OWENSBORO METROPOLITAN PLANNING COMMISSION

AUGUST 10, 2017

The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, August 10, 2017, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

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

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CHAIRMAN: I'd like to call the Owensboro Metropolitan Planning Commission meeting for August 10, 2017 meeting to order. We always start our meetings with a prayer and pledge. Tonight Steve Frey will lead both of those.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Thank you, Commissioner Frey.

I would like to consider the minutes of the July 13, 2017 meeting. I assume all the commissioners got the minutes of the meeting, had a chance to look
through those. Are there any questions or changes to those minutes?

(NO RESPONSE)

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

Mr. Moore.

MR. MOORE: Move for approval.

CHAIRMAN: Mr. Moore has moved for approval. Is there a second?

MS. HARDAWAY: Second.

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

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The minutes have been approved.

Before we get started with the business agenda tonight, I would just like to take a few minutes to go over a few ground rules.

If we have someone that wishes to speak on an application, for the application or opposed to the application, ask that you approach the podiums and state your name and be sworn in. If we have any questions and answers, all of those are to be directed
toward the chair and the chair will make sure that all
of the questions and answers are repeated to the
audience. That's so that everybody hears the
questions and answers clearly, since we have these
televised and also since the commissioners need to
hear all of this information accurately.

We're ready for first order of business.

MR. HOWARD: Under Zoning Changes, 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.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 2

Portions of 3001 Highway 54, 0.571 acres
Consider zoning change: From P-1 Professional/Service
to B-4 General Business
Applicant: Gateway Land, LLC; Commonwealth of KY
Department of Human Resources

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 conditions and findings of fact that follow:

CONDITIONS

1. Fulfillment of all the recommended improvements by the developer as outlined in the 2015 traffic impact study.

2. Approval of an Amended Major Subdivision Preliminary Plat that incorporates this 0.571 acre property with the larger Gateway Commons development.

FINDINGS OF FACT

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

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

3. The use of the subject property as general business will be non-residential in nature;

4. The proposal is a logical expansion of existing B-4 zoning to the north and west;

5. At 0.571 acres, the proposal should not overburden the capacity of roadways and other necessary urban services that are available, or are planned to be improved, in the affected area based on

Ohio Valley Reporting
(270) 683-7383
the recommended improvements of the traffic impact study; and

6. Preliminary plats and final development plans will be submitted and reviewed to ensure site design will comply with the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations.

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?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to speak on his behalf?

APPLICANT REP: No.

CHAIRMAN: Is there anyone here who would like to speak in opposition to the application?

(NO RESPONSE)

CHAIRMAN: Do any of the commissioners have any questions concerning the application?

(NO RESPONSE)

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

Mr. Reeves.

MR. REEVES: Motion to approve the application
based on Staff Findings of Fact 1 through 6 and Conditions 1 and 2.

MS. McENROE:  Second.

CHAIRMAN:  Second by Ms. McEnroe. Do we have any discussion concerning the motion and 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

9964 Highway 144, 86.25 acres
Consider zoning change: From EX-1 Coal Mining to A-U Urban Agriculture
Applicant:  Frances Meserve

PLANNING STAFF RECOMMENDATION

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 land uses are appropriate in general locations;

3. The subject property is a single tract of

Ohio Valley Reporting
(270) 683-7383
86.25 acres;

4. The subject property has access to Highway 144;

5. Mining activity has ceased on the property and it is ready to revert back to its original zoning classification; and

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

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?

(NO RESPONSE)

CHAIRMAN: Is there anyone here that wishes to speak in opposition to the application?

(NO RESPONSE)

CHAIRMAN: Do any of the commissioners have a question concerning the application?

(NO RESPONSE)

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

Mr. Jean.
MR. JEAN: I would like to make a motion we approve this application based on the Staff Report and Findings of Fact 1 through 6.

CHAIRMAN: Motion has been made to approve based on Findings of Fact 1 through 6. Do we have a second?

MR. BALL: Second.

CHAIRMAN: Second by Mr. Ball. Any discussion on 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 5

3734, 3806 West Parrish Avenue, 4.173 +/- acres Consider zoning change: From A-R Rural Agriculture to B-4 General Business Applicant: Owensboro Recreational Real Estate, LLC; Donna B. Osborne Trust & Roger K. Osborne Trust

PLANNING STAFF RECOMMENDATIONS

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

CONDITION

Access to West Parrish Avenue shall be limited to the existing 40 foot ingress/egress easement only as approved by plat in 1990.
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 general business uses are appropriate in limited locations;

3. The proposal is a logical expansion of existing B-4 General Business zoning to the west;

4. At 4.173+/- acres, the proposal does not significantly increase the extent of general business zoning in the vicinity; and,

5. With access limited to the existing ingress/egress easement, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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

CHAIRMAN: Thank you, Melissa.

Is there anyone here representing the applicant?

MR. RINEY: Yes.

CHAIRMAN: Mr. Riney, would you like to speak on behalf of the application?
MR. RINEY: Yes.

MS. KNIGHT: State your name, please.

MR. RINEY: Jim Riney.

(JIM RINEY SWORN BY ATTORNEY.)

MR. RINEY: Mr. Chairman, I understand that there's some opposition in the room tonight. I didn't think that the applicant was going to be available. I found out he's at some sort of event or function here in Owensboro and he's going to try to get down here. I would ask, respectfully ask if the commission would move this item on down on the agenda to give him time to arrive so he can speak with the issues that the neighborhood might have, if that pleases the commission, just to delay the item on the agenda for a few minutes?

CHAIRMAN: Do we need a motion or a vote on that to delay?

MS. KNIGHT: No. We'll just table it at this time.

CHAIRMAN: We'll table it until later then.

MR. RINEY: Thank you.

CHAIRMAN: Thank you.

ITEM 6

Portion of 1031 Walnut Street, Whitesville, 0.497 acre
Consider zoning change: From R-1C Single-Family Residential to R-3MF Muti-Family Residential
Applicant: Roger Coomes and Michael Coomes
MR. HOWARD: Before Melissa does the Staff Report, this is a rezoning that is substantially similar to one that came before you all a couple of months ago. We recommended denial and our Staff Report really hasn't changed. The acreage was undated from the previous rezoning because you can't resubmit a zoning change that is the exact same within six months of its denied. So when it got to Whitesville, it was denied. So the applicant I know is here tonight, but he's changed it. Instead of reading the entire Staff Report into the record like we typically would for denial, since it's basically the exact same as it was a couple of months ago, Melissa is just going to do the Findings of Fact and then Mr. Coomes is here and can address you all as well.

MR. ROGERS: Mr. Chairman, I need to recuse myself.

CHAIRMAN: Okay.

PLANNING STAFF RECOMMENDATION

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 an Urban Residential Plan Area where urban mid-density residential uses are appropriate in limited locations;

3. The proposed use as multi-family residential conforms to the criteria for urban residential development;

4. The proposal is not a logical expansion of existing R-3MF Multi-Family Residential zoning in the area;

5. The proposal is not major street oriented;

and

6. Furthermore, the proposed lot configuration will not be compliant with the zoning ordinance road frontage requirements.

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

CHAIRMAN: Thank you, Melissa.

MR. COOMES, would you like to speak on behalf of the application?

MS. KNIGHT: If you could, please state your name for the record.

MR. COOMES: Roger Coomes.

(Roger Coomes sworn by attorney.)

MR. COOMES: Mr. Chairman, there's several
things I can say, but I really doubt if it's going to make any difference. I've submitted it and if it's turned down, it's turned down. I thank you for your time.

CHAIRMAN: Any commissioners have any questions for Mr. Coomes?

(NO RESPONSE)

CHAIRMAN: Mr. Coomes, if you would go back to the microphone, I do have one question.

Essentially the application is essentially the same as the last one with just a little bit of minor change. Did you by chance bring anything differently with you tonight that we would not be aware of?

MR. COOMES: You already have it. You already have the change made. That's about all I can say.

I could point out two or three minor things, but I'm not sure the big picture is going to make any difference. They talk about on the south side, it's all residential family, and it's not. St. Vincent de Paul had a store there and they built a new one. It's strictly an outlet to make money for the St. Vincent de Paul Society.

The area we're talking about, in the same block there's already two, I'm not sure how to define the area other than we can all discuss areas forever,
an area is not strictly limited in its scope. An area is really the entire property, when you talk about an area. So there's already two others that are in that same block. In fact, one of them the building sits about 120 to 130 feet from the edge of the property.

Anyway, thank you for your time. If anybody has any questions.

CHAIRMAN: Thank you.

Any commissioners have any questions for Mr. Coomes?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience have any questions concerning this application?

(NO RESPONSE)

CHAIRMAN: The chair is ready for a motion. Mr. Ball.

MR. BALL: I would like to motion for denial based on Findings of Fact 1 through 6 and Planning Staff Recommendation.

CHAIRMAN: A motion has been made for denial based on Findings of Fact 1 through 6. Do we have a second?

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. Any discussion about the motion and the second?
(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE - WITH IRVIN ROGERS RECUSING HIMSELF.)

CHAIRMAN: Motion carries.

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COMBINED DEVELOPMENT PLANS/MAJOR SUBDIVISIONS

ITEM 7

Deer Valley, Section 4, 43.810 acres
Consider approval of an amended combined final development plan/major subdivision preliminary plat
Applicant: Deer Valley Subdivision, LLC

MR. BALL: Mr. Chairman, I need to recuse myself.

CHAIRMAN: Yes.

MR. HOWARD: Mr. Chairman and Commissioners,
this plan has been reviewed by the Planning Staff and Engineering Staff and it's found to be in order. It's consistent with the requirements of the subdivision regulations and the zoning ordinance. They've made really what is in the grand scheme of things a minor amendment to the drainage pattern within the development, but that does require at this point that it come back before the full commission for approval of that change. So it is ready for your consideration
for approval.

CHAIRMAN: Thank you, Mr. Howard.

Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you have any discussion or any

comments you would like to make?

APPLICANT REP: No.

CHAIRMAN: Thank you.

Any commissioners have any questions

concerning the application?

(NO RESPONSE)

CHAIRMAN: There being none the chair is ready

for a motion.

Mr. Kazlauskas.

MR. KAZLAUSKAS: Make a motion for approval.

CHAIRMAN: Motion has been made for approval.

Is there a second?

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Any

discussion on 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 -

WITH MANUEL BALL RECUSING HIMSELF.)
CHAIRMAN: Motion carries.

MINOR SUBDIVISION PLATS

ITEM 8

5837, 5849 Highway 56, 3.5 acres
Consider approval of a minor subdivision plat.
Applicant: Ford Family Farms

MR. HOWARD: This plat comes before you as an
except to the 3 to 1 requirement of the subdivision
regulations and the zoning ordinance requirements.
Basically what they're doing is creating a lot around
an existing home that is on that property or on the
larger agricultural property. The closest road
frontage is the road frontage they have on Highway 56;
although, the farm does have some additional road
frontage on Ladanne Bridge Road. We've added a note
on here that both this plat and the agricultural
remainder should not be further subdivided not meeting
the requirements of the subdivision regulation, being
that they're creating around an existing home and not
necessarily maximizing, we would recommend that you
consider it for approval.

CHAIRMAN: Thank you, Mr. Howard.

Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Would you like to speak on his
behalf?

APPLICANT REP: Not unless they have some questions, no.

CHAIRMAN: Thank you.

Do any of the commissioners have any questions concerning the application?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience have any questions concerning the application?

(NO RESPONSE)

CHAIRMAN: The chair is ready for a motion.

Mr. Rogers.

MR. ROGERS: Mr. Chairman, motion for approval.

CHAIRMAN: A motion has been made for approval by Mr. Rogers.

MR. FREY: Second.

CHAIRMAN: Second by Mr. Frey. Any discussion on the motion and the second?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MR. HOWARD: It looks like the applicants for
Item 5 are here so I'll just read that part back into the record and then we can proceed.

ITEM 5

3734, 3806 West Parrish Avenue, 4.173 +/- acres
Consider zoning change: From A-R Rural Agriculture to B-4 General Business
Applicant: Owensboro Recreational Real Estate, LLC;
Donna B. Osborne Trust & Roger K. Osborne Trust

CHAIRMAN: I see we now have some representation from the applicant. Would the applicant like to speak on his behalf?

MR. RINEY: Mr. Chairman, would it be appropriate at this point to find out what the neighborhood concerns are so the commission knows that and the applicant knows that rather than second-guess?

CHAIRMAN: Yes, that would probably be a good idea.

Is there anyone that would like to speak in opposition to this application?

Yes. Would you like to come forward and be sworn in?

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

MR. O'BRYAN: Mike O'Bryan.

(MIKE O'BRYAN SWORN BY ATTORNEY.)

MR. O'BRYAN: I live on the east side of this property that adjoins that. I've got some pictures
here. I don't have a problem with the business being expanded. I just have a problem with some of the buffering that they've got now.

I've got some pictures here I would like to show the commission. I tried to get up here, but they said they couldn't get it up there. I would like to pass these pictures along for you all to look at.

We live in houses that range from about 250,000 to a million dollars on Airport Road there, and we're going to be viewing this from our back doors.

I would like to present this to the commission, if I can. I will pass this through.

CHAIRMAN: Yes, please.

MR. HOWARD: Mr. O'Bryan, since you're showing digital photos, we would request that you bring a hard copy down to our office that we could give to Lynnette to enter into the record. I'll look through them just to verify that what you do bring down to the office is what you are showing tonight on your phone.

MR. O'BRYAN: I can e-mail them to you.

MR. HOWARD: That's fine. We just need to have some means for Lynnette to have a copy of those for the record.

MS. KNIGHT: I think there's five photos.
MR. O’BRYAN: Yes.

MR. FREY: What we're seeing is what is there now?

MR. O’BRYAN: Yes. That's the screening that's there now and you can see how it's affected.

MR. HOWARD: Would the applicant like to see the pictures as well?

MR. RINEY: Yes.

MR. O’BRYAN: I'm east of the property. I'm the second house off the corner there. Looks like, 1836 is where I live.

MR. HOWARD: Would you mind to show the applicant your pictures as well so they know what you've shown to the Planning Commission.

MR. O’BRYAN: Not a problem.

CHAIRMAN: Just for my own clarification, you don't have a problem with the business expanding?

MR. O’BRYAN: I don't have a problem with the expansion of the business because I have a business myself. I looked to purchasing the same property, but what I was going to do is residential there. What I was going to buffer the property with, I was going to put a brick wall across where the RV place is on the property if I got it, but, you know, for what I wanted to do with the property it wasn't feasible for me to
do so that's why I backed off of purchasing the
property.

CHAIRMAN: So that's really your only concern?

MR. O'BRYAN: Right. I don't have a problem
with the man expanding his business because he's done
a great job where he's at now. I just have a problem
with the screening of the RV's where you've got a
6-foot fence and they're 12 and 14 feet high. Then
you can see through the buffering that's there now.
I'm willing, and I've talked with my other neighbors
there. Don Young is here tonight. He lives on the
corner there of Airport Road and Mike Horn lives
next-door to him. Mike ask that, you know, we all get
together and try to get this buffering worked out.

None of us have a problem with expansion of
the business. I don't. I don't think Mike does, with
us all being business people. Don Young is in
business for himself also. I can't speak for him, but
we don't have a problem with expansion of the
business. We would just like something done with the
screening.

CHAIRMAN: Thank you, Mr. O'Bryan.

Mr. Young, would you like to speak with your
concerns or any comments?

MS. KNIGHT: If you could state your name for
the record, please.

MR. YOUNG: Don Young.

(DON YOUNG SWORN BY ATTORNEY.)

MR. YOUNG: I think, as far as I am concerned, my house, my property does not back up to his property, but the rest of the neighbors down there does. I think that as long as we've got the low fence across there, I think it's really going to be a hindrance to us that we can see camping trailers out our back doors. I think that's pretty much the key to the whole thing. I think everybody up and down the whole street feels that way. Being what this was 20 years ago going in, that's how we got the zoning done at that time. I think we need to look at it now.

CHAIRMAN: Thank you, Mr. Young.

