The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, July 14, 2016, 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
John Kazlauskas
Lewis Jean
Beverly McEnroe
Manuel Ball
Larry Moore

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CHAIRMAN:  Call the July 14, 2016 Owensboro Metropolitan Planning Commission meeting to order. We start our meetings with an invocation and pledge to the flag. That will be lead by Mr. John Kazlauskas today.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  Commissioners, all of you received a copy of the minutes in your packet today. Hope you've had a chance to read them and consider them. Are there any additions or corrections to the minutes?

(NO RESPONSE)

CHAIRMAN:  If not the chair will entertain a
MR. JEAN: Motion to approve the minutes.

CHAIRMAN: Motion by Mr. Jean to approve the minutes. Do we have a second?

MS. McENROE: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The minutes are approved.

A couple of comments before we get to the first item here.

Some of you are here on a regular basis. You know how we operate. I want to welcome all of you to the meeting. Let you know we appreciate you coming. We value your comments about any item on the agenda today. If you wish to make a comment, please come to one of the microphones. You'll be sworn in because we are kind of a judiciary organization. Then you can make your comments with regarding the application, whether you support or oppose it. We welcome you to do so.

Also remind the commissioners, if you don't mind to try to remember your microphone in front of...
you so that our stenographer can get your comments recorded correctly. I have to remind myself of that too.

At this time, Mr. Howard.

MR. HOWARD: I will note that all rezoning changes heard tonight will become final 21 days after the meeting unless an appeal is filed. If an appeal is filed, then we will forward the record of the meeting along with the applicable material to the appropriate legislative body for them to take final action.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 3

10124 Boone Street, 0/78 acres
Consider zoning change: From R-1B Single-Family Residential to B-4 General Business
Applicant: Jerry O'Bryan; Daviess-McLean Baptist Association, Inc.

MS. KNIGHT: State your name for the record.

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

MR. HILL: This recommendation is for denial so I will read the Staff Report into the record.

PROPOSED ZONE & LAND USE PLAN

The applicant is seeking a B-4 General
Business zone. The subject property is located in a Rural Community Plan Area where General Business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(A) Building and lot patterns; outdoor storage yards - Building and lot patterns should conform to the criteria for "Nonresidential Development" (D7), and outdoor storage yards, with "Buffers for Outdoor Storage Yards" (D1).

(B) Logical zoning expansions of proportional scope - Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(F) New locations in rural communities - In rural community plan areas, new locations of General Business zones should be "major-street oriented" (D2) and should be sited at corners of intersecting streets if located in close proximity to existing dwellings.

PLANNING STAFF REVIEW

GENERAL LAND USE CRITERIA
Environment

It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.

The subject property is not located in a special flood hazard area per FIRM Map 21059CO230D.

The property is not designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.

The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

Urban Services

Electrically, water and gas are available to the subject property. Sanitary sewage disposal will be accomplished by an existing on-site private system.

Development Patterns

The subject property is a 0.78 acre parcel in the Curdsville area. The property is zoned R-1B Single-Family Residential and has previously been used as a church. The applicant wishes to rezone the
property to B-4 General Business and convert the
church building into an office for his farming
operation.

All surrounding properties are zoned R-1B
Single-Family Residential. The nearest B-4 zoned
properties are located more than 500 feet to the
north.

If the rezoning is approved, the applicant
will be required to provide landscape buffer screening
in compliance with Article 17 of the zoning ordinance
along the eastern and southern property boundaries
where adjacent to residential property. Landscaping
around the parking areas will also be required where
adjacent to residential properties or public street
rights-of-way.

Boone Street and Main Street in this location
are classified as local streets. The total width of
all driveways shall not exceed 40% of the street
frontage of the property. Improvements would have to
be made by the applicant to comply with the 40%
limitation.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is not in compliance
with the Comprehensive Plan. The proposed use as
gen...
nonresidential development. However, the proposed B-4 General Business zoning is not a logical expansion of B-4 General Business zoning in the vicinity. Furthermore, at 0.78 acres, the proposal is a significant increase in general business zoning in the vicinity and may overburden the capacity of roadways and other necessary urban services that are available in the affected area. Finally, the property is not major-street oriented which is the main criteria required to create a new location of general business zoning in a Rural Community Plan Area.

PLANNING STAFF RECOMMENDATIONS

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

FINDINGS OF FACT:

1. Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan;

2. The subject property is located in a Rural Community Plan Area where general business uses are appropriate in limited locations;

3. The proposed use as general business conforms to the criteria for nonresidential development;

4. The proposal is not a logical expansion of
existing B-4 General Business zoning in the vicinity;

5. At 0.780 acres, the proposal does significantly increase the extent of general business zoning in the vicinity and may overburden the capacity of roadways and other necessary urban services that are available in the affected area; and

6. The property is not major-street oriented which is the main criteria required to create a new location of general business zoning in a Rural Community Plan Area.

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

CHAIRMAN: Is anyone here representing the applicant?

MR. BRANCATO: Yes, sir. Frank Brancato.

MS. KNIGHT: Mr. Brancato, you're sworn as an attorney.

MR. BRANCATO: My address is 111 West Second Street in Owensboro.

Mr. Chairman, does the commission have a copy of the Staff Report in front of them? I have copies if they don't.

CHAIRMAN: Yes, we do.

MR. BRANCATO: I think it's important first of all to start out with the application and the Staff
What's interesting is we agree with almost everything in the Staff Report. We agree that it's not a wetland. It's not in the flood hazard zone. It's not designated prime farmland. We agree with that. We agree with the Staff -- before I go very far in that, that Staff has been very cooperative and helpful in answering my questions. I appreciate not only their cooperation but their diligence in getting back to me so promptly.

If you look at Finding 2, Rural Community Plan, general business use is appropriate in limited locations. If I put checkmark by Number 2, we agree with that.

"The proposed use as general business conforms to the criteria for nonresidential development." We agree with that. Those are two positives.

"The proposal is not a logical expansion of existing B-4 General Business," and it's not and I will show you a map about that and why it cannot be in a rural community.

Staff takes position that about three quarters of an acre of rezoning is a significant increase.

Well, you know, if had you ten pennies and I gave you one more, now you've got 11. That's a 10
percent increase, but you still don't have very much money. That's the case here. There's a little over 10 acres, 10.6 acres of a B-4 in the rural community of Curdsville. We're talking about adding three quarters of an acre to that. That's about 7 percent. This is where our big disagreement is, and where I will show you why Staff, I think, may have misinterpreted something in the regulation.

The property is not major-street-oriented. As the Staff notes, which is the main criteria required to create a new location in a general business zoning in a rural community.

Mr. Chairman, I have large maps I wanted to use to demonstrate some things to the commission. I also have smaller versions of those same maps. My question is: Where is the best place to hold up the large map so that the viewing community could look at it?

CHAIRMAN: Probably right there.

MR. BRANCATO: The property we're talking about is shown right here with the hash tags on it. The address is 10124 Boone Street, but as you know it's on the corner of the intersection of Boone and Main Street. Now, Main Street in this case is Kentucky Highway 500 which is a secondary road.
Kentucky Highway 500 is the road that connects one rural community to another rural community. That's St. Joe. It's a well paved highway. It's designed to carry a lot more traffic than the secondary road that's defined in the commissions regulations, which is 10,000 vehicles per day. I submit to you I don't think there's 10,000 vehicles per year that goes through Curdsville.

The B-4 area zones are shown in red. Same color the commission uses in its reports. When you look at this property, which is the largest B-4, it's over 7 acres. There's nothing on it. Never has been anything on it. It's not contiguous to any other B-4 property. It's also not on a Main Street. It's also not at an intersection.

Look at the second property. An undeveloped about half acre property. It also is not on Main Street. It's not contiguous to any other B-4 property. It's not at an intersection. It's an end of a secondary road.

There once upon a time was a general store here. It's in very poor condition now. Been closed for some period of time.

Then once upon time there was a post office out there, which is the other B-4. It may have also
had a short life as a day care center. And that's the community of Curdsville.

     Now, this property, which it does have an address, but it's on the corner of Boone and Main. This property has been a church since the late 1800's. Not this building. This building was built in the late '50s or early '60s, but there has been a church here since the late 1800's.

     The Curdsville Baptist Church lost its congregation over a period of time as people aged and moved out of the area and had at its last operation it had about 30 members. Has not been in operation for several years.

     My client desires to purchase that property and to have an accounting office there with three or four people, plus an office for him. It's not an office that's going to receive the public. It's not an office that's going to receive a lot of traffic. Mostly it's going to consist of storage of files and a couple of accounting people. That's the operation. There will be no changes to the outside of the building. It will be better maintained than it has been because, frankly, nobody has been there to maintain it.

     The Staff Report recommends compliance with
Before I go to Exhibit B, does anybody have any questions on Exhibit A?

CHAIRMAN: Mr. Brancato, could we assume that the applicant is planning to use the larger building here for the offices?

MR. BRANCATO: Yes, sir.

CHAIRMAN: The building on the left?

MR. BRANCATO: The building on the left-hand side. The building on the right-hand side used to be the parsonage. The building on the left-hand side has about 4800 square feet under roof.

CHAIRMAN: Thank you.

MR. BRANCATO: This language is from the regulations, but you'll notice it's the same language that's in the Staff report. A, B and F, and that's on the left-hand side of the Staff Report. It's also referenced in our application.

So what I want to do is draw your attention to rural community. Excuse me a minute. I have copies of this for you.

When it comes to B-4, Rural Community, F, limited locations, subject to A, B and F. Now, we've already acknowledged it's not a logical expansion. Let's talk about why it's not likely to be a logical
expansion in a rural community. Going back to Exhibit A.

In many rural communities, the best evidence that this is a rural community, as you can see it's surrounded by agricultural. There are no businesses. There are no places to have a logical expansion. Curdsville is typical of that. There are no gas stations. There's no convenient stores. There's no drug stores. No doctors office. No dentist office. It's pretty impossible to have a logical expansion in a community like this.

For rural communities, there's another specification. In rural communities, new location of general business should be a major-street-oriented location and should be sited at corners of intersecting streets if located in close proximity to existing dwellings.

I submit to you that's exactly what this is. Let's look at Exhibit A.

Highway 500 is the only Kentucky highway state route through Curdsville. The only one. It's at an intersection of a main road and a connector road, which is what the regulations require. It cannot be a logical expansion because of a B-4 business when there are no B-4 businesses in Curdsville. There are none.
Finally, the regulations direct us to D-2 land use versus street function. I direct you to major street oriented uses. Major-street-oriented uses, I highlighted a section. It's located within a rural community such uses may also adjoin a minor collector street. Again going back to Exhibit 1 or Exhibit A. We have a minor collector street, Boone Street. We have a major street, Highway 500, which by the way is called Main Street in Curdsville. That's the name of it. Main Street, Highway 500, and we're on an intersecting corner.

Our application included proposed findings consistent with everything that I've presented here in the regulation.

The findings that we've proposed is that the subject property is located in a rural community land use plan area where general business uses are land use appropriate in limited locations. The specific criteria are A, B and F. The same criteria identified by staff, A, B, F, and same criteria that I've identified to you today.

The building and pattern should conform to the criteria for nonresidential development. It does.

A logical expansion of proportional scope. I
submit to you that is not applicable in a rural community. The regulations provide for F, new locations in rural community plan areas.

This subject property is located at the intersection of Main Street and Boone Street, which would be classified as major street for Curdsville. There can be no other major streets in Curdsville other than Highway 500, which is known as Main Street, and Highway 500 connects two rural communities; and that's St. Joe and connects Curdsville.

So I would ask for one of the commissioners to make a motion consistent with the regulation that I've identified here. That the application be approved to B-4 so that Mr. O'Bryan can move his accounting office and his accounting people, there's only going to be three of them, plus and office for him. His facility are eighth-tenth a mile away to four miles away. So he's the rural part of this community and not very far away.

I'd be happy to answer any questions anybody would have.

CHAIRMAN: Thank you, Mr. Brancato. If you wouldn't remind to remain there. I've got a couple of questions for Staff and then some commissioners may have questions for you.
The other B-4 areas that are in Curdsville, were they prior to zoning ordinance and grandfathered in? How did they deem B-4?

MR. HOWARD: I didn't research all of them, no. If there was an old post office there, an old general store, those were likely initial B-4 zones.
The larger parcel there to the east, the seven acres that's vacant, I don't know how that was established.
It's a large parcel. It may have been an initial zoning, but I don't know.

CHAIRMAN: I guess this question may be possibly Mr. Hill or you either one. What criteria do we use to determine that this Highway 500 is not a major street?

MR. HOWARD: I'll be glad to answer that.

What we look at when we evaluate a major street, as Mr. Brancato pointed out, in a rural community a minor collector could qualify as well. What we use and what this is referencing is the function classification list that's prepared through the GRADD, Green River Area Development District, that the Transportation Advisory Committee, which consist of some local elected officials; city and county engineer, GRADD transportation planner, our office. We review the roadways within the community and
determine what should be classified as what.

On that list, neither Main Street or Bonne Street is classified as anything. The State Transportation Cabinet identifies Highway 500/Main Street as a local road. We double checked that just to verify. So the state classifies it as a local road. They don't classify it as a minor collector. So it's not a minor collector. It's not a major collector. It's not an arterial. It's a local road. The traffic volume on Main Street is based on the last traffic count that the state did was 360 vehicles per day. So it's a very low volume road. Typically your collector type roadways, collector roadways connect arterial type roadways and typically carry more traffic.

So that's why when we reviewed this, even though they make an argument that within this area that these are major roads, they're not classified as major roads based upon the criteria that's been established.

CHAIRMAN: Thank you. That's very helpful. Any of the commissions have questions for Mr. Brancato?

Yes, Mr. Boswell.

MR. BOSWELL: Just a question concerning the
major-street-oriented usage you highlighted here very
well. One of the things that I'm struggling with is
you have a statement that vehicular access to such
uses should conform to the intersection and driveway
spacing standards.

Within the Staff Report there is a comment
about "The total width of all driveways shall not
exceed 40 percent of the street frontage of the
property. Improvements would have to be made by the
applicant to comply with the 40 percent limitation."

I guess I'm trying to get an understanding of
about what that means and what improvements would have
to happen.

MR. BRANCATO: I think I know the answer to
that. Are you looking at the photograph?
CHAIRMAN: Yes.

MR. BRANCATO: Around the church the parking
was just adjacent to the street. It's just pull-off
parking.

MR. BOSWELL: It's in the very front on Boone
Street, I think.

MR. BRANCATO: On both streets actually, Boone
and Main. We would have to do something about that.
As I said at the top of my presentation, Staff
recommended, if this is approved, Staff said we would
have to comply with buffer zones and the driveways, and we would do that.

MR. BOSWELL: Okay.

MR. BRANCATO: I want to point out one other thing. Under D-2 it's not required that it be a major street. It can join a minor collector street.

So if you do believe that Kentucky Highway 500 is a main street, D-2 provides that in a rural community it can adjoin a minor-collector street.

I wanted to bring something to the commissions attention. Somebody mentioned just briefly a main arterial and minor arterial road. Under the definition of main arterial road has 20,000 vehicles per day. A minor arterial road has 10,000 vehicles per day. As I said, in these small communities, you're not going to have that many vehicles in a year. Based on what Mr. Howard said, it'd be close to having that in the course of a year, if it's 300 a day. But Mr. O'Bryan's operations are not going to significantly change that. I mean I don't know how many times three or four people can go back and forth to work in a day, but I wouldn't think that it would be significant, and that's what we're talking about.

CHAIRMAN: Any other commissioners?

Mr. Ball.
MR. BALL: Mr. Brancato just stated that this could be potentially be done a minor-collector street as well. Is Main Street or 500, is it actually a minor-collector street in the regulation?

MR. HOWARD: No, it's not, I guess, the short of the answer. There's a hierarchy of roadway classifications. The top of which is an expressway or interstate. Principle arterial, minor arterial, major collector, minor collector, and local. Based upon the list that we maintained for the roadway classifications, it's a local street. The State Transportation Cabinet classifies it as a local street. It's not a minor collector, major collector, arterial or interstate. It's a local road.

MR. BALL: We use those regulations, we use that classification on a regular basis when making judgments on all zonings, correct?

MR. HOWARD: That's right.

MR. BALL: I guess the secondary question, I feel like I know the answer to already, but in the event this is rezoned, we're not just looking at Mr. O'Bryan's operation. It's the potential for other operations, other operations that may move into the area in the event that Mr. O'Bryan leaves, and then also the potential for growth of that area because it
would potentially be a logical expansion; is that correct?

MR. HOWARD: Yes. That's a fair statement.

If this is rezoned, it's another opportunity. There are only three or four out there right now, but it would be another opportunity for a logical expansion.

MR. BALL: Thank you.

CHAIRMAN: Did you want to respond, Mr. Brancato?

MR. BRANCATO: Well, I accept that Mr. O'Bryan could possibly sell that at some point in future. We wouldn't objection to putting a condition on the rezoning.

I would ask the Commission to use common sense and judgment. Do you really think lots of businesses are going to come to a community where there's 300 people a day that use the main road in the community? As I said, there isn't a gas station in the community. There isn't a doctor's office, a lawyer's office. There isn't a convenient store. There's really no operation. There's no commercial operation or business operation in this community at all right now.

CHAIRMAN: Mr. Kazlauskas.

MR. KAZLAUSKAS: That was a question I was going to ask Mr. Howard.
Mr. Brancato alluded to was that if this is rezoned to B-4, can conditions be attached to that? Normally we don't do that, but he just brought up a point. I was going to ask a question about. Can this commission attach conditions to that B-4, only a certain type of business can be used in that?

MR. HOWARD: No. There's not conditional rezoning process in KRS statutes. You cannot rezone a property specifically for a use. One, it's zoned B-4. Any B-4 use could go on that property. You cannot make a condition that it will rezone it to B-4 if and when it stops operating as a B-4 use, it reverts back to. Under KRS that's not allowed.

MR. KAZLAUSKAS: Okay.

MR. BRANCATO: Let me ask a rhetorical question then. If this property is not rezoned, what would its use become? There are empty churches across Daviess County already. The Daviess County-McLean Baptist organization has determined they have no use for this property. No foreseeable use for this property. It's not been on the tax roll since the late 1800's. What other use would there be if you don't make it a B-4 property?

CHAIRMAN: Thank you. I have one other question.
Could Mr. O'Bryan have applied for a P-1 rezoning and operated the kind of business he's choosing to do on this property?

MR. HOWARD: A P-1 zoning would allow the type of use that he is proposing, but when you look at the criteria for that, there is a requirement for major-street-orientation.

CHAIRMAN: The same criteria referring to roadway?

MR. HOWARD: It is.

CHAIRMAN: Any other questions from the commissioners?

Mr. Boswell.

MR. BOSWELL: Mr. Brancato, I think you mentioned earlier the intent was to have three or four people there in an accounting capacity.

MR. BRANCATO: Yes.

MR. BOSWELL: As well as an office for Mr. O'Bryan.

MR. BRANCATO: Yes.

MR. BOSWELL: How much traffic would you anticipate that would generate over the course of a day? I mean we're talking just a small number of people in and out of there. They're going to be there pretty much all day long. They're not going to be
coming in the morning and leaving late in the afternoon.

MR. BRANCATO: That would be our expectation. That they would bring their lunch because, again, there's no other place to eat around there. There's no fast food. There's nothing. We would expect the three people to arrive in the morning and leave sometime in the afternoon, and Mr. O'Bryan to go back and forth a couple of times a day.

MR. BOSWELL: Second question associated with that. How much of that building would you anticipate they're going to use out of that 4800 square foot?

MR. BRANCATO: A lot of it is going to be record storage. There are some existing offices there. Frankly, the office space in that building is about 1,000 square feet. A lot of it is going to be just record storage.

MR. BOSWELL: Thank you.

CHAIRMAN: Any other commissioners have any questions?

(NO RESPONSE)

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

Yes, sir. Would you come to the podium and be sworn, please.
MS. KNIGHT: Please state your name for the record.

MR. CECIL: Brad Cecil.

(BRAD CECIL SWORN BY ATTORNEY.)

MR. CECIL: I live at 9319 Highway 456 just across the creek a couple of miles down the road from this location.

I would just like to say that as a member of the community my whole life, I agree with what Mr. Brancato said a few minutes ago regarding the fact that this is basically, if it cannot be rezoned to some type of use like this, whether it's Mr. O'Bryan or someone subsequent, it's going to be a further blight on the community. A little town like Curdsville, as a real estate broker I travel the whole county and I see these Curdsville, Maceo, and Thruston, and Yelvington, all these 100 plus year old communities after they started to turn, blight is the big problem.

In the case of Curdsville, there are a few homeowners who have really kept nice places, and it's still a nice place to live for them, but what they have to deal with is blight from the other properties. If this cannot be rezoned, it's going to be something that we drive by and see in disrepair. If it is
rezoned, it's going to be something that he's going to
have to bring into compliance with the buffers and
driveways and everything that we've talked about here
tonight. So for the community, I think the most post
positive thing, whether it's his business or somebody
else's business, would be for it to be rezoned because
there is no interest.

I actually attended one of the last services
at the Curdsville Baptist Church. An extended family
member was preaching the sermon that Sunday and there
was about 12 people in attendance, myself included. I
can't imagine a church ever being active there again.

So if it is not rezoned, it's going to be a
blight on the community and it will be something that
I will be sad to drive by. I'm one of the 300 people
that drives through there. As far as people that will
be added to this by having a business there, it's the
same three or four people that are going to be driving
down that road every day anyway. They're going to
either be going to Mr. O'Bryan's farm operation or
they're already in the community. So it's not going
to add a traffic concern, as far as I can see, as a
neighbor.

CHAIRMAN: Does anybody have any questions of
Mr. Cecil?
CHAIRMAN: Thank you, Mr. Cecil.

Anyone else in the audience like to speak in support of this application?

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

(CHAIRMAN: Commissioners, do you have questions of each other or Staff before we entertain a motion?

Yes, Mr. Boswell.

MR. BOSWELL: Yes. Thank you, Mr. Chairman. I do have a question for Mr. Howard.

I am struggling with this. With our finding of fact, making a statement it's not major-street-oriented, I guess I'm struggling with the fact of how we could work around or agree with or be able to change Mr. Brancato's request for Item F on major-street-oriented whenever it doesn't fit the definition of major-street-oriented. I mean there's no way we can change that definition at this commission; is that correct?

MR. HOWARD: Certainly Staff feels confident in what we stated is true. It is not a major street
based on any classification that's out there. Yes, certainly you all have the option to produce findings that that would be different than what we propose, but Staff didn't feel like there was a way that we could make a recommendation to approve. With that being as clear as it is, it has to be major-street-oriented and everything listed as being a local street.

CHAIRMAN: Thank you.

Yes, Mr. Kazlauskas.

MR. KAZLAUSKAS: Mr. Howard, if we were to move forward with this, to zone this to B-4, we would have, the owner would have to agree to comply with all the upgrades and conditions as far as trees, buffers, parking. He would have to meet all that criteria, right?

MR. HOWARD: That is correct.

MR. KAZLAUSKAS: Do you know what that is?

MR. BRANCATO: There's some fencing that would have to be built. I think there's a tree that has to be every 40 feet, but we would submit a site plan to the Staff.

MR. KAZLAUSKAS: What about the driveway?

MR. BRANCATO: It's going to have to come out.

MR. KAZLAUSKAS: Thank you.

CHAIRMAN: I have one other question, and I
think I need to ask this question in Mr. O'Bryan's interest.

Has this building been deserted long enough that it would need to be looked at again with regard to whether or not it meets code requirements?

MR. HOWARD: When there is a change in occupancy from an assembly type use as a church to an office use or whatever, the building department would look at all of that, yes.

CHAIRMAN: Was Mr. O'Bryan aware that that building may need to be re-evaluated to make sure it meets all the necessary criteria to be occupied now?

