comment or statement or answer questions?
UNIDENTIFIED SPEAKER: If anybody has any questions.
CHAIRMAN: Thank you.
Do any commissioners have any questions or concerns?
(No response.)
Chairman: Seeing none, Chair is ready for a motion.

Commissioner Rogers?

Mr. Rogers: Mr. Chairman, I'd make a motion for approval based on the planning staff's recommendation and the Findings of Fact 1 through 6.

Chairman: We have a motion. Do we have a second?

Mr. Ball: Second.

Chairman: Second by Commissioner Ball.

All those in favor of the motion and second, please indicate by raising your right hand.

(All board members present responded aye.)

Chairman: All those opposed?

(No response.)

Chairman: Motion carries.

Item 8

6108 Highway 1389, 1.115 acres
Consider zoning change:
From R-1A Single Family Residential to A-U Urban Agriculture
Applicant: James Peters & Deborah Peters

Mr. Pedley: The planning staff recommends approval subject to the findings of fact that follow:

Findings of Fact:

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

2. The subject property is located in a Rural Community Plan Area where Rural Small-lot Residential Uses are appropriate in general locations;

3. The subject property fronts along a public road, Highway 1389;

4. The subject property is large enough in size to assure satisfactory operation of a conventional septic system; and

5. The proposed A-U Urban Agriculture zone is a logical expansion of the A-U zone to the east.

We'd like to enter the Staff Report into the record as Exhibit F.

CHAIRMAN: Thank you.

Anyone in the audience representing the applicant?

(No response.)

CHAIRMAN: Any commissioners have any questions or concerns?

(No response.)

CHAIRMAN: Seeing none, Chair is ready for a motion.

Commissioner Ball?

MR. BALL: I'd like to make a motion for
approval based on the planning staff recommendations and
Findings of Fact 1 through 5.

CHAIRMAN: We have a motion for approval. Do we
have a second?

MR. VELOTTA: Second.

CHAIRMAN: Seconded by Commissioner Velotta.

We have a motion and a second. All those in
favor, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: All those opposed?

(No response.)

CHAIRMAN: Motion carries.

MAJOR/MINOR SUBDIVISION PLATS

ITEM 9

7220, 7224, 7276 & 7284 Highway 279 South, 8.931 acres
Consider approval of a major/ minor subdivision plat
Applicant: J.T. OBryan Estate & William M. OBryan

MR. HOWARD: This plat comes before you as an
time, being a major/minor subdivision plat. It's our
understanding that the lot configuration is based upon --
the lot configurations around existing homes based on a
will, and so they are creating four new parcels that did
not exist. They are each, each parcel is around an
existing home. So we're not creating any more new
buildable lots with this division. A couple are out of
character with the shape and size requirements; but with
that, we would recommend that you consider the approval.
There is notation on the plat that limits the further
division of these parcels to not allow any further
division without meeting the requirements of the
subdivision regulations.

CHAIRMAN: Thank you.

Anyone in the audience representing the
applicant?

(No response.)

CHAIRMAN: Any commissioners have any questions
or concerns?

(No response.)

CHAIRMAN: Seeing none, the Chair is ready for a
motion.

Commissioner Jean?

MR. JEAN: I'd make a motion that we approve
this.

CHAIRMAN: We have a motion to approve. Do we
have a second?

MR. BOSWELL: Second.

CHAIRMAN: Second by Commissioner Boswell.
We have a motion and a second. All those in
favor, please indicate by raising your right hand.

(All board members present responded aye.)
CHAIRMAN: All those opposed?
(No response.)

CHAIRMAN: Motion carries.

MINOR SUBDIVISION PLAT

ITEM 10

7569, 7575 Crooked Creek Road, 7.064 acres
Consider approval of a minor subdivision plat
Applicant: Kimberly Maglinger

MR. HOWARD: This plat comes before you as an exception. We are creating a new one-acre parcel out of a seven-and-a-half-acre parcel. It's a good size parcel. This division would allow for one additional home site to be built. However, with the six-acre remainder, there is notation on here that it cannot be further subdivided without meeting the requirements of the subdivision regulations. So both of these parcels will really remain the same without any further division unless they put in a street or something like that. So we would recommend that you consider for approval.