Did any commissioners have any questions for either Mr. Young or Mr. O'Bryan?

(NO RESPONSE)

MR. O'BRYAN: I have one other question. I know that time is crucial when you're doing, when you're working in the business industry, but I would ask for a postponement for 30 days to where we can get the screening, you know, situation under control or where we can resolve the issues. I'm asking for a 30 day postponement.
CHAIRMAN: Does the applicant, are you in position to address their concerns at this meeting tonight?

MR. NEHLS: My name is Rick Nehls. My wife is actually the legal owner of the company, but she lets me work there every day.

(RICK NEHLS SWORN BY ATTORNEY.)

MR. NEHLS: I am totally open to suggestions for the screening. What we have today is what the counsel recommended us to do when we built the building six years ago. So we're just in compliance with the current regulations. I mean if the neighbors have a recommendation that you're okay with and we're okay with, I would rather than postpone it let's get it on the table and talk about it.

CHAIRMAN: Yes, Mr. Ball.

MR. BALL: I have a question for Staff.

Just to be clear, this is considered an outdoor storage area and we're looking at a tree every 40 feet and a 6 foot tall element. Does it also require a 10 feet easement?

MR. HOWARD: It's two things. It's partially or it is an outdoor storage area, but also the zoning ordinance along the east and south boundary would require the same thing, a 6 foot tall solid wall or
fence within a 10 feet easement and a tree every 40 feet to buffer the B-4 commercial against the -- it's zoned agricultural, but they're homes with residences on it. You have to provide that screening either way. So whether it's an outdoor storage yard or just the buffer itself, 6 foot tall solid wall or fence and a tree every 40 feet.

The zoning ordinance requires that the screening provide 80 percent opacity. They have the slats and the fence right now. That has always been deemed to meet that 80 percent opacity requirement of the zoning ordinance; although, as you can see in the pictures, you can still see some of it through, but it does, it's always been deemed to meet that minimum requirement.

MR. BALL: Is there anything different from this storage area or this buffering between the two zonings than what we would see anyplace else?

MR. HOWARD: On the face of it I would say, no, other than as Mr. O'Bryan stated, there is a height, you know, potential here that may not be found elsewhere, but you could have other instances where. You know, say that Erb Equipment place, they have a 6-foot tall fence and they have large agricultural machinery and that type of thing that could be as tall
as well.

     MR. BALL:  Could you have stacking as well in
certain situations?
     MR. HOWARD:  You can.
     MR. BALL:  That's all I have.  Thank you.
     CHAIRMAN:  Any other commissioners?
     Mr. Reeves.
     MR. REEVES:  I guess what I'm looking at,
     these RV's are probably 16, 18 feet tall at the
     highest points?
     MR. NEHLS:  The highest point is 13.6.
     MR. REEVES:  So are we suggesting you're
     wanting a fence built at that height?
     MR. O'BRYAN:  I wouldn't say a fence, but some
     type of screening.  You know, like pine trees.  I've
     got pine trees planted along my subdivision out on 56.
     With the growth of those pine trees you can't see any
     of those fences or houses.  I mean it took about 10
     years for it to get there, but some type of screening.
     I don't think 40 feet.  I planted mine every 15 feet,
     pine trees, and now it's a solid screen across 56 that
     backs up to my subdivision.  You can't see any of the
     houses or fences once you get along those pine trees.
     MR. REEVES:  Would you suggest they plant pine
     trees that were of sufficient age right now, that they
give you immediate relief or is long --

MR. O'BRYAN: I say within a three or five
year time frame, which pines grow pretty quick.
The only problem you're going to have is on
that east side behind us where that property line is
there, there's a power line that runs through there.
Kenergy will come down through there and they'll trim
though trees pretty good. Because Mr. Young has some
on 56 now and they've hacked them all to pieces.
That's what you run into when you plant trees.
Kenergy is not going to recommend you put trees on
their power line. They're not going to recommend
that. They don't like trees in the power lines.
Something needs to be worked there. Like I say, I
don't have a problem with him expanding his business
at all. I just want a little bit better buffer is all
I'm asking for.

MR. ROGERS: Mr. Chairman, that screening goes
to east and to the south, correct?

