The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, July 12, 2007, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Drew Kirkland, Chairman
Becky Stone
Judy Dixon
Dave Appleby
Scott Jagoe
Tim Miller
Wally Taylor
Keith Evans
Madison Silvert, Attorney

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CHAIRMAN: I would like to call our meeting to order. Let us stand for our invocation.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first order of business is to consider the minutes of the June 12, 2007 meeting. Are there any corrections, additions?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

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.

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ZONING CHANGES

ITEM 2

915, 917, 919 Frederica Street, 225 West 10th Street, 0.55 acres
Consider zoning change: From I-1 Light Industrial to B-2 Central Business
Applicant: Owensboro Museum of Fine Art Foundation, Inc.

MR. SILVERT: State your name, please.

MR. HOWARD: Brian Howard.

(MR. BRIAN HOWARD SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The conditions and findings of fact that support this recommendation include the following:

CONDITIONS:

1. No access shall be permitted to Frederica Street;

2. Access to West 10th Street shall be
located a minimum of 50 feet from the Frederica Street right-of-way;

3. All vehicular use areas shall be paved;

and,

4. A plat shall be submitted to the OMPC to consolidate the four separate tracts.

FINDINGS OF FACT:

1. The subject property is located in a Central Business Plan Area where central business uses are appropriate in general locations;

2. The request meets the specific criterion of the Comprehensive Plan in that the use of the property will be non-residential in nature;

3. The subject property will be used as part of the Owensboro Museum of Fine Art which is located immediately north of the subject property and is currently zoned B-2; and,

4. The proposed zoning of B-2 Central Business is a more appropriate zone within the Central Business Plan Area than the existing I-1 Light Industrial zone.

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

MS. STONE: We would want to also announce that this zoning recommendation that the Planning
Commission makes will become final in 21 days. If the recommendation is for approval, it will approved unless someone files an application with the city to hear it and decide the application under our new regulations.

CHAIRMAN: Thank you, Ms. Stone. Appreciate you sitting in for Mr. Noffsinger who is on vacation. Thank you very much.

Are there any questions?

(NO RESPONSE)

CHAIRMAN: Any questions from the audience?

(NO RESPONSE)

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

MR. APPLEBY: Motion for approval based on the Staff Recommendations with Conditions 1 through 4 and Findings of Fact 1 through 4.

CHAIRMAN: Motion for approval by Mr. Appleby.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.
DEVELOPMENT PLAN

ITEM 3

205, 213 West Fourth Street, 0.03 +/- acres
Consider approval of final development plan.
Applicant: George and Glenda Thacker

MS. STONE: This is an existing building located at 205 West Fourth Street. The applicant is proposing to do a residential use on the first floor of this building. It currently has a residence above. With the change in use, they are required to provide two parking spaces, which they're not able to locate on the lot. So this development plan ties two spaces from an adjacent building parking lot to service the required parking for this lot. With that it's in order and ready for your approval.

CHAIRMAN: Are there any 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. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: Motion carries unanimously.

Next item, please.

(MR. TIM MILLER JOINS OMPC MEETING AT THIS TIME.)

MAJOR SUBDIVISIONS

ITEM 4

The Village of Heartland, Phase 2, Units 405-413, 415-422, 2.181 acres

Consider approval of major subdivision final plat. Surety (Certificate of Deposit) posted: $10,577.00

Applicant: Jagoe Development, LLC

MS. STONE: The plat has been reviewed by the Staff. It is in order. It meets all the zoning ordinance and subdivision requirements. It's ready for your consideration.

MR. JAGOE: Mr. Chairman, I need to disqualify myself.

CHAIRMAN: Let the record show that Mr. Jagoe is disqualifying himself.

Is there a motion for approval from Mr. Miller?

MR. MILLER: Motion to approve.

CHAIRMAN: Mr. Miller has a motion for approval. Is there a second?

MR. APPLEBY: Second.

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

(ALL BOARD MEMBERS PRESENT - WITH THE DISQUALIFICATION OF SCOTT JAGOE - RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

MINOR SUBDIVISIONS

ITEM 5

9039, 9051 Wall Road, 18.647 acres
Consider approval of minor subdivision plat.
Applicant: Loyd Bartlett

MS. STONE: This plat comes before you because it takes an 18 acre tract and proposes to create two tracts, neither of which meet the three to one ratio. However, it is a large tract of property and there would not be -- they could divide less than a nine acre tract and meet the three to one ratio, but it's a pretty even division of the property. I think the applicant is here to explain what their division entails.

CHAIRMAN: Does the applicant have a comment that they'd like to make?

If you have a comment, you must come to the podium and be sworn in. If you do not have a comment --

APPLICANT REP: I don't have a comment.
CHAIRMAN: Are there any questions?
(NO RESPONSE)
CHAIRMAN: If there are no questions, the chair is ready for a motion.
MR. APPLEBY: Motion for approval.
CHAIRMAN: Motion for approval by Mr. Appleby.
MR. TAYLOR: Second.
CHAIRMAN: Second by Mr. Taylor. All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: Motion carries unanimously.
Is there anything else?
MS. STONE: That's all I have on the agenda.
CHAIRMAN: If there are no other items on the agenda, the chair is ready for one final motion.
MS. DIXON: Move to adjourn.
CHAIRMAN: Motion to adjourn by Ms. Dixon.
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.
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 30 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the
2nd day of August, 2007.

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