The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, February 12, 2015, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Fred Reeves, Chairman
Larry Boswell, Vice Chairman
David Appleby, Secretary
Brian Howard, Director
Terra Knight, Attorney
Ward Pedley
Steve Frey
John Kazlauskas
Lewis Jean
Beverly McEnroe
Irvin Rogers
Larry Moore

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CHAIRMAN: I would like to call the February meeting of the Owensboro Metropolitan Planning Commission meeting to order. Welcome everyone here this evening. We always start our meeting with an invocation and pledge to the flag and Larry Moore is going to do that for us this evening so please stand.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: All of you received a copy of the minutes in the mail. I'd ask you if you've had a chance to look at them and I would entertain a motion
for them to be approved, please.

MR. APPLEBY: Motion to approve.

MR. BOSWELL: Second.

CHAIRMAN: A motion by Mr. Appleby. A second by Mr. Boswell. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Passes unanimously.

I would ask tonight anyone who comes to the podium to speak, please come to the podiums to be sworn in and also speak directly into the microphone.

Also remind the commissioners. I'm guilty of. When you have a question or comment, please speak into the microphone also so our reporter can get your comments down accurately.

At this time, Mr. Howard, we're ready for Item Number 2.

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PUBLIC HEARING

ITEM 2

Consider adoption of text amendments to Article 21 of the Owensboro Metropolitan Zoning Ordinance.

MR. HOWARD: Mike Hill from our Staff is here to enter our Staff Report into the record. Then Keith Free with the City of Owensboro, and Nathan Nunley, the Downtown Design Administrator, is also both here
to answer any questions that you all or the public may have.

MS. KNIGHT: State your name for the record.

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

MR. HILL: Again, this is a proposed changes to Article 21, which is our Downtown Review Overlay District. Just some brief history on it and how we got to this point.

As you know, article 21 was originally adopted in 2009. After it was in affect for a few years and several projects came in under its review and implementation, I think it became apparent to those who use it frequently that there were some improvements that could be made.

I believe a group of local government representatives, some of which are here today, the Community Development Department, OMPC Staff, Historic Preservation Board Staff, and others, began meeting, reviewing the document and trying to come up with proposed changes that would make the document stronger, more efficient and effective and basically drive better results for the revitalization of downtown.

Package of Text Amendments were created at the
end of that work and presented to Historic Preservation Board in November of last year. It was also discussed last month at a City Commission work session.

The entire packet is 155 individual amendments. Within your Staff Report they have been summarized. All 155 aren't included. You'll see the 37 most significant changes as prioritized by Staff. They're listed there on the first page and second page of your Staff Report. I'm just going to hit a few of the highlights of those as we discuss this.

Of course, any of the changes you see you might want to discuss or bring up and feel free to respond. Maybe with the help of some of the folks who worked on it, they're here today to assist with the discussion and questioning of it as well.

Just a few things to mention. For example: The Paseo Crossing District is being renamed to Riverfront Crossing.

The Riverfront Edge Character District, the maximum stories allowed have been increased from 6 to 8.

They are decreasing the tree and shrub requirements for lots by 25 percent in order to add
more flexibility and increase potential number of parking options in the downtown area.

There's several parcels that are being changed from one Character District to another. There are multiple reasons behind that. Some of which are to conform to Brescia University Campus Master Plan, for example.

In the Historic Core Downtown Core Riverfront Edge Character District, the number of stories has been increased from 1 to 2 to heighten the buildings in those locations.

As I mentioned, there's 155. If you have any questions about any of them, we can get into that in the discussion.

FINDINGS OF FACT

The Staff recommends approval of the proposed text amendments to Article 21 because the proposal is in compliance with the community's Comprehensive Plan, which includes specific studies for the revitalization of Downtown Owensboro, including the "Owensboro Riverfront Master Plant" of 2001 and the "Downtown Owensboro Placemaking Initiative Master Plan" commissioned by the Greater Owensboro Economic Development Corporation and adopted as an amendment to the community's Comprehensive Plan in March 2009. The Ohio Valley Reporting (270) 683-7383
findings supporting this recommendation follow:

1. The proposed revisions to Article 21 will improve the effectiveness and functionality of the document, thereby enhancing the desired results in the revitalization of the downtown area;