MR. HOWARD: Yes.

CHAIRMAN: Any other commissioners have any
questions concerning this?

MR. BALL: Just to clarify. The pictures that
we saw, you saw them too, they're currently in
compliance with both the buffering between the zoning
and the outdoor storage area?

     MR. HOWARD: It would be our -- I haven't been
out to look recently, but we have looked in the past
and, yes, at that time they were in compliance.

     CHAIRMAN: Yes, Mr. Reeves.

     MR. REEVES: I guess this is a question for
Mr. Nehls.

     Two things. Do you have any willingness to
put additional trees beyond what is required?

     MR. NEHLS: I'm willing to come to an
agreement this evening. I really don't think there's
a reason to postpone the meeting.

     My initial thoughts are is that the neighbors
approve the tree line that Wayne Supply put in. Would
they be willing to approve to put that kind of tree
line in that Wayne Supply put in? They did
alternating trees about, I believe, every 20 feet,
which the neighbors had no problem with that. You
know, would they be okay with us putting a 6-foot
fence up with or without screening and then doing
trees alternating every 20 feet as our neighbor did
that back up to them also?

     MR. REEVES: My next question is: I know
you've got a lot of RV's out there. Do you have any
RV's that are not tall that could be stored in that?
MR. NEHLS: Absolutely not.

MR. REEVES: You don't have the crank ups or whatever?

MR. NEHLS: No. In four acres, I mean I couldn't commit that I would keep things under 6-foot tall.

MR. REEVES: I understand. I was just asking.

MR. NEHLS: A minimum height on a camper is probably 12 foot.

But would they agree to that side of staggering of trees as Wayne Supply has?

MR. O'BRYAN: I'm not familiar with Wayne Supply's buffering or screening because I'm on the east side of you. So I don't see them. I mean I would be willing to go out there and look at it.

CHAIRMAN: Direct it to us.

MR. O'BRYAN: Sorry.

I would be willing to go out there and look at the buffering, the screening, but as of this time I don't recollect what it looks like because Wayne Supply is west of where he's at.

CHAIRMAN: I don't think any of the commissioners have any idea what it would look like either at this point.

MR. RINEY: Mr. Chairman.
CHAIRMAN: Yes, Mr. Riney.

MR. RINEY: I would offer that we had a similar situation, I think it's Creek Haven out along the bypass. Instead of planting a single row of trees, I would be -- I did a little schematic here, but I won't bore you with it right now. You plant a single row of trees that's 20 foot spacing, then out from those about another 10 feet you plant another row of trees 20 foot spacing, but they're staggered so they alternate so they fill the gaps from a visual presentation, and that's been real effective. We've had it on two or three subdivisions. The ones I think of primarily is Ward Pedley, and we've used it on some others. It's been a good screening and it's effective over at the Caterpillar Equipment Supply where they've got equipment that's either agricultural or construction. They've got both types over there that's taller than the average perimeter fence.

CHAIRMAN: What the applicant is proposing, he would be acceptable with that?

MR. NEHLS: Yes, I would be acceptable to put up a 6-foot fence with the screening that we have today, and then do alternate trees, as Mr. Riney suggested.

MR. O'BRYAN: That's fine with me. I known

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what he's talking about with the buffering, with the
trees offsetting each other. I understand what he's
saying. If it's the right tree, it will probably will
give us adequate screening.

CHAIRMAN: So, Mr. O'Bryan, you would be
satisfied with that?

MR. O'BRYAN: I would be satisfied with that
if he agrees to put it in to the record.

CHAIRMAN: Mr. Young, would you agree.

MR. YOUNG: I think we need to make sure on
the record we have what's going to be done and make
sure it is done.

MR. KAZLAUSKAS: Mr. Chairman, I would like to
specify the type of tree also. I know you said
something about --

MR. NEHLS: What Wayne Supply put in was 3 to
5 foot pine trees is what they put in when they
started.

MR. O'BRYAN: When I first put mine out, mine
were 6 to 8 feet tall and then 10 years they were
about 20 feet tall and they were white pine is what
these were. Something in the pine that will offer low
buffering also.

CHAIRMAN: I think we're getting close.