MR. BRANCATO: Yes, sir. Staff, I think, kind of described that under the General Land Use environment issues. Yes, we're aware of that.

CHAIRMAN: Just wanted to make sure.

Commissioners have anything other?

(NO RESPONSE)

CHAIRMAN: Is anybody prepared to make a motion or does anybody need any assistance in making a motion?

MR. BOSWELL: Mr. Chairman, I would like to make a motion that we approve the change from R-1B Single-Family to B-4 General Business with the understanding that all of the criteria for the
applicant to take care of the landscaping buffers, the
issues around improvements to comply with the 40
percent limitation be part of this. Also, would like
to reword Item 6, Findings of Fact 6 to incorporate
the statement on Item F as has been presented to us
for general business use, which is new locations in
rural communities. The one thing that also I think we
would probably need to strike would be Findings of
Fact 4, since this will not be a logical expansion of
B-4 General Business, in my opinion. Also, I guess
the question for me to seek an answer from Mr. Howard
is the importance of not being in compliance with the
Adopted Comprehensive Plan. Should that be struck as
well?

MR. HOWARD: In order to make a recommendation
for any type of action approval or approval on a
zoning change, KRS states that you have to make
findings in one of three ways.

One, is that it's in compliance with the
Adopted Comprehensive Plan. Two, the second option is
that you make findings that the proposed zone is more
appropriate than the current zoning. Three, you make
findings that there have been major changes of
economic or socioeconomic nature within the vicinity
that were not anticipated at the time of the adoption
of Comprehensive Plan.

MR. BOSWELL: So that would be the case as far as the criteria that this is Number 2. This is located in a Rural Community Plan Area where general business uses are appropriate in limited locations.

CHAIRMAN: Are you saying strike that or do you want to hold that?

MR. BOSWELL: Hold that, yes.

CHAIRMAN: You would also want to strike item Number 1?

MR. BOSWELL: That the use that is being requested is more appropriate in that vicinity because of the changes that have occurred there over the years.

CHAIRMAN: Do you have that?

COURT REPORTER: I've got what was said.

CHAIRMAN: Does that conclude your motion, Mr. Boswell?

MR. BOSWELL: Yes, it does.

CHAIRMAN: Is there a second to Mr. Boswell's motion?

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas.

Mr. Brancato, did you understand clearly the nature of the motion?
MR. BRANCATO: I do, sir.

CHAIRMAN: Any of the commissioners have any questions or concerns about the motion?

Mr. Moore.

MR. MOORE: Can we explain that again or go through that one more time for me to see exactly what I'm voting on.

Taking out something or adding something, we did add something, we didn't.

MR. BOSWELL: What we're doing, hopefully I can explain this as well.

We're going from the R-1B Single-Family Residential to B-4 General Business to inclusive of all of the landscaping buffers that are stated in the Staff Report. Also the requirement for the improvements that will be made by the applicant to comply with the 40 percent limitation on the driveways.

MR. MOORE: As your conditions?

MR. BOSWELL: As the conditions, correct.

Also, on Item Number 1, that the Comprehensive Plan, change of the Comprehensive Plan is the fact that the conditions have been changed out there to B-4 is more appropriate for that particular area now.

CHAIRMAN: Mr. Moore, does that clarify for
you?

MR. BOSWELL: And the other thing was to
include new locations in the rural community as he has
presented, applicant has presented in his general
business use sheet that he brought forth earlier.

MR. MOORE: Thank you.

CHAIRMAN: Any other commissioners have any
questions about the motion?

(NO RESPONSE)

CHAIRMAN: You feel like you understand it
sufficiently to cast your vote?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(BOARD MEMBERS BEVERLY McENROE, FRED REEVES,
LARRY BOSWELL, JOHN KAZLAUSKAS, LEWIS JEAN AND LARRY
MOORE ALL RESPONDED AYE.)

CHAIRMAN: All opposed.

(BOARD MEMBER MANUEL BALL RESPONDED NAY.)

CHAIRMAN: Six to one. The application is
approve.

MR. BRANCATO: Thank you for your time and
attention.

ITEM 4

A Portion of 5611 Jones Road, 0.39 acres
Consider zoning change: From R-1A Single-Family
Residential & A-R Rural Agriculture to R-1A
Single-Family Residential
Applicant: Ann Goodwin

MS. KNIGHT: Please state your name for the record.

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

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

CONDITION

Approval of a consolidation plat to consolidate the subject property with 6155 Stanford Court.

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 Preference Plan Area, where single-family residential uses are appropriate in very limited locations;

3. The subject property will be consolidated with an existing lot located on a public street, Stanford Court, within Woodcrest Subdivision;

4. The proposal adds area to an existing parcel that is already large enough to assure satisfactory operation of a conventional septic tank
system;

5. The proposed zoning change is a logical expansion of existing R-1A zoning located to the west;

6. At 0.390 acres, the proposal is not a significant increase in R-1A zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area; and

7. The proposal does not create any new parcels; therefore there will not be any potential new property owners who need to be advised of potential coal mining activities in the rural area.

MS. EVANS: We would like to enter the Staff Report into the record as Exhibit B.

CHAIRMAN: Is anyone here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Is anyone here that would like to speak in support of the application?

(NO RESPONSE)

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

(NO RESPONSE)

CHAIRMAN: Commissioners, do any of you have questions of Staff regarding this application?
Chairman: If not, then the Chair will entertain a motion.

Mr. Ball: Make a motion to approve based on the Planning Staff Recommendations, their condition and Findings of Fact 1 through 7.

Chairman: We have a motion by Mr. Ball. Do we have a second?

Mr. Moore: Second.

Chairman: Second by Mr. Moore. 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 passes unanimously.

Item 5

910 West 4th Street; 410 & 414 Poplar Street, 0.417 acres
Consider zoning change: From B-4 General Business to I-1 Light Industrial
Applicant: Thomas S. Hayden, Jr.; Thomas S. Hayden, Jr., Et al. C/o Bluegrass Self-Storage

Planning Staff Recommendations

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

Condition

Access shall be limited to Poplar Street. No
access shall be permitted to West Fourth Street.

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 partially located in a Business/Industrial Plan Area where Light Industrial uses are appropriate in general locations and partially located in a Business Plan Area where Light Industrial uses are appropriate in limited locations;

3. The proposed use conforms to the criteria for nonresidential development; and,

4. The proposal is a logical expansion of I-1 Light Industrial zoning to the west;

5. At 0.417 acre the proposal is not a significant increase in I-1 zoning in the vicinity; and,

6. With access limited to Poplar Street it will not overburden the capacity of roadways and other necessary urban services available in the affected area.

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

CHAIRMAN: Is anyone here representing the
applicant?

MR. RINEY: Yes.

CHAIRMAN: Would you like to speak, sir?

MR. RINEY: No.

CHAIRMAN: Anyone in the audience like to speak in support of the application?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience like to speak in opposition of the application?

(NO RESPONSE).

CHAIRMAN: Any commissioners have any questions of Staff regarding his application?

(NO RESPONSE)

CHAIRMAN: If not, then the chair will entertain a motion.

MR. JEAN: Like to make a motion we approve based on the Staff Report with the one condition and Findings of Fact 1 through 6.

CHAIRMAN: We have a motion by Mr. Jean. Do we have a second to that motion?

MS. McENROE: Second.

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

(NO RESPONSE)

CHAIRMAN: If not all in favor raise your
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved unanimously.

ITEM 6

6151 Highway 54, 0.526 acres
Consider zoning change: From B-4 General Business & R-1A Single-Family Residential to R-1A Single-Family Residential
Applicant: Chad G. Davis & Bridgett A. McCarty

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and Findings of Fact that follow:

CONDITION

The applicant shall provide screening along the western property line. The screening shall consist of a 10' landscape easement with a 6' tall continuous element such as a fence, wall, plantings, hedge or earth mound plus one tree per 40 linear feet.

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 Community Plan Area where rural small-lot residential uses are appropriate in general locations;

3. The proposal is on an existing parcel with
frontage directly on Highway 54, a public street; and

4. The proposal will allow the continued residential use of an existing parcel that has been adequately served by a conventional septic tank system for several years.

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

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: You wish to make any comments?

APPLICANT REP: No.

CHAIRMAN: We may have a question for you. Anyone else in the audience like to speak in support of the application?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience like to speak in opposition of the application?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions about this application?

(NO RESPONSE)

CHAIRMAN: If not then the chair will entertain a motion.

Mr. Kazlauskas.
MR. KAZLAUSKAS: Make a motion that the amendment be approved based on Planning Staff Recommendations, Condition 1 and Findings of Fact 1 through 4.

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

MR. MOORE: Second.

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

(NO RESPONSE)

CHAIRMAN: If not all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved unanimously.

ITEM 7

6530 & 6542 Highway 56, 1.458 acres
Consider zoning change: From B-4 General Business (with conditions) to B-4 General Business (without conditions)
Applicant: Woodland Ridge Development, Inc.

PLANNING STAFF RECOMMENDATIONS

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

CONDITION

1. Approval of consolidation plat combining the two properties.
2. Approval of a site plan demonstrating compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage.

3. Access to the site shall be limited to a single access point compliant with applicable zoning ordinance regulations. KYTC approval of the access location and dimensions is also required prior to site plan approval.

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 Community Plan Area where general business uses are appropriate in limited locations;

3. The proposed use as general business conforms to the criteria for nonresidential development;

4. The property is already zoned B-4 General Business therefore a logical expansion is not necessary; and

5. Furthermore, since the property is already zoned B-4 General Business, the proposal is not a significant increase in general business zoning in the
vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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

CHAIRMAN: Anyone here representing the applicant?

MR. RINEY: Yes.

CHAIRMAN: Do you understand the conditions that were listed by the Staff?

MR. RINEY: Yes.

CHAIRMAN: Anyone in the audience like to speak in support of the application?

(NO RESPONSE)

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

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions or concerns to Staff with regard to the application?

(NO RESPONSE)

CHAIRMAN: If not, then the Chair would entertain a motion.

Mr. Moore.

MR. MOORE: Thank you, Mr. Chairman. I make a
motion for approval based on Staff Conditions 1, 2, 3 and Findings of Fact 1 through 5.

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

MS. McENROE: Second.

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

(NO RESPONSE)

CHAIRMAN: If not all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved unanimously.

ITEM 8

231 Highway 140 West, 7.815 acres
Consider zoning change: From R-1A Single-Family Residential to A-U Urban Agriculture
Applicant: Paul Thompson, Et al.

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
Community Plan Area, where agricultural uses are appropriate in general locations;

3. The subject property will be consolidated with an existing farm surrounding the subject property;

4. The proposal is a logical expansion of existing A-U zoning to the north, south, east and west; and,

5. Appropriate farming practices should be observed to conserve the topsoil in the area.

MS. EVANS: We would like to enter the Staff Report into the record as Exhibit F.

CHAIRMAN: Is anyone in the audience representing the applicant?

(NO RESPONSE)

CHAIRMAN: Anyone in audience like to speak in support of the application?

(NO RESPONSE)

CHAIRMAN: In opposition of the application?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions of Staff on this application?

(NO RESPONSE)

CHAIRMAN: If not, then the Chair will entertain a motion.
MR. JEAN: Motion to approve based on the Staff Report and Findings of Fact 1 through 5.

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

MR. BOSWELL: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENTresponded AYE.)

CHAIRMAN: The application is approved unanimously.

MAJOR SUBDIVISION PRELIMINARY PLATS

ITEM 9

Gateway Commons, Section 2, 201.98 acres (Postponed from the June 9, 2016 meeting)

Consider approval of a major subdivision preliminary plat.

Applicant: Gateway Land, LLC

MR. HOWARD: Mr. Chairman and Planning Commissioners, this plat has been reviewed by the Planning Staff, the Engineering Staff, the State Highway Transportation Cabinet Staff and it's found to be in order. It's consistent with the conditions of the Traffic Impact Study and the rezoning that was approved earlier. It meets the requirement subdivision regulations and it is ready for your
consideration.

