

**PIKEVILLE/PIKE COUNTY/ELKHORN CITY
JOINT PLANNING COMMISSION
OCTOBER 12, 2004
MINUTES**

BILL BLACKBURN:

We need a quorum to carry on official business, and unless some other of our members, it's been the first time in a good while we haven't had a quorum, but unless some of our other members come in, we're not going to have a quorum. We can conduct the public hearing, I believe, but we cannot actually take any action on anything, unless the others come in. Sometimes they're a little late, so hopefully we'll have some come in here in the next...

JOE DEAN ANDERSON:

How many do you have to have for a quorum, Bill?

BILL BLACKBURN:

Five.

JOE DEAN ANDERSON:

Nine of them, five of them?

BILL BLACKBURN:

Five.

JOE DEAN ANDERSON:

Yes, but nine on the Commission.

BILL BLACKBURN:

Karen may be down stairs. Did you stop by and talk to

Karen?

_____:

She was down stairs.

BILL BLACKBURN:

She may be calling some others trying to get them over here. Did you get up with anybody else, by any chance?

_____:

No, I did _____ with Rick. David did say he would be here.

BILL BLACKBURN:

Okay. We're going ahead and having our public hearing. We can receive comments in support or in opposition to the following. The application from East Kentucky Network, LLC, LLC, Appalachian Wireless, to construct, maintain, and operate a wireless communications facility on property located at Peach Orchard Hill, Pikeville, Kentucky. And also, the other item during the public hearing is the request for zoning re-classification for the Cedar Creek Development property. At a recent training course we had, being on this Planning Commission, we were instructed that we needed to give a-, an oath, or to swear people in if they're going to testify at these meetings. So if you plan on testifying here, this evening at this meeting, we'll just do one oath for everyone. If you plan on sharing tonight in any way, testimony, or if there's a possibility that

you will, you'll need to stand at this time and take an oath. Let's all stand if you plan on giving any testimony tonight to any of the business on hand. This is my first time doing this, so I hope I do it right. Would you have them raise their hand Joe Dean.

JOE DEAN ANDERSON:

Yeah, I did.

BILL BLACKBURN:

Do you swear or affirm that the testimony you're about to give is the whole truth, or is the truth, the whole truth, and nothing but the truth?

COLLECTIVELY:

I do, I do, I do.

BILL BLACKBURN:

Alright.

_____:

For the record, everybody stood except Rusty Davis.

BILL BLACKBURN:

For the record everyone stood anticipating that, except for Rusty Davis.

RUSSELL DAVIS:

And I ain't swearing to anything.

BILL BLACKBURN:

And if you will, this evening, we may need you to

repeat, I'll tell you something I've learned, these stenographers, which Judy Coleman over here is, they're valuable and precious people, appreciate them, when you need them for these meetings. They're very much in demand, very hard to get, and we appreciate Judy serving her community. And when you stand up and do share, be sure and give your name, clearly, so she can know that, and help her in taking the minutes of this meeting. At this time I want to hear, as part of the public hearing, the application from East Kentucky Network. Whoever's here to share about that.

WILLIAM S. KENDRICK:

Mr. Mayor, my name is Will Kendrick, I'm counsel for Appalachian Cellular, or East Kentucky Network, and I have here tonight, from the company, Dennis Shepherd and Marty Thacker. These gentlemen are familiar with the details of the application and are willing to share any of their information, if anybody can make any questions, from the commission or the public. Basically, our application is for the purpose of installing a cellular tower on the top of Peach Orchard Mountain. As everyone knows, Pikeville is in a horse shoe shape, and if we were able this city used it's foresight, and it's, as it's known in the old saying, able to move mountains for progress, was able to take Pikeville out of a shape of a horseshoe, as far as the way the river runs, but from a standpoint of signals from the cellular.

towers and so forth, those of you who have a cellular phone may notice that sometimes when you're in buildings like this, or on the other end of town, the towers that are in service over on this end may not give you the kind of signal that you'd want. And so our plan, and our purpose, is to install a tower on Peach Orchard Mountain which would take up that end of the city, and it should be right in line with the hospital over here, with police, fire, and emergency service center that require quick, on call communications, and as well should be available for services for the government office, offices, here in Pikeville, and with Pikeville College, the educational services, and any businesses who, as you all know, many businesses are going to wireless. It will also have Wireless Internet capacity, or the capability of that service. So we have submitted our application, I submit to the Commission that the application is complete and in conformity with the law and, we're here to answer any questions that you may have.

BILL BLACKBURN:

Thank you sir. Any questions or comments about what we just heard. I did read your application here. Any comments or questions about the, what we just heard about the tower to be located on Peach Orchard?

TIM BELCHER:

Where's the signal coming from right now, Mr. Kendrick,

what tower am I getting?

MARTY THACKER:

Over, I think the area's called Cedar Creek out here.

TIM BELCHER:

Yeah.

MARTY THACKER:

It's probably about a mile, maybe a mile and 2/10, out of town here.

TIM BELCHER:

It's at Bob Amos Park, isn't it?

MARTY THACKER:

Yes.

COURT REPORTER:

I'm sorry, what's your name:

MARTY THACKER:

Marty Thacker.

TIM BELCHER:

Because, I'm picking up on my phone right now, five bars, which is pretty good service.

MARTY THACKER:

Probably.

TIM BELCHER:

Have you talked to any other provider about co-locating on any existing tower?

MARTY THACKER:

We did not find a suitable previously owned, the only towers we've found in this area that would provide us with the coverage we need for right here in town is the AM tower that Mr. May owns up there in the general location. It being an AM tower, and the tower itself is an antenna, we cannot co-locate on that.

TIM BELCHER:

Any Cingular towers around here you can co-locate on?

MARTY THACKER:

No.

TIM BELCHER:

Where is the nearest Cingular tower?

MARTY THACKER:

Back over at Bob Amos.

TIM BELCHER:

The same place your tower is now?

MARTY THACKER:

Yes.

TIM BELCHER:

That's my only concern in this, I know the City has just passed an ordinance requiring co-location, and I know we had one of these come up at our last meeting, and the last thing I want to see is Cell Towers popping up all over the place. So if there's any kind of co-location you can have, I need to get, to

fill that out myself.

RUSSELL DAVIS:

I have a question, I'm Russell Davis, I'm the city attorney for Pikeville, and we have an interest. What we want, we have an interest in seeing that the cell towers that we have, our primary interest is a co-location question. One of the requirements is that what we want to do is require that you look at co-location as an option before you construct a tower, but if you construct a tower, we want it to be capable to co-locate for other providers. Now will your all's tower, when you construct it, allow for co-location of other providers?

