The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, October 4 2018, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Larry Boswell, Chairman
Terra Knight, Attorney
Melissa Evans
Irvin Rogers
Beverly McEnroe
Manuel Ball
Angela Hardaway
Mike Edge

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CHAIRMAN: I would like to call the Metropolitan Planning Commission meeting for October 4, 2018 to order.

We always start our meeting with a prayer and a pledge. Commissioner Manuel Ball will lead us in both tonight. Please join us.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Before we get started just a couple of housekeeping bits of information.

Since we are a quasi legal meeting, we want to be sure everybody is aware that if you wish to speak please approach the podium. Clearly state your name.
and be sworn in by counsel. It's very important that we hear all of the information very, very clearly. Direct all questions to the chair, especially if there are multiple speakers speaking. Be respectful of others time to be able to speak, and then please stay on the topic specific to the item on the agenda that we're addressing at that time.

The Commissioners hopefully have received all of the minutes to the September 13th meeting and have had a chance to look through those. Are there any questions or changes concerning those minutes?

(NO RESPONSE)

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

MS. HARDAWAY: Motion to approve.

CHAIRMAN: Motion to approve by Ms. Hardaway.

Is there a second?

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. 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.
MS. EVANS: I will note that all zoning changes heard here tonight will become 21 days after tonight's meeting unless there is an appeal filed. If there is an appeal filed, the minutes and the appropriate information will be forwarded on to the appropriate legislative body. Those appeal forms are located on our website, in our office, and on the back table.

GENERAL BUSINESS
ZONING CHANGES
ITEM 3
2105 Old Henderson Road, 0.412 acres
Consider zoning change: From B-4 General Business to B-5 Business/Industrial
Applicant: SJL Properties, LLC

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

MR. PEDLEY: Trey Pedley.

(TREY PEDLEY 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

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1. Comprehensive Plan;

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

3. The subject properties lie within an existing area of mixed general business and light industrial uses;

4. The Comprehensive Plan provides for the continuance of mixed use areas; and

5. The proposed use of business/storage conforms to the criteria for non-residential development.

MR. PEDLEY: We would like to enter the Staff Report into the record as Exhibit A.

CHAIRMAN: Thank you, Trey.

Is there anyone here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Do any commissioners have any questions concerning this application?

(NO RESPONSE)

CHAIRMAN: Does anyone in the audience have a concern or question about this application?

(NO RESPONSE)

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

Mr. Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for approval based the Planning Staff Recommendations and Findings of Fact 1 through 5.

CHAIRMAN: A motion has been made for approval based on Findings of Fact 1 through 5. Is there a second?

MR. EDGE: Second.

CHAIRMAN: Second by Mr. Edge. 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

610, 614 & 616 St. Ann Street, 0.262 acres within the Downtown Campus Overlay District

Consider zoning change: From R-4DT Inner-City Residential and B-2 Central Business to B-2 Central Business

Applicant: Brescia University, Inc.

PLANNING STAFF RECOMMENDATIONS

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

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FINDINGS OF FACT

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

2. The subject properties are located in a Central Residential Plan Area, where central business uses are appropriate in very limited locations and in a Professional/Service Plan area, where central business uses are generally not recommended;

3. The subject properties are located within the downtown overlay district as adopted by the City of Owensboro and the request is consistent with the concepts of the plan;

4. The use of the properties for a dormitory, although residential in nature, will provide a much needed housing within the Downtown area for the existing university establishment;

5. The B-2 zoning classification is an expansion of existing B-2 zoning to the south and to the west; and,

6. The B-2 zoning will promote the redevelopment of the downtown consistent with the downtown master plan.

MR. PEDLEY: We would like to enter the Staff Report into the record as Exhibit B.

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CHAIRMAN: Thank you, Trey.

IS THERE anyone here representing the applicant?

(NO RESPONSE)

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

(NO RESPONSE)

CHAIRMAN: Is there anyone in the audience that may have a concern or comment about this application?

(NO RESPONSE)

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

Mr. Ball.

MR. BALL: Motion to approve based on Planning Staff Recommendation and Findings of Fact 1 through 6.

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

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. 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.

RELATED ITEM
ITEM 4A
610, 614 & 616 St. Ann Street, 0.262 acres within the Downtown Campus Overlay District
ZONED R-4DT Inner-City Residential and B-2 Central Business to B-2 Central Business
Consider request for a Conditional Use Permit in order to construct and operate a college dormitory in a B-2 Central Business zoning classification.
Reference: Zoning Ordinance, Article 21, Section 21.7A7/6a
Applicant: Brescia University, Inc.

MR. PEDLEY: The subject properties combine to form 0.262 acres of land that adjoin the Brescia University campus. These properties are located in the Downtown Overlay District within the Downtown Campus District and are regulated under Article 21 of the Zoning Ordinance.

The applicant would like to construct and operate a two-story college dormitory on the subject properties. College dormitories are conditionally permitted in a B-2 zone with specific criteria, all of which have been addressed in the application.

The neighboring property to the north is zoned B-4 General Business and appears to be utilized as a parking lot that is owned by Brescia University. To the east is a group of properties zoned R-4DT.
Inner-City Residential that appear to be residential in nature; one of which is also owned by Brescia University. To the south is the Brescia University campus that is split-zoned R-4DT Inner-City Residential and B-2 Central Business. The properties to the west, along Frederica Street, are zoned B-2 and appear to be commercial businesses.

Prior to any development of the property, the applicant must be obtain approval of a Minor Subdivision Plat to consolidate the three properties. Additionally, the applicant must obtain approval of a Site Plan or Final Development Plan to demonstrate compliance of the Zoning Ordinance requirements. For conditionally permitted uses within a B-2 zoning classification that is located within the Downtown Overlay District the Zoning Ordinance does not have a minimal parking requirement; however, the Planning Commission may require off-street parking if deemed necessary.

For such property the Zoning Ordinance does however require that any frontage along a public street (except alleys) defined by a surface parking lot at the Build-to-Zone shall be defined by a 4-foot high street screen. The submitted site plan does not illustrate a surface parking lot at this time, and so
a 4-foot high street screen is not currently required on this site.