CHAIRMAN: Anybody in the audience representing the applicant?
(No response.)

CHAIRMAN: Any commissioners have any questions or concerns?
(No response.)
CHAIRMAN: Seeing none, the Chair is ready for a motion.

Commissioner Ball?

MR. BALL: I'd make a motion to approve this minor subdivision plat.

CHAIRMAN: We have a motion to approve. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

All those in favor, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: All those opposed?

(No response.)

CHAIRMAN: Motion carries.

ITEM 11

7237, 7239 Julia Lane, 0.242 acres
Consider approval of a minor subdivision plat
Applicant: A. Scott Lewis; Regional Water Resource Agency

MR. HOWARD: This plat comes before you as an exception. We are creating a small parcel up along Julia Avenue that will be utilized by RWRA for their facility's infrastructure. There's a note on the plat that says that that's a nonbuildable lot other than for their infrastructure. So we would recommend that you consider
it for approval.

CHAIRMAN: Anyone representing the applicant?
Have any comments or just ready for questions?
Okay. Any commissioners have any questions or concerns?
(No response.)

CHAIRMAN: Seeing none, Chair is ready for a motion.
Commissioner Boswell?

MR. BOSWELL: Thank you, Mr. Chairman. Motion to approve.

CHAIRMAN: We have a motion to approve. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Commissioner McEnroe.

All those in favor of the motion and second, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: All those opposed?

(No response.)

CHAIRMAN: Motion carries.

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NEW BUSINESS

CHAIRMAN: All of the commissioners should have received a copy of the financial statement, had an

Ohio Valley Reporting
(270) 683-7383
opportunity to look that over. Any questions or concerns about the financial statement?

(No response.)

CHAIRMAN: Seeing none, the Chair is ready for a motion.

MR. ROGERS: Motion for approval.

CHAIRMAN: Commissioner Rogers, motion to approve. Do we have a second?

MR. BALL: Second.

CHAIRMAN: Second by Commissioner Ball.

All those in favor of the motion and the second, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: Thank you.

Also, you should have received a copy of the meeting dates, 2020 meeting dates and filing deadlines. Anyone have any questions about that? You'll notice some of them have some stars and --

MR. HOWARD: Real quick. In the past, over the past several years we've given you two options. You've gone with the option every year where we double up in April and October to accommodate for spring and fall breaks with the school system. So, since we've done it every year for the last five or six years, we just went ahead and proposed it that way. If you all have a strong
feeling and want to not accommodate spring or fall break, we can change it. Just let us know.

CHAIRMAN: Anybody have any strong feelings either way?

(No response.)

CHAIRMAN: Seeing none, the Chairman is ready for a motion.

MR. ROGERS: Motion to approve.

CHAIRMAN: Motion to approve by Mr. Rogers. Do we have a second?

MR. BALL: Second.

CHAIRMAN: Commissioner Ball, thank you. We have a motion for approval. Please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: Same sign to disapprove.

(No response.)

CHAIRMAN: Motion carries.

Chairman Comments, I have none.

Any comments by the planning commissioners?

(No response.)

CHAIRMAN: Seeing none, any comments by the director?

MR. HOWARD: No.

CHAIRMAN: None.
Last motion.

MR. JEAN: Motion to adjourn.

CHAIRMAN: Second?

MR. BALL: Second.

CHAIRMAN: Mr. Ball.

All those in favor, please indicate by raising your right hand.

(All board members present responded aye.)

CHAIRMAN: Motion carries.

(The meeting adjourned at 7:53 p.m.)
I, Jane Belcher, 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 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 103 typewritten pages; and that no signature was requested to the transcript.

WITNESS my hand and notary seal on this the 19th day of December 2019.

JANE BELCHER, NOTARY PUBLIC
STATE-AT-LARGE
NOTARY ID 479570
OHIO VALLEY REPORTING SERVICE
2200 E. PARRISH AVENUE, SUITE 106-E
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES:
DECEMBER 7, 2020
COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY