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

MEMBERS PRESENT:  Fred Reeves, Chairman
Larry Boswell, Vice Chairman
Brian Howard, Director
Terra Knight, Attorney
Claud Porter, Attorney
Ward Pedley
John Kazlauskas
Lewis Jean
Beverly McEnroe
Manuel Ball
Larry Moore

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CHAIRMAN:  Call the November 12, 2015 meeting of the Owensboro Metropolitan Planning Commission to order.  We start each meeting with a prayer and pledge to the flag.  That will be led by Commissioner Larry Boswell.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  Thank you, Mr. Boswell.

I appreciate everybody being at our meeting this evening.  A couple of things to ask of you before we move forward.

Ohio Valley Reporting
(270) 683-7383
If you choose to make any comments at the meeting, we'd ask that you go to one of the two podiums to be sworn in. Ask you to speak directly into the microphone and ask you to direct questions or comments to the chair and the chair will then dispense those out to the appropriate parties at the podium.

Also, Board Members, remind you to speak into the microphone so Lynnette can make sure she gets all of our comments down correctly. I will remind myself to do the same.

Remind you anyone here this evening always have an opportunity to speak. You can speak to whatever issue you'd like that's on the agenda. You can speak as long as you choose, as long as you are on topic. We invite you to speak if you have a concern about any item before this commission.

With that we will move to consider the minutes of the September 10th meeting.

Commissioners, all of you received a copy of the minutes prior to the meeting this evening. Are there any corrections or additions to those minutes?

(NO RESPONSE)

CHAIRMAN: If not I'd entertain a motion to approve the minutes.

MR. KAZLAUSKAS: Mr. Chairman, move that the
minutes be approved.

CHAIRMAN: Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Ms. McEnroe has a second.

Questions or concerns about the motion or the minutes?

(NO RESPONSE)

CHAIRMAN: All in favor please raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The minutes are approved unanimously.

MR. HOWARD: I will note that all the zoning changes heard tonight will become final 21 days after the meeting unless an appeal is filed. If an appeal is filed, we will forward the record of the meeting along with all applicable materials to the appropriate legislative body for them to take final action. The appeal forms are available on the back table, in our office and on our website.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 3

6041 Aull Road, 94.3 acres
Consider zoning change: From EX-1 Coal mining to A-R Rural Agriculture

Ohio Valley Reporting
(270) 683-7383
Applicant: Charles Randall Martin

MR. PORTER: State your name.

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

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

FINDINGS OF FACT

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

2. The subject property is located in a Rural Maintenance Plan Area, where rural farm residential uses are appropriate in general locations;

3. The subject property is a large tract at 94.3 acres;

4. The subject property has access to Aull Road;

5. Strip-mining activity has ceased; and,

6. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that property shall revert to its original zoning classification after mining.

MR. HILL: Staff request that the Staff Report be entered into the record as Exhibit A.

Ohio Valley Reporting
(270) 683-7383
CHAIRMAN: Is there anyone here representing the applicant? This is a fairly routine item for us.  
(NO RESPONSE)  
CHAIRMAN: Is there anyone here that chooses to speak for or against the item?  
(NO RESPONSE)  
CHAIRMAN: Any commissioners have any questions about this item?  
(NO RESPONSE)  
CHAIRMAN: If not then the chair will entertain a motion.  
MR. MOORE: Mr. Chairman, I recommend for approval based on Staff's Findings of Fact 1 through 6.  
CHAIRMAN: Mr. Moore has a motion. Do we have a second?  
MR. JEAN: Second.  
CHAIRMAN: Mr. Jean seconds that motion. Any questions or concerns from the commissioners?  
(NO RESPONSE)  
CHAIRMAN: If not all in favor raise your right hand.  
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)  
CHAIRMAN: That motion is approved unanimous.  
Next item.
ITEM 4

2416, 2418, 2424, 2426, 2428, 2430 & 2440 St. Ann Street; 200 & 214 West 24th Street, 1.131 acres
Consider zoning change: From R-1C Single-Family Residential to P-1 Professional/Service
Applicant: Independence Bancshares, Inc. & Independence Bank of Kentucky, Inc.

MR. KAZLAUSKAS: Mr. Chairman, as a homeowner on St. Ann Street, I need to recuse myself.

CHAIRMAN: Certainly. Let the record reflect that Mr. Kazlauskas has recused himself because he's a homeowner in that area.

I have a question for counsel. I don't feel unable to consider this item, but I bank at Independence Bank. Should I recuse myself?

MR. PORTER: No. Not just for that reason, no.

CHAIRMAN: That's the only question I had.

Go ahead, Mr. Hill.

MR. HILL: Before I get started, I will note that there was an amendment to the Staff Report that was e-mailed to the commissioners earlier this week. I printed copies of that and have placed it on your desk before the meeting today. It has yellow highlighting at the top. It highlights the two sections that were added after the previous version was published.
PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS:

1. Access to the site shall be through the adjacent Independence Bank property located at 2425 Frederica Street. No additional access to the site will be granted from St. Ann Street or West 24th Street or West 25th Street.

2. The applicant agrees to exceed the minimum landscaping requirements of the zoning ordinance in regards to the amount of plants required, the size of plants at time of installation and the maintenance of plants. Landscape design shall be similar to landscape plan attached to this report.

3. The applicant agrees to construct an 8 foot tall brick wall surrounding any proposed parking areas. Wall shall be similar in design to the exhibit attached to this report.

4. All lighting shall be directed away from nearby residential properties.

FINDINGS OF FACT

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations;

3. The use of the subject property as professional/services will be nonresidential in nature;

4. The proposal is a logical expansion of existing P-1 zoning to the west; and,

5. At 1.131 acres, the proposal is not a significant increase in P-1 zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area since no new access to West 24th Street, West 25th Street and St. Ann Street will be permitted.

MR. HILL: Staff request that the Staff Report be entered into the record as Exhibit B.

CHAIRMAN: Anyone here representing the applicant?

MR. REED: Yes.

CHAIRMAN: Do you wish to make any comments before we move forward?

MR. REED: No.

CHAIRMAN: Anyone here like to speak in
opposition to the application?

(NO RESPONSE)

CHAIRMAN: Commissioners, any of you have any questions about the application?

MR. BOSWELL: Yes, I do, Mr. Chairman.

CHAIRMAN: Mr. Boswell.

MR. BOSWELL: Just a couple of, I guess, more clarification and questions than anything else.

The statement is made that prior to formally filing the rezoning application, the applicant met with area residents.

Were all the residents that would have been across the street from where this wall will be, this whole area, did you meet with all of those particular residents or just some of them?

CHAIRMAN: Would you step to the podium please so we can get it on the record. Thank you very much.

MR. PORTER: Would you state your name for the record, please?

MR. REED: Jacob Reed.

(JACOB REED SWORN BY ATTORNEY.)

MR. REED: Yes, all of the neighbors on St. Ann Street that would be directly across the street from this were contacted. We did have a meeting at the bank and I believe everyone was there. There was
two properties that are rental units. I did speak
with the owners of both of those as well.

MR. BOSWELL: Thank you.

CHAIRMAN: Are you all in agreement with
Conditions 1 through 4 that are a part of this report?

MR. REED: Yes, sir.

CHAIRMAN: Thank you very much.

Any other commissioners have any other
questions?

(NO RESPONSE)

CHAIRMAN: One last chance for anybody in the
audience that have any questions or concerns?

(NO RESPONSE)

CHAIRMAN: The chair will entertain a motion.

MR. PEDLEY: Mr. Chairman, I make a motion for
approval based on Planning Staff Recommendations,
Conditions 1 through 4 and Findings of Fact 1 through
5.

CHAIRMAN: We have a motion by Mr. Pedley.

MR. BALL: Second.

CHAIRMAN: Second by Mr. Ball. Any questions
or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(BOARD LARRY MOORE, BEVERLY McENROE, MANUEL

Ohio Valley Reporting
(270) 683-7383
BALL, FRED REEVES, LARRY BOSWELL, WARD PEDLEY AND GENE LEWIS RESPONDED AYE.)

CHAIRMAN: The application is approved.

(TERRA KNIGHT JOINS MEETING AT THIS TIME.)

MR. PORTER: Mr. Chairman, I will excuse myself.

CHAIRMAN: I want to thank Mr. Porter for stepping in. Our counsel had a conflict and Mr. Porter was gracious enough to work overtime today.

