

Henderson City-County
Planning Commission
April 12, 2023

The Henderson City-County Planning Commission held a Special Called meeting April 12, 2023 at 6:00 p.m., at the Henderson County Courthouse, 20 N. Main Street, Third Floor; Fiscal Courtroom, Henderson, Kentucky. Members present: Chairman David Dixon, Vice-Chairman Kevin Richard, Dickie Johnson, Gary Gibson, Bobbie Jarrett, Mac Arnold, X.R. Royster, Gray Hodge, Stacy Denton, and Tommy Joe Fridy. Frank Boyett was present via ZOOM. Kevin Herron and Doug Bell were absent. Staff present: Director Brian Bishop, Jennifer Marks, Theresa Curtis, Heather Lauderdale and Chris Raymer.

MEETING BEGAN AT 6:00 PM

Chairman Dixon: I would like to call this Special Called meeting on April 12, 2023 of the Henderson City-County Planning Commission to order.

I want to welcome everybody; I thank you all for coming.

Madame Secretary, please call the roll.

Chairman Dixon: Very good, thank you.

We have one (1) project on the agenda tonight for this Special Called meeting that involves a rezoning and a Master Plan.

Before we start accepting testimony, I would like to suggest the following guidelines.

If the Special Called Meeting and Public Hearing scheduled for 6:00 p.m. Wednesday, April 12th, 2023 have not been sooner concluded and adjourned, it will stop at 9:00 p.m.; and, by motion and vote of the Planning Commission be **continued** and reconvened the following night, Thursday, April 13th, 2023 at 6:00 p.m. and stop at 9:00 p.m.; and, by

motion and vote of the Planning Commission be continued and reconvened at 6:00 p.m. and stop at 9:00 p.m., from night to night thereafter, until finished.

MEETING RULES:

1. The Planning Commission very much wants to hear all evidence, comments, statements, positions, suggestions, and questions (collectively referred to as “comments”). Each presenter may or may not allow questions during their presentations, at their discretion. All general comments will be heard at the end, after all presentations by Staff and the Applicant unless the chairman elects otherwise or unless changed by vote of the Planning Commission.
2. There will be no time limit on attorneys and attorneys will present/comment first:
 - We will begin with attorneys.
 - Then non-attorneys.
3. Attorneys may ask questions directly.
4. Questions from non-attorneys must be presented to the Chairman (either verbally or in writing) along with who the question is to be directed to; and, the Chairman will ask the question. That is, non-attorneys may not ask questions directly.
5. Each non-attorney will **initially** be given **3 minutes**. After every non-attorney has had 3 minutes, if there are non-attorneys who would like additional time, an additional 3 minutes will be given, and this procedure will be repeated, **until everyone has had an opportunity to present all they desire to present.**
6. **Speakers are asked not to repeat something that another speaker has said**, but may come forward either in person on the virtual platform and say they agree with one or more other speakers and present anything new they may have.
7. Planning Commissioners may comment and ask questions at any time.
8. The Chairman will ask for a motion, second, discussion and vote to approve or change these rules, at the beginning of the public hearing.

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY KEVIN RICHARD TO APPROVE THE MEETING RULES.

Chairman Dixon: We have a motion and a second, any further discussion?

All in favor say yes.

YES: ALL

Chairman Dixon: Anyone opposed? Very good.

We will begin with **Rezoning #1142.** Mr. Bishop, would you like to start things off?

Brian Bishop: Yes sir.

Rezoning #1142 with a Development with a Development Plan, submitted by the City of Henderson and Deer Valley Subdivision, LLC., for the property located adjacent to 1226 Barret Blvd., and being PID #65-13.2, containing approximately 86.201 acres. The applicants request a zoning change/map amendment from Agricultural (AG) to Planned Unit Development District (PUD) to construct a new subdivision.

Mr. Chairman, we would also request that we hear the Master Plan in conjunction with this rezoning in that they are for the same project. Then, we would request two (2), separate motions for approval or denial.

The second item that I referred to is the Bentley Point Planned Unit Development Master Plan submitted by the City of Henderson and Deer Valley Subdivision, LLC., for the property located adjacent to 1226 Barret Blvd., and being PID #65-13.2, containing approximately 86.201 acres. Applicants request a Master Plan approval for 312 lots.

Chairman Dixon: Does the Master Plan and rezoning reflect the exact, same property?

Brian Bishop: They do, sir.

Chairman Dixon: Very good.

It is our task tonight, as far as the rezoning is to gather information here from everybody. We would make a recommendation to the City Commission one way or the other as far as rezoning.

The City Commission would be the final decision maker in terms of a rezoning.

The Master Plan, I understand, we would approve or disapprove without oversight from the City Commission, is that correct?

Brian Bishop: That is correct, sir.

Chairman Dixon: Is there anyone here who would like to speak in favor of this project? Attorney's get to go first; I wonder who wrote this, attorneys? (Laughter)

Sir, your name?

Chris Hopgood: Chris Hopgood.

Chairman Dixon: Your address?

Chris Hopgood: 318 Second Street, Henderson, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Chris Hopgood: I do.

Chairman Dixon: Thank you very much, please proceed.

Chris Hopgood: I'm here on behalf of Deer Valley LLC., and co-counsel on this application. The City of Henderson Attorney, Dawn Kelsey is here on behalf of the City of Henderson.

You heard from Mr. Bishop's presentation; this is a request to rezone 86.201 acres of Agricultural land to Planned Unit Development with a Narrative Development Plan.

This property, as you know is behind Wal-Mart and years ago when Wal-Mart was developed as part of that Master Plan there when the shopping center was approved it was noted on that plan that, at that time, this would be future residential development with connection to Balmoral Subdivision.

So, none of this we're here about tonight is novel or un-anticipated.

The Planned Unit Development zone is likewise; not novel or new, it came into the Zoning Ordinance in its current form in 2014 but existed before then. While Planned Unit Development has permitted uses, the Narrative Development Plan submitted with this application limits this to single-family dwellings.

Because of that, this application to rezone, if approved, would be if not the most, as restrictive as any residential in Henderson would be because there are different conditional uses in R-1 and if there were R-2 then there would be other permitted uses as well. But this would be simply, single-family dwelling only so it would be restricted.

A Planned Unit Development allows for a low lot line and denser development than traditional R-1 or R-2 development and the Master Plan submitted with this rezoning shows the development will be built in phases from west to east; with smaller lots being on the western part. The development will not be built quickly, it will take years to complete depending upon the demand as to what the speed with which the development proceeds.

Planned Unit Development requires a green space be part of the Development Plan and the proposed Master Plan shows that there is green space buffering much of the houses along Taransay that back up to this development. The green space would consist of walking areas, biking area and the houses along Taransay that don't back up to the green space will have backyards from the development that back up to a backyard that is in the larger lot size of this development and also those

homes would be the more expensive homes in the development. I believe the folks that are here; Mr. Bill Jagoe, Scott Jagoe, Manual Ball of Jagoe Homes can answer more detailed questions about the range of home prices that are pegged but the homes in the rear would be the more expensive in the \$400,000 range where the ones on the western side would be, I believe in the \$250,000 range.

The Master Plan submitted shows five-foot (5') sidewalks that would provide walking areas for folks that can come from as far as the Pebble Creek Apartments because you can come from Pebble Creek through the Stepping Stone area, through Balmoral Drive to Balmoral, up through this area. So, you can get from the Pebble Creek Apartments to downtown without ever having to cross over the Highway 60 Cloverleaf that is just two (2) lanes.

The reason the original Wal-Mart Master Plan showed this area as residential is because it was a natural fit to connect Balmoral. The residential area in the eastern part to the western part which would then be more commercial as it flowed from east to west. What we have adjacent to the west of this is all commercial buildings. HMP&L built their building there, Owensboro Medical has their building there and there is still one (1) lot there but under that plan, there are restrictive covenants that would limit what that commercial area can be.

