

Henderson City-County
Planning Commission
March 3, 2020

The Henderson City-County Planning Commission held a meeting March 3, 2020 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, 3rd floor assembly room. Members present: Chairman Herb McKee, David Williams, Bobbie Jarrett, Kevin Herron, David Dixon, Gary Gibson, Rodney Thomas, Dickie Johnson, Gray Hodge, Kevin Richard, and Tommy Joe Fridy. Mac Arnold and Doug Bell were absent. Staff present: Director Brian Bishop, Claudia Wayne, Theresa Curtis, Heather Lauderdale and Chris Raymer.

MEETING BEGAN AT 6 PM

Chairman McKee: Let's call this March 3, 2020 meeting of the Henderson City-County Planning Commission to order.

Madame Clerk, will you please call the roll?

Do we have a quorum?

Heather Lauderdale: We do.

Chairman McKee: We have a quorum.

The chair will entertain a motion to go into **Public Hearing.**

MOTION WAS MADE BY RODNEY THOMAS AND SECONDED BY GARY GIBSON TO GO INTO PUBLIC HEARING.

Chairman McKee: We have a motion and a second. Any discussion?
All in favor, signify by saying aye.

AYE: ALL

Chairman McKee: Are there any opposed?

OPPOSED: NONE

Chairman McKee: We are in public hearing.

The first item on the agenda is the approval of two (2) sets of minutes. Have you had the opportunity to review the **Executive Committee minutes** that were in your packet?

(DICKIE JOHNSON ARRIVED AT 6:02 p.m.)

The chair will entertain a motion to approve.

MOTION WAS MADE BY BOBBIE JARRETT AND SECONDED BY RODNEY THOMAS TO APPROVE THE FEBRUARY 3, 2020 MINUTES FROM THE EXECUTIVE COMMITTEE MEETING.

Chairman McKee: We have a motion and a second. Madame Clerk, will you please call the roll?

ALL: AYE

OPPOSED: NONE

(DICKIE JOHNSON DID NOT VOTE DUE TO TARDINESS)

Chairman McKee: Next item on the agenda is the **February 4, 2020 minutes of the Planning Commission meeting**. Have you had an opportunity to review those? Are there any additions or corrections?

MOTION WAS MADE BY DICKIE JOHNSON AND SECONDED BY KEVIN RICHARD TO APPROVE THE FEBRUARY 4, 2020 MINUTES FROM THE PLANNING COMMISSION MEETING AS PRESENTED.

Chairman McKee: We have a motion and a second. Any discussion? Madame Clerk, will you please call the roll again?

ALL: AYE

OPPOSED: NONE

Chairman McKee: Next on the agenda is the **alley closing request**. Mr. Bishop, are you going to lead that conversation?

Brian Bishop: I believe Mrs. Wayne is.

Chairman McKee: Mrs. Wayne will you please proceed?

Claudia Wayne: This is submitted by MO & US, LLC, represented by Dane Shields, Attorney at Law. The request is to close approximately 200 feet of an 8.75 foot wide alley running from South Julia Street to a T-alley at the midpoint of the 1000 block of Powell Street.

This request came from the City Manager's office for us to review and hold a public hearing, and to make a recommendation to the Board of Commissioners.

Notices were mailed out to all property owners; that was provided by the applicant to us.

The alley that we're referring to is right behind Metzger's, I think everybody knows where Metzger's is. It's the alley right behind it, and what they're wanting to do is close the alley so that they can use the parking because they own the parking lot on the other side of that alley.

I think Mr. Shields, Dane Shields is representing the owners. If anyone has any questions about the closing...

Chairman McKee: Let's begin with questions for staff. Any questions for staff?

Hearing none, Mr. Shields would you like to approach the...

Will you please state your name and address for the record?

Dane Shields: Dane Shields, 101 First Street, Henderson, Kentucky, 42420.

Chairman McKee: Do you swear the statements you are about to make are the truth, the whole truth and nothing but the truth so help you?

Dane Shields: I do.

Chairman McKee: Please proceed sir.

Dane Shields: Thank you very much.

This is a petition to close an alley. When we contacted the City Manager, he contacted the City utilities and other affected City departments. They were notified, asked for input, and no objections from the departments from the City of Henderson.

Now, what was on the board showed the alley. Presently, if you come out of the back door of Metzger's into the parking lot, you're probably stepping on the alley. Then, people are parking back toward the...

Chairman McKee: Mr. Shields, could you please get near the microphone?

Dane Shields: I will.

Chairman McKee: Thank you sir.

Dane Shields: (Pointing to the large, projected image on overhead screen) Ok, this is Powell Street, that is the front door of Metzger's; that's Powell. This is Julia when you step out of the back door you're right here and the alleyway runs right there to another alley that is right here.