MARTY THACKER:

Yes.

RUSSELL DAVIS:

And will you have any problem with this commission, as part of the approval of your application, agree that you allow co-location on your tower, as is required by basically the Kentucky Revised Statutes, the new law allows us to request that?

WILLIAM S. KENDRICK:

Mr. Davis, I'm Will Kendrick, as before. The answer to your question is yes, and sometimes, you know, we would have to have a business agreement with the proposed provider about the rental on the tower and so forth, but it would be, basically whatever is normal and standard and reasonable, within that

business.

RUSSELL DAVIS:

What other, what other, are there other cell towers that serve this end of town? I thought there was one, isn't one of those towers out there, isn't that a cell tower?

_____:

That's basically the only one we got on this end of the City.

RUSSELL DAVIS:

Would it not provide the co-location opportunity?

MARTY THACKER:

We are there at that tower now, and we're not getting the things that we need provided here.

RUSSELL DAVIS:

That's where you are now, the one we see up there?

MARTY THACKER:

The new little towers are such small instruments, and they're getting less power and the less time they have.

RUSSELL DAVIS:

You know, we're, and you guys might be able to help us, but we're, how would we, or this Commission, in the application process, how's the best way for us to be satisfied that co-location opportunities have been explored? If we have, I mean, how would that best be satisfied? Should we start requesting

applicants to have an engineer certify that they have looked at co-location opportunities, if none exist, I notice in your all's statement, Exhibit 19, you more or less state that, but I'm wondering who would actually be the appropriate person that would do that, would that, I assume that some type of an engineer, and one of you guys, other than Mr. Francis, may be that guy, but we're, you know, we just adopted this ordinance, and we're, you know, going forth in the future, whether it's you guys, or one of your competitors, how should we, what's your recommendation on what we should do to satisfy, because none of us know, you know, if you tell us that you can't co-locate, I don't know how any of us would know whether you could or couldn't?

MARTY THACKER:

Marty Thacker. I think there are several engineers out there that can tell you that. There's one that's located in Washington, D.C., that does _____, his name is R. Adams.

RUSSELL DAVIS:

Have you all hired somebody to do your studies?

MARTY THACKER:

Yes.

RUSSELL DAVIS:

And he's an independent?

MARTY THACKER:

Yes.

RUSSELL DAVIS:

So I would, just like we might, you know, we rely a lot on other things for engineering surveyors but we except things from certified engineers. Do you see a problem if we had applicants submit a signed statement from their engineer saying that they explored co-location opportunities, as far as the application packages, would you all see that there would be a problem with that? I mean, your all's own engineer, you know, whoever worked on your package?

MARTY THACKER:

I don't think it would be a problem with that.

WILLIAM S. KENDRICK:

I believe that as you've said here today, you've said that it pretty well says that. If you want to put, put that as a question or something on the application, I don't, our company wouldn't have any problem with it, and I don't see why any company should have a problem with it.

RUSSELL DAVIS:

Which what I'm getting at is, is we don't, that's really what's left on the Kentucky Statute, one of the two things really they leave us to look at. That's probably the only thing we're really concerned about is to make sure that all the

providers are efficiently using the available towers. Because I understand it wouldn't take it into law into effect to say, you can't prohibit the cell tower in certain zoning districts, like residential, but in exchange for that, we'll see that cell phone providers utilize available towers that are there. So, that's kind of what our concern is. And we don't have, we talked about this before, I don't know that we have quite the concern here that they have in the flat lands, because the valuable spaces are usually up on top of the mountain ridges where homeowners don't particularly want to be located, but we do have some aesthetic concerns, not to see so many towers around, more than necessary.

BILL BLACKBURN:

Any other comments or questions?

TIM BELCHER:

When you all say, 'it doesn't serve nearly as well as a new tower', what does 'nearly as well' mean?

DENNIS SHEPHERD:

Let me, I'm Dennis Shepherd, and I helped find the property, I'm not an engineer, I can't hardly spell the word, thank you, but in searching the area for the spot that would give us the best service, you're getting a good signal here because we're looking at that tower, but you go two or three blocks around, get inside the court building, you go over to the hospital, and you're not getting any service at all inside of .

those buildings, and that's been our biggest complaint. Now we've looked at every site we could and we looked for available towers that we could, we don't know if we could talk our opponent's into letting us locate there, but we did look at them. There's towers on this end, back by the Duty Knob, and that did not serve according to our engineer, and not penetrate the buildings in this area. So we looked at several areas, one of the best spots we found was in Gary Johnson's back yard, for some reason he did not want a tower there. You can understand...

TIM BELCHER:

Well, I think that would be a good place for one.

WILLIAM S. KENDRICK:

It breaks this little question of free advertising.

DENNIS SHEPHERD:

So it was a matter of not what's here, not the service we're already getting, but the matter of improving what we have. On this end of town, you're getting pretty good service from towers that we have, but the hospital, the health-, the fire department, the hospital, the college, has really been pushing for us to have better service. And this is looking down on the whole bend of the town, so that's our primary reason of this location.

WILLIAM S. KENDRICK:

If it was a question, Mr. Belcher, of just additional

service, it would be a lot cheaper for us to lease on somebody else's tower. But what we're talking about here is improved and expanded service, which required a different location, and we're willing to be the one that pioneers that. And we'll certainly not object to and are willing to do a co-use arrangement with other providers that, that can meet the requirements.

RUSSELL DAVIS:

Well, that's what we hope to do is all new towers, hence forward, will all be subject to that language that the tower be designed and constructed, and that the company permit, under reasonable guidelines, co-location, so I don't know that we could do anything to force a company before this law came into effect, but any new towers, we're going to put that in there so that each company will be able to take advantage of that opportunity to co-locate on other towers. But now if this tower was constructed before the law was in effect, I'm not, you know, none of us may have the right to make them do that.

TIM BELCHER:

Now that's my main concern, because, you know, we had a Cingular guy in here wanting a tower in Elkhorn City, which I wouldn't vote on, because I just don't want to be up in the Breaks and look at a cell tower. But his concern was, he couldn't hang off your all's tower up there, that you wouldn't let him. So that's my concern with all this, as far as re-

location, I mean co-locating on these towers, that's, you know, it's kind of laid out there for you, that's my concern. And I don't know he may not have been telling us, it was just something that, this was the last meeting, wasn't it, didn't he tell us that, maybe two meetings ago?

BILL BLACKBURN:

Cingular was here at the last, that was the last meeting.

RUSSELL DAVIS:

I think so.

TIM BELCHER:

That's my concern, but if you're telling me that this tower, you can co-locate off of it, as long as it's the standard industry lease agreement, any company could co-locate on it, is that's what you're telling me?

MARTY THACKER:

Yes.

TIM BELCHER:

That's a yes. Then that will alleviate some of my concerns, will it alleviate any of your concerns?

WILLIAM S. KENDRICK:

What I, what I want to emphasize here is that this is not some, I don't want to leave the impression that this is some freebie, yeah, if somebody else wants to come up there, yeah, all

they got to do is string up, we're investing, this is a huge investment, and we are in business to make a profit, and part of that can be the leasing of shared time and shared space on that tower, so I want the commission to understand that it would be on a lease arrangement.

TIM BELCHER:

I understand that.

WILLIAM S. KENDRICK:

But we're not just going to arbitrarily tell somebody they can't, if they can, it's a profitable thing.

RUSSELL DAVIS:

Well, now, what I would understand, because I've asked a couple of people, well, what are the perimeters, is there a standard agreement for co-location, and I was told that 'yes, away from Eastern Kentucky there is', but now I would say for the record here, that in your all's position you can set any price, and maybe call for it to-, that wouldn't work, it's going to have to be lease terms including price that would be comparable in the industry and it couldn't be something that you all could set and arbitrarily high figure on, so that they wouldn't take the opportunity of it. And when I say 'you all', I mean your competitors too, if they came in and said the same thing, if you came to us and said 'we want to hang on their tower but there, industry wide it's about \$5,000.00 a year, and they want

\$15,000.00', we'll have a problem with them too. So it's not, you know, not saying that your company, not saying that you would, we just want to make the ground rules kind of up front with both the two providers, since there are already two providers in this area, and most areas around here.

DENNIS SHEPHERD:

What I would say on that, is that they're going to go in the area and it would be to our benefit to our company to get something out of that, they're going to locate there anyway, and it's not always the company being asked it's the company looking too, because they are, when they're saying we can't locate on that, we need our own tower, that may not have been appropriate completely, so if they're going to go here anyway, so why shouldn't we get something from that, recoup some of our investment if we can work out a lease agreement.

RUSSELL DAVIS:

Well, now I would think that you will be compensated for it, but, you know, I assume that since this law has been passed, that other companies are beginning to look at co-location, that they're going to come up with some time of industry standards, you guys may already know what that is, I mean you all may, I don't have any idea, but you all may know what's going on in Lexington and Louisville, as far as co-locating, but you know, if I was just a private entrepreneur, and

I invest half a million dollars in a tower, I've got a competitive advantage over my competitor, because if he had to spend the same \$500,000.00, but because of this new change in the law, and because you guys _____ the rights from the public as an, from using a provider, you're giving something to the public right, the rule would be different and somebody else is telling us, you know, we have an interest to keep, you know, we don't two towers right beside each other. You know, if one guy builds one, the next guy gets to hang off of it, and there is some sharing of costs, but it can't be, you, it doesn't seem to me that it would work if the cost would be so prohibitive that they wouldn't want to be able, want to build their own tower. I don't have any idea what that figure is, and we all may find out, something, I don't know, when we have the first true co-location issue, but everybody probably needs to start thinking about what it would be, and then right up front, I would think yes you all need it, there is some monetary, you might not think it's free, in fact I definitely would think it would not be free, unless you could work out some agreement that, 'okay, I won't hang on your tower, just hang on mine, as long as we're equal, there's no charge'. Yeah, I see it as a right that would need to be compensated for, I just don't know exactly how that would work.

BILL BLACKBURN:

Any other questions or comments from the public, or the

commission, anyone. We attended a meeting on this recently and learned about the new laws and so forth, and it's our understanding from that conference that the Federal Government is really encouraging all communities to work with the cellular people to get these towers up. We're behind Europe in cellular technology, and that puts America behind in a competitive sense. So the Federal Government is really pushing us to, the planning commissions and so forth, to cooperate in facilitating the construction of cellular towers, and of course all of us have benefitted from that technology, it's been great, and it certainly improves the business climate, the service climate, and our community in many other ways, so we're very thankful and glad to have it, and thankful and glad for your all's good work and the service that you provide. The other side of it is, which you can understand, some of the concern of the community is aesthetics, and some other concerns is to having towers up everywhere, and they just want to see that, and I think the government's helped us strike a happy balance there that, you know, there's not unnecessary towers put up to give duplicate coverage, and so forth. That where the providers can co-locate, they want to encourage that, and you put in here, you say, in your statement here, every attempt was made to locate our facilities on existing available structure, but not, none was found that would serve the area nearly as well as this site.

There is an AM radio tower about .4/10's of a mile from the site, but wireless signals and AM radio signals are not compatible. Do you all, all three agree with what I just read and said?

WILLIAM S. KENDRICK:

We stand by that statement.

BILL BLACKBURN:

And you all affirm this statement?

WILLIAM S. KENDRICK:

Yes sir.

BILL BLACKBURN:

That was made?

WILLIAM S. KENDRICK:

Yes.

BILL BLACKBURN:

And you also got down here, 'due to the horseshoe shape size of the City of Pikeville, our existing towers cover only one side very well, the proposed Peach Orchard site, according to our engineers, will give the best coverage to the greater majority of our customers', do you all three affirm that statement?

WILLIAM S. KENDRICK:

Absolutely, yeah.

DENNIS SHEPHERD:

(Nod)

MARTY THACKER:

(Nod)

BILL BLACKBURN:

All three affirm that.

_____:

Somebody raised their hand over there.

DONOVAN BLACKBURN:

Bill, do you mind if I say something.

BILL BLACKBURN:

Absolutely, go, this is our City Manager, Donovan Blackburn, go right ahead Donovan.

DONOVAN BLACKBURN:

I appreciate the opportunity to speak, and I apologize for being late, I got held up in a board meeting. I just want to interject that this issue, this particular site, came to the City's attention several months prior to us attending class, and the ordinance that we proposed, that I proposed at the meeting, and we want to thank the City Attorney for working on this, and in fairness I want to say that in working with these folks, they did make some other efforts to what this additional site as well as the concerns with the local ordinances of this particular location and we'll try to work out some land issues, so there were trying to get in, actually, under the scope which are established, I understand, _____, but because I felt

that this was an important issue, based upon our conference that I tried to push forth this issue _____, as fast as we possibly could to prevent this. Now, we would definitely, from the City's standpoint, ask them with what _____ now in our ordinance for you all to be able to enforce, but without the _____ that the co-location issue will be addressed, simply because as we go through development, this technology is very important for our growth opportunity and I just felt like with the LC Conference talking about how cell tower, broad band, and a lot of other things that is a necessity for our community to be able to grow from a technology standpoint. So I appreciate the efforts that they put forth working with the city in trying to accommodate us, and us accommodate them in the same sense, so I just want it to be known from my standpoint, that they did go to some efforts to advance prior to this application, or this ordinance, to try to make sure _____, they were working with the city prior to this and what we would definitely want is _____ looking at _____ meeting, we're trying to really focus in this area, this region, as far as the _____, and they come to the, you know, the beauty of this area and you look up and see nothing but antennas, _____ so it kind of _____ trying to do for the _____, so this is the importance of the issue of co-location and I'm certain, I'm sure that they

understand this, but we'd like every opportunity going forward for these companies to work together so we don't have these problems. I appreciate the opportunity to speak.