Thank you, Claud, very much.

ITEM 5

211 Hale Avenue, 0.319 acres
Consider zoning change: From I-1 Light Industrial to B-5 Business/Industrial
Applicant: New Era Properties, LLC

MS. KNIGHT: State your name for the record.

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

MS. EVANS: I would like to first of all with this application point out that this was originally advertised and the applicant had applied for a larger portion of this property to be rezoned. After reviewing the application a little bit and meeting with the applicant, there were some things that were going to be required of them that they weren't prepared to do. How the property, the front two
pieces of property were being used currently is in compliance with the zoning ordinance so they decided to basically withdraw the application for the front two pieces of property and only proceed with the application for that back property, which is in fact 211 Hill Avenue. We have an e-mail from the applicant stating that request that was included in your packet. So this zoning change only pertains to that back piece of property that's highlighted there on the map.

PLANNING STAFF RECOMMENDATIONS

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

FINDINGS OF FACT

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

2. The subject property is located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;

3. The subject property lies within an existing area of mixed general business, light industrial and residential uses;

4. The Comprehensive Plan provides for the continuance of mixed use areas; and,
5. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.

We would like to enter the Staff Report into the record as Exhibit C.

CHAIRMAN: Is anyone here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Would anyone like to speak in opposition of this application?

(NO RESPONSE)

CHAIRMAN: Commissioners, do you have any questions of Staff about the application?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion.

MR. BOSWELL: Mr. Chairman, I move for approval based on the Planning Staff Recommendations and Findings of Fact 1 through 5.

CHAIRMAN: We have a motion by Mr. Boswell. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: We have a second by Ms. McEnroe. Any questions or concerns about the motion?
CHAIRMAN: If not all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved unanimously.

MINOR SUBDIVISION PLATS

ITEM 6

10625 Hall School Road, 3.965 acres
Consider approval of a minor subdivision plat.
Applicant: Richard & Bridgit Jones

MR. HOWARD: Mr. Chairman, this plat comes before you and the commissioners as an exception to the three to one requirement. They're basically dividing a lot, taking the lot line on the west side all the way back to the property line which then creates a lot that exceeds the 3 to 1 requirement. The reason that they don't provide additional road frontage is that there's an existing drive on Hall School Road that they would like to keep on the parent tract that's being cut out.

They're not trying to maximize really the number of lots. We have put a note on the plat that says that the property can't be further, either the lot that's being created and the parent tract cannot be further subdivided creating additional
irregular-shaped lots that don't meet the requirements of the subdivision regulations. Our goal with that is that they can't come back at some point in the future and then use that 50 foot of frontage to create another lot that has substandard road frontage. They also have additional road frontage west as well.

With that we would recommend that you consider it for approval.

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to make comments?

APPLICANT REP: No.

CHAIRMAN: Anyone in opposition to the application?

(NO RESPONSE)

CHAIRMAN: Questions by the commissioners?

(NO RESPONSE)

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

MR. ROGERS: Mr. Chairman, I make a motion for approval.

CHAIRMAN: We have a motion for approval by Mr. Rogers. Do we have a second?

MR. JEAN: Second.
CHAIRMAN: Mr. Jean has made a second.

Questions or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion passes unanimously.

ITEM 7

5091 Old Hartford Road & 5000 Block of Jessica Lane, 10.297 acres
Consider approval of a minor subdivision plat
Applicant: JR Acquisitions, LLC

MR. HOWARD: This plat comes before you as an exception on access. The 1.010 portion that they are shown to be cutting off on this plat, there was a note on the previous plat that said access to this ten acre parcel would be from Jessica Lane only, which you'll see is on the east side of that property and on the north side. That was done when what is shown on here as the Wilson property was cut out years ago. So they're requesting to cut this one acre parcel out with its own access point to Old Hartford Road. Since there was a note on a previous plat that says that it shouldn't have access on Old Hartford Road, I couldn't sign it in-house and we can't recommend it here, but I know that Jason Baker and Marty Jacobs are here with an explanation of why this needs to be done in order
for their plans to work out.

CHAIRMAN: Would the applicant like to address this?

MR. JACOBS: Marty Jacobs, 1110 Frederica Street.