We're asking that this alley right here be closed. People are presently parking right here for Metzger's, right here, and along the street.

The owners of MO & US, LLC, are in relationship with Tim Skinner, an architect; if they can close this alley they will probably be seeking a building permit to expand the historic Metzger's Tavern; that's what I am informed.

So, that is the reason for the closure, to improve the site.

The site right here on the plat that we submitted, it shows under the ownership of SS&K, LLC, that's a common owner with MO & US. So, they own that and they hope; when they acquired that in 2019 there was about \$3,500 in back taxes that were caught up with the City of

Henderson and acquired the property. We hope to do the same thing with the vacant lot closest to Metzger's which is also full of delinquent taxes.

When you get off the parking lot going from left to right, the alley is unimproved. It's dirt, it's muddy, the alley behind Metzger's is paved and is part of their present parking lot, you can't tell the alley from the parking lot.

So, that's what we're asking. We're hoping to improve this piece of property in the East End of Henderson County.

So, that's what we're requesting. The alley is 8.75 feet wide.

Chairman McKee: Any questions for Mr. Shields?

Gray Hodge: Do you know the zoning of the adjacent properties?

Dane Shields: Probably R-1. They were old homes, they were narrow. So, probably if we did any expanding we would have to come back to change zoning.

Gray Hodge: Where does the ownership of the alley go if it's abandoned?

Dane Shields: Doesn't it split from the upper and lower owner? So, behind Metzger's it will go to MO & US, and then it would go to the adjoining owners; I think we own to the south-west of it with our parking lot, and then the upper part closest to Powell Street would be owned by the present owners which is...

Gray Hodge: So, four feet (4') to the lot on one side, and then four feet (4') to the lot on the other?

Dane Shields: Yes.

Gray Hodge: Ok.

Dane Shields: Do you agree with that, T.J.?

Tommy Joe Fridy: I do.

Dane Shields: I think that's right, they just split between the adjoining owners.

If there are any questions, I will be happy to try to address them.

Chairman McKee: Any other questions for Mr. Shields? Will you be around sir?

Dane Shields: Yes sir.

Chairman McKee: Thank you sir, we appreciate it.

Is there anyone here who would like to speak against this alley closing?

Seeing none, is there anyone who would like to speak for this alley closing?

Seeing none, any questions for staff or any comments?

David Dixon: Just a quick one for staff. We're looking at a recommendation back to the City Commission on this?

Claudia Wayne: Yes.

David Dixon: Ok.

Chairman McKee: Any other questions? Hearing none, the chair will entertain a motion.

MOTION WAS MADE BY RODNEY THOMAS AND SECONDED BY DICKIE JOHNSON TO MOVE TO RECOMMEND TO THE CITY OF HENDERSON REGARDING THE ALLEY CLOSING SUBMITTED BY MO & US, LLC, REPRESENTED BY DANE SHIELDS, ATTORNEY AT LAW. THE REQUEST IS TO CLOSE APPROXIMATELY 200 FEET OF AN 8.75 FOOT WIDE ALLEY RUNNING FROM SOUTH JULIA STREET TO A T-ALLEY AT THE MIDPOINT OF THE 1000 BLOCK OF POWELL STREET.

Chairman McKee: We have a motion...

Tommy Joe Fridy: Would you consider changing your motion to “you move that we recommend to the city...”

Rodney Thomas: Will do. I move that we recommend... do you want me to read the rest of it?

Dickie Johnson: I second.

Chairman McKee: The second was amended as the motion was made.

Any discussion? Madame Clerk, will you please call the roll?

ALL: AYE

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is **Rezoning #1099** submitted by Lindsey Embry, William & Kim Embry and Mark and Kathryn Dunlay. Mr. Bishop, is this yours?

Brian Bishop: Yes sir.

Chairman McKee: Please proceed.

Brian Bishop: This is for the property located at 3564 and 3570 Holloway Lane, being parcel ID# 76-2. The lot contains 2.754 acres. The applicants are requesting a zoning change/map amendment from (R-1) Single Family Residential to (AG) Agricultural district in order to consolidate the two (2) lots back into the family farm remainder.

This is what their property currently looks like (referring to the map projected on the large screen). These are the two (2) lots in question. This is the farm that the properties will be consolidated back into.

This may look familiar because we rezoned these two (2) parcels to (R-1) in 2017 under Rezoning #1069. Things have changed with the family, they have chosen not to sell these lots to the public, and would like to re-absorb those into the farm.

Staff has made a recommendation, and we recommend approval for this rezoning.

Chairman McKee: Any questions for staff?

David Williams: Chairman...

Chairman McKee: Yes?

David Williams: So, there have been no changes, nothing to say that it shouldn't go back to agricultural?

Brian Bishop: No sir.

David Williams: Thank you.

Chairman McKee: Any other questions for staff?

Is there anyone here to speak for this rezoning?

Mr. Shappell, how are you sir?

Eric Shappell: Good evening Mr. McKee, how are you doing?

Chairman McKee: Welcome. Would you please state your name and address for the record?

Eric Shappell: Eric Shappell, 127 N. Main Street, from King, Deep and Branaman; here on behalf of Embry family heirs.

Chairman McKee: Do you swear the statements you are about to make are the truth, the whole truth, and nothing but the truth so help you?

Eric Shappell: I do, yes sir.

Chairman McKee: Please proceed, sir.

Eric Shappell: As Mr. Bishop said, basically the properties were originally subdivided out and rezoned in an attempt to sell off some lots there along Holloway Lane. Several were sold but after the passing of Mrs. Embry recently, and as I'm sure you all are aware the property sold last week. As part of that process, the family made the decision that this

particular property would be worth more as a whole farm as opposed to the remaining farm and the lots that were still there.

So, that's basically what they're asking for. They want it to be sold as one (1) farm with a specific acreage to be sold at that auction, and we did it that way, and the plat as presented is what was shown at the sale last week with the total acreage. Whether it's rezoned or not, the acreage remained the same but they wanted it to be one (1) agricultural farm with no additional lots remaining. That's the reason for their request of this rezoning.

Chairman McKee: Questions for Mr. Shappell?

Eric Shappell: That's the best kind of crowd right there.

Chairman McKee: We appreciate it, thank you sir.

Eric Shappell: Thank you.

Chairman McKee: Any comments? Is there anybody in the audience who would like to speak against this rezoning? Anybody else that would like to speak for this rezoning?

Hearing none, the chair will entertain a motion.

MOTION WAS MADE BY DAVID DIXON AND SECONDED BY GARY GIBSON TO MOVE THAT THE PLANNING COMMISSION RECOMMEND THE ASSIGNMENT OF AN AGRICULTURAL DISTRICT (AG) ZONING CLASSIFICATION TO 2.754 ACRES, PARCEL (PID #76-2), AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN SUPPORT OF THIS MOTION, BECAUSE:

THE EXISTING RESIDENTIAL-1 (R-1) ZONING CLASSIFICATION IS INAPPROPRIATE AND THE PROPOSED (AG) AGRICULTURAL DISTRICT ZONING CLASSIFICATION IS APPROPRIATE, BECAUSE:

THE PROPERTY WAS INCLUDED IN A PREVIOUS REZONING, #1069, WHICH WAS FOR THE CREATION OF THE EXISTING HOLLOWAY LANE SUBDIVISION. THIS PROPERTY HAS NOT DEVELOPED IN THE MANNER WHICH WAS ANTICIPATED IN THE 2017 REZONING.

THE PARCEL IS LARGELY WOODED AND IS NOT CONDUCTIVE TO RESIDENTIAL DEVELOPMENT.

THE PROPERTY IS ADJACENT TO OTHER PARCELS CURRENTLY ZONED AGRICULTURAL WHICH IS CURRENTLY BEING FARMED.

THE RELATIVE LARGENESS OF THE PROPERTY (2.754) MAKES THE PROPERTY MORE CONDUCTIVE TO AGRICULTURAL USES ONCE THE PROPERTY IS CONSOLIDATED INTO THE FARM REMAINDER.

THE PROPOSED ASSIGNMENT OF ZONING IS IN AGREEMENT WITH THE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN, IN THAT:

WISELY PLAN FOR LAND USES IN APPROPRIATE LOCATIONS TO MAXIMIZE QUALITY DESIGN AND MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT. (BALANCING LAND USE GOAL # 1)

PRESERVE AGRICULTURAL LAND, WHILE PROTECTING THE ECONOMY AND HERITAGE OF RURAL AREAS OF THE COUNTY. (BALANCING LAND USE, OBJECTIVE (J)).

Chairman McKee: You have heard the motion and the findings of facts. Would any commissioner like to add findings of fact to that list?

Hearing none, is there a second?

We have a motion and a second. Any discussion?

Madame Clerk, will you please call the roll?

AYE: ALL

OPPOSED: NONE

(KEVIN HERRON ABSTAINED FROM VOTING)

Chairman McKee: So mote it be.

The chair will entertain a motion to **go out of Public Hearing.**

MOTION WAS MADE BY KEVIN RICHARD AND SECONDED BY RODNEY THOMAS TO GO OUT OF PUBLIC HEARING.

Chairman McKee: We have a motion and a second. Any discussion?
All in favor, signify by saying aye.

AYE: ALL

Chairman McKee: Opposed?

OPPOSED: NONE

Chairman McKee: We are out of public hearing.

First item on the agenda is the **February Finance Report.** Any questions for Mrs. Theresa?

Theresa Curtis: We're at 66% of budget, and have four (4) months left. If you all have any questions, I'm here to answer them.

MOTION WAS MADE BY BOBBIE JARRETT AND SECONDED BY DAVID DIXON TO APPROVE THE FEBRUARY 2020 FINANCE REPORT AS PRESENTED.

Chairman McKee: We have a motion and a second. Any discussion?
All in favor, signify by saying aye.

AYE: ALL

Chairman McKee: Are there any Opposed?

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is the **Bond Report**. Mrs. Wayne are you going to discuss that?

Claudia Wayne: Yes. Canoe Creek II we have sidewalks extended one (1) year, the amount is the same. They are selling lots.

Canoe Creek II; street, water and storm we are extending that one (1) year and leaving the amount the same.

Chairman McKee: Any questions for Mrs. Wayne?

The chair will entertain a motion.

MOTION WAS MADE BY DICKIE JOHNSON AND SECONDED BY RODNEY THOMAS TO APPROVE BOND REPORT AS SUBMITTED.

Chairman McKee: We have a motion and a second. Any discussion? All in favor signify by saying aye.

AYE: ALL

Chairman McKee: Any opposed?

OPPOSED: NONE

Chairman McKee: The Bond Report is approved.

Next on the agenda, **Lot 1 and Lot 2, Logan's North Elm Street Subdivision Preliminary.**

Mr. Bishop, please proceed.

Brian Bishop: This is submitted by Thomas B. & Jo Logan, Mark & Donna Logan, and Thomas C. & Kim Logan for the property located in the City of Henderson at 2000 N. Elm Street. The applicants are requesting preliminary approval for two (2) lots.

This is the site as it currently exists. (Referring to the large map projected on the screen).

This is the entrance in to the baseball field, and the Hays Boat Ramp.

This is the lot they are requesting to be subdivided. This property has been around for quite a while. It was rezoned in 1994, and in 1995 it received Site Plan approval to construct these buildings.

What the applicant is proposing is to cut this lot out of the existing parcel so that this will become Lot 1, which is a little bit under 1/2 an acre.

This would be the remainder at 3.8 acres. We discussed sidewalks in LDC, since this was existing we didn't feel it necessary to construct sidewalks at this point but after the request of Commissioner Williams, the applicant did agree to a sidewalk easement because I think we all realize eventually North Elm Street will be widened and there is a great need for sidewalks.

Another thing of benefit with this subdivision is that they dedicated a drainage easement for the maintenance of Sugar Creek. The drainage easement is for fifteen-feet (15') back from the bank so HWU can maintain the creek, and that gives them room to basically get a piece of equipment in there to do any kind of digging that may be.

Staff recommends approval, and I will do my best to answer any questions that you may have.

Chairman McKee: Questions for staff?

David Dixon: Could you repeat your comments about the sidewalk waiver please?

Brian Bishop: Correct. The applicant is going to request a sidewalk waiver in that the real property already has structures on it. Staff would concur with that waiver request, and we have asked the applicant

dedicate a sidewalk easement which would be for the creation or construction of the sidewalks if North Elm Street is ever widened.

Dickie Johnson: Is that for the whole property?

Brian Bishop: That is for the road frontage of the property.

Dickie Johnson: Not just the single lot?

Brian Bishop: Correct.

David Dixon: So, are we considering the sidewalk waiver this evening?

Brian Bishop: Yes.

Chairman McKee: Any other questions for staff?

So, by way of a separate motion we'll consider the sidewalk waiver first.

MOTION WAS MADE BY DAVID WILLIAMS AND SECONDED BY BOBBIE JARRETT TO ACCEPT THE SIDEWALK WAIVER AS SUBMITTED.

Chairman McKee: We have a motion and a second.

Madame Clerk, would you please call the roll?

AYE: ALL

OPPOSED: NONE

Chairman McKee: And then next the subdivision preliminary. The chair will entertain a motion.

MOTION WAS MADE BY DAVID DIXON AND SECONDED BY KEVIN RICHARD TO APPROVE LOT 1 AND LOT 2 OF LOGAN'S NORTH ELM STREET SUBDIVISION PRELIMINARY SUBMITTED BY THOMAS B. & JO LOGAN, MARK & DONNA LOGAN, AND THOMAS C. & KIM LOGAN FOR THE PROPERTY LOCATED IN THE CITY OF HENDERSON AT 2000 N. ELM

STREET. THE APPLICANTS ARE REQUESTING PRELIMINARY APPROVAL FOR TWO (2) LOTS.

Chairman McKee: We have a motion and a second. Any discussion?

Madame Clerk, would you please call the roll?

AYE: ALL

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda, Planning Commission Attorney Access Policy, Mr. Bishop?

Brian Bishop: Yes sir. You guys may remember that we discussed this policy in the last meeting.