2. The overlay district boundary includes properties within and adjacent to the B-2 Central Business District that are identified by the "Downtown Owensboro Placemaking Initiative Master Plan" as important for development opportunities to revitalize and create a sustainable downtown;

3. Revised Article 21 is an important land use tool that will aid in the implementation of the adopted "Downtown Owensboro Placemaking Initiative Master Plan";

4. Revised Article 21 promotes development and design standards in an effort to revitalize the older commercial downtown area;

5. Revised Article 21 promotes preservation of existing historic properties in the boundary area, recognized as special and unique to downtown Owensboro's character and heritage;

6. The development and design standards within Revised Article 21 will stimulate and encourage the development of commercial activities, housing,
civic activities and other economic opportunities that will bring people to the downtown area;

7. The development and design standards within Revised Article 21 will promote pedestrian friendly urban development, recognizing character districts as unique sections of downtown Owensboro;

8. The development and design standards within Revised Article 21 will ensure adjacent predictability thereby stimulating private development interest in downtown Owensboro; and,

9. The development and design standards within Revised Article 21 will facilitate private development to occur in conjunction with the major public commitment that has been recently made to the revitalization of downtown Owensboro.

Staff request that we enter the Staff Report as Exhibit A into the record.

CHAIRMAN: Thank you, Mr. Hill.

As most of you may know, I was the Downtown Development Director when this document was generated and it had input from both our consultants, as well as great input from Staff of the OMPC. It was never anticipated that this document would not be revised. It was anticipated that it would be revised. I think it's from having read through the document, I think
it's been revised very wisely, from my perspective.

I know Mr. Nunley and Mr. Free have both worked diligently over the past several years to listen to the downtown developers, as well as other folks, to make sure that when we made our revisions we did this in a way that it would be business friendly and would promote the downtown redevelopment.

Mr. Free, do you or Mr. Nunley, either one, have any comments you want to make or do you want to see if we have any questions for you?

MR. FREE: Yes, I'd be happy.

CHAIRMAN: Okay. Thank you.

MS. KNIGHT: Mr. Free, if you'd state your name for the record, please.

MR. FREE: Keith Free.

(KEITH FREE SWORN BY ATTORNEY.)

MR. FREE: Thank you, Chairman Reeves.

In looking at the Article 21 changes, we kind of worked on these over the last probably about, probably a little bit over a year we've been working on these. These are a accumulation of things.

From the onset in 2009 when we adopted the ordinance and started implementing it, we kept track of some of the things that were problems. There's several things and a lot of these different changes...
were confusion things that really didn't make a lot of
sense or they didn't really, they weren't really
producing anything that was a positive type of result.
So that was some of the things that we did.

So we had a list of all of those things. Then
we went through the document probably five or six
times and kept kind of refining it and looking at
areas where maybe there were things that were
confusing or things that needed to be tweaked or
changed. So what you have before you tonight is what
all of those different things are.

I think in a whole what we have found, myself
and Mr. Nunley, is that the document has been very
effective. You can see the development that's
occurred within the downtown area over the last five
or six years. That's it been a very effective tool.

I think with these changes I think it's going
to be even more effective tool. I think one of the
things that's going to be helpful is that years from
now, five or six or ten years from now when maybe
there are others that are using the document and
enforcing it, things like that, that it's going to be
clear to understand. That's one of the things that
we've looked at. Looking at the document is to do
that.
Also I will note what was already stated there, we went through the Historic Preservation Board as well. The vice chair of the Board, Gary Adams, is here this evening. We went through with them as well. They had some changes that we made to the document as well that we have before us tonight.

I'm open to anything that I could answer or that Mr. Nunley could answer in regards to any of these proposed changes, we would be more than happy to address any of them.

CHAIRMAN: Mr. Adams, would you mind to step up for a minute.

Most of you know Gary Adams who was a very valued member of this Staff in past years.

Gary, was the Downtown Preservation Board, were they pleased with the changes and the response that they got with this being done?

MR. ADAMS: Gary Adams.

(GARY ADAMS SWORN BY ATTORNEY.)

