

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 JUNE 11, 2009

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

8 MEMBERS PRESENT: Drew Kirkland, Chairman
9 David Appleby, Secretary
10 Gary Noffsinger, Director
11 Madison Silvert, Attorney
12 Tim Miller
13 Ward Pedley
14 Irvin Rogers
15 Martin Hayden

16 * * * * *

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

21 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

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

25 (NO RESPONSE)

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

MR. HAYDEN: Move to approve.

1 CHAIRMAN: Motion for approval by Mr. Hayden.

2 MR. MILLER: Second.

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

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, please.

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

12 CHAIRMAN: Are there any questions?

13 (NO RESPONSE).

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

16 MR. APPLEBY: Motion to postpone.

17 CHAIRMAN: Motion for postponement by Mr.
18 Appleby.

19 MR. HAYDEN: Second.

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

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

25 -----

1 ZONING CHANGES

2 ITEM 3

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

6 PLANNING STAFF RECOMMENDATIONS

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

11 CONDITION:

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

14 FINDINGS OF FACT:

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

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

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

25 4. Since the property is unusable by the

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

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

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

13 CHAIRMAN: Is there anybody here representing
14 the applicant?

15 (NO RESPONSE)

16 CHAIRMAN: Are there any questions?

17 (NO RESPONSE)

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

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

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

25 MR. HAYDEN: Second.

1 CHAIRMAN: Got a second by Mr. Hayden. All in
2 favor raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item, please.

6 MR. APPLEBY: Motion to adjourn.

7 CHAIRMAN: Motion to adjourn by Mr. Appleby.

8 MR. MILLER: Second.

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

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: We are adjourned.

13 -----

14

15

16

17

18

19

20

21

22

23

24

25

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

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

16 WITNESS my hand and notary seal on this the
17 30th day of June, 2009.

18

19

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

22

COMMISSION EXPIRES: DECEMBER 19, 2010

23

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

24

25