Commissioner Dixon was kind enough to prepare a policy. So at this time, I will turn it over to Mr. Dixon so he may address it. And that is in your packet as well.

David Dixon: Thank you.

I was asked to come up with a motion to address commission members' access to the wisdom and expertise of our attorney. With that in mind, I would like to propose a motion to pass the following resolution;

“Be it resolved:

If any member of the Henderson City-County Planning Commission wishes to seek a legal opinion from the commission's attorney – outside the setting of a planning commission meeting – the commissioner will first seek the advice of planning commission staff.

If the commissioner feels that the issue needs further review by the commission's attorney, the commissioner will ask that the commission's executive committee to approve taking the matter to the commission's attorney.

If the commissioner feels that still further review of the question is necessary, he may seek the opinion of the commission's attorney in the setting of a planning commission meeting.”

MOTION WAS MADE BY DAVID DIXON AND SECONDED BY DICKIE JOHNSON TO ACCEPT THE FOLLOWING RESOLUTION; BE IT RESOLVED: IF ANY MEMBER OF THE HENDERSON CITY-COUNTY PLANNING COMMISSION WISHES TO SEEK A LEGAL OPINION FROM THE COMMISSION'S ATTORNEY – OUTSIDE THE SETTING OF A PLANNING COMMISSION MEETING – THE COMMISSIONER WILL FIRST SEEK THE ADVICE OF PLANNING COMMISSION STAFF.

IF THE COMMISSIONER FEELS THAT THE ISSUE NEEDS FURTHER REVIEW BY THE COMMISSION'S ATTORNEY, THE COMMISSIONER WILL ASK THAT THE COMMISSION'S EXECUTIVE COMMITTEE TO APPROVE TAKING THE MATTER TO THE COMMISSION'S ATTORNEY.

IF THE COMMISSIONER FEELS THAT STILL FURTHER REVIEW OF THE QUESTION IS NECESSARY, HE MAY SEEK THE OPINION OF THE COMMISSION'S ATTORNEY IN THE SETTING OF A PLANNING COMMISSION MEETING.

Chairman McKee: That is a motion?

Dickie Johnson: Second.

David Dixon: Yes sir.

Chairman McKee: We have a motion and a second. Any discussion?

Madame Clerk will you please call the roll?

AYE: ALL

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is the new Jefferson Elementary School plan, Mr. Bishop?

Brian Bishop: You guys should have a copy of the set of the plans. They are the most complete set of plans I believe I've ever seen. They are very thorough.

They were prepared by Hafer and Associates and QK4, who are here with us this evening.

Staff met, along with the utility representatives, codes department representatives with the school boards technical advisors. We worked through the process like we would normally do during Preliminary Conference. The school system has a certain level of exemption but they brought forth this to the Planning Commission for us to give some input and for the public to have the opportunity to ask questions and have input.

So, with that I will turn it over to Jeff from Hafer and Associates and Mike with QK4.

Jeff Justice: Good evening, my name is Jeff Justice and I am an architect with Hafer and Associates in Evansville. The address there is 21 S.E. Third Street, 47708.

Mike Vickers: Mike Vickers with QK4 headquartered in Louisville at 1046 E. Chestnut Street and also here locally in Henderson at 110 N. Water Street.

Jeff Justice: We're here this evening on behalf of the entire design team which includes Skinner Design Associates which is here in town, and also Hodge Design. We're very pleased to be able to present the project to you this evening. But before we do anything, I do want to make just a quick comment.

Our firm is very privileged to be able to work in several different communities throughout Indiana, Kentucky, and Tennessee. I just want to say that your Planning Commission staff is cooperative and collaborative of any staff that we've had the opportunity to work with. Your work sessions are very, very productive and they keep the project moving. So, I commend you and the staff for setting up that process, it is very, very helpful for designers who would like and do work in your community. So thank you very much for that process.

Chairman McKee: Thank you sir.

Rodney Thomas: Thank you.

Jeff Justice: We have other slides that would...

Brian Bishop: Whatever you would like to do.

Jeff Justice: This slide give you an overview of the exterior of the two-story school. (Referring to the images projected on the large screen). It is approximately 57,000 square feet. You can see from this area right here is the administrative entrance to the school. Above that is an exterior classroom learning area. The large glass area that you see at that point is the heart of the school, it is a two-story learning common space that is, basically used for library space and group learning area.

The large are at the back of the school are the gymnasium and the cafeteria spaces that can be separated from the school and used after hours without having traffic flowing throughout the entire school.

You can see traffic is separated here. This is parent drop off and pick up, and then the bus traffic occurs at the other side of the school.

We've been very blessed to have worked with the entire staff at the school corporation office to put together what we think will be a great addition to the community.