This will look like what you see in most larger cities where you've got traditional residential flowing into more-dense residential, flowing into more commercial that's non-retail and then as you get to Wal-Mart then it flows into retail area.

This board is about change and we're about change tonight and most folks, I'm a fifth generation Kentuckian and we don't like change but this is part of the natural growth that was anticipated for this area and we are here to answer any questions that you have.

Matt Calvert is here from Henderson Water Utilities and can answer any drainage questions, Stephen Sewell from Palmer Engineering can answer your questions about if there has been a traffic study performed and then Jim Morley of Morley and Associates from Evansville is the chief design for Deer Valley.

So, as I said, we are here to answer any questions that you have and I will turn this over to Mrs. Kelsey if she has anything to add to that.

Chairman Dixon: Thank you.

Chris Hopgood: She has nothing, she says.

Chairman Dixon: Very good. Does the commission have any questions for Mr. Hopgood?

Thank you, sir. Would anyone else from the applicants like to address the commission?

Your name, sir?

Bill Jagoe: Bill Jagoe.

Chairman Dixon: Your address?

Bill Jagoe: 3624 Wathen Crossing, Owensboro, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth, sir?

Bill Jagoe: I do.

Chairman Dixon: Thank you very much.

Bill Jagoe: I just want to say that we're excited to be back in Henderson. We haven't done a development here in fourteen (14) years maybe. We've built in the county.

Actually, I started my career here in 1982 with a company called Jagoe of Henderson, building out in Partridge Run under Bill McClure and Donnie Barnes.

Since we've been here, I'm mean, the company has won a lot of awards. In 2010 we were voted the National Home Builder of the Year for the whole country. We've had great processes; we take care of our customers and we take care of our communities. The communities we're in we're great supporters of. You know, the functions you have.

We went under PUD here because what we see on the demand side from the consumer, most of the homes are narrower and deeper, you can kind of see that in the first picture we presented you there, that home actually has room left on a seventy-two-foot (72') home site.

Thank you all for listening to us, we're always a good neighbor in every community we're in.

Any questions?

Chairman Dixon: Thank you sir. Any questions for this gentleman?

Anyone else from the applicants that would like to speak in favor of this development?

Any other presentation that we're going to see from the applicant?

Okay, is there anyone here to speak in opposition to this zoning change and overall development? Perhaps you have questions or just want to hear more about it. Does anyone else have anything else to say?

Does the commission have any questions in regard to this development we can seek an answer for?

Kevin Richard: You mentioned traffic impact study (inaudible)

Chris Hopgood: Stephen Sewell with Palmer Engineering; he can address that.

Kevin Richard: So, the biggest question, I think of all people who are (inaudible) potentially onto Barret and US 60 (inaudible) impact.

Chris Hopgood: Let Mr. Sewell answer that.

Chairman Dixon: I need your name, sir.

Stephen Sewell: Stephen Sewell.

Chairman Dixon: Your address?

Stephen Sewell: 400 Shoppers Drive, Winchester, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Stephen Sewell: I do.

Chairman Dixon: Thank you very much.

Stephen Sewell: So, you asked about before traffic at Barret Boulevard and US 60. So, what we did was we did traffic counts out there in January.

We looked at the base condition like it is today and then we've added those homes to that traffic to come up with a level of service.

Obviously, the traffic on US 60 gets the majority of the green time. We do have level services, I don't know how familiar you are with level services but it's like your grades in school; A is good, F is bad.

So, we usually try to design for a level service D, worst case level service E. Existing in the a.m., you do have some C's and D's on your approach roads; not on the US 60, that's level service B but some of the movements are a level service D.

When you add that traffic to it, it stays a level service D. So, there's no degrading of the system, it stays the same level service you just increase...instead of going from like 33 seconds of delay you go to 35 for that movement.

So, there is (inaudible) to do there for, I mean there are back up's during peak times which is what we looked at but it stays in that acceptable range.