CHAIRMAN: Mr. Hayden, do you wish to make any comments?

MR. HAYDEN: No.

CHAIRMAN: If we have any questions, we'll call on you.

Anyone in the audience wish to speak on this issue?

(NO RESPONSE)

CHAIRMAN: Commissioners, do you have any questions of the Staff on this plat?

(NO RESPONSE)

CHAIRMAN: If not, then the Chair will entertain a motion.

MR. KAZLAUSKAS: Make a motion the plat be approved.

CHAIRMAN: We have a motion by Mr. Kazlauskas.

MR. BALL: Second.

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

(NO RESPONSE)

CHAIRMAN: If not all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The plat is approved.
MINOR SUBDIVISION PLATS

ITEM 10

1419 East 18th Street, 0.194 acres
Consider approval of a minor subdivision plat.
Applicant: Eleanor Sutton

MR. HOWARD: Mr. Chairman and Commissioners,
the plat comes before you as a request and exception.
When this property was created earlier in the year,
and when that lot was created, there was a condition
that there be no new access to East Eighth Street.
However, in conversations with Jason Baker, the
engineer that's prepared the site plan for the
applicant, based upon semi traffic and truck movements
and things like that, they can't figure out a way to
make that work. So it has come before you all as an
access basing standard. I know Mr. Baker is here
tonight with information probably to present to you
all to show how that doesn't work. He's explained
this to me, but it comes before you all for
consideration to allow, there are two access points
now. This would actually allow for a third access
point on East 18th Street in this vicinity.

CHAIRMAN: Mr. Baker, you want to make a
comment for us to help us understand this, please?

MS. KNIGHT: Please state your name for the
record.
MR. BAKER: Jason Baker.

(JASON BAKER SWORN BY ATTORNEY.)

MR. BAKER: First thing I'm going to do is I'm going to pass something out here.

As Brian mentioned, when we originally turned this plan in we had to have that condition because 18th Street has access basing standard. At the time we didn't think that was a problem. As we went back and looked at the layout, it's just not an ideal situation. Let me identify where this area is at.

This parking lot is located in-between the old Tapscott building and the Sun Windows factory. This particular piece of land is off of the Tapscott property. The intent is the owner of Sun Windows is purchasing a small area to improve access into the factory.

The current situation that exist deliveries of materials into the plant, they had tractor-trailers coming straight into it. On your exhibits, you'll see some blue lines on there. Those represent what we're showing as parking spaces. The area between those would be the drive lanes. Those are indicated here.

As it stands today, you'll have tractor-trailers delivering material that pull straight in. There's not an ability to turnaround and
come back out that same point. So what they're left
with is they pull in, they unload materials, they have
someone come out of the factory, maybe one or two
people come out of the factory and flag down traffic
in 18th Street, stopping traffic. The tractor-trailer
will then back out of this entrance straight across
18th Street into the cross road. I'm not sure what
the name of that street is. Mill Avenue. They'll
back into that street and then they'll pull out on
18th Street one way or the other, depending on where
they're going. It's not ideal situation.

So there's really two things they're trying to
accomplish here. They also, as a growing business,
have need for parking. They have parking off site
that they use.

This area here, you can see by the thin lines
under the blue lines on the exhibit I gave you, you
can see how the existing parking is arranged, if you
look closely, the gray lines there. Existing parking
spaces do not allow for standard spaces. The angle
and configuration of them are not easily accessible.
Again, the solution here is twofold. We're trying to
get tractor-trailers into and out of the plant easier.
That's the number one goal. Second goal is to
capitalize on as much parking that we can for
employees on this side of 18th Street.

In the future scenario, you would have a tractor-trailer coming in to the same entrance they come in today. They will be able to turn around and come back out the second entrance.

So initially when we got this plan approved, we were thinking that we would be able to close off the access point that's the furtherest to the east, closer to Sun Windows. You can see with the blue lines that you see on there, there's a double row of parking and another parking along the building. If we do away with that entrance, we will do away with all of that. Utilization of what we've got here is pretty significantly diminished.

Again, the goal is to improve the tractor-trailer circulation within the site, to eliminate the safety issue that exists, and also loss of productivity, of course, while capitalizing on as many parking places as we can for employees.

We do have Frank Anderson from Sun Windows here, if you have any questions of him.

CHAIRMAN: I just have one question. About how many tractor-trailer a day would be going through this process?

MR. BAKER: Eight to ten.
CHAIRMAN: Mr. Howard, did Staff have any issue with this?

MR. HOWARD: It's something I couldn't sign in-house because it is creating a new access point. That's why I asked it to come before you all. The explanation that Mr. Baker just gave, you know, it made sense to me.

CHAIRMAN: Okay. Mr. Kazlauskas.

MR. KAZLAUSKAS: Is that still a gravel parking lot or has it been paved with blacktop?

MR. BAKER: We will be making the whole area, bringing it up to standards as far as a future site plan. Couldn't prepare that plan until we figured out what to do with the entrance.

MR. KAZLAUSKAS: So you're going to put blacktop?

MR. BAKER: Yes.

MR. KAZLAUSKAS: Is it going to be blacktopped?

MR. BAKER: Yes, it will be required to be paved.

MR. KAZLAUSKAS: My understanding you said these parking places up against the building on the east side you are going to continue to use those?

MR. BAKER: Yes.
CHAIRMAN: Any other questions?

Yes, Mr. Boswell.

MR. BOSWELL: Thank you, Mr. Chairman.

I want to get straight in my own mind. You're going to wind up with two access points?

MR. BAKER: No. We will end up with three. The additional access point is on the lot in question. That is why this is before you. We said we were going to be able to reduce it down to two. We weren't able to in the end.

CHAIRMAN: Any other questions?

(NO RESPONSE)

CHAIRMAN: If not, the Chair will entertain a motion.

MR. BALL: I have a motion to approve.

CHAIRMAN: Motion to approve by Mr. Ball. Do we have a second?

MR. MOORE: Second.

CHAIRMAN: Second by Mr. Moore. Questions or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion is approved.

Thank you.