This is an overall aerial of the site. You can see this is the existing South Middle School, here is the cemetery. The new Jefferson

Elementary School is envisioned to go at the “back of the site.” It is property that was currently owned by the school corporation and it made tremendous sense to take advantage of what was not a very utilized area at the time.

Brian Bishop: Jeff if you would, we have the entire set of the plans on the thumb drive and we’ll open that up, and if you want any sheet just tell us and we’ll go to it.

I’m not sure if the switch will work with PDF’s.

Mike Vickers: No, it doesn’t.

Brian Bishop: Do you want the mouse so you can...

Mike Vickers: You can go to the plan if you want. Do you have the consolidation plat? The consolidation plat would be...

Brian Bishop: We have the entire set of plans, which sheet do you want?

Mike Vickers: Go to sheet C3.1 that would be adequate.

Stay on sheet 1.1, I want to make some comments.

Dennis Branson is here and Dennis worked directly with the school system.

Part of this project required some intricate, so to speak cooperation with the Kentucky Department of Education to allow aspects of the project to be constructed. Without getting into the full details, it required some of the boundaries of the site to be modified to edge of pavements, etc., and Branson Survey’s was very instrumental in helping us get that all pinned down, and get the easements that all the utilities needed. That was in coordination in the background with the Planning Commission and all the utility representatives to allow that to kind of flow and work. To echo what Jeff said, that was a very, very helpful thing that everyone was willing to help and coordinate very closely on that.

So, if you recall the layout that Jeff showed of the aerial, this is the entire property. This is the backend of the site; existing track, football field, existing middle school.

From a traffic standpoint early on when the school system was determining what sites they wanted to move forward to with a short list and then ultimately choosing this site. Traffic patterns were something really important to them, and part of the Kentucky Department of Education process there is a roadway adequacy checklist approval that has to take place when the property is directly adjacent to a State Highway system, that roadway adequacy statement has to come from the Kentucky Department of Transportation. In this situation, we have city streets so that coordination was with the city. The city incorporates the Evansville Metropolitan Planning Organization (EMPO) into any traffic related situation so a traffic study was done early on to evaluate what the traffic patterns existing as South Middle School are, what the traffic patterns are at Jefferson Elementary are based on the demographics and the location of the students in the boundaries of the districts of the schools. Utilizing that information paired with the existing traffic information, a projected traffic model is generated to see what the traffic patterns are. From our perspective we didn't want an inundated Sand Lane situation because that then gets KYTC involved but based on the districting of the school we were able to create the access point to the new elementary school at this location and... Denny can you help me?

Chairman McKee: If you're not at the microphone we can't hear you.

Mike Vickers: I know, I'm coming back.

Dennis Branson: That's Norris, Chestnut and Cherry.

Chairman McKee: Let the record reflect that Mr. Branson approached the screen.

Mike Vickers: So, we aligned the entrance with Chestnut so that there was an effective intersection for the traffic to flow in and out and not

mid-block where it would change the way people coming into the site may or may not use the roads effectively. I mean, we can't predict how every person is going to use the road but based on modelling and knowing how people use the roads now for South Middle School that was the basis of that entrance location.

One of the other things that was important to the school system and to us as a design team as this project moved forward was to clear up some traffic situations in the morning and afternoons during pick up and drop off of students. If you've ever witnessed this area in the morning or in the afternoon it's like a parking lot for a sporting event. Everybody is parked in the street, kids are walking everywhere, and it's very, very disturbing at times to watch how kids are running between the streets. A lot of times during sporting events because there's not enough parking on the site, people park on the streets in no parking zones and in locations where the neighborhood preferred they didn't. So, this parking lot over here incorporates a new drop off and pick up loop, a covered canopy, and ADA access from that drop off and pick up location into the existing South Middle School, and additional onsite parking to hopefully keep people from parking on the streets just out of habit and ease to the building.

Any questions about the layout of the site? This is what we've had to work with and Jeff has shown you the rendering of the school and what it will look like.

Chairman McKee: Questions for Mr. Vickers?

David Dixon: There is one entrance to the new school?

Mike Vickers: That is correct. Well, two (2) sorry. This is the main entrance and then we've extended the alleyway that, at one point in time, turned over to the school system. This roadway, not an alley as you discussed earlier today but this roadway was turned over to the school system. This is being extended as a secondary entrance and to be used

for sporting events, etc., etc. So, they can come in this way and get to this parking lot, loop back around and back out.

Brian Bishop: Mike, would you mind addressing any sidewalks that will be constructed?

Mike Vickers: Yes, yes. Part of the coordination with the city early on in the process was that if we're going to change the boundaries of the property and construct this new school, the intent would be to have sidewalks extended along South Alves Street. So, we're taking it across the whole frontage of the property. We are not extending it around this roadway just because there's not going to be access to the school. If you all know the area, which you do, there is a drainage ditch that runs through here that would require a large culvert or bridge to be constructed to access the property from that location. We also, if you attended sporting events or taking kids to school this parking lot and the street right now are almost one in the same so there's not separation of pedestrian traffic or vehicular. We are reconfiguring the entrances into this parking lot and extending sidewalks along here as well.