If approved, special conditions include:

1. Obtain approval of a Minor Subdivision Plat;

2. Obtain approval of a Site Plan or Final Development Plan; and

3. All necessary building, electrical and HVAC permits, inspections and certificates of occupancy and compliance shall be obtained.

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

CHAIRMAN: Thank you, Trey.

Is there anyone here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Do any of the commissioners have any questions concerning this application for the Conditional Use Permit?

(NO RESPONSE)

CHAIRMAN: Anyone in the audience that would have any questions concerning this Conditional Use Permit?

(NO RESPONSE)

CHAIRMAN: There being none I do have just a
couple of quick questions myself.

On the particular bit of information on the zoning requirements, Ms. Evans, this is probably directed to you, if this were to be approved, would we have to have the Findings of Facts around the zoning ordinance requirements which include the special conditions?

MS. EVANS: Yes. The Findings of Fact need be based on the information that you've got here, and whether or not this use could integrate into that area.

CHAIRMAN: So someone would need to develop that Findings of Fact to include those special conditions then?

MS. EVANS: Yes.

CHAIRMAN: Thank you.

Then there being no questions the chair is ready for a motion.

Mr. Ball.

MR. BALL: I would like to make a motion to approve based on the information in the Staff Report and Findings of Fact:

1. The proposal is compatible with the area because the properties are within the Downtown Campus Overlay District, and will be an expansion of the Ohio Valley Reporting

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existing university campus.

2. The use of the properties for dormitory
will provide a much needed housing within the downtown
area for the existing university establishment and is
consistent with goals of the Downtown Overlay
Districts to provide a variety of housing types within
the Downtown area.

3. The proposal will integrate into the
neighborhood appropriately because many of the
adjacent properties are owned and operated by the
university.

How many do we actually need? I apologize, I
don't do this side of things.

MS. KNIGHT: You're doing great. You can keep
going if you have more, if you need to.

MR. BALL: I have a couple of more that I
tried to prepare.

4. The proposal has been reviewed by the
Downtown Design Administrator and found to be an
appropriate use for the Downtown Campus Overlay
District; and

5. The applicant has provided the necessary
material indicating all criteria for the conditionally
permitted group housing has been met.

Then also the three conditions that are listed

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within the Staff Report.

CHAIRMAN: Thank you, Mr. Ball. I think you indicated five findings of fact; is that correct?

MR. BALL: That is correct.

CHAIRMAN: A motion has been made by Mr. Ball to approve based on the five Findings of Fact that he presented, as well as the three special conditions that are also in this information. Is there a second?

MR. EDGE: Second.

CHAIRMAN: Second by Mr. Edge. A motion has been made and seconded for approved based on the Findings of Fact as presented by Mr. Ball, five of those, and the special conditions. All those in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

ITEM 5
1120 Tamarack Road, 11.399 acres
Consider zoning change: From B-4 General Business to R-3MF Multi-Family Residential
Applicant: The Shoppes at 3800 Frederica, LLC

PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS

1. Direct access to Tamarack Road from the Ohio Valley Reporting

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subject property shall be limited to the single access
point as shown on the preliminary subdivision plat.
Any additional access points to the subject property
shall be provided by internal streets.

2. Approval of a Final Development Plan.

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
Professional/Service Plan Area, where urban
mid-density residential uses are appropriate in
limited locations;

3. The proposed use of the subject property
as a multi-family residential development will conform
to the criteria for urban residential development;

4. Existing sanitary sewer services are
available to the subject property;

5. The subject property is oriented along a
major street, Tamarack Road;

6. The proposed multi-family residential use
should effectively serve as a buffer-use between the
single-family residential homes to the west and south
and the general business uses to the east; and

7. With limited access to Tamarack Road and
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previous approval of a Traffic Impact Study from the Kentucky Transportation Cabinet, the proposed development should not overburden the capacity of the roadways or other necessary urban services that are available within the affected area.

MR. PEDLEY: We would like to enter the Staff Report into the record as Exhibit D.

CHAIRMAN: Thank you, Trey.

Is there anyone here representing the applicant?

Yes, please.

MR. RAY: Mr. Chairman and Members of the Commission, my name is Ed Ray, counsel.

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

MR. RAY: Thank you.

Subject to any questions you may have, I'm here to answer those. We're very happy to move that particular project forward. Over the last several years, obviously it's come to disrepair and throughout the entire development plan there I think there is truly a benefit to that entire area to what's being planned and what we have in the works.

The only note I would make to the Staff Report is that the two buildings that at the time the report
was generated have now been taken down. So subject to
that change, I'm available for any questions you may
have.

CHAIRMAN: Thank you, Mr. Ray.

Any of the commissioners have any questions
concerning this application for Mr. Ray?

(NO RESPONSE)

CHAIRMAN: Is there anyone in the audience
that would have any question concerning this
application?

Yes, please step forward.

MR. DUNN: My name is Chris Dunn, 3817 South
Griffith Avenue.

(CHRIS DUNN SWORN BY ATTORNEY.)

MR. DUNN: I have a couple of concerns about
this particular development.

One is screening and the other is traffic.
I'm kind of surprised, I'm probably a one-man pony
show here because I would have thought there would be
quite of few people be here especially when it comes
concerning this traffic.

The main thing that I am wondering is, is your
plat doesn't look nothing like the one that I was able
to get. I wondered if you all have the plat.

If you see to the west, may name is Chris
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Dunn. I'm right there about three lots down. If
you'll notice, these apartment buildings here, first
off they're three-stories high. They're sitting right
on top of my backyard. That is one thing, but one of
the main things now they've put a pool in here, and
before when this was zoned they had a fence and some
other screening in there. Now they've taken all the
screening and everything out of this. I would suggest
to you that this proposal is what they're going to put
in there because I basically can't see somebody
spending this kind of money and not putting this
particular buildings and what have you on this piece
of land. Does anybody know what?

   CHAIRMAN: Mr. Ray would have to answer that
particular question, if that's in the form of a
question.

