The Owensboro Metropolitan Planning Commission

met in regular session at 5:30 p.m. on Thursday,
January 14, 2010, 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
       Rev. Larry Hostetter
       Tim Allen
       Irvin Rogers
       Wally Taylor
       Keith Evans
       Rita Moorman

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CHAIRMAN: I would like to welcome everyone to
the January 14th meeting of the Owensboro Metropolitan
Planning Commission.

Would you please rise while Father Larry leads
us in our invocation and pledge of allegiance.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first order of business is the
election of officers. For that I'll turn that over to
our attorney, Mr. Madison Silvert.

MR. SILVERT: Thank you, Mr. Chairman.

First, I have a couple of new members to swear
in and take the Kentucky Constitutional Oath of office.

Mr. Tim Allen, Father Larry Hostetter, if you all would stand and raise your right hand. You won't have to repeat after me, but just say you do afterwards.

(SWEARING IN OF TIM ALLEN AND FATHER LARRY HOSTETTER.)

MR. SILVERT: Welcome aboard.

Mr. Chairman, every January we do have the election of officers.

The first office we'll ask for nominations for the office of secretary for the Planning Commission. Are there any nominations for the office of secretary?

MR. KIRKLAND: Mr. Silvert, I would like to nominate Mr. David Appleby for secretary.

MR. SILVERT: Is there a second?

MR. EVANS: Second.

CHAIRMAN: Second to that nomination. Are there any other nominations?

(NO RESPONSE)

MR. KIRKLAND: Mr. Silvert, I move that the nomination cease.

MR. SILVERT: Is there a second to that motion?
MR. TAYLOR: Second.

MR. SILVERT: All in favor of Mr. Appleby becoming secretary for this year please signify by raising their hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

MR. SILVERT: Any opposed?

(NO RESPONSE)

MR. SILVERT: Congratulations, Mr. Secretary.

The next office is the office of vice chair.

Are there any nominations for vice chair?

MR. APPLEBY: I nominate Ward Pedley.

MR. SILVERT: Is there a second?

MR. KIRKLAND: I second.

MR. SILVERT: Are there any other nominations?

(NO RESPONSE)

MR. KIRKLAND: Mr. Silvert, I move that the nomination cease.

MR. SILVERT: Is there a second?

MR. APPLEBY: Second.

MR. SILVERT: All in favor of Ward Pedley becoming the vice chair.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

MR. SILVERT: All opposed.

(NO RESPONSE)

MR. SILVERT: Mr. Pedley will be the vice chair.
Finally the Chair. Are there any nominations for Chair?

MR. APPLEBY: I nominate Mr. Kirkland.

MR. TAYLOR: Second.

MR. SILVERT: Are there any other nominations for Chair?

(NO RESPONSE)

MR. APPLEBY: Move to close the nomination.

MR. SILVERT: Is there a second?

MS. MOORMAN: Second.

MR. SILVERT: All in favor of Mr. Kirkland being the Chair this year.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

MR. SILVERT: All opposed.

(NO RESPONSE)

MR. SILVERT: Congratulations, Mr. Chair.

I'll turn it back over to you.

CHAIRMAN: Thank you, Mr. Silvert.

Our next order of business is to consider the minutes of the December 10, 2009 meeting. Are there any corrections, additions, questions?

(NO RESPONSE)

CHAIRMAN: If not the Chair is ready for a motion.
MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MS. MOORMAN: Second.

CHAIRMAN: Second by Ms. Moorman. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, Mr. Noffsinger.

ITEM 3

2010 Census Complete Count Committee update

MR. SILVERT: Would you state your name, please?

MR. HOWARD: Brian Howard.

(BRIAN HOWARD SWORN BY ATTORNEY.)

MR. HOWARD: Since the update I gave last month, the Planning Staff has completed a new construction phase of the census by reporting all new building permits that have been issued since the local update of census addresses last year and the fiscal by census workers. All our local information has been sent and received by the Census Bureau.