Lastly, there is a portion of sidewalk on this side of the property as well. From behind the school, there is pedestrian access that runs back through here to connect the two schools so if there's interaction between the schools or accessing the recreation yard that's being re-graded here the playground and basketball courts through here, and obviously the existing track and football fields.

What are we being asked to do, Mr. Bishop?

Brian Bishop: Mr. Fridy, do you care to address that?

Tommy Joe Fridy: I didn't hear you.

Chairman McKee: What are we being asked to do with these plans?

Tommy Joe Fridy: You're authorized to make recommendations if you choose.

Chairman McKee: That's the extent of it?

Tommy Joe Fridy: You are not being asked to approve it but you can give input.

Chairman McKee: Can you lead us to that point?

Mike Vickers: So what we've done as a design team based on the coordination we did with the Planning Commission staff, utilities and the City Manager's office is bring this project, just to keep you apprised as to what is going to be constructed.

As of right now, this parking lot is being constructed. That was left for construction last construction season. We're waiting for the spring weather to break and that will be completed; that's a phasing situation to allow parking for the project to move forward.

But, in those coordination's, the school corporation is not required to come to the Planning Commission for approval. A project of this size and magnitude, and how many people in the community it affects it was a good thing to get here and make everyone aware, give an update and give the public an opportunity to make a comment or any requests of the design team if they needed to.

Tommy Joe Fridy: Mr. Chairman?

Chairman McKee: Yes sir.

Tommy Joe Fridy: I respectfully disagree. The school cooperation is required to make an application or to file with the Planning Commission and seek the Planning Commission's input. The Planning Commission and staff legally have the right to comment.

Mike Vickers: I don't disagree with that.

Tommy Joe Fridy: Ok.

Chairman McKee: So, at this point should we open it up for commissioners to comment?

Tommy Joe Fridy: Yes, and then the public if they choose.

Chairman McKee: Thank you. Would any commissioner like to comment? Input?

David Williams: Mr. Chairman?

Chairman McKee: Please do.

David Williams: I'm not familiar enough with the plans, what are the interior sidewalks like on the campus? Do you have ways for the children to get from the main entry all the way into the school if they're walking from their neighborhood?

Mike Vickers: Yes sir, we do. The sidewalk as I said, we're reconstructing this area and this sidewalk. There's a sidewalk that extends along this drive all the way down and there's a crosswalk right here you could see if we zoomed in that gets students into the main campus. Similarly sidewalks connecting here so there is opportunity for them to get between all the facilities and the surrounding neighborhoods without having to walk across other people's property.

David Williams: Is the whole campus fenced? Is everything fenced in?

Jeff Justice: There is a fence between the school properties and the cemetery but along the perimeter here it is not fenced.

Chairman McKee: Any other questions or comments from commissioners?

Dickie Johnson: So, I'm assuming that this set of prints that you've got here is basically ready for the construction bid process?

Jeff Justice: It is sir.

Dickie Johnson: Other than a few, little details?

Jeff Justice: That's correct.

Dickie Johnson: Ok.

Chairman McKee: Is there anyone in the audience? Mr. Ershig, would you please come to the podium?

Harvey Ershig: My name is Harvey Ershig.

First of all, let me apologize for where I called the city about 4:30 this afternoon asking when this hearing was going to be, they said tonight at 6p.m., so I'm here.

I cannot hear very good, I'm virtually deaf.

I live maybe two (2) blocks from this project and I do have some affection for Jefferson School. I went to the old Jefferson School, my wife taught at the existing Jefferson School, my daughter went to school there and we live close by. I really doesn't make that much difference to me but there are a few things that I would like to point out.

The location that the school board has chosen, in my opinion is poor. First of all, it's really not taking into consideration of other needs that the community may have not today, not tomorrow. But the cemetery is going to need more land at some time and the City is building right where the cemetery goes. Now, I'm not saying that the school board should give them the property but the city ought to have that opportunity in the future to expand that cemetery.

Secondly, the existing South Heights School is about 1,000 yards away from where this thing is going. A real good baseball player could probably throw a baseball from this location to South Heights School. You're drawing from the same pool of students. Just because the school board owns the existing property shouldn't make that the lead guideline for developing a multi-million dollar property that's going to serve this community for next fifty-sixty (50-60) years. The land costs is a small thing compared to what is going to be built here. The City has the opportunity and the County and it should be said that the school tax pays for people who pay taxes. The school tax amounts to more than probably three (3) times the... in other words the school board has

access to three (3) times the money that County has, and we all get upset with the County doesn't do the garbage route right of whatever and we're talking about millions of dollars here. So, put the thing in the right spot. You know, inside the central part of town. The school system has the right to condemnation, go in there and buy a block of property that's going to service a lot of people rather than putting this thing in the same spot.

It really doesn't make that much difference to me. I'm two (2) blocks from it but from what little bit that I could hear from this individual who was talking, he's talking about this parking lot out here. They're building it right now. You will need a shovel to get from that lot to the front door of the school system, it's a waste.

The drainage. If you only knew what the drainage was in that area. That creek overflows on a real hard rain. The drainage is terrible.

I just feel like the Planning Commission ought to be involved in selecting a site for this development. It's not something that should be made by four (4) or five (5) people on the school board. This is a job for the community. This is your job. Find them a spot.

Thank you.

Chairman McKee: Thank you Mr. Ershig.

Any questions? Any comments?

Please Mr. Williams.

David Williams: Mr. Ferry?

Mr. Ferry were you given the chance to review the drainage plans for this?

Ken Ferry: I am currently wading through the drainage design for this, yes.

David Williams: Do you see any problems with it?

Ken Ferry: At this point, no I do not. If I do I will raise those issues but this project has three (3) detention basins proposed on this site.

There is a detention basin proposed up in this area, and there is a detention basin across the driveway there, and then for the new elementary school all of this is detention as well. So, in generalities without having finished looking at all the numbers, they are making a concerted effort to not only no worsen the drainage in the area, they appear to be trying to improve the drainage in the area.

Which we made it clear when they first started talking about this site that needed to be done. They are working with us.

David Williams: Correct me if I'm wrong but they are not under any obligation to adhere to our drainage standards?

Tommy Joe Fridy: I couldn't hear you.

David Williams: Are they under any obligation to actually adhere to our drainage standards?

She's shaking her head yes.

Ken Ferry: Yes. I believe so. That is not a Planning Commission issue per say that falls directly under our review.

Chairman McKee: Any other questions for Mr. Ferry?

Were you finished Mr. Williams?

David Williams: Yes.

Chairman McKee: Any other questions for Mr. Ferry?

Thank you sir.

Ken Ferry: You're welcome.

David Williams: Another question is, and the school board or superintendent isn't here but I did note the proximity to South Heights

and I'm just wondering given Harvey's concern there whether the school system is anticipating combining these two (2) schools in the future.

Mike Vickers: We can't answer that.

David Williams: I know you can't answer that but I was wondering if you may have heard something of that effect.

Jeff Justice: I'm sorry, I can't. It's not that I don't want to not share information, I simply don't know the answer to that question.

I do know that we talked in great detail about school schedules and making sure we had staggered starts and staggered pick up's to alleviate congestion but that's the extent that I can comment.

David Williams: Thank you.

Chairman McKee: Thank you sir, any other questions?

Our sole purpose is to comment?

Tommy Joe Fridy: Correct.

Chairman McKee: No approvals, no motions are needed?

Tommy Joe Fridy: You could have a motion to make a comment stronger but I haven't heard anything that rises to the level of a motion but it's not out of order if someone wishes to make a motion.

Chairman McKee: Does anyone feel strong enough to make a motion to emphasize their concerns?

David Williams: I don't have a motion but I would like to thank the school board for making this presentation to us and giving us the opportunity to have input on that, and the public.

Chairman McKee: Anything else? Mrs. Wayne?

Claudia Wayne: I have an announcement.

Chairman McKee: Go ahead, what?

Brian Bishop: Is everyone ok with the Jefferson School being done?

Chairman McKee: No other statements?

Mrs. Wayne you have an announcement you would like to make?

Claudia Wayne: Effective July 31 I'm going to retire. So, I wanted to... most of you all I think have heard it but I want to make it public that my last day will be July 31.

Dickie Johnson: Well enjoy your retirement.

Claudia Wayne: I'm going to. You have to put up with me a few more months. I've enjoyed working with all of ya'll.

Brian Bishop: Mr. Chairman, I would like to ask that the Executive Committee meet with Claudia and I in the near future, probably the next week or so, so we can start laying out what the process will be for seeking out Claudia's replacement.

So, if you guys are agreeable to that I will send out an email with some dates and we can schedule a meeting.

Chairman McKee: Anything else to come before the Planning Commission?

Motion to adjourn.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY KEVIN RICHARD TO ADJOURN.

Chairman McKee: All those in favor signify by saying aye.

AYE: ALL

Chairman McKee: Any opposed?

OPPOSED: NONE

MEETING ADJOURNED AT 6:56 P.M.

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a

true and accurate transcription of the Henderson City-County Planning Commission Meeting of, March 3, 2020 to the best of my ability.

Heather Lauderdale, HCCPC Clerk

X
