The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, August 11, 2016, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

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

* * * * * * * * * * * * * * * * * *

CHAIRMAN: I will call the August 11, 2016 meeting of the Owensboro Metropolitan Planning Commission to order. We start every meeting with a prayer and pledge to the flag. That will be led by Steve Frey tonight.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Commissioners, all of you had an opportunity to review the minutes of the July meeting in your packet. Are there any corrections or additions to those minutes?

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

MR. MOORE: Move to approve.

CHAIRMAN: Motion by Mr. Moore.

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas.

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.

MR. HOWARD: I will note that 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.

----------------------------------------------

GENERAL BUSINESS

ZONING CHANGES

ITEM 3

A Portion of 4600 Block of Highway 144, 3.99 acres
Consider zoning change: From I-1 Light Industrial to P-1 Professional/Service
Applicant: Daviess County Farm Bureau; Marian R. Turley

MS. KNIGHT: Please state your name for the
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:

1. Access to the property shall be limited to Reid Road in accordance with the access spacing standards and approved by the KYTC. No access to Highway 144 shall be permitted.

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 Future Urban Plan Area where professional/service uses are appropriate in limited locations;

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

4. The proposal is an expansion of existing B-4 General Business zoning across Reid Road to the west;

5. At 3.99 acres, the proposal exceeds the 1 acre requirement for a zoning expansion across an
intervening street; and,

6. The proposed use as office 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 A.

CHAIRMAN: Thank you.

I want to remind the commissioners also to be
sure and speak into your mike whenever you speak this
evening to make sure we get it recorded.

Is anyone here representing the applicant?

MR. BERRY: Yes.

CHAIRMAN: Would you mind to step to the
podium. I want to ask you one quick question, if you
don't mind.

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

MR. BERRY: My name is Jeff Berry, President
of Daviess County Farm Bureau.

(JEFF BERRY SWORN BY ATTORNEY.)

CHAIRMAN: I just have this one question: Do
you understand the condition with regard to access?

MR. BERRY: Yes.

CHAIRMAN: I just wanted to make sure you well
understood that.

MR. BERRY: It's access strictly on Reid Road.

No access on 144.

CHAIRMAN: Thank you very much.

Commissioners, any of you have any questions?

Mr. Kazlauskas.

MR. KAZLAUSKAS: After reviewing this, I saw in here where it said the area would be better served with sanitary sewer. How close is that sewer to that property?

MR. HOWARD: It's relatively close. The manufactured housing park that's in the vicinity, their sewer we believe, if memory serves me right, is on the backside of that. It would take some doing to get it there, but we did talk with Deane Behnke at RWRA to get some input from him as far as, you know, what they would look for there. We certainly encourage the applicant to talk with them to see how feasible it is to get it there and serve the site.

MR. KAZLAUSKAS: I know the fiscal court is working continuously to get everybody on the sewer system, if they can.

I don't know if the applicant has thought about that or not. Certainly would encourage him to do so.
CHAIRMAN: I think he's going to respond, Mr. Kazlauskas.

MR. BERRY: Again, Jeff Berry.

I had no idea that there was a sewer anywhere close. I was under the impression we would probably end up using a septic system with lateral lines. If applying, if hooking up to the sewer is feasible, then we would entertain that.

CHAIRMAN: Thank you very much.

Any other questions from any of the commissioners?

Mr. Boswell.

MR. BOSWELL: Thank you, Mr. Chairman.

I was just curious, if you take a look at the map that we were given, it looks like about 303 feet of road frontage on Reid Road. This may be a premature question, but do you have any sense of where your entrance and exit would be along Reid Road at this point; because that property drops off fairly significant as you go down into Reid Road?

MR. BERRY: I've been working with Mr. Riney. We've talked to the state. I hope I'm not overstepping my boundaries, Jim.

The state has granted us access, but we want to go 300 foot down, as far down into our property as
possible and put the entryway into our property.

MR. BOSWELL: That's probably because there's a lot of traffic. It gets built up on Reid Road at certain times of the day as well. Great. That answers my question. Thank you.

CHAIRMAN: Any other questions?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience have a question or like to speak in opposition of this application?

(NO RESPONSE)

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

(NO RESPONSE)

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

Mr. Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for approval based on the Planning Staff Recommendation with the one condition and the Findings of Fact 1 through 6.

CHAIRMAN: We have a motion by Mr. Rogers. Do I 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: This application is approved
unanimously. Thank you.

ITEM 4

10937 Indian Hill Road & 10700 Highway 951,
111.016 acres
Consider zoning change: From EX-1 Coal Mining & A-R
Rural Agriculture to A-R Rural Agriculture
Applicant: Michael Johnson

PLANNING STAFF RECOMMENDATIONS

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

FINDINGS OF FACT:

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

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

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

4. The subject property has access to Indian
Hill Road and Highway 951;
5. Strip-mining activity on the property has ceased; 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: Is anyone here representing the applicant?