MR. NEHLS: I would agree to the 6-foot white
pine. So a minimum 6-foot white pine.

MR. O'BRYAN: Six to eight feet.

MR. NEHLS: I mean we're here to be good
neighbors, but I want to do it reasonable too.

CHAIRMAN: You agree to put up a fencing plus
the alternating 6-foot white pine?

MR. NEHLS: Yes. And I believe, and Jim and I
had talked about this previously, but we have a
10-foot buffer requirement from our fence to the
residential property. So if it would be in agreement,
I would still like to -- I would like to use as much
of the property as I can. You know, do the fence 10
feet off and do that staggering in that 10 foot
easement.

MR. O'BRYAN: That he sounds fine. That
sounds like that will work, yes. Like I say, the
6-foot trees within five years they'll be 12 to
15-feet probably. That will probably take care of the
issue that we have now.

CHAIRMAN: Mr. Howard.

MR. HOWARD: From the Staff's perspective, so
I can make sure when we go out to look at it we
understand it correctly.

Mr. Riney and Mr. Nehls, I believe you
described each row of pines would be, the pine trees
and Row A would be 20 feet apart.

MR. NEHLS: Correct.

MR. HOWARD: And then the pine trees in Row B would be 20 feet apart and they would be staggered.

MR. NEHLS: Centering off the other.

MR. HOWARD: Yes, 20 foot staggered, doubled row.

MR. NEHLS: And that would be off the east side and the south side.

MR. HOWARD: Okay. I understand.

CHAIRMAN: That would be plus the fence.

MR. NEHLS: Plus the fence with the screening and the fence.

MR. HOWARD: And that's going to be a zoning ordinance requirement regardless.

MR. NEHLS: Correct.

CHAIRMAN: Mr. Reeves.

MR. REEVES: Mr. Howard, is it possible you would write that condition for us so we make sure we get it in the record properly?

MR. HOWARD: Yes. I would say, based on my understanding, that you would add a condition that it's a double row of staggered white pines 20 foot on center.

CHAIRMAN: Thank you, Mr. Howard.
MR. HOWARD: Minimum 6 feet tall, double row of staggered white pines 20 foot on center along the east and south boundary.

CHAIRMAN: Any other questions or comments concerning this application?

(NO RESPONSE)

CHAIRMAN: The chair is ready for a motion.

Mr. Ball.

MR. BALL: I would like to make a motion to approve based on Findings of Fact 1 through 5, the existing condition, and the Planning Staff Recommendations, and the applicant's alternative screening; that would be two rows of staggered minimum 6 foot tall white pines 20 feet on center located within the 10 foot landscape easement along the east and south boundaries, if the applicant is agreeable to that.

MR. NEHLS: Yes.

CHAIRMAN: A motion has been made for approval based on the Findings of Fact 1 through 5, the condition, and hopefully I've got this down too. Concerning the 20 foot pine staggered, 6 foot white pine staggered, including the fence and the screening on the east and south side, a motion has been made. Is there a second?
MR. JEAN: Second.

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

(NO RESPONSE)

CHAIRMAN: All those in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Thank you all.

MR. NEHLS: Thank you. Appreciate your time.

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NEW BUSINESS

ITEM 9

Consider approval of June 2017 financial statements

CHAIRMAN: Hopefully all the commissioners received those and had an opportunity to look through them. Are there any questions concerning the financial statements?

(NO RESPONSE)

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

Mr. Kazlauskas.

MR. KAZLAUSKAS: Make a motion for approval.

CHAIRMAN: Motion to approve. Is there a second?
MR. FREY: Second.

CHAIRMAN: Second by Mr. Frey. Any discussion about the motion and the second?

(NO RESPONSE)

CHAIRMAN: All those in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 10

Comments by the Chairman

CHAIRMAN: Chair really doesn't have much of a comment other than to, I guess, restate what we've discussed several times and what was in the paper today about the OMPC input meeting sought by the public for five year plan update. This was a very important update and we encouraged the public to attend, all that can attend, to attend this meeting and be part of the decision making for how we go with this update. That's really about all I have from the chair.