Kevin Richard: (Inaudible)

Stephen Sewell: So, we only looked at the peak hour. We looked at the a.m. peak hour, the midday peak time and then the p.m. peak and we looked from about 6:30 to 9:30, for lunch we looked at 11-1 and then we did 2:30 to 6:30 for the p.m. just because there are schools in that area so we did account for those.

I'll give you an example; the worst case is the...the p.m. is the heaviest peak; I think probably you all know that. A couple of the movements coming from Barret Boulevard from this side of the development, they go from a 36-37 D and they go up to about a 42-43 D. So, I mean you're adding, on average five (5) seconds.

Chairman Dixon: I understand there are other means to access this development plan?

Stephen Sewell: So, yes. The main entrance for the traffic study we looked at was Barret Boulevard. We also did look at Deer Lane and we also looked at Killicrankie; I don't know if that's right.

Chairman Dixon: Can we put a map up, please?

Stephen Sewell: We looked at those intersections as part of this study. There were three (3) main intersections we looked at along US 60, those were the three (3) and we distributed the new trips for the most part a lot of them were going along Barret Boulevard. Having to navigate through the neighborhood we did show 10% or 15% in each one of those access points just as an alternative and to see what impacts that would have to the intersections and on those approaches, those level services are B and C and they stay B and C. There's a lot of cars are during those peak hours; the volumes are a little bit less than what you have at Barret and the level of service didn't change for the volume we were adding there.

Chairman Dixon: Someone said there would be access to Pebble Creek, was that said? Did I misunderstand?

Brian Bishop: I think he's referring to sidewalk access.

Kevin Richard: (inaudible)...sidewalk continuity.

Chairman Dixon: Okay, gotcha. Thank you.

Any other questions for this gentleman from the commission?

Mac Arnold: The US 60 overpass, does that have any effect or have any consideration to changing it to four (4) lanes since it's only two (2) now the way it is?

Stephen Sewell: We did not, that was not a part of our study for this.

Dickie Johnson: But none of this traffic coming out of this new, proposed subdivision is actually going to go into Balmoral? Or, is there going to be some access?

Stephen Sewell: There is one connection....

Brian Bishop: Commissioner Johnson that's the access point into Balmoral.

Dickie Johnson: So, there's not any in the back section? Okay.

Chairman Dixon: Any other questions for this gentleman?

Thank you, sir.

Stephen Sewell: Thank you.

Chairman Dixon: Mr. Commissioner, do you have another question?

Kevin Richard: (Inaudible) the comment about the property owners Taransay that are not buffered by the green space (inaudible).

Will there be some defined screening (inaudible)

Chris Hopgood: I'll let Mr. Morley answer that if he could. He is Jim Morley with Morley and Associates.

Chairman Dixon: We need your name, sir.

Jim Morley: Jim Morley.

Chairman Dixon: You address?

Jim Morley: 4800 Rosebud Lane, Newburgh, Indiana, 47630.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Jim Morley: I do.

Chairman Dixon: Thank you very much.

Jim Morley: So, about the four (4) lots up there in the corner, we increased the depths of those lots, those houses farther from the existing neighborhood (inaudible) lots in the neighborhood. There are utilities across that back line which makes it difficult to plant trees and stuff like that; the utilities don't like that. So, instead of that we increased the depths of those lots to assist in that.

Chairman Dixon: Any other questions for this gentleman?

Thank you, sir.

No one else has anything they would like to volunteer in regards to this development? Do members of the commission have any information they would like to have brought forward?

As we said at the beginning, we have two (2), separate votes to take. One in regards to the rezoning and the other one is the Master Plan.

If no one has anything left to say; I've got a list of people who signed up to speak, right? I won't run down the list unless someone needs something....yes sir?

Your name sir?

Jackie Hale: Jackie Hale.

Chairman Dixon: Your address?

Jackie Hale: 1190 Taransay Drive.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Jackie Hale: I do.