APPLICANT REP: Yes, sir.

CHAIRMAN: Do you have any comments you would like to make?

APPLICANT REP: No, sir.

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

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: Then the chair will entertain a motion.

MR. JEAN: Make a motion we approve based on the Staff Report and the Findings of Facts 1 through 6.
CHAIRMAN: We have a motion by Mr. Jean. Do we have a second?

MR. FREY: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved. Thank you.

ITEM 5

206 West 17th Street, 0.155 acre
Consider zoning change: From P-1 Professional/Service to R-4DT Inner City Residential
Applicant: Corey Menzies; The Junior League of Owensboro, Inc.

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

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

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

FINDINGS OF FACT:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Central Residential Plan Area, where single-family residential uses are appropriate in general locations;

3. The proposed use meets the requirements for urban residential development; and

4. Even though this property has most recently been used as an office and a boarding home facility, it has maintained its residential character and blends in well with the adjacent residential neighborhood.

MR. HILL: Staff would like to have the Staff Report entered into the record as Exhibit C.

CHAIRMAN: Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you have any comments you would like to make?

APPLICANT REP: No, sir.

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

(NO RESPONSE)

CHAIRMAN: Commissioners, do any of you have any questions of the applicant?

(NO RESPONSE)

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

Mr. Kazlauskas.

MR. KAZLAUSKAS: Make a motion that the
application be approved based on Planning Staff
Recommendations and Findings of Fact 1 through 4.

CHAIRMAN: Motion by Mr. Kazlauskas. Do I
have a second?

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Jean. We have a
motion and a second. Are there any questions on the
motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: This application is approved
unanimously.

COMBINED DEVELOPMENT PLANS/MAJOR SUBDIVISION

ITEM 6

Collyns Estates, 7.65 acres
Consider approval of an amended combined final
development plan/major subdivision preliminary plat.
Applicant: Wabuck Development Company, Inc.; FMU, LLC

MR. HOWARD: This plan has been reviewed by
the Planning Staff and Engineering Staff and it's
found to be in order. It's a multi-family development
on property that's zoned R-3MF. It's an amended plan
that takes the place of the development that was approved a few years back that had about 150 units. This is actually a reduction in the overall number of units on the property. It's been reviewed by everybody and it's ready for your all's consideration for approval.

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do you have any comments you would like to make?

APPLICANT REP: Not at this time.

CHAIRMAN: Commissioners, do any of you have any questions of the applicant?

(NO RESPONSE)

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

MR. BOSWELL: Mr. Chairman, I make a motion to approve.

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

MS. McENROE: Second.

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

(NO RESPONSE)
CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: This plat is approved.

MAJOR SUBDIVISION PRELIMINARY PLATS

ITEM 7

Honeysuckle Estates, 24.957 acres
Consider approval of an amended major subdivision preliminary plat.
Applicant: Honeysuckle, LLC

MR. HOWARD: This preliminary plat comes before you with the addition of a few lots to the development. It's been approved by the Planning Commission in the past, Lots 1 through 12 basically. This is additional lots that are on the east side of the Limestone Drive, which is a private road that was part of this development. It's been reviewed by the Planning Staff and Engineering Staff and it's in order. It meets the requirements of the regulations and the zoning ordinance and it's ready for your consideration.

CHAIRMAN: Thank you.

Is anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Any comments you would like to make?

APPLICANT REP: No.
CHAIRMAN: Commissioners, any of you have questions about the application?

(NO RESPONSE)

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

Mr. Moore.

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

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

MS. HARDAWAY: Second.

CHAIRMAN: Have a second by Ms. Hardaway. Any questions or concerns about the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: This application is approved.

FINAL DEVELOPMENT PLANS

ITEM 8

1500 Frederica Street, 0.355 acres
Consider approval of a final development plan.
Applicant: DANI Properties, LLC

MR. HOWARD: This plan comes before you as a final development plan because they have off-site parking to meet the minimum parking requirements of the zoning ordinance.
So you have the two-story structure there on the corner and then at 316 West 15th Street you have the parking lot that's going in.

The Zoning Ordinance allows off-site parking to meet the minimum requirements under certain parameters. One of those conditions on it though is it comes before the full commission.

The Planning Staff and Engineering Staff have reviewed the plan and it's in order and it's ready for your consideration.

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Make any comments?

APPLICANT REP: No.

CHAIRMAN: Commissioners, do you have any questions?

(NO RESPONSE)

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

MR. KAZLAUSKAS: Motion to approve.

CHAIRMAN: Motion by Mr. Kazlauskas. Do I have a second?

MS. McENROE: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The application is approved.

NEW BUSINESS

ITEM 9

Consider approval of June 2016 financial statements

CHAIRMAN: Everyone received the June '16 financial statements in the mail. Have had a chance to review them I hope. Do you have any questions or concerns about anything in the financial statements?