   MR. DUNN: It's in the form of a question.

   Mr. Ray.

   MR. RAY: Mr. Chairman, I'm not exactly sure I
understand the nature of the question. Certainly what
has been submitted is a conceptual plan for how an
apartment complex could be laid out, which is what we
provided, kind of give an idea of what this may look
like. It is the intention of the owner to certainly
follow all of the requirements as requested for

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screening for the site development and to submit a Final Development Plan for approval by the commission. So at that point in time we certainly would have the final layout of any of the buildings, but we're really looking to make a good buffer, and I think that the Staff Recommendation or Findings of Fact Number 6 it was or 7, that talk about the fact that this is a truly good buffer between the residential units there and the commercial that will go along Frederica is truly a great use of that property. As it stands right now, of course, there is a lot of use that could go in there that may not be as friendly to the residential units that are right behind there, but the apartment complex as planned as the design develops we'll put that into the final development plan, but it will meet all of the requirements.

CHAIRMAN: Does that --

MR DUNN: My question would be: Would I have any type of recourse at that time to see that my property is protected, from noise or what have you, or is this my day?

CHAIRMAN: I'm not sure.

MS. EVANS: Typically Final Development Plans are approved at the Staff level; however, you as a commission are capable of putting a condition on this
rezoning that a final development plan would actually
have to come back before you as a whole commission
like you have done previously where you all would have
to review it and approve it at this level and at that
time he would be able to come to that meeting.

MR. DUNN: I would like to ask the commission
if they would do that. Like I said, I can't believe
I'm the only person here.

I have to say that I talked to a few people
over here on the north side in the subdivision of
Ashlawn. They had no idea any of this was going on.
More than likely because I'm probably one of the few
people that got any notice to come to this because I
adjoin to the property. I was hoping maybe the
Messenger-Inquirer would be here with a reporter that
would state some of this in an article so people would
know what's going on here and get more involved with
this situation. I have no problem with the
development. I'm in business and all my life I've
done things, but a three-story building standing over
a one-story house almost right on my backyard you know
what that's going to be like.

Secondly, a pool, I've spoken with a couple of
people who will live behind pools now and they
informed me that is a nightmare. They have PA systems
going on until 9:00 at night and children. This is a
192 resident units with 385 cars. Can you imagine
that pool on a good hot day, 100 people, 150 people,
how noisy that would be you, and it's right on my
backyard.

We did speak with Mr. Ed Ray, but he said,
well, this don't mean nothing. They might put the
pool in the back or stick it over here. I've had
dealings with Ed Ray through the City and it's never
really gone quite that well. So I'm very concerned on
what's going to be what. This looks like to me what
it's going to be.

Again, I don't mean to get off comment here,
but I'm asking that if there's some way once they have
final approval we can come back and discuss it.

CHAIRMAN: Your main concern at this point is
the noise that would come up or potentially come up?

MR. DUNN: Noise, lights and, you know, a
buffer. We're looking for a buffer.

CHAIRMAN: Yes, Mr. Ball.

MR. BALL: I've got a quick question for Staff
and I think I know the answer.

As far as noise goes, whether this gets
rezoned tonight to R-3MF or whether it is business,
the way it currently is, can the Planning Commission

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in any way, shape or form manage or police the noise?
Is that a Planning Commission function?

    MS. EVANS: We can't monitor the noise specifically. You as a commission could place
conditions as he's asking for as a buffer for fencing
or trees or that sort of thing, but not the noise
specifically.

    MR. BALL: What about lighting? I know we've talked about that in here before. Sometimes we make a
condition that lighting be directed away from the residence or away from the adjoining properties.
That's the same?

    MS. EVANS: Yes, that's something you certainly could do.

    MR. BALL: I'm sorry, I'm jumping back in here again.

    I assume that based on the fact that they're both residential zones, there is currently not a
requirement through the ordinance for any type of buffer, correct?

    MS. EVANS: That is correct. There is not a screening element required between residential uses.
They do show, there is a 30-foot drainage easement that runs along there, along that back
property.

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MR. BALL: That would potentially create some buffer?

MS. EVANS: That will create a little bit of separate, but there's not any fencing or screening that's required.

CHAIRMAN: But that draining is an existing drainage that's been there for a long time.

MR. DUNN: If I may on the ditch. The ditch on their side drops down to where if they put a 6-foot fence, we've already gone out there and done that. If you put a 6-foot fence on the edge of the ditch on their side, it's like from my backyard you don't even see the fence because it's so slow on their side. See, that's why I'm asking for like a berm to build all of that up and then put a fence up on top of that to buffer that.

The other thing I might ask, is that I know this is residential, but a lot of this clubhouse and this pool and what have you, I mean that's close to commercial as I think you can get, I mean as far as noise and what have you. I don't know what the regulations are on a pool, you know, for a residential area like this, but I don't think we're talking about a pool like in somebody's backyard that has two or three kids back there. We're looking at a place that
has close to 200 residents. I would suggest that pool would be quite the place to go during the summer during hot days. It doesn't look that residential to me.

CHAIRMAN: Do we have any sense of how large this pool that's being looked into? Is it a fairly small pool?

MR. RAY: Mr. Chairman, the final plan for laying that out is yet still to be designed. Of course, that's a very costly procedure to go through. Until it's rezoned, then we'll go through that exercise along with the feasibly of what exactly needs to go there.

As far as the pool, we hope it to be of the capacity of the residents there, will be able to enjoy that with their family. It's a family environment there.

I would note that as the zoning is today, now there are other things that could be put there. As is today a go-cart track, a pawn shop, a kennel, an outdoor amusement, schools. So there are a lot of things that could be put in there today that we believe that the residential piece of this being really good neighbors in developing that as a buffer to the commercial that comes out all the way to...
Frederica.

If I may also go back and address the noise thing for just a moment with your permission.

The noises, there's an ordinance for noise. It spells out the rules as they apply to residential areas. Everyone, whether they're commercial, close to residential area or residential, the city has an ordinance on how that's addressed, and what the penalties are and what the time limits are and that kind of thing. That's addressed by the City Commission in a fellow ordinance. So that would be something that the City Commission and the Police Department would enforce.

CHAIRMAN: Thank you, Mr. Ray.

I hear Mr. Dunn's concerns and I understand those concerns around what you're looking into doing. Is it fair to say that if this were rezoned you're in a position to work with him to try to mitigate some of those concerns?

MR. RAY: I will tell you that I've not spoken to Mr. Dunn. He mentioned he spoke with me, and I have not spoken with him.

I did talk to his counsel and I invited his counsel to have Mr. Dunn call us in about a month. When we get the plans developed, sit down and look at Ohio Valley Reporting

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those plans and let me show you what we're planning on
doing. I don't want to speak on behalf of the owners
to exactly what they're going to do today or commit to
what they're going to do today. Any of those adjacent
property owners, including the fire station that
Mr. Dunn lives directly next to is also adjacent to
our property, will certainly have its own noise that
is generated from that, or any the neighbors either
way. They can give us a call and I will be glad to
sit down with them, but we need about a month to kind
of bed that through and see exactly what the best
layout is, and also exactly how we're going to develop
the front of the property. Right now we're spending a
lot of time and energy trying to rehabilitate the old
Texas Gas building. If you look at it right now, if I
was someone that lived along that area, I would want a
buffer to the back of what that building looks like
right now. We certainly would invite Mr. Dunn and/or
his counsel to give us a call in about a month and
we'll sit down and show them where we're at.

CHAIRMAN: Thank you, Mr. Ray.

Mr. Dunn, is that feasible?

MR. DUNN: This is exactly what I was trying
to say. I never said I talked to Mr. Ray. I said I
had dealings with him when he was with the city. I
never said I talked to him. This is what I get into
with Mr. Ed Ray, he'll say one thing. That's why in
25 days from now or something, it will be a whole
different story if folks let this go through.

Just to clarify to Mr. Ray, he did not say
anything about us coming in 25 days. My attorney
asked him if we could possibly do that. So that's
twist of words there, which is what you usually get
into with this kind of situation; a twist of words.

I don't know how to give it to you any better
than that. I would suggest to you, if you folks had
the same thing going behind you, as far as commercial,
there's very few. If you go out to Menard's, they
thought that was going to be a problem out there.
They put a nice berm and fence there. None of those
neighbors, they had no problem with Menard's. I
wouldn't have any problems either more than likely.
But you're going to put this down below or at ground
level with a pool, with you know, 100 kids on an
afternoon. What are you going to do, call the cops
every day? I don't think so. I don't think any of
that will take place. I think what needs to take
place is once they know where they're going to put
this and it's going to back up to my residence, that
they need to, if you look at this, as far as cost,

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this could not be much cost as far as this project
goes. They can set this up and satisfy the people on
this side and stop the noise and the lights and what
have you. I just don't think that's, in my opinion,
would be a problem.

I'd say the biggest problem you're going to
run into is the traffic is going to be the number one
problem at this place if nothing else, but I'm kind of
sticking with what we're talking about right here.

CHAIRMAN: As I understand it, Ms. Evans, our
ordinances do not require a berm or anything that
would have to be put into this at all?

MS. EVANS: No. There is no screening
requirement between residential uses. You all have
that option as a condition to do that, but there is no
Zoning Ordinance requirement for that.

CHAIRMAN: Thank you, Ms. Evans.

Yes, Mr. Ball.

MR. BALL: I've got another quick question.

This is probably directed to Mr. Ray.

As far as screening, one of the concerns is, I
guess the screening of the pool area itself. I don't
know that is there is, as Mr. Dunn stated, I don't
know if there's a way that you can screen a
three-story building in this particular scenario;
however, being familiar with building codes, there is a building code requirement, I believe, that requires a 4-foot element around the pool itself. Are there any plans go any taller around the pool itself?

MR. RAY: I think what we need to do at this point in time is let the development plan evolve into. Right now I can't tell you even where on the whole facility the pool is going to be.

One of our marketing pieces for that whole 3800 Frederica location that we put together has a completely different conceptual layout, where the pool is buffered between two buildings. So there's a three-story building between residential locations and the pool area.

I would be glad to, if the Chairman would allow me to approach and hand this out, you can kind of see another conceptual plan that we have.

CHAIRMAN: Yes, please.

Could Mr. Dunn also have one?

MR. RAY: Sure.

As you look at this, again, this is not a final plan. It's simply another concept of how to lay this out in the best way to conform to what works.

We have sent out nationwide requests for proposal for architects that specialize in

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multi-family units. So part of their expertise brings to how to make these friendly, how you make these liveable. Any time there is one resident that's concerned about the noise, but there's also going to be two, 300 residents that will live in this complex that are just concerned about noise in their residential units. That certainly is of interest to us. Make sure that we do it in such a way that we are friendly to all the residents, including the ones that are neighbors.

So we can look to those architects and our feasibility analysis when we lay out the final plan. This is just another concept that shows another area that the pool could certainly be added that has quite a buffer, larger than any buffer in the community between it and the residential units to the west.

CHAIRMAN: It would appear here that the pool would be, the apartment building itself would be the buffer for the pool here.

MR. RAY: Yes, sir.

CHAIRMAN: Thank you.

Yes, Mr. Ball.

MR. BALL: Have there been any pool hours established?

MR. RAY: We haven't established any of the
rules and regulations as it pertains, but a lot of
times in areas that these type of facilities go into
it's governed by the tenants. It's governed by the
clientele that come into the facility.

I will tell you that generally speaking the
noise ordinance, for instance, goes into play whether
this is a pool for the residents use there. By the
way, it's not a public pool. This is a private pool
exclusive to use for the residents and their guest.

But we will put together a set of rules and
regulations that are applicable to the facility to
make sure that it's friendly to the customer of this,
which is also those that live in the facility, as well
as the surrounding neighbors.

CHAIRMAN: Thank you, Mr. Ray.

Mr. Dunn.

MR. DUNN: That is a lot of "ifs." I don't
think I'm being unreasonable to ask if they do these
type of things, I'm familiar with the plat down here.
Matt Hayden met me out there. We talked about this.

I don't think it's unreasonable for me to ask if once
they finally make all these decisions that we possibly
could look at it again and make sure that it's going
to work for us.

MS. KNIGHT: Mr. Ray, is that something that
the applicant would agree to do, would be submit the
Final Development Plan to the Commission, notify the
neighbors, just as they did for the rezoning
application tonight?

MR. RAY: If the commission is requiring that
of us, certainly we would comply.

CHAIRMAN: That would have to be one of the
findings of facts?

MS. KNIGHT: It would be one of the
conditions.

CHAIRMAN: Okay.

MR. RAY: Just as clarity. You know, I guess
we're talking about submitting the Final Development
Plat and giving notice, but certainly not looking at
consent or any type of approval of those residents.
Simply giving them an opportunity to be heard in front
of this commission; is that correct?

MS. KNIGHT: Correct. Then they can be heard
on any issues that might exist with the Final
Development plan that Mr. Dunn is referring to.

CHAIRMAN: Any other comment, Mr. Dunn?

MR. DUNN: I'm just beating a dead horse here.

CHAIRMAN: Hopefully not.

MR. DUNN: If we can do that, that would be
great, but, you know, he's already stating that more
than likely they wouldn't pay much attention to what we didn't like about it.

Anyway, I guess there's other recourses that I'm not aware of right now if we were able to give you guys to give us a type of -- what we're talking about here.

The only other thing I have is traffic. I don't know if this where you would talk about it or you've got it in a different area.

CHAIRMAN: Yes, this is a good avenue.

MR. DUNN: Right here?

CHAIRMAN: Yes.

MR. DUNN: Of course, I don't know the ones that you guys have. As you can see, you can see the traffic on this particular one here. You have Tamarack there. It's showing Ashlawn meeting up with the ingress/egress for this proposed apartment complex, which that first will take that. That supposedly has 385 cars give or take. So if you round it off, you've got 400 cars coming out of here in this one spot, two drive times in a day. You've got morning drive time and you've got the afternoon drive time. If anybody lives over in that area, you probably know by now that traffic backs up all the way from the bypass to Tamarack. Tamarack gets backed up.
It gets backed up every which way you go in certain
times of the day.

Now we're talking about adding 400 more cars
just in the Ashlawn Drive. Then we're going to meet
up here at Monticello and, of course, we don't know,
but I would guess somewhere between 100 and 300 more
cars. Then if you back up to South Griffith where
we're at, Town and Country has 500 homes in that, but
we do have two ways to get in and out.

If you'll notice, this apartment complex has
one way to get in and out. So all 400 cars is going
to hit that entrance or exit, whichever way you want
to look at it. 54 out here, that's going to be no
problem compared to what this is going to turn out to
be. I know they said they've got traffic studies and
what have you, but I'm sure they have traffic studies
out on Highway 54. Anybody that's been out there,
they know what kind of a zoo that is, and the TIF has
not even began to build up yet. Lord knows what it's
going to be like.

The main purpose that I bring this up is the
people on the north side over here, as I said, I spoke
to two or three of them at random. I don't even know
who they are. They had no idea that there could be
possibly another 600 to 1,000 cars added on to

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Tamarack between South Griffith and Frederica Street, especially two times a day on drive time. They basically said, well, you know, they really didn't believe it until I showed them the piece of paper.

I have a lot of concerns. Like I said, I'm the only guy here. I feel like that if this was put into the paper or Messenger-Inquire did an investigation and put it out there for the people to see this before it goes very far, you'd have a whole different reaction to this. That's my concern.

CHAIRMAN: Did I recall somewhere when this was announced that there was going to be another stoplight on Tamarack at some point in time?

MR. RAY: Mr. Chairman, if I may. A couple of items.

One, Mr. Dunn makes a good observation to the evaluation or the site plan, conceptual plan that's there. So we've been looking at that. There is another light actually that, if you look at what I just handed to you, that concept shows access coming out and actually directly to a brand new light that the State is putting in at the intersection in front of the Texas Gas building. So the residents would be able to actually go directly to the light and come in and out onto Frederica, as an alternative. We
believe, based on the preliminary look that we've had on the development that makes sense.

The Staff Report requires us to keep the entrance ingress and egress on Tamarack, and we believe that is a good recommendation and it makes sense, but also we've looked at that, and I don't disagree with Mr. Dunn's assessment, we're trying to work out a way that residents from there and the commercial users of the front of the property could easily go to the brand new light that will be out in front of the current whole property, commercial property.

CHAIRMAN: Thank you, Mr. Ray.

I'm not sure if that addressed your question.

MR. DUNN: I just want to point out that I did bring up the fact that if somebody lived out that way or if you go out and spend some time out that way, it won't take you long to figure out that traffic backs from the bypass, where you get on the bypass on Frederica Street going south all the way up to Tamarack. A stoplight at -- I'm not sure what the name of the road is that comes across Frederica they're talking about putting a stoplight. I would think it would only congest it even worse. That's just my opinion. I think this traffic, I mean that is
a lot of people in an apartment complex, you know.

The traffic -- peopleing are going to be flying through
these subdivisions over here trying to beat this
traffic on Tamarack. It's going to turn into a real
problem.

CHAIRMAN: As I understand it, the Kentucky
Department of Transportation has submitted in writing
the approval of the traffic patterns out there.

MS. EVANS: Yes, they did with the original
rezoning to B-4. I believe the multi-family
development was a part of that original Traffic Impact
Study to begin with.

CHAIRMAN: Thank you, Ms. Evans.

MR. DUNN: That's all I've got.

CHAIRMAN: Thank you.

Are there any other questions or concerns?

Yes, sir.

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

MR. LOHMAN: George Lohman.

(GEORGE LOHMAN SWORN BY ATTORNEY.)

MR. LOHMAN: George Lohman, 3811 South
Griffith Avenue.

I haven't seen the plans, but I am concerned
about a couple of things Mr. Dunn asked. One is,
course, the three-story apartment in my backyard or looking down immediately on my backyard.

The other is a swimming pool. You know, we all know swimming pools generate a lot of noise. We happen to use our building as an office building. So during prime swimming hours, we're going to have a lot of noise at our office. I don't know if there's anything we can do to influence that. I'm not against this plan to make it into a multi-unit residential, but I would love to see a firm plan. I would like our concerns to be taken into consideration; that we don't back up to a swimming pool and that there's some kind of a screen or barrier put up to separate us from this very large apartment complex. Is there anything that we would do? Is there anything we can allow to do to have that kind of say in this?

CHAIRMAN: If this were brought up, there could be something placed into this to have that happen on a final development plan, yes, if the commission so desires to do that. I think that's a correct statement, isn't it, Ms. Evans?

MS. EVANS: Yes. You can place conditions for the screening on this rezoning that would then have to be met on the development plan.

CHAIRMAN: Thank you.

CHAIRMAN: Thank you for your comments.

Yes, Mr. Ball.

MR. BALL: I have a question for Staff.

It's been brought up a couple of times, as relating to the buffering. The three-story structure as opposed to a single-story or maybe even a two-story structure. In its current use as a business zone, what are you limited to on height or stories currently?

MS. EVANS: Just one second.

MR. BALL: Sorry.

MS. EVANS: In B-4 zone there is no limit on the maximum building height except if you're in a Kentucky Airport zoning restriction area.

MR. BALL: So potentially there could be a 7-story building, multiple 7-story building along that current zoning?

MS. EVANS: Yes.

MR. BALL: Thank you.

CHAIRMAN: Thank you, Mr. Ball.

Anyone else like to speak on this application?

(NO RESPONSE)

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

Mr. Ball.

MR. BALL: I would like to make a motion to approve based on the Planning Staff Recommendations, Findings of Fact 1 through 7 with Conditions 1 and 2, and I would like to add a third condition. That the applicant must bring the Final Development Plan back before the Commission and notify all adjoining landowners like you would in a rezoning.

CHAIRMAN: A motion has been made for approval based on Conditions 1 and 2, Finding of Facts 1 through 7, with the added condition that they must bring Final Development Plan back before the Commission and all of the residents be notified.

Is that correct, Mr. Ball?

MR. BALL: That's correct, yes.

CHAIRMAN: Is there a second to that motion?

MS. HARDAWAY: Second.

CHAIRMAN: Second by Ms. Hardaway. Any discussion or comment about the discussion 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.

RELATED ITEM
ITEM 5A
1120 Tamarack Road, ZONED B-4 General Business to R-3MF Multi-Family Residential
Consider request for a Variance in order to eliminate all spillover parking required within a planned residential development.
References: Zoning Ordinance, Article 10, Section 10.46
Applicant: The Shoppes at 3800 Frederica, LLC

MR. PEDLEY: The subject property is 11.399 acre lot within the Shoppes at 3800 Frederica.

The applicant is going to utilize this property for a multi-family living facility and provide a conceptual plan for the site illustrating approximately 192 residential units; however, the number of units and site layout are subject to change.

Based on the number of depicted units and the number of shown parking spaces, it assumes that all 192 units shown on the conceptual plan are 2-bedroom units. Such an activity requires 384 parking spaces for residents and additional spaces for spillover parking to accommodate guests, additional drivers living within the units. The spillover parking requirement is based upon the square footage of the unit.

However, the applicant requested a Variance to

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allow the elimination of all required spillover
parking spaces. The Owensboro Metropolitan Board of
Adjustment has approved the request to reduce the
total number required spillover parking spaces in the
past, but has never approved the request to eliminate
all.

The OMPC Staff believes the request to
eliminate all required spillover parking will allow an
unreasonable circumvention of the requirements of the
Zoning Ordinance and would recommend denial of this
request. However, the OMPC Staff has researched
Zoning Ordinance requirements of nearby communities of
similar size and density and discovered that other
ordinances require the total number of spillover
parking spaces to reach a minimum of 10 percent of the
number of total required parking spaces. For example,
if this development is required to maintain 384
parking spaces, this ordinance would require the
development to provide an additional 38 spillover
parking spaces. Based on phone conversations with the
applicant's engineer, the OMPC Staff believes that the
applicant is agreeable to modify their proposal to
request a variance that will allow the reduction of
the number of required spillover parking spaces to 10
percent of the residential development's required
parking spaces.

As previously stated, this lot is within the Shoppes at 3800 Frederica, an area predominately zoned B-4 General Business. In the event that the subject property cannot support the entirety of the required parking spaces and the necessary spillover parking, the latter can be located on an adjoining property if shown on an approved Final Development Plan.

Granting the Variance to reduce the required amount of spillover parking to 10 percent of the required parking spaces will not adversely affect the public health, it will not cause a nuisance to the public because the complex will provide adequate spillover spaces even if some is located on an adjoining property.

Staff recommends approval of the request to reduce the amount of spillover parking as required within a planned residential development to 10 percent of the required parking with the conditions that approval of a Final Development Plan is obtained, as well as all necessary building, electrical and HVAC permits, inspections and certificates of occupancy and compliance.

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

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CHAIRMAN: Thank you, Trey.

Is there anyone here representing the applicant?

Yes, Mr. Ray.

MR. RAY: Mr. Chairman, Ed Ray, representing the applicant.

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

(NO RESPONSE)

CHAIRMAN: Is there anyone in the audience that may have any concerns or comment about this application?

(NO RESPONSE)

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

MR. BALL: I will go again.

Motion to approve based on the Planning Staff Recommendations, Findings of Fact 1 through 4.

Am I doing this wrong?

MS. KNIGHT: No. Are you making the motion to approve the total elimination or --

MR. BALL: I'll clarify that.

I would like to make a motion to approve the Variance for the reduction to 10 percent of the requirement.

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Is that correct?

MS. EVANS: Right there where it says, "Granting this variance," read that.

MR. BALL: We'll try again.

I'd like to make a motion to approve the findings for granting this Variance to reduce the total amount of spillover parking that is required within the plan residential development to 10 percent of the required parking spaces; Findings of Fact 1 through 4 and Conditions 1 and 2.