MS. KNIGHT: Mr. Jacobs, you're sworn as an attorney. Thank you very much.

MR. JACOBS: If I could, these are aerals of the property.

What happened, in 2004 this property was purchased and the note was put on the plat indicating that there would not be access to Old Hartford Road.

What has happened since then is that the applicant has acquired property to the north. What they are working on is a proposal for a very large development out in that area.

Now, in doing so in planning their retention basin, where they believe the retention basin will go, is in this area that is just east of the lot that we're asking to be cut out. What that will effectively do is prohibit access from Jessica Lane down here or make it basically economically impossible to do that. They chose this area because it's a naturally low area. It's where the retention basin should be. Where you see the trees going through
there, that is a ditch.

If you do not approve the division, this property would likely just not be developed or to develop it, it would be at an extremely high cost.

Now, I would point out that as to access to this lot, as far as distances, I believe the standard is 250 feet. With the location of the lot it will be easy to get 250 feet from your public access here, which is Georgia Lane. It will be a little bit short to the next driveway, but as you can see there are other nonstandard distances in that area. So based on that we would ask you to approve this plat.

CHAIRMAN: Commissioners, do you have any questions for Mr. Jacobs?

MR. PEDLEY: I have one question. It's a clarification.

This 1.010 acre and then the 9.287 acres would be consolidated into one?

MR. JACOBS: No. They're consolidated right now.

MR. PEDLEY: They're already consolidated. MR. JACOBS: That's already been done. It's actually a 10 point something or another parcel, and we're going to cut the one that fronts on Old Hartford Road off, sever it, and then eventually what will
happen is that 9 acres remaining along the property to
the north would then be consolidated.

MR. PEDLEY: I just wanted to make sure. If
we approve it, we're approving the entire ten acres?

MR. JACOBS: Yes. Yes. The plat itself
covers both parcels. That's correct.

MR. PEDLEY: It appears looking at it, there
might be a division line there and it may not have
been consolidated yet, but it already has been
consolidated?

MR. JACOBS: It has been consolidated. That's
what the plat in '04 shows. It shows the 10.297 acre
parcel. What we're doing is severing that one acre
that's next to the road because it's just impractical
to develop.

MR. PEDLEY: Okay. I just wanted to make
sure. I wanted to clarify that.

MR. JACOBS: Thank you.

CHAIRMAN: Mr. Kazlauskas.

MR. KAZLAUSKAS: Mr. Howard, how is it zoned
now?

MR. HOWARD: It is zoned A-U Urban
Agriculture.

MR. KAZLAUSKAS: You said you are advising the
commission that the Staff can't approve this?
MR. HOWARD: Right. I couldn't sign it at the Staff level. We normally would. This is a minor subdivision plat. We approve 99 percent of them at the Staff level, but this one I can't because there was that access note on the previous plat. They're asking for an exception to that. So that has to come before you all to make that decision as to whether or not you think their argument is reasonable.

MR. KAZLAUSKAS: Another question. Is another drive, has the Staff thought about what another drive would do with traffic, proceeding traffic problems?

MR. HOWARD: I think the whole intent of the Access Management Manual is to try and eliminate or consolidate access points when feasible. The original plat predated me. I feel certain that it was because, as Mr. Jacobs pointed out, you can meet it going one direction, but you can't meet it between both the driveway on the property to the north and Georgia Lane. I'm sure that's why that was included on there in the first place.

As far as traffic, in this vicinity, this is Old Hartford Road past Forest Lane and Fairview. So your traffic volumes are certainly less here than they are on other portions of Old Hartford Road.

CHAIRMAN: Mr. Jacobs, do you have any idea
how many residents have been proposed to build with
the expansion that you talked about?

MR. JACOBS: Somewhere between 40 and 50.

I would point out also the note, and this may
make a difference. The note in '04, when you were
limiting access in '04, you were limiting access to
ten acres potentially of houses; whereas here, there's
not going to be more than one house. It's going to be
single-family residential is what will end up being
built. You're talking about one drive that is
non-standard in an area with multiple non-standard
drives.

MR. BOSWELL: I have a question, Mr. Chairman.

In doing so, that 1.01 acres taken out, when
that would be developed, where would be the main
access point to that development? You may have said
that and I just may not have picked it up.

MR. JACOBS: Let me let Jason address that.