Chairman Dixon: Thank you.

Jackie Hale: My lot is the one on Bannockburn Drive, entering the subdivision. It would be the...see 21? That's our lot. My concern is about drainage and the effect from the runoff of that subdivision. We get a lot of water; it runs down between our house and the next house and there is a lot of water that comes through there. My concern is about the drainage, and plus about the traffic.

I know they did the traffic study but I've seen the traffic up there and it gets backed up quite a bit there on Barret at the light.

Chairman Dixon: Is there anything else, sir? We'll try to get an answer to that.

Does anybody have any questions for this gentleman? Very good, thank you.

Can someone speak to the drainage question please.

Chris Hopgood: I believe that would be Matt Calvert from Henderson Water Utility.

Let me make one other point too and that is we had a neighborhood meeting a couple of weeks ago at Community Baptist Church and several of the folks were here so a lot of the questions were answered at that meeting. It was a very cordial meeting and we felt like it was very positive.

Chairman Dixon: Good, thank you.

Matt Calvert: Matt Calvert with Henderson Water Utility.

Chairman Dixon: Your address?

Matt Calvert: 111 Horseshoe Drive.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Matt Calvert: I do.

Chairman Dixon: Thank you.

What can you tell us about the drainage plans?

Matt Calvert: As far as I know, no design work has been done as of yet. The majority of the runoff does drain to the south, I think it's going to continue to go that direction.

Per the Master Plan, they do show designated areas to store water and to also treat the runoff. All should drain down towards the south; the new I-69. They should be taking the majority of the water from Balmoral; I would assume but we will get into that more during design.

We do have strict guidelines we will follow. Their engineer will have to work with our guidelines, submit plans to us that we will review thoroughly and we will work with them to get a good set of plans.

Chairman Dixon: Good.

Brian Bishop: May I interject?

Chairman Dixon: Yes.

Brian Bishop: Mr. Calvert, is it safe to say that the post build runoff cannot be more than the pre-built runoff.

Matt Calvert: It cannot per our guidelines. It has to be 30% below pristine conditions.

Brian Bishop: Then to follow up with that so the Planning Commission and the folks understand as well; they will come back with preliminary plats and construction drawing for each, individual section.

For example, when Section 1 the preliminary plat and construction drawings that cover drainage as well will come back to the Planning Commission.

Chairman Dixon: Ok, thank you. Any other questions for this gentleman?

Thank you, sir.

What's in between this development and I-69?

Brian Bishop: This is the entire parcel before it is subdivided into the lots that we have proposed (inaudible) tonight. Then, I-69 will be this line. (Speaking of map projected on the screen)

Chairman Dixon: So, this triangular shape is remaining Agricultural?

Brian Bishop: Correct. But the development and the master plan show two (2) proposed access points if that property were to be developed in the future.

Those two (2) points would be at this point, and at this point.

Chairman Dixon: Oh, I see.

X.R. Royster: How many acres are in that triangle?

Brian Bishop: That is being dissected by the Interstate but let me get a measurement off GIS. (Inaudible)

X.R. Royster: So, that could be another development?

Brian Bishop: Yes, that could be another subdivision or development.

Chairman Dixon: Who owns it.

Brian Bishop: You can see the access points in that (inaudible)

Chairman Dixon: Do we know the ownership?

Brian Bishop: I believe that is owned by Mr. Tommy Dempewolf.

Chris Hopgood: Dempewolf Properties and his sister Karen; Tommy Dempewolf and Dempewolf Properties and his sister Karen Nix are joint owners.

Chairman Dixon: How do the farmers get in there?

Chris Hopgood: Right now, were working on kind of a one (1) year temporary easement to come along below this so it can be farmed this year. It was well pointed out by the farmer that if you don't grow crops, it will grow weeds really well. So, they decided to make sure they can get in there to farm it.

Chairman Dixon: Okay, thank you.

Any other questions from the commission on any angle?

Mac Arnold: Brian, is Kimsey Lane going to disappear after I-69? Correct, or no?