(NO RESPONSE)

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

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

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

MR. FREY: Second.

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

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
ITEM 10

Comments by the Chairman

CHAIRMAN: I would like to make one comment. I would like to thank Mr. Mischel for his comments in the paper today with regard to the use of barns for events. I thought he did a great job of clarifying what the process there was, what the problem were, and also to understand there's not a single ordinance for rules that this Planning Commission has made that would inhibit the development of these projects for barns. They are controlled by the regulations that are generated at the federal and state level. We certainly encourage everybody to successfully complete any enterprise they would like and our office is there to help you do that. I know Mr. Mischel will help in any way. I think a Commissioner was in town last week and he was going to try to help facilitate these kind of activities.

I think you all just need to know that this is something that our office does nothing, there's nothing we can do about what is required for health and safety. Mr. Mischel made that very clear in his article and I appreciate that again very much to help the public understand that.
ITEM 11
Comments by the Planning Commissioners

CHAIRMAN: Any comments by any of the Planning Commissioners?

(NO RESPONSE)

ITEM 12
Comments by the Director

* OMPC Fiscal Year 2016 Activity Report

CHAIRMAN: Mr. Howard, it's your show.

MR. HOWARD: In your packet you were given a copy of the Fiscal Year 2016 Activity Report. I'll go over that briefly. I won't touch on every single number that's on here.

We do this every year. It's a compilation of the activities of both planning and building office did over the last fiscal year.

As you look through there, there is information on there such as the fact that we saw 39 rezoning applications come before the Planning Commission last year. We had a little over 225 plats that were approved last year. The Board of Adjustment saw about 25 applications come before their body.

That's under the planning side.

Then on the Building Permit side, you know,
you can look down there and see there were a total of
984 building permits that issued; about 1,169
electrical permit, 339 HVAC permits. We did 171
different plan reviews for commercial buildings,
industrial buildings and things like that.

The last section there is under Building
Inspections. It list out the different types of
inspections that our inspectors do.

Now, I will note that we have three full-time
inspectors that go out and do this every day. We have
Matt Warren that will pitch in from time to time,
especially when one of those guys is out. He's
usually an office guy. Really among those three
gentlemen we had nearly 6,700 inspections that were
completed last year. That's an increase over the
number that we had the year before. We anticipate
that number to be very similar, if not increasing
moving forward. So those three guys stay quite busy.

The one thing that I think is an asset to the
way our office does it, the other communities may not.
So I will toot the horn for our office. All of our
inspectors are cross-trained. So one guy when he goes
out looks at the building, the electrical and the HVAC
all at one time instead of having different
individuals that look at each one of those things.
One guy goes out at one time and looks everything
instead of having maybe two or three different people
go out and look at the same thing.

You know, we want to provide this. We'll
provide a copy to the elected officials, as well just
to give them an update as far as what the activities
for the building and planning office were for the
fiscal year.

As you can see, we were quite busy. Pretty
much every number was an increase over the last fiscal
year and we're off to a good start so far this year as
well.

Be glad to answer any questions that you have
about the data that's provided in the table. If not,
we will, with your blessing, go ahead and send it out
to the elected officials and others for them to have a
copy of it as well.

CHAIRMAN: Mr. Howard, you might also mention
that our office is somewhat unique in that because we
have local inspectors, folks are not required to wait
a long time for a state inspect to get to their
project.

MR. HOWARD: Right. We have expanded
jurisdiction in Daviess County. Not every community
has that. Actually there are only a handful in the
State of Kentucky do, and that's because we have folks like Jim Mischel and Kyle Trunnell and Matt Warren on our staff. Well, Rick Thurman too. He recently pasted his Level 3. We have people on our staff that are at Level 3 building certified and that allows us to have expanded jurisdiction. So when people bring plans in, we review them here locally. We can typical spit out responses within a day or a few days instead of them having to go to Frankfort for every review, which can be weeks or months before you hear back from those. It really does speed up the process here and makes our operation more efficient.

CHAIRMAN: I think that's very important for the community to know.

Anything else, Mr. Howard?

MR. HOWARD: That's all I have.

CHAIRMAN: We need one final motion.

MR. JEAN: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Mr. Jean.

MR. MOORE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

----------------------------------------------
STATE OF KENTUCKY.

COUNTY OF DAVIESS

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Planning Commission meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 22 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 30th day of August, 2016.

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

COMMISSION EXPIRES: DECEMBER 16, 2018
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY
(270) 683-7383 ‘Paste Special | Unformatted Text’ copied from ASCII text from court reporter; then run Paginate macro to remove extra ASCII lines between pages; then adjust paragraph returns before reporter’s tag line where necessary so pages break correctly; then ‘Save As’ with appropriate date.