CHAIRMAN: Yes, you need to be sworn, Jason.

MS. KNIGHT: State your name, please.

MR. BAKER: Jason Baker.

(JASON BAKER SWORN BY ATTORNEY.)

MR. BAKER: Overall if you look at the aerial
photo that we gave you, you'll see just to the back
toward town from the 1.01 acre tract there's three
homes there. Just to the north of that you see kind of a discolored, light-colored, looks like there may have been some excavation went on there. That is the general vicinity of the new entrance.

MR. JACOBS: There would also be access from Jessica Lane there that's at the end of Georgia Lane.

MR. BOSWELL: So would be two access points at some point in time?

MR. BAKER: Yes, sir.

MR. BOSWELL: Thank you.

CHAIRMAN: Any other commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: Mr. Jacobs, any further comments?

MR. JACOBS: No, thank you, Mr. Chairman.

CHAIRMAN: Anyone in the audience have any additional questions or comments?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion.

MR. PEDLEY: Mr. Chairman, I make a motion for approval.

CHAIRMAN: Motion by Mr. Pedley.

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Any
questions or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Thank you, Mr. Jacobs.

ITEM 8

4879 Pleasant Grove Road, 2.991 acres
Consider approval of a minor subdivision plat.
Applicant: Tom Hardin

MR. HOWARD: Mr. Chairman and Commissioners,
this plat comes before you as an exception both to the
minimum road frontage requirements and the 3 to 1
ratio requirement. It's creating a lot that has
limited frontage on Pleasant Grove Road, approximately
15 feet. There is an additional easement there.

They're basically applying the frontage that
comes off the parent parcel between two existing lots.

The purpose of this plat is to create a lot
around an existing home. I believe the property may
be up for auction at some point in the future so
they're trying to create a lot around the existing
home.

They have included notes on the plat that
state that both this property and the remainder shall
not be further subdivided without meeting the
requirements of the subdivision regulations.

So with that note on the plat and the fact
that they're creating a lot around an existing home,
this isn't a new lot for development, we would
recommend that you consider it for approval.

CHAIRMAN: Anyone here representing the
applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you wish to make any comments?

APPLICANT REP: If there's any questions.

CHAIRMAN: Just stand by. If we have any
questions, we'll swear you in.

Anybody in the audience have any opposition to
the subdivision plat?

(NO RESPONSE)

CHAIRMAN: Commissioners, do you have any
questions?

(NO RESPONSE)

CHAIRMAN: If not the chair would entertain a
motion.

MR. BOSWELL: Motion for approval,

Mr. Chairman.

CHAIRMAN: Motion by Mr. Boswell. Do we have
a second?

MR. JEAN: Second.
CHAIRMAN: Second by Mr. Jean. Questions or comments about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved unanimously.

Next item.

ITEM 9

4701 US Highway 60 West, 6.523 acres
Consider approval of a minor subdivision plat.
Applicant: Lamasco Transfer, LLC

MR. HOWARD: This plat comes before you, as well, on an access-related issue which we can't sign in-house.

Last week at the Board of Adjustments the applicant received a variance in order to install a 120 foot wide access point. That's 70 feet larger than what the zoning ordinance allows. The reason that they need an access point that large and the reason the Board of Adjustment approved it is this is an industrial zoned property where they are proposing to store large cranes. One of the vehicles that they will use to access the site, it's called a Mammoth Transport Unit which has a length of 160 plus feet. So this is a massive vehicle that can be up to 16 feet
wide. So they need that additional throw width in
order to make those right turns off of Highway 60
West.

That variance was approved to allow a wider
access point. However, by previous plat, as you can
see on the attached drawing, there was an access point
that was approved on US Highway 60 West and two on
Booth Field Road. The width of the access easement on
60 West does not work. In order to widen the drive,
being in the location that it's in, there are two
utility structures that are in the way that would have
to be relocated at some cost based on the information
we've gotten from the applicant. So they're
processing to move the access point further west so
that it will be closer to Booth Field Road. That's
the goal here.

One of the conditions on the variance was that
if and when at some point in the future this site is
no longer utilized by those large trucks, that the
driveway would have to be reduced back to a maximum of
50 feet.