Brian Bishop: Mac, I know there are drastic changes in that area but I don't know details. I believe Buzzy may be able to answer that.

Chris Hopgood: I can tell you Kimsey stops about where the ugly looking billboard is it becomes the access to get to Kimsey; it goes down under the overpass and comes back down the parkway and then kind of ninety-degrees into the current Kimsey at Redbanks.

So, that was my point earlier; I ride my bike out there. If you're riding your bike from Pebble Creek, you can come through these subdivisions, come down Van Wyk, you can make it downtown without ever having to cross a really, busy highway.

But it's an odd the I-69 has developed it but it goes down under and then back up to Kimsey; kind of a horseshoe.

Mac Arnold: Will there be access into that area?

Chris Hopgood: Kimsey is going end about where that billboard is and that overpass is going to be no more.

Chairman Dixon: Thank you. Any other questions?

Sir?

Dennis Branson: Some people I promised I wouldn't talk; Dennis Branson, 916 Kelly Court.

Chairman Dixon: Do you promise to tell the truth and nothing but the truth?

Dennis Branson: I promise some that I wouldn't talk, promised some that I would.

Chairman Dixon: Well, who are going to disappoint?

Dennis Branson: I've been appearing before this commission for forty (40) years and I love you all and this is the best commission we've had. You're more responsible than anything we've ever seen.

A little bit of history I thought you all should know and it may be important; we have been trying since 1995 to get this property developed. Boynton was a lifelong friend of mine and he had a dream here that involved bicycle paths and pedestrian paths and the city and Jagoe have tried to preserve some of that philosophy by connecting and providing a connection to Balmoral Acres and the residential area to the east, back to the commercial area with Wal-Mart, Lowe's and etc.; that will be up to the city in the future but I couldn't hear much back there and I didn't know if anyone had brought that to your attention.

We've provided a very, spacious access between the residential and commercial areas along the Dempewolf side. This commission has approved, I don't know how many, I'm guessing four (4) or five (5) different Master Plans that have looked very similar over the last twenty-some odd, maybe thirty (30) years.

I know I'm delighted and I know Boynton is very much delighted that something that is going to be helpful to Henderson because if you ever

knew Boynton like I did, he was all for Henderson and all for development.

Just some side notes; there was a retention area that we now enjoy from Wal-Mart and Lowe's and probably go to the south in a (inaudible) retention basin and we'll pick up some more acreage, hopefully, to develop for the city and community in residential and mostly commercial.

I can't think of much else to say other than this is a great thing for Henderson. I'm on the Board of Directors for the Home Builders Association and also have been on the board for the Chamber of Commerce and we've been pushing for something like this for so many years because our housing inventory is at zero (0). We don't have anything we need to attract industry to Henderson. This is one of the first things we've got to have this housing for people that provide the labor force for our incoming industry; Pratt being one of them. This is an opportunity is just God send, almost.

So, I just wanted to let you know what I think about that and how many years Henderson has been looking to try to accomplish this very thing and tonight is the first step in making sure that it will happen and it will benefit our community and other things we need in order to expand and provide the things our citizens need and believe me, there is nobody else as involved as...I won't say that but there are few people as involved in the many aspects that have to come together to create this to make sure that it benefits us the way we're trying to get to and have been trying to get to for my lifetime.

That's it. Thank you.

Chairman Dixon: Thank you. Any questions for this gentleman?

Dickie Johnson: Just, thank you, Denny. You've been a blessing.

Dennis Branson: Thank you.

Chairman Dixon: Any other questions from the commission?

Yes sir.

Jackie Hale: Just one more question.

Chairman Dixon: Yes sir?

Jackie Hale: We're in Phase 4...

Chairman Dixon: Can you come to the microphone, sir?

Jackie Hale: We're in Phase 4, it's supposed to be one of the last areas to develop. They said they were going to plant crops this year in this area I understood. So, after that, how will they maintain that field behind us? Will it they be laying grass? will they be letting it grow? What, as far as weeds and mosquito's?