MR. ADAMS: Yes, Mr. Chairman, the Historic Preservation Board was very, very interested in all of these changes. Obviously they had been kept apprised of these by Staff, which Keith Free and Nathan Nunley over the few years that this has actually been in effect, and were very familiar, I think, with some of
the problems and confusion that was occurring. So
ty they went through this with a fine tooth comb after
the Staff Planning and Historic Preservation Staff had
gone through this. We had a very good conversation
about it and are very pleased with the results. We
would highly recommend that Planning Commission adopt
these changes.

CHAIRMAN: I'm very pleased you're on that
board now. It makes me feel good know that you're
there watching over things because I know you have a
keen eye for this and are very interested in the
downtown, as well as the entire community. Thank you
very much for your work on helping Mr. Free and Mr.
Nunley do this.

Any commissioners have any questions about
anything?

MR. KAZLAUSKAS: Yes.

CHAIRMAN: Mr. Kazlauskas.

MR. KAZLAUSKAS: Thank you, Mr. Chairman.

On 36, Item Number 36, maybe Keith or maybe
you could answer this, you or Brian.

It's the parcel of land there in-between Ninth
and the railroad, between Allen and Daviess, that has
been included. Are you familiar with that, Keith?

MR. FREE: Yes. This is the property where
the dry cleaners and the day care used to be.

MR. KAZLAUSKAS: The City owns that property now, right?

MR. FREE: Yes. The City has ownership of it.

MR. KAZLAUSKAS: My question is, I'm glad to see that in here, but there is a portion of land north of Ninth Street to Seventh Street that isn't included. Is there a reason why that's not in there?

MR. FREE: Tell me where that is again.

MR. KAZLAUSKAS: It's in-between Allen and Daviess to the north of Ninth Street, to the south of Seventh. So if you're standing there --

MR. FREE: The residential portion. It's right near Brescia University?

MR. KAZLAUSKAS: Where the Asian grocery is now. It starts right there and goes north up to Seventh Street.

MR. FREE: Yes.

MR. KAZLAUSKAS: Can you tell us why that's not included in this Article 21? Why is it excluded?

MR. FREE: I think it certainly could be an expansion in the future to fill that in. One of the reasons that this other area was included is because it is property that the City has ownership of and would like to see developed under Article 21.
guidelines.

This area where the grocery store and all the residential area there is already fairly developed. I think eventually you could expand into that.

I think with this revision, mostly we were focusing on making the changes that were needed in the document. We just added this area mostly because the City had ownership of it. I think if we were going into this other area, then I think we would probably have been a little bit more involved in working with all those individual property owners. I think that's certainly something that could be included at some point in time in the future. We wanted to capture this area because we do see potentially substantial development occurring on it in the next five years.

MR. KAZLAUSKAS: I would hope that in the future that we would look to include that, if not more property in that area to expand it. That's just my personal opinion.

MR. FREE: I think one of the things, there might be a few areas, and that might be one of them, to expand the Downtown Overlay District. I think we're kind of to the point where there might be a few areas added on to that, but when we're looking at maybe the area all the way to English Park and other
areas that are kind of adjacent to this, we might want
to look at some other limited Overlay Zone that's
different and it's not necessarily within the downtown
where we don't just expand to keep expanding the
Downtown District. We might have different special
districts that are outside of there as well. I think
it's important for us to probably keep that boundary,
not go too big with it, you know, so that we keep it
where we're doing that. There probably might be other
Overlay Districts that we could enact that might serve
some of these other adjacent areas.

MR. KAZLAUSKAS: Thank you.
CHAIRMAN: Mr. Boswell.
MR. BOSWELL: Thank you, Mr. Chairman.

This is a little bit directly associated with
what Mr. Kazlauskas was mentioning. I noticed that
it's been a little over five years since this was
implemented. I didn't see anything in the text, and
maybe it's just not part of what was given to us, as
to the frequency of review. Was there any discussion
about when this might be reviewed again or what the
commission thought would be a good time to review it?
One or two years, three years?