Ohio Valley Reporting
(270) 683-7383
NEW BUSINESS

ITEM 11

Consider approval of Amended OMPC Fee Schedule

MR. HOWARD: Mr. Chairman and Planning Commissioners, you all received a copy of the proposed filing fee changes. These are the same fee structure that was discussed at the work session earlier in the year. Since we had that work session, and basically I'll summarize what it is.

Basically what we've done we looked at each of the different types of applications that the planning departments receives. We compared what our current fee is, along with filing fees for similar type applications in similar type of zones in Lexington, Bowling Green and Louisville. We then proposed, based upon what we understand other communities charge and the way that we see trends going, increases in fees. Now, the majority of the fees increase anywhere from 6 to 10 percent. The last time that we looked at the fees was in 2011. Since that time the CPI is a little over 6 percent over that five year period. However, if we keep with this current trend of looking at filing fees every five years, by the time we get an additional five years out, we'll be behind where CPI
would have been for that previous time. So we're just
trying to staying a little bit ahead of the curve.

Since we met at the work sessions and
discussed the filing fees, we have met with the Home
Builders Association and discussed the filing fees
with them. We discussed it with Bryant Engineering,
Jason Baker and David Weaver, Jim Riney from HRG,
talked with commercial developer about the filing
fees. We tried to make sure that the end users, the
people that submit the applications, come to our
office, are aware of what the fee proposals are. If
this is approved, we would look for this to go into
affect August 1st. We will send out notifications to
the local surveyors and engineer and all those folks
that would use these on a regular basis.

So, again, these haven't been updated since
2011. This does not alter any capacity the
applications for the building portion of our office.
That fee structure has not changed since 1984 and
there is no proposal to change that. This is just for
planning fees.

Be happy to entertain any questions that you
would have.

CHAIRMAN: Any commissioners have any
questions?
I know we discussed this previously. I understand, Mr. Howard, because of the fact we only do it once every five years, incrementally we would have need additional money, but this makes, what you said makes sense in terms of the catch up.

MR. HOWARD: Basically what we're trying to do is every 5 years look at fees instead of waiting 15 years and then lock on a huge increase because we're so far behind.

CHAIRMAN: Questions?

(NO RESPONSE)

CHAIRMAN: Entertain a motion.

Ms. McEnroe.

MS. McENROE: I move that we accept the Planning & Zoning fees.

CHAIRMAN: Motion by Ms. McEnroe. Do we have a second?

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. Questions or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: They are adopted.

ITEM 12
Consider approval of May 2016 financial statements

CHAIRMAN: All of you have had a chance to review the final statements for May 2016 that were sent to you. Any questions or concerns about anything in the financial statements?

(NO RESPONSE)

CHAIRMAN: If not I'll entertain a motion to approve them.

MR. KAZLAUSKAS: Motion to approve.

CHAIRMAN: Motion by Mr. Kazlauskas.

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Any question or concern about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 13

Comments by the Chairman

CHAIRMAN: I just want to thank all of you for your excellent participation in this evening's meeting. I'm always impressed by your questions and how attentive you are to the business that comes before us. I really appreciate it. Thank you very much.

Thanks for Staff. Mr. Brancato's comments were
appreciated and he appreciated how responsive you all were to their application and concerns they expressed. Thank you to Staff for your ongoing wonderful work. Appreciate that very much.

ITEM 14
Comments by the Planning Commissioners

CHAIRMAN: Any Commissioners have any comments they would like to make?

Mr. Kazlauskas.

MR. KAZLAUSKAS: I would just like to comment on the work that the Staff had done on developing the new zoning fees. I know they work very close with the community. Compared to other communities in the State of Kentucky, I want to think that ours are very fair. I think the Staff does an excellent job in reaching out to our community members. Make sure that they know what is going on and have some input into it.

Good job, Brian.

CHAIRMAN: Thank you, Mr. Kazlauskas.

Any other commissioners have any other comments?

(NO RESPONSE)

ITEM 15
Comments by the Director

CHAIRMAN: Mr. Howard, the floor is yours.
MR. HOWARD: The only comment I have is on the evening of July 26th, that's a Tuesday evening, from 5:30 to 7:30, our Planning Staff is going to host, being led Mike Hill, is going to host a Planning and Zoning Workshop. We did one similar to this back last year sometime. Had a pretty good attendance. We've got quite a few people that have already confirmed to come. It will be held over at our building, 200 East Third Street, the Commerce Center, up on the third floor. There will be some food provided as well for those who attend.

It's basically an opportunity for outreach within the community. It's an open invitation. If you'd like to come, please contact the office. Give the office a call. Ask for Mike, and we can get you signed up. That way we can have a count of how much feed we need to provide.

We will talk about what we do as the Planning Staff. What you all do as the Planning Commission. What the Board of Adjustment does, what their role is, along with other tools that are available on our website and online that is available so that surveyors, and appraisers, and realtors, and those kind of folks can look up zoning and flood plain information, and addresses, and parcels, and that type
of thing. So we'll go over all of that at the work shop. It's just an opportunity for us to answer questions that the community might have, and also provide them with some information that they may not know is available.

So we encourage anybody to attend. Again, if any of the people would like to attend, just give the office a call and ask for Mike and he'll get you signed up.

CHAIRMAN: Mike, I know you brought this idea to the commission. We really appreciate that. It's a lot of work and we appreciate you doing it. I went to the last one. If you haven't been, it was a good session. I attended and I think Beverly did.

Larry, were you there?

MR. BOSWELL: It was excellent, yes.

CHAIRMAN: I was really surprised how many folks in the community wanted to come and learned about it, which I thought was really good news. I appreciate the nice job he did. I hope we get another good turnout and more people understand what we do.

MR. BOSWELL: Thank you too. There was a number of people there from some of the other communities around the area. They really were seeking a lot of information. They left with a lot of
knowledge.

CHAIRMAN: Chair will entertain one last motion.

MR. MOORE: Move to adjourn.

CHAIRMAN: Do we have a second?

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 )
COUNTY OF DAVIESS )

I, LYNETTE 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 62 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, 2016.

LYNETTE 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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