Chairman Dixon: Thank you. Do we have somebody who can address that?

Your name, sir?

Emanuel Ball: Emanuel Ball.

Chairman Dixon: Your address?

Emanuel Ball: 6565 Roy Wells Road, Owensboro, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth this evening?

Emanuel Ball: I do, yes sir.

Chairman Dixon: Thank you.

Emanuel Ball: So, to answer the question I think there may have been a little bit of confusion to begin with. I do not believe that this parcel will be in crop this year. I think that the area that will be in crop this year will be the triangular shaped parcel that Mr. Dempewolf owns.

As far as, I think our immediate goals would be to go ahead and do the land development; the earthwork for the entire parcel. Once that is completed, we will fall under erosion control guidelines so we will come through and seed and straw the disturbed areas once that's completed.

So, to answer the question it will be in grass is what the goal will be.

Chairman Dixon: Thank you. Other questions for this gentleman?

Yes?

X.R. Royster: Yes. What is the scheduled, build out time?

Emanuel Ball: A lot of that is really going to be market driven, obviously just depending on the absorption of the community and what the customers want. We would anticipate probably a very fast build time or build out would be probably a six-year time frame. Could be less, could be more; I'm under oath here so I want to be careful how I...(laughter).

Chairman Dixon: I want to make sure I understood the question; how long is it going to take to fully develop this? Are we talking six (6) years or something in that neighborhood?

Emanuel Ball: I guess I was talking about homes being completely built on the early side. We will actually phase out this community. We will build infrastructure as we need it for the home sites that will be available and platted in sections.

Chairman Dixon: So, the entirety may take...to have homes on all those lots?

Emanuel Ball: It may be six (6) years, plus.

Chairman Dixon: Okay.

Emanuel Ball: Yes.

Chairman Dixon: Any other questions? Thank you.

Does anyone have anything else they would like to find out about or add to?

No one else wants to help us with this?

I'm hearing no volunteers. I'll entertain a motion in regard to Rezoning #1142 with a Development Plan.

Brian Bishop: Mr. Chairman, we have provided proposed findings for the Planning Commission and in that, we've directed for staff to come back with findings either for or against.

Chairman Dixon: Give me that again.

Brian Bishop: We have provided a sample motion directing staff to come back with findings with facts either for or against.

Tommy Joe Fridy: And to table it. You vote either for or against it. Then you table it so staff can prepare findings consistent with the record; you have a proposed motion.

Chairman Dixon: Very good. I think we've done this a few times in the recent past.

Kevin Richard: For clarity, this motion to approve the rezoning will be first, it doesn't matter the (inaudible)

Tommy Joe Fridy: (Inaudible)

Brian Bishop: Just so everyone understands; it tables the rezoning, as T.J. said so we can come back with findings. The Master Plan will be either approved or denied tonight.

Kevin Richard: That's what I was wondering. If we table this, can we vote on the Master Plan?

Tommy Joe Fridy: Well, you're voting to approve it or disapprove it, you aren't supporting it (inaudible)...

Brian Bishop: You're directing staff to come back with (inaudible).

Tommy Joe Fridy: Are you clear?

Kevin Richard: Yes, it's clear now. I just wanted to make sure (inaudible) table it.

Tommy Joe Fridy: You're not tabling the outcome; you're proposing to either approve it or disapprove it but it's not final because we don't have a motion with findings to support it.

Chairman Dixon: Any decision on the Master Plan would be contingent on that...if the rezoning's not approved then the Master Plan has no value at all.

Tommy Joe Fridy: As long as it's going to be approved or disapproved.

Chairman Dixon: Okay. Then we come back with findings.

So, I'll entertain a motion in regard to Rezoning #1142.