So as a follow-up reminder, everybody here in the audience tonight and watching on TV, don't forget to fill out your census forms when they come in the mail in April. April 10, 2010 is the official census...
date. The information will be received and delivered by December 31, 2010. Thank you.

CHAIRMAN: Mr. Noffsinger, we have two very special retiring members of the commission that we want to recognize.

(PRESENTATION TO TIM MILLER AND JUDY DIXON.)

CHAIRMAN: Mr. Noffsinger.

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ZONING CHANGES

ITEM 4

919 Scherm Road, 0.358 +/- acres
Consider zoning change: From R-1B Single-Family Residential to P-1 Professional/Services
Applicant: Kentucky Wesleyan College; Firethorn, LLC

MR. HOWARD: I will note that the rezoning heard tonight will become final 21 days after the meeting unless an appeal is filed. Those appeal forms are available on the back table, in our office and on the web site. If an appeal is filed, then we will forward the rezoning to the appropriate legislative body for their final approval.

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION:

Access to Scherm Road shall be limited to the
existing access point. No additional access to Scherm Road shall be permitted.

FINDINGS OF FACT:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;

2. The P-1 zoning is proposed as an alumni center for Kentucky Wesleyan College and will be nonresidential in nature and use;

3. The proposal is a logical expansion of existing B-4 zoning east of the subject property;

4. The increase in P-1 zoning by 0.35 +/- acres is not a significant increase of non-residential zoning; and,

5. The expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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

CHAIRMAN: Do we have anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)
CHAIRMAN: If not the Chair is ready for a
motion.

MR. APPLEBY: Make a motion for approval based
on the Staff Recommendation with the single condition
for access and Findings of Fact 1 through 5.

CHAIRMAN: We have a motion for approval by
Mr. Appleby.

MR. EVANS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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MINOR SUBDIVISIONS

ITEM 5

1655 Graves Lane
Consider approval of minor subdivision plat.
Applicant: Louella Lancaster Estate

MR. NOFFSINGER: Mr. Chairman, this plat comes
before you as an exception to the subdivision
regulation for Daviess County. It creates a lot that
meets with all minimum requirements of the subdivision
regulations; however, the remainder exceeds the
minimum depth to width ratio that is contained in the
regulations; however, the property is over ten acres
remaining. It's not entirely zoned agricultural, which would give it an exception and it wouldn't be before you, but because it's split zone it has a residential zoning along the frontage of the property and agricultural on the back. We had to bring it to this commission for approval. However, the Planning Staff would recommend that you approve this plat. It also has a limitation that there would be no further subdivision of the property unless it meets the minimum requirements of the regulations.

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.

CHAIRMAN: Motion for approval by Mr. Rogers.

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.
NEW BUSINESS

ITEM 6

Consider approval of the Public Improvement Specifications surety unit cost annual revision.

MR. NOFFSINGER: Mr. Chairman, the Public Improvement Spec Review Committee met back early this month, about a week ago in fact. We went through the numbers for the per unit cost for surety. We have made some minor revisions that primarily only deal with the cost of manholes and the depth. The committee is made up of the city and county engineer as well as members of the Planning Staff. The private engineer is here in the community. There are some developers as well as representative of the Home Builders Association. They do go over numbers. Each member or each person that's there is very active in going through these numbers and making suggestions.

It's the feeling of the committee that these unit cost would adequately protective the public or perspective buyers for improvements going in new developments. So the Planning Staff would recommend that you adopt these new per unit cost for the year.

CHAIRMAN: Are there any questions?

(NO RESPONSE)
CHAIRMAN: If not the Chair is ready for a motion.

MR. APPLEBY: Motion to approve the new numbers.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. EVANS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

The Chair is ready for one final motion.

MR. EVANS: Move to adjourn.

CHAIRMAN: Motion for adjournment by Mr. Evans.

MR. APPLEBY: Second.

CHAIRMAN: Second by Mr. Appleby. 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 11 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the
31st day of January, 2010.

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

Ohio Valley Reporting
(270) 683-7383