The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, June 11, 2009, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT:  Drew Kirkland, Chairman
    David Appleby, Secretary
    Gary Noffsinger, Director
    Madison Silvert, Attorney
    Tim Miller
    Ward Pedley
    Irvin Rogers
    Martin Hayden

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CHAIRMAN:  Call the meeting to order of the June 11th meeting of the Owensboro Metropolitan Planning Commission. Our invocation will be given by Mr. Madison Silvert.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  Our first order of business is to consider the minutes of the May 14, 2009 meeting. Are there any questions, additions?

(NO RESPONSE)

CHAIRMAN:  If not the chair is ready for a motion.

MR. HAYDEN:  Move to approve.
CHAIRMAN: Motion for approval by Mr. Hayden.

MR. MILLER: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

MR. NOFFSINGER: Mr. Chairman, Items 2 and 2A there's a request for postponement in that the items were not advertised for hearing tonight. So you would need to take a vote to postpone Items 2 and 2A.

CHAIRMAN: Are there any questions?

(NO RESPONSE).

CHAIRMAN: If not the chair is ready for a motion.

MR. APPLEBY: Motion to postpone.

CHAIRMAN: Motion for postponement by Mr. Appleby.

MR. HAYDEN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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ZONING CHANGES

ITEM 3

Portion of 3500 Villa Point, 0.094 acres
Consider zoning change: From B-4 General Business to
A-U Urban Agriculture
Applicant: HAMR, LLC

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the proposed zoning is more appropriate than the existing zoning.
The condition and findings of fact that support this recommendation include the following:

CONDITION:

Approval of a minor subdivision plat and amended final development plan.

FINDINGS OF FACT:

1. The subject property is located in a Business Plan Area, where agricultural/recreational uses are generally not recommended;

2. The subject property is unusable to the applicant due to a significant elevation change on the commercial property;

3. The subject property will be consolidated with an existing major outdoor recreational use located immediately to the south which is currently zoned A-U; and,

4. Since the property is unusable by the
commercial development due to the elevation change from the retaining wall, and it will provide additional buffer on the Splash property from the commercial zoning, the proposed zoning for the subject property is more appropriate than the existing zoning.

MR. NOFFSINGER: We would like to enter this Staff Report into the record as Exhibit A.

To let anyone know if you have any issues with this rezoning you may file an appeal with the Planning Commission office. If no appeals are filed, then this zoning will become final in 21 days of the date of the Planning Commission action.

CHAIRMAN: Is there anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Are there any questions?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a motion.

MR. ROGERS: Motion for approval based on the Planning Staff Recommendations with the one Condition and the Findings of Facts 1 through 4.

CHAIRMAN: We've got a motion for approval by Mr. Rogers.

MR. HAYDEN: Second.
CHAIRMAN: Got a second by Mr. Hayden. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

MR. APPLEBY: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Mr. Appleby.

MR. MILLER: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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STATE OF KENTUCKY )
  )SS: REPORTER'S CERTIFICATE
COUNTY OF DAVIESS )

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 5 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 30th day of June, 2009.

LYNNETTE KOLLER FUCHS
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
OWENSBORO, KENTUCKY  42303

COMMISSION EXPIRES: DECEMBER 19, 2010
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY