The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, March 9, 2017, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Larry Boswell, Chairman
Larry Moore, Secretary
Brian Howard, Director
Terra Knight, Attorney
Beverly McEnroe
Manuel Ball
Fred Reeves
John Kazlauskas
Lewis Jean
Angela Hardaway

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CHAIRMAN: I would like to call the March 9, 2017 Planning Commission meeting to order. We always start our meeting with a prayer and the pledge.

Ms. Angela Hardaway has that tonight, I think.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: I would like to welcome everyone tonight to our meeting.

Before we get started, I would like just to make a couple of statements. We would like to, as a commission, extend our condolences and sympathies to our Co-Chair Steve Frey and his wife Trisha. Her father passed away a couple of days ago and they had
the funeral today. So we extend our sympathies and condolences for them.

Also, I understand that Commissioner Ball's grandmother has passed away. Would like to extend all of our condolences and sympathies to he and his family as well.

Just a couple of sort of house cleaning things. Anyone who wishes to speak tonight we would ask that you come forward and speak at the podium and present us with your name and information that you wish to present to us. If there's anyone in the audience that would like to speak, we would ask them to come forward as well. We would ask also that no questions be asked from the audience. We would prefer that you come to the podium because it's very important that we hear all of the comments and any information that's presented to us so that we are able to make good factual decisions based on everything we hear.

The minutes I think were presented to everyone. Are there any questions or discussion concerning the minutes from the last meeting?

(NO RESPONSE)

CHAIRMAN: There being none the Chair is ready for a motion.
MR. REEVES: Motion to approve.

MR. MOORE: Second.

CHAIRMAN: Motion to approve and a second by Mr. Moore. All those in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion has been approved.

Mr. Howard.

MR. HOWARD: I will note that all 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 appropriate materials to the legislative body for them to take final action.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 3

2819 South Hampton Road, 48.952 acres
Consider zoning change: From A-R Rural Agriculture and R-1A Single-Family Residential to A-R Rural Agriculture
Applicant: Charles Dawson

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

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

Ohio Valley Reporting
(270) 683-7383
The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION

Contact the County Engineer’s office prior to the construction of any access points.

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 rural large-lot residential uses are appropriate in general locations and rural small-lot residential uses are appropriate in very limited locations;

3. The subject property has frontage on a public road, South Hampton Road;

4. At only a 3 acre expansion of the existing A-R zone, the expansion is not a significant increase of the zone in the vicinity and it should not overburden the capacity of roadways and other necessary urban services available in the affected area; and,

5. At 48.952 acres the tract is large enough to ensure satisfactory operation of a conventional septic system.
MS. EVANS: We would like to enter the Staff Report into the record as Exhibit A.

CHAIRMAN: Thank you, Melissa. Is there anyone here representing the applicant that wish to speak? Please come forward.

MR. TAYLOR: Septtimous Taylor for the property owner, Charles Dawson is here.

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

MR. TAYLOR: We are in agreement with the recommendation of the committee. We think it is the best use for this property to be rezoned to agriculture. We would ask that the recommendation be accepted.

CHAIRMAN: Thank you. Do any commissioners have any questions for the applicant?

(NO RESPONSE)

CHAIRMAN: Is there anyone else in the audience that would like to speak on the application?

(NO RESPONSE)

CHAIRMAN: There being none, the Chair is ready for a motion.

Mr. Ball.
MR. BALL: Motion to approve based on Staff's Recommendation, Condition Number 1 and Findings of Fact 1 through 5.

CHAIRMAN: Motion by Mr. Ball.

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. Any discussion about the motion or the second?

(NO RESPONSE)

CHAIRMAN: There being none all those in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 4

2430, 2434 Highway 144, 3.839 acres
Consider zoning change: From B-4 General Business and R-1A Single-Family Residential to B-4 General Business
Applicant: Rossboro Land Co., LLC; Brilo, LLC

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 partially located in a Business Plan Area, where general business uses
are appropriate in limited locations and partially
located in an urban residential plan area where
general business uses are appropriated in very limited
locations;

3. The subject properties are nonresidential
in nature; and,

4. At approximately a 2.17 acre expansion of
the existing B-4 General Business zone the expansion
is not a significant increase of the extent of the
zone in the vicinity and should not overburden the
capacity of roadways and other necessary urban
services that are available in the affected area,
given the uses have existed for some time.

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

CHAIRMAN: Thank you, Melissa.

Is there anyone here representing the
applicant?

MR. RINEY: Yes.

CHAIRMAN: Mr. Riney, would you like to say
anything?

MR. RINEY: No.

CHAIRMAN: Thank you.

Do the commissioners have any questions for
the applicant?
(NO RESPONSE)

CHAIRMEN: Anyone else in the audience that would like to speak about the application?

(NO RESPONSE)

CHAIRMAN: There being none the Chair is ready for a motion.

Mr. Moore.

MR. MOORE: Thank you, Mr. Chairman. I recommend approval based on Staff Recommendation and Findings of Fact 1 through 4.

CHAIRMAN: Do we have a second?

MS. HARDAY: Second.

CHAIRMAN: Second by Ms. Hardaway. Any discussion about the motion and the second?

(NO RESPONSE)

CHAIRMAN: There being none the Chair is ready for a vote. All those in favor for approval of the application raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion carries.

MINOR SUBDIVISION PLATS

ITEM 5

3355-3375 Block Hayden Road, 10.191 acres
Consider approval of a minor subdivision plat.
Applicant: Irene Settles Estate

MR. HOWARD: Mr. Chairman and Commissioners,
this plat comes before you as an exception. They're creating a parcel by this plat that does not have road frontage, and that's why we could not sign it at Staff level.

It's currently zoned agricultural. I know their surveyor is here tonight, Mr. Weikel, and he may wish to address some of this or correct me if I'm wrong.

Basically what's happening here is this property will eventually become part of the Gateway Development that is taking place out on Highway 54 and Hayden Road. So they're doing the division so that it could in the future be consolidated with that Gateway property, but they need to go ahead and do that now.

There's a couple of things that will have to be done before it can be consolidated. One is it will need to be rezoned; and then, two, it will need to be annexed because this property is currently in the county and the rest is in the city. We can't approve a plat for consolidation until that takes place.

They have put a note on the plat with the understanding that this is a non-buildable lot and it is subject to future plats and all that stuff.

Since that's what's happening here it's really for a property transfer issue. We would recommend
that you consider it for approval since it's not for
development purposes at this point until further steps
are taken in the future.

CHAIRMAN: Thank you, Mr. Howard.

Is there anyone here representing the
applicant?

MR. WEIKEL: Yes.

CHAIRMAN: Would you like to speak on his
behalf?

MR. WEIKEL: Not unless you all have any
questions.

CHAIRMAN: Thank you.

Do any of the commissioners have any questions
associated with this plat?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience?

(NO RESPONSE)

CHAIRMAN: Then the Chair is ready for a
motion.

Mr. Kazlauskas.

MR. KAZLAUSKAS: Motion for approval.

MS. McENROE: Second.

CHAIRMAN: Motion for approval has been
rendered, and a second by Ms. McEnroe. All those in
favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

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NEW BUSINESS

ITEM 9

Consider approval of January 2017 financial statements

CHAIRMAN: Everyone was presented with the financial statements. Everyone has had a chance to go through those. Are there any questions, discussion, changes?

(NO RESPONSE)

CHAIRMAN: There being none the Chair is ready for a motion.

MR. MOORE: Motion to approve.

CHAIRMAN: Motion to approve by Mr. Moore. Is there a second?

MR. REEVES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 10

Comments by the Chairman

CHAIRMAN: The Chair has really no comments tonight.
ITEM 11
Comments by the Planning Commissioners

CHAIRMAN: Any of the commissioners have any
comments or suggestions or anything to discuss?
(NO RESPONSE)

ITEM 12
Comments by the Director

CHAIRMAN: Any comments by the director?

MR. HOWARD: The only thing I'll note is that
next month, due to the Spring Break issue, that we do
have a double meeting with both the Board of
Adjustments and Planning Commission on the same night.
We'll have to do that next month. Just putting
everyone on notice.

CHAIRMAN: Thank you, Mr. Howard.

I guess the most important motion is a motion
for adjournment.

MR. BALL: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Mr. Ball.

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. All those in
favor of the adjournment 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, 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 12 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the
22nd day of March, 2017.

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

Ohio Valley Reporting
(270) 683-7383