CHAIRMAN: A motion has been made for approval based on the Findings of Fact 1 through 4 and the two special conditions, as well as the granting of the Variance to the 10 percent. Is there any discussion about that motion?

(No Response)

CHAIRMAN: Is there a second?

MS. HARDAY: Second.

CHAIRMAN: Second by Ms. Hardaway. 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 6
1107 Wing Avenue, 2.89 acres
Consider zoning change: From I-1 Light Industrial to I-2 Heavy Industrial
Applicant: Tally Trucking, Inc. and PGB Investments, LLC

PLANNING STAFF RECOMMENDATIONS

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

CONDITIONS

1. Approval of a site plan or final development plan.

2. Approval of a Conditional Use Permit to operate a vehicle storage/impound yard.

FINDINGS OF FACT

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

2. The subject property is located within an Industrial Plan Area, where heavy industrial uses are appropriate in limited locations;

3. The proposed use as a towing a vehicle impound facility is non-residential in nature;

4. The closest point of the outdoor storage area on the subject property is approximately 308 feet from the nearest residential zone and greater than 100 feet from any other except those containing light

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industrial or agricultural/forestry uses;

5. The proposed I-2 Heavy Industrial zoning classification is a logical expansion of the I-2 zoning to the north; and

6. At 2.89 acres, should not significantly increase the extent of industrial uses in the vicinity, nor should it overburden the capacity of roadways and other necessary urban services that are available in the affected area.

MR. PEDLEY: We would like to enter the Staff Report into the record as Exhibit F.

CHAIRMAN: Thank you, Trey.

Is there anyone here representing the applicant?

Yes, step forward.

MR. SULLIVAN: I'm Mike Sullivan, attorney.

MS. KNIGHT: Mr. Sullivan, you're so sworn.

MR. SULLIVAN: Thank you, ma'am.

I represent the owner, PGB Investments. Representative of the owners present, also a representative of Tally Trucking is here as well. So we're here to answer any questions you may have.

CHAIRMAN: Thank you, Mr. Sullivan.

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

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CHAIRMAN: I just have one for clarification. Based on what I've read, it would appear that the I-2 would be the only way you would be able to get the Conditional Use Permit; is that correct?

MR. SULLIVAN: Bingo.

CHAIRMAN: So it's the whole basis of --

MR. SULLIVAN: The use of the property, partial use of the property for impounding yard is what is driving this, yes.

CHAIRMAN: That's what I wanted to be sure of. I thought I would check with the expert. Thank you.

Commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: Is there anyone in the audience that would have a question or comment about the application?

(NO RESPONSE)

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

Mr. Rogers.

MR. ROGERS: Mr. Chairman, I make a motion for approval based on Planning Staff Recommendation with Conditions 1 and 2 and Findings of Fact 1 through 6.

CHAIRMAN: Thank you, Mr. Rogers.
A motion has been made for approval based on Conditions 1 and 2, and Findings of Fact 1 through 6. Is there a second to that motion?

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. Is there 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.

RELATED ITEM
ITEM 6A
1107 Wing Avenue, ZONED I-1 Light Industrial to I-2 Heavy Industrial
Consider request for a Conditional Use Permit in order to operate an impound yard from an I-1 Heavy industrial zoning classification
References: Zoning Ordinance, Article 8, Section 8.2P17
Applicant: Tally Trucking, Inc. and PGB Investment, LLC

MR. PEDLEY: The subject property is an existing 2.89 acre lot. The applicant would like to operate an automobile impound yard from, in addition to the existing trucking and towing operation.

Impound yards are Conditionally Permitted in an I-2 zone, as long as any building or outdoor storage areas are located 300 feet from any urban

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residential area, and at least 100 feet from any other zone except an I-1 Light Industrial zone or an A-R Rural Agricultural zone. Additionally, all storage areas shall be screened appropriately. 

The property to the north across the railroad track is zoned I-2 Heavy Industrial and is the former HON factory. The property to the east and to the south is zoned I-1 Light Industrial and is a storage yard for RWRA. The adjoining properties to the west are zoned I-1 Light Industrial and include the Texas Gas training center. Additionally the west, across Wing Avenue, is a residential neighborhood that is zoned R-4 Inner-City Residential. 

While there is a residential neighborhood across the street, the subject property is a flag-shaped lot with a narrow driveway leading to the bulk of the property with which is located behind Texas Gas training center. Because of the shape of the lot and the length of the driveway, the residential zone is approximately 308 feet from the closest point of any outdoor storage areas or existing buildings on the subject property. 

Prior to any development of the property, the applicant must obtain approval of a site plan or final development plan to demonstrate compliance with the.
Zoning Ordinance requirements.

The Zoning Ordinance states that a vehicle impound yard or vehicle salvage yard is required to maintain one parking space for every two employees on the maximum shift with a minimum of five provided parking spaces. The submitted site plan shows five regular parking spaces and an additional handicap accessible parking space.

Additionally, the Zoning Ordinances states that the areas of the outdoor storage yard that are utilized for the impounding of vehicles and/or the storage of salvaged vehicles shall be fully enclosed with an 8-foot tall solid wall or fence. Additionally, any other areas of the subject property that are utilized for outdoor storage and/or have a gravel surface shall be fully enclosed with a minimum 6-foot tall solid wall or fence.

If approved, Special Conditions include:

1. Obtain approval of a Site Plan or Final Development Plan;

2. All necessary building, electrical and HVAC permits, inspections and certificates of occupancy and compliance shall be obtained.

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

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CHAIRMAN: Thank you, Trey.

Is there anyone here representing the applicant?

MR. SULLIVAN: Yes, sir. Mike Sullivan again representing the owner.

Just a couple of things. Nothing significant here, but I think the Staff Report mentions a trucking business here. They're a towing business that has an impound yard. There used to be truck business here. It is now a towing and impound yard. That doesn't impact anything. Just a matter of clarifying the record.

CHAIRMAN: Just a clarification.