WILLIAM S. KENDRICK:

We all live here, and we all appreciate the aesthetics, and we want to work, we want to be good neighbors, and we want to help the development, and that's what we're doing here in this area. The world has gotten to be a lot smaller place, thanks in no small part, in a very large part, in fact, to the recent strides in communication. And that's here in the hills and hollows of eastern Kentucky now, and we're a part of that, and we want everybody to know that we intend to abide by all the laws and regulations that apply to our industry, and on top of that we plan to be good neighbors to everybody who's within our service area.

BILL BLACKBURN:

Any other questions or comments. One other thing, I have here, Rusty might be able to help with that. You see on here the FAA and the Kentucky Airport Zoning Commission approvals have been applied for, but are still pending, technically when we do take action on this, should we have that first, or make any approvals subject to receiving that approval. I don't think, we couldn't override the FAA anyway, I mean.

RUSSELL DAVIS:

No, I mean, you can just make it, just make it subject to their approval.

BILL BLACKBURN:

Their approval.

RUSSELL DAVIS:

Even if we approve it and they didn't put it in, they can't get started until they get that approval, so I don't think it will be a problem, just basically say it's subject to getting all your final other approvals that are required.

BILL BLACKBURN:

Any other questions or comments?

DAVID SANDERS:

I'd just like to make a statement for the record. I've been silent simply because of my association with Summit Engineering and the work that we've done on the survey and the tower site, so it would be a conflict for me to address this particular issue.

COURT REPORTER:

Say your name. Say your name for me, if you don't mind.

DAVID SANDERS:

It's Davis Sanders.

RUSSELL DAVIS:

Are you for it or against it.

DAVID SANDERS:

Don't make me go on record for that now, Rusty.

BILL BLACKBURN:

Any other comments or questions? Well, gentlemen unless someone, unless we have a couple other members come in, we're not going to be able to take action on this this evening. We'll have to do that at a later date, and will have to call a special meeting, but we can address that, you know, maybe get in touch with Karen Harris back here, and she can help with that. I certainly would be glad to come back at a special called meeting to get this, we don't want to slow you all up.

RUSSELL DAVIS:

You'll need, if you do that, the other members, you'll have to have your transcript done for them to review before they would be eligible to vote on it.

BILL BLACKBURN:

Alright. Be nice to Judy, I don't want to scare her off. We'll give her time to get that done.

RUSSELL DAVIS:

Normally I'd ask you to request _____ case law about members voting on something when they weren't at the public hearing.

_____:

Fully informed.

RUSSELL DAVIS:

And one of the court things is all we have to do is review the transcript and we're okay.

WILLIAM S. KENDRICK:

We're ready, willing, and able to come here for a special meeting, if that would short cut anything, and anything that we could do to help to expedite.

TIM BELCHER:

Isn't there another issue on tonight, too, so why don't we try to call a special meeting, because our next meeting is not going to be until December.

_____:

Okay.

TIM BELCHER:

And they probably need to get going on it.

BILL BLACKBURN:

Well, we'll probably call a special meeting, as soon as we can get this up, and then we'll contact you.

WILLIAM S. KENDRICK:

Should we stay in contact with Mrs. Harris about that then?

BILL BLACKBURN:

Yes, 437-5100. Let's move on to, if there's no other discussion.

WILLIAM S. KENDRICK:

Can we be excused?

BILL BLACKBURN:

Yes, thank you gentlemen very much for coming.

WILLIAM S. KENDRICK:

Thank you, we appreciate it.

BILL BLACKBURN:

Let's move on to Item B in the public hearing. Request for zoning re-classification for the following properties, and I, anybody else that speaks, if you weren't sworn in, I'll need to, you'll need to be sworn in. Go ahead, Chris.

CHRIS CHRISMAN:

Thank you Mr. Chairman. My name is Chris Chrisman, I'm president of Cecil Management Corporation, which is the managing partner of our family's development business on Cedar Creek. We have submitted for zone change, three parcels which are along the left hand side of Cedar Creek Road, as you're going west, or out of Pikeville. The first of these parcels, Phase 6A, and actually I was just remembering that we started with Phase A, or Phase 1, in 1993, and we're up to Phase 6 now, so Phase 6A is a parcel about three and a half acres that's immediately past the AEP

Power sub-station that's on Cedar Creek Road, it's about three and a half acres along the road, and we're requesting that the re-zone to R3, our desire and intention is to put either another 12 unit apartment complex, like the apartment-, town house apartments that are directly opposite to the Presbyterian Church, or to put some more patio homes, attached patio homes in that, which requires R3 zoning as well, we have an R3 zone immediately behind the assisted living facility, which we have plans for five attached patio homes as Lot 1 of that Phase 5 development behind the assisted living facility. Beyond the first Phase, Phase 6A, Phase 6B is about 13, almost 14 acres which will be two cul-de-sac streets that will go to the south or to the left off of Cedar Creek Road, that will provide 20 single family lots.

BILL BLACKBURN:

This is, now, facing the power company thing there, this is, this first parcel to the right and then this is behind it?

CHRIS CHRISMAN:

This is on past it.

BILL BLACKBURN:

On past it.

CHRIS CHRISMAN:

It will give us access to, immediately off of Cedar Creek Road. I have a map to show you, there was a zone change.

plat in the _____ information. That is actually 13.7 some acres, there are 20 lots that range from about 1/3 of an acre up to about 2/3 of an acre. They will be similar in size, and our scope is most all the other lots that we've _____ over there. The third parcel for re-zoning is Phase 6C, which is beyond this single family section, and it actually goes from the end of this all the way up to Hurricane Gap, almost, there is a little drive off to the left before you get to Hurricane Gap, that this does not include. But it is proposed for an R3 zone as well, again, for additional multi-family town house apartments, or patio homes. Both of these two R3 zones are very long and narrow lots, they're not sufficient depth from the streets back to the hillside or the type of single family lots that we've been doing before, and we feel they are more appropriate for the linear development of town house apartments or patio homes, in both cases, this is the configuration of the property. Where we're putting the single family lots, it is much deeper, it goes back to, to old silt pond areas that were from, way back from the mining operation that was on there, these have over the years been, excuse me, been filled in, and the whole area will be filled and graded out to provide the specialty single family lots. These are the three areas we're proposing for re-zoning right now, and all of this, I might add, is still in accordance with a master plan that we submitted in 1982, when all of the

property on Cedar Creek was re-zoned to PDMU, which is called Planned Development Mixed Use, and our proposal was a combination of single family, multi family, and some light commercial, or light retail over there. That is still in the plans for future development, there are some properties, like the assisted living facility property, which are zoned commercial already. And we see this as being just a continuation of the quality, the type of development that we have been doing for the last 10 or 12 years over on Cedar Creek. That's our proposal, thank you very much.

BILL BLACKBURN:

Thank you Chris. We've heard the proposal, any other comments? And yes, now, be sure if you've not been sworn, let me change this tape real quick. We're, wonderful, wonderful stenographer over here.

DREMA BOYD:

I'm Drema Boyd, and I live on Cedar Creek, and I think I live across the road from what would be a R3, what exactly?

CHRIS CHRISMAN:

The apartments that, we built the apartments that are across from the Presbyterian Church.

DREMA BOYD:

Right.

CHRIS CHRISMAN:

And our idea is about the same thing as that. We have

calls daily for, you know, asking if we have apartments available, rental property, there is really no, not much other in high quality rental property available. R3 allows us to put another section of units like that across the street there.

DREMA BOYD:

And it would be rental?

CHRIS CHRISMAN:

Yes. But, you know, the apartments across from the Presbyterian Church are rental. And, yeah, and they're, you know, we have very high quality tenants in there, some people that have bought lots and built houses, you know, have started, you know, with apartments, you know, in the Cedars there. And, you know, it's the, you know, the type of design, the type of construction that's compatible with the neighborhood, the parking, you know, would be behind the facilities, so it's not, you know, on the street. You know, we're very concerned with the quality of the visual, the aesthetics, you know, over there, and certainly would never consider doing anything that we feel would be a detriment to, you know, the whole neighborhood development over there and to the aesthetics or the value of anybody's, you know, property.

DREMA BOYD:

You have to be very careful, because I own some property in Lexington and they did the same thing to that

neighborhood, and it's not what it used to be like, and it's not nearly as close as this would be.

CHRIS CHRISMAN:

Well, you know, we certainly recognize that and appreciate that, we appreciate everybody's concern, and want everybody to know that, you know, what will be done will be at least as good as, at least as good if not better that we've done in the past.

DREMA BOYD:

I wanted to be assured that this _____.

CHRIS CHRISMAN:

They're not, I mean, the ones across from the Presbyterian Church are town house apartments, you know, they're, you know, brick fronts and sides, you know, very quality construction.

DREMA BOYD:

And we couldn't do this as a privately owned town house, instead of rental, because I've had a few renters and that doesn't work real well.

CHRIS CHRISMAN:

Well, the Master Plan that we developed over 20 years ago now, you know, was a combination of multi family and single family developments over on Cedar Creek. And that's, you know, what we feel is, you know, desirable for a very vibrant

integrated neighborhood, and you know, we are looking at providing quality housing, you know, for all kinds of the aspects of the community. Like I said, we get calls from the hospital, from Community Trust Bank, from other places that are wanting rental units for people they bring in here on a short term basis. These are the types of people that rent, you know, in the Cedars _____, you know, renting any, you know, property we do on Cedar Creek.

ROBERT MAYFIELD:

Robert Mayfield, thank you for letting me respond. We own property about half way up from your, your R3 zoning. I am very concerned about an R3 zoning. We have invested a lot of money in our neighborhood. We have a very nice neighborhood. I am very concerned about the integrity of that neighborhood and the prices of our property if apartments are built across the street from us. Now, I had some experience with apartments, and other types of prop-, housing being built across from very nice houses. In the Cincinnati area, when we lived there, we lived on a street that was also called Cedar Creek, an absolutely beautiful, up-scale, neighborhood. Across the street, they rezoned an area and built some very cheap houses. Those very cheap houses destroyed our neighborhood, that Cedar Creek ran down the center of, it destroyed it. In fact, the last time we went back to visit Cedar Creek, you could hardly recognize the place,

because of the influx from the other neighborhood. So I am very concerned that the apartments will be built just across the street from us. Now one of the things that concerns me is this. Now, I know you're saying that this was in your plans along this line for this many years. It seems to me that when you first surveyed all that property up Cedar Creek, it would have been very, very easy to move that road over just a little bit, take a little bit off of our side of Cedar Creek, add it to the other side of Cedar Creek, and then you would have had plenty of space for R1 houses all the way up through there. So, I'm very concerned that, what R3 zoning will do to our properties, very concerned. Thank you very much.

COURT REPORTER:

Hold on for me just a second.

BILL BLACKBURN:

Let her change her tape, Mrs. Mayfield, real quick.

COURT REPORTER:

It's fine. I've got it now.

BILL BLACKBURN:

She's ready to go. Go ahead.

MARY MAYFIELD:

Mary Mayfield, I've observed those apartments across from the Church.

BILL BLACKBURN:

Speak up if you will ma'am.

MARY MAYFIELD:

I can't, this is the best I can do, I can't holler unless I'm angry. Can you hear me now.

BILL BLACKBURN:

I'm going to be good to you, I won't make you angry. Go ahead, yeah, I think I can hear you.

MARY MAYFIELD:

I know there's a shortage of rental units in Pikeville. I also know that you have other areas to develop that wouldn't be as pronounced as _____. Those town houses across from the Church, I think first of all, any time you have rental units, it devalues the property, it will devalue our property. There are million dollar houses in our community, our's is not one of them, but still a very important business _____. Those town homes, I have noticed, when you go that way, there's one of the windows right now, has an American flag, which I'm very much for, a faded flag hanging there. I can't even visualize sitting in my living room, and looking up and seeing something like that. And also this is our _____, I'm not _____ first of all, I'm not opposed to people different, _____, this is it. Chris you have other places that, I think would be more conducive for this type of

environment.

BILL BLACKBURN:

Others, any here for this project, would like to speak first. Alright anyone, you can just stand, I'll need to swear you in, you weren't sworn in.

CHAD STREET:

Okay.

BILL BLACKBURN:

Do you want to talk to?

CHAD STREET:

Yes. Chad Street.

BILL BLACKBURN:

Chad, do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth?

CHAD STREET:

I do.

BILL BLACKBURN:

Alright.

CHAD STREET:

Mr. Chrisman, I'm Chad Street, 684 Cedar Creek, I live adjacent to Mr. and Mrs. Mayfield and Mr. and Mrs. Boyd. I moved here about a year and four months ago, I went into partnership with Dr. Anderson here in town, and it took me almost four months

of coming home every weekend for my wife and I to decide where we wanted to build our, as Mary Mayfield would say, million dollar house. And, you know, in Lexington, sure there's plenty of top areas where folks can put their nice estate, here we're kind of limited. We have North Mont, which is almost all taken up, Lover's Leap, Chloe Ridge zone, Quail Ridge, Bowles Addition, and Cedar Creek. Of all those places we looked at, we fell in love with Cedar Creek and around in that area. And, sure, you know, we paid almost \$70,000.00 for 2/3 of an acre up there, and like Mr. and Mrs. Mayfield say, you know, I'm very concerned as well with the integrity of the area, of beautification of the area. We all take great pride in our homes up through there, our property, and sure part of it is _____, you know, who wants to spend that kind of money if that's not where we wanted to live. So, the thought of us waking up and having, you know, 20 year old college students having their keg party in an apartment or town house across the road from us, is very disheartening, when I'm writing out \$5,000.00 a month for a house payment. And, you know, had we known that the beauty of the area and the investment, if you have any knowledge about real estate, I would consider it an investment in your future in time. I know the entire neighborhood is concerned about that, and sure the medical students that come here to the college need great places to live, and you know, we have the Bowles Park Town Homes, those

are, at least tasteful, and the ones down on Cedar Creek are at least, I would say somewhat tasteful, but, you know, there are more areas that are not in one of our few estate, that are R1 zoning, that needs to be placed. You know, I would hate to see my property value go down \$200,000.00 over night, which is what I fear would happen, and that's what I think everyone past the Church on the right, kind of fears would happen. Granted there's only 11 or 12 homes there, but I think a lot of people have invested either their life earnings or potential life earnings in their houses and their estate there. So I have the same concerns as the other folks, and I, you know, let it be said that I'm, my wife is unable to be here, she's working, that we are adamantly against the R3 zoning across the road for the apartments or the single family, you know, 2,000 square foot homes, which would further degrade our property values as well.

BILL BLACKBURN:

Just a question. You all, the Mayfields and the Streets, you're located past the Church going toward Hurricane Creek on the right?

CHAD STREET:

On the right, that's correct. My house is the 11th house from the, on the right, past there.

BILL BLACKBURN:

Past the Church?

CHAD STREET:

Past the Church.

BILL BLACKBURN:

You're the 11th house on the right?

CHAD STREET:

Yes. If you're familiar...

DREMA BOYD:

Mine is 12th.

BILL BLACKBURN:

Twelfth, and you're about the 10th.

CHAD STREET:

Their's is 13th.

BILL BLACKBURN:

Thirteenth.

CHAD STREET:

They're two houses up from me, they're one house up from me. If you're familiar with Dr. _____'s house up there, the large pink house with the white fence, there's an empty lot beside of his which is owned by Steve Billiter, mine is the next house above there with the big circle driveway.

BILL BLACKBURN:

How many houses are there on down through there, not, what two or three others?

MARY MAYFIELD:

It would be 15.

BILL BLACKBURN:

Fifteen.

CHAD STREET:

No, there will be 15 past the Church, that's correct.

Dr. Potter, he has the first home, and Dr. _____ which is the second one, Dr. Vanan and his wife are also in the same boat, they're the third house up there.

BILL BLACKBURN:

Thank you. Other comments. Yes, yes doctor.

SURI VANAN:

I'm Suri Vanan, I live in the third house from the Church on the right side. I heard this thing that these town houses are going to be letting people, or _____ and all that, that's good, but I have lived there, they are really nice houses, I've never had a problem myself with the houses, but I have some reservations about some of the neighbors we have, but I'm sure, you probably also know, we have called the cops a couple times, there's some problems down there, I don't know how scrupulous one can be as to keeping these people from settling up there in the future, but once the structure has come out, how do we know who's going to come in, _____ the people are going to be nice, how can you

care for the people and _____, that's something of a concern for me. Because we have had some problems with that, and we've had to call the cops several times, and on one occasion we had, no two actually, we had _____. These things do actually happen absolutely, when you are on properties there. Having been there ourselves, actually, I'm not saying that everyone is going, there are some nice people, you may have some of the people _____, in fact we are also concerned with _____ in the area, we don't know what may come up there, _____, also are looters at night, and maybe a gas station _____, take a look _____, but there are concerns about some of the properties, _____, those five houses next to the Church. On top of that you are going to bring in more of _____, that's going to be a major concern for us in the general area.

BILL BLACKBURN:

Any other questions or comments from the public. Does the commission have any questions or comments?

CHRIS CHRISMAN:

I would like to respond a little bit.

BILL BLACKBURN:

Yes, go ahead, Chris.

CHRIS CHRISMAN:

I just want to say that I do appreciate everybody's concern, and will only go back to what our history has been, and Mrs. Mayfield you're right, we have lots of other areas to develop in, exactly because of that, we're very concerned about how things are done, about making this a quality area and not doing something that will devalue, you know, anybody's property. In answer to Mr. Mayfield's comment about the road, I wish he had helped us negotiate that with the highway company in 1976, or whenever it was that we tried to do that, and tried to get them to put it down one side or the other, and not put it right smack down the middle. We wish that had happened, but it didn't. They were insistent that it only go down the middle of the fill that was there. And so we had no control over that, we tried long and hard, and the City helped to, you know, everybody locally wanted that to happen that way, but it didn't, so we were left with, you know, the way the highway department wanted it. That being said, you know, we have developed a plan for a mixed use development over there. There are lots at the corner of Cedar Creek Road and _____ that are zoned for commercial, you know, we are concerned about what happens there, and how that, you know, property is developed. There, the zoning that we put into place there, that the planning commission agreed to, would not allow gas stations, or convenient marts, or other things like that.

So, you know, we were not for that. We were not wanting anything like that there. What will go in there, whenever it goes in there, will be some sort of convenience shopping area, you know, for the community, for the neighborhood, that will provide some services, some retail outlets, you know, that will be beneficial to the neighborhood. If you're familiar with Lexington, what we would like to pattern it after is something like _____ that is on Tates Creek Road and New Circle Road in Lexington. It won't be anywhere near that scale, or that big, but something that will just provide some neighborhood shopping opportunities. That's down the road, that's not what we're talking about here, but what I want to address to everybody who has concerns, is that we feel very strong the need to develop, you know, quality things on here. You know, we do have lots of other property over there to develop, and we're not about to do anything that is going to be a negative for what we have already done, or what you all have purchased and built yourselves, or what might be built in the future. And all I can do is say, look at what we've done in the past, look at what we've, the way we have, and hopefully that will show you that our intention, you know, is to do whatever we do in a quality way, and that if there are issues, if there are problems with tenants, if there are other concerns that you all have, we'll be happy to talk to you about them, we'll be happy to deal with them, and address them, you know, any time we can. So

that's what we've always done, and that's what we plan to do in the future.