ITEM 11

Comments by the Planning Commissioners

CHAIRMAN: Any commissioners have any comments?

(NO RESPONSE)
ITEM 12

Comments by the Director
** OMPC Fiscal Year 2017 Activity Report

MR. HOWARD: The only thing that I'll have is our fiscal year 2017 Year End Report, you all received a copy of it in your packet, and then tomorrow we will send it out to all of the local elected officials; the mayor and the county judge and all of those folks.

This is just basically a summary of what we've done in the last year between the Planning Department and the Building Department. I won't go over every number. Certainly if you all have any question, let me know.

Just as an example, we processed 42 rezoning applications last year. Approximately 200 subdivision plats were reviewed. We had final development plans, we had 55; 37 in the city, 18 in the county. Site plans we had 26 in city, 11 in the county, that type of thing. So this is just an overview of what all we've done. Conditional Use Permits on the Board of Adjustment 14 variances, we had 13, on the planning side.

On the building side, there's a lot of numbers there and this goes over to building permits we've had for the various types of activities, whether it's new
single-family residential or additions and commercial uses and that type of thing.

So for the year we issued 1,039 building permits total, and then 1,298 electrical permits, 334 HVAC permits, and then 272 total plan review applications, and that includes plan review or for building, HVAC, electrical, that type of thing. So the Building Department and Planning Department have both been quite busy over the last year, and we anticipate that trend to continue with new developments taking place in the Gateway Commons and that type of thing. We anticipate that these numbers to remain consistent.

These numbers for 2017 were up overall compared to the year prior.

The last one I'll share with you is the total number of inspections that our inspectors completed. This was with the staff of I'll say three and a half. We did bring on a new inspector in April of this year. He was only there for a couple of months in this fiscal year. Between really three guys they completed over 6500 inspections on the year. They go out and all our inspectors are crossed-train, except the new guy who is learning and he will be. They go out and they do building, electrical and HVAC all at one time.
at a site. That's different than -- I can't say every other community, but I will say most every other community, that our guys are cross-trained. So you don't have one individual inspector that does one, you know, building only, and another inspector that goes out does electric only. So to get the inspections done you have to make two or three or four trips to the site. Our guys can do it really on one visit because they're crossed-trained. I think that's a great asset that we have.

Again, we've heard from the state that nobody else does that, but I hate to say that we're the only ones. So I'm going to say most other communities don't do that. Again, I think it's a great access that we do have.

Again, we'll distribute a copy of these to everybody tomorrow.

Do you all have any questions about any of the numbers that are present?

CHAIRMAN: Mr. Ball.

MR. BALL: I guess I've just got a comment. Working in other areas, I don't know that everyone fully understands and appreciates what this staff does here on such a small staff. It's absolutely amazing. Not only do they do it with a very small staff, as you
see they've got very big numbers, but the turnaround
is unbelievable also. Just working in other
communities, other communities within the State of
Kentucky and Indiana, you won't find anybody better
than what we've got right here in Owensboro.

CHAIRMAN: Thank you, Mr. Ball.

Any other commissioners have any other
comment?

(NO RESPONSE)

CHAIRMAN: I will mirror Mr. Ball. I think if
you take a look at these numbers, it shows that we
have a really good track record of doing a lot of good
hard work here. This is not an easy job and it takes
a lot of dedication to do the work that the Planning
Department, Planning and Zoning Department does.

One thing I would also add in my remiss on the
citizens input for the five year plan. That meeting
is scheduled at 5:30 p.m. on August 22nd in the Third
Floor Meeting Room of the Owensboro Downtown Chase
Bank, Commerce Center Building. So I want to make
sure that was recorded and listed as well so that the
public would realize that that meeting is coming up
before long.

MR. HOWARD: And the address is 200 East Third
Street.
CHAIRMAN: Thank you, Mr. Howard.

The next motion is the most important.

MS. HARDAYW: Motion to adjourn.

CHAIRMAN: Ms. Hardaway has a motion to adjourn.

MR. FREY: Second.

CHAIRMAN: Second by Mr. Frey. All those 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 41 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the
10th day of September, 2017.

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
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COMMISSION EXPIRES: DECEMBER 16, 2018

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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