If you approve the access location change with
that condition from the variance, we would hope or we
would ask that in the future if that drive is narrowed
that the portion that would be taken off is the
westernmost portion. So it does create a little bit more separation between Booth Field Road and the access point to the property.

So it's ready for your all's consideration.

CHAIRMAN: Anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Mr. Howard, if it became smaller, we need to put that specificity in the motion that it would be moved to the east rather than to the west if it needs to be narrowed or is that something you can do in-house without our action?

MR. HOWARD: You know, the condition was made on the variance. I think the discussion here, I think they know what our desire would be. It's not a note that I would really want on the plat itself due to the specific nature of it, but they need to be advised that if that is reduced at some point in the future, it's going to come off the western portion of that driveway.

CHAIRMAN: Do you know if they would be in agreement with that?

MR. HOWARD: I don't think they would have an issue with it. Their whole group had conflicts tonight. They've been working with Mike to try and
figure out some alternative. They had conflicts in
December as well. It's on the agenda tonight even
though they knew that somebody couldn't be here.

CHAIRMAN: Commissioners, do you have any
questions or concerns about this?

I was on the Board of Adjustment, as was
Mr. Pedley, so we pretty much understand why they're
having this large driveway.

MR. BOSWELL: It would seem, Mr. Chairman,
that that's related to the size of equipment that
they're dealing with more than anything else.

CHAIRMAN: It's Sterett and all of us know the
size of equipment Sterett has to deal with. The Board
of Adjustment thought it was a reasonable exception to
make given the size of that equipment. In fact, not
only reasonable. It's a safe thing to do.

Mr. Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for
approval with the condition that it revert back to its
50 foot to the west road driveway width, if this
ceases to exist in the future.

CHAIRMAN: I have a motion by Mr. Rogers. Do
we have a second?

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. Any
questions or concerns on the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved.

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NEW BUSINESS

ITEM 10

Consider approval of August & September 2015 financial statements.

CHAIRMAN: We have two sets of financial statements because we did not have an October meeting. I think we probably need to entertain these financial statements individually, don't we, Mr. Howard?

MR. HOWARD: Sure.

CHAIRMAN: You all have had a chance to review these. The chair, unless you have a correction or concern about either of these, the chair would entertain a motion for the August financial statement.

MR. BOSWELL: Motion to approve, Mr. Chairman.

MR. KAZLAUSKAS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The chair then would entertain a
motion for the September financial statements.

MR. BALL: Motion to approve, Mr. Chairman.

CHAIRMAN: Motion by Mr. Ball.

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. Questions or concerns?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: They are approved.

ITEM 11

Consider approval of 2016 Filing Dates and Deadlines

CHAIRMAN: Item Number 11 I'm going to pitch back to Mr. Howard to talk about our 2016 filing deadlines and our meeting dates.

Mr. Howard, if you would like to walk us through these.

MR. HOWARD: Thank you.

We have provided two alternatives on the meetings deadlines and dates for next year. It's the same as what we did last year. We have had issues in the past in April and October with school's spring and fall breaks having a quorum sometimes. Also, with applicants maybe being out of town and that type of thing.
The original or the way that it's normally done is we meet, the Board of Adjustments, the first Thursday of the month, the Planning Commission the second Thursday of the month. It's that way. So you have one set of meeting filing deadlines that is that. It does also include the proposed dates for OMPC work sessions. We hold those quarterly in Room 406 at typically 4:45. So that's one alternative.

The other alternative is a change in both April and October where based on the school calendars we double up the meetings. So both Board of Adjustments and Planning Commission would meet on the same evening in those two months in order to avoid conflicts with Spring Break and Fall Break; otherwise, everything is the same. We have still the work sessions on that one as well.

Basically you have two alternatives. One is just the regular dates and deadlines. Then the alternative would be if you choose to go with the alternative dates and deadlines that take into account Spring and Fall Break.

CHAIRMAN: Okay. Is one of these A and one of them B?

MR. HOWARD: We didn't label them.

CHAIRMAN: Can we call the regular one A and
the one that would double up the meetings be B for purpose of discussion.

MR. HOWARD: Sure.

CHAIRMAN: Commissioners, what are your questions or concerns about this?

MR. KAZLAUSKAS: Mr. Chairman, I guess I would like to know what would the Board of Adjustment, would it make it easier for them?