MARY MAYFIELD:

Chris, how deep are those lots?

CHRIS CHRISMAN:

I beg your pardon?

MARY MAYFIELD:

How deep are the lots?

CHRIS CHRISMAN:

The lots are about 90 feet.

MARY MAYFIELD:

Deep?

CHRIS CHRISMAN:

Deep, the R3 parcels, yeah, from the highway right-of-way, if you remember the highway right-of-way is a 90 foot right-of-way, so it goes 45 feet from the center line of the street, before the property line even starts. And then from there to the ditch line at the back of the property, before the hillside starts, is about 90 feet on out.

MARY MAYFIELD:

If you fill that ditch line in, _____, then what would be your depth then.

CHRIS CHRISMAN:

110 feet at the most.

MARY MAYFIELD:

So you've got plenty of property there for _____

_____.

CHRIS CHRISMAN:

Not when you consider a seventy, I mean a 25 foot set back _____, you know, it got down to about 40 feet _____ area, and that just wasn't sufficient.

ROBERT MAYFIELD:

A number of your lots behind the assisted living area, is that R1 back there.

CHRIS CHRISMAN:

All of the lots back there are R1, except the first lot, immediately on the left, immediately behind the assisted living facility, that's R3.

ROBERT MAYFIELD:

Okay, I noticed that back there you have any number of lots, that the house will be built basically on the slope. Now, why could that R3 be changed to R1 and have those houses, have lots large enough that it could be used for that type house?

CHRIS CHRISMAN:

I mean that's a good question, and we considered whether we could do, I mean, we had lots laid out there, but we decided that that wasn't attractive lots, being right down, you know, adjacent to the sub-station, was not going to be a lot that

anybody would want to buy. The depth of the lots were just not what we, you know, had been developing in other areas. And the R3 zoning, and the multi family opportunities is, you know, multi family opportunities can be, you know, for sale condo lots as well, you know. The R3 is for taxed housing. The town house apartments like is in front of the Church, the patio homes like we're proposing behind the assisted living facility, you know, we could develop, you know, for sale lots there if there was a market for that. But we're responding to the demand we have all the time for more rental units, and to the size and consideration of that lot. You know, we don't see that the quality of the neighborhood, the environment, the character, is going to be denigrated at all, you know, because of that, you know. You know, that's why we're proposing it this way, it really, you know, is our idea to have a, you know, _____.

ROBERT MAYFIELD:

Just one other comment. As I said before, I've seen a neighborhood that that type of thing happened to, and it destroyed the neighborhood, it really did.

CHRIS CHRISMAN:

Well, what we've done so far hasn't destroyed the neighborhood.

MARY MAYFIELD:

It's across from the Church.

CHRIS CHRISMAN:

Pardon?

MARY MAYFIELD:

It's across from the Church though.

ROBERT MAYFIELD:

It's not across our house.

MARY MAYFIELD:

It's not across from our house.

CHRIS CHRISMAN:

_____ lots and so forth.

MARY MAYFIELD:

Now, Chris, you could still put single family homes there, it's just that _____, they don't have to be.

CHRIS CHRISMAN:

Well, we had to look at the marketability of single family lots right there, compared to others in the vicinity.

MARY MAYFIELD:

I'll buy them, I'll buy it.

CHRIS CHRISMAN:

About six of them?

MARY MAYFIELD:

I will.

_____:

I'll buy six of them.

MARY MAYFIELD:

Absolutely, I'd rather do that than see that go on.

CHRIS CHRISMAN:

Our proposal needs to be, you know, as it is. _____
_____.

MARY MAYFIELD:

I'm sorry I had to raise some objections, but this is very important to us, it has been and still is.

CHRIS CHRISMAN:

Well, I appreciate that, and I want you to know that, you know, we are not trying to do something in the face of your all's objections, we're trying to do something that we had planned to do all along, that was part of our master plan that was developed over 20 years ago. So, you know, it's not that we're ignoring anybody's concerns or objections, and you know, we developed this plan a long time ago, presented it to the city, the city approved it, it has been, you know, on record for ever, you know, what we were, you know, planning to do over there. And, you know, I know that there will be similar concerns when the times comes that we develop some commercial there at the corner of Winston Drive. But, you know, we're trying to assure everyone that we're doing it, you know, all in everybody's best interest, and that, you know, what we do is going to be quality, you know, type, you know, type facilities.

BILL BLACKBURN:

Do you have the plats for us to look at?

CHRIS CHRISMAN:

Well, the zone change plats were submitted before, so, I mean I have.

BILL BLACKBURN:

I guess you have the large one, do you have the large one that was presented?

CHRIS CHRISMAN:

Yeah..

KAREN HARRIS:

I've looked at them.

CHRIS CHRISMAN:

This was the zone change plat. This is Cedar Creek Road. The power sub-station is right there. This is the long narrow parcel that is proposed R3, about three and a half acres, this is about 13.7 acres right here, there are two cul-de-sac streets that are proposed in that, I've got a larger scale plan of that, and then here's the other parcel that will run up to almost to Hurricane Gap. Now, there is no, you know, lots across the street from this, the last lot is this, this is what _____ bought and is building a house up here, and then their houses are going down this way. Now, the, the configuration of these, here's the two cul-de-sac streets, these are the 20 lots,

this is about 100 x 140 right here, and 100 x 160 some of these, but, you know, most of these lots get pretty deep, you know, upwards toward 2/3 of an acre or more.

BILL BLACKBURN:

What's the, you said this is 45 feet...

CHRIS CHRISMAN:

From the center line, it's a 90 foot, you know, right-of-way from Cedar Creek Road. These lots on the front are 120 feet deep, because they have a set back on the front as well, on the Cedar Creek Road side as well, as far as this, you know, on their individual streets there.

BILL BLACKBURN:

So there's the road set back another what, 15 foot or 20 feet.

CHRIS CHRISMAN:

It's 20 feet, and that's why we've made this, made these lots 20 feet wider than the other lots, which don't have the same set back on it.

BILL BLACKBURN:

Do you think you can do some landscaping, you know, like planting trees or anything like that?