MOTION WAS MADE BY KEVIN RICHARD, SECONDED BY MAC ARNOLD FOR STAFF PREPARE A PROPOSED MOTION AND FINDINGS OF FACT, BASED ON THE RECORD, RECOMMENDING APPROVAL OF REZONING # 1142 WITH BOTH NARRATIVE AND GRAPHIC DEVELOPMENT PLANS FOR THE PROPERTY LOCATED IN THE CITY OF HENDERSON, ADJACENT TO 1226 BARRET BLVD CONTAINING APPROXIMATELY 86.201 ACRES (PID# 65-13.2), SUBMITTED BY THE CITY OF HENDERSON AND DEER VALLEY SUBDIVISION, LLC; THAT THE MATTER BE TABLED UNTIL THE NEXT REGULAR MEETING; THAT THE PUBLIC HEARING NOT BE REOPENED AT THE NEXT MEETING (THAT NO ADDITIONAL PUBLIC COMMENTS WILL BE HEARD AT THE NEXT MEETING); THAT THE RECOMMENDATION WILL NOT BE RECONSIDERED AT THE NEXT MEETING; AND, THAT THIS VOTE NOT BE CONSIDERED FINAL ACTION. THIS MOTION IS IN REGARD TO THE APPLICANTS' REQUEST FOR

A ZONING CHANGE FROM AGRICULTURAL (AG) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD) WITH BOTH NARRATIVE AND GRAPHIC DEVELOPMENT PLANS, WITH THE NARRATIVE DEVELOPMENT PLAN LIMITING THE USE TO ONLY SINGLE-FAMILY DWELLINGS, TO CONSTRUCT A NEW SINGLE-FAMILY RESIDENTIAL SUBDIVISION.

Chairman Dixon: We have a motion and a second, any further discussion by the commission?

Madame Secretary, please call the roll.

YES: ALL

Chairman Dixon: Thank you all, the motion passes. The motion was to recommend approval of the proposed rezoning.

I need a motion to go out of public hearing please.

MOTION WAS MADE BY MAC ARNOLD, SECONDED BY KEVIN RICHARD TO GO OUT OF PUBLIC HEARING.

Chairman Dixon: We have a motion and a second, any discussion?

All in favor say yes.

YES: ALL

Chairman Dixon: Any opposed? We are out of public hearing.

We will come to a vote on the **Bentley Point Planned Unit Develop Master Plan.**

Staff, do we need to know anything on this that you're aware of?

Does the commission have any questions in this regard?

So, this is Bentley Point Planned Unit, what's the difference between that and Deer Valley?

Brian Bishop: I believe Bentley Point Planning Unit Development is the name of the subdivision and Deer Valley is the name of the LLC that (inaudible).

Chairman Dixon: Okay, so as we go forward into the future, we will call this neighborhood Bentley Point? Good.

Any other questions? I will entertain a motion in regard to Bentley Point Planned Unit Development Master Plan.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY MAC ARNOLD TO APPROVE THE BENTLEY POINT PLANNED UNIT DEVELOPMENT MASTER PLAN SUBMITTED BY THE CITY OF HENDERSON AND DEER VALLEY SUBDIVISION LLC FOR THE PROPERTY LOCATED ADJACENT TO 1226 BARRET BOULEVARD AND BEING PID# 65-13.2, CONTAINING APPROXIMATELY 86.201 ACRES. APPLICANT'S ARE REQUESTING A MASTER PLAN APPROVAL FOR 312 LOTS.

Chairman Dixon: We have a motion and a second, any further discussion?

Madame Secretary, please call the roll.

YES: ALL

Chairman Dixon: Very good, the Master Plan has been approved as presented.

We have no other business this evening?

Brian Bishop: No sir.

Chairman Dixon: I'll entertain a motion to adjourn.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY KEVIN RICHARD TO ADJOURN.

Chairman Dixon: All in favor say yes.

YES: ALL

Chairman Dixon: We stand adjourned. Thank you all so much for coming.

MEETING ADJOURNED AT 6:44 P.M.

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Special Called Meeting of, April 12, 2023 to the best of my ability.

Heather Lauderdale, HCCPC Clerk

X