CHAIRMAN: It doesn't impact the Board of Adjustment. Their meeting date would stay the same. It would only impact the Planning Commission because we would drop back a week and double up meetings that day. The Board of Adjustment might meet a bit earlier, but that would be it.

MR. BOSWELL: Mr. Chairman, I don't know how the other commissioners may feel. I think the schedule that we're on now is the same as one of these proposed schedules.

CHAIRMAN: B.

MR. BOSWELL: Myself would state that has worked pretty well for the entire year. Just personal opinion.

CHAIRMAN: I don't take spring or fall break any more. I'm on break every day. For those who does that with their families, we certainly don't want to
inconvenience anybody and their family, from my perspective.

How do the rest of you feel?

MR. BALL: I think it's a good thing. Having young kids, you know, Brian has young kids, Terra does as well.

CHAIRMAN: The only requirement I would have if we go with Plan B, would somebody call me in April and let me know the date. That's the only condition I would put on the motion.

I think kind of by consensus of nodding heads we know where we are, but I would entertain a motion that reflects our discussion here.

Plan A is regular meeting date. Plan B is to double-up dates with the Board of Adjustment. So could I have a motion from someone.

MR. JEAN: I make a motion we use Plan B.

CHAIRMAN: We have a motion by Mr. Jean.

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Questions or concerns?

(NO RESPONSE)

CHAIRMAN: All in favor of the motion raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

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CHAIRMAN: We are in good shape then. Thank you for that. That is, I think, a smart thing to do.

ITEM 12

Comments by the Chairman

CHAIRMAN: I don't have any comments. Life is good. Dinner was good.

ITEM 13

Comments by the Planning Commissioners

MR. BOSWELL: I would like to make a comment. I don't know if the other commissioners have read through all of it, but in the November 2015 Planning Magazine that we get, I think there was a profound statement in there that really epitomizes how great of a Planning and Zoning department we have and the hard work that they do. I'd just like to read that statement because I think it's a pretty impressive statement.

It says, "In a liveable community people of all ages can go for a walk, get around without a car, enjoy public places, work or volunteer, find the services they need, shop, socialize and be entertained. Live safely and comfortably and make their town, city and neighborhood a lifelong home."

I think that epitomizes what our Planning and Zoning folks do on a day-to-day basis.
CHAIRMAN: I would agree wholeheartedly, Mr. Boswell. Thank you for making that comment.

Ms. McEnroe.

MS. McENROE: Mr. Chairman, would it be a good time to announce the workshop dinner coming?

CHAIRMAN: Mr. Howard or Mr. Hill, do you all want to announce about the workshop coming up?

MR. HOWARD: Yes. I was going to do that under Director's comments.

ITEM 14
Comments by the Director

MR. HOWARD: November 17th, that's next Tuesday at 5:30 p.m. in our building, 200 East Third Street, Chase Bank Building, Center for Commerce, on third floor. We're putting on a Planning and Zoning Workshop. Basically what this is, is an opportunity for people in the community, whether it's people that we deal with on a daily basis, builders, surveyors, appraisers. Those folks to come in or just general citizens, planning commissioners, elected officials, to just come in and learn about not only what Planning and Zoning is, but what we do and how we do it as well. It's an opportunity to learn. It's going to be a dinner and learn. We're going to provide some food and drinks for the people that attend. We anticipate
two hours, from 5:30 to 7:30. We would request that
if anybody out there would like to attend to contact
Mike Hill at our office so that we can get you down on
the list. Make sure we have enough food to feed
everybody. We're looking forward to it. If it's
successful, which right now we've got around 20 people
that are registered. If it's successful, and we think
it will be, we'll do more of these in the future.

CHAIRMAN: Thank you, Mr. Howard. I really
appreciate Mr. Hill putting this together. Appreciate
it and look forward to it.

Any other comments, Mr. Howard?

MR. HOWARD: That's it.

CHAIRMAN: Hearing no other comments I'll
entertain the last motion.

MR. MOORE: Move to adjourn.

CHAIRMAN: Motion by Mr. Moore.

MR. BOSWELL: Second.

CHAIRMAN: Second by Mr. Boswell. 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 36 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 8th day of December, 2015.

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES: DECEMBER 16, 2018
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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