MR. SULLIVAN: The other thing, I think I'm right. It's a question for the Staff. There's a condition on both the rezoning and this Conditional Use Permit that a site plan be submitted. I talked to Mr. Pedley. What was on the screen previously was the site plan. I'm hoping that this is adequate. I know there's a separate process, if I pay a $50 application fee. I think the plan would be to submit this site plan except we've just got change the key. I think the key says something about the exist fence. I think our plan now is to put a 8 1/2 foot high solid fence just inside the existing fence so we comply with this.
We'll make that change. I think the intent will be to make that change and submit this, just FYI.

CHAIRMAN: Thank you, Mr. Sullivan.

Are there any questions from the commissioners concerning this application?

(NO RESPONSE)

CHAIRMAN: Just a point of clarification I guess for myself, Ms. Evans.

If we were to anticipate or at some point in time look at approving this, obviously there's going to have to be some Findings of Fact developed based on the information here as presented?

MS. EVANS: Yes, that's correct.

CHAIRMAN: Thank you.

Is there anyone in the audience that would like to speak concerning this application?

(NO RESPONSE)

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

Mr. Ball.

MR. BALL: I'm going to try again. We'll see if I can do this better this time.

I would like to make a motion to approve this Conditional Use Permit based on the following Findings of Fact:

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1. The proposal is compatible with the area because of other outdoor storage yards in the general vicinity;

2. The proposal will integrate into the neighborhood appropriately because it's adjoined by other heavy industrial activities;

3. Given the configuration of the subject property, the proposal will not adversely affect the public welfare because the storage yard and the subject property will be located at least 300 feet away from the neighboring residential properties located across Wing Avenue;

4. The proposal will not create a public nuisance because the site will have sufficient screening with the bulk of the outdoor storage yard enclosed by the adjacent industrial activity where it is difficult to see from the public right-of-way.

And the two conditions listed inside the Staff Report.

CHAIRMAN: Thank you, Mr. Ball.

A motion has been made for approval based on the four Findings of Fact which hopefully our reporter, Lynnette, was able to pick up and record, as well as the two special conditions.

Is there any discussion about that motion?
(NO RESPONSE)

CHAIRMAN: Is there a second?

MR. ROGERS: Second.

CHAIRMAN: Seconded by Mr. Rogers. Any discussion about the motion or the second?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

MINOR SUBDIVISION PLATS
ITEM 7
6500, 6512 London Pike Spur, 13.551 acres
Consider approval of a minor subdivision plat
Applicant: Charles E. & Sheila J. Wilson

MS. EVANS: Commissioners, this plat comes to you as an exception to the 3 to 1 requirement and also of the minimum road frontage requirement. They're creating a flag-shaped lot that goes back pretty far around this existing house and structures that are there. They have put a note on the plat that the property shall not be further subdivided without meeting the requirement of the subdivision regulation. We believe this plat is in order as ready for your consideration.

CHAIRMAN: Thank you, Ms. Evans.

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Is anyone here representing the applicant?
(NO RESPONSE)
CHAIRMAN: Do any of the commissioners have any questions concerning this application?
(NO RESPONSE)
CHAIRMAN: Anybody in the audience that would like to speak on this application?
(NO RESPONSE)
CHAIRMAN: Then the chair is ready for a motion.
Mr. Rogers.
MR. ROGERS: Mr. Chairman, I make a motion for approval on the minor subdivision plat.
CHAIRMAN: A motion has been made for approval on the minor subdivision plat. Do we have a second?
MS. McENROE: Second.
CHAIRMAN: Second by Ms. McEnroe. Any discussion about the motion or the second?
(NO RESPONSE)
CHAIRMAN: All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: Motion passes.
NEW BUSINESS
ITEM 8
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Consider approval of August 2018 financial statements
CHAIRMAN: Hopefully all of the commissioners have received their financial statement information and have had a chance to look through that.
Are there any questions or comments concerning that financial statement information?
(NO RESPONSE)
CHAIRMAN: There being none the chair is ready for a motion.
Ms. Hardaway.
MS. HARDAWAY: Motion to approve.
CHAIRMAN: Motion to approve by Ms. Hardaway.
Do we have a second?
MS. McENROE: Second.
CHAIRMAN: Second by Ms. McEnroe. 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 9
Comments by the Chairman
CHAIRMAN: The only comments I have is I would like to thank Lynnette for her hard work in keeping
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track of all of this. Does a great job.

Also would like to thank Ms. Evans tonight for sitting in for Brian Howard. She has done an excellent job.

I'd also like to thank Mr. Ball for all of the motions tonight.

That's the only comment the chair has.

ITEM 10
Comments by the Planning Commissioners

MR. BALL: I would just like to duly note that we typically don't carry the load on the Conditional Use Permits and the Variances so I apologize.

MS. KNIGHT: You did an excellent job.

CHAIRMAN: Any other commissioners who would like to speak on the any topic?

(NO RESPONSE)

ITEM 11
Comments by the Director

CHAIRMAN: There being none are there any comments by the director?

MS. EVANS: I'm not the director, but I do have a couple of quick comments.

First of all, the November 1st Owensboro Board of Adjustment meeting has been moved to November 8th. It will a double meeting with the Planning Commission.
The Board of Adjustment meeting will start at 5 p.m., and the Planning Commission will follow starting no earlier than 5:30. We've done that to accommodate for candidate forum that the Chamber is going to hold in the City Commission Chambers on November 1st. So the November 1st Owensboro Board of Adjustment meeting will be on November 8th at 5 p.m.

Also, we have scheduled our annual fall half a day Western Kentucky Regional Conference. That is on November 30th. It is in Madisonville this year. It's a half day conference. There are 4 1/2 hours of training that will be offered there. If anybody is interested in attending that, please contact the office and we can get you set up for that. That's it.

CHAIRMAN: I think I've attended a number of those and they're excellent conferences that I've been to.

Our next and most important motion.

Mr. Ball.

MR. BALL: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Mr. Ball. Is there a second?

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe. All those in favor raise your right hand.

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(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 59 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 1st day of November, 2018.

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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