CHRIS CHRISMAN:

No, not necessarily, I mean, we can't plant them on the right-of-way anyway, and when lots are sold to, you know,

individual owners, then, you know, they're free to do whatever they want. You know, for the R3 zones, yeah, there probably, you know, should be consideration to, you know, do extensive landscaping in front of it.

BILL BLACKBURN:

You'll have a set of these for Karen before the meeting?

CHRIS CHRISMAN:

Well, the rest of this is a construction set for the strict utilities, you know, in this section. She'll have one...

BILL BLACKBURN:

She'll have one, she'll know where to get it?

CHRIS CHRISMAN:

She surely has, but this will be submitted to the Technical Advisory Committee by the end of the month at, you know, the time for their review meeting. I can leave these or take them away with me, whatever.

BILL BLACKBURN:

Just whatever we're supposed to have.

CHRIS CHRISMAN:

Karen has what you're supposed to have, which is this right here.

BILL BLACKBURN:

Folks, we're not taking any action this evening, as

discussed earlier, this is just a hearing, and to make a point of correction from a statement that was made earlier, from the wireless people, I'm not the Mayor, this is the Joint Planning Commission, but if you have any gripes, take them to Frankie Justice and, I'm just kidding.

DREMA BOYD:

He did not say that he could read the minutes and be up to date unless they could vote on it?

BILL BLACKBURN:

Yes, we'll have to take action on it at a future meeting. But when that's called, I was just jesting about with that Frankie the Mayor. We'll call a meeting as soon as we can get these minutes to everyone, and can reasonably set it up, and maybe I can, can we put notice back in the paper, or you all could specifically check in with Karen, and we'll let you know of the future meeting when we'll actually be taking action, and we can still have discussion at that meeting. But this was a public hearing.

MARY MAYFIELD

How long do you think that's going to take to do that.

BILL BLACKBURN:

It's just a matter of when Judy's able to get these typed up and let Karen know, and then we can contact the other members of the Planning Commission and see that they can, that we

can have a quorum here, we just lacked one tonight, and we apologize for that. Yes ma'am.

DREMA BOYD:

I've got a couple of questions. I'm under the impression when he said that these plans have been submitted like 20 years ago, or quite some time ago, does that mean that because these plans were submitted and approved, that we have no say?

BILL BLACKBURN:

What he's referring to, I think, is several years ago this was presented to a body that was charged at that time, maybe it was the Planning Commission then, 20 years ago when they were doing an overall plan for the City of Pikeville, those were presented at some time, I won't say it was literally 20 years, it was some time.

CHRIS CHRISMAN:

Back in '82 was when we did the whole master plan.

BILL BLACKBURN:

'82, so about 12 years ago, whenever that was done, when Pikeville approved zoning, whatever that date was, I don't know the exact date, that was presented at that time to a Planning Commission that was in existence at that time. Were you on the original?

DAVID SANDERS:

(Nod)

BILL BLACKBURN:

David may be, was on the original and there might be a couple of others, none of us were. That was presented to that original Joint Planning Commission, and it was approved there, but I believe this specifically was a presented as an area that was a planned development multi unit area.

_____:

Multi use.

BILL BLACKBURN:

Multi use area.

MARY MAYFIELD:

That specific spot?

BILL BLACKBURN:

That area through there was as a multi use area.

_____:

A multi use?

BILL BLACKBURN:

Yes, it wasn't really designated specifically at the time whether it was going to be R1 or R3, it was just a multi use area.

CHRIS CHRISMAN:

Excuse me, and I'm not suggesting that what was done was cast in stone and can't be changed, what I was wanting you all to understand that this wasn't some change that we just come

up with. That this has been planned, you know, for a long time this way, and that, you know, it wasn't since you all have bought your property and built your house, that we decided that this was going to go, you know, that we wanted to put up, you know, town house apartments or patio homes over there.

DREMA BOYD:

Because I was unaware that these were even planned, and maybe a phone call, but if I didn't investigate enough, but I think I would have re-considered my purchase if I had known that this was going to happen.

CHRIS CHRISMAN:

Yeah, and if we could talk for a minute, you know, outside of the meeting, you know, I'd like to explain something to you, maybe have something to offer _____.

ROBERT MAYFIELD:

I think that the letter is obvious that the zoning was PDMU, multiple use.

CHRIS CHRISMAN:

Multiple, yes.

ROBERT MAYFIELD:

Now, is what the idea here is to move it to R3, so it has never been R3, it just simply had been multiple use?

CHRIS CHRISMAN:

That's right.

CHRIS CHRISMAN:

But in that PDMU zone, that was created in the early '80's for all Cedar Creek, we have to present a master plan that showed what our intentions was, as far as which area would be _____ and where multi family lots, you know, parcels would be, where commercial and retail would be, and that was what was done 20 years ago, as basis to support this PDMU zone.

ROBERT MAYFIELD:

Right, that was the basis, but it was never zoned R1, R3...

CHRIS CHRISMAN:

No, it was...

ROBERT MAYFIELD:

...or anything else, so now the situation is that it's being zoned R something, so at this point it's still PDMU?

CHRIS CHRISMAN:

That's right. Yeah, and we can't do a thing until all the parcels over there are re-zoned.

ROBERT MAYFIELD:

Right, right.

CHRIS CHRISMAN:

Individually as we move from phase to phase.

BILL BLACKBURN:

Any other questions or comments. We will, if you'll keep in touch, let these folks know of the upcoming meeting, and I think what Chris suggested, there's nothing in any way that, you know, we're all from Pikeville, it's a small town, and everybody knows everybody, and that type of thing, and there's nothing in any way to prevent you all from getting together and discussing this before the next meeting, and I think that's what you were suggesting, and may talk with him. Any other questions or comments from the, related to the public hearing. Folks, I want to thank all of you for coming out this evening, and we'll certainly be in touch with you in the future. I would think sometime, hopefully within the next two to three weeks, possibly, four weeks.

COURT REPORTER:

Whenever you all want, I can have it typed.

BILL BLACKBURN:

We'll say in the next two to four weeks, maybe we can even put something in the paper again to let them know, probably required to, required to so be watching that in the paper. I appreciate all of you coming out this evening. Thank you and if there's no objection from the Commission that will adjourn this public hearing. Thank you all.

10-12-04

Joint Planning Commission

Joe D. Anderson
Dennis Shepherd
Marty Tackor
William S. Kendrick
Karen Patnis
Mary E. Mayfield
Robert R. Mayfield
Drema Boyd
Suvi & Sanjiv Vaman
Kenny Leatherman
Chris Crisman
Chad Street
Patrice Danielle Reed
Russell Davis

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10-12-04

Planning Commission

Attendants

Davis Jones

Ben Bachman

J. D. Bell

Reck Horky