MR. FREE: I think one of the things that's
important, and something that Mr. Nunley and I have
talked about, as well as we've talked about with the
Historic Preservation Board. This is one of the
things that after we get this adopted hopefully, in
the next 6 to 12 months we find something that, gosh,
I wish we would have included that. We're not just
going to wait around and let another five years go by.
It might be something where 6 months from now, 9
months from now, 15 months from now. If we find some
significant things or things that just makes sense to
change that we kind of overlooked at this point, I
think we'll be coming back and working with Planning
Staff and go ahead and making those changes. I think
one of the things that we're looking at is for this to
kind of be a continuous document. You know, keep
refining it so that it's a very effective. Because I
think there's still opportunity within the boundaries
of this Downtown Overlay District that there's going
to be a lot of development that is still going to
occur in the next five to six years, I believe, within
that area. That's kind of our game plan in looking at
it. Going ahead and doing that with it. This is
something that in the whole process, this was
something we were looking at a little over a year ago,
but just for different reasons it took a while to get
to get to this point. I don't think we want to wait
another five years. It may be that the changes that
we're making we don't run into a lot more issues with
it as well.

MR. BOSWELL: Thank you. Thing are changing
so rapidly. That's what my hope was. It would be a
working document.

MR. FREE: Yes.

CHAIRMAN: I think a lot of it, to complement
Mr. Nunley. Mr. Nunley, as he's worked with
developers and been very sensitive for their concerns
and issues and we're very fortunate to have him do
this. I know he's been continuously bringing these
things to Mr. Free.

I guess they needed to kind of get a critical
mask, Keith, to undertake this to start with. I think
if you chose to bring one item back to us in the
future at a time, we would be very happy to look at it
and consider it. Seems like you've got a good
approach going.

Any other commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: Anybody in the public have any
questions?

(NO RESPONSE)

CHAIRMAN: If not then the chair is ready to
entertain a motion.

MR. APPLEBY: Mr. Chairman, I make a motion to approve the proposed changes to Article 21 based on the Findings of the Staff, Findings 1 through 9.

CHAIRMAN: Is there a second to that motion?

MR. FREY: Second.

CHAIRMAN: A motion by Mr. Appleby. Second by Mr. Frey. Any questions about the motion?

(NO RESPONSE)

CHAIRMAN: Hearing none all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: It passes unanimously.

Mr. Free, Mr. Nunley and Mr. Adams, thank you, for your all's work and diligence on this. This community is better by what you all have done. We appreciate it very, very much.

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NEW BUSINESS

ITEM 3

Consider approval of December 2014 Financial Statements

CHAIRMAN: You received those in the mail.

Anybody have any corrections?

(NO RESPONSE)
CHAIRMAN: If not the chair will entertain a motion for approval.

MR. KAZLAUSKAS: Motion to approve.

CHAIRMAN: Motion by Mr. Kazlauskas.

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Any questions?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The financial statement is approved.

ITEM 4

Comments by the Chairman

CHAIRMAN: The chairman has no comments because it's cold outside.

ITEM 5

Comments by the Planning Commissioners

CHAIRMAN: Any comments by any of the planning commissioners?

(NO RESPONSE)

ITEM 6

Comments by the Director

CHAIRMAN: Mr. Howard.

MR. HOWARD: Yes. I just want to mention that...
the Kentucky Chapter of the American Planning
Association typically holds two conferences each year.
They're often in places like in Louisville and
Northern Kentucky, Lexington.

The Spring conference in May is going to be in
Owensboro. So we're excited about that. So many
planners, commissioners, developers, engineers, all of
those people will be coming to Owensboro in May. The
conference is May 13. That's a Wednesday. We
typically have an open reception that night and the
actual sessions are on the 14th and 15th, Thursday and
Friday. Just want to mention that for anybody that
would like to attend. It's a good conference, good
opportunity for planners and board members to get some
education. It's a learning opportunity. That's the
only comment I have.

CHAIRMAN: Thank you, Mr. Howard.

Anything else?
(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a
motion to adjourn.

MR. APPLEBY: Move to adjourn.

MR. BOSWELL: Second.

CHAIRMAN: Motion by Mr. Appleby and second by
Mr. Boswell. All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned. Thank you.

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STATE OF KENTUCKY
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 20 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 20th day of February, 2015.

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
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COMMISSION EXPIRES:  DECEMBER 16, 2018
COUNTY OF RESIDENCE:  DAVIESS COUNTY, KENTUCKY

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